



# Resettlement Plan

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Project Number: 40031-053  
November 2016

## IND: Rajasthan Urban Sector Development Investment Program - Tranche 3

Subproject: Churu Drainage

Submitted by: Rajasthan Urban Infrastructure Development Project, Jaipur

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**Asian Development Bank**

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No. F3 (106)(53)/ RUSDIP/IPMU/Social &amp; RP/ 2016-17/ 11651

Date: 28 October, 2016

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**Sub: Submission of Updated Resettlement Plan of Churu  
Drainage Subproject under tranche-3 Phase-II.**

Madam,

Please find enclosed herewith the Updated Resettlement Plan of Churu Drainage Subproject under tranche-3 Phase-II for approval & further necessary action.

Resettlement Plan of Churu Drainage Subproject has been revised due to dropping of scope of construction of rain water harvesting well at Pankha Circle work and now numbers of affected persons reduced from 15 Ahs to 3 Ahs.

Attachment: As above

(G.S. Hada) 26/10

Addl. Project Director

Date: 28 October, 2016

No. F3 (106)(53)/ RUSDIP/IPMU/Social &amp; RP/ 2016-17/ 11652

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# Resettlement Plan

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Resettlement Plan of Subproject Churu Drainage

Document Stage: Updated Resettlement Plan

Project Number: 40031

First submitted: April 2012

Subsequently revised and updated in February 2014, August 2015 and October 2016

## India: Rajasthan Urban Sector Development Investment Program – Subproject Churu Drainage

Prepared by Local Self Government Department

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

## ABBREVIATIONS

ADB	Asian Development Bank
AP	Affected Persons
AH	Affected Household
BPL	Below Poverty Line
CBO	Community Based Organization
CPR	Common Property Resources
Gol	Government of India
GoR	Government of Rajasthan
IP	Indigenous Peoples
IR	Income Restoration
ISA	Initial Social Assessment
LA	Land Acquisition
LAA	Land Acquisition Act
LIG	Lower Income Group
M&E	Monitoring and Evaluation
NGO	Non-Government Organization
NTP	Notice To Proceed
PAF	Project Affected Family
PAH	Project Affected Household
PAP	Project Affected Person
PDP	Project Displaced Person
PIU	Project Implementation Unit
PMU	Project Management Unit
PRI	Panchayat Raj Institution
RP	Resettlement Plan
ROB	Railway Over Bridge
ROR	Record of Rights
RoW	Right of Way
R&R	Resettlement and Rehabilitation
RUIDP	Rajasthan Urban Infrastructure Development Project
RUSDIP	Rajasthan Urban Sector Development Investment Program
SC	Scheduled Caste
SC	Supervision Consultant
SES	Socio-Economic Survey
ST	Scheduled Tribe
UDD	Urban Development Department

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## EXECUTIVE SUMMARY

1. Government of Rajasthan (GoR) has launched the Rajasthan Urban Sector Development Investment Program (RUSDIP) for development of infrastructure in 15 towns of the state with the financial assistance of the Asian Development Bank (ADB) and Government of India (GoI). The overall objectives of the Program are to meet basic human needs, improve quality of life and stimulate sustainable economic development. The 15 towns have been divided into three Design & Supervision Consultancy (DSC) units: I, II and III; under each unit there are 5 towns. Churu comes under DSC-II.
2. The Infrastructure sectors that are being developed in Churu under this Program are:
  - (i) Water Supply Rehabilitation and Expansion
  - (ii) Waste Water Management (Sewerage)
  - (iii) Solid Waste Management
  - (iv) Drainage
  - (v) Urban Transport and Roads sub-project, or 2 Lane Railway Over Bridge at Railway Level Crossing No. 168C on NH-65, and
  - (vi) Improvement and Widening of Road from Collectorate Circle to Bhaleri Road up to PMC Campus via Bahad Circle (Pankha Circle) and Stadium to Johari Sagar via Bahad Circle (Pankha Circle) on Tara Nagar Road.
3. Each sector listed above constitutes a subproject. The DSCs has prepared Detailed Project Reports (DPRs) for each subproject. The DSCs will also provide supervision consultancy during the execution of the sub-projects.
4. This Resettlement Plan (RP) has been prepared for the subproject Churu drainage under Tranche 3 as part of RUIDP Phase II. Churu town, located at 28° 18' N latitude and 74° 58' E longitudes, is an important town in the desert region of Rajasthan. It is a railway junction on Bikaner to Delhi and Bikaner to Jaipur lines. National Highway - 65, connecting Pali to Ambala, passes through this town.
5. Churu has come up to the present stage in an unplanned manner. The slapdash development of the town is reflected in the drainage system. It does not have any defined drainage system. Open drains are connected to depressions located at different places in the town. Since there is no sewage system at present, these open drains also carry sewage and waste water and ultimately discharge everything into low-lying areas or depressions, forming ponds (locally called "*Ginnani*"). The open drains and open sewage ponds (*Ginnanies*) create a hazardous situation. During rainy season the problem becomes manifold due to lack of proper drainage. Some areas get waterlogged and some areas experience flooding. In order to address the problems, a comprehensive drainage system has been designed for the town.
6. At the outset, it is pertinent to mention that Churu Drainage Package No. RUSDP/TR-03/CHU/DR/01 and RUSDIP/TR-03/CHU/DR/02 have been assigned numbers as RUSDIP/TR-03/CHU/DR/03 and RUSDIP/TR-03/CHU/DR/04 respectively. The Scope of Work of DR/03 and DR/04 comprises of: Cleaning, De-silting and reclamation of *Ginnanies*, construction of new major drains through gravity, construction of pumping station, Augmentation of existing PS and interconnection with new pumping station; Construction of GRP Pumping Mains [2500 m] from Drainage Pumping Stations to disposal site, that is, Pond near Gajsar Village. The detailed components of the sub-project (DR-03 & DR-04) are described under para 3 of Chapter one. Construction of rainwater harvesting wells at Pankha Circle has been dropped from Scope of Work (refer to Annexure 10).

7. The Resettlement Plan was initially prepared in April 2012 and 66 Persons were identified as Affected Households (AHs), whose livelihood was expected to be temporarily affected during the time of construction work. By February 2014, some drains were realigned in view of the ground situation and lack of permission/delay in obtaining permission from some Line Departments or Stakeholders like the National Highway Authority of India (NHAI) and the Railways. Realignment of Drains resulted in change in the Involuntary Resettlement Impact (refer to **Annexure 9**). Due to change in alignment and impacted areas, the number of AHs was reduced from 66 to 20. Later on another change was made by IPIU-Churu in April/May 2015 i.e., the Rain Harvesting Structures proposed at Pankha Circle were dropped from the Scope of Work, Therefore, impact on households were further reduced from 20 to 15 (refer to Annexure 10). Now it has been again resulted in the reduction of Scope of Work, wherein impact on 12 families is avoided. Therefore number of AHs is further reduced from 15 AHs to 3 AHs only (refer to **Annexure 13**). Due to this, it is necessitated to revise the RP for the third time in October 2016.

8. This Resettlement Plan has been prepared in tune with the ADB's Safeguard Policy Statement, 2009 (SPS) and the agreed Resettlement Framework (RF). The Methodology prescribed by ADB was scrupulously adhered to, to find out any adverse or Involuntary Resettlement impacts in the project area. This Resettlement Plan is based on Transect Walks along the Impact areas. During Transect Walks, the milieu along the impact areas was observed and documented. Potential APs were also identified during Transect Walks. Transect Walks were followed by 100% Census and Socio-Economic Survey of Affected Households (AHs), and consultations with the AHs. The primary objective of this RP is to mitigate the adverse impacts of the intervention and to assist the AHs in resettlement and restoration of their livelihood. This subproject comes under **Category B**.

9. The Cut- off date of this RP is **10<sup>th</sup> April 2012**, the last day of Census and Survey. Notwithstanding the revision, the Cut-Off date will remain unchanged as (i) currently the Affected Households are 03 in number, were identified and enumerated by 10.4.2012 and (ii) no new additions have been after that date.

10. The Policy Framework and Entitlements for all the subprojects are based on National Laws and Policy, such as, the Land Acquisition Act, 1894 (amended in 1984), the National Resettlement Policy & Rehabilitation Policy (NRRP) 2007; ADB's Safeguard Policy Statement, 2009 (SPS); and the agreed Resettlement Framework (RF); notwithstanding the subproject has IR impact or not.

11. Thirty days before the commencement of work, the AHs will be notified to ensure zero or minimal disruption in livelihood. If required, they will also be assisted to temporarily shift to a location for continued economic activity. Compensation for lost income for the period of disruption will be provided.

12. The RP was prepared in consultation with the stakeholders. During Public Consultations and Transect Walks, information about the subproject, policy of ADB on safeguards etc. was disseminated; Consultations have been held and are being held with all the stakeholders regularly.

13. Affected Households can bring their grievances to the notice of the implementing NGO and the Social Development Expert (SDE) of the DSC. If the decision given by the NGO and SDE is not satisfactory, grievances will be referred to the City Level Committee which will act as the Grievance Redress Committee (GRC). The GRC will try to resolve the grievance within a month of receiving the grievance. If the GRC fails to deliver satisfactory decision or delays more than one month, appeal can be made to the Inter-Ministerial Empowered Committee. At any stage AHs may take their complaints to Court of Law.

**14. Institutional Framework, Resettlement Costs and Implementation Schedule:**

The Inter-Ministry Empowered Committee (EC) is the apex body that provides policy guidance to the Executing Agency, that is, the Local Self Government Department. The Executing Agency is responsible for overall technical supervision and execution of the sub-projects. The Implementing Agency (IA) in this Program is the Investment Program Management Unit (IPMU). The Investment Program Management Consultant (IPMC) is responsible for managing the Program and for technical quality assurance. The program area has been divided into three DSC zones. Each DSC is responsible for designing the infrastructure, supervision of implementation and construction. The City Level Committee (CLC) is the town-level organization that prioritizes the infrastructure needed for the town. NGOs have been appointed for resettlement plan implementation, community development and empowerment to ensure participation and collaboration of the community in the Program.

15. Monitoring and Evaluation mechanism has been built in this program for proper implementation of the Resettlement Plan. The Resettlement Plan embodies regular and periodic Internal Monitoring and Evaluation, as well as, External Monitoring and Evaluation.

## I. PROJECT DESCRIPTION

1. The Investment Program will optimize social and economic development in 15 selected towns<sup>1</sup> in Rajasthan through investments in urban infrastructure (water supply, wastewater management, solid waste management, urban drainage, and urban transport and roads), social infrastructure, and infrastructure support to cultural heritage. The Program will also provide policy reforms to strengthen urban governance, management, and support for urban infrastructure and services.<sup>2</sup> This Resettlement Plan (RP) has been prepared for the Churu Drainage [DR-03 and DR-04] subproject. Previously these two Packages were numbered as DR-01 and D-02 respectively.

2. The Subproject Dr-03 and DR-04 are designed to benefit most of the population of Churu, a population of 119856 (2011 census).

3. The components of the sub-project (DR-03 & DR-04) are:

(1) DR/03 comprises of: Cleaning, De-silting and reclamation of Ginnaies [5 nos]; Construction of New Major drains [8 no, total length 5255 m] to connect “Ginannies” through gravity; Construction of Drainage Pumping Station [1 no]; Construction of GRP Pumping Mains [5200 m from Drainage Pumping Stations to disposal site, Pond near Gajsar Village; Construction of Silt chamber at each entry point of the proposed drains *and*,

(2) DR-04 comprises of: Cleaning, De-silting and reclamation of Ginnaies [4 no]; Construction of New Major drains [8 no., total length 4530 m]; Construction of Drainage Pumping Station [1 no]; Augmentation of existing PS and interconnection with new pumping station; Construction of GRP Pumping Mains from Drainage Pumping Stations to disposal site, Pond near Gajsar Village [2500 m];

Construction of Silt chamber at each entry point of the proposed drains and Construction of Rainwater harvesting wells at Pankha Circle has been deleted from the Scope of Work (refer to **Annexure 10**).

4. Resettlement Plan was initially prepared in April 2012 and 66 persons were identified as Affected Households (AHs), whose livelihood was expected to be temporarily affected during the time of construction work. By February 2014, some drains were realigned in view of the ground situation and lack of permission/delay in obtaining permission from some Line Departments or Stakeholders like the National Highway Authority of India (NHAI) and the Railways. Realignment of Drains resulted in change in the Involuntary Resettlement Impact (refer to **Annexure 9**). Due to change in alignment and impacted areas, the number of AHs was reduced from 66 to 20. The areas which have been covered due to realignment have no Involuntary Resettlement (IR) impact. Later on another change was made by IPIU-Churu in April/May 2015 i.e., the Rainwater Harvesting Structures proposed at Pankha Circle were dropped from the Scope of Work. The proposed Rainwater Harvesting Structures were impacting 5 households. Due to reduction of Scope, numbers of AHs were again reduced from 20 to 15 AHs (refer to **Annexure 10**). Now, it has been again resulted in the reduction of Scope of Work, wherein impact on 12 families is avoided. Therefore number of AHs is

<sup>1</sup> Particularly district headquarters and towns with significant tourism potential.

<sup>2</sup> The assistance will be based on the State-level framework for urban reforms, and institutional and governance reforms recommended by the Government of India through the Jawaharlal Nehru National Urban Renewal Mission and Urban Infrastructure Development Scheme for Small and Medium Towns.

further reduced from 15 AHs to 3 AHs Due to this; it is necessitated to revise the RP for the third time in October 2016.

5. Summary of the subproject components is illustrated in the map as Figure 1 and 2 and its broad impact is described in as **Annexure 1**.

## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

6. In accordance with ADB Guidelines on Resettlement, Initial Social Assessment and ground realities, methods, techniques and tools for achieving defined objectives, were adopted under RUIDP/RUSDIP for preparation of RP for the Churu Drainage package 3 and 4.

7. For preparation of this RP, Transect Walks were undertaken along the impact areas (in April 2012, February 2014, June 2015 and October 2016) to identify persons/households likely to be affected by the subproject. During the Transect Walks in April 2012 it was observed that livelihood of 66 Households would be temporarily affected during construction work. This was followed by 100% Census and Socio-Economic Survey of the Affected Households (AHs). By 10th April 2012 all the AHs were enumerated. Hence, the cut-off date of this RP is 10.4.2012. Subsequently, some drains were realigned or dropped due to (i) ground situation and (ii) non-availability or delay in obtaining permission from the concerned agencies like the NHAI and the Railways (refer to **Annexure 9**). Due to the changed scenario, it was anticipated that Involuntary Resettlement would be impacted. Therefore, post realignment, all the impact areas were revisited in February 2014 and IR impacts were inventoried. It was observed that due to realignment of Drains, the number of AHs was reduced from 66 to 20. However, the areas which have been covered due to realignment have no Involuntary Resettlement (IR) impact. Subsequently, by April/May 2015, again the Scope of Work was changed; the Rain Harvesting Structures at Pankha Circle were dropped (refer to **Annexure 10**). This reduced the number AHs from 20 to 15. Updated RP was submitted and approved by ADB in August 2015.

8. Most recently, 12 AHs are avoided in this subproject due to curtailment in length of 70 M which passes through a very congested market, locally called Sabzi Mandi area, wherein 12 AHs are reported as likely to be affected for a temporary loss of livelihood once civil works commences. In this regard, a letter has been issued from Executive Engineer, IPIU-Churu which clearly defines that box drain can't be laid in this area which is highly commercial and congested too (refer to **Annexure 13**). Location wise drawing of that area is also depicted as **Annexure 14**. So yet again the RP is being revised in October 2016, as a result, number of AHs is further reduced from 15 to 3. These AHs (12 in number) are duly consulted and well informed about the reason of curtailment of drainage works in their areas (refer to **Annexure 15**). The Cut-Off date, as such will remain unchanged. **Annexure 1** provides the subproject components and resettlement impacts while **Table 2** provides the summary of Resettlement Impacts.

9. IPIU-Churu has already moved the ULB to handover unencumbered land for various constructions under this project. The letter addressed to the ULB and their response may be seen at **Annexure 2** and **Annexure 3**. The letter from ULB slated that there are 11 Ginnanies in Churu, out of which 4 Ginnanies, namely, Tajushah ka Takiya, Chandni Chowk,

Lohiha College Ground and Johri Sagar belong to the ULB. ADB questioned about the legal ownership of other Ginnanies. The Executive Engineer, IPIU, Churu, has clarified that other than the aforesaid 4 Ginnanies, all others are private. But notwithstanding the legal ownership, no construction work, like construction of Inlet Chambers (each Inlet Chamber needs 3 m X 2.5 m of land) will be undertaken inside the Ginnanies (refer to **Annexure 12**).

10. The subproject will not have any permanent physical or economic displacement. None of these small business structures are to be demolished. Originally, it was estimated that this subproject would affect the livelihood of 66 Households temporarily, but due to change in alignment and curtailment of scope from time to time, which are reduced to 3 AHs only. It has been confirmed that there would be no impact on built up properties like housing, shops, and commercial buildings, religious and public infrastructure. Social Impacts are confined to movable property placed on Right of Way (RoW), which is government land. Impacts are temporary in nature and these 3 small business set up might be losing their access to the daily normal business activities during the construction period. Most of these small businesses are running their business in a cabin, squatter in nature and operating their business on road side. Therefore, the loss of access to these shops during the construction phase may cause temporary loss of income for which provision of livelihood allowances have been made in the RP. These AHs would be able to re-establish their shops near the original place once the construction work is completed. However, access would be ensured by the implementing agency during construction work, These AHs are non-titleholders. The summary on various types of business activities to be temporarily affected is given in **Table 1**.

**Table 1: Type of Temporary Impact**

<b>Magnitude of Resettlement Impact</b>	<b>Number</b>
Permanent Land Acquisition (in ha)	0
Temporary Land Acquisition (in ha)	0
Temporarily Affected Households (AHs)	3
Titleholder Affected Households (AHs)	0
Non-Titleholder Affected Households (AHs)	3
AHs reported under Vulnerable Category:	3
➤ Below Poverty Line (BPL)	
Affected Persons (family members)	17
Average Household Size	5.7
AH Average Income (per month) in Rs, as per Socio-Economic data	3667
AH Average Income (per day) in Rs, as per Socio-Economic data	122
AH Average Income (per day) in Rs, after considering Minimum Wages Act (considered as per notification of Government of Rajasthan, 2015-16)	189
Affected Trees and Crops	0
Temporarily Affected CPRs	0
Type of Business done by Affected Households (AHs)	
Selling of Vegetables	1
Cycle Repair	1
Tea Stall	1

*Source: Census and Socio-Economic Survey*

### III. SOCIOECONOMIC PROFILE / INFORMATION

11. In accordance with ADB's Safeguard Policy Statement, 2009 (SPS), Initial social assessment and ground realities, certain methods, techniques and tools were adopted for preparation of RP for drainage subproject, Churu. To estimate the temporary impacts, initially a series of Transect Walks were conducted along all the design; this was followed by a 100% census and a socio-economic survey conducted initially in the impacted areas during the month of April 2012 and for second time in February 2014. This was conducted with the help of a predesigned tool. The Census was conducted using a questionnaire with a battery of questions. The census survey covered the assessment of impacts and gathered information related to the socio-economic profile of the affected households. Table 3 provides the socio economic data of the 3 AHs (all non-titleholders). Amongst these 3 AHs, two households are living under joint family while remaining one household reported as nuclear family. The average size of the family is 5.7 with a total number of affected persons as 17. All these three households (HHs) are Hindu and come under social category of backward class. Actual average monthly income as per survey is Rs. 3667. The details may be seen in the Socio-Economic Profile of the Affected Households at **Annexure 4** while summary of resettlement impacts are already been depicted in previous chapter.

### IV. PUBLIC CONSULTATION AND DISCLOSURE

12. RP was prepared in consultation with stakeholders. Meetings and individual interviews were held involving stakeholders, particularly potentially temporarily affected households. Transect walks, 100% census, survey and interviews were conducted to determine the potential impacts of sub-project construction to prepare the subproject Resettlement Plan. The meetings and discussion conducted with Municipal Council and also with city stakeholders. The issues like, awareness and extent of the project and development components, benefits of project for the economic and social upliftment of community, labour availability in the project area or requirement of outside labour involvement, local disturbances due to project construction work, necessity of tree felling etc. at project sites, water logging and drainage problem if any, drinking water problem, forest and sensitive area nearby the project site etc. During subproject preparation, consultations were held with the official representatives of the line agencies, apart from the communities in the project area. Consultations are being held with the AHs as well as habitants on regular basis. Summary of consultation records are provided in **Annexure 5 A-G**.

13. Following the model developed for the Multi-tranche Financing Facility (MFF), a town-wide stakeholder consultation workshop was conducted which provided an overview of the Program and sub-projects to be undertaken in Churu; Government and ADB's resettlement policies and potential resettlement impacts of the subprojects in Churu were discussed. During the workshop, Hindi versions of the Resettlement Framework (RF) was provided to ensure stakeholders understood the objectives, policy principles and procedures for any land acquisition, compensation and other assistance measures for any affected household. During consultations the participants had expressed satisfaction that this sub-project will be beneficial.

14. Information continues to be disseminated to affected persons and beneficiaries through various media. English and Hindi versions of the Resettlement Framework are placed in the Urban Local Body (ULB) office and affected persons have accesses to

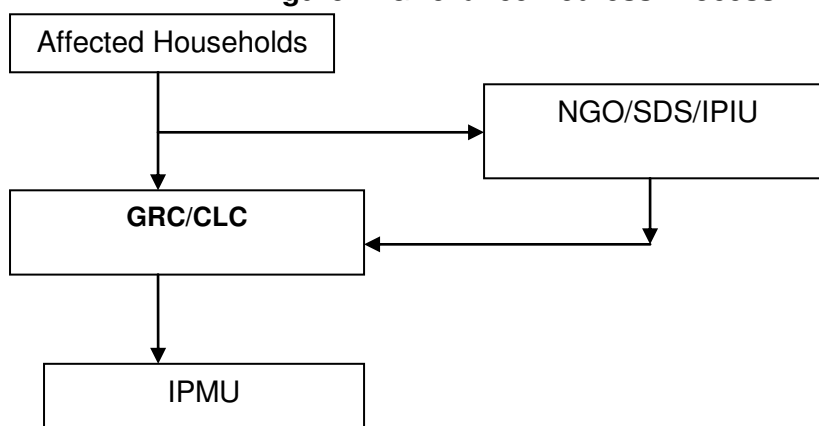
Resettlement Plan. The NGO engaged to implement the Resettlement Plan will continue consultations, information dissemination, and disclosure. A strategy for continued consultations and participation is in the Resettlement Framework. The finalized Resettlement Plan will also be disclosed in ADB's website, the State Government website, the local government website, and the IPMU and IPIU websites. Review of the RP by ADB and approval is required prior to award of civil works contracts; and compensation/assistance of affected persons is required to be disbursed prior to commencement of civil works. Consultation and disclosure activities that are to be followed are in Annexure 6.

15. All the likely to be affected households (12 in number) reported at Sabzi Mandi area are duly consulted and well informed about the reason of curtailment of drainage works in their areas (refer to **Annexure 15**).

## V. GRIEVANCE REDRESS MECHANISMS

16. Grievances of affected households will first be brought to the attention of the implementing NGO or Social Development Specialist (SDS). Grievances not redressed by the NGO or SDS will be brought to the City Level Committees (CLC) set up to monitor project implementation in each town. The CLC, acting as a grievance redress committee (GRC) is chaired by the District Collector with representatives from the ULB, state government agencies, IPIU, community-based organizations (CBOs) and NGOs. As GRC, the CLC will meet every month. The GRC will determine the merit of each grievance, and resolve grievances within a month of receiving the complaint, failing which the grievance will be addressed by the inter-ministerial Empowered Committee (EC). The Committee will be chaired by the Minister of Urban Development and Local Self Government Department (LSGD), and members will include Ministers, Directors and/or representatives of other relevant Government Ministries and Departments. Grievance not redressed by the GRC will be referred to the IPMU for action. At any stage, the AHs may take their complaints to a Court of Law. The IPIU will keep records of all grievances received including: contact details of complainant, date that the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. The grievance redress process is shown in Figure 2. All costs involved in resolving the complaints will be borne by the IPMU. The GRCs will continue to function throughout the project duration.

**Figure 2: Grievance Redress Process**



*CLC = City Level Committee, GRC = Grievance Redress Committee, NGO = nongovernmental organization, SDS = Social Development Specialist.*

## VI. POLICY AND LEGAL FRAMEWORK

17. The Legal Framework and entitlements for the Program are based on National Laws, The Land Acquisition Act, 1894 (and as amended in 1984) and the National Rehabilitation and Resettlement Policy (NRRP) for Project Affected Persons, 2007; ADB's Safeguard Policy Statement, 2009 (SPS); and the agreed Resettlement Framework (RF). Based on these, the following core involuntary resettlement principles are provided below while detailed policy framework including the comparison of national laws and policies with ADB's SPS is given in Annexure 7:

- (i) Land acquisition and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative sub-project designs;
- (ii) Where unavoidable, time-bound Resettlement Plans will be prepared and affected households (AHs) will be assisted in improving or at least regaining their pre-program standard of living;
- (iii) Consultation with affected persons on compensation, disclosure of resettlement information to affected persons, and participation of affected households in planning and implementing sub-projects will be ensured;
- (iv) Vulnerable groups will be provided special assistance<sup>3</sup>: (e.g. BPL, WHH, disabled, minority and indigenous people);
- (v) Payment of compensation to affected households including non-titled persons (e.g., informal dwellers/squatters and encroachers) for acquired assets at replacement rates;
- (vi) Payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities;
- (vii) Provision of income restoration and rehabilitation; and
- (viii) Establishment of appropriate grievance redresses mechanisms.

## VII. ENTITLEMENTS

18. All AHs who are identified in the subproject areas on the cut-off date will be entitled to compensation for their affected assets, and rehabilitation measures (as outlined in the entitlement matrix below) sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. Compensation eligibility is limited by a cut-off date for the AHs as the day of completion of the census survey which is 10 April 2012. Families who settle in the affected areas after the cut-off date will not be eligible for compensation and assistance. They however will be given sufficient advance notice (30 days) and will be requested to vacate premises and dismantle affected structures prior to project implementation. However IPIU and the NGO have provided the identity cards (ID) to all the AHs (**Annexure 8**). But due to change in alignment and curtailment in scope, numbers of AHs are reduced from 66 to 3 AHs. Compensation has been paid to two AHs while remaining household reported 'Missing' after the cut-off date. In this regard, ward parshad had issued Missing certificate. Decision has been taken by the Implementation Agency to disburse the compensation one month prior before commencement of civil works in the particular stretch. The entitlement matrix for the subproject is described in Table 3 and AHs wise elaborated in as Annexure 4.1.

<sup>3</sup> Including poor households, households headed by women, the elderly, the disabled and scheduled tribes considered vulnerable based on the agreed Indigenous Peoples Development Framework (IPDF).

**Table 3: Entitlement Matrix**

Sl. No	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
1	Temporary disruption of livelihood		Legal Titleholders	<p>30 days advance notice regarding construction activities, including duration and type of disruption</p> <p>Contractor's<sup>4</sup> actions to ensure there is no income<sup>5</sup>/access loss consistent with the IEE.<sup>6</sup></p> <p>Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity<sup>7</sup></p> <p>For construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption, whichever is greater</p>	Identification of alternative temporary sites to continue economic activity	<p>Valuation Committee will determine income loss.</p> <p>Contractors will perform actions to minimize income/access loss.</p>
2	Impacts on vulnerable affected persons	All impacts	Vulnerable affected persons	Livelihood. Vulnerable households will be given priority in project construction employment	Vulnerable households will be identified during the Census	NGO will verify the extent of impacts through a 100% survey of affected households, determine assistance, verify and identify vulnerable households.

<sup>4</sup> As mentioned in Clause 93.1 of Section VIII: Particular Condition of Contract of Bid Document

<sup>5</sup> Minimum wage in Rajasthan is now Rs.189/- per day for Un-Skilled Laborers.

<sup>6</sup> This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

<sup>7</sup> For example assistance to shift to the other side of the road where there is no construction.

<b>Sl. No</b>	<b>Type of Loss</b>	<b>Application</b>	<b>Definition of Entitled Person</b>	<b>Compensation Policy</b>	<b>Implementation Issues</b>	<b>Responsible Agency</b>
3	Any other loss not identified			Unanticipated involuntary impacts will be documented and mitigated based on the principle of the Resettlement Framework (RF)		NGO will ascertain the nature and extent of such loss. IPMU will finalize the entitlements in line with the RF

IEE-Initial Environmental Examination, IPMU- Investment Program Management Unit, NGO- Non-Governmental Organization

## **VIII. TEMPORARY RELOCATION OF SMALL BUSINESS**

19. The subproject will not require any relocation or shifting. 66 AHs were initially reported. But due to change in alignment and curtailment in scope, these 66 AHs were gradually reduced afterward from 66 to 20 to 15 to 3 AHs respectively. Impact on these AHs is temporarily in nature due to short term loss of access, resulting temporarily loss of livelihood. They will be provided 30 days advance notice to ensure no or minimal disruption in livelihood. If required, they will also be assisted to temporarily shift for continued economic activity. For example they will be assisted to shift to the other side of the road where there is no construction. However, this subproject does not require any permanent relocation. Ensuring there is no income or access loss during subproject construction is the main responsibility of the IPIU. Consistent with the initial environmental examination, contractors will ensure: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

## **IX. INCOME RESTORATION & REHABILITATION**

20. Now in this sub-project, 3 AHs have been identified whose livelihood will be temporarily affected during the time of construction. These AHs will be compensated for temporary income loss. Compensation for Loss of Livelihood is computed on the basis that maximum 20 days is required for construction of drain for a stretch of 200 m. Average daily income of the AHs, but not less than the Minimum Wage in Rajasthan in vogue, is taken into account for calculating the Compensation for Loss of Livelihood. During consultation, these AHs which are mainly squatters, agreed to shift to a convenient location. Under approved RP, an estimated Budget provision for Livelihood assistance for all and shifting assistance for kiosks/vendors for marginal shifting (other side of the road, if required) was made. Mainly RP includes three types of compensation 1) Livelihood assistance, 2) Shifting assistance, 3) Vulnerability assistance. A Micro Plan will be prepared to constitute the Replacement Cost on the basis of economic data provided by the AHs during socio-economic survey. The Micro Plans helps out to identify the AHs which are below minimum wage rate at the time of disbursement to ensure additional compensation to these AHs. It also takes care of the time lags, minimum wages, escalation etc. Micro Plan considers the real impact on AHs and also ensured that all the AHs are compensated for time over run and entire period of disturbance.

## **X. RESETTLEMENT BUDGET**

21. The resettlement cost estimate for the Churu Drainage subproject includes resettlement assistance, as outlined in the entitlement matrix, support cost for RP implementation and contingency provision amounting to be 5% of the total cost. The state government will be responsible for releasing the funds for resettlement in a timely manner. The total resettlement cost for the subproject is INR 140755. The resettlement cost items and estimates are outlined in Table 4.

### Table -4 –Summary of Land Acquisition and Resettlement Costs

Srl.	Item	Unit	AHs	Rate Rs.	Cost
<b>1.</b>	<b>Relocation &amp; Transfer</b>				
	Loss of livelihood	20 Days	03	189**	11340
	Additional assistance to Vulnerable groups/Individuals	20 Days	03	300	18000
	Shifting assistance (only to Cabin owners/owners of semi-permanent structures)	LS	03	200	600
	<b>Sub Total Item 1</b>				<b>29940</b>
<b>2</b>	<b>Administrative &amp; Implementation costs</b>				
	Implementing NGO covering NGO engagement, cost of census and survey of Aps and inventory of assets, cost of information and consultations, training and monitoring (including evaluation by independent agency), and rental of office space and required physical facilities and materials.	Lump Sum			100000
<b>3</b>	<b>Contingencies</b>				
	Price (5%) of Project Cost				10815
<b>Total</b>					<b>140755</b>

\*\* The amount is based on the average per day income as derived from the census and socio economic survey (after considering the minimum wage act, 2015-16, which is Rs. 189).

The following compensation framework is just for reference:

Note: Based on assessment made during the socio-economic survey.

Please Note: Any structure which gets affected partially or fully due to the project implementation would be restored/re-constructed again by the contractor/in-charge of that sub-project. This has been included in the TOR of the contractor and RUIDP will ensure that this gets done.

Note- Additional Assistance to Vulnerable Vendors/Shop Owners for loss of Livelihood.

Less than 3 days impact- @ Rs 500/-per day, Between 4 to 7 days impact-@ Rs 400/-per day, Between 8 to 15 days impact-@ Rs 350/-per day. Between 16 to 31 days impact-@ Rs 300/-per day. More than 31 days impact- A lump sum of Rs 10000/-

## XI. IMPLEMENTATION SCHEDULE

### Table -5 – Schedule of Resettlement Implementation

[illegible]

Activity	Months																	
ID cards)																		
vi. Consultations and disclosure		♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
vii. Confirmation of government land to be used and transfer from other departments	♦	♦																
viii. RP preparation**		♦	♦															
ix. RP review and approval (PMU and ADB) ***			♦															
x. Issue notice to Aps				♦														
xi. Compensation and resettlement assistance			.	.	♦	♦	♦											
xii. Relocation as required	.	.	.	.	♦	♦	♦											
xiii. Skills training as required	.	.	.	.	♦	♦	♦											
xiv. Takeover of possession of acquired property	.	.	.	.	.	.	.	♦	♦	♦								
xv. Internal monitoring	.	.	.	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
xvi. Handover land to contractors	.	.	.	.	.	.	.	.	.	.	.	♦						
xvii. Start of civil works	.	.	.	.	.	.	.	.	.	.	.	.	♦					
xviii. External monitoring	.	.	.	.	.	.	.	.	.	.	.	.	♦					♦
xix. Rehabilitation of temporarily occupied lands	.	.	.	.	.	.	.	.	.	.	.	.	.	.		Immediately after construction		

## XII. INSTITUTIONAL FRAMEWORK FOR RESETTLEMENT

22. The LSGD is the Executing Agency (EA) responsible for overall technical supervision and execution of all sub-projects funded under the Program. The Implementing Agency (IA) is the Project Management Unit of the ongoing RUIDP, which has been expanded and assigned as the IPMU, to coordinate construction of subprojects and ensure consistency across the towns. The EC provides LSGD with central policy guidance and coordination. The IPMU is assisted by: Investment Program Management Consultants (IPMC) who manages the Program and assure technical quality of the design and construction; and Design and Supervision Consultants (DSC), who are designing the infrastructure, managing the tendering of Contractors, and supervising construction.

23. IPIUs have already been established in the project towns to manage implementation of subprojects in their area. CLCs will monitor sub-project implementation in each town.

They will appoint Construction Contractors (CC) to build elements of the infrastructure in a particular town (supervised by DSC). Once the infrastructure begins to operate, responsibility will be transferred to the appropriate state or local Government Agency (GA), who will be given training, support and financial assistance through the Program where necessary to enable them to fulfill their responsibilities. They will employ local Operations and Maintenance Contractors (OMC) to maintain and repair the infrastructure as required.

24. Resettlement issues are coordinated by a Social Development Specialist (IPMU SDS) within the IPMU, who ensures that all sub-projects comply with involuntary resettlement safeguards. A Resettlement Specialist (RS) who is part of the IPMC team assists the SDS. SDS, as part of the DSC, have been appointed to work with each IPIU to update the Resettlement Plan in the detailed design stage, and to prepare Resettlement Plans for new subprojects, where required to comply with Government and ADB policies. NGO is appointed to implement Resettlement Plans. The resettlement costs, implementation schedules and the responsible agencies are provided in Table 4, 5 and 6 respectively.

**Table 6: Institutional Roles and Responsibilities**

<b>Activities</b>	<b>Agency Responsible</b>
<b>Sub-project Initiation Stage</b>	
Finalization of sites/alignments for sub-projects	IPMU
Disclosure of proposed land acquisition and sub-project details by issuing Public Notice	IPMU NGO
Meetings at community/household level with Aps of land/property	IPMU
Formation of Valuation Committees	
<b>RP Preparation Stage</b>	
Conducting Census of all AHs	IPMU/IPIU/NGO
Conducting FGDs/meetings/workshops during SIA surveys	IPIU/NGO
Computation of replacement values of land/properties proposed for acquisition and for associated assets	VC/IPIU
Categorization of AHs for finalizing entitlements	IPIU/IPMU
Formulating compensation and rehabilitation measures	IPIU/IPMU
Conducting discussions/meetings/workshops with all AHs and other stakeholders	IPIU/NGO
Fixing compensation for land/property with titleholders	VC/IPMU
Finalizing entitlements and rehabilitation packages	IPIU/IPMU
Disclosure of final entitlements and rehabilitation packages	IPIU/NGO
Approval of RP	IPMU/ADB
Sale Deed execution and payment	IPMU
Taking possession of land	
<b>Resettlement Plan Implementation Stage</b>	
Implementation of proposed rehabilitation measures	NGO/SDS
Consultations with AHs during rehabilitation activities	NGO/SDS
Grievances redressal	NGO/SDS/GRC
Internal monitoring	IPIU
External monitoring	External Agency

AH=affected household, VC=Valuation Committee, FGD=focus group discussions, GRC = Grievance Redress Committee, NGO = nongovernmental organization, IPMU = investment program management unit, IPIU = investment program implementation unit, SDS = Social Development Specialist, RP=resettlement plan, SIA=social impact assessment.

### **XIII. MONITORING AND EVALUATION**

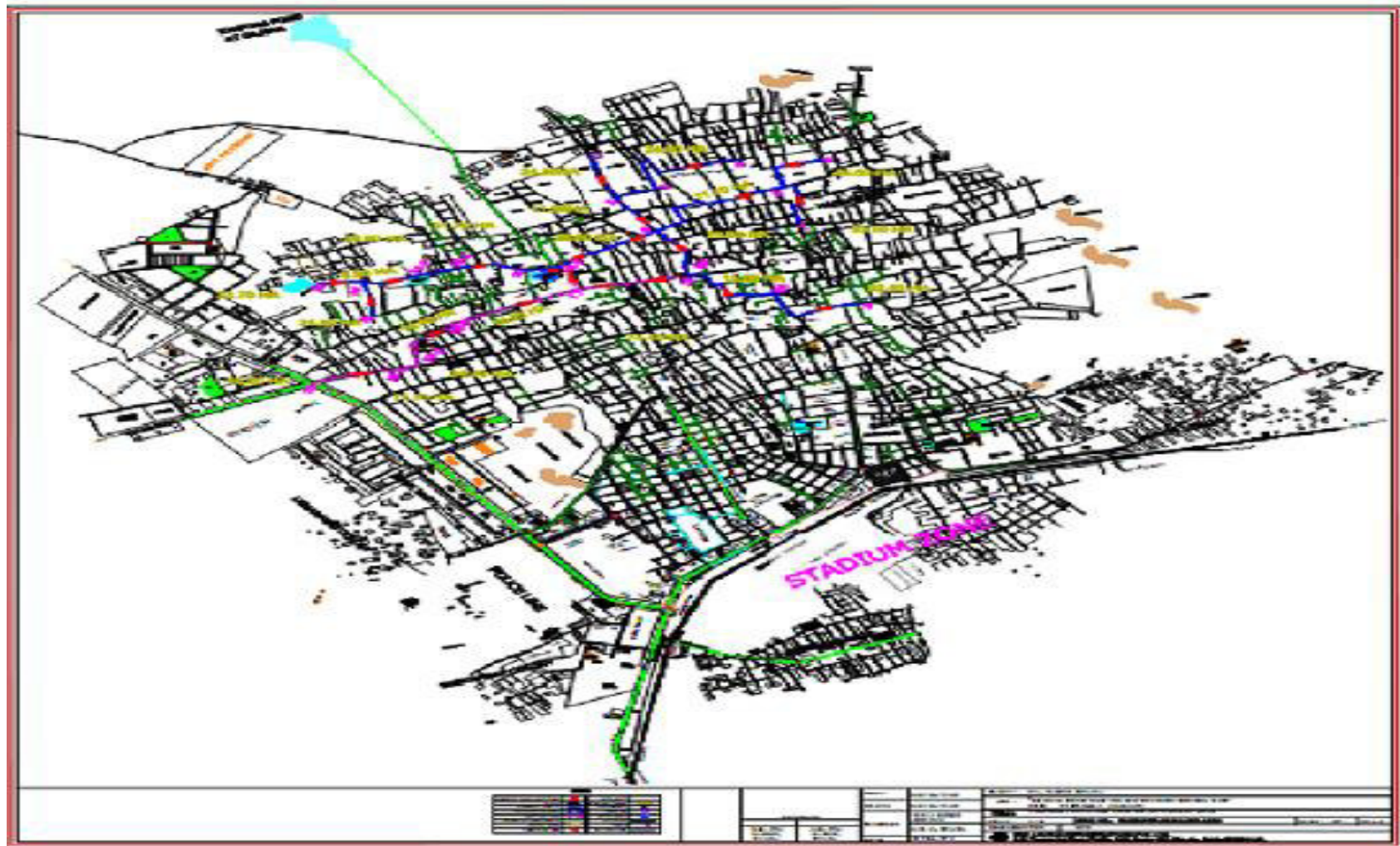
25. Resettlement Plan implementation will be closely monitored to provide the IPMU with an effective basis for assessing resettlement progress and identifying potential difficulties

and problems. Internal monitoring will be undertaken by the IPIU with assistance from the IPMU. Internal monitoring will involve: (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the socio-economic survey of AHs undertaken during project sub-preparation, and (iii) overall monitoring to assess AH status. Job charts will be given to the SDS. The job charts will indicate the targets to be achieved during the month. Monthly progress report will be prepared and submitted to the IPMU, reporting actual achievements against the targets fixed in their respective job charts and reasons for shortfalls, if any. The IPIU will be responsible for managing and maintaining AH databases, documenting results of AP census, and verifying asset and socio-economic survey data which will be used as the baseline for assessing RP implementation impacts. The EA will appoint an independent agency to undertake external monitoring to document: (i) restoration of income levels; (ii) changes and shifts in occupation pattern; (iii) changes in AH type of housing; (iv) assessment of AHs access to amenities, such as water, electricity, and transportation; and (v) performance of NGO, IPIU, and IPMU in resettlement implementation. The independent agency will monitor sub-projects twice a year and submit reports directly to the EA (IPMU). The Executing Agency will submit all external monitoring reports to ADB for review. Further details are in the Resettlement Framework.

**Figure 1: Drain-01/03**



Figure 2: Drain-02/04



## Annexure 1

**SUB-PROJECT COMPONENT AND RESETTLEMENT IMPACTS (as on Oct 2016)**  
**DR/03:**

**(A) Ginnani \*\*\***

<b>Sl.No.</b>	<b>Name and Location</b>	<b>Proposed Works</b>	<b>IR Impact</b>
01	Taju Shah Takiya Ginani	De-silting, Filling, Cleaning and Reclamation	No IR Impact, All constructions will be on Government Land.
02	Ginnani near Prem Printer, Gandhi Park and Gandhi Nagar		No IR Impact, All constructions will be on Government Land.
03	Om Colony Ginnani		No IR Impact, All constructions will be on Government Land.
04	Ginnani behind Municipality Office and near Bhartiya Kothi		No IR Impact, All constructions will be on Government Land.
05	Ginnani in Lohiya College Ground	De-silting, Filling, Cleaning and Reclamation	No IR Impact, All constructions will be on Government Land.

**(B) Drains**

<b>Sl. No</b>	<b>Name of the Drain</b>	<b>Size</b>	<b>Length</b>	<b>IR Impact</b>
01	Alok Cinema to Taju Shah Takiya	0.30 m X 0.30 m 0.60 m X 0.45 m	140 m 700 m	No IR Impact
02	Samadhi Sthal to Gandhi Nagar Ginnani	0.60 m X 0.45 m	291 m	Livelihood of 1 Household will be temporarily affected.
03	Gandhi Park to Prem Printer	600 mm dia pipe	273 m	No IR Impact
04	Gandhi Nagar to Prem Printer	1.0 m X 0.60 m 1.0 m X 0.75 m 1000 mm dia pipe	454 m 96 m 72 m	No IR Impact
05	Bhartiya Bhawan to Stadium	1.00 m X 0.60 m 1.25 m X 0.60 m 900 mm dia pipe	69 m 136 m 231 m	No IR Impact
06	Taju Shah Takiya to Stadium	1.25 m X 0.75 m 1.50 m X 1.00 m 2.0 m X 1.25 m 1100 mm dia 1200 mm dia 1400 mm dia	30 m 189 m 318 m 247 m 241 m 68 m	No IR Impact
07	Collectorate to Stadium		1050 m	No IR Impact
08	Sainik Rest house to Stadium		650 m	No IR Impact
<b>Total Length</b>			<b>5255 m</b>	<b>01 AH</b>

**(C) Pumping Station**

Sl. No.	Name/Location	Area	IR Impact
01	Lohiya College Ground/ Stadium	30 m X 60 m	No IR Impact – On Government Land

**(D) Pumping Mains**

Sl.No.	Route/Alignment	Diameter	Length	IR Impact
01	From Lohiya College Ground/Stadium to Bhartiya Hostel – Pankha Circle – PMC – RICCO Road No.05 – Polytechnic College – Hanuman Gadi – Gajsar Pond	600 mm	5200 m	No IR Impact

**(E) Disposal Site**

Sl. No.	Location	IR Impact
01	The Drain Water will be discharged to existing Pond near Gajsar Village where Johri Sagar PS is already disposing drain/rain/storm water	NIL

**DR/04:****(A) Ginnani \*\*\***

S. No.	Name and Location	Proposed Works	IR Impact
01	Chandni Chowake Ginnani	De-silting, Filling, Cleaning and Reclamation	No IR Impact, All constructions will be on Government Land.
02	Behind Circuit House		No IR Impact, All constructions will be on Government Land.
03	Gayatri Nagar		No IR Impact, All constructions will be on Government Land.
04	Ginnani behind Municipality Office and near Bhartiya Kothi		No IR Impact, All constructions will be on Government Land.

**(B) Drains**

S. No.	Name of Drain	Size of Drain	Length (m)	IR Impact
1	Drain from Node no. 15 to 14	1.0 m X 0.60 m	180 m	No IR Impact
2	Node No. 14 to 14-1	1.0 m X 0.60 m	220 m	No IR Impact

S. No.	Name of Drain	Size of Drain	Length (m)	IR Impact
		1.25 m X 0.60 m	60 m	
		1.50 m X 0.75 m	100 m	
3	Node No. 14-1 to 10	1.50 m X 1.00 m	510 m	No IR Impact
4	Node 9 to 8	1.00 m X 0.75 m	1410 m	No IR Impact
5.	Node 7 to 5	0.75m X 0.75 m	390 m	No IR Impact
6.	Node 6 to 5	m X 0.75 m	210 m	No IR Impact
		1100 mm dia pipe	180 m	
7.	Node 5 to 8	1400 mm dia pipe	760 m	Livelihood of 2 Household will be temporarily affected.
8.	Node 8 to 10	2.50 m X 1.50 m	510 m	0
9	Pankha Circle to Johari Sagar			No IR Impact envisaged
<b>Total Length</b>			<b>4530 m</b>	<b>2 AHs</b>

**(C) Pumping Station**

Sl. No.	Name/Location	Area	IR Impact
01	Johari Sagar	50 m X 50 m	No IR Impact – On Government Land

**(D) Pumping Mains**

Sl.No.	Route/Alignment	Diameter	Length	IR Impact
01	From Johari Sagar to Gajsar Pond	600 mm	2500 m	No IR Impact – On Government Land

**(E) Disposal Site**

Sl. No.	Location	IR Impact
01	The Drain Water will be discharged to existing Pond near Gajsar Village where Johri Sagar PS is already disposing drain/rain/storm water	No IR Impact – On Government Land

\*\*\* With regard to Ginnanies, observation/comments of ADB has been clarified by the Executive Engineer, IPIU, Churu, vide his letter No. RUSDIP/IPIU/Churu/14-15/499 dated 30.7.2015 which is at Annexure 3.

## Annexure 2

## Letter from EE, IPIU to Chairman, Muncipal Council-Churu

**RUIDP**

राजस्थान सरकार  
कार्यालय अधिशाषी अभियंता, आई.पी.आई.यू.  
राजस्थान शहरी क्षेत्र विकास विनियोजन कार्यक्रम (आर.यू.एस.डी.आई.पी.)  
(आर.यू.आई.डी.पी.-द्वितीय चरण)  
पी.एम.सी. कैम्पस, भालेशी रोड, चुरू-331001.

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वेबसाइट - www.ruidp.gov.in

क्रमांक 801

आयुक्त  
नगर परिषद,  
चुरू,

दिनांक 13.10.2011

विषय :- चुरू शहर की विभिन्न गिन्नाणियों के भू-स्वामीत्व संबंधी जानकारी बाबत ।

उपरोक्त विषयान्तर्गत लेख है कि आर. यू आई डी. पी. द्वारा चुरू शहर की ड्रेनेज योजना तैयार की जा रही है । इस कार्य में चुरू शहर की समस्त गिन्नाणियों संबंधी समस्याओं का निवारण किया जाना निहित है । अतः आपसे निवेदन है कि चुरू शहर की समस्त गिन्नाणियों की क्षेत्र वार सूचना मय गिन्नाणि की भूमि के स्वामीत्व की जानकारी सहित भिजवाने की कृपा करें ।

प्रतिलिपि श्रीमान् जिला कलक्टर महोदय चुरू को सादर सूचनार्थ

अधिशाषी अभियंता  
RUSDIP, IPIU, चुरू

अधिशाषी अभियंता  
RUSDIP, IPIU, चुरू

English Translation:

Letter addressed to Commisioner, Muncipal Council-Churu to provide land ownership detail of pond and depression area where the RUIDP works is going on.

## Response letter from Chairman, Municipal Council-Churu to EE, IPIU

कार्यालय आयुक्त, नगर परिषद चूरु  
क्रमांक-1718  
दिनांक-31-5-12

श्री अधिराणी अभियंता,  
आर.यू.आई.डी.पी. चूरु

विषय:- चूरु शहर की ड्रेनेज योजना हेतु विभिन्न गिन्नामीयों के भू-स्वामित्व की जानकारी बाबत  
संदर्भ:- आपका कार्यालय पत्र क्रमांक 851 दिनांक 25.11.2011

उपरोक्त विषयान्तर्गत संदर्भित पत्र के क्रम में लेख है कि वर्तमान में चूरु शहर में निम्नलिखित गिन्नामीयों का समाधान आर.यू.आई.डी.पी की ड्रेनेज योजना के अन्तर्गत होना प्रस्तावित है -

1. राजू शाह का तकिया
2. चौदनी चौक
3. लोहिम कॉलेज ग्राउण्ड
4. चौहरी सागर
5. प्रेम गिन्तर के पास
6. गांधी मार्ग और गांधी नगर
7. ओम कॉलोनी
8. चूरु नगर परिषद के पीछे
9. गांधी नगर गिन्नामी
10. सर्जिट हाउस के पीछे
11. बरौली कौटी के पास

क्रम 1 से चार तक की मुख्य गिन्नामीयों, जहां पर निर्माण कार्य हेतु भूमि की आवश्यकता है, का भू-स्वामित्व वर्तमान में नगर परिषद चूरु के अधीन है तथा आर.यू.आई.डी.पी. द्वारा ड्रेनेज योजना के क्रियान्वयन हेतु भूमि की मांग करने पर आवश्यक भूमि नगर परिषद चूरु द्वारा उपलब्ध करवा दी जाएगी। उसके अतिरिक्त शेष गिन्नामीयों को ड्रेनेज नेटवर्क से जोड़ने के लिए आवश्यक सुविधा भी नगर परिषद चूरु द्वारा प्रदान की जायेगी।

आयुक्त,  
नगर परिषद चूरु

English Translation of Above Letter from Municipal Council

Office of the Commissioner, Churu Municipality

Serial No 1918

Date:- 31.05.2012

To

The Executive Engineer  
RUIDP, Churu

**Subject: Regarding information on ownership of various depressions for Drainage project of Churu town**

*Ref: your letter no. 851 dated 25.11.2011*

With reference to the above letter, the restoration of following depression is proposed under drainage project under RUIDP-

1. Taju Shah Ka Takya
2. Chandni Chowk
3. Lohiya College Ground
4. Jowhari Sagar
5. Prem Printer ke Pass
6. Gandhi Park & Gandhi Nagar
7. Om Colony
8. Behind Churu Nagar Parishad
9. Gayatri Nagar Depression
10. Behind Circuit house
11. Near Bhartiya Kothi

The major depressions from Serial no 1 to 4 is currently in the possession of Churu Municipal Corporation and land will be made available by Churu Municipality to RUIDP for the implementation of Drainage project. In addition, other necessary facilities will also be provided by Churu Municipality to connect the rest of the depressions with the drainage network.

Commissioner

Churu Nagar Parishad

## SOCIO-ECONOMIC SURVEY SUMMARY OF AHs

S.No.	Name of the AP with Address		Occupation (Service/Business)	Type of Structure (Pucca/Semi-Pucca/Kutcha/Cabin/Kiosk/Mobile)	Rented/Owned	Social Category (Gen/SC/ST/OBC)	Vulnerability (BPL - WHH)	Type of Family (Nuclear/Joint/Extended)	Number of Family Members	Monthly Income (P.M)	NODE No.
	<b>Samadhi Sthal to Gandhi Nagar</b>										
01	Shiv Bhagwan S/o Sh. Duda Ram		Vegetable Shop	Cabin	Owned	OBC	BPL	Joint	5	2000	SS2-SS3
	<b>Node No 5 to 8</b>										
02	Gulshan Bhargav S/o Sundermal		Cycle Repairing	Cabin	Rented	OBC	BPL	Nuclear	4	4000	N5-N8
03	Rajkumar S/o Kishardev Saini		Tea Shop	Cabin	Owned	OBC	BPL	Joint	8	5000	N5-N8

## Annexure 4.1

## COMPENSATION &amp; ASSISTANCE TO AHs

S.No	Name of the AP with Address	Name of the Head of Family (Father/Mother)	Type of Structure (Pucca/Semi-Pucca/Kutcha/Cabin/Kiosk/Mobile)	Vulnerability (BPL-WHH)	Basis of Compensation & Assistance
	<b>Samadhi Sathal to Gandhi Nagar</b>				
1	Shiv Bhagwan S/o Sh. Duda Ram	Shiv Bhagwan	Cabin	BPL	Com+AAV+SA
	<b>Node No 5 to 8</b>				
02	Gulshan Bhargav	Sunder Mal	Cabin	BPL	Com+AAV+SA
03	Rajkumar	Kishardev Saini	Cabin	BPL	Com+AAV+SA

Com: Compensation, AAV: Additional Assistance to Vulnerable, SA: Shifting Assistance

## PUBLIC CONSULTATIONS

**NAME OF THE SURVEYOR:** Kalidatta Das, Ratan Singh, J.P.Sharma, K.K.Hatwal, Prakash Saini

**DATE OF SURVEY & CONSULTATION:** 31.3.2012

**LOCATION ADDRESS:** Near Samadhi Sthal and From Chawala House to Dharam Stup

### ISSUES DISCUSSED:

At the outset, the congregation was told about RUIDP, its activities and the source of its funding by ADB. They were told about the Drainage sub-project. The Resettlement Framework, Entitlements under the Program was explained to them.

1. Community's perception on likely Strength and Weaknesses of the Sub-Project
  - (i) A better drainage system was considered to be the strength.
2. Community's Perception on Likely Disturbances during Sub-Project Construction Work.
  - (i) The Respondents are aware that construction of drainage would create some disturbance; but that is to be tolerated.
  - (ii) The affected persons said that they would either move to the edge of the ROW or to some other suitable place so as not to create any hindrance in the work.
  - (iii) The affected persons said that they would relocate themselves according to their convenience.
  - (iv) The affected persons said that since they are sitting on government land, they would accept whatever assistance is given to them by government.
3. Anticipated Impacts on Livelihood due to Construction Work of the Sub-Project
  - (i) The affected persons anticipated limited impact as they would move out to convenient places to continue with their earning of livelihood.
  - (ii) Not willing to work as laborer as they have never done such work.

### DETAILS OF PARTICIPANTS

Name	Occupation
Shiv Bhagwan	Vegetable Shop
Om Prakash	Vegetable Shop
Maniram	General Store
Dilip Kumar	Vegetable Shop
Vikash Saini	Juice Center

Name	Occupation
Yogesh Sharma	General Store
Hunat Ram	Tea Shop
Pawan Kumar	Audio Cassette Shop
Hanuman Prasad	Vegetable Shop
Dinesh Parihar	Vegetable Shop
Naresh Parihar	Tea Shop
Dungarmal	Tea Shop
Dayanand	Vegetable Shop
Hitesh	Vegetable Shop
Hament	Vegetable Shop
Pramod Sharma	Tea Shop
Rawat Ram	General Store
Shankar Lal	Hair Dresser
Mahaveer Prashad	Tyre Repairing
Vinod Kumar	Grocery Shop
Kaisher Dev	Vegetable & Fruit shop
Prakash Saini	Grocery Shop
Mohan Lal Saini	Vegetable Shop
Subkaran	Vegetable Shop
Shiv Bhagwan	Juice Center
Chagan Lal	Pan Shop
Suresh	Chat Shop
Namee Chand	Chat Shop
Vishwanath	Tea Shop
Jagdish Prashad	Tea Shop
Ramavtar	Grocery Shop
Sushil Saini	Tea Shop
Purshottam	STD PCO
Sattar	Grocery Shop
Yushaf	Grocery Shop
Navratan Mal	Grocery Shop
Salim	Grocery Shop
Jagdish	Chat Shop

### PUBLIC CONSULTATIONS

**NAME OF THE SURVEYOR:** Kalidatta Das, Ratan Singh, J.P.Sharma, K.K.Hatwal

**DATE OF SURVEY & CONSULTATION:** 02.04.2012

**LOCATION ADDRESS:** Om Colony & Madan Color Lab near Vishwakarma Temple.

**ISSUES DISCUSSED:**

At the outset, the congregation was told about RUIDP, its activities and the source of its funding by ADB. They were told about the Drainage sub-project. The Resettlement Framework, Entitlements under the Program was explained to them.

1. Community's perception on likely Strength and Weaknesses of the Sub-Project
  - (i) A better drainage system was considered to be the strength.
2. Community's Perception on Likely Disturbances during Sub-Project Construction Work.
  - (i) The Respondents are aware that construction of drainage would create some disturbance; but that is to be tolerated.
  - (ii) The affected persons said that they would either move to the edge of the ROW or to some other suitable place so as not to create any hindrance in the work.
  - (iii) The affected persons said that they would relocate themselves according to their convenience.
  - (iv) The affected persons said that since they are sitting on government land, they would accept whatever assistance is given to them by government.
3. Anticipated Impacts on Livelihood due to Construction Work of the Sub-Project
  - (i) The affected persons anticipated limited impact as they would move out to convenient places to continue with their earning of livelihood.
  - (ii) Not willing to work as laborer as they have never done such work.

### DETAILS OF PARTICIPANTS

Name	Occupation
Sampat Lal Sharma	Tea Shop
Papu Saini	Florist
Bajrang Lal Sharma	Pan Shop

**Annexure 5 (C)****PUBLIC CONSULTATIONS**

**NAME OF THE SURVEYOR:** Kalidatta Das, Ratan Singh, J.P.Sharma, K.K.Hatwal

**DATE OF SURVEY & CONSULTATION:** 05.04.2012

**LOCATION ADDRESS:** From Johari Sagar to Goyenka ESR.

**ISSUES DISCUSSED:**

At the outset, the congregation was told about RUIDP, its activities and the source of its funding by ADB. They were told about the Drainage sub-project. The Resettlement Framework, Entitlements under the Program was explained to them.

1. Community's perception on likely Strength and Weaknesses of the Sub-Project

A better drainage system was considered to be the strength.

2. Community's Perception on Likely Disturbances during Sub-Project Construction Work.

(i) The Respondents are aware that construction of drainage would create some disturbance; but that is to be tolerated.

(ii) The affected persons said that they would either move to the edge of the ROW or to some other suitable place so as not to create any hindrance in the work.

(iii) The affected persons said that they would relocate themselves according to their convenience.

(iv) The affected persons said that since they are sitting on government land, they would accept whatever assistance is given to them by government.

3. Anticipated Impacts on Livelihood due to Construction Work of the Sub-Project

(i) The affected persons anticipated limited impact as they would move out to convenient places to continue with their earning of livelihood.

(ii) Not willing to work as laborer as they have never done such work.

**DETAILS OF PARTICIPANTS**

<b>Name</b>	<b>Occupation</b>
Md.Farooque	Laundry
Hanuman	Vegetable & Fruit Shop
Vijay Kumar	Tea Shop
Sabir	Cloth Shop
Ishmaeel Khan	Egg Shop
Jaffar Ali	Tea Shop

### PUBLIC CONSULTATIONS

**NAME OF THE SURVEYOR:** Kalidatta Das, Ratan Singh, J.P.Sharma, K.K.Hatwal

**DATE OF SURVEY & CONSULTATION:** 06.04.2012

**LOCATION ADDRESS:** Pankha Circle.

**ISSUES DISCUSSED:**

At the outset, the congregation was told about RUIDP, its activities and the source of its funding by ADB. They were told about the Drainage sub-project. The Resettlement Framework, Entitlements under the Program was explained to them.

1. Community's perception on likely Strength and Weaknesses of the Sub-Project

A better drainage system was considered to be the strength.

2. Community's Perception on Likely Disturbances during Sub-Project Construction Work.

(i) The Respondents are aware that construction of drainage would create some disturbance; but that is to be tolerated.

(ii) The affected persons said that they would either move to the edge of the ROW or to some other suitable place so as not to create any hindrance in the work.

(iii) The affected persons said that they would relocate themselves according to their convenience.

(iv) The affected persons said that since they are sitting on government land, they would accept whatever assistance is given to them by government.

3. Anticipated Impacts on Livelihood due to Construction Work of the Sub-Project

(i) The affected persons anticipated limited impact as they would move out to convenient places to continue with their earning of livelihood.

(ii) Not willing to work as laborer as they have never done such work.

### DETAILS OF PARTICIPANTS

Name	Occupation
Younish Khan	Readymade Cloth Shop
Dula Ram Swami	Tea Shop
Mohammad Aslam	Laundry
Lal Chand	Tea Shop
Ganesh Kumar Saini	Tea Shop

**Annexure 5 (E)****PUBLIC CONSULTATIONS**

**NAME OF THE SURVEYOR:** Kalidatta Das, Ratan Singh, J.P.Sharma, K.K.Hatwal

**DATE OF SURVEY & CONSULTATION:** 07.04.2012

**LOCATION ADDRESS:** Sabji Mandi.

**ISSUES DISCUSSED:**

At the outset, the congregation was told about RUIDP, its activities and the source of its funding by ADB. They were told about the Drainage sub-project. The Resettlement Framework, Entitlements under the Program was explained to them.

1. Community's perception on likely Strength and Weaknesses of the Sub-Project  
A better drainage system was considered to be the strength.
2. Community's Perception on Likely Disturbances during Sub-Project Construction Work.
  - (i) The Respondents are aware that construction of drainage would create some disturbance; but that is to be tolerated.
  - (ii) The affected persons said that they would either move to the edge of the ROW or to some other suitable place so as not to create any hindrance in the work.
  - (iii) The affected persons said that they would relocate themselves according to their convenience.
  - (iv) The affected persons said that since they are sitting on government land, they would accept whatever assistance is given to them by government.
3. Anticipated Impacts on Livelihood due to Construction Work of the Sub-Project
  - (i) The affected persons anticipated limited impact as they would move out to convenient places to continue with their earning of livelihood.
  - (ii) Not willing to work as laborer as they have never done such work.

**DETAILS OF PARTICIPANTS**

<b>Name</b>	<b>Occupation</b>
Jafar S/o Mohammed Teli	Vegetable Shop
Sharwan Sharma S/o Shree Chand Sharma	Vegetable Shop
Sunil Sharma S/o Ramprashad Sharma	Shoes Shop
Shanwar Mal Saini	Vegetable Shop
Deepak Raj Pal	Vegetable Shop
Ayub Khan	Vegetable Shop
Kundan Mal	Vegetable Shop
Jai Prakash	Vegetable Shop
Mohammad Iqbal	Vegetable Shop
Raju Ram	Vegetable Shop
Parmeshwar Lal	Vegetable Shop
Pawan Saini	Vegetable Shop

### PUBLIC CONSULTATIONS

**NAME OF THE SURVEYOR:** Kalidatta Das, Ratan Singh, J.P.Sharma, K.K.Hatwal

**DATE OF SURVEY & CONSULTATION:** 09.04.2012

**LOCATION ADDRESS:** Chandni Chowake.

**ISSUES DISCUSSED:**

At the outset, the congregation was told about RUIDP, its activities and the source of its funding by ADB. They were told about the Drainage sub-project. The Resettlement Framework, Entitlements under the Program was explained to them.

1. Community's perception on likely Strength and Weaknesses of the Sub-Project

A better drainage system was considered to be the strength.

2. Community's Perception on Likely Disturbances during Sub-Project Construction Work.

(i) The Respondents are aware that construction of drainage would create some disturbance; but that is to be tolerated.

(ii) The affected persons said that they would either move to the edge of the ROW or to some other suitable place so as not to create any hindrance in the work.

(iii) The affected persons said that they would relocate themselves according to their convenience.

(iv) The affected persons said that since they are sitting on government land, they would accept whatever assistance is given to them by government.

3. Anticipated Impacts on Livelihood due to Construction Work of the Sub-Project

(i) The affected persons anticipated limited impact as they would move out to convenient places to continue with their earning of livelihood.

(ii) Not willing to work as laborer as they have never done such work.

### DETAILS OF PARTICIPANTS

Name	Occupation
Gulshan Bhargav	Cycle Repairing
Rajkumar	Tea Shop

**Annexure 5 (G)****PUBLIC CONSULTATIONS**

**NAME OF THE SURVEYOR:** Kalidatta Das, Ratan Singh, Shantalal Saran and Parvin Mittal

**DATE OF SURVEY & CONSULTATION:** 04.02.2014

**LOCATION ADDRESS:** In front of Sainik Rest House.

**ISSUES DISCUSSED:**

At the outset, the congregation was told about RUIDP, its activities and the source of its funding by ADB. They were told about the Drainage sub-project. The Resettlement Framework, Entitlements under the Program was explained to them.

1. Community's perception on likely Strength and Weaknesses of the Sub-Project

A better drainage system was considered to be the strength.

2. Community's Perception on Likely Disturbances during Sub-Project Construction Work.

(i) The Respondents are aware that construction of drainage would create some disturbance; but that is to be tolerated.

(ii) The affected persons said that they would either move to the edge of the ROW or to some other suitable place so as not to create any hindrance in the work.

(i) The affected persons said that they would relocate themselves according to their convenience.

(ii) The affected persons said that since they are sitting on government land, they would accept whatever assistance is given to them by government.

3. Anticipated Impacts on Livelihood due to Construction Work of the Sub-Project

(i) The affected persons anticipated limited impact as they would move out to convenient places to continue with their earning of livelihood.

(ii) Not willing to work as laborer as they have never done such work.

**DETAILS OF PARTICIPANTS**

<b>Name</b>	<b>Occupation</b>
Pratap Saini	Fruit Shop
Lalchand Saini	Juice Shop
Bunty Saini	Tea Stall
Jagdish Saini	Vegetable Shop
Bajrang Nai	Hair cutting Saloon

## **Consultation and Disclosure**

### **A. Consultation**

1. Consultations will be held with special emphasis on vulnerable groups. Encouraging public participation in consultations informs the public of the Program and serves as a venue for the public to express their opinion on priorities which the Program should address.
2. The key stakeholders to be consulted during Resettlement Plan implementation and Program implementation includes:
  - (i) all affected persons, including vulnerable households;
  - (ii) program beneficiaries;
  - (iii) host populations in resettlement sites;
  - (iv) elected representatives, community leaders, and representatives of community-based organizations;
  - (v) local NGOs;
  - (vi) local government and relevant government agency representatives; and
  - (vii) Program staff, IPMU, IPIU, and consultants.
3. Consultations conducted during Resettlement Plan implementation will identify help required by affected persons during rehabilitation. Continuing involvement of those affected by sub-projects is necessary in the resettlement process. The IPIU will ensure that affected persons and other stakeholders are informed and consulted about the sub-project, its impact, their entitlements and options, and allowed to participate actively in the development of the sub-project. This will be done particularly in the case of vulnerable APs, who will be encouraged to choose options that entail the lowest risk. This exercise will be conducted throughout the sub-project—during preparation, implementation, and monitoring of sub-project results and impacts.
4. The implementing NGOs will ensure that views of affected persons, particularly those who are vulnerable, related to the resettlement process are looked into and addressed. The NGOs will ensure that APs consulted are informed of the outcome of the decision-making process, and will confirm how their views were incorporated. Since resettlement is a continuous process and baseline data/information will be collected, the implementing NGO will regularly update the baseline information.

### **B. Disclosure**

5. Information was and continues to be disseminated to affected persons for the sample sub-projects. Finalized Resettlement Plans will be disclosed in ADB's website, IPMU websites, and IPIU or town websites; and information dissemination and consultation will continue throughout program implementation.
6. The IPIU SDS will conduct consultations and disseminate information to all affected persons. Resettlement Plans will be translated into the local language and made available at offices of the: (i) Urban Local Bodies (ULBs); (ii) relevant local government line agencies; and (iii) IPMU and IPIUs. RPs will also be kept in the public libraries, accessible to citizens as a means to disclose the document and at the same time creating wider public awareness.

7. The Resettlement Framework and Resettlement Plans will be disclosed in the following websites: IPMU, IPIU, State Government, local governments, and ADB. The IPMU will issue notification of implementation start dates for each sub-project. The notice will be issued by the IPMU in local newspapers one month ahead of implementation. This will create awareness of project implementation. The IPMU and IPIUs will provide information on Involuntary Resettlement policies and features of the Resettlement Plan. Basic information such as sub-project location, impact estimates, entitlements, and implementation schedule will be presented in the form of a brochure that will be circulated among affected persons. Posters containing basic Resettlement Plan information will also be posted in different localities to increase awareness. Copies of Resettlement Plan summaries will be kept in the IPMU and IPIU offices and will be distributed to any affected person consulting on resettlement issues. The Resettlement Framework will be made available in local language during public meetings. This will enable stakeholders to provide inputs on the resettlement process, prior to award of civil work contracts.
8. An intensive information dissemination campaign for affected persons will be conducted by the IPIU with assistance from the implementing NGO at the outset of Resettlement Plan implementation. All the comments made by the affected persons will be documented in the sub-project records and summarized in sub-project monitoring reports. A summary of consultation and disclosure activities to be followed for each sub-project are in Table 1.

**Table A 5: Consultation and Disclosure Activities**

Program Phase	Activities	Details	Responsible Agency
Investment Program Bridging Phase	Mapping of the Program areas	Area to be mapped, clearly showing survey numbers of titleholders of land/property proposed for acquisition	IPMU in coordination with DC's offices and other local bodies.
	Stakeholder identification	Cross section of stakeholders to be identified in order to facilitate their participation in the Program.	IPMU and IPIUs in consultation with stakeholders.
	Program/sub-project information dissemination; Disclosure of proposed land acquisition	Leaflets containing information on the Program and sub-project to be prepared. Public notice issued in local newspapers (and disclosed on IPMU/IPIU websites) including survey numbers and names of titleholders for land to be acquired concurrent with consultation with titleholders.	SDS and RS from IPMU. IPMU may seek the assistance of CAAP consultants for leaflet preparation. Notice will be issued from the DC's office. SDS IPMU and SDS IPIU to disclose on the web.
	Stakeholder consultations	Further consultations with affected titleholders and households. Consultations with non-titled APs and other stakeholders during sub-project scoping.	SDS IPIU and NGO.
RP Preparation Phase	SIA surveys	Surveys to be conducted. Summary RF to be disclosed in local language through printed materials to APs particularly those who are vulnerable and other	IPIU to conduct surveys. SDS IPIU to disclose RF to stakeholders (including making it available in IPMU/IPIU offices and government agency offices), SDS IPMU to disclose

Program Phase	Activities	Details	Responsible Agency
		stakeholders.	on the web.
	Formulating compensation and resettlement assistance measures	Conducting stakeholder consultations particularly APs in and reflecting issues raised in revised RP.	SDS IPIU and NGO.
	Disclosure of final entitlements and rehabilitation packages	Provision of RPs to all stakeholders particularly APs. Conducting consultations and distributing local language versions of the summary RP.	SDS IPMU, and SDS IPIU to disclose on the web. SDS IPIU and NGO to conduct consultations.
RP Implementation Stage	Disclosure of RP	Review and approval of RP by EA. Review and approval of RP by ADB. Web disclosure of the RP.	EA to provide ADB with RP for review and approval. SDS IPMU, and SDS IPIU to disclose on the web.
	Consultation with APs during RP implementation	Consultations with APs.	NGO with monitoring from IPIU and external agency.

ADB= Asian Development Bank, IPIU = Investment Program Implementation Unit, IPMU = Investment Program Management Unit, NGO = Nongovernmental Organization, SIA = Social Impact Assessment

## POLICY FRAMEWORK AND ENTITLEMENTS

### A. Policy and Legal Framework

The policy framework and entitlements for the Program are based on national laws: *The Land Acquisition Act, 1894* (LAA, amended in 1984) the National Resettlement and Rehabilitation Policy, 2007 (NRRP); and ADB's *Policy on Involuntary Resettlement*, 1995. The salient features of Government and ADB policies are summarized below.

#### 1. Government Policy

##### a. National Resettlement and Rehabilitation Policy, 2007

The NRRP stipulates the minimum facilities to be ensured for persons displaced due to the acquisition of land for public purposes. The objectives of the Policy are:

- (i) to minimize displacement and to identify non-displacing or least displacing alternatives;
- (ii) to plan resettlement and rehabilitation of project affected families (PAFs) or project affected households (PAHs), including tribal and vulnerable households;
- (iii) to provide improved standard of living to PAFs or PAHs; and
- (iv) to facilitate a harmonious relationship between the requiring body and PAFs.

Though NRRP is applicable for projects where over 400 PAFs in the plains or 200 PAFs in hilly or tribal areas are displaced, the basic principles can be applied to resettling and rehabilitating PAFs regardless of the number affected. NRRP's provisions are intended to mitigate adverse impacts on PAFs. While key principles of NRRP are similar, and for some items go beyond ADB's Policy on Involuntary Resettlement (1995), NRRP excludes linear projects (which acquire only narrow strips of land). Linear impacts and temporary linear impacts (which is the likely impact of the Program) are not covered by NRRP. Further, there is no law on resettlement in the country. The law relating to the acquisition of privately owned immoveable property is the Land Acquisition Act of 1894 (LAA, amended 1984) discussed in the following section.

##### b. Land Acquisition Act, 1894

The LAA provides a framework for facilitating land acquisition in India. LAA enables the State Government to acquire private land for public purposes. LAA ensures that no person is deprived of land except under LAA and entitles APs to a hearing before acquisition. The main elements of LAA are:

- (i) Land identified for the purpose of a project is placed under Section 4 of the LAA. This constitutes notification. Objections must be made within 50 days to the District Collector (DC, the highest administrative officer of the concerned District).
- (ii) The land is then placed under Section 6 of the LAA. This is a declaration that the Government intends to acquire the land. The DC is directed to take steps for the acquisition, and the land is placed under Section 9. Interested parties are then invited to state their interest in the land and the price. Under Section 11, the DC

will make an award within one year of the date of publication of the declarations. Otherwise, the acquisition proceedings shall lapse.

- (iii) In case of disagreement on the price awarded, within 6 weeks of the award, the parties (under Section 18) can request the DC to refer the matter to the Courts to make a final ruling on the amount of compensation.
- (iv) Once the land has been placed under Section 4, no further sale or transfer is allowed.
- (v) Compensation for land and improvements (such as houses, wells, trees, etc.) is paid in cash by the project authorities to the State Government, which in turn compensates landowners.
- (vi) The price to be paid for the acquisition of agricultural land is based on sale prices recorded in the District Registrar's office averaged over the three years preceding notification under Section 4. The compensation is paid after the area is acquired, with actual payment by the State taking about two or three years. An additional 30 percent is added to the award as well as an escalation of 12 percent per year from the date of notification to the final placement under Section 9. For delayed payments, after placement under Section 9, an additional 9 percent per annum is paid for the first year and 15 percent for subsequent years.

## **2. ADB's Policy on Involuntary Resettlement, 1995**

The three important elements of ADB's involuntary resettlement policy are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it.

For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

- (i) Involuntary resettlement will be avoided whenever feasible.
- (ii) Where population displacement is unavoidable, it should be minimized.
- (iii) All lost assets acquired or affected will be compensated. Compensation is based on the principle of replacement cost.
- (iv) Each involuntary resettlement is conceived and executed as part of a development project or program. APs need to be provided with sufficient resources to re-establish their livelihoods and homes with time-bound action in co-ordination with civil works.
- (v) APs are to be fully informed and closely consulted.
- (vi) APs are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
- (vii) The absence of a formal title to land is not a bar to ADB policy entitlements.
- (viii) APs are to be identified and recorded as early as possible to establish their eligibility, through a census which serves as a cut-off date, and prevents subsequent influx of encroachers.
- (ix) Particular attention will be paid to vulnerable groups including those with out legal title to land or other assets; households headed by women; the elderly or disabled; and indigenous groups. Assistance must be provided to help them improve their socio-economic status.
- (x) The full resettlement costs will be included in the presentation of project costs and benefits.

### C. Comparison of Borrower's Policy with the RF

The NRRP represents a significant milestone in the development of a systematic approach to address resettlement issues in India. LAA, 1894 however gives directives for acquisition of land in public interest and provides benefits only to titleholders. Table 1 presents a comparison of Government policies (LAA and NRRP) in comparison with the RF which is consistent with ADB's involuntary resettlement policy.

**Table 1: Comparison Between the Borrower's and ADB's Involuntary Resettlement Policy**

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed RF with ADB's IR Policy
1.	Involuntary resettlement should be avoided where feasible.	×	✓	LAA is applicable wherever private land is to be acquired by Government for public purpose.	This is addressed in the RF. The locations for project components have been identified in such a manner that IR is avoided to the extent possible. These IR impacts shall be further minimized during detailed designs.
2.	Where population displacement is unavoidable, it should be minimized by exploring viable project options.	×	✓	LAA is applicable wherever private land is to be acquired by Government for public purpose.	This is addressed in the RF. The locations for project components have been identified in such a manner that IR is avoided to the extent possible. These IR impacts shall be further minimized during detailed designs.
3.	If individuals or a community must lose their land, means of livelihood, social support systems, or way of life in order that a project might proceed, they should be compensated and assisted so that their economic and social future will generally be at least as favorable with the project as without it. Appropriate land, housing, infrastructure, and other compensation, comparable to the without project situation, should be provided to the adversely affected population, including indigenous groups, ethnic minorities, and pastoralists who may have usufruct or customary rights to the land or other resources taken for the project.	×	✓	According to the ADB's IR policy full RP is required when 200 or more people will experience major impacts. A Short RP is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, RP should be prepared when it involves resettlement of more than 500 families (roughly about 2,000 persons) in plain areas and 200 families (roughly about 1,000 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	The RF addresses the IR impacts. The entitlements to the APs are outlined in the Entitlement Matrix.
4.	Any involuntary resettlement should, as far as possible, be conceived and executed as a part of a development project or program and resettlement plans	×	✓	According to the ADB's IR policy full RP is required when 200 or more people will experience major impacts. A Short RP is	The RF addresses the IR impacts. The entitlements to the APs are outlined in the Entitlement Matrix.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed RF with ADB's IR Policy
	should be prepared with appropriate timebound actions and budgets. Resettlers should be provided sufficient resources and opportunities to reestablish their homes and livelihoods as soon as possible.			required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, RP should be prepared when it involves resettlement of more than 400 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	
				LAA does not provide for resettlement. However, it specifies the time limit for acquisition, though the project / program for which it is conceived need not necessarily be time-bound.	A time-bound action plan and implementation schedule for the IR activities is outlined. The key RP activities are identified and the responsibilities for the same outlined.
5.	The affected people should be fully informed and closely consulted on resettlement and compensation options. Where adversely affected people are particularly vulnerable, resettlement and compensation decisions should be preceded by a social preparation phase to build up the capacity of the vulnerable people to deal with the issues.	×	✓	LAA recognizes only titleholders, who are to be notified prior to acquisition.	Consultations have been carried out with APs. This will be further consolidated by the RP implementing NGO. The plan for information disclosure in the project, including the RF.
6.	Appropriate patterns of social organization should be promoted, and existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible. Resettlers should be integrated economically and socially into host communities so that adverse impacts on host communities are minimized. One of the effective ways of achieving this integration may be by extending development benefits to host communities.	×	✓	-	This is addressed in the Entitlement Matrix.
7.	The absence of formal legal title to land some affected groups should not be a bar to compensation. Affected persons entitled to compensation and rehabilitation should be identified and recorded as early as possible, preferably at the project identification stage, in order to prevent an influx of illegal encroachers, squatters, and other nonresidents who wish to take	×	✓	LAA provides for every affected person to receive a notification prior to acquisition and for a hearing in case of any objection. Acquisition under the Act is permitted within one year from the date of declaration of intent to acquire, failing which, the process has to	The process for verification of impacts and establishing the eligibility of the APs is outlined in the RF.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed RF with ADB's IR Policy
	advantage of such benefits. Particular attention should be paid to the needs of the poorest affected persons including those without legal title to assets,, female-headed households and other vulnerable groups, such as indigenous peoples, and appropriate assistance provided to help them improve their status.			start again. LAA does not regard non-titleholders as APs.  The <i>Rajasthan Urban Housing and Habitat Policy</i> , 2006 aims to provide tenurial rights to urban slum dwellers with special emphasis on persons belonging to scheduled castes, scheduled tribes, weaker sections, physically handicapped and widows. This is consistent with recognizing those without legal titles and the vulnerable.	
8.	The full costs of resettlement and compensation, including the costs of social preparation and livelihood programs as well as the incremental benefits over the "without project" situation, should be included in the presentation of Project costs and benefits.	×	✓	According to the ADB's IR policy full RP is required when 200 or more people will experience major impacts. A Short RP is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, RP should be prepared when it involves resettlement of more than 500 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	The RF addresses the IR impacts. The entitlements to the APs are outlined in the Entitlement Matrix.
				The NRRP's concept of replacement cost is not clearly defined. However, the NRRP does consider various compensation packages to substitute the losses of APs.	This is addressed in the Entitlement Matrix
9.	To better assure timely availability of required resources and to ensure compliance with involuntary resettlement procedures during implementation, eligible costs of resettlement and compensation may be considered for inclusion in Bank loan financing for the project, if requested.	×	✓	-	The impacts have been assessed and RP costs according to the entitlement matrix have been worked out. These costs are included in the Project Costs.

### Copy of Identity Cards

R&R IDENTITY CARD FOR RUSDIP	
Name of AP_____	Sex____ Age____
House No_____	Road/Lane_____
Town_____	Block_____
District_____	
No. of family members:	
Adults: Male_____ Female_____	Children: Male_____ Female_____
No. of working members:_____	
Main occupation of head of household:_____	
Type of Loss:_____	
Entitlements:_____	

Signature/Thumb impression of AP:_____	
Signature of NGO/CBO representatives:_____	
Name of the Executive engineer:_____	
Signature of Executive engineer:_____	
Date of issue:_____	Office Seal:_____

## Annexure 9

**Letter of the Executive Engineer, IPIU, Churu regarding the Change in the Scope of Work in Compliance to RUIDP/PMU Letter No. 3027 dated 15.5.2015.**



**Government of Rajasthan  
Office of the Executive Engineer, IPIU,  
Rajasthan Urban Sector Development Investment Program (RUIDP – Phase – II)  
PMC Campus, Bhaleri Road, Churu**

Tel No.: 01562-252804  
email : churu.ruidp@rajasthan.gov.in

Fax No.:01562-252804  
web site : www.ruidp.org

No. :- EE/RUSDIP/IPIU/CHU/WW/2015/194

Date: 21/5/15

**Addl. Project Director,  
RUIDP, Jaipur**

**Sub.:** Compliance of Social safeguard issues of Churu & Nagaur- **Regarding laying of Box drain along NH-65, Churu.**

**Ref.:** PMU letter no. 3027 dated 15.05.2015

Sir,

In order to compliance to the above referred letter regarding compliance of Social safeguard issues of Churu, it is submitted that Box drain will not be laid along NH-65 due to non issue of permission of National Highway authorities. Therefore scope of laying of Box drain along NH-65 has been reduced. Against the savings the work of construction of Box drain on Pankha circle- Johrisagar has been taken.

This is for your kind information and n/a pl.

Executive Engineer,  
IPIU, RUSDIP, Churu


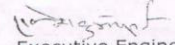

Copy to:

1. Team Leader, IPMC, RUIDP, Jaipur
2. Team Leader, DSC II, RUSDIP, Jodhpur

Executive Engineer,  
IPIU, RUSDIP, Churu

**Letter of the Executive Engineer, IPIU, Churu regarding change in the Scope of Work**

**(Dropping of Recharge Wells at Pankha Circle)**

 <p><b>Government of Rajasthan</b>  <b>Office of the Executive Engineer, IPIU,</b>  <b>Rajasthan Urban Sector Development Investment Program (RUIDP – Phase – II)</b>  <b>PMC Campus, Bhaleri Road, Churu</b></p>	
<p>Tel No.: 01562-252804  email : churu.ruidp@rajasthan.gov.in</p>	<p>Fax No.: 01562-252804  web site : www.ruidp.org</p>
<p>No. :- EE/RUSDIP/IPIU/CHU/WW/2015/ 136</p>	
<p>Date: 21/5/2015</p>	
<p><b>Addl. Project Director,</b>  <b>RUIDP, Jaipur</b></p>	
<p><b>Sub.:</b> Compliance of Social safeguard issues of Churu &amp; Nagaur- <b>Regarding construction of recharge wells at Pankha circle, Churu.</b></p>	
<p><b>Ref.:</b> PMU letter no. 3027 dated 15.05.2015</p>	
<p>Sir,</p>	
<p>In order to compliance to the above referred letter regarding compliance of Social safeguard issues of Churu, it is submitted that the development of Pankha circle and the surrounding roads have been taken in the work "Development of Roads in Churu Town under Package no. RUSDIP/TR-03/IPIU/ ST/01".</p>	
<p>The Box drain have been constructed on Pankha circle -Johrisagar road and drainage water of Collectorate road, Stadium road and Bhaleri road will be taken through Box drain culvert from Pankha circle to Johri sagar therefore 4 no. of Recharge wells taken in DPR of CHU/DR-04 at Pankha circle will not be constructed.</p>	
<p>This is for your kind information and n/a pl.</p>	
<p>  Executive Engineer,  IPIU, RUSDIP, Churu</p>	
<p>Copy to:</p> <ol style="list-style-type: none"> <li>1. Team Leader, IPMC, RUIDP, Jaipur</li> <li>2. Team Leader, DSC II, RUSDIP, Jodhpur</li> </ol>	
<p>  Executive Engineer,  IPIU, RUSDIP, Churu</p>	

Photographs of Survey (April 2012)



Photographs of Public Consultation & Survey (January - February 2014)



## Annexure 12

**Letter of the Executive Engineer, IPIU, Churu, clarifying the Ownership of Ginnanies in the sub-project and constructions to be undertaken.**



**Government of Rajasthan**  
**Office of the Executive Engineer, IPIU,**  
**Rajasthan Urban Sector Development Investment Program (RUIDP – Phase – II)**  
**PMC Campus, Bhaleri Road, Churu**

Tel No.:  
 email : churu.ruidp@rajasthan.gov.in

Fax No.:  
 web site : www.ruidp.org  
 Date: 30/7/2015

No. RUSDIP/IPIU/Churu/14-15/800 499

**The Social Development Expert,  
 DSC II, RUIDP, Jodhpur**

**Sub: - Ginnanies in Churu drainage sub-projects**  
**Ref : -Package no. CHU/DR-03 and CHU/DR-04**

In context to the subject cited above, the information regarding Ginnanies in Churu drainage sub-projects desired by you is as per following:

"Ginnani" is a collection of waste water in depressed portion of a town. There are total 11 Ginnanis identified in Churu town. These Ginnanis are situated in various locations, for which the land, are under the ownership of Municipal Council, Churu as well as private land owners. The private land owners left the location of Ginnani due to waste water collection and unhygienic conditions. As reported by Municipal Council, Churu, land of four Ginnanis i.e. Johari Sagar, Tajushah Ka Takiya, Chandni Chowk and Lohia College Ground, are in the possession of Municipal Council, Churu and rest land of remaining 7 Ginnanis belongs to private owners.

As per theme of Drainage Packages of Churu town, RUSDIP will execute the work in a way to prevent the entrance of waste water in depressed portion as well as to stop the unhygienic conditions of the nearby area due to collection of waste water, by constructing an inlet chamber outside the land of Ginnani and interconnection of all local drains to this inlet chamber, without giving any concern to the ownership of Ginnani land, as in any condition, RUSDIP will not execute any development work in the Land of any Ginnani of private owners and the development work being done in the Municipality owned Ginnanis will be handed over to Municipal Council, Churu being line agency.

Therefore the only agency to concern with the land of above Ginnanis, is Municipal Council, Churu.

*Katit*  
 Assistant Construction Manager,  
 DSC II, Churu

No. RUSDIP/IPIU/Churu/14-15/500-501


**Copy to:**

1. Project officer (social), PMU, RUIDP, Jaipur
2. Team Leader, DSC II, Jodhpur.

*P. Singh*  
 Executive Engineer  
 IPIU, RUSDIP, Churu  
 Date: 30-7-2015

*P. Singh*  
 Executive Engineer  
 IPIU, RUSDIP, Churu

**Letter of the Executive Engineer, IPIU, Churu, about the curtailment of Scope at Sabzi Mandi, wherein 12 AHs are avoided**

 <b>Government of Rajasthan</b> <b>Office of the Executive Engineer, IPIU,</b> <b>Rajasthan Urban Sector Development Investment Program (RUIDP – Phase – II)</b> <b>PMC Campus, Bhaleri Road, Churu</b>	
Tel No.: 01562-252804 email : churu.ruidp@rajasthan.gov.in	Fax No.: 01562-252804 web site : www.ruidp.org
क्रमांक:-ईई/आईपीआईयू/डीआर-04/ 2039	दिनांक:- 22/06/2016
अतिरिक्त परियोजना निदेशक, आरयूआईडीपी, जयपुर।	
विषय:- सब्जी मण्डी क्षेत्र के प्रभावित व्यक्तियों को सूची से हटाने बाबत। महोदय,	
उपरोक्तविषयान्तर्गत निवेदन है कि सब्जी मण्डी क्षेत्र अत्यन्त संकीर्ण व व्यस्त है तथा इस पर बाक्स ड्रेन डाला जाना सम्भव नहीं है। कार्य नहीं होने की स्थिति में निम्न व्यक्तियों को प्रभावित व्यक्तियों की सूची से हटाया जाना उचित होगा। उक्त क्षेत्र के प्रभावित व्यक्तियों की सूची निम्न प्रकार से है। मानचित्र की प्रति संलग्न है।	
<ol style="list-style-type: none"> <li>1. श्री जाफर खां पुत्र श्री मौहम्मद तेली</li> <li>2. श्री श्रवण शर्मा पुत्र श्री श्रीचन्द शर्मा</li> <li>3. श्री सुनील शर्मा पुत्र श्री रामप्रसाद शर्मा</li> <li>4. श्री सावरमल सैनी पुत्र श्री नागरमल सैनी</li> <li>5. श्री अयुब खान पुत्र श्री यासीन खान</li> <li>6. श्री कुन्दनमल पुत्र श्री बद्री प्रसाद सैनी</li> <li>7. श्री जय प्रकाश पुत्र श्री गीरधारी लाल</li> <li>8. श्री मौहम्मद ईकबाल पुत्र श्री उसमान गनी</li> <li>9. श्री राजुराम पुत्र श्री तेजा राम सैनी</li> <li>10. श्री रामेश्वर लाल पुत्र श्री तेजपाल</li> <li>11. श्री पवन सैनी पुत्र श्री गणपत राम सैनी</li> <li>12. श्री दीपक राजपाल पुत्र श्री इन्द्रचन्द राजपाल</li> </ol>	
संलग्न:- उपरोक्तानुसार।	
प्रतिलिपि:-	अधिशाषी अभियंता, आरयूएसडीआईपी, चूरु
<ol style="list-style-type: none"> <li>1. टीम लीडर, आई.पी.एम.सी., जयपुर को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।</li> <li>2. टीम लीडर, कैप यूनिट., जयपुर को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।</li> </ol>	अधिशाषी अभियंता, आरयूएसडीआईपी, चूरु

English Translation of the letter  
Letter No.: EE/IPIU/DR-04/Churu/2239

Dated 22.06.2016

To,  
Additional Project Director  
RUIDP-Jaipur

Subject: to delete the name of 12 affected households reported under subproject drainage and revise the RP

Dear Sir,

With reference to the above mentioned subject, box drain can't be laid at Sabzi Mandi area because this area is highly commercialize and congested. In this perview we can't take up this area and request you to drop. So affected households reported in the RP of subproject drainage at Churu should be deleted and update the RP accordingly. List of AHs are as follows:

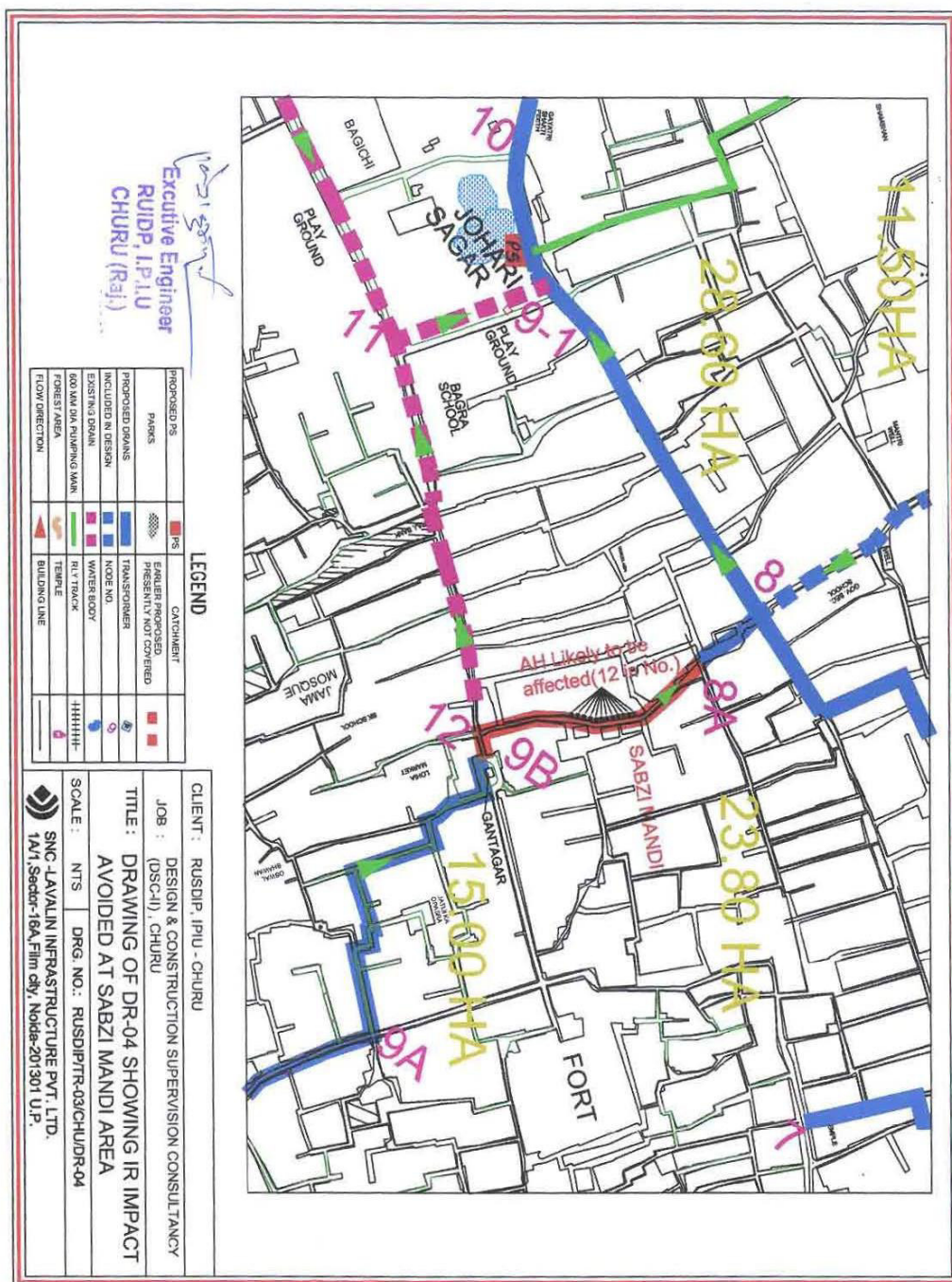
1. Jafar Khan/Mohamd Teli
2. Sharvan Sharma/Shri Chand Sharma
3. Sunil Sharma/Ram Prasad Sharma
4. Sanwarmal Saini/Nagarmal Saini
5. Ayub Khan/Yasin Khan
6. Kundanmal/Badri Prasad Saini
7. Jaiprakash/Girdhari Lal
8. Mohamad Iqbal/Usman Gani
9. Rajuram/Teza Ram Saini
10. Rameshwar La/Tezpal
11. Pawan Saini/Ghanpat Ram Saini
12. Deepak Rajpal/Inderchand Rajpal

Executive Engineer  
IPIU-Churu

Copy to:

- A. TL, IPMC
- B. TL CAPP

## Location wise drawing of area which has been curtailed (length of 70 M)




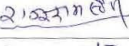

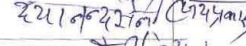
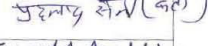
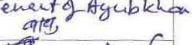
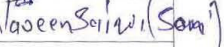

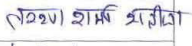
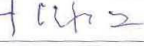
## Annexure 15

**Photographs of Individual Contact done by Social Expert of IPMC and briefed about the curtailment of length to each AHs reported at Sabzi Mandi Area**

**SELF DECLARATION BY AFFECTED HOUSHOLDS UNDER SUB-PROJECT CHURU DRAINAGE, WHICH ARE AVOIDED**

We the shopkeepers reported as affected persons due to laying of drainage pipe under subproject churu drainage are hereby declare that we been told by the RUIDP that drainage pipe will not be laid at Sabzi Mandi area due to congested road and busy market place.

In this regard, we are not entitled to take compensation.

Sl. No.	Name of affected household	Occupation	Signature
1	Praneshwar Lal	Vegetable seller	
2	RAJURAM	Vegetable seller	
3	Mohd. Iqbal	Fruit seller	
4	JAI PRAKASH	Vegetable seller	
5	KUNDAN MAL	Vegetable seller	
6	AVI B KHAN	Vegetable seller	
7	SAHAWAR MAL SAINI	Vegetable seller	
8	SUNIL SHARMA	Boat/chapped shop	
9	SHARWAN SHARMA	Vegetable seller	
10	JAFFAR	Vegetable seller	
11			
12			
13			
14			
15			
16			

## Photographs

