

**GOVERNMENT OF ORISSA
WORKS DEPARTMENT**

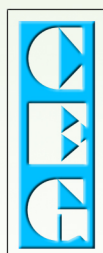
ORISSA STATE ROAD PROJECT

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

RESETTLEMENT ACTION PLAN

Berhampur - Taptapani (Km 0.00 to 41.00)

MAY 2007



**CONSULTING
ENGINEERS GROUP LTD.
JAIPUR**



ABBREVIATION

ABBREVIATION

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

Table of Contents

Table of Contents

Chapter Id	Description	Page No.
	Executive Summary	
1	Background	1
2	Methodology	1
3	Project Area	1
4	Project Impacts	1
5	Stakeholders Consultation	2
6	The Entitlement Framework	2
7	Resettlement Planning	5
8	Tribal development and Other Social Issues	5
8.1	Tribal and other Vulnerable Groups	5
8.2	Road Safety Education	5
8.3	Prevention HIV/AIDS Transmission	5
9	Implementation Mechanisms	6
10	Budget	6
1	Chapter - 1	
1.1	Background	1-1
1.2	Project Description	1-1
1.3	Need of Resettlement Action Plan	1-2
1.4	Objectives	1-2
1.5	Methodology	1-2
1.6	Structure of the Report	1-5
2	Chapter - 2	
2.1	General	2-1
2.2	The Project Area	2-1
2.3	Potential Adverse Impact	2-1
2.3.1	Improvement Proposal	2-2
2.4	Minimizing Resettlement	2-3
2.5	Land Acquisition	2-3
2.5.1	Loss of Land	2-4
2.5.2	Extent of Impact on Land	2-4
2.6	Impact on Project Affected Family	2-5
2.6.1	Ownership Status	2-5
2.6.2	Vulnerable Families	2-5
2.6.3	Vulnerable Project Affected Families	2-6
2.7	Social Profile of PAPs	2-6
2.7.1	Family Types and Composition	2-6
2.7.2	Demographic Profile	2-7
2.7.3	Educational Levels of the PAPs	2-7
2.8	Economic Profile	2-8

Chapter Id	Description		Page No.
	2.8.1	Occupational Background	2-8
	2.8.2	Income Level	2-8
3	Chapter - 3		
	3.1	Introduction	3-1
	3.2	Land Acquisition Act	3-1
	3.3	Land Acquisition Procedure	3-2
	3.4	The Orissa Resettlement and Rehabilitation Policy 2006	3-2
	3.5	R&R Entitlement Framework for OSRP	3-2
4	Chapter - 4		
	4.1	Introduction	4-1
	4.2	Consultation at feasibility Stage	4-1
	4.3	Consultation during Survey and Design Phase	4-2
	4.4	Consultation during Detailed Project Preparation Phase	4-3
	4.5	Continued Consultation	4-4
	4.6	Lessons learnt from Consultation and Suggested framework for social Management	4-5
	4.6.1	Issues of Compensation	4-5
	4.6.2	Title of the Land and Properties	4-5
	4.6.3	Management of Community Properties Resources	4-5
	4.6.4	Implementation Framework	4-5
	4.6.5	Resettlement Strategy	4-5
5	Chapter - 5		
	5.1	Extent of Land Acquisition	5-1
	5.2	Land Acquisition Process	5-1
	5.3	Limitations of Land Acquisition Process and Procedure to Avoid Unnecessary Delay	5-2
	5.4	Procedure for Valuation	5-3
	5.5	Disposal of Acquired Properties	5-5
	5.6	Time Schedule for LA	5-5
	5.7	Transfer of Forest Land	5-5
	5.8	Assessment of Institutional Capacity for Land Acquisition Plan Implementation	5-6
6	Chapter – 6		
	6.1	Displacement and Resettlement Needs	6-1
	6.2	Resettlement Strategy	6-1
	6.3	Extent of Commercial Displacement	6-2
	6.4	Relocation Strategy for smaller displacement	6-3
	6.5	Relocation Strategy for Medium Size number of displacement	6-3
	6.6	Steps in Resettlement Planning	6-3

Chapter Id	Description		Page No.
	6.7	Income Generation strategies	6-5
	6.8	Additional Support from Ongoing Governmental Programs	6-6
	6.9	Important Institutions to be involved in implementing income restoration Plan	6-7
	6.10	Delivery of Entitlements	6-7
	6.11	Necessary Actions For Implementation	6-7
7	Chapter - 7		
	7.1	Introduction	7-1
	7.2	Assistance to Vulnerable under the Project	7-1
	7.3	Gender Issues	7-1
	7.3.1	Socio-economic Characteristics	7-1
	7.3.2	Specific Provisions in the Construction Camp for Women	7-3
	7.4	Preventing Child Labour	7-4
	7.5	Road Safety	7-4
	7.5.1	Causes of Accident	7-4
	7.5.2	Road safety Management through Community Participation	7-5
	7.6	HIV/AIDS and Road Improvement	7-6
8	Chapter – 8		
	8.1	Institutional set up for the Project	8-1
	8.2	Other Institutions	8-1
	8.3	Statutory Bodies	8-1
	8.3.1	Rehabilitation and Periphery Advisory Committee (RPDAC)	8-1
	8.3.2	District Compensation Advisory Committee (DCAC)	8-3
	8.4	Orissa Works Department (OWD)	8-3
	8.4.1	Chief Engineer (PIU)	8-3
	8.4.2	Social Management Unit (SMU)	8-4
	8.4.3	Package Manager (Executive Engineer)	8-4
	8.5	Non Governmental Organizations	8-5
	8.6	Gram Sabha/Village Level Committee (VLC)	8-6
	8.7	Grievance Redressal	8-7
	8.8	Monitoring and Evaluation	8-8
	8.9	Monitoring Indicators	8-9
9	Chapter – 9		
	9.1	Background	9-1
	9.2	The Implementation Process	9-1
	9.3	Schedules for RAP Implementation	9-1
	9.4	Budget	9-5
	9.5	Compensation for Land Loss	9-5

Chapter Id	Description		Page No.
	9.6	Compensations for Structures	9-5
	9.7	R&R entitlement	9-6
	9.8	Resettlement site Development	9-7
	9.9	Hiring of NGOs Services	9-7
	9.10	Prevention of HIV/AIDS Transmission	9-8
	9.11	Tribal Development	9-8
	9.12	Road Safety Education	9-8
	9.13	Budget	9-8

List of Tables

Chapter Id	Description	Page No.
	Executive Summary	
1	Project Impact	2
2	R&R Entitlement Framework	3
3	LA Plan Schedule	5
1	Chapter -1	
1.1	District wise Project Road Length	1-1
2	Chapter -2	
2.1	Congested Settlements of Berhampur - Taptapani (SH-17)	2-1
2.2	Minimizing Negative Impact	2-3
2.3	Minimizing Displacement (Percent Area Affected)	2-3
2.4	Land Required for Different Purposes (in acres)	2-4
2.5	Ownership status & Extent of Acquired land	2-4
2.6	Extent of Impact on land Acquisition	2-4
2.7	Project Affected Families and Project Affected Persons	2-5
2.8	Ownership Status of the Properties Affected (No. of PAFs)	2-5
2.9	Vulnerable PAFs	2-6
2.10	Vulnerable Displaced Families	2-6
2.11	Distribution of Entitled PAFs	2-7
2.12	Family Type of Project Affected Families	2-7
2.13	Age-Sex Composition of PAPs	2-7
2.14	Education Level of Project Affected Persons	2-8
2.15	Occupational pattern among PAPs	2-8
2.16a	Average Sources of Income (In Rs.) of Different Social	2-9
2.16b	Average Expenditure (In Rs.) of Different Social Groups	2-9
3	Chapter – 3	
3.1	R&R Entitlement Framework	3-3
4	Chapter – 4	
4.1	Consultation Mechanism at different Stages of Project Preparation	4-1
4.2	District level Meeting	4-4
5	Chapter – 5	
5.1	Land required for various purposes	5-1
5.2	Steps followed in the land Acquisition Process	5-2
5.3	LA Plan Schedule	5-5
5.4	Proposed Staffing Pattern	5-6
6	Chapter – 6	
6.1	Commercial Displacement	6-2
6.2	Entitlement for eligible PAPs for Income Generation	6-5

Chapter Id	Description		Page No.
7	Chapter – 7		
	7.1	Measures included in the RAP for ST families	7-1
	7.2	Socio-Economic Characteristics of Female PAPs	7-2
8	Chapter – 8		
	8.1	Monitoring Indicators	8-9
9	Chapter – 9		
	9.1	Budget for LA under normal compensation norms	9-5
	9.2	Budget for LA under consent award	9-5
	9.3	Compensation for Structures	9-6
	9.4a	Budget for Relocation	9-6
	9.4b	Cost of Rehabilitation	9-7
	9.5	Cost of NGOs Services	9-7
	9.6	HIV/AIDS Action Plan Implementation	9-8
	9.7	Summary of Cost for Resettlement and Rehabilitation	9-8

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 intervention
- 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 and 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 Behrampur – Taptapani (SH-17) (km 0/0 to km 41/0) section (A total length of 91 km.) which is a part of Behrampur – JK pur (Rayagada) 193 km project corridor proposed to be developed under year 1 road. The project area falls in the Southern part of the state. The proposed road passes through flat terrain for most of length. The land use pattern of the project area comprises of agriculture, barren, and forest land. Soil in the project region consists of mix alluvial and mountainous soil and. Major crops in the project areas are paddy, and sugarcane.

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

4 Project Impacts

Proposed road improvement will require 41 acres of land, which would affect 711 agricultural families. There are altogether 1361 project-affected families out of which 93 are kiosks and 238 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	▪ 1361 families
Project Affected Persons	▪ 7934 persons
Average Family Size	▪ 5.82 persons
Profile of Project Affected Families	<ul style="list-style-type: none"> ▪ 711 agricultural families ▪ 319 Residential ▪ 238 commercial and ▪ 93 kiosks
Per family land acquisition	▪ .03 acre.
Per Person acquisition	▪ .0005 acre
Literacy	▪ 88 percent
SC	▪ 131 families
ST	▪ 0 families
Scheduled Caste and Scheduled Tribe Population	▪ These groups are in the mainstream and their socio-economic conditions are more or less similar to the other affected population groups.
Below the Poverty Line	▪ 347 families
Main Occupations	▪ Agriculture
Type of Structures affected	<ul style="list-style-type: none"> ▪ 177 permanent ▪ 93 kiosk ▪ 197 semi-permanent ▪ 67
Displacement	<ul style="list-style-type: none"> ▪ 181 families ▪ 15 titleholders ▪ 166 NTH ▪ 93 kiosks ▪ 52 residential ▪ 52 commercial

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

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. (Table 2)

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	Only displaced tenant will get:

Type of Loss	Unit of Entitlement	R&R Entitlement Framework for OSRP
	holder	<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)	<p>(i) Compensation for the loss of land used for commercial purpose.</p> <p>(ii) For the structure affected (part or full), compensation will be computed at BSR without deducting depreciation</p> <p>(iii) Permission to salvage construction material</p> <p>(iv) If more than one-third of the structure is lost, the affected business/work place will be categorized as 'displaced'.</p> <p>(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.</p> <p>(vi) Those displaced will get</p> <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 <p>(v) Alternatively, if alternate shop/work place is allotted by the project, the displaced will not be eligible for alternate site and construction assistance.</p> <p>(v) Other assistance:</p> <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)	<p>(i) He/she will receive only compensation for both land and structure</p> <p>(ii) Permission to salvage materials from the demolished structure.</p>
	Tenant/Lease holder	<p>Only displaced tenant will get:</p> <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	<p>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:</p> <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	Family	If the public land is occupied for commercial purpose for the last 3

Type of Loss	Unit of Entitlement	R&R Entitlement Framework for OSRP
commercial)		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 32 kiosks, 37 commercial squatters and 15 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

Proposed project will not affect ST families. The proposed project intervention envisages special rehabilitation plan for vulnerable families.

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 5.77 **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 the 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 program under Road Improvement component a detailed Social Assessment has been carried out to identify nature and characteristics of losses to individuals and local communities because of the proposed project interventions. A separate report on social assessment has been prepared which gives detailed of impacts(both positive and negative) of the project.

For the preparation of Resettlement Action Plan(RAP), a Census survey of Project-Affected Persons(PAPs) was carried out along with the land resource survey of the project area. To establish impacts on people and community a resource mapping on strip map and consultation with individuals, communities and other stakeholders were done. Based on the findings of this survey and consultation with project-affected persons and other stakeholders a Resettlement Action Plan has been prepared.

1.2 Project Description

This Resettlement Action Plan deals with Behrampur – Taptapani (SH-17) (km 0/0 to km 41/0) section (A total length of 41 km.) which is a part of Behrampur – JK pur (Rayagada) 193 km project corridor proposed to be developed under year 1 road. The project area falls in the Southern part of the state. The proposed road passes through flat terrain for most of length. The land use pattern of the project area comprises of agriculture, barren, and forest land. Soil in the project region consists of mix alluvial and mountainous soil and. Major crops in the project areas are paddy, and sugarcane.

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.

Table 1.1: District wise Project Road Length

Sl. No.	Districts Name	Project Road		Total Length
		From km.	To Km.	
1	Ganjam	0.000	41.000	41.00

1.3 Need for 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 proposed project intervention also comes under the preview of the policy provisions and falls under the category D linear projects (more details are mentioned in later chapter).

The proposed project interventions require land acquisition of 2-3 meter wide strip along the existing road and relocation of squatters and encroachers from the 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 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 provisions of the Orissa Resettlement and Rehabilitation Policy, 2006.
- Outline results of stakeholder's 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 and for monitoring and evaluation of the R&R process.

1.5 Methodology

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

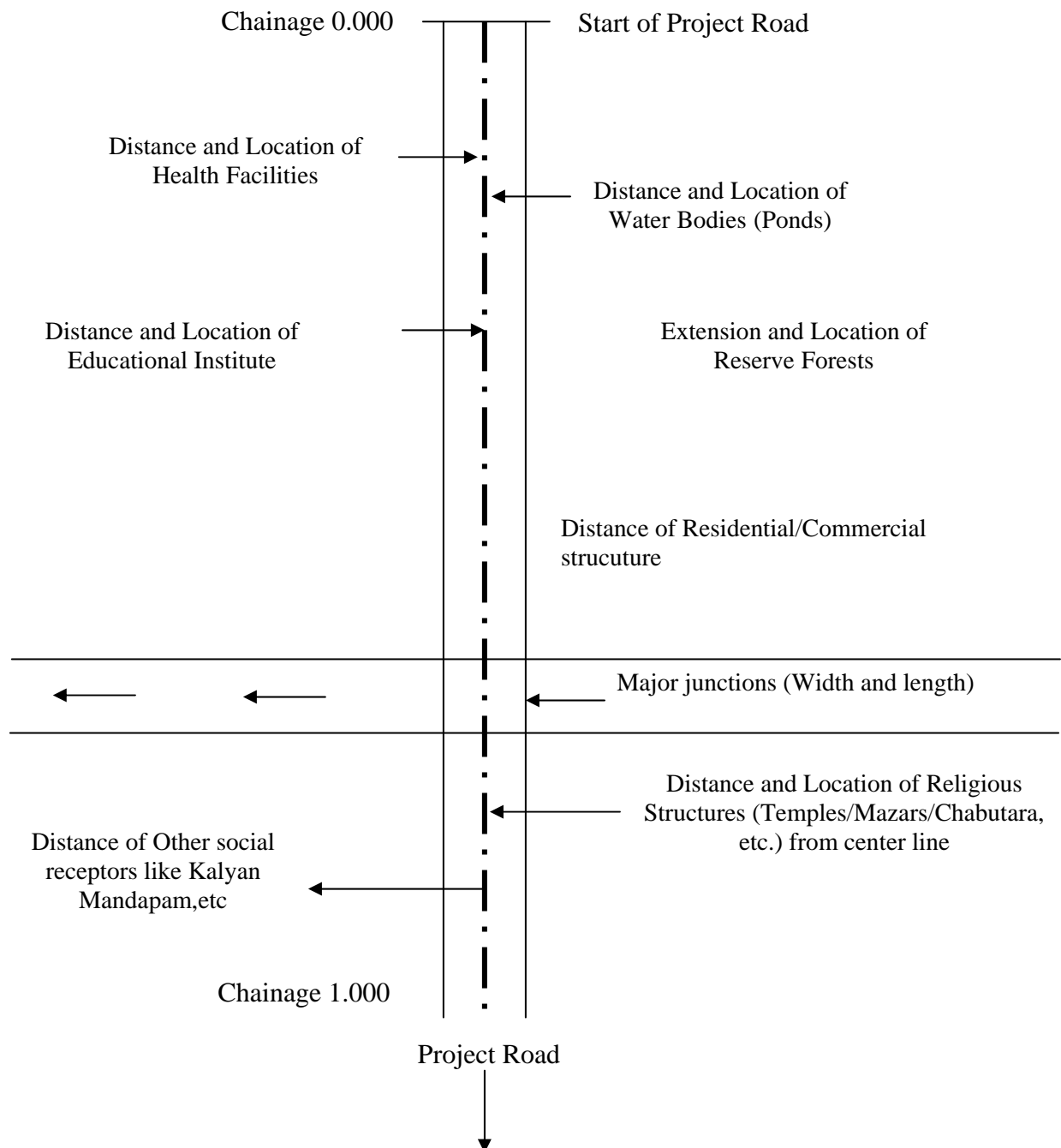
In order to have a consistent data, structures coming within the RoW were marked, measured and recorded on a strip map. In order to assess market/replacement value for the affected structures, a census survey of structure coming within RoW was undertaken. This also included the typology of construction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

The competent and expert persons in tracing work then traced the revenue maps. 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, expected losses and options/preferences for resettlement and rehabilitation. (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 result has 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, HIV/AIDS and road safety.

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 planning 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 and Budget	Activity wise implementation schedule and details of cost and budget required for RAP implementation 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 and its people. Sections of this chapter analyze impacts of proposed project interventions on land and other immovable assets. This is based on the detailed measurement survey in relation to the final design improvements. Detailed survey of structures within RoW helped in identifying social hot spots such as congested segments, community properties, temples close to RoW, etc. Despite efforts made to minimize negative impacts, some of them could not be avoided. These negative impacts include acquisition of land, structures and other immovable properties/assets. Based on impact on land and structures, a census survey was carried out, result of census survey in the form of social assessment report are discussed in this chapter.

2.2 The Project Area

The road starts from km 0/0 to km 41/0 of SH-17. The Berhampur in Ganjam District is a major town and a business hub in the southern coast and very close to fast growing Gopalpur port. The Berhampur to Taptapani section caters the needs of nearest town Digapahandi, an important road junction.

The proposed road passes through flat terrain for most of length. The land use pattern of the project area comprises of agriculture, barren, and forest land. Soil in the project region consists of mix alluvial and mountainous soil. Major crops in the project areas are paddy, and sugarcane.

This project District highly populated (385/sq km.).The population distribution is more in favour of males. The has district registered a decadal growth of 16.88%. The literacy rate in the district is 60.77%. About 50% of the population is dependent on agriculture in the project Districts. Main and marginal workers constitute about 41% of the total population. This shows that agriculture has been the main stay of the people in this region.

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. These areas are identified as critical and have been shown in the Table 2.1.

Table 2.1: Congested Settlements of Berhampur - Taptapani (SH-17)

Kilometer		Place	Potential Impacts	Pavement	ROW lane
From	To				
3.000	4.000	Dakhinnpur	<ul style="list-style-type: none"> ▪ 6 residential structures affected ▪ 2 commercial structures affected ▪ 7 CPRs affected 	5.5	17-22
4.000	5.000	Lanjia	<ul style="list-style-type: none"> ▪ 16 residential structures affected ▪ 5 commercial structures affected ▪ 4 CPRs affected 	5.5	19-21
7.000	8.000	Padarbali	<ul style="list-style-type: none"> ▪ 5 residential structures affected 	5.5	14-20

Kilometer		Place	Potential Impacts	Pavement	ROW lane
From	To				
			<ul style="list-style-type: none"> ▪ 7 commercial structures affected ▪ 3 CPRs affected 		
8.000	9.000	Patitapabanpur	<ul style="list-style-type: none"> ▪ 6 residential structures affected ▪ 2 CPRs affected 	5.5	14-21.4
11.000	12.000	Dengapadar	<ul style="list-style-type: none"> ▪ 4 residential structures affected 	5.5	16-20
13.000	14.000	Narayanpur	<ul style="list-style-type: none"> ▪ 4 residential structures affected ▪ 7 CPRs affected 	5.5	20
17.000	18.000	Pitamabarpur	<ul style="list-style-type: none"> ▪ 1 commercial structures affected 	5.5	20
18.000	20.000	Gokarnpur	<ul style="list-style-type: none"> ▪ 3 commercial structures affected ▪ 5 CPRs affected 	5.5	20
20.000	21.000	Anangapur	<ul style="list-style-type: none"> ▪ 1 commercial structures affected ▪ 1 CPRs affected 	5.5	20
22.000	25.000	Digapahandi	<ul style="list-style-type: none"> ▪ 1 residential structures affected ▪ 14 CPRs affected 	5.5	20
32.000	34.000	Dengausta	<ul style="list-style-type: none"> ▪ 1 residential structures affected ▪ 3 CPRs affected 	3.6/5.5	20
34.000	35.000	Kansamari	<ul style="list-style-type: none"> ▪ 4 residential structures affected ▪ 4 commercial structures affected ▪ 11 CPRs affected 	3.6	20-37
36.000	38.000	Pudamari	<ul style="list-style-type: none"> ▪ 3 residential structures affected ▪ 5 commercial structures affected ▪ 9 CPRs affected 	3.6	20-24

Source: Consultant Study, 2006

2.3.1 Improvement Proposal

The proposed road improvement consists of two laning of single and intermediate lane with paved shoulders. 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 the Corridor of Impact (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 555 from 924. Out of 555 number of structure, 155 are either kiosks or kutchha structures. Also, widening of road will not economically

displace many title-holder families in the project area because proposed COI in the built-up area is 16 meter and the available RoW in the built-up area is generally 20 meters. (Table 2.2)

Table 2.2 Minimizing Negative Impact

Types of Structures	Within 16mtr. Corridor		Within 20mtr. Corridor		No. of Structures Saved
	No. of Structure	Affected Area (in Sq. Mtr)	No. of Structures	Affected Area (in Sq. Mtr)	
Pucca	177	1389.96	307	3307.79	130
Semi-Pucca	197	1700.09	328	3883.57	131
Kacha	67	437.93	97	1058.61	30
Kiosk	88	0	144	0	56
Religious and	87	276.48	127	638.93	40
Total	555	3804.46	924	8888.9	387

Source: Consultant Study, 2006

Table 2.3 compares categories of project affected structures and percent areas of affected structure within 20 meters of corridor and 16 meters. However, Kiosks have not been considered because when they are distributed they need full displacement

Table 2.2: 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	142	23	12	231	58	28
Semi-Pucca	163	20	14	217	72	39
Kachha	46	9	12	50	20	27
Others	21	2	3	36	8	4
Total	372	54	41	534	158	98

Source: Consultant Study, 2006

However, despite best efforts made to minimize displacement there are 95 structures, may require relocation, if more than 25% of structure acquisition¹ is disturbed and therefore considered as displacement. Similarly 372 structures are affected marginally (less than 25%) and may not require displacement because proposed. 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 the present road improvement is mainly for widening, curve improvement and provide wayside amenities. The present project focusses on improving the quality of carriageway for a fast and free flow 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 40.58 acres of land (of all types) is required for road improvement. Table-2.4 indicates the land required for different purposes.

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

Table 2.4 Land Required for Different Purposes (in acres)

District	Total Length (km)	Bypasses/ Realignments of Curve	Widening of the Road	Providing Way side amenities	Total
Total	41.000	4.20	35.48	1.00	40.58

Source: Consultant Study, 2006

2.5.1 Loss of Land

The project involves 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. The total number of affected plots is 1419 and the acquired land is around 40.58 acre. Land acquisition Per Km works out to 1.00 acre and number of affected plots are 34 per km.

Table 2.5: Ownership status & Extent of Acquired land

Sl. No	District	Govt Land		Pvt. Land		Panchayat Land		Total	
		No of Plot	Acquire d Area in acres	No of Plot	Acquire d Area in acres	No of Plot	Acquire d Area in acres	Total No of Plot	Total Area in acres
1	Ganjam	167	4.16	1216	33.95	36	2.47	1419	40.58

Source: Consultant Study, 2006

2.5.2 Extent of Impact on Land

As it is evident from the Table 2.5 that altogether 40.58 acre of land will be acquired due to proposed project interventions, out of which 33.95 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 loosing their land as less as 0.05 acres. Thus, the severity of LA varies from family to family as can be seen from the information presented in Table 2.6.

It is noticed only 12.5 % of total plots will be severely affected. Furthermore, 69% of the total affected plots are marginally affected (>25% of loss) and therefore, the impact on such plots are not much 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	Ganjam	983	258	178	1419

Source: Consultant Study, 2006

2.6 Impact on Project Affected Families

In all, the census inventory identified 7934 project-affected persons and 1361 project affected families. These PAFs are marginally affected (Table 2.7). Based on the findings of the census survey and consultation, it is inferred that 25% and more severance may damage to the affected structure and will impact affected families and will require relocation. A List of PAFs is appended in Annexure 2.2.

Table 2.7: Distribution of PAFs, PDFs and PAPs by the category of loss

Categories	Project Affected Families	PDFs	PAPs
Residential	319	52	1789
Commercial	238	52	1318
Kiosks	93	93	498
Agricultural	711	0	4329
Total	1361	197	7934

Source: Consultant Study, 2006

2.6.1 Ownership Status

According to the census data, Titleholders constitutes about 58 % of the total PAFs. The number appears high because strips of land (belonging to large number of land holders) will be acquired all along road stretch except in the contiguous built up areas but the quantum of impact is low. Per family LA works out to 0.03 acre and per km it is about 1.00 acre per km. Number of project displaced families is further low, only 15 titleholder families are being displaced (Table-2.8).

A total of 55 residential titleholders are affected besides 115 residential squatters and 55 commercial squatters. In addition, 93 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 197 displaced families, 20 are commercial and 31 residential squatters. Displacement per km works out to be 4.8 families.

Table 2.8 Ownership Status of the Project Affected Families (No. of PAFs)

Category	Titleholders		Tenants		Encroacher		Squatter		Kiosk	
	Affe.	Disp.	Affe.	Disp.	Affe.	Disp.	Affe.	Disp.	Affe.	Disp.
Residential	55	9	29	2	120	10	115	31	0	0
Commercial	26	6	67	14	89	12	55	20	0	0
Kiosk	0	0	0	0	0	0	0	0	93	93
Agricultural	711	0	0	0	0	0	0	0	0	0
Total	792	15	96	16	209	22	170	51	93	93

Source: Consultant Study, 2006

2.6.2 Vulnerable Families

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

Table 2.9 presents information on the various social groups among the PAFs. There are 296 families, who are (BPL). Out of this, 65.9% are agricultural families. 44.3% families belong to the Scheduled Caste (SC). (Table-2.9).

Table 2.9: Vulnerable PAFs

Category	ST	SC	BPL	Women Headed Households	Physically Handicapped	Total Vulnerable Families
Residential	0	22	79	45	0	146
Commercial	0	10	13	7	0	30
Kiosk	0	7	9	2	0	18
Agricultural	0	92	195	32	0	319
Total	0	131	296	86	0	513

Source: Consultant Study, 2006

2.6.3 Vulnerable Project Affected Families

Of the 513 families, 31 will be required to be physically relocated. These vulnerable families generally do not have alternate 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 PDFs

Category	ST	SC	BPL	Women Headed Households	Physically Handicapped	Total Displaced Families
Residential	0	6	15	5	0	26
Commercial	0	0	4	1	0	5
Kiosk	0	0	0	0	0	0
Agricultural	0	0	0	0	0	0
Total	0	6	19	6	0	31

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 (Berhampur-Taptapani) stretch there will be additional 3588 families (other than original families) who will be eligible for R&R entitlements under the project. However, entitlement for compensation will be only for the main/original PAPs. (Table 2.11)

Table 2.11: Distribution of Entitled PAFs

Category	PAFs	PAPs	PAFs entitled for R&R benefits					Total
			18 (M)	30 (F)	Orphan, Physical	Widow	Divorcee	
Residential	319	1789	600	06	25	81	0	712
Commercial	238	1318	533	2	11	54	0	600
Kiosk	93	498	181	2	7	20	0	210
Agricultural	711	4329	2035	9	0	22	0	2066
All	1361	7934	1314	19	43	177	0	3588

2.7.2 Demographic Profile

Among the PAPs, 928 (68%) families are nuclear; 433(32%) are joint families (Table 2.15). Nuclear families are considered to be an indication of socio-economic development and growth.(Table-2.12)

Table 2.12: PAFs by type of Family

Category	Joint	Nuclear	Total
Residential	103	216	319
Residential cum Commercial	15	33	48
Commercial	49	141	190
Kiosk	15	78	93
Agricultural	251	460	711
All	433	928	1361

Source: Consultant Study, 2006

Age-Sex Composition

Of the 7934 PAPs, 3,567(46%) are females The sex ratio works out to 816 which is lower than the State average of 972. This may be due to migration of male members for job/employment. Table 2.13 reflects the age-sex composition of PAPs.

Table 2.13 Age and Sex Composition of PAPs(No.&%)

Category	Male	Female	Total
< 6 yrs	189(61.0)	121(39.0)	310
6-14 yrs	72(60.0)	48(40.0)	120
15-17 yrs	119(52.2)	109(47.8)	228
18-45 yrs	2237(55.2)	1812(44.8)	4049
46-60 yrs	1592(54.4)	1336(45.6)	2928
> 60 yrs	158(52.8)	141(47.2)	299
Total	4367(54.0)	3567(46.0)	7934

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 84 % of the PAPs are literate as compared to 60 % at the state-level. 78% of the PAPs have studied up to the high school level (Table-2.17). Less number of professionally educated (17) suggests lower economic opportunity in the project area. Since more than 84% of the PAPs are educated, awareness about social issues such as awareness about HIV/AIDS prevention, resettlement and rehabilitation options, compensation and project related decisions can be easily communicated to majority of PAPs. Further strategies for enhancement of livelihood will be relatively easier to implement through training and dovetailing ongoing Government schemes among these PAPs.

Table – 2.14: Education Level of PAPs

Category	Illiterate	Neo-literate	Up to Middle	High School	Above High School	Professional	Children	Total
SC	81	84	199	52	40	2	19	477
ST	0	0	0	0	0	0	0	0
OBC	820	827	2022	1307	668	10	239	5893
OC	71	174	478	489	295	5	52	1564
Total	972	1085	2699	1848	1003	17	310	7934

Source: Consultant Study, 2006

2.8 Economic Profile of PAPs

2.8.1 Occupational Background

Among the PAPs, the farming dominates the economic activities in the project area. Wage labors constitute other important occupation of the PAPs. Most of these wagers are engaged in agricultural activities. About 9% of the project affected persons are engaged in business activities mostly shop owners. These business people are associated with the small economic activities such as pan shops, grocery shops, and small dhaba. Most of these small businesses are run in temporary structures constructed within RoW and earn their livelihood from these roadside business. Therefore, these people are treated as more vulnerable and are prioritized in terms of rehabilitation and livelihood restoration. (Table-2.15)

Table 2.15: Occupational Pattern among PAPs

Children	Service	Shop Owner	Farming	Allied Agril	Wages	HH Industry	Profess.	Un Employed	Student	Retire	House wife	Total
429	154	760	740	109	788	11	26	605	2162	299	1851	7934

Source: Consultant Study, 2006

2.8.2 Income Level

As evident from the Table 2.16a, average income of PAFs is Rs. 33041. It is lower among SC families. In other word SCs are not only socially disadvantaged but also economically backward. So, 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 PAFs respectively.

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

House holds	Agricuture	Ag. Allied	H.H. Industry	Service	Wages	Remittance	Business	Rent	Others	Total
SC	3128	0	0	1128	9231	292	13415	267	179	27640
ST	0	0	0	0	0	0	0	0	0	0
OBC	2814	194	174	2852	9268	776	15395	392	748	32613
OC	1466	353	0	6610	5286	1693	22013	1321	129	38871
All	2469	182	58	3530	7928	920	16941	660	352	33041

Source: Consultant Study, 2006

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

Average Households Expenditure					
Social Groups	Food Item	Health	Education	Others	Total
SC	18277	2415	1356	8188	30236
ST	0	0	0	0	0
OBC	21236	2344	1392	10249	35221
OC	24824	2654	1379	12810	41667
All	21446	2471	1376	10416	35708

Source: Consultant Study, 2006

Expenditure pattern suggest that about 74% of total expenditure is on food item while on health and education it is about 10% of the total income. 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 startling 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 provisions of Land Acquisition Act 1894 (amended in 1984) and the Orissa R&R Policy (ORRP) 2006. Based on the applicability of relevant Laws in Orissa, (as mentioned above), an R&R entitlement framework has been prepared which has been approved by the Department of Revenue, Government of Orissa (the nodal department for implementing ORRP 2006) vide their **letter No. 3413 (Dated 01-03-2007)**.

3.2 Land Acquisition Act

Land Acquisition Act 1894 (Amended in 1984) illustrates stage wise procedures of land acquisition. These stages are described as sections of LA Act. 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 the LA Act 1894 are mentioned below:

Section/Steps in LA	Description of Land acquisition Activities
Section 4(1)	For any LA, a notification under section (u/s) 4(1) is issued in the Official Gazette and in two daily news papers of the area informing the public about the proposed LA for a <i>public purpose</i> . This notification allows the LA O to undertake required surveys and investigations in the land.
Section 5 – Objections	Within 30 days of this notification, <i>objections to the acquisition of land</i> can be made (u/s section 5A) with the LAO
Section 6 – Declaration	After the expiry of 30 days or final decision on the objections, a declaration (u/s 6) is published in the Official Gazette and two daily newspapers of the area, indicating actual location of the land required for the project.
Section 7	Section 7 requires LAO o take order for LA from the Government.
Section 8	This section permits LAO to mark and measure the land to be acquired.
Section 9	LAO issues notices under this section to land losers to submit their claims for compensation.
Section 11	This section interested persons to <i>object to the measurements and claims for compensation</i> . Taking into account the objections, LAO finalizes the ‘award’ including the actual area to be acquired and the compensation amount to be paid. <u>Award will have to be finalized within a period of 2 years from the date of publication of the declaration (u/s 6), otherwise the LA process will be have to be restarted.</u>
Section 16	On completing the ‘award’, section 16 empowers LAO to take possession of the land and hand over to the project proponent.
Section 17	In case of urgency, section 17 allows LAO to take possession of any land after expiry of 15 days from the publication of the notice u/s 9 (mentioned above) and payment of 80 per cent of the compensation. In other words, this process skips section 5A (objecting to the nature of public purpose) and section 11 (allowing objection to the measurement of land and claims for compensation).
Section 18- 28 Reference to the Court	Section 18 to section 28 deals with intervention of court in land acquisition processes.

3.3 Land Acquisition Procedure

The concerned Executive Engineer of OWD, will 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. Following broad principle will be adopted in Land Acquisition procedure under the project.

- LA causing displacement will be avoided/minimized
- Gram Sabha will be consulted for proposed LA
- Consent award or award through mutual negotiations will be preferred.
- OWD with the help of NGOs will assist the District Collector in the formation of village level committee and/or meeting of Gram Sabha for consent award.
- The Land Acquisition Officer (LAO) will determine the market value of land and other immovable assets required for the project.

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 the linear projects like roads (see the Social Assessment Report for details on ORRP 2006). 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 and 'Road Development/Improvement' falls under type D in 'linear' and urban project category (see Annexure 3.1) Basic features of the state R&R policy related to the present road improvements are

- (a) It applies to all those projects where land under Land Acquisition Act 1894 is required
- (b) "Cut-off date" for the purpose of compensation is the date of issue of notification of 4(1) notification.
- (c) Approval and oversight of Resettlement Action Plan implementation will be done through RPDAC
- (d) Provision of resettlement site or cash in lieu thereof for physically displaced families.
- (e) Other allowances common to all displaced families.

The policy is unique as it provides scope for additional project specific R&R benefits to the affected community (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 the extent of the impact caused because of project interventions. A detailed description of the R&R 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 will be done under the provisions of LA Act 1894.
- Consent award (or mutual negotiations) will be preferred for land acquisition.
- Additional benefit to the land losers will be provided as lump sum assistance.
- PAFs, not having alternative source of livelihood or shelter, will be assisted under the project.
- Community properties will be enhanced/conserved by the project in consultation with the community.
- Cut-off date for titleholders will be the date of issuance of 4(1) notification under the LA Act and for those who do not have title to the land required for the project, the cut-off date is the date of census survey. **For this project stretch, the date of census survey is February 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 will ensure involvement of ST, SC, women and other affected vulnerable groups. R&R assistance will be provided to eligible PAFs as per the entitlement framework. All losses, including measures to restore loss of income, will 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 the procedures 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 the approval from RPDAC.

The agreed entitlement framework for supporting the PAFs of project is presented in the Table 3.1, below.

Table 3.1 R&R Entitlement Framework for OSRP

Type of Loss	Unit of Entitlement	R&R Entitlement Framework
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	Titleholder	(i) Compensation as per LA Act for the loss of homestead land

Type of Loss	Unit of Entitlement	R&R Entitlement Framework
non-agril. land)		<p>(ii) If more than one-third of the structure is lost, such affected people will be categorized as ‘displaced’.</p> <p>(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.</p> <p>(iv) Those displaced will get</p> <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 <p>(v) Other assistance :</p> <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	<p>Only displaced tenant will get:</p> <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	<p>Titleholder (owner and occupier)</p> <p>Titleholder (absentee landlord)</p> <p>Tenant/Lease holder</p>	<p>(i) Compensation for the loss of land used for commercial purpose.</p> <p>(ii) For the structure affected (part or full), compensation will be computed at BSR without deducting depreciation</p> <p>(iii) Permission to salvage construction material</p> <p>(iv) If more than one-third of the structure is lost, the affected business/work place will be categorized as ‘displaced’.</p> <p>(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.</p> <p>(vi) Those displaced will get</p> <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 <p>(v) Alternatively, if alternate shop/work place is allotted by the project, the displaced will not be eligible for alternate site and construction assistance.</p> <p>(v) Other assistance:</p> <ul style="list-style-type: none"> ▪ A transition allowance of Rs.2,000 after site vacation ▪ A transportation allowance of Rs 1,000 <p>(i) He/she will receive only compensation for both land and structure</p> <p>(ii) Permission to salvage materials from the demolished structure.</p> <p>Only displaced tenant will get:</p> <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

Type of Loss	Unit of Entitlement	R&R Entitlement Framework
		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 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 the project preparation envisaged in three stages: feasibility stage, survey and project design, and detailed project preparation stage. Methodologies adopted during these stages of the 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 (FGD); Meeting with stakeholders; Identification of land and other assets within RoW	Information dissemination about the project and Availability of land records
Survey and Design	Village Block Tahsil Forest Range (for forest land)	Structured consultation at pre-decided dates; Census survey of PAFs; FGD; Discussion with other Groups and staff at project Field offices	Land Acquisition; Valuation of structures and land; Methodologies for consent award; Availability of land records; and R&R entitlement
Detailed Project preparation	Block Tahsil District RDC <i>State Level (To be organized)</i>	Structured consultation at pre-decided dates; FGD and other 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 the individual level and FGDs were conducted at congested locations, intersections in major towns, villages abutting project roads etc. Attention was paid towards the settlements of vulnerable groups like tribal, settlements at junctions on highway, etc. Outcome of these consultations related to options of alternative alignments, compensation norms, location of road safety measures such as humps, management of community property resources etc. which have been recorded and documented. In order to minimize the resettlement, involvement of local people in the decision-making processes was suggested and the design team took these into account to the extent possible

Public consultations and FGDs in the project area at the feasibility stage were held at different level: Nukkad (village corner), Hamlet (part of the village), Village and Panchayat level. The following methodologies were adopted for carrying in these public consultations:

- (a) Disseminate information about the project and request villagers to attend the public consultation meetings;
- (b) Share the opinions and preferences of the potential PAPs regarding compensation and R&R assistance;
- (c) Involve PAPs and local communities in the decision-making process including in the proposals for bypasses or realignments, cross drainages and type of drainage solutions to combat the threat of submergence, shifting of public amenities such as bus stop, tap water, ponds available and required, in the villages etc.
- (d) Informing stakeholders through 'Pictorial Methods', using Board Marker and explaining the design of the proposed road and available RoW.

Public consultations were also carried out with special emphasis on the vulnerable groups including ST, SC, women besides community leaders; representatives of people and the key informants were also consulted. Specific consultations 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 of the State AIDS Control Society; and
- 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 included one to one interview with identified PAFs to elicit their potential 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 a 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 in the proposed R&R entitlement framework agreed for OSRP.

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.**

Box 4.1 Focused group discussions

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

- Understand the views of the PAPs with reference to LA, compensation norms and selection of alignment at the congested settlements;
- Understand views of PAPs on resettlement options and rehabilitation measures,
- R&R issues and Land Acquisition Act / Procedure at places of displacement;
- Options of relocation of community properties resources (CPR), 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 the Block and Tahsil levels. These meetings 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 in these discussions included Block chairman and other elected representatives like village sarpanch, Revenue Department representatives like, Tahsildar, and members of Tahsil Administration; and Block Development Officer and staff at the Block level.

4.4 Consultation during Detailed Project Preparation Stage

District Level Consultation: The effectiveness of RAP implementation 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 opinions 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 were organized in each Project Affected District. One of the objectives of these meeting was to involve local administration in the project planning and to make them appreciate major bottlenecks in the 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 during RAP implementation. Following Table 4.2 summarizes issues raised and suggestions offered at the District level meetings.

Table 4.2 District level Meeting

District	Issue Raised	Suggestion
Ganjam Chatarpur	Resettlement of residential people of Gokarnpur, Harichandpur Land Acquisition	The PDPs should be resettled in the village in Government land. 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 To avoid congestion at the bus stand

District	Issue Raised	Suggestion
	Four Laning of Digahapahandi and first gate a stretch of 2 km	Digapahandi and junction at first gate four laning should be done.

4.5 Continued Consultation

The stakeholders' consultations would be continued as the project enters the implementation stage. Several additional rounds of consultations with PAPs will be done by the Package Unit and the implementing NGO during RAP implementation. These consultations will involve agreements on compensation norms, options and preferences and R&R entitlement package. Consultations will also be organized 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 the local public offices for easy access to RAP related information;
- Key features of the R&R entitlements will be displayed on billboards along the project corridor;
- Together with the implementing NGO and Social Management Unit (SMU) of PIU, the Package Unit will conduct information dissemination sessions in major intersections and solicit the help of the local community/business people and encourage their participation in RAP implementation;
- Focused attention on vulnerable groups will be made to understand their issues and ensure their involvement in the implementation process;
- The NGO involved in the implementation of RAP will organize public meetings and will appraise the communities about the progress in the project implementation;
- The NGO will organize public meetings to inform the community about the payment of compensation and extension of R&R assistance to the affected community. Regular update of the program of resettlement component of the project will be placed for public display at the Package offices; and
- Participation of PAPs will also be ensured through their involvement in various local committees such as ,VLC, RPDAC, and Grievance Redress Committee (more details on these in the subsequent chapters). SMU and package level R&R Officers will maintain an ongoing interaction with PAPs to identify problems and undertake remedial/correction actions.

4.6 Observation during Consultation and Suggestions

4.6.1 Issues of Compensation: Application of LA Act 1894, generally does not ensure the land losers the replacement value for their losses. In order to help the land losers in their economic rehabilitation process, a lump-sum one time assistance (as top-up) is suggested to fill in the gap between market value decided under LA act, 1894 and replacement value

4.6.2 Title of the Land and Properties: ORRP 2006 provides R&R entitlements to the project affected/displaced families with pwnership to land and other properties (titleholders) and those registered under the Orissa Prevention of Land Encroachment Act 1972. Therefore,

there is need under OSRP to consider all affected families irrespective of their title to or ownership of land and other properties.

4.6.3 Management of Community Properties Resources: The ORRP emphasizes relocation and management of CPRs through the District Administration but experiences suggest that their relocation is often not managed well by the administration. Therefore, there is a need under OSRP to assign this responsibility to the local community.

4.6.4 Implementation Framework: It is learnt during the District level consultation that implementation of RAP will entirely be done by the District Administration through committees³ like RPDAC/DCAC. At the same time, the Administration is not inclined to use NGOs to facilitate RAP implementation. However, the affected people and local communities strongly support and advocate the involvement of NGOs to facilitate them in their R&R and help them get their fair compensation amount and their R&R entitlements. This is also provided under ORRP 2006 (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 the extent of displacement of road side people and businesses because of the proposed road improvements. 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 the earlier chapter, the proposed road improvement will be done mostly within the available land width. Existing Right of Way (RoW) in the present stretch varies 20-25 meter and 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.

As mentioned earlier 40.58-acres of land is to be acquired for road improvements. Out of this 40.58 acres, about 35.48-acres land is required for widening and junction improvement, 4.20 acres for curve improvement and about 1 acres for way side 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	Way side amenities	Total
Ganjam	41.000	4.20	35.48	1.00	40.58

Source : Social Assessment Study

5.2 Land Acquisition Process

Land acquisition plan has been prepared with the help of field maps of villages. The details of area to be acquired have 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 photocopies of Village Revenue Maps from the Revenue Department
- Superimposition of Designs on Village Revenue Maps
- Verification of each plot under question in the field
- Delineating and estimating the exact area to be acquired
- Delineation of the project boundary with coordinates of land-record maps
- 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

Steps in Land Acquisition Process: Following Table, explains steps involved in the land acquisition process.

Section/Steps in LA	Description of Land acquisition Activities
Section 4(1)	For any LA, a notification under section (u/s) 4(1) is issued in the Official Gazette and in two daily news papers of the area informing the public about the proposed LA for a <i>public</i>

Section/Steps in LA	Description of Land acquisition Activities
	<i>purpose</i> . This notification allows the LA O to undertake required surveys and investigations in the land.
Section 5 – Objections	Within 30 days of this notification, <i>objections to the acquisition of land</i> can be made (u/s section 5A) with the LAO
Section 6 – Declaration	After the expiry of 30 days or final decision on the objections, a declaration (u/s 6) is published in the Official Gazette and two daily newspapers of the area, indicating actual location of the land required for the project.
Section 7	Section 7 requires LAO to take order for LA from the Government.
Section 8	This section permits LAO to mark and measure the land to be acquired.
Section 9	LAO issues notices under this section to land losers to submit their claims for compensation.
Section 11	This section interested persons to <i>object to the measurements and claims for compensation</i> . Taking into account the objections, LAO finalizes the ‘award’ including the actual area to be acquired and the compensation amount to be paid. <u>Award will have to be finalized within a period of 2 years from the date of publication of the declaration (u/s 6), otherwise the LA process will have to be restarted.</u>
Section 16	On completing the ‘award’, section 16 empowers LAO to take possession of the land and hand over to the project proponent.
Section 17	In case of urgency, section 17 allows LAO to take possession of any land after expiry of 15 days from the publication of the notice u/s 9 (mentioned above) and payment of 80 per cent of the compensation. In other words, this process skips section 5A (objecting to the nature of public purpose) and section 11 (allowing objection to the measurement of land and claims for compensation).
Section 18- 28 Reference to the Court	Section 18 to section 28 deals with intervention of court in land acquisition processes.

5.3 Limitations to LA Process and Procedure to Avoid Unnecessary Delays

As agreed in the resettlement entitlement framework, entire resettlement activities is required to be completed before actual construction starts. Land free from all encumbrances has to be provided to the 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 the LA process from 4(1) notification to section 11 (denoting completion of LA process up to award and disbursement of compensation). Cross-corridors examples of similar nature of projects indicate that the time requirement can be reduced substantially if the LA follows direct purchase from land holders. For example, steps from section 4(1) to section (9) of LA Act normally take 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 that the involvement of

communities in LA process will ensure not only more transparency but help land losers to get compensation at the prevailing market rate. For this purpose, however, it is required to form village level committees to involve local communities and to make LA procedure more transparent. Therefore, under the project, the Package Unit along with the facilitating NGO will facilitate LAO to have closer interactions with the Village level committees/Gramsabhas. This will help the Package Unit in negotiating with PAPs to arrive at on a price on which land owners are willing to sell and OWD is willing to buy. This will help in minimizing the time in LA process at the same time make the compensation norms more acceptable. This process is referred as 'negotiated settlement' or 'consent award'. Therefore, under the project all attempts will be made to adopt this approach to complete LA process, failing to reach the project will go ahead with normal LA process.(Annexure 5.1).

5.4 Procedure for Valuation

5.4.1 Compensation for land

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, land classification and the current use of land for ensuring adequate cost compensation and allotment of land to the land losers. For determining classification and 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 based on any one of the three procedures: (i) Average Stamp Registration Rate for Past Five Years; (ii) Circle Rates and (iii) Crop Productivity Rates. These are explained below.

Average Stamp Registration Rate: The land rate based on the sale deed of a plot is collected from the office of the Registrar. For each project affected village, these records will be collected, based on which an average rate of sale of land will be worked out.

Circle Rates: The Circle rates, both for agricultural and non-agricultural land, representing the market value of land as per Circle Rate Method will be collected from the office of the Registrar for all project-affected villages.

Replacement Cost based on Crop Productivity: To find out the market value (in market) of land by crop productivity method, the following sources of data will be used: (i) Report on Socio-Economic Review of Orissa; (ii) Taluka-wise production of different crops for last five years; and (iii) 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 will be collected from various revenue offices. The data so collected will be used for calculating three sets of productivity rate per square meter for highly/medium/low productivity of land, depending on whether irrigated, partly irrigated or un-irrigated.

The average market rate of different crops available with by the Agriculture Production Market Committee (APMC) will be used. The actual productivity value of crops in reference periods is calculated by multiplying the actual crop production and the average market price. The average productivity value is be derived by taking the average of all crops over a period of last five years. The market value iscalculated as 20 times the average productivity.

LA by Negotiation (Consent Award): Efforts will be made to acquire land by mutual negotiation between the landholders and the project in the presence of LAO. For this purpose, the concerned District Collector will constitute DCAC¹ (as per rules prescribed in The Orissa R&R Policy 2006) and this committee will negotiate and settle the compensation norms.

5.4.2 Compensation for structures

The value of the residential houses, buildings and other immovable properties required for the project will be determined at the relevant Basic Schedule of Rate (B.S.R.) without depreciation. Compensation for properties belonging to the community (including places of worship) will be provided to enable construction of the same at the new place. Relocation and construction of common properties will be done through the local self-governing bodies in accordance with the modalities determined by such bodies to ensure correct use of the compensation amount. Under the project, during relocation of community structures will be done in consultation with the local communities which have been managing these properties. More details on the modes of shifting are discussed in the subsequent chapter.

5.4.3 Compensation for tress

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 Transfer of Acquired Properties

The acquired land and properties will vest completely with the project/OWD. However, PAPs will be allowed to take away the construction material that could be salvaged from their houses and shops etc. and no deduction will be made on this account. A notice will be issued to all the affected to take away the materials so salvaged within the prescribed time of the demolition of their structure. If this is not removed, then the project will dispose off the same 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 the District Administration on behalf of OWD. LP schedule have been prepared for the project. As indicated above, LA process has already 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 5.2 LA Plan Schedule

Sl. No.	Activity	Timeline
---------	----------	----------

¹ For details see Social Assessment Report of the project

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

Transfer of Forest Land

The proposed project intervention will require land under forest or categorized a forest land. This land will be transferred from the Forest Department under the Forest conservation Act (under section II, para 6) and guidelines issued by MOEF from time to time

Assessment of Institutional Capacity for LA

In the PIU, there are two Revenue Officers (of Orissa Administration cadre) to facilitate LA activities under the project. These officers are assisted by one Assistant Engineer (Civil) and two Junior Engineers in addition to three support staff. The PIU has planned to strengthen its Social Management Unit (SMU) to address social issues including LA, R&R, HIV/AIDS, road safety, etc. The full fledged SMU will have the following staffing pattern (Table 5.3)

Table 5.3: Proposed Staffing Pattern

Sl.No.	Staff of SMU in PIU	Number	Location	Months
1	Executive Engineer	1	SMU	Full time
2	Revenue Officer	2	SMU	Full time
3	Assistant Engineer/Junior Engineer	2	SMU	Full time
4	Revenue Clerk/Rtd RI	2	SMU	Full time
5	Amin	2	Package Unit	For 6 months
6	Office Staff	3	SMU	1 full time & 2 for initial six months
7	Nodal NGO	1		For the project period
8	Implementing NGO	For each package	Package Unit	36 months
9	Amin (Rtd. Revenue Inspector)	2	Package Unit	Six months

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

Chapter – 6

RESETTLEMENT AND REHABILITATION

CHAPTER 6

RESETTLEMENT PLANNING

6.1 Displacement and Resettlement Needs

Previous chapter has ascertained the magnitude of displacement of commercial and residential families. Primarily, these displaced families are small roadside business communities and earn livelihood from roadside business. Many of them do not have alternative source of livelihood or shelter. The road improvement in present corridor would displace about 52 commercial, 52 residential families besides 93 kiosks. As per agreed resettlement framework all titleholder 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

Thus keeping above-mentioned strategy proposed resettlement planning is done for commercial and small business people only. For small business communities provision of small shops (6mx4m) would be developed preferably near the same village so that there livelihood is enhanced / restored.

Proposed project intervention would displace 93 kiosks, 52 commercial and 52 residential families. 16 tenant would be assisted by the project as per the entitlement matrix. During consultation residential families opted for self-relocation. There are 52 residential displaced families. However, efforts will be made to resettle these residential families within the village preferably in Government land. For this purpose implementing NGO would continue consultation and option/preferences of PAPs would be recorded. As per the continued consultations mechanism opinion and preferences would be updated. Following table details about displacement and resettlement strategy. (Table 6.1)

Table 6.1 Resettlement Strategies for Commercial Displacement

Chain.	Village	No of Family Displacement	Displacement Category	Resettlement Strategy
00-01	First Gate	6	Small	Model 6.1
03-04	Dakhinnpur	3	Small	Model 6.1
04-05	Lanjia	10	Small	Model 6.1
05-06	Balkrishnapur	1	Small	Model 6.1
07-08	Padarbali	11	Small	Model 6.1
08-09	Patitapabanpur	2	Small	Model 6.1
09-11	Balipada	21	Medium	Model 6.2a
11-12	Dengapadar	2	Small	Model 6.1
13-14	Narayanpur	3	Small	Model 6.1
15-16	Gania Nala	3	Small	Model 6.1
17-18	Pitamabarpur	1	Small	Model 6.1
18-20	Gokarnpur	20	Small	Model 6.1
20-21	Anangapur	3	Small	Model 6.1
22-25	Digapahandi	17	Small	Model 6.1
28-29	Nua Maulabhanja	3	Small	Model 6.1
29-30	Puruna Maulabhanja	1	Small	Model 6.1
32-34	Dengausta	16	Small	Model 6.1
34-35	Kansamari	12	Small	Model 6.1
36-38	Pudamari	10	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 93 kiosks, 52 commercial and 52 residential structures. Among the 52 families losing commercial structures, there are 14 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 40 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 would 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 one location where displacement involves relocation of 21 shops and therefore there is a need to develop alternate sites (see resettlement lay out models 6.2a).

6.6 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	<p>Open Joint Account in the Bank, release R&R entitlements, educate PAPs to utilize the assistance for sustained economic development.</p> <p>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.</p> <p>The transfer of assistance amount will be done either electronically or through account payee check/draft in the name of owner & his/her spouse.</p>
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.

Steps	Description of Activities
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.

6.7 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 Generating activity
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

6.8 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 RLTP,
- ◆ 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 PAFs so that PAPs could be benefited from some of the ongoing pro-poor programs for poverty reduction.

6.9 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.

6.10 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) envisage 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.

6.11 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

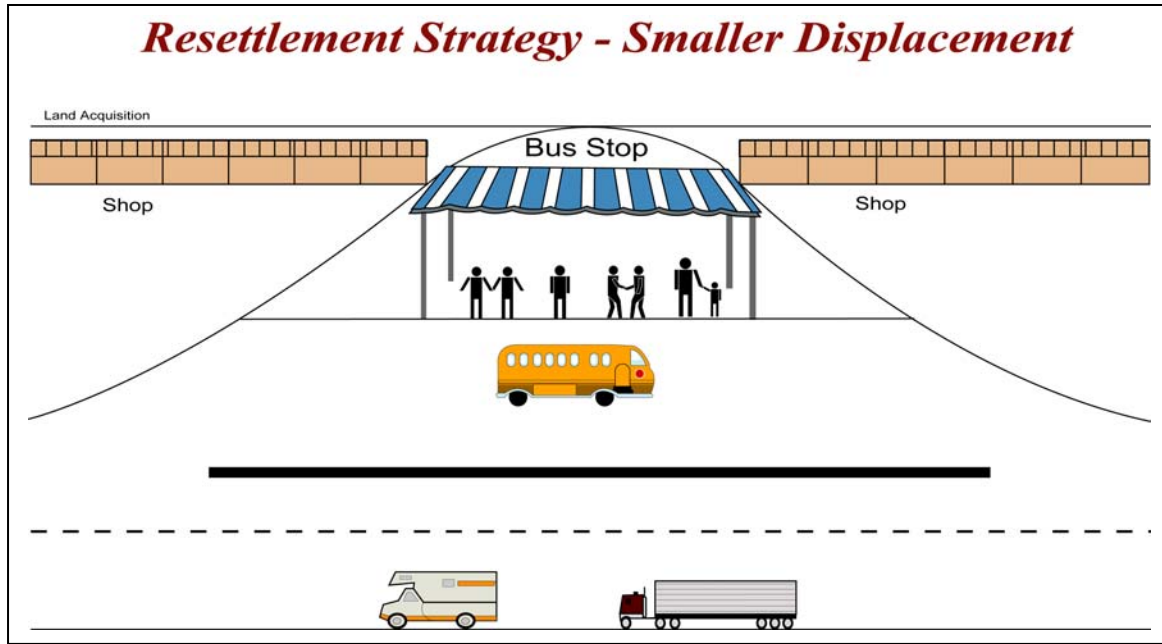
before relocation or acquisition of properties. **Project Completion Planning (Withdrawal of R&R Process)**

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).

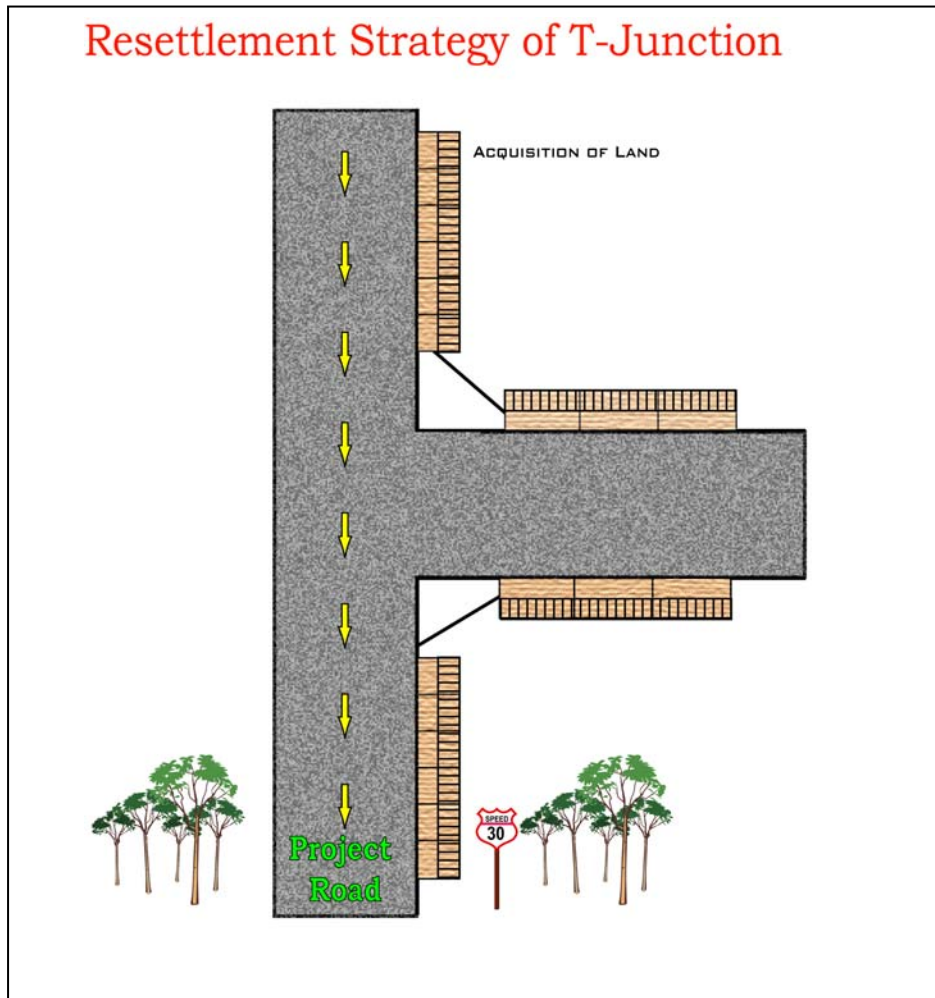
Checklist for Project completion Mechanism

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

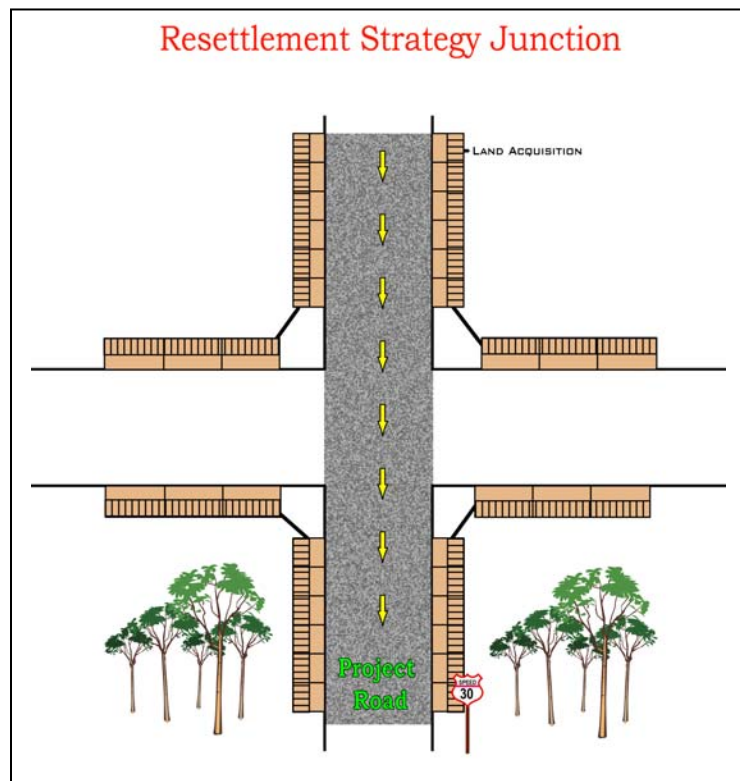
Model : 6.1



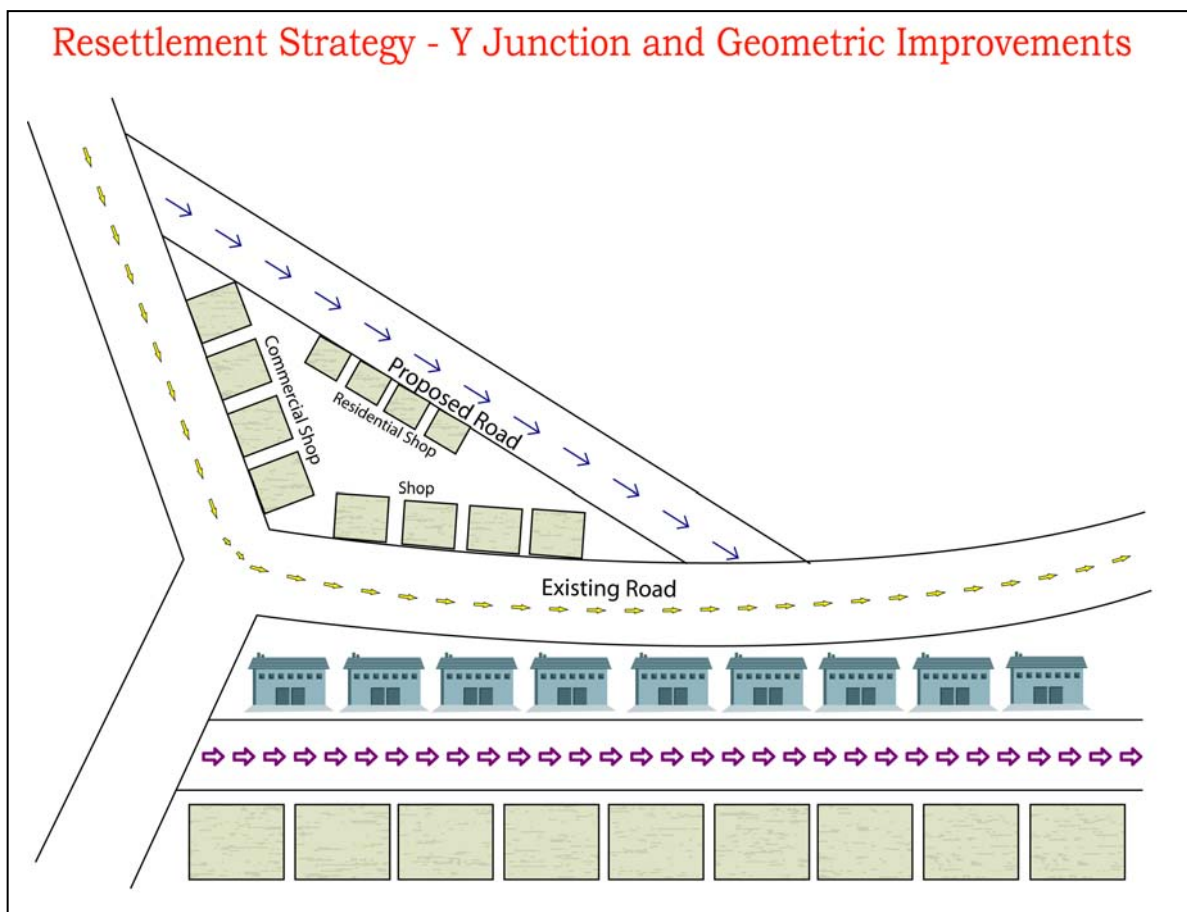
Model: 6.2(a)



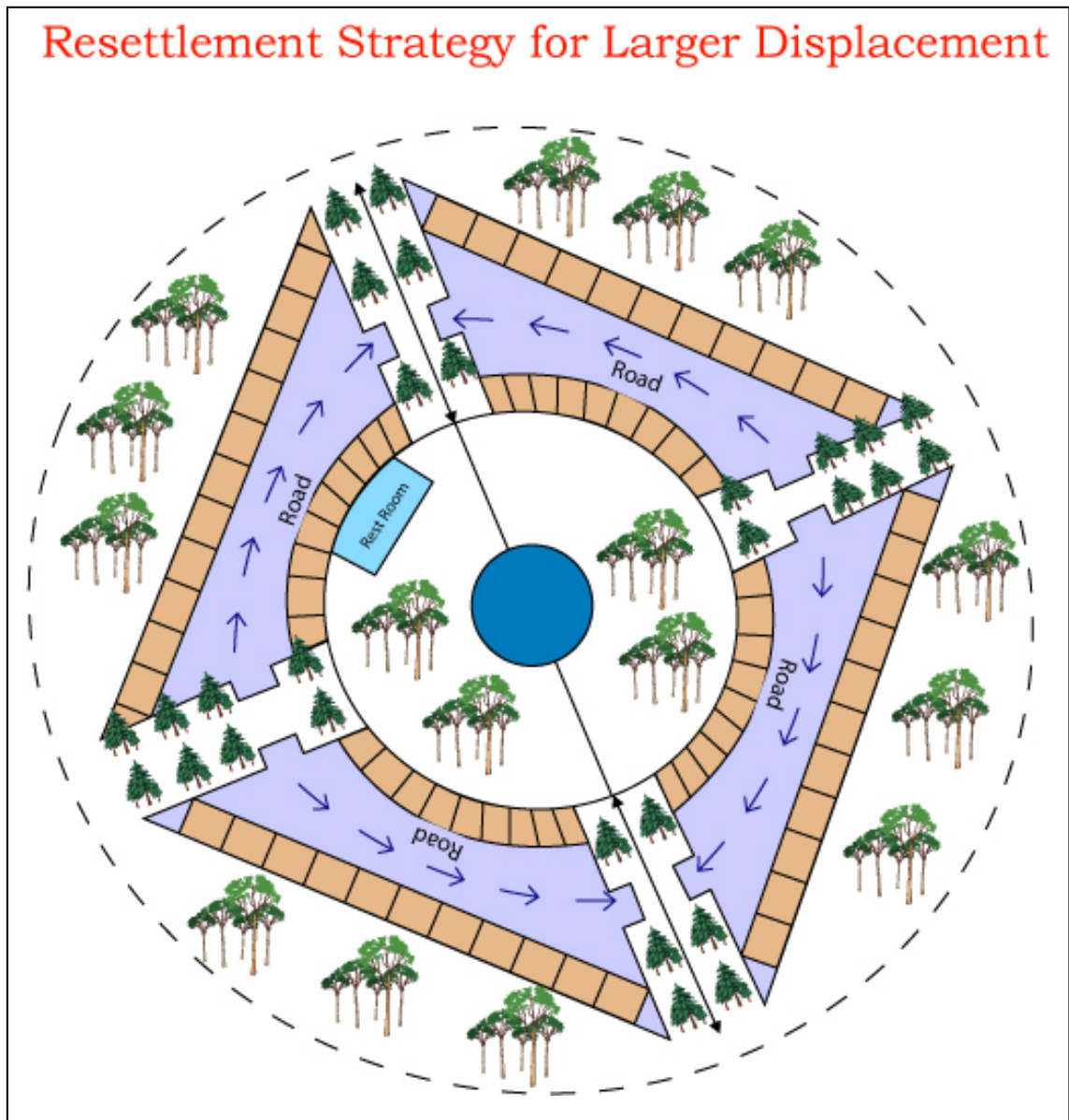
Model: 6.2(b)



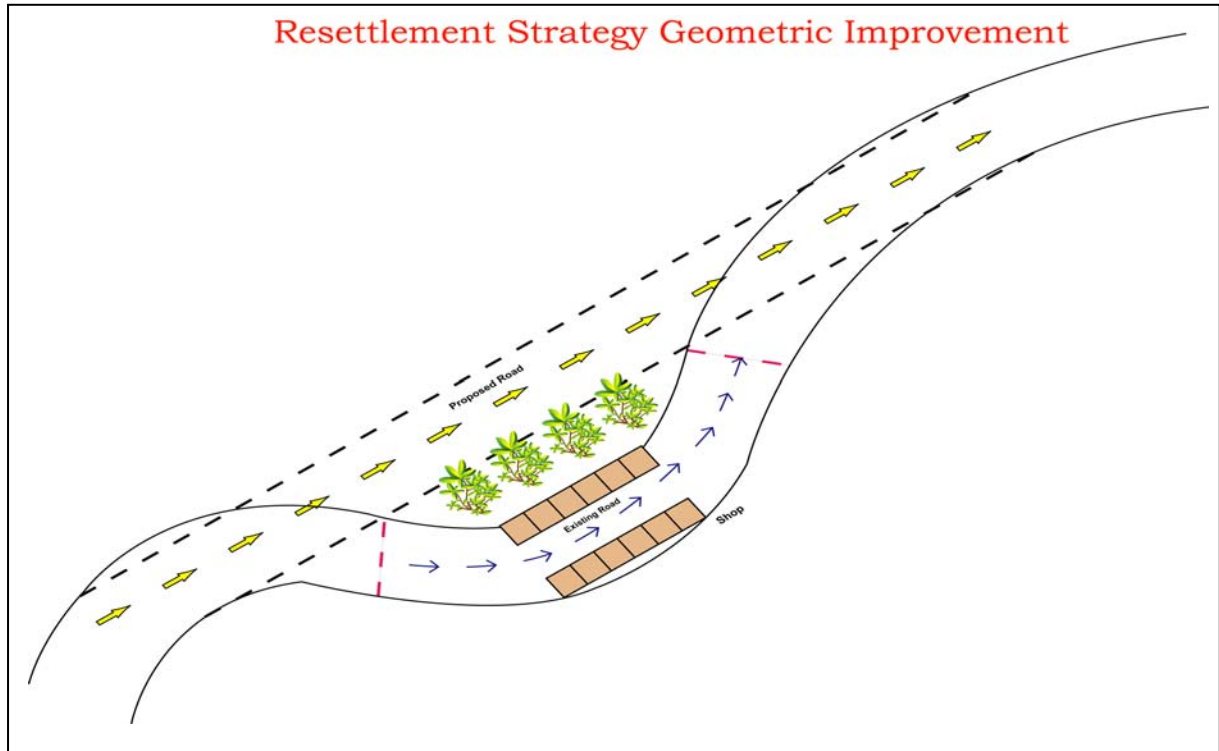
Model: 6.2(c)



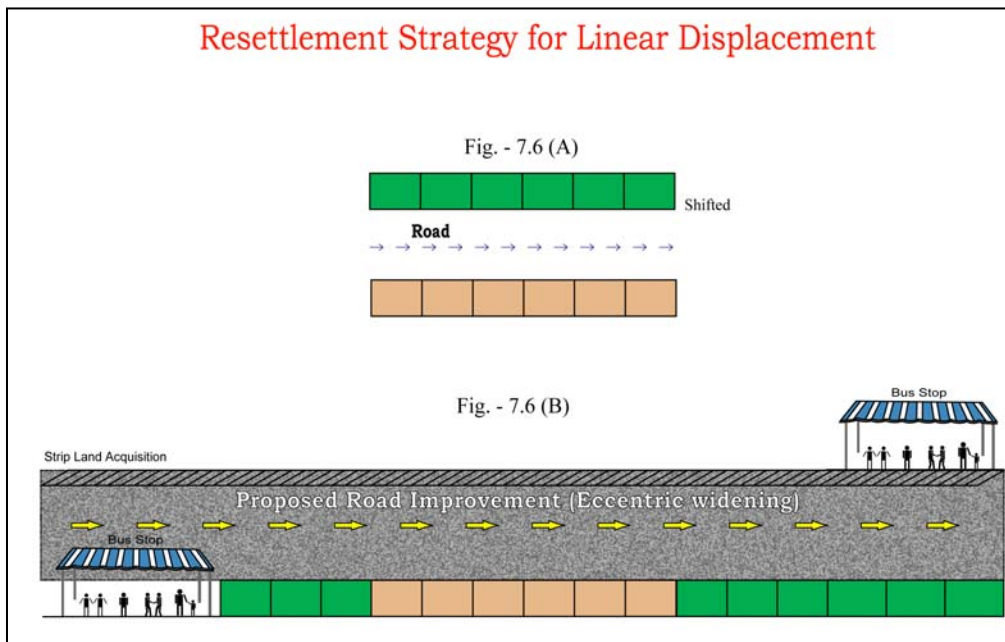
Model: 6.3



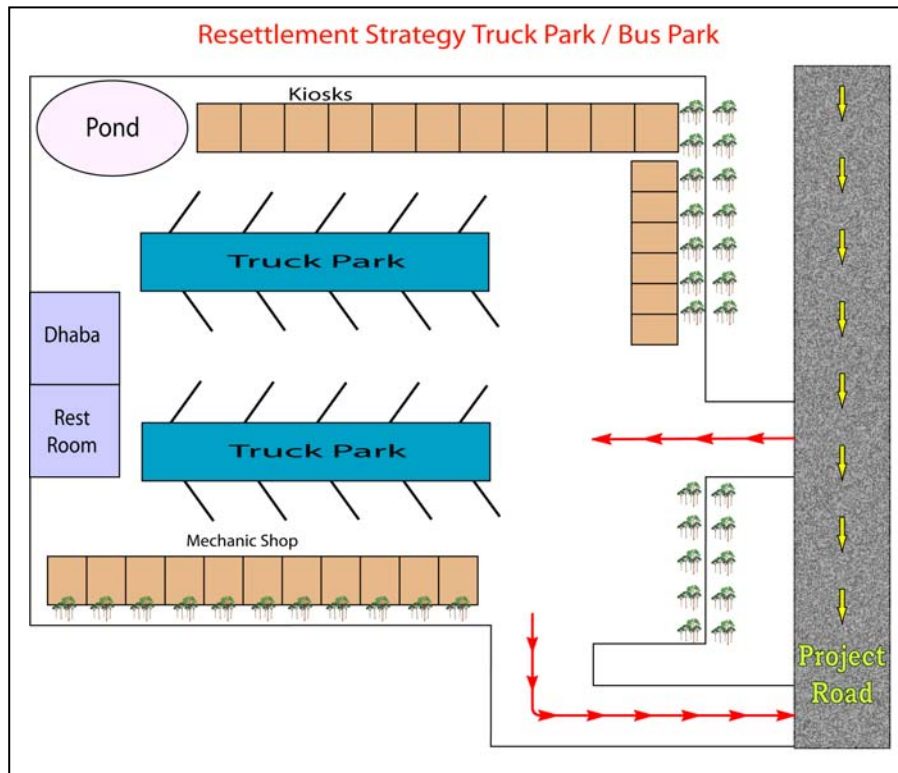
Model: 6.4



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. The social assessment has ascertained that there is no ST families being affected by the project in the present stretch. Hence separate tribal plan is not required.** 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 Assistance to Vulnerable under the Project

The detailed and informed consultations, through FGDs and village meetings in project areas, revealed the following issues related to vulnerable people in the project area. Following section outlines actions planned under RAP for helping the affected vulnerable families.

Table 7.1: Measures included in the RAP for Vulnerable families		
Issues/Problems	Measures included in RAP	Budget in Rs.
Loss of Agriculture land business place and shelter	<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 for training 	Training to 31 affected families: 31 x 6000 = Rs 186000 Add. Assistance

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 3567 PAPs are female constituting 44 % of the affected females, however, there are 86 female headed affected families. Sex ratio is 816 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 51% 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 7.2 Socio-Economic Characteristics of Female PAPs

Sl. No	Category	Number	Remarks
Castewise of Female Project Affected Persons			
1	ST	0	
2	SC	214	
3	OBC	2649	
4	OC	704	
Education Level of Female Project Affected Persons			
5	Illiterate	437	
6	Neo-literate	488	
7	Up to Middle	1213	
8	High School	831	
9	Above High School	451	
10	Professional	8	
11	Children	139	
Occupational Structure of Female Project Affected Persons			
12	Children	193	
13	Service	20	
14	Business	53	
15	Farming	322	
16	Allied Agril	49	
17	Wages	354	
18	HH Industry	5	
19	Professional	12	
20	Un Employed	72	
21	Student	572	
22	Retired	64	
23	House work	1851	
Age-wise distribution of Female Project Affected Persons			
24	< 6 yrs	121	
25	6-14 yrs	48	
26	15-17 yrs	109	
27	18-45 yrs	1812	
28	46-60 yrs	1336	
29	> 60 yrs	141	
Total		3567	

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 (MVSAN)
- ◆ 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, women 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, road safety education, comprehensive community awareness programme will be undertaken. A provision of Rs 400,000 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. All the measures included in the HIV/AIDS Action Plan will be implemented in this project corridor also.

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) Ganjam 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) South will constitute RPDAC for the District of Ganjam 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 (Kalahandi, Bolangir and Nuapada) 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.

8.4.1 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

8.4.2 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.

8.4.3 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.

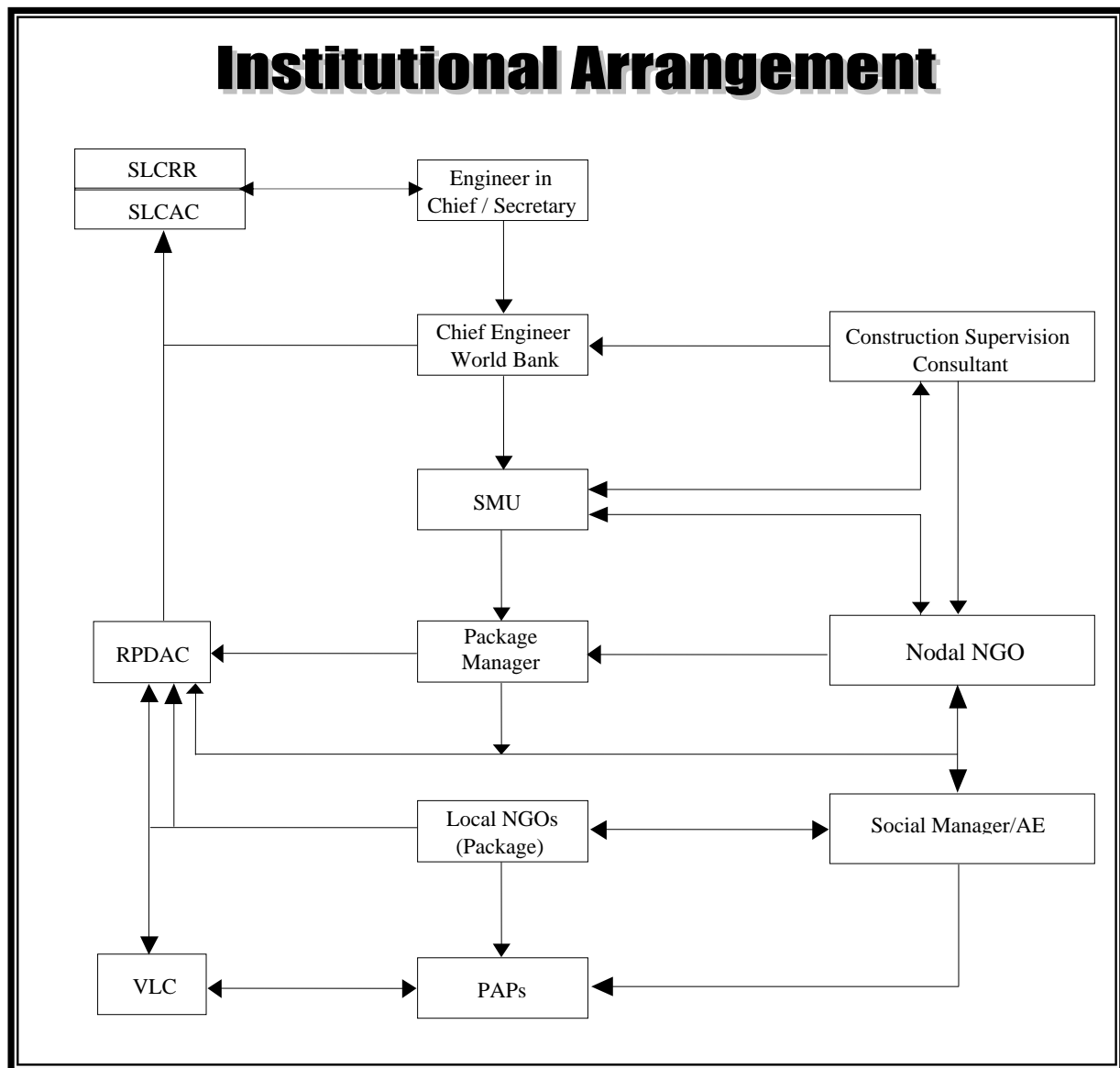


Fig 8.1

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.

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.

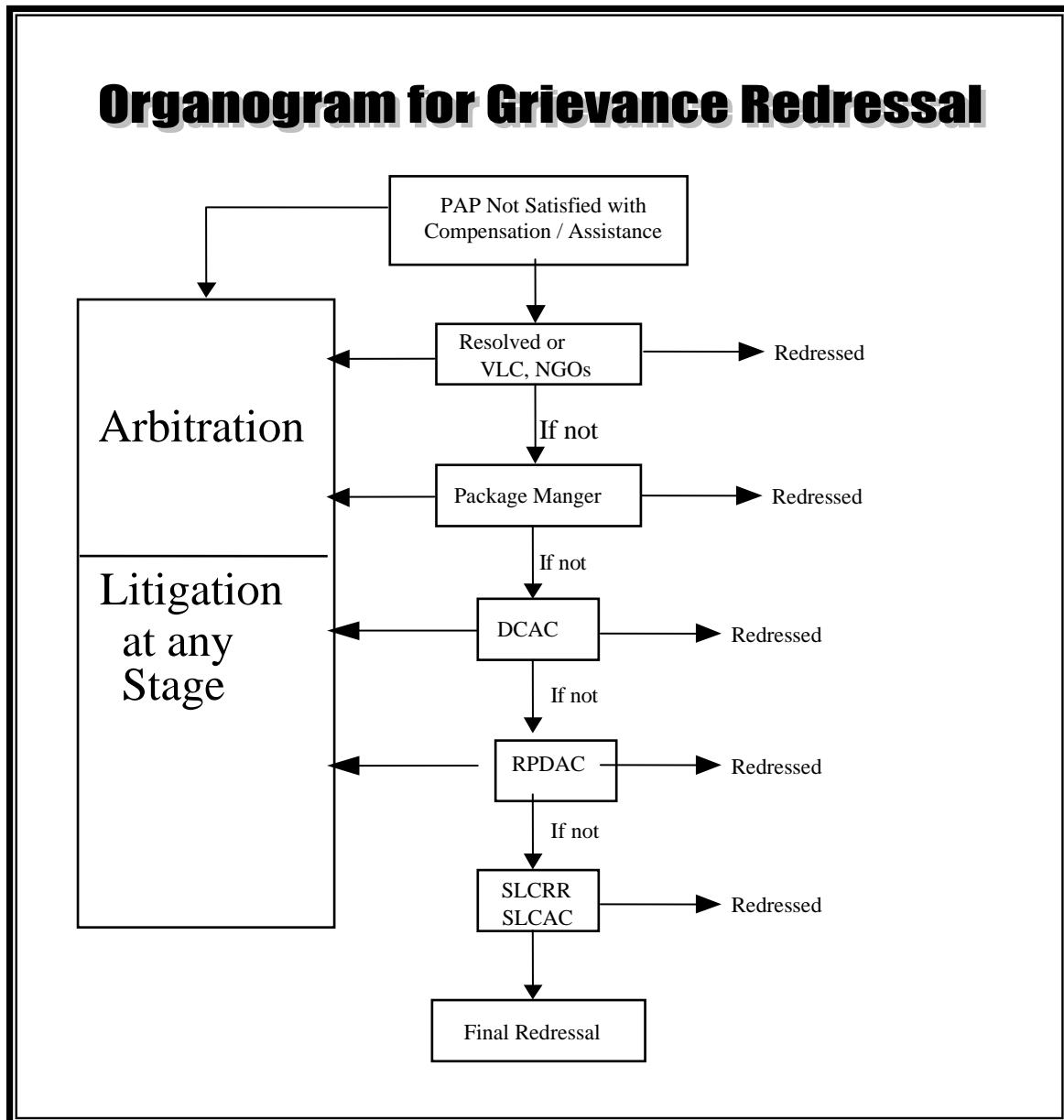


Fig – 8.2

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 as 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.

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														
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 37.85 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

Sl. No.	Item	Area (ha)	Unit rate	Cost (Rs)
1	Land	34 acre	400,000/acre	136,00000
2	Residential	700(sq.m)	200/sqm	140000
3	Commercial	300(sq.m)	400/sqm	120000
Total				16200000

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	34 acre	136,00000	6800000	20400000
Residential	700(sq.m)	140000	70000	210000
Commercial	300(sq.m)	120000	60000	180000
Total		16200000		20790000

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 Amount (Rs) Compensation
	Area (Sq.m)	Amount (Rs)	Area (Sq.m)	Amount (Rs)	Area (Sq.m)	Amount (Rs)	
Titleholders	200	1060000	300	600000	500	500000	2160000

Category	Pucca		Semi-pucca		Katcha.		Total
	Area (Sq.m)	Amount (Rs)	Area (Sq.m)	Amount (Rs)	Area (Sq.m)	Amount (Rs)	Amount (Rs) Compensation
Squatters and Encroachers	676	3582000	1324	2648000	804	804000	7034000
Total							9194000

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: Resettlement and Rehabilitation Entitlements

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	19	456000
Assistance for Temporary shed to displaced residential	Rs 10,000 lump sum	19	190000
Transportation Allowance to displaced residential	Rs.2000 lump sum	19	38000
Cost equivalent for alternate site to displaced residential	Rs.50,000 lump sum	19	950000
House construction assistance to displaced residential	Rs.150,000 per family	19	2850000
Cost equivalent for alternate site to displaced commercial	RS 10,000 lump sum	18	180000
House construction assistance to displaced commercial	Rs 25,000 lump sum	18	450000
Transition Allowance for displaced commercial	Rs 2000 lump sum	18	36000
Transportation allowance for displaced commercial	Rs 1000 lump sum	18	18000
Transport assistance to squatters(residential)	Rs.2000 lump sum	31	62000
Maintenance allowance to squatters(residential)	Rs.1000 pm for 6 months	31	156000
Cash assistance for relocation (residential) equivalent to price of IAY	Rs 32,000 lump sum	31	992000
Transport assistance to	Rs 1000 lump sum	20	20000

Assistance Type	Allowance Per Family	Quantity	Amount (Rs.)
squatters(Commercial)			
Maintenance allowance to squatters(Commercial)	Rs 2000 lump sum	20	40000
Assistance to tenant(residential)	Rs 3000 lump sum	2	6000
Assistance to tenant (commercial)	Rs 2000 lump sum	14	26000
Total			6470000

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	30 acre irrigated and 4 acre un irrigated	3200000
One time cash assistance in lieu of Government job for one member of the family	Rs 100,000	21	2100000
Assistance to kiosks	Rs 5000 lump sum	93	465000
Total			5765000

***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 520000 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 870000 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	1361x500	680500

Sl. No	Head	Cost x No. of units	Total(Rs)
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			4,030,500

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(in million Rs)
1	Development of Training Materials	72000
2	Capacity Building and Training	940000
3	Development of BCC material	516000
4	Skill building and Exposure	92000
5	Availability of BCC materials and I-E-C	616000
Total		2236000

9.11 Support to Vulnerable

There will be Rs 186000 towards cost of training to for the vulnerable for this package.

9.12 Road Safety Education

A provision of Rs 400000 is earmarked for road safety education for 70km of proposed project stretch.

9.13 Budget

The budgets for the proposed RP work out to Rs. **5.81 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	22950000
2	Assistance for Structure	7034000
3	Cost of Relocation	6470000
4	Cost of Rehabilitation	5765000
5	Cost of Religious Property	870000
6	Resettlement site Development(Lump sum)	520000
7	Cost of NGO Involvement	4,030,500
8	Cost of HIV/AIDS Action Plan	2236000

9	Cost for support to vulnerable	186000
10	Cost for Road Safety awareness programme	400000
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
15	Total	52,461,500
	Contingency (10% of Total)	5246150
	Grand Total	57,707,650