

**GOVERNMENT OF ORISSA
WORKS DEPARTMENT**

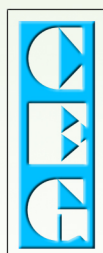
ORISSA STATE ROAD PROJECT

**FEASIBILITY STUDY AND DETAILED PROJECT
PREPARATION FOR PHASE-I ROADS**

RESETTLEMENT ACTION PLAN

Chandbali - Bhadrak - Anandpur

MAY 2007



**CONSULTING
ENGINEERS GROUP LTD.
JAIPUR**



ABBREVIATION

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AIDS	Acquired Immune Deficiency Syndrome
BOQ	Bill of Quantity
BPL	Below Poverty Line
BSES	Base like Socio Economic Survey
CBO	Community Based Organization
CD	Community Development
COI	Corridor of Impact
CPR	Community Properties Resources
DCAC	District Compensation Advisory Committee
DPR	Detail Project Report
FGD	Focused Group Discussion
FSR	Feasibility Study Report
GOO	Government of Orissa
HIV	Human Immunodeficiency Virus
HQ	Head Quarter
IRC	Indian Road Congress
LA	Land Acquisition
LA	Land Acquisition
MLA	Member of Legislative Assembly
MP	Member of Parliament
NGO	Non Government Organization
NTH	Non Title Holders
OBC	Other Backward Class
OC	Other Caste
OSRP	Orissa State Road Project
OWD	Orissa Works Department
ORRP	Orissa Resettlement and Rehabilitation Policy
PAFs	Project Affected Families
PAPs	Project Affected Persons
PIU	Project Implementation Unit
R & R	Resettlement and Rehabilitation
RAP	Resettlement Action Plan
ROW	Right Of Way
RP	Resettlement Plan
RPDAC	Resettlement and Periphery Advisory Committee
SBEs	Small Business Enterprises
SC	Schedule Caste
SIA	Social Impact Assessment
SMU	Social Management Unit
ST	Schedule Tribe
TOR	Terms of Reference
TDP	Tribal Development Plan
VLC	Village Level Committee

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EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

1 Background

The Orissa Works Department (OWD), Government of Orissa (GoO) has planned to improve its core network of about 900 km of state highways under Orissa State Road Project (OSRP) phase I with the loan assistance from World Bank. The proposed road improvement consists of two laning of single and intermediate lane with paved shoulder and pucca drains in built-up stretches and open drains in open stretches. The Phase-I of OSRP has two major components namely Road Improvement Component including Resettlement and Rehabilitation, and Institutional Development & Policy Component.

- Involuntary resettlement will be avoided wherever feasible, or minimized, exploring all viable project alternatives.
- Determine the magnitude of adverse social impacts and propose mitigation measures through the Orissa Resettlement and Rehabilitation Policy, 2006
- Outline results of stakeholders consultation and incorporate the outcome of these consultations in the final design of the project roads.
- Develop institutional mechanism for implementation monitoring and evaluation of the R&R process.

2 Methodology

The Resettlement Action Plan has emphasized on consultation and participation of project affected persons (PAPs), project planning and implementing agencies at PIU level and local staffs at different level. Structure questionnaires, open ended formats, group discussion during preparation of Village Diary etc are the highlights of methodology adopted for understanding social assessment and the preparation of the report.

3 Project Area

This Resettlement Action Plan deals with Bhadrak-Chandbali (SH-9) and Bhadrak-Anandpur section proposed to be developed under year-1 of the project. The project corridor has two-link roads. One connects Chandbali town (51/000) to Bhadrak town (0/000) of SH-9 and the other from Bhadrak (0/000) to 50/100 of SH-53 at Anandpur town. These links are single and intermediate lanes with earthen shoulder. The project road Linking SH-9 is having sharp curves at some locations and the average Right of Way (RoW) ranges between 20-25 meter. Whereas Bahdrak-Anandpur section is having fairly straight geometry with 20-25 meter RoW. Portion of these links also require raising of pavement as the project road is part of the fertile flood plains of Bhadrak and Keonjhar Districts. These two links are being considered as one integrated package for highway planning in OSRP Phase-I.

The proposed widening is being done mostly along the existing road with minor deviations at sharp curves. The improvement proposal envisages improvement of geometry at sharp curves, raising of submerged stretches and provision of drains along the entire stretches.

4 Project Impacts

Proposed road improvement will require 64 acres of land, which would affect 2008 agricultural families. There are altogether 3889 project-affected families out of which 638 are kiosks and 1152 are commercial families. Detail social assessment has established low to marginal impact of the project. Following table outlines impacts of proposed project intervention.

Table 1: Project impact

Description	Units
Project Affected Families	▪ 3889 families
Project Affected Persons	▪ 23943 persons
Average Family Size	▪ 6.15 persons
Details of Project Affected Families	▪ 2008 agricultural families ▪ 91 Residential ▪ 1152 commercial and ▪ 638 kiosks
Per km land acquisition	▪ .071 acres
Literacy	▪ 92.3 percent
SC	▪ 412 families
ST	▪ 17 families
Below the Poverty Line	▪ 956 families
WHH	▪ 67 families
Main Occupations	▪ Agriculture
Type of Structures affected	▪ 293 katchha ▪ 500 semi-permanent ▪ 638 kiosk ▪ 53 permanent
Displacement	▪ 1348 families ▪ 47 titleholders ▪ 663 NTH ▪ 638 kiosks

Source: Consultant Study, 2006

5 Stakeholders Consultation

To incorporate ensured continued people participation consultation mechanism has been evolved. People have been informed, consulted in project related decision. To understand people opinion about the project, their preferences/options and decisions in project designs were discussed. Solutions to resolve the conflict arising out of acquisition of land and structure, institutional mechanism for the successful implementation of the project were discussed. Emerging Issues findings and solutions provided by the people during these consultations are documented and plausible suggestions have been incorporated in design. Realizing the losses incurred because of proposed project planning finding and suggestions made by the people have been an important tool to evolve entitlement framework of the Orissa Resettlement and Rehabilitation Policy 2006 for OSRP.

6 The Entitlement Framework for OSRP

In accordance with the ORRP 2006, an entitlement framework for the project has been prepared. The entitlement framework for the project is approved vide letter No. 3413 (Dated 01-03-2007) from the Revenue and Disaster Management Department. As per the framework, all titleholders and vulnerable non-titleholders' affected families will be entitled to a combination of compensation measures and resettlement support, depending on the nature of ownership rights of lost assets and characteristics and extent of the impact caused because of project interventions. A detailed description of each compensation measures and assistance is provided in the entitlement framework. The Entitlement framework in the project is guided by the following broad principles.

- Land acquisition would be done under the provision of LA Act 1894.
- Consent award (acquisition through mutual negotiation) would be preferred for land acquisition.
- Additional benefit to the land losers would be provided as lump sum assistance.
- PAFs who do not have alternative source of livelihood or shelter would be assisted under the project.
- Community properties would be enhanced/conserved by the project in consultation with the community

Cut-off date of titleholders will be the date of issuance of 4(1) notification-under LA act and for non-titleholders; the cut-off date is the date of census survey. Following table discusses entitlement as per OSRP.

Table 2: R&R Entitlement Framework

Type of Loss	Unit of Entitlement	R&R Entitlement Framework for OSRP
Agricultural land	Titleholder Family	(i) Compensation as per LA Act. (ii) A rehabilitation grant at Rs 50,000 per acre of unirrigated and Rs 100,000 per acre of irrigated land with a minimum of Rs 2,500 per affected family irrespective of the loss. (iii) If alternate land is provided, the cost of land will be deducted from the compensation amount and the rehabilitation grant will be proportionately reduced (iv) Other Assistance <ul style="list-style-type: none"> • At least 3 months notice in advance of crop harvest • Compensation for crop lost, if notice is not served in advance
	Share cropper	An affected share cropper will get a sum equal to the unexpired lease period
Homestead (or non-agril. land)	Titleholder	(i) Compensation as per LA Act for the loss of homestead land (ii) If more than one-third of the structure is lost, such affected people will be categorized as 'displaced'. (iii) Those affected but not displaced will get compensation for the portion of homestead land and structure affected by the project and permission to salvage construction material. (iv) Those displaced will get <ul style="list-style-type: none"> ▪ Compensation for the structure affected (part or full) computed at BSR without deducting depreciation ▪ Permission to salvage construction material ▪ Alternate house site (1/10th of an acre in rural areas and 1/25th of an acre in urban areas) or cash equivalent of Rs.50,000. ▪ A house construction assistance of Rs 150,000 (v) Other assistance : <ul style="list-style-type: none"> ▪ A maintenance allowance of Rs.2000 per month for a period of one year from the date of vacation ▪ An assistance of Rs 10,000 towards temporary shed ▪ A transportation allowance of Rs 2,000
	Tenant/Lease holder	Only displaced tenant will get: <ul style="list-style-type: none"> ▪ A sum equal to two months rental in consideration of disruption caused. ▪ Transportation allowance of Rs. 2,000 towards shifting household materials.

Land under commercial use	Titleholder (owner and occupier)	(i) Compensation for the loss of land used for commercial purpose. (ii) For the structure affected (part or full), compensation will be computed at BSR without deducting depreciation (iii) Permission to salvage construction material (iv) If more than one-third of the structure is lost, the affected business/work place will be categorized as 'displaced'. (v) Those affected but not displaced will get compensation for the portion of homestead land lost and the structure (at BSR without depreciation) affected by the project. (vi) Those displaced will get <ul style="list-style-type: none"> ▪ An alternate site of 100 sq.mtr. or cash equivalent of Rs.10,000. ▪ A construction assistance of Rs 25,000 (v) Alternatively, if alternate shop/work place is allotted by the project, the displaced will not be eligible for alternate site and construction assistance. (v) Other assistance: <ul style="list-style-type: none"> ▪ A transition allowance of Rs.2,000 after site vacation ▪ A transportation allowance of Rs 1,000
	Titleholder (absentee landlord)	(i) He/she will receive only compensation for both land and structure (ii) Permission to salvage materials from the demolished structure.
	Tenant/Lease holder	Only displaced tenant will get: <ul style="list-style-type: none"> ▪ A sum equal to two months rental in consideration of disruption caused. ▪ Transportation allowance of Rs. 1,000 towards shifting.
Other assets	Owner affected family	Loss of other assets will be compensated equivalent to the replacement value of the assets.
Encroachers (Agril. land)	Family	If the public land is occupied for agril. purpose for the last 3 years, and if the affected person is dependent on this land for the livelihood and belongs to 'vulnerable' groups he/she will get assistance to take up self employment activities either by dovetailing government programs or providing an assistance of Rs 25,000 to take up Income Generation Activity.
Encroachers (Non-agril. land)	Family	If encroached land is used for housing and/or commercial purpose and if the affected person loses more than one-third of the built up structure (including one's own portion) will be given the same R&R assistance (except compensation for the encroached land) that is available to those 'displaced' by losing privately owned land and structure
Squatters (for homestead purpose)	Family	If the public land is occupied for homestead purpose for the last 3 years, and if the affected person has no other housing he/she will be categorized as 'displaced' and will get: <ul style="list-style-type: none"> ▪ Notice to remove the structure ▪ Alternate housing from the government housing program or equivalent cash in lieu there of ▪ If no housing is provided, pay compensation for the structure and an alternate house site or cash in lieu there of ▪ A transportation assistance of Rs 2,000 ▪ A maintenance allowance of Rs 1,000 per month for 6 months
Squatters (for commercial)	Family	If the public land is occupied for commercial purpose for the last 3 years, and has no other place he/she will be categorized as 'displaced' and will get: <ul style="list-style-type: none"> ▪ Notice to remove the structure ▪ Alternate shopping place or equivalent cash in lieu there of ▪ If no alternate shopping place is provided, pay compensation for the structure, permission to salvage construction material and an alternate site or cash in lieu there of ▪ A transportation assistance of Rs 1,000 ▪ A maintenance allowance of Rs 2,000
Mobile and ambulatory vendors	Vendor	Ambulatory vendors licensed for fixed locations will be considered as kiosks and each affected vendor will get <ul style="list-style-type: none"> • A sum of Rs.5000 to relocate a kiosk & start business NOTE: Vendors in groups (of more than 50) will be considered for relocating in a commercial complex, if developed by the project.
Common infrastructure and common Property Resources	Community	<ul style="list-style-type: none"> ▪ Community properties will be replaced in consultation with the community ▪ Civic infrastructure would be replaced in consultation with the affected community and the District/Urban/Rural administration
Any Unforeseen Impact	Affected community/persons	Any unforeseen impact would be mitigated/enhance as per the Orissa Resettlement and Rehabilitation Policy 2006.

7 Resettlement Planning

(i) Land Acquisition

As mentioned in earlier chapter 64 acres land is to be acquired for road improvements. Out of 64 ha 50 acre is private land and 14 ha is government land. Private land will be acquired as per LA act 1894. Consent award (Award through mutual negotiation) will be preferred for land acquisition. **All LA and resettlement works will be completed before handing over site to contractor. Further possession of land for the construction will be taken after disbursement of compensation and assistance.**

Table 3: LA Plan Schedule

Sl. No.	Activity	Timeline
1	Publication of notification under section 4(1) of the LA Act – intention to acquire land	31 st May 2007
2	Receipt of objections from public	30 June 2007
3	Hearing of objection by competent authority	15 th July 2007
4	Publication of notification under section 6(1) – declaration of acquisition	30 th July 2007 onward
5	Determination of compensation and issue of award by the competent authority (in phases)	30 August 2007 onward
6	Payment of compensation for land and structures to PAPs (in phases)	31 October 2007(onward)

(ii) Relocation Planning

Proposed project intervention would displace 638 kiosks, 481 commercial squatters and 91 residential families. The relocation strategy envisages resettlement and rehabilitation of all commercial displaced families at specified location. During consultation residential families opted for self-relocation. However efforts will be made to resettle these residential families within the village preferably in Government land in consultation with the community. Further religious properties will be relocated in consultation with the community.

8 Tribal development and Other Social Issues

8.1 Tribal and other Vulnerable Groups

The proposed project intervention envisages special rehabilitation plan for displaced ST families. Detailed social assessment has ascertained total 6 displaced ST families. These ST families will have economic regeneration schemes in addition to 25% extra over and above compensation as per ORRP, 2006.

8.2 Road Safety Education

This learnt during social assessment through consultation that road safety is an emerging concern for the proposed road improvement. Road safety education in present RAP has provision of targeted community awareness programme.

8.3 Prevention HIV/AIDS Transmission

It is well established that because of improvements of road, mobility of Commercial Sex Workers and truckers also increases and hence increased chances of transmission and spread of HIV/AIDS. Prevention and control of HIV/AIDS transmission will be one of the important social responsibilities of the Bank project. For this purpose, a separate HIV/AIDS Action Plan has been prepared for the project. The Plan emphasizes on targeted intervention programme during project preparation, implementation and operation phase. All the measures included in the HIV/AIDS Action Plan will be implemented in this project corridor also.

9 Implementation Mechanisms

The Resettlement Action Plan will be implemented through RPDAC. Approved Resettlement Action Plan by RPDAC will be implemented with the help of package level NGO. Land Acquisitions will be done by District Land Acquisition Department (SLAO) and if required DCAC would provide policy guidance related to land acquisition. For Resettlement and Rehabilitation, District wise RPDAC will be formed as per provision of the ORRP 2006. Entire implementation period is designed for 36 months. Monitoring and Evaluation (Social Audit will be done by the project proponent (internal monitor) and an external monitor(Auditor).

10 Budget

The budgets for the proposed RP work out to Rs. **11.96 Crores**. The budget includes cost of Land acquisition, R&R assistance, relocation of PAPs. Besides that provisional sum is required for strengthening of SMU at HQ level and social unit at package level. Thus budget allocation is also for capacity building and training.

Chapter – 1
INTRODUCTION

CHAPTER - 1

INTRODUCTION

1.1 Background

The Orissa Works Department (OWD), Government of Orissa (GoO) has planned to improve its core network of about 900 km of state highways under Orissa State Road Project (OSRP) phase I with the loan assistance from World Bank. The proposed road improvement consists of two laning of single and intermediate lane with paved shoulder and pucca drains in built-up stretches and open drains in open stretches. The Phase-I of OSRP has two major components namely Road Improvement Component including Resettlement and Rehabilitation, and Institutional Development & Policy Component.

For Resettlement and Rehabilitation component a detailed Social Assessment has been carried out to identify nature and characteristics of losses to individual and community because of proposed project intervention. A separate report on social assessment has been prepared which gives detailed of impact.

For the preparation of Resettlement Action Plan, a Census survey of Project-Affected Persons was carried out along with land resource survey of project area. To establish impact on people and community a resource mapping on strip map and Consultation with individual, community and other stakeholders were done. Based on findings of survey and in consultation with project-affected persons and other stakeholders a Resettlement Action Plan is prepared.

1.2 Project Description

This Resettlement Action Plan deals with Bhadrak-Chandbali (SH-9) and Bhadrak-Anandpur section proposed to be developed under year-1 of the project. The project corridor has two-link roads. One connects Chandbali town (51/000) to Bhadrak town (0/000) of SH-9 and the other from Bhadrak (0/000) to 50/100 of SH-53 at Anandpur town (Table 1.1). These links are single and intermediate lanes with earthen shoulder. The project road Linking SH-9 is having sharp curves at some locations and the average Right of Way (RoW) ranges between 20-25 meter. Whereas Bahdrak-Anandpur section is having fairly straight geometry with 20-25 meter RoW. Portion of these links also require raising of pavement as the project road is part of the fertile flood plains of Bhadrak and Keonjhar Districts. These two links are being considered as one integrated package for highway planning in OSRP Phase-I.

The proposed widening is being done mostly along the existing road with minor deviations at sharp curves. The project proposal envisages improvement of geometry at sharp curves, raising of submerged stretches and provision of drains along the entire stretches.

Table 1.1: District wise Project Road Length

Sl. No.	Districts Name	Project Road in Km		Total Length
		From	To	
1	Bhadrak(Link1-SH-9)	0.000	45.000	45.000
2	Bhadrak(Link2-SH-53	0.000	25.444	25.440
3	Keonjhar(Link2-SH-53	25.444	50.100	24.656
Total Length				95.096

1.3 Need of Resettlement Action Plan

Department of Revenue, Government of Orissa (GoO) has formulated the Orissa Resettlement and Rehabilitation Policy 2006 for the Project Affected Families involving land acquisition because of developmental projects. The present project intervention also comes under preview of the policy and falls under category D linear projects.

The proposed project interventions require land acquisition of 2-3 meter wide strip along the existing road and relocation of squatters and encroachers from built-up areas. For this purpose a Resettlement Action Plan is prepared with following objectives.

1.4 Objectives

Objectives of the Resettlement Action Plan are

- Involuntary resettlement should be avoided wherever feasible, or minimized, exploring all viable project alternatives.
- Determine the magnitude of adverse social impacts and propose mitigation measures through the Orissa Resettlement and Rehabilitation Policy, 2006 intervention for Resettlement and Rehabilitation.
- Outline results of stakeholders consultation and incorporate the outcome of these consultations in the final design of the project roads.
- Develop institutional mechanism for implementation of the R&R activities. Evolve a suitable mechanism for monitoring and evaluation of the R&R process.

1.5 Methodology

The Resettlement Action Plan has emphasized on consultation with Project Affected Persons (PAPs), project planning and implementing agencies at project implementing Unit (PIU) level and relevant government staffs at different levels. Structured questionnaires, open-ended formats, group discussion during preparation of Village Diary etc were adopted for social assessment and census survey of PAPs.

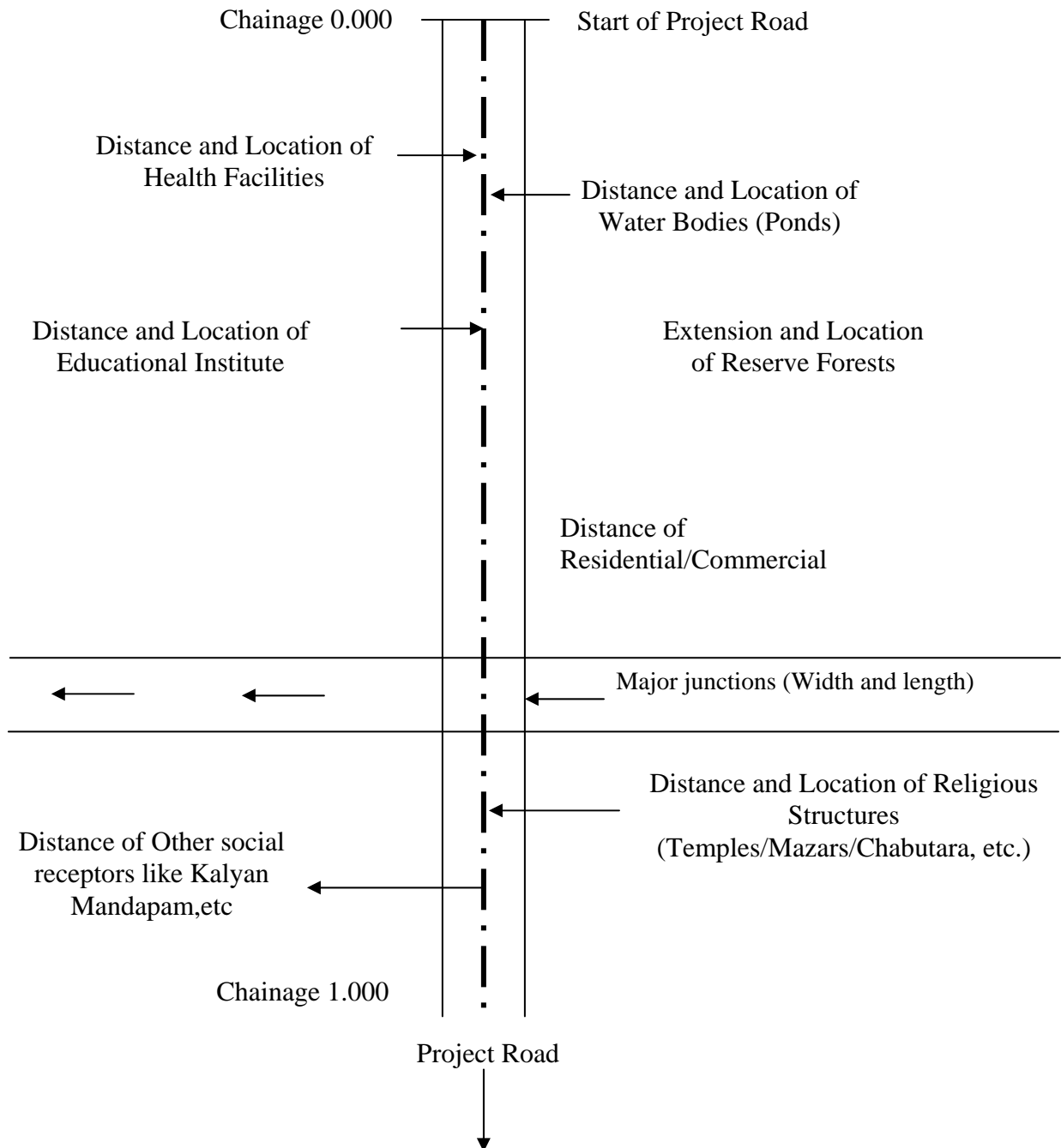
In order to have a consistent data structures coming within RoW were marked, measured and recorded on a strip map. In order to assess market/replacement value for the affected structures, a census survey of structure coming within RoW. This also included the typology of construction (such as pucca, semi-pucca, and katcha) based on construction materials and usage of structure like residential, commercial and others. Extent of loss was determined by measuring distance from proposed centre line. (Fig 1.1)

For identification of the affected plots, social teams went to the project corridor along with the drawings of the proposed roads true to scale and *Sajara* (revenue) maps for site verification and identification of the affected plots. Accordingly, proposed Corridor of Impact (CoI) was superimposed on *sajara* map in order to determine the exact extent of land to be acquired/appropriated. This included measurement of center line from the fixed boundary stone of villages in the field and from the fixed location of boundary stone as shown in *sajra* map.

The revenue maps were then traced by competent and expert persons in tracing work. On identification of affected plots, the social teams visited Tahsil offices to collect land records

and to identify the owners of the affected plots along with their addresses and joint holders (if any). On identification of plot owners and joint holders, a questionnaire designed for the survey was canvassed which included details regarding social and economic aspects of the affected persons. (Annexure 1.1)

Figure 1.1 Data Collection Format For Strip Map Preparation
(Within 20-meter corridor)



The data collected through socio-economic survey and census survey were fed to the computer for analysis and the results have been discussed in this RAP. Though this document is referred as RAP, this infact includes management plan for other social issues including tribal development plan.

1.6 Structure of the Report

The report has been divided in 9 chapters. The coverage of report is given below.

Chapter Number	Name of Chapter	Description
1	Introduction	Outlines Project background, objectives and methodology adopted for social assessment.
2	Social Assessment	Illustrates the extent of project area, land acquisition by type of Land and categories PAPs.
3	Policy Framework for Land Acquisition and Resettlement	Discusses Land Acquisition Act 1894, The Orissa Resettlement and Rehabilitation Policy, 2006 and entitlement framework for OSRP
4	Consultation Results	Details on the consultation at Village, Block and District levels and lesson the outcome from the people participation in this section.
5	Land Acquisition	Outlines LA procedure, methodologies institutional set-up for LA.
6	Resettlement Planning	Explains resettlement plan and income generation strategy for project displaced families.
7	Tribal Development	This chapter identifies issue related to tribal, women ,child labour , Road safety and HIV/AIDS and suitable mitigation measures
8	Institutional Arrangement	This chapter focuses on role and responsibility of stakeholder in implementation of Resettlement Action Plan, mechanism of grievance redrassal and monitoring and evaluation.
9	Implementation Schedule	Activity wise implementation schedule is discussed and Cost and Budget is discussed in this chapter.

Chapter – 2

SOCIAL ASSESSMENT

CHAPTER - 2

SOCIAL ASSESSMENT

2.1 General

This chapter describes socio-economic profile of the project area. Sections of this chapter analyze impacts of proposed project intervention on land and other immovable assets based on detailed measurement survey based on the final design improvement. Detailed survey of structures within RoW identified social hot spots such as congested segments, community properties, and temples close to RoW. Despite efforts made to minimize negative impacts some of them could not be avoided. These negative impacts include acquisition of land and assets and structures. Based on impact on land and structures, a census survey was carried out; results of census survey in the form of social assessment report are discussed in this chapter.

2.2 The Project Area

The project area falls in the northern and eastern part of the state. The proposed road passes through flat terrain. Portion of Chandbali-Bhadrak Section also passes through inter tidal zone and often experiences tidal waters in southeastern section of project road. The proposed road is also part of flood prone zone and experiences flood almost every year. Thus, the project area comprises of fertile plain in western side of the road and colluviums (deposits from sea and river (alluvium)) deposits in southeastern side of the road. The project road passes through two Districts (Bhadrak and Keonjhar) and 92 revenue villages.

Bhadrak District is densely populated (532 person per sqkm) almost more than double of state average population density. Decadal growth literacy and sex ratio of the Bhadrak District is also high. Keonjhar District is having lower population density.

The District has registered a decadal growth rate of 20.60%. The population distribution is more in favor of male. The sex ratio of Bhadrak District is higher (974) than State average of 972. The literacy rate of Bhadrak District is 74% higher than Orissa(63%). Keonjhar District is lower on all demographic features.

The work participation rate is higher in Keonjhar (40%) than in Bhadrak District(29%). While percentage of workers engaged in cultivation is higher, in Keonjhar District mining and quarrying engages a considerable number of workers.

Though predominant land use pattern in the project area is agricultural in keonjhar District the total forest area is more than one third of the total geographical area. Land put to non-agricultural land use in Keonjhar District indicate industrial and mining activities in the Districts. (Annexure 2.1)

2.3 Potential Adverse Impact

During the initial social assessment the likely impacts / losses were recorded and the data was analyzed to identify the congested areas and the stretches requiring special R&R considerations. The areas are identified as critical and shown in the Table 2.1a & Table 2.1b.

Table 2.1 a: Congested Settlements of Bhadrak –Chandbali (SH-09)

Kilometer		Place	Potential Impacts	Pavement	Row
From	To				
0.000	1.000	Bhadrak	<ul style="list-style-type: none"> ▪ 6 commercial structures affected ▪ 12 CPRs affected 	5.5/7.0	60-84
3.000	5.000	Haladidihi	<ul style="list-style-type: none"> ▪ 3 residential structures affected ▪ 9 commercial structures affected ▪ 3 CPRs affected 	5.5	35-60
6.000	7.000	Ichhapur	<ul style="list-style-type: none"> ▪ 11 commercial structures affected ▪ 4 CPRs affected 	3.6	18-26
9.000	10.000	Dolosahi	<ul style="list-style-type: none"> ▪ 4 residential structures affected ▪ 32 commercial structures affected ▪ 3 CPRs affected 	3.5	18-22
17.000	18.000	Tihidi	<ul style="list-style-type: none"> ▪ 68 commercial structures affected ▪ 10 CPRs affected 	5.5	20-22
21.000	22.000	Kamaria Bazar	<ul style="list-style-type: none"> ▪ 17 commercial structures affected ▪ 1 CPR affected 	5.5	16-18
23.000	25.000	Santhapur	<ul style="list-style-type: none"> ▪ 27 commercial structures affected ▪ 2 CPRs affected 	3.6/5.5	14-18
25.000	26.000	Pirahat	<ul style="list-style-type: none"> ▪ 3 residential structures affected ▪ 44 commercial structures affected ▪ 6 CPRs affected 	3.6/5.5	22-26
30.000	31.000	Gaddi	<ul style="list-style-type: none"> ▪ 2 residential structures affected ▪ 21 commercial structures affected ▪ 2 CPRs affected 	3.5/5.5	18-30
37.000	38.000	Digachhia	<ul style="list-style-type: none"> ▪ 2 residential structures affected ▪ 15 commercial structures affected ▪ 3 CPRs affected 	3.5/5.5	20-22
39.000	41.000	Motto	<ul style="list-style-type: none"> ▪ 5 residential structures affected ▪ 39 commercial structures affected ▪ 7 CPRs affected 	3.5	14-18
42.000	43.000	Ugratara	<ul style="list-style-type: none"> ▪ 1 residential structures affected ▪ 7 commercial structures affected ▪ 2 CPRs affected 	3.5/5.5	26-60
49.000	50.000	Chandbali	<ul style="list-style-type: none"> ▪ 8 residential structures affected ▪ 52 commercial structures affected ▪ 14 CPRs affected 	5.5	10-20

Source: Consultant Study, 2006

Table 2.1 b: Congested Settlements of Bhadrak –Anandpur (SH-53)

Kilometer		Place	Potential Impacts	Pavement	Row
From	To				
0.000	1.000	Bonth Chhak	<ul style="list-style-type: none"> ▪ 1 commercial structures affected ▪ 1 CPR affected 	5.5	15-22
7.000	9.000	Barapada	<ul style="list-style-type: none"> ▪ 4 residential structures affected ▪ 20 commercial structures affected ▪ 5 CPRs affected 	3.5	18-21
12.000	13.000	Hasinpur	<ul style="list-style-type: none"> ▪ 28 commercial structures affected 	3.5	22-25
17.000	18.000	Tillo Badasah	<ul style="list-style-type: none"> ▪ 5 residential structures affected ▪ 10 commercial structures affected 	5.5	20-22
19.000	20.000	Bonth	<ul style="list-style-type: none"> ▪ 7 residential structures affected ▪ 90 commercial structures affected ▪ 8 CPRs affected 	5.5	18-22
25.000	27.000	Basantia	<ul style="list-style-type: none"> ▪ 8 residential structures affected ▪ 65 commercial structures affected ▪ 4 CPRs affected 	5.5	22-28

Kilometer		Place	Potential Impacts	Pavement	Row
From	To				
35.000	37.000	Dadhibanpur	<ul style="list-style-type: none"> ▪ 5 residential structures affected ▪ 19 commercial structures affected ▪ 10 CPRs affected 	5.5	20-26

Source: Consultant Study, 2006

2.3.1 Improvement Proposal

The proposed road improvement consists of two laning of single and intermediate lane with paved shoulder of international standard. The proposed widening is being done mostly along the existing road with minor deviations at sharp curves. The improvement proposal envisages improvement of geometry at sharp curves, raising of submerged stretches and provision of drains along the entire stretches.

Though the project concept envisages minimum land acquisition, a strip of 2 meter extra width of land is required for widening the road from single/ intermediate lane to 2 lane road of international standard with accepted geometry. There is little requirement of land for junction improvements or realignment. Engineering design has been compromised up to the critical technical requirement to minimize land acquisition. Resettlement planning has been done in close coordination with technical and environmental team to maintain uniformity and coherence in the project related decisions.

2.4 Minimizing Resettlement

In order to minimize R&R issues it was decided to confine CoI to 16 meters particularly in places with contiguous built up areas. Because of the efforts made, acquisition of area of structures in built up areas has been reduced to less than half and the number of structures affected also reduced to 1526 from 1875. Out of 1526 number of structure, 965 are either kiosks or kutchra structure. Thus the proposed intervention would not have significant impact on permanent structures. Also widening of road would not economically displace many title-holder families in the project area because proposed COI in the built-up area is 16 meter and available RoW in built-up area is generally 20 meters. (Table 2.2)

Table 2.2: Minimizing Negative Impact

Types of Structure	Within 16mtr. Corridor		Within 20mtr. Corridor		Number of Structure Saved
	Number of Structure	Affected Area (in Sq. Mtr)	Number of Structure	Affected Area (in Sq. Mtr)	
Pucca	53	871.17	74	1965.09	21
Semi-Pucca	500	5673.46	679	11962.37	179
Kacha	293	2635.55	385	6117.45	92
Kiosk	672	0	722	0	50
Religious	143	2115.41	213	2669.71	60
Total	1526	9295.59	1875	20314.62	402

Source: Consultant Study, 2006

Table 2.3 compares category of project affected structures and percent areas of affected structure within 20 meters of corridor and 16 meters. There are 143 religious and other properties affected because of proposed project intervention. However kiosks have not been considered in this because when they are disturbed they need full displacement.

Table 2.3: Minimizing Displacement (Percent Area Affected)

Types of Structure	Within 16mtr. Corridor			Within 20mtr. Corridor		
	25%	50%	75% and more	25%	50%	75% and more
Pucca	33	14	6	24	22	28
Semi-Pucca	166	130	204	125	138	416
Kachha	109	67	117	60	70	255
Others	5	2	1	6	4	5
Total	313	213	328	215	234	704

Source: Consultant Study, 2006

2.4.1 Impact on Communities Properties

However despite best efforts made to minimize displacement there are 541 structures that may require relocation if more than 25% of the structure disturbed¹ and therefore considered as displaced. Similarly 313 structures are marginally affected (less than 25%), and may not require displacement. However at the time of implementation an assessment will be done to establish whether this requires displacement.

2.5 Land Acquisition

Land acquisition process in present road improvement is mainly for widening, curve improvement and providing wayside amenities. The present project focuses on improving the quality of carriageway for fast and free flow of traffic with minimum land acquisition. There are few locations where raising of road level is proposed or provision of bus stops or market complex along with small shops is being proposed. A total of 64.17 acres (of all types) of land is required for road improvement. Table 2.4 indicates the land required for different purposes.

Table 2.4 : Land Required for Different Purposes (in acres)

District	Total Length (km)	Bypasses/ Realignments or Curve	Widening of the Road	Providing Way side amenities	Total
Bhadrak	70	2.03	43.03	3.21	48.27
Keonjhar	20	0.23	14.92	0.75	15.90
Total	90	2.26	57.95	3.96	64.17

Source: Consultant Study, 2006

2.5.1 Loss of Land

The project involves the acquisition of land, mainly agriculture, and land in built –up areas. Private agriculture land under question is mostly irrigated land. The total required land acquisition is presented in the Table 2.5. Total number of affected plots is 2835 and acquired land is around 64 acre. Land acquisition Per Km work out to be 0.71 acre and number of affected plots are 32 per km.

¹ It is learnt from survey and experiences that acquisition of more than 25% of areas causes' displacement.

Table 2.5: Type of Land to be acquired

Sl. No	District	Govt Land		Pvt. Land		Panchayat Land		Total	
		No Plot	Acquired Area in Acre	No of Plot	Acquired Area in Acre	No of Plot	Acquired Area in Acre	Total No of Plot	Total Area in Acre
1	Bhadrak	722	10.16	1490	35.17	94	1.22	2306	46.55
2	Keonjhar	461	1.47	47	15.47	21	0.68	529	17.62
Total		1183	11.63	1537	50.64	115	1.9	2835	64.17

Source: Consultant Study, 2006

2.5.2 Extent of Impact on Land

As it is evident from the above table that altogether 64.17 acres of land will be acquired due to proposed project interventions, out of which 50.64 acres of land belong to private owners. The extent of acquisition of private land varies from plot to plot and from family to family. There are many families, who are losing their land to the minimum extent. Thus, severity of land acquisition varies from family to family. The table below helps in understanding the extent of impact as per the severity of impacts. Only 8 % of total plots would be severely affected. (Table 2.6) Furthermore, 73 % of total affected plots are marginally affected (<25% in loss) and therefore impact on such land would not be significant.

Table 2.6: Extent of Impact on land Acquisition

Sl No	District	Plot wise Percentage of Impact			Total
		< 25%	25% to 50%	75% to 100%	
1	Bhadrak	1710(74%)	424(18%)	172(7%)	2306(100%)
2	Keonjhar	366(69%)	91(17%)	72(13%)	5299 (100%)
Total		2076(73%)	515(18%)	244(8%)	2835

Source: Consultant Study, 2006

2.6 Impact on Project Affected Families

In all, the census inventory identified 23943 project-affected persons and 3889 project affected families (PAFs). These project-affected families are marginally affected (Table 2.7). Based on finding of the census survey and consultation it is inferred that 25% and more severance may cause significant damage to the structure and the family affected will require to be relocated. A list of project-affected families is appended in Annexure 2.2.

Table 2.7: Project Affected Families and Project Affected Persons

Categories	Project Affected Families	PDFs	PAPs
Residential	91	43	592
Commercial	1152	667	7236
Kiosks	638	638	3919
Agricultural	2008	0	12196
Total	3889	1348	23943

Source: Consultant Study, 2006

2.6.1 Ownership Status

According to the census data, Titleholders constitute about 54 % of the total Project Affected Families. The number appears high because strip of land will be acquired all along the except in contiguous built-up areas. However, quantum of impact is low. Per family LA works out to about 0.02 acre and per km it is about 0.71 acre. Number of displaced families is even very low, only 47 titleholder families will be displaced. (Table 2.8)

A total of 57 residential titleholders is affected besides 26 residential squatters and 717 commercial squatters. In addition, 638 kiosks are also affected. Many of the residential and commercial structures are saved because CoI has been reduced in the built-up area and land acquisition in built-up section has been minimized to the extent possible. Of the total 1348 families to be displaced, 481 are commercial and 17 residential squatters. Displacement per km is 40 families per km.

Table 2.8 : Ownership Status of the Properties Affected (No. of PAFs)

Category	Titleholders		Tenants		Encroachers		Squatters		Kiosks	
	Affe.	Disp.	Affe.	Disp.	Affe.	Disp.	Affe.	Disp.	Affe.	Disp.
Residential	57	24	2	0	6	2	26	17	0	0
Commercial	57	23	338	139	40	24	717	481	0	0
Kiosk	0	0	0	0	0	0	0	0	638	638
Agricultural	2008	0	0	0	0	0	0	0	0	0
Total	2122	47	340	139	46	26	743	498	638	638

Source: Consultant Study, 2006

2.6.2 Vulnerable Families

Identification of vulnerable groups is done based on the result of census survey on parameters like economic status, caste, gender etc and also in conformity with state government policies. The vulnerable groups among the affected community include those belonging to People living below poverty line (BPL), Scheduled Caste (SC), destitute, physically handicapped etc.

Table 2.9 presents information on the various social groups among the Project Affected Families. There are 956 families, who are below the poverty line(BPL). Out of this, about 70% are agricultural families. 17 families belong to the Scheduled Tribe (ST) and around 35% are from Scheduled Caste (SC). Socially vulnerable (i.e ST and SC) groups comprise nearly 42% of the total Project Affected Families.

Table 2.9: Vulnerable PAFs

Category	ST	SC	BPL	Women Headed Households	Physically Handicapped	Total Vulnerable Families
Residential	1	13	20	7	2	33
Commercial	10	82	170	15	3	201
Kiosk	3	49	93	8	0	109
Agricultural	3	268	673	37	4	821
Total	17	412	956	67	9	1164

Source: Consultant Study, 2006

2.6.3 Vulnerable Project Affected Families

Of 1461 families, 243 will be required to be physically relocated. These vulnerable families generally do not have alternative source of livelihood or shelter. Further they are more susceptible to distress because of displacement and therefore, they need specific R&R interventions from project to address their concerns.

Table 2.10: Vulnerable Displaced Families

Category	ST	SC	BPL	WHH	Physically Handicapped	Total Displaced Families
Residential	0	8	5	2	1	12
Commercial	4	50	67	8	1	91
Kiosk	2	49	42	4	0	62
Agricultural	0	0	0	0	0	0
Total	6	107	114	14	2	165

Source: Consultant Study, 2006

2.7 Social Profile of PAPs

2.7.1 Family Types and Composition

The Orissa Resettlement and Rehabilitation Policy (ORRP), 2006 identifies major son (18 years & above), unmarried daughters above 30 years, orphan, widow or divorcee women as separate families for R&R entitlements. Applying this provision to the project (Bhadrak-Chandbali) there will be additional 8804 families (other than original families) who would be eligible for R&R entitlements under the project. However, entitlement for compensation would be only for the main/original. (Table 2.11)

Table 2.11: Distribution of Entitled PAFs

Category	Families	PAPs	PAFs entitled for R&R benefits, ORRP, 2006					Total
			18 (M)	30 (F)	Orphan, Physical	Widow	Divorce	
Residential	91	592	192	59	0	16	3	270
Commercial	1152	7236	2765	26	25	193	10	3019
Kiosk	638	3919	1474	14	7	109	2	1606
Agricultural	2008	12196	3667	54	0	188	0	3909
All	3889	23943	8098	153	32	506	15	8804

Source: Consultant Study, 2006

2.7.2 Demographic Profile

Among the PAFs, 2099 (53%) families are nuclear; 1790 (47%) are joint families (Table 2.12). Nuclear families are considered to be an indication of socio-economic development and growth of the project area.

Table 2.12: Family Type of Project Affected Families

Category	Joint	Nuclear	Total
Residential	34	57	91
Residential cum Commercial	42	21	63
Commercial	545	544	1089
Kiosk	326	312	638
Agricultural	843	1165	2008
All	1790	2099	3889

Source: Consultant Study, 2006

Age-Sex Composition

Of the 23943 PAPs, 10704 are females. The sex ratio works out to 808 which is lower than State average of 972. Table 2.13 reflects the age-sex composition of PAPs.

Table 2.13: Age-Sex Composition of PAPs

Category	Male	Female	Total
< 6 yrs	908(53.9%)	777(46.1%)	1685
6-14 yrs	2223(52.4%)	2020(47.6%)	4243
15-17 yrs	981(54.3%)	826(45.7%)	1807
18-45 yrs	5976(56.6%)	4584(43.4%)	10560
46-60 yrs	2038(55.9%)	1608(44.1%)	3646
> 60 yrs	1113(55.6%)	889(44.4%)	2002
Total	13239(55.3%)	10704(44.7%)	23943

Source: Consultant Study, 2006

2.7.3 Educational Level of the PAPs

The survey among PAPs indicates a very high level of educational level among them. Nearly 94 % of the PAPs are literate as compared to 60 % at the state-level. 62% (2911) of the PAPs have studied up to the high school level (Table-2.14). Less number of professional education (136) suggests lower economic opportunity in the project area. Since more than 90% of the project-affected persons are educated, awareness about social issues such as awareness about HIV/AIDS prevention, resettlement and rehabilitation options, compensation and project related decisions would be easily communicated to majority of PAPs. Further strategies for enhancement of livelihood could also be availed by them in the form of training etc among the PAPs

Table 2.14: Education Level of Project Affected Persons

Category	Illiterate	Neo-literate	Up to Middle	High School	Above High School	Professional	Children	Total
SC	256	138	861	821	467	4	115	2662
ST	24	7	61	50	12	0	9	163
OBC	928	752	4275	4398	2437	102	783	13675
OC	521	462	2220	2481	1415	30	314	7443
Total	1729	1359	7417	7750	4331	136	1221	23943

Source: Consultant Study, 2006

2.8 Economic Profile

2.8.1 Occupational Background

Among the PAPs, the farming dominates economic activities in the project area. Wage labor constitutes the other important occupation of the PAPs. Most of these wage-earners are engaged in agricultural activities. About 15% of the PAPs are engaged in business activities mostly shop owners. These business people are associated with small economic activities such as pan shops, grocery shops, and small eating-place. Most of these small businesses are run in structures constructed within ROW. They earn their livelihood from roadside business. Therefore, these people are treated as vulnerable and are prioritized for rehabilitation and livelihood restoration.

Table 2.15: Occupational pattern among PAPs

Chil dren	Serv ice	Busine ss	Farm ing	Allied Agril	Wages	HH Industry	Profe ss.	Un Emplo yed	Stude nt	Retir ed	House wife	Total
1330	683	3540	2213	48	1202	19	41	1445	6265	951	6206	23943

Source: Consultant Study, 2006

2.8.2 Income Level

As evident from Table 2.16, average income of PAFs is Rs. 29,437. It is lower among ST and SC families. In other words, therefore, these two groups are not only socially disadvantaged but also economically backward. Income from agriculture and business source together is higher in Other Caste (73%) as compared to ST (61%) and SC (50%). Displacement of these social and economic backward people needs specific intervention so that impact could be mitigated effectively. Table 2.16a and 2.16b shows the average income and expenditure of the Project Affected Families respectively.

Table 2.16a: Average Sources of Income (In Rs.) of Different Social Groups

Social Groups	Agricu Iture	Ag. Allied	Service	Wages	Remittance	Business	Others	Total
SC	4758	176	2324	2034	344	18770	370	28778
ST	4813	-	5949	834	2000	13664	-	27259
OBC	5538	43	2660	1079	206	20774	665	30980
OC	4431	50	1899	1519	421	21874	456	30728
All	11430	169	8006	2610	917	42033	663	29437

Source: Consultant Study, 2006

Table 2.16 b: Average Expenditure (In Rs.) of Different Social Groups

Average Households Expenditure					
Social Groups	Food Item	Health	Education	Others	Total
SC	20364	1366	1552	7528	30809
ST	16331	1162	1789	8963	28245
OBC	20776	1780	1883	8363	32801
OC	23284	1495	1913	8056	34748
All	20189	1451	1785	8228	31651

Source: Consultant Study, 2006

Expenditure pattern suggest that about 63% of total expenditure is on food item while on health and education it is less than 1% of total expenditure. More expenditure on food and less in health and education indicate economic backwardness of the people. Expenditure is reported to be more than income, which is not quite starting since majority of PAPs tend to exaggerate this expenditure within an expectations of high level of R&R support from the project.

Chapter – 3
**POLICY FRAMEWORK FOR LAND ACQUISITION
AND RESETTLEMENT**

CHAPTER - 3

POLICY FRAMEWORK FOR LAND ACQUISITION AND RESETTLEMENT

3.1 Introduction

Following section deals about the provision Land Acquisition Act-1894 procedure of LA in State level and the Orissa R&R Policy 2006. Based on the applicability of relevant Laws in Orissa, (as mentioned above) a R&R entitlement framework has been prepared which has been approved by the Department of Revenue, Government of Orissa (the nodal department for implementing R&R policy 2006).

3.2 Land Acquisition Act

Land Acquisition Act 1894 (Amended up to 68 of 1984) illustrates stage wise procedure of land acquisition. These stages are described as section of LA act 1894. According to the Act, where the appropriate Government is satisfied that for a public purpose any land is required, LA process is initiated. some of the important sections of Land Acquisition Act 1894 are mentioned below:

Section 4(1) – power to enter in land for survey work; Whenever it appears to the appropriate government that land in any locality is needed or is likely to be needed for any public purposes a notification to that effect shall be published in local news paper(at least one in local language of the region) which empowers project proponent to enter in land [4(2)] for survey and other project related works.

Section 5 – Objection; Any person interested in any land which has been notified under section 4, (1) within thirty days from the date of publication of the notification object to the acquisition of land in writing to District Collector.

Section 6 – Declaration of Intended Acquisition; When the appropriate Government is satisfied that any land is needed for public purposes; a declaration shall be made to that effect under the signature of secretary to such Government or of some officer duly authorized to certify its orders.

Section 7 – Collector to take Order for Acquisition; The Collector shall then cause public notice to be given at convenient places on or near the land to be acquired. Such notice shall state the particulars of the land so needed and require serving all entitled persons.

Section 8 – Land to be marked out, measured and planned; The collector if satisfied with the LA proceedings; may declare award which shall cover true area of land, compensation amount and other provisions of the act.

Section 11- Enquiry and award by Collector; When the Collector has made award under section 11, he may take possession of the land, which shall thereupon vest absolutely with the government free from all encumbrances.

Section 18-Reference to the Court Section 18 to section 28 deals with intervention of court in land acquisition processes.

3.3 Land Acquisition Procedure

District Collector on behalf of State Government will acquire Land. The concern Executive Engineer of OWD, Government of Orissa would submit proposal for LA along with requisite fees and relevant documents to District Collector. The District Collector if satisfied with the cause of LA will issue notification under LA Act 1894 Act. Following broad principle will be adopted in Land Acquisition procedure under the project.

- LA causing displacement would be avoided/minimized
- Gram Sabha would be consulted for proposed LA
- Consent award or award through mutual negotiation would be preferred.
- OWD with the help of NGOs would assist District Collector Department in the formation of village level committee or meeting of Gram Sabha for consent award.
- The land acquisition office (LAO) would determine market value of land and assets.

3.4 The Orissa Resettlement and Rehabilitation Policy 2006

Government of Orissa has formulated a state level Resettlement and Rehabilitation Policy 2006 covering all sectors including linear projects like roads.. The policy has emphasized that LA process will follow LA act 1894, which provides compensation at market rate. The policy identifies the nature and characteristics of displacement associated with each developmental activity. Accordingly the policy grouped these developmental projects into four types. Road improvements fall under type D in 'linear' and urban project.(Annexure 3.1) Basic features of the state R&R policy related to the present road improvements are

1. It applies to all those projects where land under Land Acquisition Act 1894 is required
2. "Cut-off date" for the purpose of compensation is the date of issue of notification of intention to acquire land 4(1) notification.
3. Implementation of Resettlement Action Plan will be done through RPDAC
4. Provision of resettlement site or cash in lieu thereof for physically displaced families.
5. Other allowances common to all displaced families.

The policy is unique as it provides space for special project specific benefit under section 11 of the policy.

3.5 R&R Entitlement Framework for OSRP

In accordance with the ORRP 2006, an entitlement framework for the project has been prepared. The entitlement framework for the project is approved vide letter No. 3413 (Dated 01-03-2007) from the Revenue and Disaster Management Department. As per the framework, all titleholders and vulnerable non-titleholders' affected families will be entitled to a combination of compensation measures and resettlement support, depending on the nature of ownership rights of lost assets and characteristics and extent of the impact caused because of project interventions. A detailed description of each compensation measures and assistance is provided in the entitlement framework. The state R&R policy is given in annexure 3.1 .

The R&R entitlement framework for the project is guided by the following broad principles.

- Land acquisition would be done under the provision of LA Act 1894.
- Consent award (acquisition through mutual negotiation) would be preferred for land acquisition.
- Additional benefit to the land losers would be provided as lump sum assistance.

- PAFs who do not have alternative source of livelihood or shelter would be assisted under the project.
- Community properties would be enhanced/conserved by the project in consultation with the community
- Cut-off date of titleholders will be the date of issuance of 4(1) notification-under LA act and for non-titleholders, the cut-off date is the date of census survey. For this project stretch, the date of census survey is Feb 2006.

Compensation and R&R support will be extended to all eligible PAFs in accordance with this R&R policy before taking possession of the acquired land and properties. All activities related to resettlement planning, implementation, and monitoring would ensure involvement of ST, SC, women and other vulnerable groups. R&R assistance will be provided to eligible PAFs as per the entitlement framework. All losses, including loss of income, would be compensated within the overall R&R package as per the agreed framework. The unit of entitlement framework will be the family as defined in the State R&R policy. Replacement value will be assessed as per procedure laid down in the Policy and agreed in framework. The entitlement of compensation and assistance will be extended to only those PAFs who are identified on or prior to the cut off date. However, during RAP implementation, if there are any revisions, this will be done subject to approval from RPDAC.

The agreed entitlement framework for supporting the PAFs of project is presented below.

Table 3.1 : R&R Entitlement Framework

Type of Loss	Unit of Entitlement	R&R Entitlement Framework for OSRP
Agricultural land	Titleholder Family	(i) Compensation as per LA Act. (ii) A rehabilitation grant at Rs 50,000 per acre of unirrigated and Rs 100,000 per acre of irrigated land with a minimum of Rs 2,500 per affected family irrespective of the loss. (iii) If alternate land is provided, the cost of land will be deducted from the compensation amount and the rehabilitation grant will be proportionately reduced (iv) Other Assistance <ul style="list-style-type: none"> • At least 3 months notice in advance of crop harvest • Compensation for crop lost, if notice is not served in advance
	Share cropper	An affected share cropper will get a sum equal to the unexpired lease period
Homestead (or non-agril. land)	Titleholder	(i) Compensation as per LA Act for the loss of homestead land (ii) If more than one-third of the structure is lost, such affected people will be categorized as 'displaced'. (iii) Those affected but not displaced will get compensation for the portion of homestead land and structure affected by the project and permission to salvage construction material. (iv) Those displaced will get <ul style="list-style-type: none"> ▪ Compensation for the structure affected (part or full) computed at BSR without deducting depreciation ▪ Permission to salvage construction material ▪ Alternate house site (1/10th of an acre in rural areas and 1/25th of an acre in urban areas) or cash equivalent of Rs.50,000. ▪ A house construction assistance of Rs 150,000 (v) Other assistance : <ul style="list-style-type: none"> ▪ A maintenance allowance of Rs.2000 per month for a period of one year from the date of vacation ▪ An assistance of Rs 10,000 towards temporary shed ▪ A transportation allowance of Rs 2,000
	Tenant/Lease holder	Only displaced tenant will get: <ul style="list-style-type: none"> ▪ A sum equal to two months rental in consideration of disruption caused. ▪ Transportation allowance of Rs. 2,000 towards shifting household materials.

Land under commercial use	Titleholder (owner and occupier)	(i) Compensation for the loss of land used for commercial purpose. (ii) For the structure affected (part or full), compensation will be computed at BSR without deducting depreciation (iii) Permission to salvage construction material (iv) If more than one-third of the structure is lost, the affected business/work place will be categorized as 'displaced'. (v) Those affected but not displaced will get compensation for the portion of homestead land lost and the structure (at BSR without depreciation) affected by the project. (vi) Those displaced will get <ul style="list-style-type: none"> ▪ An alternate site of 100 sq.mtr. or cash equivalent of Rs.10,000. ▪ A construction assistance of Rs 25,000 (v) Alternatively, if alternate shop/work place is allotted by the project, the displaced will not be eligible for alternate site and construction assistance. (v) Other assistance: <ul style="list-style-type: none"> ▪ A transition allowance of Rs.2,000 after site vacation ▪ A transportation allowance of Rs 1,000
	Titleholder (absentee landlord)	(i) He/she will receive only compensation for both land and structure (ii) Permission to salvage materials from the demolished structure.
	Tenant/Lease holder	Only displaced tenant will get: <ul style="list-style-type: none"> ▪ A sum equal to two months rental in consideration of disruption caused. ▪ Transportation allowance of Rs. 1,000 towards shifting.
Other assets	Owner affected family	Loss of other assets will be compensated equivalent to the replacement value of the assets.
Encroachers (Agril. land)	Family	If the public land is occupied for agril. purpose for the last 3 years, and if the affected person is dependent on this land for the livelihood and belongs to 'vulnerable' groups he/she will get assistance to take up self employment activities either by dovetailing government programs or providing an assistance of Rs 25,000 to take up Income Generation Activity.
Encroachers (Non-agril. land)	Family	If encroached land is used for housing and/or commercial purpose and if the affected person loses more than one-third of the built up structure (including one's own portion) will be given the same R&R assistance (except compensation for the encroached land) that is available to those 'displaced' by losing privately owned land and structure
Squatters (for homestead purpose)	Family	If the public land is occupied for homestead purpose for the last 3 years, and if the affected person has no other housing he/she will be categorized as 'displaced' and will get: <ul style="list-style-type: none"> ▪ Notice to remove the structure ▪ Alternate housing from the government housing program or equivalent cash in lieu there of ▪ If no housing is provided, pay compensation for the structure and an alternate house site or cash in lieu there of ▪ A transportation assistance of Rs 2,000 ▪ A maintenance allowance of Rs 1,000 per month for 6 months
Squatters (for commercial)	Family	If the public land is occupied for commercial purpose for the last 3 years, and has no other place he/she will be categorized as 'displaced' and will get: <ul style="list-style-type: none"> ▪ Notice to remove the structure ▪ Alternate shopping place or equivalent cash in lieu there of ▪ If no alternate shopping place is provided, pay compensation for the structure, permission to salvage construction material and an alternate site or cash in lieu there of ▪ A transportation assistance of Rs 1,000 ▪ A maintenance allowance of Rs 2,000
Mobile and ambulatory vendors	Vendor	Ambulatory vendors licensed for fixed locations will be considered as kiosks and each affected vendor will get <ul style="list-style-type: none"> • A sum of Rs.5000 to relocate a kiosk & start business NOTE: Vendors in groups (of more than 50) will be considered for relocating in a commercial complex, if developed by the project.
Common infrastructure and common Property Resources	Community	<ul style="list-style-type: none"> ▪ Community properties will be replaced in consultation with the community ▪ Civic infrastructure would be replaced in consultation with the affected community and the District/Urban/Rural administration
Any Unforeseen Impact	Affected community/persons	Any unforeseen impact would be mitigated/enhance as per the Orissa Resettlement and Rehabilitation Policy 2006.

Chapter – 4
STAKEHOLDERS CONSULTATION

CHAPTER - 4

STAKEHOLDERS CONSULTATION

4.1 Introduction

Public consultation is a continuous process throughout the project period - preparation, implementation, and operation stage. At the project planning stage, the consultative process ensured that the Project Affected Persons (PAPs) and other stakeholders are informed, consulted, and involved actively in the consultation and decision-making process and decisions in the project preparation. Consultation mechanism employed during project preparation ensured effective involvement of people, which need to be continued in implementation and operation stages. The consultation strategy during project preparation envisaged three stag: feasibility stage, survey and project design, and detailed project preparation stage. Methodologies adopted during these stages of project preparation are mentioned below.

Table 4.1 : Consultation Mechanism at different Stages of Project Preparation

Stages	Level of Consultation	Methodologies adopted	Major Areas (Issues)
Feasibility	Hamlet Village Gram Panchayat Block	Formal and informal consultation Focused Group Discussions Meeting with stakeholders Identification of land and other assets within RoW	Information dissemination about the project Availability of land records
Survey and Design	Village Block Tahsil Range Officials (Forest land)	Structured consultation at pre-decided dates Census survey of PAFs Focused Group Discussion Other Group Discussion Field offices functioned as public information centers for the project	Land Acquisition Valuation of structures and land Methodologies for consent award Availability of land records R&R entitlement
Detailed Project preparation	Block Tahsil District RDC <i>State Level (To organize)</i>	Structured consultation at Pre-decided dates Focused Group Discussion Group Discussion District level Stakeholders meet	Land acquisition and R&R entitlement Utility shifting Forest clearance Implementation arrangement Role of line department, RPDAC, DCAC in implementation

4.2 Consultation at feasibility Stage

At the feasibility stage of the project preparation, consultation at individual level, and focused group discussions were conducted at congested locations, intersections in major towns, villages abutting project roads etc. An attention was paid towards vulnerable settlements like

tribal settlements, settlements of junctions with major highway. Outcome of these consultations like options of alternative alignments, compensation options, suggestions for the location of road safety measures such as humps, management of community property resources etc. have been recorded and documented. In order to minimize the resettlement & involve local people in decision-making processes these options were suggested to the design team which were taken into account to the extent possible

Public consultations and Focused Group Discussions (FGDs) in the project area at feasibility stage were held at different level: Nukkad (village corner), hamlet (part of village), village and Panchayat level. The following methodologies have been adopted for carrying out public consultations in this project area:

1. Disseminate information about the project and request villagers to attend the public consultation meetings;
2. Share the opinions and preferences of the potential PAPs regarding compensation and R&R assistance;
3. Involving PAPs and local communities in the decision-making process including proposal of bypasses or realignments, cross drainages and type of drainage solutions to combat threat of submergence, shifting of public amenities such as bus stop, tap water, ponds available and required, in the villages etc.
4. Information dissemination through educating PAPs by 'Pictorial Methods' using Board Marker. Design of the proposed road and RoW available was explained to the people on the board.

The consultations have also been carried out with special emphasis on the vulnerable groups ST, SC, women, community leaders; representatives of people and the key informants Specific consultation were carried out with the following stakeholders

- Head and members of the Households likely to be affected;
- Groups of affected persons;
- Sarpanch and Panchayat members;
- Local voluntary organizations, CBOs and NGOs;
- Representatives State AIDS Control Society
- Other project stakeholders with special focus on tribal groups, women and affected persons belonging to the vulnerable group.

Findings of these consultations were included in the Feasibility Report (March 2006) and the same is also attached to this report for reference.(Annexure 4.1)

4.3 Consultation during Survey and Design Phase

The Social Survey Team carried out preliminary consultations, assisted by OWD field engineers, through FGDs which were conducted primarily in settlements with problems of traffic congestion, dense informal/squatter settlement, close junctions and road intersections.

Meeting with Individual PAPs

Census survey among potential PAFs include one to one interview with identified PAFs to elicit losses for the project and expectation for their R&R process.

Focus Group Discussion

During the social survey, intensive discussion and consultation meetings were held with large number of PAPs in every affected village where in policy related issues¹; nature and extent of impacts² and other related issues were discussed. Suggestions and comments of PAPs were incorporated in the project road design as well as the proposed R&R entitlement framework for PAPs of OSRP.

Box 4.1 Focused group discussions

Focused group discussions were organized at village level. Participants of FGDs were affected persons, local elected representatives, revenue officials and consultant 'representatives. During FGDs, important aspects of discussion were to:

- Understand the views of the people affected, with reference to acquisition, compensation of land and selection of alignment at the congested settlements; Understand views of people on resettlement options and rehabilitation measures,
- R&R issues and Land Acquisition Act / Procedure at places of displacement;
- Options of relocation of community property, road side public conveniences and requirement of CPRs in the project area;
- Examine opinion of the local community on road safety issues and selection of locations of pedestrian crossings and road signages;
- Perception of community on R&R issues / enhancements of CPRs and occurrence and prevention of highway related diseases such as HIV/AIDS transmission;

Block Level Meetings

The survey team also conducted meeting at block level/Tahsil level. The meeting primarily focused on tribal development initiatives, options of income generation available through government schemes especially in tribal areas and implementation arrangement for land acquisition plan, tribal development plan and Resettlement Action Plan. Land alienation in tribal areas for the development and construction of road was also discussed in detail. The participants were block chairman and other elected and revenue representatives like sarpanch, Tahsildar, Block Development Officer and other representatives of Tahsil Administration.

4.4 Consultation during Detailed Project Preparation Phase

District Level Consultation

The effectiveness of the RAP is directly related to the degree of continued involvement of those affected by the project and other concerned stakeholders such as District administration and elected representatives. To understand the opinion and preferences of PAPs, elected representatives of the areas and other stakeholders who can enhance the quality of planning because of their past working experiences in the region; District level consultations meeting were organized in each Project Affected Districts. One of the objectives of these meeting was to involve local administration in the project planning and to make them appreciate major bottlenecks in implementation of RAP. Thus; consultation at the District Level was to involve District Administration, local MP& MLAs, elected representatives from Zila Parishad, Municipalities, and Panchayat administration and seek their help in the implementation

¹ The Orissa Resettlement and Rehabilitation Policy 2006 have been discussed in detail with PAPs. Outcome of discussion provided feedback for the discussion in next stage (District level consultation.) of project preparation.

² OSRP envisages very little land acquisition; as a result displacement is minimum; however there are large number of marginally affected persons.

period. Following table summarizes issues raised and suggestion at the District level meetings.

Table 4.2: District level Meeting

District	Issue Raised	Suggestion
Bhadrak	Enquired about Railway Over bridge and proposed alignment Land Acquisition Plan its implementation Involvement of local representatives in LA process	Alignment should match with RoB Approaches under construction Land acquisition plan would be done as per LA act 1894 Gram Sabha should be consulted for LA. Negotited price should be given to the PAPs
Keonjhar	Since non-titleholders would be assisted in this project; what are the mechanism to check further influx of illegal users of RoW? Division of compensation to all eligible families Relocation of religious properties	The informal dwellers should have some proof that they are rsiding on or befor cut-off Date. This will be done as per the provision of section 9 and 11 of LA act 1894. Relocation of religious properties would be done in close consultation with community.

4.5 Continued Consultation

The consultation would be continued as the project enters in the implementation stage. Several additional rounds of consultations with PAPs will be done through NGO involvement during RAP implementation. These consultations during RAP implementation will involve agreements on compensation and assistance options and entitlement package. The other round of consultation will occur when compensation and R&R assistance are provided and actual resettlement begins.

The following set of activities will be pursued for effective implementation of RAP.

- For the benefit of the community in general and PAPs in particular, RAP will be translated in Orya and will be made available at local public offices for easy access to RAP related information
- Key features of the R&R entitlements will be displayed in billboards along the project corridor.
- Together with the NGO, Social Management Unit(SMU) of PIU will conduct information dissemination sessions in major intersections and solicit the help of the local community/business leaders and encourage the participation of the PAPs in RAP implementation.
- Focus attention will be made for vulnerable groups to understand the implementation process and ensure that their needs are specifically taken into consideration.
- The NGOs involved in the implementation of RAP will organize Public meetings, and will appraise the communities about the progress in the implementation of project works.

- The NGO will organize public meetings to inform the community about the payment and assistance paid to the community. Regular update of the program of resettlement component of the project will be placed for public display at Work Department package offices.
- Participation of PAPs will also be ensured through their involvements in various local committees such as VLC, RPDAC, and Grievance Redress Committee. SMU and package level R&R Officers will maintain an ongoing interaction with PAPs to identify problems and undertake remedial/correction actions.

4.6 Lessons learnt from Consultation and Suggested framework for social Management

4.6.1 Issues of Compensation

Following the LA act 1894, PAPs seldom receive compensation at replacement value. In order to help PAPs in their economic rehabilitation process lump-sum one time assistance in the form of top-up is suggested to fill in gap between market value decided under LA act, 1894 and replacement value

4.6.2 Title of the Land and Properties

As ORRP 2006 provide entitlement to the displaced families associated with land acquisition (titleholders) and those qualifies under the Orissa Prevention of Land Encroachment Act 1972. OSRP would consider all affected families irrespective of title of ownership of land.

4.6.3 Management of Community Properties Resources

The ORRP emphasizes relocation and management and construction of community properties resources (CPR) through District Administration. Experiences suggest that relocation of CPRs often not managed well by the administration. Therefore OSRP assigns this responsibility to the local community for the relocation of CPRs.

4.6.4 Implementation Framework

It is learnt during the District level consultation that implementation of RAP would entirely be done by District Administration through committees³ like RPDAC/DCAC. At the same time, the Administration is not inclined to use to facilitate RAP implementation. However ORRP provides scope of involving NGOs (section 16 of ORRP, 2006). Therefore the project proposes to involve NGOs to facilitate RAP implementation.

4.6.5 Resettlement Strategy

Information collected during census survey estimated magnitude of displacement because of proposed road improvement. Social assessment categorized the displacement as scattered and linear in nature. Therefore, Resettlement strategies suggest for the project relocation of displaced families along the bus bays or near road junction and specific plans are included in RAP.

³ This is not still clear how DCAC and RPDAC would undertake such a huge amount of work with existing District level staffs. Many Districts has not yet formed these committees.

Chapter – 5
LAND ACQUISITION

CHAPTER - 5

LAND ACQUISITION

5.1 Extent of Land Acquisition

As mentioned in earlier chapter, the proposed road improvement is being done mostly within available land width. Existing Right of Way (RoW) in the present stretch varies 20-25 meter. therefore land acquisition for widening is kept to minimum. However the project road under improvement having curve improvements, raising of submerged stretches, junction improvement and small realignments and these locations require land acquisition. (Table 5.1)

As mentioned in earlier chapter 64-acres of land is to be acquired for road improvements for Chandbali-Bhadrak-Anandpur road. Out of 64 acres, 57 acres land required for widening and junction improvement, 2.26 acres for curve improvement and about 4 acres for wayside amenities including land for resettlement site. (Table 5.1)

Table 5.1: Land required for various purposes

District	Total Length (km)	Bypasses/Realignments Curve	Widening and Junction improvement	Way side amenities	Total
Bhadrak	70	2.03	43.03	3.21	48.27
Keonjhar	25	0.23	14.92	0.75	15.90
Total	95	2.26	57.95	3.96	64.17

Source: Consultant Study, 2006

5.2 Land Acquisition Process

The details of LA process

Land acquisition plan has been prepared with the help of field maps of villages. The details of area to be acquired has been verified for each village and subsequently submitted to SMU to take up the LA process with the concerned District Administration

Steps followed in the preparation of land acquisition plan are

- Collection of Original Photocopy of Revenue the Maps from Revenue Department of relevant Department
- Superimposition of Design part on Revenue Map
- Verification of each plots under question in the field
- Estimating the exact area to be acquired
- Delineation of project boundary with coordinates of land map
- Collection of Land Ownership Details from the Concerned Tahasil Office
- Preparation of LA Plan up to the requirement of 6(1) notification under LA Act
- Submission of LA Plan to OWD

Following table explains steps involved in land acquisition process.

Table 5.2: Steps followed in the land Acquisition Process

Section/Steps in LA	Description of Land acquisition Activities
Section 4(1) – power to enter in land for survey work;	This section of LA Act allows the project proponent to enter in the land for survey, measurement or digging purposes.
Section 5 – Objection;	Generally 30 days is time span given to raise the objection in front of District Collector after 4(1) notification. The District Collector may after hearing the objection (in writing) reject or accept the objection.
Section 6 – Declaration of Intended Acquisition;	When the Government is satisfied that land is required for specified purposes it can declare award
Section 7 – Collector to take Order for Acquisition;	The Collector shall then notify at public place about acquisition of land. Such notice shall state the particulars of the land so needed and require serving all entitled persons.
Section 8 – Land to be marked out, measured and planned;	This section actually describes the exact area to be acquired and amount of compensation to disburse.
Section 11- Enquiry and award by Collector	This act specifies that land is awarded and compensation is distributed to all affected people.
Section 18- 28 Reference to the Court	Section 18 to section 28 deals with intervention of court in land acquisition processes.

5.3 Limitations of Land Acquisition Process and Procedure to Avoid Unnecessary Delay

As agreed in the resettlement entitlement framework, entire resettlement activities required to be completed before actual construction starts. Land free from all encumbrances has to be provided to contractor before initiating construction. ***No construction will be allowed under the project unless the land required for civil works is acquired, compensated and handed over to the contractor.*** It means entire land acquisition process up to section 11 of the LA Act should be completed before the construction. Steps mentioned in LA Act is a time consuming process. Experiences of past LA processes in the State indicate that it requires almost 6-12 month to complete LA process from 4(1) notification of LA act 1894 to section 11 which denotes completion of LA process up to award and disbursement of compensation). Cross-corridors examples of project of similar nature indicate that the time requirement can be reduced substantially if the land acquisition follows direct purchase in democratic procedure. For example, steps from section 4(1) to section (9) of LA Act normally take almost 4-8 months to complete. However, time period of these steps could be shortened if direct involvement of PAPs and District Administration is ensured. Findings of consultation suggested involvement of communities in LA process ensures more transparency but help land losers to get compensation at prevailing market rate. Therefore it is sought to form village level committees to involve local communities and to make land acquisition procedure more transparent. For this purpose the Package Unit along with package level NGO would facilitate LAO to have closer interaction with Village level

committee/Gramsabha. This will infact help Package Unit in negotiating with PAPs to arrive out on a price on which land owners willing to sell and OWD willing to buy. This will help in not only minimizing the time in LA process but make the compensation norms more acceptable. Therefore under the project, all attempts will be made to adopt 'negotiated settlement' approach with land losers on compensation norms. Failing to reach a 'negotiated settlement' the project will go ahead with normal LA process.(Annexure 5.1).

5.4 Procedure for Valuation

Land surveys for payment of compensation will be done on the basis of updated official records and ground level situation. The land records will be updated relating to title, classification/current use of land expeditiously for ensuring adequate cost compensation and allotment of land to the entitled displaced persons. For determining classification/current use of land, official records as they are on the cut-off date (The Date of 4(1) notification) will be taken into consideration. According to the LA manual the normal LA process determines the compensation norms for land based the following procedure.

- 1. Average Stamp Registration Rate for Past Five Years*
- 2. Circle Rates*
- 3. Crop Productivity Rate*

Average Stamp Registration Rate

The land rate based on the sale deed of the plots is collected from the office of the registrar. Also the stamp registration for each project affected villages would be collected. Based on these, an average rate of sale of land would be worked out.

Circle Rates

The Circle rates both for agricultural and non-agricultural land to work out the market value (in market) of land as per Circle Rate Method would be collected from the office of registrar for all project-affected villages,

Unit Replacement Cost of Land By Crop Productivity Rate:

To find out the market value (in market) of land by crop productivity method, the following data would be used

Report on Socio-Economic Review of Orissa

Taluka-wise production of different crops for last five years.

The standard production and yield of crops (kg per hectare).

To arrive at the yield/productivity of land, the productivity for last five years on the crop production would be collected from various RI/Tahsils. Data related to type of land was collected from various talukas and the data related to crops grown on each parcel of land was collected from the Panchayat office. The productivity rates have been derived from the information collected regarding the types of crops. The data so collected would be used for calculating three sets of productivity rate per square meter for highly productive land,

medium productive land and low productive land, depending on type of land such as irrigated, partly irrigated or un-irrigated land.

The average market rate of different crops has been collected from the Agriculture Production Market Committee (APMC). The actual productivity value of crops in reference periods would be calculated by multiplying actual crop produced and the average market price. Accordingly, the average productivity value would be derived by taking the average costs of all crops over a period of last five years as under:

- The market value (in market) of land would be calculated as 20 times the average productivity in Rupee per hectare.
- Determination of compensation by the SLAO through DCAC

The SLAO through DCAC has decided the value of land based on the prevailing practice of the Govt. of Orissa. They have considered either Registry or Circle rate whichever is higher.

Land Acquisition by Negotiation (Consent Award)

Land may also be acquired by mutual negotiation between landholders and NHAI and following procedure would be adopted.

- Consent by No Objection sheet in writing is taken from the owner of the properties i.e. (4.a) Notification without objection.
- Consolidated proposal is sent to District Magistrate DCAC.
- Collector constitutes DCAC¹ (as per rules prescribed in The Orissa R&R Policy 2006) for such negotiation involving administrative officers such as ADM, SDM, SLAO, OWD officers and people representatives.
- Representatives of PAPs, member of VLC to fix up the rates.
- After detailed discussion with DCAC, RPDAC and project authorities, the Collector fixes and approves the rate.

Thereafter a sale deed would be registered for such transaction between owner of the land and OWD. Details have been provided in annexure 5.1.

The value of the houses, buildings and other immovable properties of the PAPs will be determined for the purpose of payment of compensation at the relevant Basic Schedule of Rate (B.S.R.) without depreciation. Compensation for properties belonging to the community or for common places of worship, which are acquired for the project, will be provided to enable construction of the same at the new place through the local self-governing bodies concerned in accordance with the modalities determined by such bodies to ensure correct use

¹ Government in Revenue Department may constitute a District Compensation Advisory Committee (DCAC) under the chairmanship of the Collector to determine negotiated price. Adequate representation will be given to women and indigenous communities (wherever applicable) in the committee. If any dispute arises on recommendation of the DCAC, the matter will be referred to the State level Compensation Advisory Committee (SCAC) chaired by the Member-Board of Revenue whose decisions shall be final and binding on all concerned. The composition of this state level Compensation Advisory Committee will be notified by the Government (The Orissa R&R Policy 2006, section 15).

of the compensation amount. However, under the project relocation of religious structures will be done in consultation with the local communities, which have been managing these common properties. More details on the modes of shifting is discussed in forthcoming chapters.

Compensation for trees will also be based on their market value in case of timber bearing trees and replacement cost in case of fruit bearing trees as per the rates decided by the LAO/DCAC in consultation with Department of Agriculture, Forest, Horticulture, Sericulture etc. as the case may be. *Compensation will be paid before taking possession of the land/properties.*

5.5 Disposal of Acquired Properties

The acquired land and properties will vest completely in the project paying compensation due to the affected owners. However, PAPs would be allowed to take away the materials salvaged from their houses and shops etc. acquired for the project and nor any deduction will be made on this account. A notice will be issued to all affected to take away the materials so salvaged within prescribed time of the demolition of their structure. If this is not removed; then the project authority will dispose the same off without giving any further notice.

PAPs receiving compensation for trees will be allowed to take away timber of their acquired trees for their domestic use. Trees standing on Govt. land will be disposed off by open auction by the Revenue Department/Forest Department.

5.6 Time Schedule for LA

Land will be acquired by District Administration on behalf of OWD LP schedule have been prepared. As indicated above, LA process has been initiated by submitting these LP schedule to the concerned District Administration to issue required notification under LA ACT and proceed ahead with the LA process. The time schedule for various notification and completion of LA is presented below.

Table 5.3: LA Plan Schedule

Sl. No.	Activity	Timeline
1	Publication of notification under section 4(1) of the LA Act – intention to acquire land	31 st May 2007
2	Receipt of objections from public	30 th June 2007
3	Hearing of objection by competent authority	15 th July 2007
4	Publication of notification under section 6(1) – declaration of acquisition (in phases)	30 th July 2007 onwards.
5	Determination of compensation and issue of award by the competent authority (in phases)	30 th August 2007 onwards.
6	Payment of compensation for land and structures to PAPs	31 st October 2007

5.7 Transfer of Forest Land

The proposed project intervention will acquire land from forest land. The forest land will be transferred from the forest Department under the Forest conservation act(section II, para 6) and guidelines issued by MOEF from time to time

5.8 Assessment of Institutional Capacity for Land Acquisition Plan Implementation

In the PIU there are two Revenue Officer of Orissa Administration Cadres to perform LA activities under the project. These officers are assisted by one Assistant Engineer (Civil) and two Junior Engineers. The PIU is planned to strengthened its Social Management Unit (SMU) to address social issues including LA, R&R, HIV/AIDS The full fledged SMU will Following staffing pattern (Table 5.4)

Table 5.4: Proposed Staffing Pattern

Sl.No.	Manpower Required at PIU	Number	Location	Months
1	Executive Engineer	1	SMU	Full time
2	Revenue Officer	2	SMU	Full time
3	Assistant Engineer/Junior Engineer	3	SMU	Full time
4	Revenue Clerk/Rtd RI	2	SMU	Full time
5	Amin	2	Package Unit	For six month
6	Office Staff	3	SMU	1 full time and 2 for initial six month
7	NGOs	1	Package Unit	36 month
	Amin(Rtd. Revenue Inspector)	2	Package Unit	Six month

Above-mentioned staffing pattern will be in place before RAP implementation initiated.

Chapter – 6

RESETTLEMENT AND REHABILITATION

CHAPTER 6

RESETTLEMENT AND REHABILITATION

6.1 Displacement and Resettlement Needs

Besides the land acquisition described in the last chapters, the road improvement in present corridor would displace about 43 residential families, 667 commercial and 638 kiosks. As per agreed resettlement framework all titleholders losing land would be supported by lump sum cash assistance to help them restore their economic livelihood. All the physically displaced families will be supported by a combination of compensation and R&R grants and this will depend on the severity of impact and their eligibility. All efforts will also be made to dovetail on going Government schemes both in the relocation of displaced families and restoring their livelihood.

6.2 Resettlement Strategy

One of the objectives of the RAP is to enhance livelihood of the project affected families including those displaced. Therefore, tangible support from project will be extended for relocation and income generation. The support may be in the form of alternate resettlement site, cash assistance, business opportunities or other income generating activities by dovetailing ongoing Government schemes. Therefore, there is a need for an in built resettlement strategy in conformity with the road design and needs of displaced families. Following section discusses the Resettlement strategies required for relocation of the displaced families.

Broad principles to be followed for relocation of displaced families include the following.

- ◆ Resettlement and Rehabilitation will be intrinsic and interdependent in relocation planning.
- ◆ No second-generation displacement will be permitted. In other words resettlement site in private land would be avoided to the extent possible.
- ◆ Most of relocation will be done within the available RoW with improved technical design and adequate safety consideration.
- ◆ The opinion and preferences of the PAPs will be considered in relocation planning
- ◆ In situ relocation will be preferred wherever possible.
- ◆ Self-relocation will be encouraged.
- ◆ In the relocation, following will be considered
 - (i) Ownership of land required for relocation
 - (ii) Cost of Land (if not resettled within RoW)
 - (iii) Social and Cultural Fabric and network in the new site
 - (iv) Distance from the place of displacement
 - (v) Host population if any.

6.3 Extent of Commercial Displacement

As indicated above, the project interventions will result in the loss of 638 kiosks and 667 commercial structures along the road stretches and in few stretches, the loss of structures number as high as 75 structures. Displacing 20 structures or less at one place is categorized as 'small displacement' and if the number is more than 20 structures, the displacement is categorized as 'medium displacement' for preparing relocation plan. Categorization of displacement along the stretches is presented below.

Table 6.1 Commercial Displacement

SH-09 (Bhadrak – Chandbali)				
Village	Chainage	Total Displacement	Displacement Category	Preferred Resettlement site model
Bhadrak	00-01	3	Small	Model 6.1
Sarkar Nagar	01-02	1	Small	Model 6.1
Haladidihi	03-04-05	6	Small	Model 6.1
Ichhapur	06-07	9	Small	Model 6.1
Dolosahi	09-10, 11-12	29	Medium	Model 6.2c
Alinagar	12-13	13	Small	Model 6.1
Ranipur	13-14	2	Small	Model 6.1
Tihidi	17-18	47	Medium	Model 6.5
Mangarajpur	18-19	1	Small	Model 6.1
Golapokhari	19-20	3	Small	Model 6.1
Kolha	20-21	5	Small	Model 6.1
Kamaria Bazar	21-22	10	Small	Model 6.1
Aruha	22-23	3	Small	Model 6.1
Santhapur	23-24-25	17	Small	Model 6.1
Pirahat	25-26	32	Medium	Model 6.5
Harsinghpur	27-28	1	Small	Model 6.1
Santarapur	28-29	0	Small	Model 6.1
Gaddi	30-31	14	Small	Model 6.1
Kheranga	33-34	14	Small	Model 6.1
Nalagunda	36-37	2	Small	Model 6.1
Digachhia	37-38	11	Small	Model 6.1
Motto*	39-40-41	23	Medium	Model 6.2b
Naugorada	41-42	2	Small	Model 6.1
Ugratara	42-43	8	Small	Model 6.1
Kakharudihi	45-46	3	Small	Model 6.1
Kuansar	46-47	7	Small	Model 6.1
Panchapada	47-48-49	6	Small	Model 6.1
<p>*Expected resettlement is much higher. Census survey could not cover ll potential displaced families due resistance of the local leaders.</p> <p>SH-53 (Bhadrak – Anandpur)</p>				

Village	Chainage	Total Displacement	Displacement Category	Relocation model preferred
Bonth Chhak	00-01	1	Small	Model 6.1
Bhadrak	01-02	7	Small	Model 6.1
Bagurai	02-03	1	Small	Model 6.1
Randia	03-04	7	Small	Model 6.1
Mundimara	06-07	0	Small	Model 6.1
Barapada	07-08-09	24	Medium	Model 6.2
Hasinpur	12-13	18	Small	Model 6.1
Palasa	13-14	4	Small	Model 6.1
Ambagadia	15-16	1	Small	Model 6.1
Tillo Badasahi	17-18	11	Small	Model 6.1
Tillo	18-19	4	Small	Model 6.1
Bonth	19-20	75	Large	Model 6.3
Chainpur	22-23	2	Small	Model 6.1
Orali Chhak	24-25	3	Small	Model 6.1
Basantia	25-26	1	Small	Model 6.1
Basantia	26-27	55	Medium	Model 6.5
Biranchipur	27-28	15	Small	Model 6.1
Jalakalanga	29-30	11	Small	Model 6.1
Hatadihi	30-31	19	Small	Model 6.1
Chhenapadi	31-32	5	Small	Model 6.1
Chorgadia	33-34	6	Small	Model 6.1
Bancho	34-35	2	Small	Model 6.1
Dadhibanpur	35-36-37	14	Small	Model 6.1
Fakirpur	40-41-42	15	Small	Model 6.1

Source: Consultant Study, 2006

Specific strategies in relocating PDFs: After having understood the nature of displacement, the following section deals about project specific relocation strategies, which were consulted and agreed with PDFs and other stakeholders, particularly the technical team of the project preparation team. The proposed models comply with the site-specific requirements of PDFs.

It has already mentioned in the earlier sections that the proposed project interventions would displace 638 kiosks, 667 commercial and 43 residential structures. Among the 667 families losing commercial structures, there are 139 tenants who will also be assisted under the project as per the R&R entitlement framework.

Residential PDFs: During consultation, all PDFs from the residential structures opted for self-relocation. However, efforts will be made to help these PDFs to relocate within their original villages. At the time of implementation, if Government land is identified and preferred by PDFs, steps will be taken to help them allotment of house sites from this land. For this purpose implementing agency together with facilitating NGOs will continue consultations and their option/preferences of PAPs for relocation would be recorded.

Relocation of PDFs from commercial areas: Similar approaches will be adopted to consult commercial PAPs and their options and preferences will be gathered. From the social assessment and stakeholders' consultation it is established that commercial and small

business communities require special resettlement interventions. Keeping in view their requirement and availability of the relocation sites and following options were discussed with the people during RAP preparation. Following options have emerged.

1) Self Relocation: Develop a market place with basic site services and amenities and prepare lay out for plots to affected small business families to build their shops by themselves. This option is preferred by people from places requiring small relocation. This option is most suited to those who lose their titled properties.

2) Developing Resettlement Site: Develop a shopping complex in a particular pattern and allot these shops to eligible PDFs (as per entitlement framework). PDFs also prefer this option. This option is found suitable in areas where OWD land (old RoW) is available after geometric improvements, junction improvement or road improvements. Those who get these constructed shops will forego their entitlement for construction grant.

3) Relocation of Kiosks: The project will develop land for relocation site with wooden cabins. Affected families, who will be allotted these cabins, will forego their relocation entitlement (of Rs 5000) available for construction of cabin.

6.4 Relocation Strategy for smaller displacement: As evident from the Table 6.1, there are 44 villages where displacement is less than 20. These displaced families will be supported under the project by providing them alternate space (6x4 m) to establish their businesses and regain their livelihood. During consultation with PDFs and other stakeholders, it was agreed that these small relocation sites will be located adjacent to the proposed bus stops in the villages. Land for this planning will be made available from the bus bay planning (see Model 6.1). In other words the shops in these relocations are being rearranged and shops in the proposed lay out, will be in a particular pattern. For this purpose package level NGO in consultation with Package Manager and District officials will verify and update the data and accordingly final list of eligible families for resettlement support will be established.

6.5 Relocation Strategy for Medium Size number of displacement: There are 7 locations where displacement involves relocation of 30 to 100 shops and therefore there is a need to develop alternate sites (see resettlement lay out models 6.2c, 6.3, 6.5).

6.6 Relocation Planning in specific locations: In addition to the relocation planning for medium size PDFs requiring alternate resettlement, there are areas (Basantia, Tihdi, Pirahat and Motto and others) which require location specific planning exercises. These are discussed in the following sections.

6.6.1 Relocation Planning at Basantia and other location: market place is at the borders of the two project Districts and is located at chainage Km 25-27. There are 55 shops (mostly under ownership and kiosks), which need relocation. These shops are very close to one another. The shop owners are poor and earn their livelihood from their businesses. During consultations with them they suggested that they be relocated on the other side of the road. During the project preparation phase, the preparation team visited the site and opted for eccentric widening. RoW in Basantia is in the range of 20-24 meters. As per the design requirement only 16 meters is required for the construction of the road. Almost all these shops are within the corridor of impact (16mtr) and therefore these shops will be relocated on the opposite side of widening within RoW. Resettlement of these shops will be done as per lay out (Model 6.2, 6.3 and 6.5). Similar strategies will also be adopted for **Tihdi and Baripada** built up areas.

6.6.2 Relocation Planning in Bonth: In the relocation planning Bonth market requires focus attention as this is the most congested and critical location where about 75 structures are required to be relocated. This market caters to the market requirement of nearly 20-25 villages in its vicinity. The project road experiences traffic congestion, contiguous built-up areas, poor geometry along the stretches almost for 1500 meters. Displacement may cause dissent among the people due to loss of economic opportunities unless measures are taken to alleviate their severe losses and misgivings. Bypassing or realignment is neither technically feasible nor economically viable. Hence this stretch requires specific resettlement sites of larger size for the displaced people.

For this purpose, land acquisition is envisaged to improve geometry in built-up section of market. There is one ditch adjacent to the road seldom used by the communities and are in dilapidated condition. The pond is often used as garbage disposal center and has become a place for mosquito breeding. During consultation with PDFs and other stakeholders, option for resettlement at the pond was discussed and they readily agreed with this proposal. However, intensive consultation and active involvement of community leader, local administration and District administration is required during implementation period. Construction of shops as per model plan (Model 6.5) will be done in close coordination with RPDAC, revenue administration and local self Government.

6.7 Steps in Resettlement Planning

Steps required in planning and relocating PDFs are presented below. These will undergo changes depending upon the situation at the time of micro planning and implementation (Annexure 6.1).

Steps	Description of Activities
Verification	<ul style="list-style-type: none"> • Verification and updating the list of PAPs and affected structures • Collection of proof to establish cut-off -date like Ration Card, Voter Identity Card ,Electricity/Telephone/Water Bill ,Bank Account, BPL Card, SC/ST Certificate • Demarcation of chainage at 50 m interval and two consecutive edges of the corridor of impact joined by a straight line for measurement and valuation.
Valuation of Structure	Measurement of each affected structure and other immovable assets, establishing construction typology, establishing extent of loss, estimation of replacement cost with the help of OWD engineers
Prepare and disclose Individual Entitlement Plan (micro-plan)	Micro plan is the base document for the entire implementation process. Entitlement, compensation, options, etc. are finalized on the basis of micro plans. However, it is a live document and therefore changes will be made, if required as implementation progresses. Once the micro plan is prepared and verified by the NGO, it will be submitted to the Package unit. After approval, NGO will arrange for a public disclosure of micro plan.
Preparation and issuance of ID cards	Once the micro plans are prepared and approved by the Package Unit, identity cards (with the name of the entitled person, losses and entitlements, tc.) will be prepared and distributed to the concerned PAPs.

Disbursement of Compensation	Disbursement of compensation is primarily a responsibility of the LAO but OWD will facilitate the process to help PAPs to receive their compensation and also in its utilization for productive purposes.
Disbursement of R&R Assistance	Open Joint Account in the Bank, release R&R entitlements, educate PAPs to utilize the assistance for sustained economic development. NGO will ensure proper utilization of the R&R entitlements by PAPs and help in finding economic investment options that are able to restore their lost economic status. The implementing body will identify means and advise the Package Manager to disburse the entitlements to the eligible PAPs in a manner that is transparent. The transfer of assistance amount will be done either electronically or through account payee check/draft in the name of owner & his/her spouse.
Community Participation	Community participation and consultation is not an isolated event or activity but is a continuous process. This approach requires informing the stakeholders about all activities planned for implementation under RAP.
Redressing Grievance (GR)	Inform PAPs about the public the GR mechanism and ensure that PAPs' grievances are addressed satisfactory to them. NGOs will help PAPs by accompanying them and representing their cases to GR Committees available at various levels. Maintain records of all grievances and the status of their resolution.
Resettlement site and Relocation	The main tasks relating to relocation are: identification of PDFs, obtaining their options, development of resettlement sites, allotment of relocation sites, relocation of PAPs (and CPRs), help in construction of houses and the required amenities. All these activities coordinated approach between the Project Unit and the relevant department. NGO has a major role of not only facilitating the process but help PDFs in their relocation and resettlement.
Income Restoration	The activities included are: identify eligible PAPs, (focus on vulnerable groups), identify suitable IG activities, training need assessment, skill mapping, identify trainers and training institutes, arrange for training, release entitlements to take alternate livelihood activities, help in forward and backward linkages, help in purchase/acquiring of productive assets and provide continuous technical and marketing guidance.
Withdrawal of NGO support	Develop Project completion Index. Details have been discussed below.

6.8 Income Generation strategies

The R&R entitlement framework of OSRP has adequate provisions to address the issues relating to loss of economic livelihood of the people due to project. Specific provisions for income restoration activities depend on the type and extent of loss. The broad strategies discussed and agreed with PAPs and other stakeholders include: (i) Job –one member from

each PDF, (ii) Rehabilitation Grant for land loss and (iii) support for Income Generation Scheme (IGS). The R&R entitlement framework provides for implementing all these strategies.

- i) It provides job to at least one member of each displaced family in the project or in lieu of it one time cash grant. The cash grant is sufficient to take up alternate economic activities. Since OSRP is a project rehabilitating and strengthening existing road, it does not have jobs that could be given to PDFs. Hence cash grant will be given to PDFs and all measures will be taken to enhance the livelihood of PDFs.
- ii) The R&R entitlement framework has provision of cash assistance to land losers, commercial kiosks, and encroachers, squatters (commercial) and agricultural encroachers to enhance their income level. This will be extended to eligible PAPs and they will be helped in taking up alternate activities or strengthen/scale up existing activities.
- iii) The R&R entitlement framework envisages in-built training and skill upgradation, particularly for the vulnerable groups like scheduled tribes/castes, commercial squatters, people below the poverty line etc. to become self employed. Further, specific efforts will be to dovetail on-going Government programs to help PAPs to take up income generation schemes to enhance their income level on a sustainable basis..

The focus of restoration and enhancement of livelihood will be to ensure that the PAPs are able to "**regain their previous living standards**". The SMU/PIU, Package Unit and NGO (both nodal and implementing) will help PAPs on opting and operationalizing viable income generation activities. This will require undertaking detailed market feasibility study to choose the most viable and promising income restoration programs for PAFs. Vulnerable PAPs will get focused attention in training and income restoration programs.

Table 6.2 : Entitlement for eligible PAPs for Income Generation

Sl. No.	Category of PDFs	Entitlement	Income Generation Strategies
1	PDFs losing gril. and homestead land	Job in the project for at least one member or cash in lieu thereof	To start new business activity
2	Loss of only agril. land (Titleholders)	Rehabilitation Grant with minimum guaranteed amount towards training and for self employment activity	Training linked with ongoing Governmental programs
3	Loss of commercial structures (Titleholders)	Alternate site assistance Construction assistance to start new business/economic activities Transition assistance for the lost business	Cash grant will help PDFs to restore their economic livelihood
4	Encroachers(agriculture)	Economic rehabilitation grant	Lump sum assistance to take up new Income

5	Squatters (commercial)	Alternate shop or cash in lieu thereof and Transition allowance	Income generation activities at new location
6	Kiosk	Lump sum assistance to re establish business and a site for relocating businesses, subject to approval from RPDAC	Relocation in new place to restart the business

6.9 Additional Support from Ongoing Governmental Programs

In addition to the project-sponsored programs, the implementing NGO will play a proactive role to mobilize various government schemes and ensure their accessibility and benefits to the PAPs, particularly 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 and the project area is no different to this system. This essentially means a close coordination with these institutions for better results.

Employment to the rural poor is a key component of anti-poverty strategy in the rural areas. In this respect all steps will be taken to facilitate PAPs getting employment in the project construction on a preferential basis. In this regard, NGO and Package unit will prepare the list of PAPs intending to work as wage earners in the project construction. This list will be given to contractors and ensure that they are provided wage employment under the project. In order to ensure this, a clause will be included in the contract to bind contractors to provide wage employment to PAPs who are interested for this.

In addition, efforts will be made to facilitate PAPs in getting enrolment in the following wage-employment schemes of the Government, managed by the District Administration:

- ◆ The *Swarnjayanti Gramin Swa Rozgar Yojana* (SGSY),
- ◆ *Swarnjayanti Gramin Rozgar Yojana* (SGRY) an EAS,
- ◆ Revised long term Action Plan RLTPA,
- ◆ Western Orissa Development Commission,
- ◆ Pradhan Mantri Garmin Yojna,
- ◆ Gopbandhu Gramin Yojna
- ◆ National Rural employment Guarantee Scheme

These governmental programmes aim at creating; sustained employment by strengthening rural infrastructure through employment guarantee of at least 100 days. The Block Development Officer (BDO) implements these programs. Many of the above mentioned rural development programs are pro-poor and targeted to women and socially disadvantaged groups. The implementing NGO will work with the *panchayat* / governments and village level committee to dovetail (preferential) these programmes to PAPs so that PAPs could be benefited from some of the ongoing pro-poor programs for poverty reduction.

6.10 Important Institutions to be involved in implementing income restoration Plan

RPDAC is nodal agency to monitor implementation of RAP including income generation activities. The income generation plan, as part of RAP, approved by RPDAC will be implemented by the Package Unit and the facilitating NGO with the help of District Administration. Gram Sabha has an important role on finalizing the list of trainees and IGA

beneficiaries. The package Manager will interact with the District Administration and PIU in implementing project sponsored training programs.

6.11 Delivery of Entitlements

Success of RAP implementation depends on active involvement of local administration; package level NGO, Package Manager, Nodal NGO and PIU. The assistance and support given to PAPs (including displaced families) are meant for improvement of their living standard. In this regard, NGO will assist PAPs/PDFs to utilize R&R benefits given under the project. All efforts will be made to ensure that PAPs utilize the assistance for productive purposes. The NGO will provide alternate resource generation plan to PAPs and assist them in receiving R&R entitlements in a phased manner (like in installments) envisaged under RAP. Successive installments will be released on the progress of work and on receiving utilization certificates of the previous assistance from the Gram Sabha. Vulnerable including BPL families will be given preference in the allotment of sites for businesses, training program and in availing government schemes.

Necessary Actions For Implementation

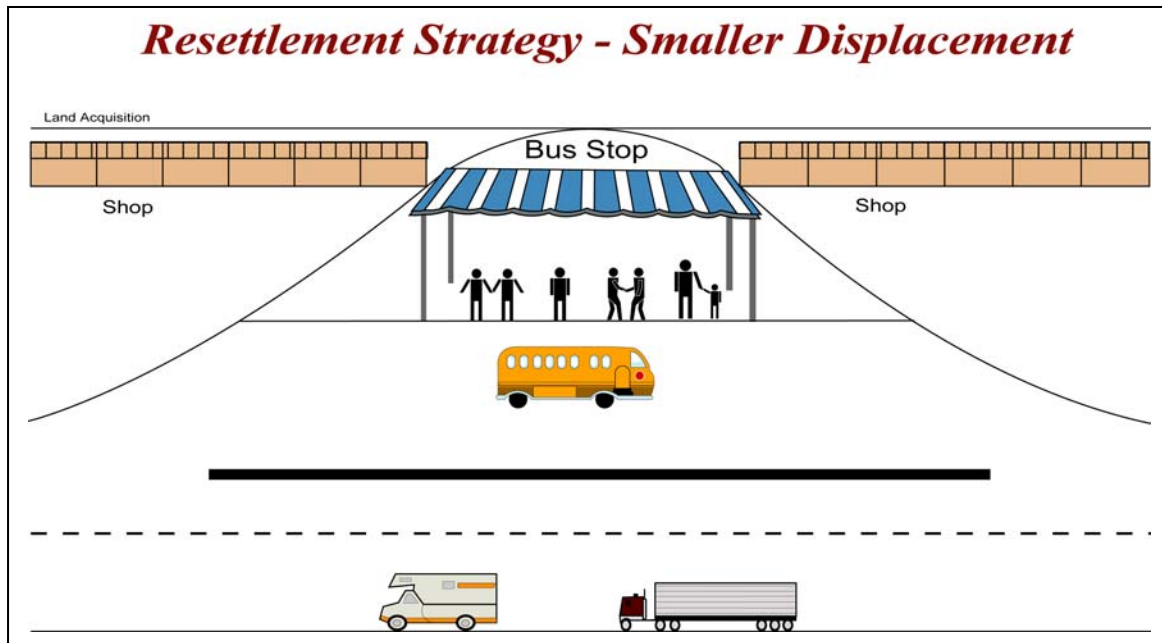
Consultation is the to successful implementation. Consultation will include community-based meetings, dissemination of information, individual counseling, written and verbal messages and information. This will also include consultations on explaining the R&R entitlements and the process of grievance redress. Next step in implementation is verification of PAPs, land acquisition and relocation of people who lacks title. The verification procedure includes checking of recorded addresses, identification of surveyed properties and estimation of level of loss by type of property. An Identity card will be prepared for Head of each affected original families with an identification code and issued to them. Compensation would be paid before relocation or acquisition of properties. **Project Completion Planning (Withdrawal of R&R Process)**

A suitable in-built withdrawal mechanism is formulated by adopting need based work-plan. Since proposed project involves large number of non-titleholder, R&R processes is expected to complete within 36 months. However the project requires sustainable income generation activities, the community workers will be trained to continue livelihood programs As soon as people have been linked with the ongoing governmental income generation schemes and other economic gainful activities such as opening of shops an assessment will be undertaken on the completion of RAP to establish delivery of R&R entitlements (see the Attachment on the parameters to be used).

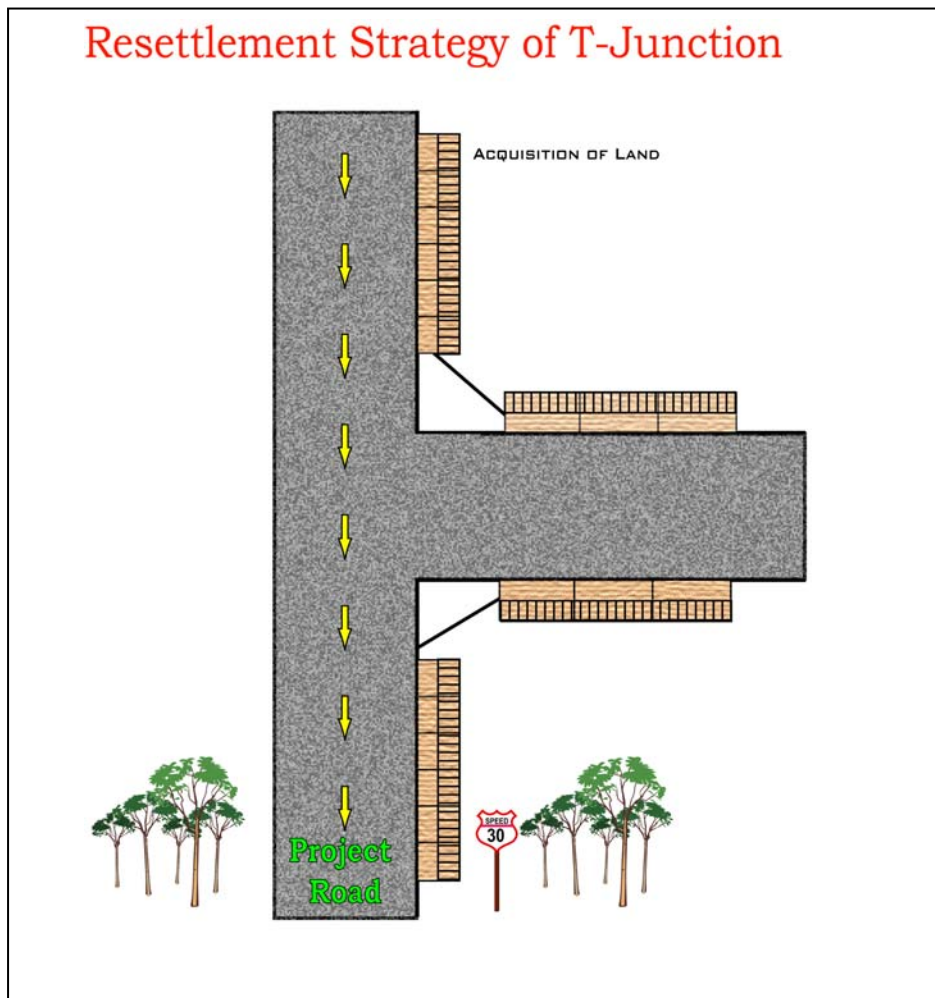
Checklist for Project completion Mechanism

Activities	Task	Responsibility	Achievement Target
Identification of PAPs	Photographs, census survey format	NGO, Package Manager	100%
Verification of Assets and Properties	By document and Physical Verification	NGO, Package Manager	100%
Valuation of Assets and Properties	By Govt approved valuers hired by SMU,OWD	NGO, Package Manager	100%
Preparation of Micro-Plan based on Verification	In built task	NGO, Package Manager	100%
Resolving disputes/Formulation of mechanism to establish share croppers and ownership	With the help of District Administration	NGO, Package Manager RPDAC,DCAC,PIU	Not< 90% of total PAPs in any case**
Land Market assessment survey	In built task	NGO	100%
Relocation site of PAPs	In built task	NGO, Package Manager,RPDAC,DCAC	100%
Disbursement of assistance	In built task	SMU, PIU	Not < 90% of Total PAPs
Disbursement of Compensation	There may be cases of arbitration/litigation	SMU, PIU	At least 80% of total cases and 100% of resolved cases from SLA office
Reporting cycle	Complete Monthly,quarterly,annual report	NGO,SMU	100%
Completion of the relocation of PAPs	Except absentee	SMU, PIU, NGO, Package Manager	Not < 95%
Completion of the relocation of land loser	In built task	SMU, PIU, NGO, Package Manager	Not <90% of the willing land losers
Training	In built task	SMU, PIU, NGO, Package Manager	At least 95% of PAPs who has received compensation
Ensure PAPs about Sustainability, suitability of Income regeneration mechanism	Pilot study (Random sampling) to predict future growth based on explorative techniques for individual, market and demand-supply matrix.	SMU, PIU, NGO, Package Manager	Public Consultation, Kinship as well as occupation based training,
Replication of the techniques	If the implementation is successful then suitable mechanism to replicate the process in some other project with the help of WB Capacity building		SMU, PIU, NGO, Package Manager
Project completion	All the above mentioned activities are endorsed by PIU and successful Project Completion Certificate is a warded		SMU, PIU, NGO, Package Manager

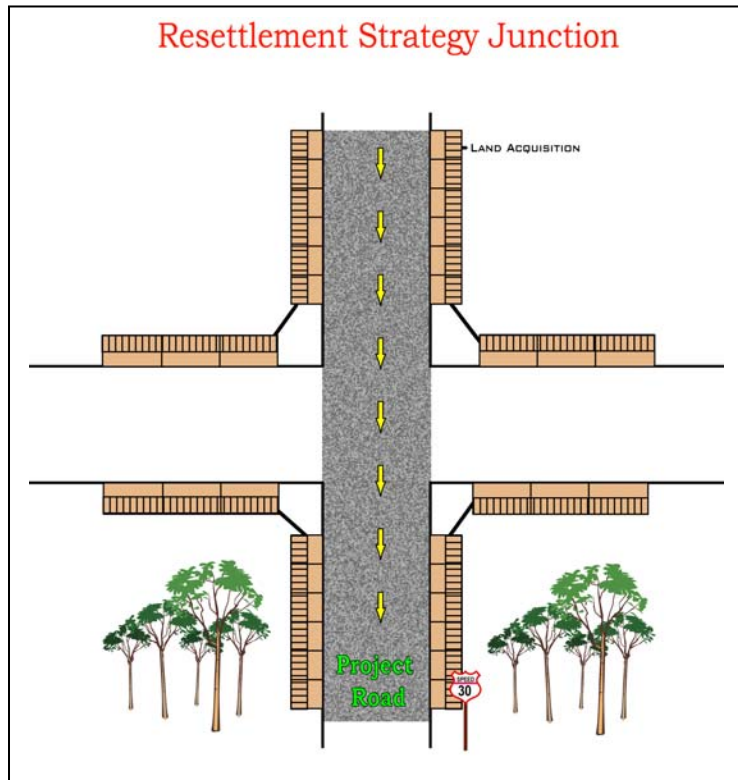
Model: 6.1



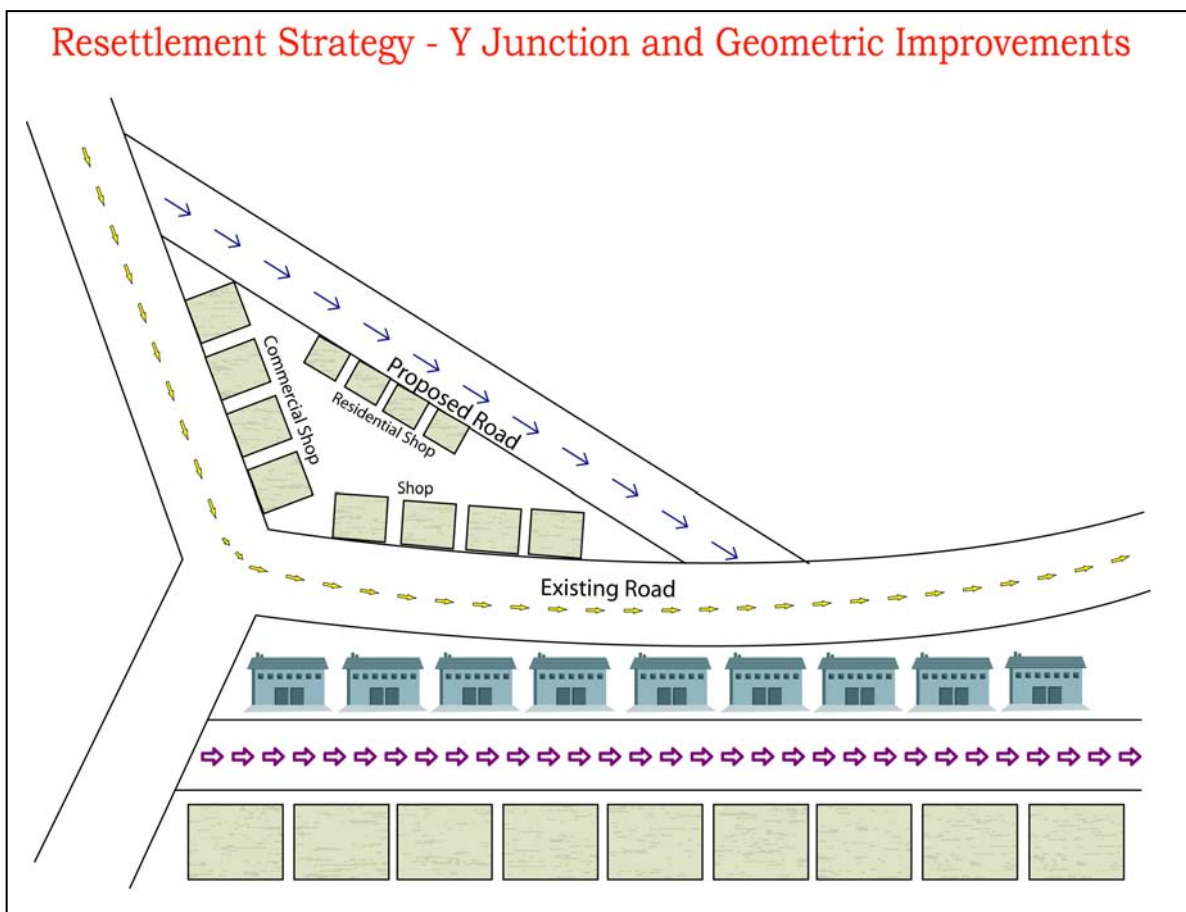
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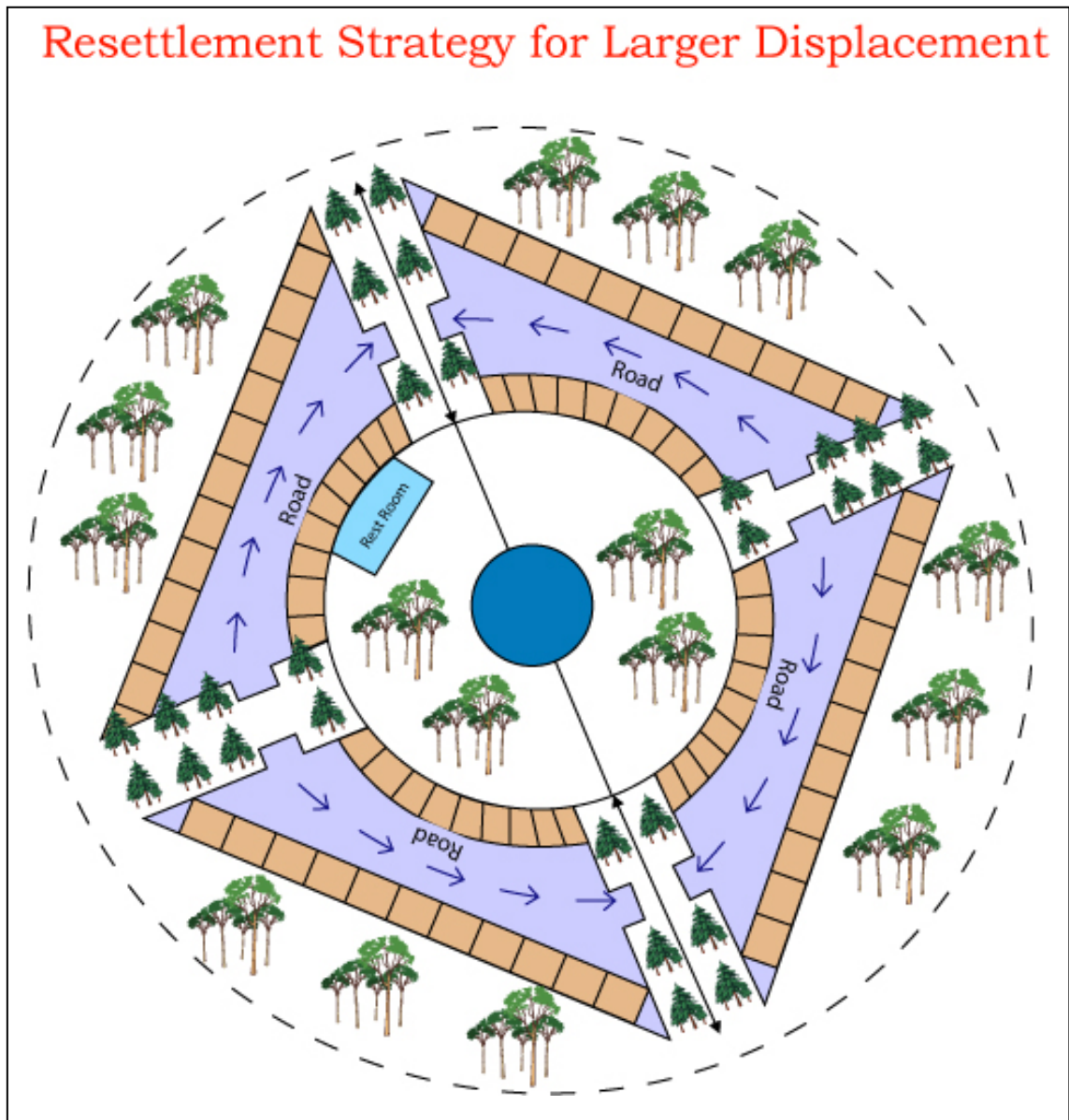
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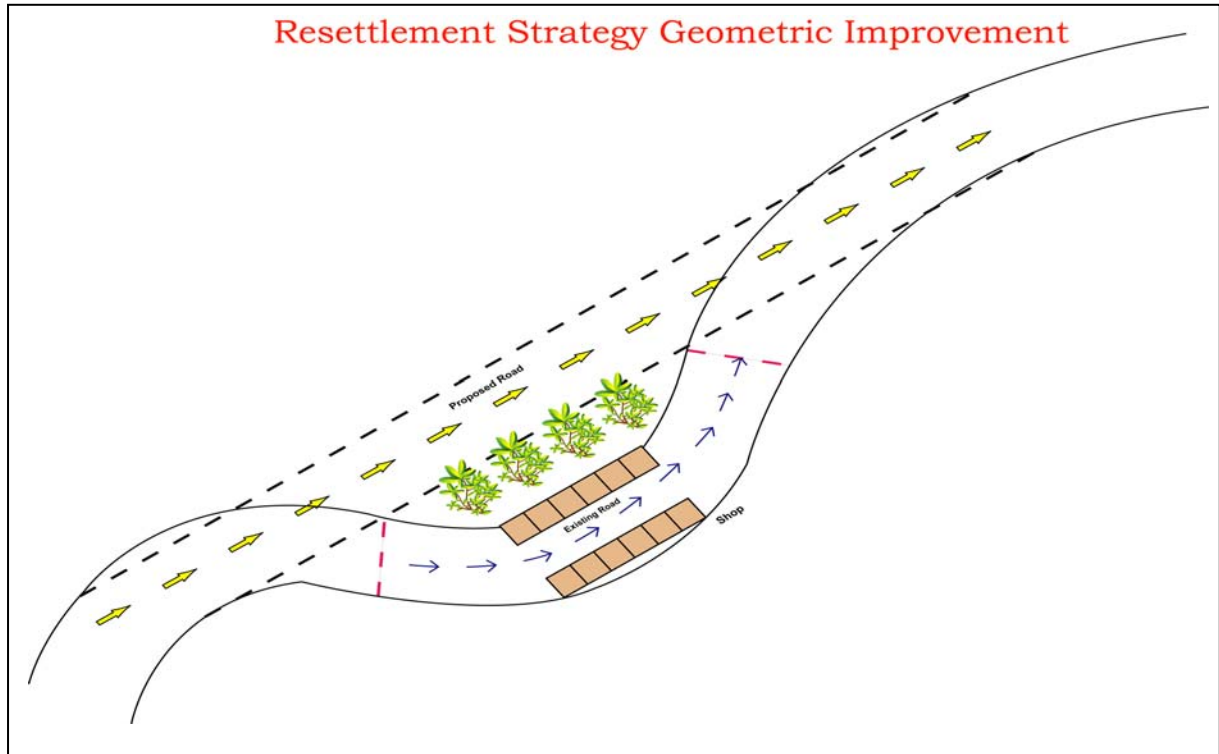
Model: 6.2(c)



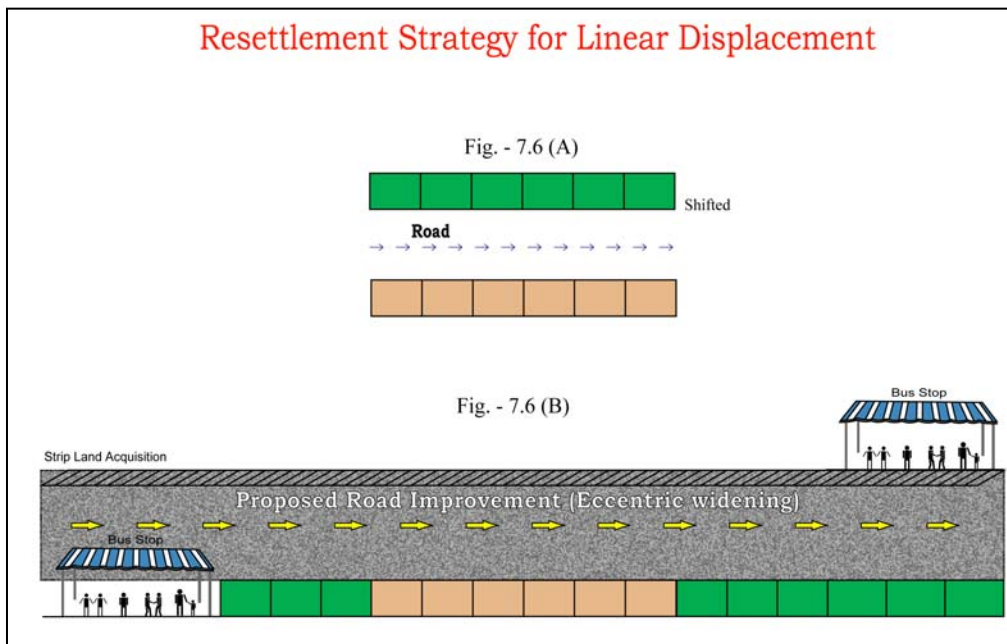
Model: 6.3



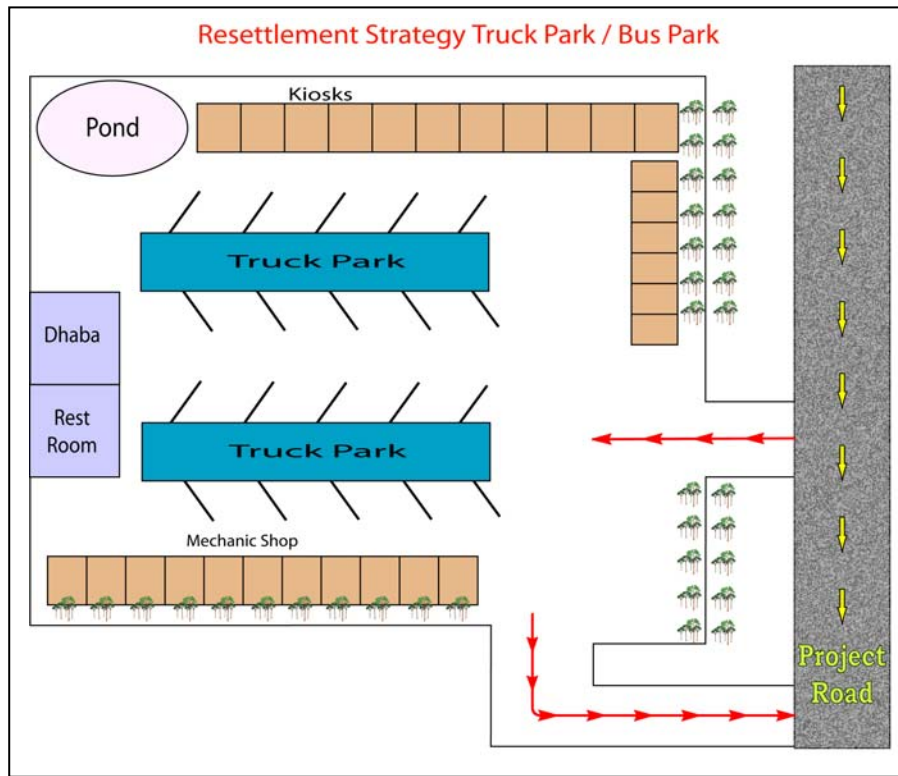
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Model: 6.5



Model: 6.6



Chapter – 7

**TRIBAL DEVELOPMENT AND OTHER SOCIAL
ISSUES IN ROAD IMPROVEMENT**

CHAPTER 7

TRIBAL DEVELOPMENT AND OTHER SOCIAL ISSUES IN ROAD IMPROVEMENT

7.1 Introduction

The census surveys and consultation with specific groups including tribals along the project stretches identified some critical social issues that need to be addressed under the project. Constitution of India provided base for the government to formulate special programs for the development of these vulnerable groups. Typically, vulnerability is relatively high among **Scheduled tribes**/indigenous people. Dislocation and loss of livelihood caused by road widening and development may further aggravate the disadvantaged situation unless special attention is paid to them. **In this connection an assessment of social impact specifically on Scheduled Tribe(ST) has been done during the social assessment of the project carried out during project preparation which highlighted critical issues related to dislocation and loss of livelihood of ST, strategies and action required to address these issues.**(Strategy is attached in annexure 7.1). This chapter also makes an effort to understand and examine other social issues like child labor, road safety and women issues arising out of the proposed road interventions and safeguards mechanism required to mitigate them. This chapter particularly examines the emerging issues arising out of the proposed project interventions and initiatives and actions necessary to mitigate the impact.

7.2 Tribal development

7.2.1 Methodology to Assess Tribal Issues

Social assessment on Scheduled Tribes emphasized on consultation with the Project Affected Persons (PAPs), project planning and implementing agencies. Structured questionnaires, open-ended formats, group discussion during preparation of Village Diary etc were adopted for assessment of impact. The data collected through socio-economic survey and census survey was another source of information for social assessment of tribes. Further details may be seen in the Social Assessment Report.

Consultation Methodology in Project Areas involving ST: During specific consultation involving ST and other vulnerable groups issues like relocation, options and preferences in relocation, compensation, assistance and income generation strategies were discussed. Outcome of these consultations became part of the strategy and the Tribal Development Plan (TDP). Most of the village level consultations were carried out during February 2007 and these were in addition to the focus group discussions and interviews with individual ST affected families. Following Table 7.1 describes issues raised and mitigation measure suggested during consultation in the project area.

Table 7.1: Consultation with ST and other Vulnerable Groups

Sl. No	Name of the Village	Important observations and suggestions by the participants
1	Bonth chakk	<ul style="list-style-type: none"> • Income will be enhanced through the construction of roads in the area • Road work should begin only after businesses are properly rehabilitated and after those affected receive full compensation

		<ul style="list-style-type: none"> • ST people should be dealt as per R&R policy of Orissa
2	Chariharia	<ul style="list-style-type: none"> • Income/business opportunities will be enhanced through the construction of roads • Compensation for loss of business structures should be given to the people • Government program for ST should be channelized with present R&R programs
3	Ganijung	<ul style="list-style-type: none"> • Temples should not be demolished under the Project work • All the affected should be adequately compensated
4	Chayalsingh	<ul style="list-style-type: none"> • The roposed expansion under the Project poses no threat to the villagers • Government rules and policies will not be opposed, but the affected should be adequately compensated for loss of homestead land • Market complex should be constructed on common land • Hand pumps, temples and rest houses, if demolished, should be re-constructed
5	Barapada	<ul style="list-style-type: none"> • Road work should begin only after a market complex has been constructed • Loss of business structures and business, should be compensated • Compensation for homestead land should be given • Income should be enhanced through this Project • Facilities for public toilets and tube wells should be provided • Temples should be re-constructed • The Government should spread awareness about HIV AIDS
6	Tillo	<ul style="list-style-type: none"> • Commuting will be easier and commuters will save time • Income enhancement through road widening is a positive outcome of this Project • Business structures and homestead land, if affected, should be compensated for • Shops should be given to ST and other vulnerables • Temples, tube wells should be constructed

7.2.2 Tribal Scenario in the project area

Orissa has the third largest concentration of tribal population in the country. According to 2001 Census, the tribal population of the State is 81,45,081, constituting 22.13% of the total population of the State and 9.66% of the total tribal population of the country (Table 7.2). There are 62 tribal communities including 13 Primitive Tribal Groups (PTGs) in the State. About 44.70% of the State's geographical area which is known as Scheduled Area, extends over 118 out of 314 Blocks in 12 districts and covers about 68% of the total tribal population of the State. The remaining tribal population inhabits in MADA / Cluster pockets and is dispersed in other areas and are covered under the Dispersed Tribal Development Program.

Table 7.2: Tribes in the Project Affected District

Sl. No.	District	Name of the Tribe	Literacy Rate of ST (%)	ST Population (%)
1	Keonjhar	Bagata, Baiga, Bathadi, Bhuiya, Bhumija, Gond, Ho, Kandha Ganda, Kharia, Kharwar, Kond, Kisan, Kol	40.30	44.50
2	Bhadrak	Bagata, Badhuidi, Bhujiya, Bhumija, Aesva Bhumija, Aharna, Gond, Ho, Kandah Ganda, Kharia, Kond, Kol, Kolha, Koli	27.44	01.88

Further, the project road does not pass through any notified schedule area of the State. Census Survey identifies 17 schedule tribes families along the project road who are likely to be affected due to project interventions. Their socio-economic characteristics of the ST families are given below (Table 7.3).

Table 7.3: Socio-Economic Characteristics of ST Project Affected Families

Sl.	Category	Number	Remarks	
1	Project Affected Families	17		
2	PAPs	163		
3	Other Family	46		
Education Level of ST Project Affected Persons				
4	Illiterate	24		
5	Neo-literate	7		
6	Up to Middle	61		
7	High School	50		
8	Above High School	12		
9	Children	9		
Occupational Structure of ST Project Affected Persons				
10	Children	10		
11	Service	4		
12	Business	21		
13	Farming	15		
14	Wages	12		
15	Un Employed	8		
16	Student	46		
17	Retired	8		
18	House wife	39		
Age Sex Composition of ST Project Affected Persons				
	Category	Male	Female	Total
19	< 6 yrs	5	4	9
20	6-14 yrs	16	17	33
21	15-17 yrs	4	5	9
22	18-45 yrs	46	38	84
23	46-60 yrs	9	9	18
24	> 60 yrs	7	3	10
Total		87	76	163

Source: Consultant Study, 2006

The information in the Table 7.4 explains about socio-economic features of ST families suggests that the project-affected ST households have almost similar characteristics to the overall project affected population and are largely assimilated into the local mainstream communities. The fact that majority of the affected ST families are involved in commercial/businesses and run small shops on the roadside supports the contention that the impact on ST population are no different than others along the road alignments. The project has no evident adverse impacts on their “tribal” and their cultural identity. Therefore, there is no need for a separate IPDP for the STs in this project. The socioeconomic impacts on these ST families as identified can be adequately addressed and mitigated through the RAP framework.

Table 7.4: Comparison of Different Social Groups on Selected Parameters

Parameter	OC	OBC	SC	ST
Literacy	88.78	87.48	86.06	79.75
Av. Income	30728	30980	28778	27259
Av. Expenditure	34748	32801	30809	28245
Family Size	5.6	6.6	5.9	9.6

Source: Consultant Study, 2006

Constitution of India guarantees and safeguards the interest of the ST communities that provide a base for formulating and implementing special developmental interventions to these disadvantaged tribal communities. However, under the proposed project, efforts are planned to help the tribal communities to access project benefits at par with others and thus help in improving their socio-economic livelihood. These measures are contained in the tribal development plan presented in this chapter. For this, the TD strategy for the project (see Annex 7.1) already prepared and presented in the social assessment report has been prepared to prepare specific measures to help tribal groups to take advantage of the project benefits.

7.2.3 Issues Identified and Measures included in RAP

The detailed and informed consultations, through FGDs and village meetings in tribal areas, revealed the following issues related to tribal people in the project area. In order to have a more focused tribal development, the issues related to them have been grouped into (i) issues that are directly related to the project development for which measures will have to be taken up under the project to address them and (ii) issues which are outside the scope of the project but institutional collaboration could help the tribals in their development. Strategies and action required is discussed in tribal assessment report. Following section outlines actions planned under RAP for helping the affected ST families.

Dovetailing on-going Governmental tribal development programme will help operationalize the proposed measures. The on-going TD programs will be integrated with the present project resettlement activities for income generation, skilled development through training modules, marketing of goods produced by the tribal and developing some model schemes for income generation activities. (Table 7.5). Budget of Rs 1157000 for Tribal Development and support to other vulnerable groups has been included in Chapter 9.

Table 7.5: Measures included in the RAP for ST families

Issues/Problems	Measures included in RAP	Budget in Rs.
Loss of Agriculture Income	<ul style="list-style-type: none"> ▪ Compensation at replacement value ▪ Lump sum assistance for economic rehabilitation ▪ Training of local knowledge and marketability of local produce ▪ Additional assistance 	Training to 165 affected families: 165 x 6000 = 990,000 Add. Assistance (25%) for eco. rehabilitation (included in RAP)
Loss of employment of daily Wagers	<ul style="list-style-type: none"> ▪ Training for self employment ▪ Dovetailing Government scheme for regeneration of income ▪ Additional assistance to tribal families 	Lump sum to 6 displaced ST 25000 x 6 = 150,000
Loss of Shelter	<ul style="list-style-type: none"> ▪ Provide alternate housing from Government sponsored scheme or cash in lieu thereof ▪ House construction Grant ▪ Maintenance allowance and other assistance ▪ Government job or equivalent cash 	Included in RAP Budget
Loss of income from commercial shops	<ul style="list-style-type: none"> ▪ Shop site or constructed shop in place of shop ▪ Shop construction grant ▪ Training to income losers ▪ Dovetailing Government schemes for income generation 	Included in RAP Budget
Loss of community facilities	<ul style="list-style-type: none"> ▪ Replacement of community facilities with enhanced facilities ▪ Alternate community facilities during construction 	Included in RAP Budget
Issues of lack of Consultation	<ul style="list-style-type: none"> ▪ In built consultation ▪ Consultation with Gram Sabha mandatory ▪ Consultation with other groups like women, youth, DWACRA etc ▪ Distribution of pamphlet(in local language) and other dissemination materials. ▪ Disclosure of RAP and tribal development Plan 	Specific dissemination material @Rs 1000 per family = 17,000 Special emphasis by NGO for ST and vulnerable groups

7.2.4 Measures proposed under TD component: As indicated in the TD strategy for the project, issues that are not related to R&R activities but affect/impeged tribal communities in accessing project benefits will be addressed as per the strategy. The focus of this strategy is dovetailing Governmental programs and undertaking some additional measures to help them benefit from the project. The issues not related to RAP in this project corridor have been identified and also the available Government schemes benefiting tribal & other vulnerable groups are presented below.

Table 7.6: Measures under TD component

Issues	Measures under the project	Dovetailing relevant Gov. Schemes*
Low level of Agriculture Productivity	Training programs in coordination with Agril Dept.	Micro-Project Tribal Group
Lack of employment opportunities	Wage employment on priority basis	Modified Area Development Approach(MADA),OTLEP, IAY,SGRY
Poor Health	Health measures planned under HIV/AIDS component and health safety measures in labour camp colonies	Cluster ,DTDP
Low level of education	Specific communication methodology and dissemination material	OTLEP, Residential schools
Low income levels	Improved access to wage employment, R&R assistance as per the R&R policy and income generation activities	OTLEP ,IAY,SGRY
High levels of debt	Promoting SHG and saving/thrift among ST and others	OTLEP ,IAY,SGRY

7.2.5 Involvement of Tribal during Implementation: RAP has made specific provision to involve ST and other vulnerable in project implementation. The implementing agency will consult ST groups, women groups and take suggestions of these groups, The NGO involve in implementation will give details of consultation with ST in their monthly progress reports.

7.3 Gender Issues

7.3.1 Socio-economic Characteristics

From the specific consultation with women group and census survey it is revealed that the socio-economic status of women in the project area which is characterized by low female literacy, distressed health and nutritional conditions, low proportion of women in work participation, etc. Though a total of 10,704 PAPs are female however, there are 67 women headed affected families. Displaced WHH will be entitled for additional support as per entitlement framework. Sex ratio is 808 much lower than state average. As evident from table below that about half of the women PAPs are within the reproductive age and need special attention. This is required because the proposed project interventions affect the interests of women and conflict with their daily activities. This is important because 53% of women are engaged in household work. During consultations, it was found that majority of them often uses road for collection of fuel wood, bathing in community pond and crosses road quite frequently.

Table 7.7: Socio-Economic Characteristics of Female PAPs

Sl. No	Category	Number	Remarks
Castewise of Female Project Affected Persons			
1	ST	77	
2	SC	1240	
3	OBC	6067	
4	OC	3320	
Education Level of Female Project Affected Persons			
5	Illiterate	1132	
6	Neo-literate	648	
7	Up to Middle	3862	
8	High School	3248	
9	Above High School	1197	
10	Professional	19	
11	Children	598	
Occupational Structure of Female Project Affected Persons			
12	Children	672	
13	Service	80	
14	Business	177	
15	Farming	222	
16	Allied Agril	38	
17	Wages	242	
18	HH Industry	15	
19	Professional	8	
20	Un Employed	314	
21	Student	2336	
22	Retired	394	
23	House work	6206	
Age-wise distribution of Female Project Affected Persons			
24	< 6 yrs	777	
25	6-14 yrs	2020	
26	15-17 yrs	826	
27	18-45 yrs	4584	
28	46-60 yrs	1608	
29	> 60 yrs	889	

Source: Consultant Study, 2006

As can be seen from the above Table, that women participation in productive and income generating economic activities is almost negligible. Most of the females are engaged in the household activities. Nearly 61 % of the women are engaged in household work ranging from collecting potable water, cooking and child rearing to helping the male members in agriculture field.

There are a number of government programs where participation of women has been envisaged specifically in the following Schemes..

- ◆ Integrated Child Development Services (ICDS-III) Scheme
- ◆ Training and Extension for Women in Agriculture (TEWA)
- ◆ Mission Shakti

- ◆ Mahila Vikas Samabaya Nigam(MVSN)
- ◆ Kishori Shakti Yojna

The implementing NGO will be involved in integrating the above Government schemes with the help of RPDAC. Following other **measures will be taken under the project** by implementing NGOs during implementation to safeguard women interest in the project

- ◆ In planning activities under the project, participation of women would be sought through allowing them taking part in the consultation process.
- ◆ Since some of the R&R grants will be extended in the joint name of the PAP and her spouse, special care will be taken to help women PAPs to ensure that their interests are adequately addressed.
- ◆ It is imperative that the women are consulted and provided opportunities to help them get benefits under the wage employment during project construction activities.
- ◆ The NGOs should make sure that women are actually taking part in issuance of identify cards, opening accounts in the bank, receiving compensation amounts through cheques in their (joint) name, etc. This will further widen the perspective of participation by the women in the project implementation.
- ◆ Ensure that the assistance is provided to women as a vulnerable group in creating alternative livelihood.
- ◆ Provide trainings for upgrading the skill in the alternative livelihoods.
- ◆ Women participation will be encouraged through Self-Help Group and these groups will be facilitated to access development schemes of the Government, like DWCRA.
- ◆ As part project construction women workers will also stay in the construction camps and most of them will have children. Therefore, NGO/Package Unit/Contractor will undertake adequate measures to help them protect from HIV/AIDS and provide adequate health care.

7.3.2 Specific Provisions in the Construction Camp for Women

The provisions mentioned under this section will specifically help all the women and children living in the construction camp.

Temporary Housing: During the construction the families of labourers/workers will be provided with the suitable accommodation and facilities for other civic requirements, particularly health and sanitation.

Health Centre; Health problems of the workers will be taken care of through health centres temporarily set up for the construction camp. The health centre will medicines and minimum medical facilities to tackle first-aid requirements or minor accidental cases in addition to linkage to nearest higher medical care. Exploitation of young unmarried women is very common in such camps. A strong vigilance mechanism will ensure ceasing of such exploitation.

Day Crèche Facilities: As indicated above, women workers do stay with their infants and small children, for whom day crèche may solve some of the problems. Steps will be taken to ensure that these children get benefits from the nearest ICDS worker with 'ayahs'.

Scheduling Of Construction Works: Owing to the demand of a fast construction work it is expected that a 24 hours-long work-schedule will be in operation. Women, especially the mothers with infants will be exempted from night shifts as far as possible. If unavoidable, crèche facilities in the construction camps must be extended to them in the night shifts too.

Education Facilities: The construction workers are mainly mobile groups and are illiterate. In order to safeguard their interests, particularly in receiving wages and other benefits, NGOs will organize literacy/education camps among them. As far as possible, NGOs will be present when contractors pay the wages to labour, particularly tribal, Sc, womsn and other vulnerable groups to ensure that they receive their dues.

7.4 Preventing Child Labour

Children below the age of 14 years should be restricted from getting involved in the constructional activities and wage employment. It is the responsibility of SMU of PIU, Package Manager and NGOs to ensure that no child labourer is engaged in the activities. This requires close coordination with the Construction Supervision Consultants for effective monitoring for control on child labour. Any complaint received in this regard necessary action as per the Child Labour (Prohibition & Regulation) Act, 1986 will be taken up. This may include (i) imposing Penalty, (ii) Black listing of the firm and (iii) taking other legal measures.

7.5 Road Safety

The road accident data are maintained by the Orissa Police Department. The road accidents data from 1997 to 2003 were obtained and analyzed which have been appended (Annexure 7.1) which shows that trucks are on top the list registering nearly 35% of total accidents followed by cars/ jeeps (nearly 20%) and motorcyclists (nearly 20%).

7.5.1 Causes of Accident

Past accident data of Orissa, engineering studies and Consultation suggest that road accident are generally caused by

- (i) drivers exceeding the speed limits (over speeding);
- (ii) overloading;
- (iii) careless overtaking;
- (iv) reckless driving habits;
- (v) unregulated movements of non-motorized vehicles;
- (vi) lack of traffic safety education; and
- (vii) poor enforcement of traffic laws.

Some of the deficient engineering design causes accidents are

- ◆ Geometric deficiency
- ◆ Deficient junction design
- ◆ Narrow bridges in comparison to road width
- ◆ Poor visibility during night in highly encroached and congested settlement portions
- ◆ Lack of signals, hoardings and other precautionary measures.
- ◆ Slow moving vehicle without any lights

These deficiencies have been adequately accounted in the engineering designs. In addition to this, the project will focus on the following behavioral aspects of the road users:

- (i) behavior of the road users (including pedestrians, drivers and passengers of motorized and non-motorized vehicles) is not easily predictable;
- (ii) the road environment, including physical condition of the road and the traffic control measures (e.g., traffic signs and road markings) are not appreciated or even ignored by road users very often;
- (iii) lack of enforcement of traffic regulations (of motorized and non-motorized traffic) by the relevant agencies (Poor Governance).

7.5.2 Road safety Management through Community Participation

Above mentioned causes of the accident are the major concerns of the present day road traffic management system. Changing community behavior will be the main agenda of road safety program. Road safety campaigns will be undertaken with close participation of the communities living along the highways. Target groups of the populations will be selected from a wide section of the community and a road safety education and awareness program for implementation will be designed by NGOs. The road safety awareness campaigns will be developed and implemented to improve the knowledge, attitude and behavior of all road users through a combination of formal and non-formal education, adult programs and mass communication activities. To achieve the objectives of ensuring a safe road environment for all road users, activities will be carried out by combining a series of programs such as raising general awareness of the public. The target groups for the public education and awareness campaign will be school children, school teachers, senior citizens, roadside dwellers, shop-keepers, drivers of motorized and non-motorized vehicles, local knowledgeable persons, CBOs, NGOs, etc.

Programs planned for raising Awareness of the Masses

- ◆ Dissemination of road safety instructions in public places
- ◆ Distribution of leaflets and posters
- ◆ Forming human chains along the national road:
- ◆ Public marches along the proposed road
- ◆ Distribution of booklets and bookmarks among school children
- ◆ Training workshops about road safety
- ◆ Workshop for NGO workers about road safety
- ◆ Advocacy with media representatives about road safety

Effective Campaign materials/method for road safety awareness programme will include

- (i) Flip chart
- (ii) Posters
- (iii) Audio Cassette
- (iv) Rapid Action Campaign (RAC) through cultural shows
- (v) Road Safety Theatre near truck park, bus parks, bus bay and other common places

(vi) Student Traffic Cadets (STCs) involving school children

As per section 4 part (f) of ORRP, 2006 (To develop comprehensive communication plan), road safety education, comprehensive community awareness programme will be undertaken. A provision of Rs 950,000 has been earmarked for road safety awareness.

7.6 HIV/AIDS and Road Improvement

It is well established that because of improvements of road, mobility of Commercial Sex Workers and truckers also increases and hence increased chances of transmission and spread of HIV/AIDS. Prevention and control of HIV/AIDS transmission will be one of the important social responsibilities of the Bank project. Hence prevention and control of transmission of HIV/AIDS is an important component of RAP. For this purpose, a separate HIV/AIDS Action Plan has been prepared for the project which includes the proposed project corridor. The Plan emphasizes on targeted intervention programme during project preparation, implementation and operation phase.

Chapter – 8

INSTITUTIONAL ARRANGEMENT

CHAPTER 8

INSTITUTIONAL ARRANGEMENT

8.1 Institutional set up for the Project

Implementation of RAP requires well-coordinated efforts by PIU. This essentially means understanding the institutional relationship and the responsibilities of other Government institutions (RPDAC, DCAC), partnering NGO and CBOs. In this connection the RAP will be placed before RPDAC for approval and only after this approval by RPDAC, RAP will be implemented by SMU, OWD. For this purpose, Project Implementing Unit (PIU), has already established a cell called as Social Management Unit (SMU) at Headquarter. The SMU at the project level will have overall responsibility for policy guidance, coordination and planning, internal monitoring and overall reporting. SMU is headed by an officer of the rank¹ of Executive Engineer. At the Package level, one Package Manager at (R&B Divison) Bhadrak will be posted to head the package management unit. SMU is in the process of engaging a Social Management Specialist to provide help in technical guidance and capacity building of SMU,PMU of PIU. Services of nodal and package level NGOs will be hired to assist SMU and package unit respectively to facilitate implementation. Following section illustrate roles and responsibilities of institutional and individual stakeholders.

8.2 Other Institutions

The main R&R institutions (see the Organogram), which are likely to be involved in the management of RAP activities include he following:

- RPDAC, constituted by the Government as per ORRP 2006
- DCAC constituted by the Government as per ORRP 2006
- Orissa Works Department at different level;
- NGO (Non Governmental Organization);
- Line Departments particularly Revenue, Social Welfare, Rural Development
- Grievance Redress Committee;
- Monitoring and Evaluation (M&E) Agency.
- Village Level Committees

Roles and Responsibilities

Following sections briefly outlines role and responsibilities of each of the bove mentioned institutional organization in the implementation and monitoring of RAP

8.3 Statutory Bodies

8.3.1 Rehabilitation and Periphery Advisory Committee (RPDAC)

Regional Development Commissioner (RDC) North will constitute RPDAC for the District of Keonjhar and RDC Central will constitute RPDAC for Bhadrak District. Following will be the members of RPDAC as per Government Order no. 25092(Dated 6th July 2006). - see Annexure 8.1.

¹ The officer will have quasi-legal authority so that any activities not acceptable to law of land could be managed and action may be initiated.[Highway {Land and Traffic} Act,2002 and Highway Administration Rule,2004]

1.	<i>Revenue Divisional Commissioner under whose jurisdiction the district comes</i>	Chairman
2.	<i>Collector and District Magistrate</i>	Member-Convener
3.	<i>All MPs (Loksabha) of the concerned district / districts.</i>	<i>Member</i>
4.	<i>All MP (Rajyasabha) whose nodal district / districts come under the project.</i>	<i>Member</i>
5.	<i>All MLAs of the concerned district</i>	<i>Members</i>
6.	<i>President Zilla Parishad</i>	<i>Member</i>
7.	<i>Chairpersons of the affected Panchayat Samittees</i>	<i>Members</i>
8.	<i>Representative of two NGOs working in the affected area to be nominated by the Chairman².</i>	<i>Members</i>
9.	<i>Representatives of two Local Women self Help Groups functioning in the area to be nominated by the Chairman</i>	<i>Members</i>
10.	<i>Two Persons nominated by the Chairman from among the displaced and affected families</i>	<i>Members</i>
11.	<i>Project Director, DRDA</i>	<i>Member</i>
12.	<i>Sub Collector (S) Concerned</i>	<i>Member</i>
13.	<i>Land Acquisition Officer/Special Land Acquisition Officer concerned</i>	<i>Member</i>
14.	<i>Representative of the Project concerned having decision-making power on behalf of the project</i>	<i>Member</i>

Powers and Functions of the RPDAC for the present project implementation is simplified below:

- Approval of RAP submitted by OWD.
- Approval of additional support proposed by the project to individual project affected families and communities
- Suggesting any improvement RAP
- Approval of LA and Land alienation process
- Specific periphery development activities such as lighting, sanitation etc in the villages along the project corridor
- Dovetailing to and agreement on Government programmes for PAPs
- Guidance on implementation impediment
- Address grievances of displaced or other affected families and recommendation of measures for their redressal
- Monitor the progress of resettlement, rehabilitation and periphery development programmes.

² Member convener shall recommend names of nominated members to chairman .

8.3.2 District Compensation Advisory Committee (DCAC)

District Magistrate and Collector of the concern Districts (Bhadrak & Keonjhar) will constitute DCAC. Following would be the member of DCAC as per Government Order no. 39321 (Dated 13th October 2006).

1.	<i>Collector and District Magistrate of the concerned district</i>	<i>Chairman</i>
2.	<i>Project Director, R&R (Where exists) or A.D.M.</i>	<i>Member</i>
3.	<i>Divisional Forest Officer</i>	<i>Member</i>
4.	<i>Executive Engineer, R&B, RD or DRDA to be Nominated by the Chairman</i>	<i>Member</i>
5.	<i>District Sub-Registrar</i>	<i>Member</i>
6.	<i>Representative of the Project having decision making power</i>	<i>Member</i>
7.	<i>Sarpanches of the Gram Panchayats affected due to acquisition of land in their area</i>	<i>Member</i>
8.	<i>Two representative of the displaced/affected families to be nominated by the Chairman</i>	<i>Member</i>
9.	<i>One woman representative of the displaced/affected families to be nominated by Chairman.</i>	<i>Member</i>
10.	<i>One representative of the indigenous community to be nominated by the Chairman (if applicable)</i>	<i>Member</i>
11.	<i>Land Acquisition Officer/Special Land Acquisition Officer concerned.</i>	<i>Member-Convener</i>

Powers and Functions of the District Compensation Advisory Committee (DCAC):-

- The DCAC will meet as and when required.
- Provide necessary direction to LAO for consent award.
- Issues, which cannot be resolved at the level of LAO, shall be referred to DCAC for resolution.
- Resolve disputes over fixation of compensation as per provision of LA Act 1894
- Work in closed coordination with RPDAC.

8.4 Orissa Works Department (OWD)

The project will be implemented by PMU with the help of Package Management Unit. At PIU a Social Management Unit(SMU) has been created. OWD will fully staff this unit as per the institutional structure approved by the Government.

At the package level an NGO will be hired to facilitate smooth implementation of RAP and help in providing livelihood solution. NGO will also organize programmes to impart a new skill and or upgrade the existing skills.

Following section describes role and responsibilities of individual officers involved in implementation of RAP.

8.4.2 Chief Engineer (PIU)

He is responsible for successful implementation of the project components including RAP. In respect of RAP, his responsibilities include

- Interact regularly with SMU/PIU staff

- ▶ Participate in the State Level Meetings on LA,R&R and shifting of utilities
- ▶ Participate in different statutory body created under the ORRP,2006.
- ▶ Ensure availability of encumbrance free land for undertaking construction work and coordinate with the package unit and District Administration on LA
- ▶ Ensure timely release of money to package unit for activities included in RAP

8.4.3 Social Management Unit

The unit will be responsible for overall implementation of LA & R&R activities under the package, specifically he following tasks:

- Monitor progress of LA and R&R activities;
- Ensure availability of budget for R&R activities;
- Prepare dissemination material of the R&R entitlement framework, TD program, HIV/AIDS, road safety, etc;
- Liaison with district administration to ensure completion of LA and R&R program as planned and scheduled;
- Participate in the DCAC and RPDAC meetings;
- Ensure continued participation of the people in entire project cycle; and
- Organize training program for project staff on LA, R&R and other related activities.

8.4.4 Package Manager (Executive Engineer)

- Co-ordinate with the District Administration, DCAC and RPDAC on LA and R&R;
- Translate and disseminate R&R policy in Oriya language;
- Make available the RAP at the project site
- Translate the executive summary of RAP in local language and distribute it among the project stakeholders and make it available at important places along the project road;
- Prepare and issue identity cards for the Project affected persons;
- Ensure the development of resettlement sites, wherever required;
- Participate in the allotment of residential, commercial and agricultural plots (where required);
- Liaison with District Administration and concerned department for dovetailing government developmental programs for the socio-economic benefit of the PAPs;
- Develop and maintain a PAP level database including aspects related to losses, compensation, R&R entitlement, release of funds and utilization
- Ensure inclusion of those project affected persons who may have not been covered during the census survey;
- Facilitate the opening of joint accounts in local banks to transfer assistance for R&R for PAFs,
- Ensure transfer of funds(including the R&R entitlement) in the Bank account of PAPs
- Ensure that the amount is released as per the milestones indicated in RAP;
- Ensure that the amount is used for the purpose it is meant;

- Monitor physical and financial progress on land acquisition and R&R activities;
- Organize fortnightly meetings with the NGO to review the progress on R&R; and
- Review micro plan & monthly progress reports submitted by NGO.

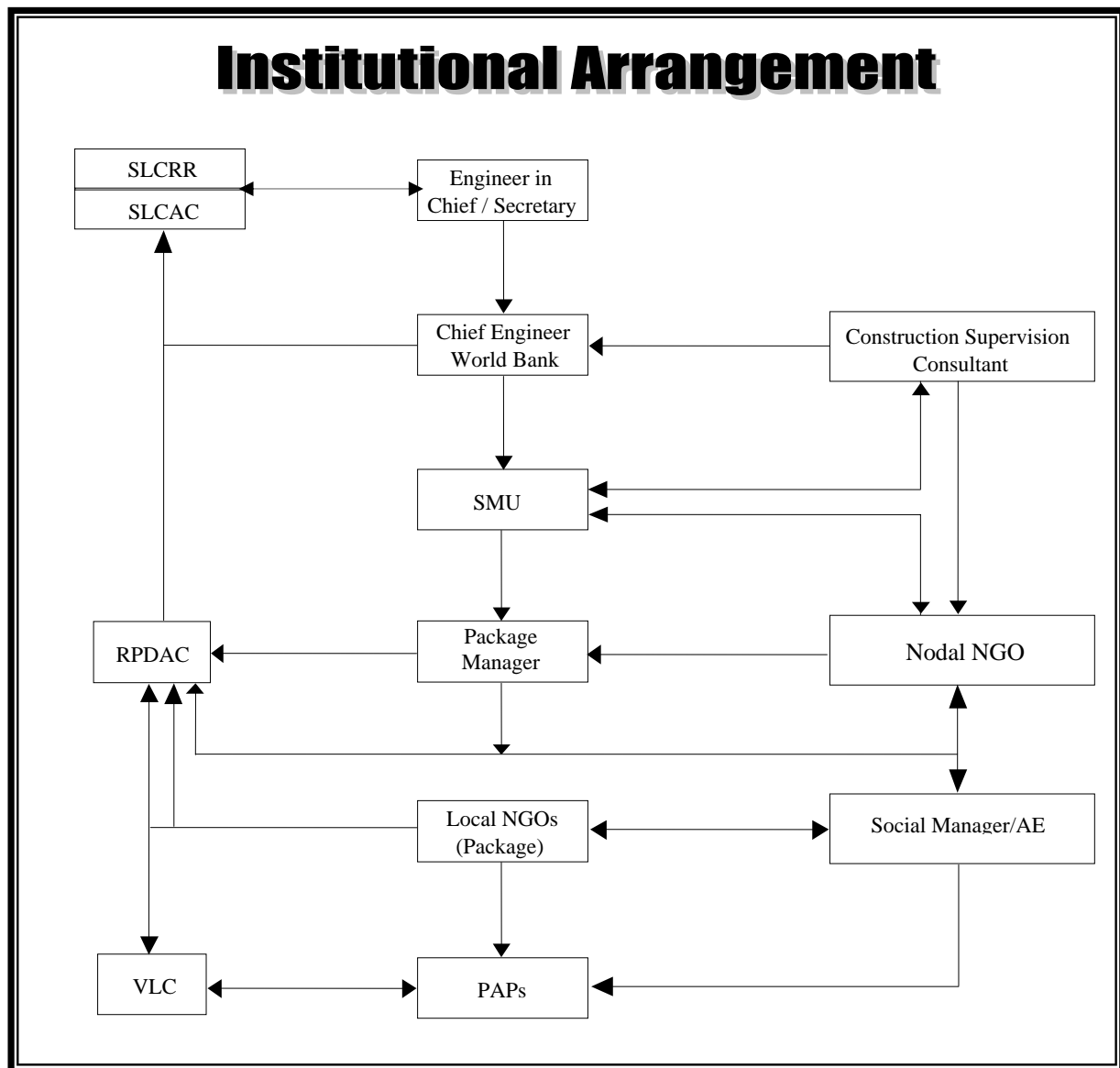


Fig 8.1

8.5 Non Governmental Organizations

State R&R policy as well as the policy framework agreed for the project envisage involvement of NGOs in the implementation of RAP at the package level. ToR of NGO is given in annexure 8.2.

Specific roles of NGO at the package level include (but not limited to)

- Work in close contacts with the nodal NGO and the SMU
- Responsible for successful implementation of RAP
- Develop rapport with PAPs
- Co-ordinate **with the Package Manager** to implement RAP activities
- Verification of PAFs listed out in RAP

- Prepare and issue identity cards to identified PAFs
- Facilitate SMU and Package Manager in organising public information campaign at the commencement of R&R activities
- Distribute the dissemination materials including pamphlets on R&R policy and other aspects
- Explain to PAPs about the potential adverse impacts and proposed mitigation measures and, R&R entitlements
- Assist PAPs in receiving compensation, focusing on vulnerable PAPs to ensure that they get their dues on time
- Facilitate opening of joint bank accounts(PAPs and his/her spouse) for individual PAPs;
- Generate awareness about the productive use of compensation money and R&R grants
- Explain the resource base and other opportunities to enable them to make informed choices and participate in their own development.
- Prepare individual entitlement plan(micro-plan) for both the resettlement and the economic rehabilitation of PAFs
- Participate in the disbursement of cheques at public meetings and at *Gram Sabhas*
- Facilitate with the identification of the alternate sites for relocation
- Ensure preparation of resettlement sites as per the guidelines laid in the policy complete with basic facilities
- Participate in consultation process for allotment of residential and commercial plots
- Participate in the meetings organised by Package Manager/SMU
- Ensure that women headed households and other groups of vulnerable PAPs are given their dues both for payment of compensation and rehabilitation assistance
- Submit monthly progress reports to package manger and SMU
- Identify training needs of PAPs for income generating activities and ensure they are adequately supported during the post-training period on enterprise development and management, the backward and forward linkages, credit financing and marketing of the produce.
- Ensure that the grievances and problems faced by PAPs are presented to the package manager, DCAC,RPDAC for their resolution

8.6 Gram Sabha/Village Level Committee (VLC)

RAP envisages consent award as the most preferred option for LA. This should be discussed and agreed first with the first tier of governance. This will help in building confidence among PAPs. In stretches with bypasses or realignments, a VLC will be constituted represented by Village Pradhans with members of Gram Sabha and representations from different sections of the affected community of that village (with the ward members in urban areas). All efforts will be undertaken to constitute the VLC at least by the time RAP is approved by RPDAC. In the present project, the roles and responsibilities of VLC will include:

- (i) Meeting regularly at pre-decided dates specifically for resolving any grievances ;
- (ii) Ensure that OSRP is discussed in every Gram sabha Meeting
- (iii) Help in amicable settlement of disputes at the community level with regard to relocation sites and other development activities;
- (iv) Take-up issues not resolved in VLC to DCAC and RPDAC

(v) Facilitate implementation of consent award.

8.7 Grievance Redressal

According to section 20 of ORRP 2006, an effective grievance redress mechanism is a must to deal with grievances of PAPs relating to LA and R&R. It also envisages an effective participation of the displaced/affected communities in the process of redressing their grievances. As indicated earlier, the project will have four levels of grievance redress mechanism (i) VLC at the village level (ii) DCAC at the District level (iii) RPDAC at the District/Divisional level (iv) SLAC and SLCRR at the state level Refer Organogram on Grievance Redress Mechanism). Functions of these committees have been discussed in the earlier section.

In terms of implementation, all efforts will be made to first resolve the issue faced by PAPs at the VLC level. Some of these could be resolved with the intervention of LAO and Package Manager. NGO will have an important role in the entire process of grievance redressal to ensure that PAPs are satisfied with the implementation of RAP. NGOs in their monthly progress reports will include the type of issues raised on grievances, their status and how these were resolved. Similar reporting is also envisaged by the Package Manager. RAP envisages benefits are effectively transferred to the beneficiaries and that proper disclosure is made and consultation with the affected population continues during implementation.

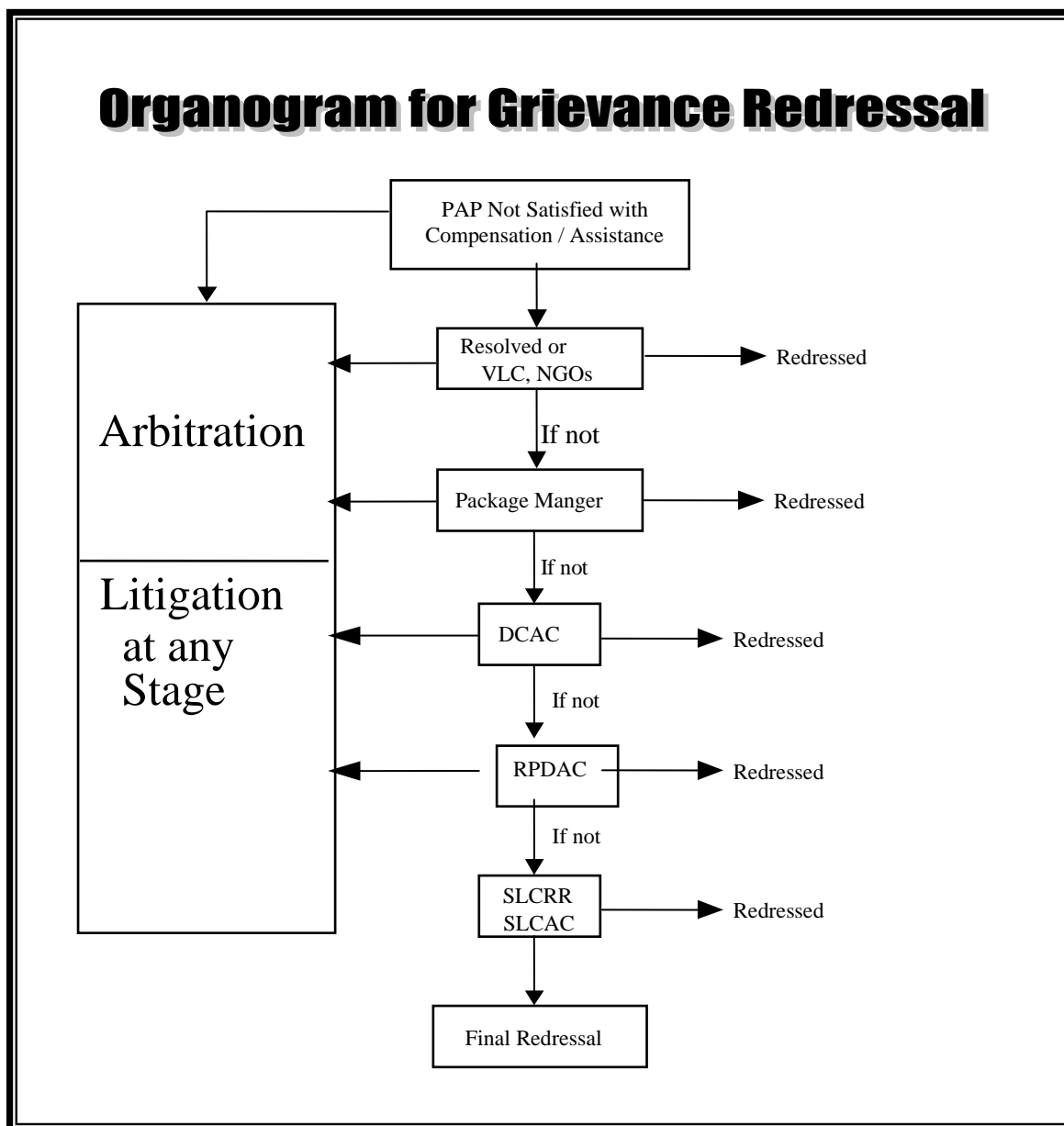


Fig – 8.2

8.8 Monitoring and Evaluation

Monitoring and Evaluation (M&E) are critical activities in implementation of any plan. This assumes significance if the plan is related to LA and R&R. Monitoring involves periodic assessment of plan implementation to ascertain whether the activities are progressing according to the plan and provides feedback on how to keep the plan on schedule and at the same time maintain quality. By contrast evaluation is the impact of plan in terms of achieving its intended objectives. This focuses more on results than the processes.

In relation to the institutional framework agreed for the project for the implementation of RAP, the monitoring will be done at two levels: I) at the package level and ii) at the Project level. At the package level, monitoring of RAP will be carried out by the Package Manager with the help of facilitating NGO. As indicated earlier, NGO will report to the Package Manager on monthly basis which will be forwarded to SMU. The reporting format is attached in annexure 8.3. This format will be improved by SMU during implementation. Similar report

will be prepared by SMU, with the help of nodal NGO for all packages under implementation.

In addition to this internal monitoring, an external agency will be hired to undertake social audit on six-monthly basis. This audit will also focus on the processes employed in the implementation of RAP.

8.9 Monitoring Indicators

The monitoring indicators can be divided into three types of benchmarks viz., process, output and impact. These indicators will provide end-term result i.e. outcome indicators. These indicators listed in the following.(Refer annexure 8.4)

Table 8.1: Monitoring Indicators

<p>Physical</p> <ul style="list-style-type: none"> • extent of land acquired • number of structures demolished • number of land users and private structure owners paid compensation • number of families affected • number of government agricultural land identified for allotment • number of EPs allotted agriculture land • extent of agriculture land allotted • number of families approaching Land Purchase Committee for purchase of agriculture land • Number of families purchasing land and extent of land purchased. • extent of government land identified for house sites • number of EPs receiving assistance/compensation • number of EPs provided transport facilities/ shifting allowance • number of EPs allotted house under EWS/LIG housing scheme • number of EPs granted free plot/house construction allowance 	<p>Economic</p> <ul style="list-style-type: none"> • Entitlement of EPs-land/cash • number of business re-established • utilization of compensation • extent of agricultural land/house sites/business sites purchased • successful implementation of Income Restoration Schemes <p>Grievance</p> <ul style="list-style-type: none"> • cases of LA referred to court, pending and settled • number of grievance cell meetings • number of village level meetings • number of field visits by RRO • number of cases disposed by RRO to the satisfaction of EPs.
<p>Financial</p> <ul style="list-style-type: none"> • Amount of compensation paid for land/structure • cash grant for shifting oustees • amount paid to NGOs • consultancy fee paid to M&E agency • Establishment cost - • Staff salaries • Vehicle maintenance • Operational expense of office 	

Chapter – 9

IMPLEMENTATION SCHEDULE AND BUDGET

CHAPTER - 9

IMPLEMENTATION SCHEDULE AND BUDGET

9.1 Background

Implementation of RAP consists of Land Acquisition, Rehabilitation and Resettlement activities. As per the conditions in the civil works contracts, land free from all encumbrances is to be made available to the contractors in a phased manner for the contract package. Time frame for implementation of RAP is synchronized with the proposed project implementation in a way that commencement and progress of civil works is not jeopardized.

The Social Management Specialist of SMU would impart training to PIU staff, nodal and package level NGOs and staff of package unit. The following components will be covered:

- Understanding the policy guidelines;
- Understanding the implementation schedule activities step-by-step;
- Understanding of the Land Acquisition Act;
- Preparation of individual entitlement plans;
- Monitoring and reporting; and
- Understanding of the economic rehabilitation schemes.

9.2 The Implementation Process

The Resettlement Action Plan will be implemented by OWD after approval of RAP from RPDAC. Disbursement of compensation for acquisition of land and assets will be done through Land Acquisition Officer as per the provision of LA Act 1894 and project authorities will disburse R&R benefits to PAPs and communities. For this purpose, RPDAC will be formed in each District which will meet regularly **on as and when required basis**. For this purpose, Collector of each District will convene a meeting in which each and every component of RAP implementation will be discussed. Decisions taken in RPDAC will be implemented by package manager with the help of NGOs.

PIU will initiate the following activities to commence and implement the RAP:

- Get Approval of RAP from concerned RPDAC
- Establish package unit(social cell) and field offices for effective communication;
- Select NGOs (Nodal and package level NGOs) for facilitating smooth implementation of R&R activities as stated;
- Organize Orientation and awareness seminars for SMU staffs; and
- Appoint of external agency for social auditing

9.3 Schedules for RAP Implementation

Civil works contracts for all the sections are proposed to be awarded in October 2007, by which time encumbrance free land is made available for at least 10 km stretch. Time period for implementation and completion of this package is of 36 months. As may be noticed, LA process will be completed in phases and the land required for the first 10 km will be completed by end October 2007 and the entire process of LA will be completed and land will be handed over to the contractor for civil works by end September 2008. In order to

accelerate the process of LA, all efforts will be made to acquire and compensate the land through 'consent award' approach.

The RAP activities particularly relocation will be undertaken concurrently with LA process so that sites will be handed over to contractors in accordance with package implementation schedule. Consultation with the affected communities and social auditing will be continued throughout the project implementation. A completion survey of delivery of R&R entitlements will be undertaken within 3 months of the completion of civil works under the package.

The RAP activities have been scheduled and summarized with the project implementation. Micro planning, verification of census survey data, assessing losses, institution identification, affected person participation, relocation and income restoration are typical RAP related activities, which have been considered during implementation. However, sometimes sequence may change or delays witnessed due to circumstances beyond the control of the Project. The RAP Implementation schedule is presented in **Figure-9.1**.

Fig 9.1 Implementation Framework

Activity	2007				2008				2009				2010	
	1 st Q	2 nd Q	3 rd Q	4 th Q	1 st Q	2 nd Q	3 rd Q	4 th Q	1 st Q	2 nd Q	3 rd Q	4 th Q	1 st Q	2 nd Q
RAP Implementation														
Establishment of Social management Unit for RAP implementation	■													
Hiring of NGO for Social Management work		■												
NGO/SMU Staff Training on RAP Implementation		■	■											
Information campaign and community consultation		■	■	■	■	■	■	■	■	■	■	■	■	■
Package Unit staff training		■	■											
LA completion and preparation of award				■	■	■	■							
Updating inventory of PAPs based on road plan-profile			■	■										
Final list of PAPs and Distribution ID cards			■	■	■	■	■							
Valuation of shops/structures for compensation			■	■	■	■	■							
LA payments by SLAO Office				■	■	■	■							
Development of R&R Site at agreed site					■	■	■	■						
Payments of compensation to shops/ by Package Office					■	■	■	■						
Formation of RPDAC,DCAC and GRC			■	■										
Relocation of shops/businesses				■	■	■	■	■						
Payments of all other eligible assistance				■	■	■	■	■						
Clearance of COI and handover of sites, and acquired land				■	■	■	■	■						
Monitoring and Evaluation														
Hiring of Social Auditing Agency				■	■									
Internal monitoring			■	■	■	■	■	■	■	■	■	■	■	■
Social Auditing					■	■	■	■	■	■	■	■	■	■
Project completion Survey report													■	■

9.4 Budget

A consolidated overview of the budget and cost estimate estimates is given below. The budget is indicative of outlays for the different expenditure categories and is calculated at the 2005-2006 price index. These costs will be updated and adjusted to the inflation rate as RAP implementation is underway. Changes are likely to occur due to changes in the project design/alignments, more specific information on the number of PAPs, etc. Unit cost will be updated after recommendation of the RPDAC.

9.5 Compensation for Land Loss

The project requires about 50 acre of private land. A provision of 50% additional (over and above the estimated compensation norm) has been made which will be paid under 'consent award'. The following Table 9.1 and Table 9.2 summarize category wise cost of acquisition of land.

Table 9.1: Budget for LA under normal compensation norms

Type of land	Area (ha)	Unit rate	Cost (Rs)
Land(agricultural)	50 acre	400,000/acre	200,00000
Residential(Land)	3207(sqm)	200/sqm	641400
Commercial(Land)	5472(sqm)	400/sqm	2188800
Total			22830200

Source: Consultant Study, 2006

Table 9.2: Budget for LA under consent award

Type of land	Extent of land	Compensation	Additional (50%)	Total in Rs.
Agriculture Land	50 acre	200,00000	100,00000	300,00000
Residential	3207(sqm)	641400	320700	962100
Commercial	5472(sqm)	2188800	1094400	3283200
Total		22830200	11415100	34245300

Source: Consultant Study, 2006

9.6 Compensations for Structures

For the loss of structures, either commercial or residential, the titleholders, and vulnerable encroacher/ squatters will be compensated at BSR norms but without depreciation. Compensation for the structures has been worked out on the basis of the type of the structure, area of structure and, type of construction material used. Accordingly the norms arrived are given below:

- (i) Permanent structures, the compensation norm has been calculated @ Rs. 5300/Sq.m,
- (ii) Semi-Permanent structures @Rs.2000/Sq.m, and
- (iii) Temporary structures @ Rs.1000/Sq.m

Table 9.3: Compensation for Structures

Category	Pucca		Semi-pucca		Katcha.		Total
	Area (Sq.m)	Amount (Rs)	Area (Sq.m)	Amount (Rs)	Area (Sq.m)	Amount (Rs)	Amount (Rs) Compensation
Titleholders	1835	9725500	2653	5306000	4191	4191000	19222500
Squatters and Encroachers	741	3927300	2756	5512000	4123	4123000	13562300
Total							32784800

Source: Consultant Study, 2006

9.7 R&R entitlement

In addition to the cost of land and structures, following R&R entitlements will be provided to the eligible project affected persons, are as per the entitlement matrix based on the ORRP 2006 (Table 9.4).

Table 9.4(a): Budget for Relocation

Assistance Type	Allowance Per Family	Quantity	Amount (Rs.)
Maintain ace allowance to displaced residential	Rs.2000 pm for 12 months	26	624000
Assistance for Temporary shed to displaced residential	Rs 10,000 lump sum	26	260,000
Transportation Allowance to displaced residential	Rs.2000 lump sum	26	52,000
Cost equivalent for alternate site to displaced residential	Rs.50,000 lump sum	26	1300,000
House construction assistance to displaced residential	Rs.150,000 per family	26	3900,000
Cost equivalent for alternate site to displaced commercial	RS 10,000 lump sum	47	470000
House construction assistance to displaced commercial	Rs 25,000 lump sum	47	1175000
Transition Allowance for displaced commercial	Rs 2000 lump sum	47	94,000
Transportation allowance for displaced commercial	Rs 1000 lump sum	47	47,000
Transport assistance to squatters(residential)	Rs.2000 lump sum	17	34,000
Maintenance allowance to squatters (residential)	Rs.1000 pm for 6 months	17	102,000
Cash assistance for relocation (residential) equivalent to price of IAY	Rs 32,000 lump sum	17	54,4000

Assistance Type	Allowance Per Family	Quantity	Amount (Rs.)
Transport assistance to squatters (Commercial)	Rs 1000 lump sum	481	481,000
Maintenance allowance to squatters (Commercial)	Rs 2000 lump sum	481	962,000
Total			10,045,000

Budget for Rehabilitation

Following table summarizes cost toward rehabilitation.

Table 9.4(b): Cost of Rehabilitation

Assistance Type	Allowance Per Family	Quantity	Amount (Rs.)
Rehabilitation Grant to all titleholders *	Rs 100,000 per acre for irrigated and 50,000 for un irrigated land	45 acre irrigated and 5 acre un irrigated	47,50,000
One time cash assistance in lieu of Government job for one member of the family	Rs 100,000	26	26,00,000
Assistance to kiosks	Rs 5000 lump sum	638	3190,000
Total			10540000

***with minimum Rs 2500 for Government linked IG programme to eligible affected titleholders.**

9.8 Resettlement site Development

Resettlement site would be developed for those displaced from their commercial establishments and who do not have alternative source of livelihood. Titleholders of commercial structures will also be given choice to relocate their businesses to shopping complex that will be developed under the project. In this case, no construction grant will be given to the displaced commercial families. A provision has been made in budget of Rs 48,10,000 towards development of resettlement site for squatters. Residential displaced families have opted for self-relocation. Cash for such purpose is already included in R&R assistance.

Enhancement of Religious Properties: A lump sum provision of Rs 14,30,000 has been made for relocation of religious and other properties.

9.9 Hiring of NGOs Services

Resettlement Action plan implementation requires services of NGOs for 36 months. The implementing NGOs will also facilitate HIV/awareness campaign and implementation of tribal development plan. The budget for engaging consultants is presented below.

Table 9.5: Cost of NGOs Services

Sl. No	Head	Cost x No. of units	Total(Rs)
1	Consultancy fee for Nodal NGOs	(Lump-sum)	500,000
2	Recruitment Cost	50,000x1	50,000
3	Identification and Verification , I -card preparation and Distribution awareness(Lump-sum)/PAFs	3889x500	1944000
4	Salary of key persons of Package level NGOs	20,000x86	1680000

6	Salary of Staff	2x36x5000	360000
7	Travel cost for Administrative Purpose	Lump sum	200000
8	Miscl.	Lump sum	200000
9	Rent & Water & Electricity	10,000x36	360000
	Stationery & Photocopying		
	Office Maintenance		
	Phone, Fax, Postage & Courier		
	Internet		
Total			5,294,000

9.10 Prevention of HIV/AIDS Transmission

Budget for HIV/AIDS has been provided for development of materials, campaign delivery and exposure. The detailed budget is mentioned in HIV/AIDS action Plan.

Table 9.6: HIV/AIDS Action Plan Implementation

Sl. No.	Item	Cost (Rs)
1	Development of Training Materials	180000
2	Capacity Building and Training	2360000
3	Development of BCC material	1290000
4	Skill building and Exposure	230000
5	Availability of BCC materials and I-E-C	1540000
Total		5600000

9.11 Tribal Development

There will be Rs 1057000 only for the Tribal Development and other vulnerable for this package. The cost also included Rs 25000 for each tribal displaced family for IG schemes.

9.12 Road Safety Education

A provision of Rs 950,000 is earmarked for road safety education for 95 km of proposed project stretch.

9.13 Budget

The budgets for the proposed RAP work out to Rs. **11.96 Crores**. Details are given in table 9.7. Besides that provisional sum is required for strengthening of SMU at HQ level and social unit at package level. Thus budget allocation is also for capacity building and training.

Table 9.7: Summary of Cost for Resettlement and Rehabilitation

Sl. No.	Item	Cost (Rs.)
1	Compensation for Land and structure	53467800
2	Assistance for Structure	13562300
3	Cost for relocation of religious and other properties	1430000
3	Total R&R Assistance(Relocation)	10045000
4	Total R&R Assistance(Rehabilitation)	10540000
5		14,30,000
6	Resettlement site Development(Lump sum)	4810000
7	Cost for Tribal development	1057000
8	Cost of HIV/AIDS Action Plan	5600000
9	Road safety education	950,000

10	Cost of NGO Involvement	5294000
11	R&R Cell in PIU (Lump sum)	500,000
12	R&R Cell at package level(Lump sum)	500,000
13	Independent Monitoring and Evaluation Agency	500,000
14	Training, Exposure and Capacity Building	500,000
	Total	108,786,114
	Contingency (10% of Total)	10878611
Grand Total (Rs)		119,664,725