

RESETTLEMENT POLICY FRAMEWORK

**Gujarat Resilient Cities Partnership:
Ahmedabad City Resilience Project**

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Prepared by

**AHMEDABAD MUNICIPAL CORPORATION
AND
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List of Abbreviations

<i>Abbreviation</i>	<i>Expansion</i>
AMC	Ahmedabad Municipal Corporation
CPR	Community Property Resource
DP	Displaced Person
DPR	Detailed Project Report
ESF	Environmental and Social Framework
ESMF	Environmental Social Management Framework
FGD	Focus Group Discussions
GoI	Government of India
G-ACRP	Gujarat Resilient Cities Partnership: Ahmedabad City Resilience Project
GUDM	Gujarat Urban Development Mission
NGO	Non-Governmental Organization
PAP	Project Affected Person
PIU	Project Implementation Agency
R&R	Resettlement and Rehabilitation
SIA	Social Impact Assessment
STP	Sewage Treatment Plant
WB	The World Bank

GUJARAT RESILIENT CITIES PARTNERSHIP: AHMEDABAD CITY RESILIENCE PROJECT (G-ACRP)

RESETTLEMENT POLICY FRAMEWORK (ESS 5)

Project Overview

1. The Government of Gujarat (GoG) has sought assistance from the International Bank for Reconstruction and Development (IBRD, also commonly known, and referred hereafter, as the “World Bank”) for Gujarat Resilient Cities Partnership: Ahmedabad City Resilience Project (G-ACRP) ¹. The Project Development Objective of G-ACRP is to develop resilient and sustainable urban service delivery and financial systems in Ahmedabad. It also aims to support the Gujarat Urban Development Mission (GUDM), a State-level functionary in urban service delivery across the towns and cities of Gujarat to improve their institutional capacities to better plan, manage urban services. The key results areas targeted under this project include (i) resilient urban infrastructure and improved service levels for select urban services², (ii) improved financial systems and performance, and (iii) strengthened institutional capacity to better plan, deliver and manage urban services.
2. The Project will consist of three main components:

Component 1: Strengthening AMC’s financial systems and performance. Component 1 would include the following sub-components: (i) Improving municipal revenue performance; (ii) Land-based financing; (iii) Strengthening the municipal financial management system; and (iv) Climate-smart capital investment planning (CIP) system. Subcomponent 1 will focus on AMC’s property taxes and TA to assess AMC’s revenue enhancement potential and provide recommendations for improved property tax performance. The Land-based financing subcomponent will comprise technical assistance to improve the formula of Floor Space Index (FSI) premium charges and the real estate data system for the AMC and enhance the real estate asset management and monetization practices of AMC. The Strengthening the municipal financial management system subcomponent will focus on strengthening the municipal financial management systems for budgeting, accounting, and auditing in AMC. The Climate-smart capital investment planning (CIP) system subcomponent will support AMC to develop and institutionalize a climate-smart CIP system to plan, prioritize and finance infrastructure investments and address planning and financing related constraints in budget execution and fund utilization.

Component 2: Improving wastewater management services. Component 2 will focus investment support only on wastewater management services in two priority catchments - Vasna and Pirana - as the investment needs for wastewater management services are much higher than the originally estimated budget. Interventions on storm water management/drainage will be limited to strategic TA interventions under Component 3, that would enable the preparation of follow-up phases. The stormwater management investments will be taken out of the project.

Component 3: Developing institutional systems and capacities. Integrated GIS-enabled systems for urban management, financing, and service delivery. The mission engaged with AMC on the establishment and institutionalization of an integrated City-GIS system across AMC. The overall intention is to institute GIS-enabled Management Information Systems for key departments in the

¹ <https://projects.worldbank.org/en/projects-operations/project-detail/P175728>

² Select urban services include wastewater management, and storm water drainage

city. The project will support the development and implementation of GIS-enabled MISs for the Property Tax, Estates, Town Planning and WRM Departments. In the case of the Property Tax Department, the existing MIS will be strengthened and GIS-enabled. In the case of the other departments, MISs will be established and GIS-enabled. The mission underscored the importance of establishing an institutional structure to manage administrative, human resources, technical and operational GIS activities. The following structure was agreed: (i) setting up a GIS Steering Committee that would have responsibility for the holistic development of GIS across AMC as well as setting policy directions; (ii) eGovernance department being responsible for developing and managing the core IT components of the GIS system; (iii) establishing a GIS Centre (under the e-Governance department) that would provide bespoke GIS technical support to departments; and (iv) providing support to departments through the recruitment of GIS experienced staff. Developing state-level systems and urban knowledge ecosystem for emerging cities. GUDM confirmed the project's support, scope, and phasing of activities for the proposed Gujarat Center for Urban Innovation. GUDM also confirmed that support from the project will not include infrastructure, land and buildings which will be provided by GoG separately (outside the project). GUDM also confirmed the project's support for State level integrated project and fiduciary management system and nominated coordinators for each of these activities.

3. The project will ensure better environmental and health condition in Ahmedabad and the surrounding region, by upgrading the STPs, related infrastructure and networks to treat the sewage generated in the city to stringent standards; improving drainage networks, canals and lakes and ensuring improved service delivery and management systems. The project will benefit from reduced green house gas emissions due to upgraded treatment systems, and reduced pollution loads in Sabarmati, Khari rivers, canals, lakes and the region, due to stringent standards adopted for treatment of waste water.
4. The World Bank Environmental and Social Framework is applicable to all projects supported by the Bank through Investment Project Financing (IPF) including G-ACRP, in order to achieve environmental and social outcomes consistent with the Environmental and Social Standards (ESSs). Based on this, at this stage, project has been categorised based on the risks and impacts, and an Environmental and Social Management Framework (ESMF) has been prepared for managing the environmental and social risks and impacts of the project and Environmental and Social Impact Assessments have been conducted for the subprojects which will be implemented during first two years. The ESMF will be followed also for the rest of the subprojects and technical assistance under the project. This document presents the Resettlement Policy Framework for the project. Separate Cultural Heritage Management Framework and Labor Management Procedures are also being prepared for the Project.

Need and Purpose of RPF

5. The project activities at the time of preparing this ESMF include upgrading six existing STPs, constructing two new STPs, laying of new/ rehabilitating old trunk sewer lines, lake/ canal rejuvenation. While the upgradation activities are assessed to be free from land acquisition activities, as they will be developed within the existing STP farms, the LA requirements and associated R&R impacts triggered by the new STP construction/ new trunk line activities are unclear as their locations and details of activities are not firmed up yet. Therefore, a Resettlement Policy Framework (RPF) has been prepared to guide the preparation of resettlement action plan/ livelihoods restoration plan which will govern the implementation of mitigation measures for the

adverse impacts triggered by the physical and economic displacement caused by finalised project activities.

Principles and Scope of RPF

6. The Resettlement Policy Framework has been prepared based on experiences from experiences of LA activities presently prevalent in the State; anticipated impacts in components' sub-project activities and from the review of applicable legal and policy framework discussed in chapter 3 of this ESMF. The framework bridges the gaps identified between national and state legal framework and provisions and requirements laid down in ESS 5. It lays down the principles and procedures for management of social impacts caused by the project activities and guides the process of the social impact assessment and preparation of Resettlement Action Plans. It brings together and builds upon the current good practices in terms of procedures to address more systematic and institutional issues; and establish institutional arrangements for the implementation of RAP.
7. Based on the analysis of Government statutes and the World Bank ESF presented in the chapter 3 on legal and regulatory framework, the following resettlement principles will be adopted to this project:
 - **Screen** the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socio-economic survey of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. Take due precautions to minimize disturbance to human habitations, places of cultural significance. Adopt mitigation hierarchy i.e. approaches or measures to avoid and minimize involuntary resettlement impacts include the following: (i) explore alternative designs, to minimize impacts and (ii) ensure the appropriate technology is used to reduce land requirements.

Where displacement is unavoidable, improve, or at least restore, the livelihoods of all displaced persons through; (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, and (iii) prompt compensation at full replacement cost for assets that cannot be restored.

- **Ensure** that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets at replacement value.
- **Improve** the standards of living of the displaced poor and other vulnerable groups, including women, to national minimum standards or standard before displacement whichever is higher.
- **Carry out** meaningful consultations with displaced persons, host communities, and concerned agencies/ departments. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay attention to the needs of disadvantaged and vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous/ tribal peoples, and those without legal title to land, and ensure their participation in consultations.
- **Prepare** a Social Impact Assessment (SIA) and Resettlement Action Plan (RAP) elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy,

institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.

- **Identify vulnerable families** will be identified and provided additional support in their efforts to improve their living standards.
- **Disclose** a draft resettlement action plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement action plan and its updates to displaced persons and other stakeholders.
- **Pay** compensation: Payments in the names of both spouses or single heads of households as relevant, and other resettlement assistance, such as skills training, access to credit, and job opportunities, should be equally available to women and adapted to their needs.
- **Provide** all resettlement entitlements before physical or economic displacement and before commencement of civil works in that stretch of the sub-project. Implement the resettlement plan under close supervision throughout project implementation.
- **Establish** an accessible grievance redressal mechanism to receive and facilitate resolution of the concerns of displaced persons within stipulated timeframes.
- **Monitor** and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by considering the baseline conditions and the results of resettlement monitoring.

Allied State Laws on Land Acquisition (in addition to LARR Act 2013 and Gujarat Rules 2016)

8. Several of the Gujarat State Acts innovatively contemplate the compulsory acquisition process being used only in a situation where a prior negotiated contract for acquisition with the owner has not been reached. Few of them explicitly make provisions for negotiations whilst others consider it as alternative, as follows:

(a) The Gujarat Municipalities Act 1963: “69. Recourse to the Land Acquisition Act 1894- when there is any hindrance to the permanent or temporary acquisition by a municipality upon payment, of any land or building required for the purposes of this Act, the State Government may, after obtaining possession of the same for itself under the Land Acquisition Act 1894³, vest such land or building in the municipality on its paying the compensation awarded and on its repaying to the State Government all costs incurred by the State Government on account of acquisition”. The Gujarat Municipalities Act 1963 contains an innovative approach whereby if the compensation is not agreed between the parties there is compulsory recourse to arbitration. The Act provides for the amount of compensation and the apportionment to be ascertained and determined by a panchayat of five people. Two members of the panchayat shall be appointed by the municipality, two by the affected party and another selected by those members. There is a time-limit to the appointment of members and for a decision from the panchayat, with the sanction that the District Court will make the decision. There is an appeal to the District Court against the decision of the panchayat.

(b) Gujarat Industrial Development Act 1962: “30. Compulsory acquisition of Land for Corporation [Industrial Development Corporation].-Whenever any land is required by the Corporation for any purpose on furtherance of the objects of the Act, but the Corporation is unable to acquire it by

³Replaced with LARR Act 2013

agreement the State Government may, upon an application of the Corporation in that behalf, order proceedings to be taken under the relevant land acquisition law for acquiring the same on behalf of the Corporation as if such lands were needed for a public purpose within the meaning of the relevant land acquisition law”.

(c) The Gujarat Town Planning and Urban Development Act 1976: “20(1) The area development authority of any other authority for whose purpose land is designated in the final development plan for any purpose specified in clause (b), clause (d), [clause (f)], clause (k), clause (n) [or clause (o)] of sub-section (2) of section 12 may acquire land either by agreement or under the provisions of the Land Acquisition Act 1894, I of 1894.

(d) The Gujarat Rural Housing Board Act 1972 (as amended): “42.

(1) The Board may enter into agreement with any person for the acquisition from him by purchase, lease, or exchange of any land which is needed for the purposes of a housing scheme or any interest in such land or for compensating the owners of any such right in respect of any deprivation thereof or interference therewith.

(2) The Board may also take steps for the compulsory acquisition of any land or any interest therein required for the execution of a housing scheme in the manner provided in the land acquisition law and the acquisition of any land or any interest thereto for the purposes of this Act shall be deemed to be acquisition for a public purpose with the meaning of the said law” .;

(e) Gujarat Housing Board Act 1961: 44. Power to purchase or lease by agreement (1) The Board may enter into an agreement with any person for acquisition from him by purchase, lease or exchange, of any land which is needed for the purposes of a housing scheme or any interest in such land or for compensating the owners of any such right in respect of any deprivation thereof or interference with.

(2) The Board may also take for the compulsory acquisition of any land or any interest therein required for the execution of a housing scheme in the manner provided in the land acquisition law and the acquisition of any land or any interest thereto for the purpose of this Act shall be deemed to be acquisition for a public purpose within the meaning of the said law”.

(f) The Gujarat Town Planning and Urban Development Plan: where there is an unsuccessful initial attempt at a negotiated settlement, there could be a limitation period placed on acquiring the land by compulsory land acquisition i.e. short duration once notice has been given that land is needed for a “public purpose”, for the Government to acquire land, or they should be unable to acquire it for that purpose. It states that “20(2) If the land referred to in subsection (1) is not acquired by agreement within a period of ten years of the coming into force of the final development plan or if proceedings under the Land Acquisition Act 1894 are not commenced within such period, the owner or any person interested in the land may serve a notice on the authority concerned requiring to acquire the land, and if, within six months from the date of service of such notice the land is not acquired or no steps are commenced for its acquisitions, the designation of the land as aforesaid shall be deemed to have lapsed”.

Comparative Analysis of key national, state acts and policies versus Bank ESF

9. ESS 5 applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation.

- a) Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
 - b) Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures.
 - c) Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
 - d) Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;
 - e) Displacement of people as a result of project impacts that render their land unusable or inaccessible;
 - f) Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
 - g) Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
 - h) Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.
10. The above stated scope for application of ESS 5 covers varied approaches that are likely to be adopted by AMC for land taking, when necessary. However, land taking using the Land Acquisition Act is most likely approach that shall be followed under the project. comparison between RFCTLARR Act and World Bank's ESF is summarized here.
- The Act, like provisions of ESS, requires SIAs for projects involving land acquisition with elaborate process of consultation at every notification stage. Public hearing is exempted for public purpose projects, wide Rules 2016.
 - In determination of land value under the Act, computation provisions from Section 26-30 of Act are used. Besides, it provides for multiplication factor that ranges from 1.0 to 2.0⁴ that varies by location/ area and 100% solatium of computed amount.
 - Act in its computation of compensation for structures takes depreciation into account and is not explicit about providing replacement cost of structures, though presumably the provision of 100% solatium will help arrive at replacement cost of structures or higher. ESS 5 requires replacement compensation for structures without depreciation
 - The act requires that the value of trees, plants, or standing crops damaged to be compensated as determined under Section 29 of the Act. It also provides for 100 percent solatium on the amount computed for these assets.
 - The Act similar to World Bank ESF requires compensation to be paid, prior to project taking possession of any land and provide R&R support including transitional support and moving allowances. All payments are required to be paid in one single instalment to the affected land owner prior to taking over land and its transfer to the project.

⁴based on the distance of project from urban area, as may be notified by the appropriate Government.

- Cut-off date for determining the compensation and entitlements and assistance to all those who are affected by the project irrespective of the ownership of titles. According to the RFCTLARR Act, the cut-off date for assistance to those depending on affected private lands is three years preceding the acquisition and for the titleholders it is the date of notification under the said Act. To bring this RPF in line with World Bank requirements, RPF mandates that while in the case of land acquisition, the date of issue of public notice of intended acquisition under Section 4(1) under the Act will be treated as the cut-off date for title holders. In case of non-titleholders such as squatters and encroachers, cut-off date will be the start date of the census survey.
- In case of all affected non-title holders, suitable compensation (ex-gratia payments) for loss of assets and R&R assistance is proposed in the entitlement matrix.
- There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act. In the event any deductions are made toward taxes, such amounts will have to be reimbursed.
- Also similar to provisions laid down in RFCTLARR Act 2013, World Bank ESF (under ESS 5 & 7) requires consultation with PAPs during planning and implementation of resettlement action plan and public disclosure of drafts.

11. In the event of any conflict or inconsistency between the provisions of this GOI, RFCTLARR Act 2013, Gujarat Rules 2016 and the RPF and the provisions of World Bank's ESF, the provisions of the ESF, 2016 shall prevail.

Definitions

12. In this Resettlement Policy Framework, following terms shall mean as described below, unless the context requires otherwise,

- Affected family: As defined in RFCTLARR Act 2013 and also as identified from the Census-Socioeconomic survey carried for the specific corridor.
- Agricultural Land: land used for: (i) agriculture or horticulture; (ii) dairy farming, poultry farming, pisciculture, sericulture, seed farming, breeding of livestock or nursery growing medicinal herbs; (iii) raising of crops, trees, grass or garden produce; and (iv) land used for the grazing of cattle.
- Agricultural labourer: means a person primarily resident in the affected area for a period of not less than five years immediately before the declaration of the affected area, who does not hold any land in the affected area but who earns his livelihood mainly by manual labour on agricultural land therein immediately before such declaration and who has been deprived of his livelihood;
- Assistance: All support mechanisms such as monetary help (R&R assistances), services, trainings or assets given to Project Affected Persons/ Project Affected Families constitute assistance in this project.
- Below poverty line (BPL) family: means below poverty line families as defined by the Planning Commission of India, from time to time and those included in the BPL list for the time-being in force;
- Commissioner means the Commissioner for Rehabilitation and Resettlement appointed under sub-section (l) of section 44 of RFCTLARR Act 2013;

- Compensation: Compensation refers to: i) amount negotiated with the land owner based on the private negotiations method (under Standing order No 28); ii) restitution made to property under Sec 26-30 as per provisions laid down in RFCTLARR Act 2013;
- Cut-off Date: For title holders, the date of first notification – Section 4 (1) under LA Act 2013 will be treated as the cut-off date, and for non-titleholders the start date of project census survey for that sub-project will be the cut-off date. In case of acquisition by Private negotiations, cut-off date is the first date of notification shall be Section 11 (1) for Title holders. Note: In case of longer network alignments with possibilities of change in trunk line alignment, project authorities may establish two cut-off dates for two different sections.
- Encroacher: Any person illegally occupying public property by extending their land boundary or a portion of their building onto the existing government land or RoW is an encroacher.
- Kiosk: A kiosk is a booth/ stall/ cabin/ cubicle made of wood or iron or any other building material which could be shifted to another location as a single unit without much damage and is used for carrying out petty business/ commercial activities and has been in operation/ existence prior to cut off date;
- Landowner: A person who is an allottee or a grantee of any land under any scheme of the Government under which such allotment or grant is to mature into ownership, who has mortgaged his land (or any portion thereof) or who has permanent rights and interest in land;
- Landless agricultural labourer: A person who does not hold any agricultural land and who has been deriving his main income by working on the lands of others as subtenant or as an agricultural labourer prior to the cut-off date.
- Livelihood losers: Persons losing their livelihood are individual members of the DHs, who are at least 18 years of age and are impacted by loss of primary occupation or source of income.
- Non-agricultural labourer: means a person who is not an agricultural labourer but is primarily residing in the affected area for a period of not less than five years immediately before the declaration of the affected area and who does not hold any land under the affected area but who earns his livelihood mainly by manual labour or as a rural artisan immediately before such declaration and who has been deprived of earning his livelihood mainly by manual labour or as such artisan in the affected area;
- Major Impact: The DPs suffering the following impacts and requiring relocating are categorized as Major Impacted DPs: (i) loss of place of dwelling, (ii) loss of place of business; (iii) loss of livelihood; (iv) loss of agricultural productive land of marginal farmers; those who become marginal farmers or landless after acquisition;
- Marginal Farmer: A cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to one-half hectare;
- Market value means the value of land determined in accordance with section 26 of RFCLARR Act 2013;
- Minor Impact: A PAP suffering minor impact is one who is affected to a lesser degree than the major impacts defined above.
- Minimum Wages means the minimum wage of a person for his/ her services/ labor by type of trade per day as stipulated by Department of Labor of the project state.
- Non-Perennial Crop: Any plant species, either grown naturally or through cultivation that lives for a season and perishes with harvesting of its yields has been considered as a non-perennial crop in the project.
- Non-titleholder: Non-titleholders include Affected persons/ families/ households such as encroachers, squatters, etc.; with no legal title to the land, structures and other assets adversely affected by the project.
- Occupier: means a member of a Scheduled Tribes community in possession of forest land prior to the 13th day of December 2005;

- Project: Project refers to the Gujarat Resilient Cities Partnership: Ahmedabad City Resilience Project
- Project Affected Area: Refers to the area of village or locality under a project for which land will be acquired under RFCTLARR Act 2013 through declaration by Notification in the Official Gazette by the appropriate Government or for which land belonging to the Government will be cleared from obstructions;
- Project Affected Person (PAP): Any tenure holder, tenant, Government lessee or owner of other property, or non-titleholder who on account of the project has been affected from such land including plot in the *abadi* or other property in the affected area will be considered as PAP;
- Project Affected Household (PAH): A social unit consisting of a family and/ or non-family members living together, and is affected by the project negatively and/ or positively;
- Project Displaced Person (PDP): Any tenure holder, tenant, Government lessee or owner of other property, or non-titleholder who on account of the project has been involuntarily displaced from such land including plot in the *abadi* or other property will be considered as PDP. A displaced will always be a PAP but all PAP may not be PDP;
- Permanent Buildings or Pucca Structure: Buildings of a permanent construction type with reinforced concrete.
- Replacement Cost: A replacement cost/ value of any land or other asset is the cost/ value equivalent to or sufficient to replace/ purchase the same land or other asset; and has been provided in the Entitlements;
- Resettlement Area means an area where the affected families who have been displaced because of land acquisition, are resettled by the project authority/ appropriate Government;
- Residual Land: Residual land can be defined as the remaining portion of land left with the owner of the holding after acquisition of land by the project.
- Sharecroppers: Persons who cultivate land of a titleholder on terms of sharing income there from with the titleholder.
- Small Farmer: A cultivator with an un-irrigated land holding up to two hectares or with an irrigated land holding up to one hectare, but more than the holding of a marginal farmer.
- Semi-Permanent Building or structure: Buildings of a semi-permanent type with tiled roof and walls not of concrete or permanent brickwork.
- Scheduled Areas means the Scheduled Areas as defined in the constitution; includes both Schedule V and VI areas in the country.
- Squatter: A person who has settled on public/ government land, land belonging to institutions, trust, etc. and or someone else's land illegally for residential, business and or other purposes and/ or has been occupying land and building/ asset without authority;
- Tenant: A person who holds/ occupies land-/ structure of another person and (but for a special contract) would be liable to pay rent for that land/ structure. This arrangement includes the predecessor and successor-in-interest of the tenant but does not include mortgage of the rights of a landowner or a person to whom holding has been transferred; or an estate/ holding has been let in farm for the recovery of an arrear of land revenue; or of a sum recoverable as such an arrear or a person who takes from Government a lease of unoccupied land for the purpose of subletting it;
- Temporary Building/ Kutcha structure: Temporary building or structure means a temporary type of structure, which includes buildings with roofs constructed of thatch, galvanized iron or asbestos.
- Women Headed Household (WHH): A household that is headed by a woman and does not have an adult male earning member is a Woman Headed Household. This woman may be a widowed, separated or deserted person.

- Vulnerable group: This includes Scheduled Caste, ST, family/ household headed by women/ female, disabled, handicapped, Below Poverty Line (BPL) families; widows; and persons above the age of 65 years irrespective of their status of title (ownership). Vulnerable groups would also include those farmers who (after acquisition of land) become small/ marginal farmers. For such cases, total land holding of the landowner in that particular revenue village will be considered in which land has been acquired;
- Wage earner: Wage earners are those whose livelihood would be affected due to the displacement of the employer. The person must be in continuous employment for at least six months prior to the cut-off date with the said employer and must have reliable documentary evidence to prove his/ her employment.

Entitlement Matrix

13. Under this RPF, adopted for the project, several categories of project affected persons are recognized with varying eligibility for compensation and assistance packages in the entitlement matrix below **Table 1**.
14. In accordance with the principles of this resettlement policy framework, all displaced households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the displaced persons and measures to support livelihood restoration. The affected persons will be entitled to the following five types of compensation and assistance packages:
- a) Compensation for the loss of land, crops/ trees at their replacement cost;
 - b) Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
 - c) Alternative housing in case of physical displacement;
 - d) Assistance in lieu of the loss of business/ wage income, loss of agriculture livelihoods and income restoration assistance;
 - e) Assistance for shifting and provision for the relocation site (if required), and
 - f) Rebuilding and/ or restoration of community or common property resources/ facilities.
15. In case where the State Government through any Act or Gazette Notification or as approved by any authority of State Government (duly authorized for the purpose) as per their approved procedure has fixed a rate for compensation of land and is higher than the provisions under the project, the same may be adopted by the Competent Authority in determining the compensation for land. Similarly, in case where a State Government through any Act or Gazette Notification or as approved by any authority of State Government (duly authorized for the purpose) as per their approved procedure has fixed a rate for resettlement and rehabilitation assistance and is higher than the provisions under the project, the same may be adopted by the Project Authority.

Table 1: Entitlement Matrix

S. No.	Component of Compensation Package in respect of land acquired under RFCT-LARR Act, 2013	Determination Procedure	Eligible Category	Explanatory Remarks
(1)	(2)	(3)	(4)	(5)
1	Market value of land	Compensation to be determined as provided u/s 26 of the RFCT-LARR Act, 2013 and spelled out in Note A.	a. Land owners– whose land to be acquired and have verifiable claims to ownership as u/s 3 of RFCT-LARR Act, 2013.	A. Compensation for Structures (a) Cash compensation for the building and assets at market value determined u/s 29 of RFCT-LARR, 2013 and Note B. In case of partial impact making unimpaired use of the structure difficult such as where more than 25% of the structure area is affected, full compensation shall be paid u/s 94 of RFCT-LARR Act, 2013.
2	Factor by which the market value is to be multiplied in the case of rural areas.	Vide a GO of GoG the multiplied factor is being considered as per Notification issued by GoG (No. LAQ 22-2014/ 179/ GH, dated 10/11/2016). Govt. of Gujarat has finalised the demarcation of rural area and multiplying factor 2.00 (two) for rural areas to be considered.	b. Registered 'lessees', 'tenants' or 'share croppers' will get an apportionment of the compensation as determined by the Appropriate Government payable under law.	(b) In case of partial impact, 25% additional amount to be paid on compensation award for the affected part of the structure to enable damage repair where the owner/ occupier is of his/ her own will be interested to retain the remaining part of the structure, provided that unimpaired continuous use of such structure is possible without hazards.
3	Factor by which the market value is to be multiplied in the case of urban areas.	Vide a GO of GoG the multiplied factor is being considered as per Notification issued by GoG (No. LAQ 22-2014/ 179/ GH, dated 10/11/2016). Govt. of Gujarat has finalised the demarcation of urban area and multiplying factor 1.00 (one) for urban areas to be considered	c. In case of land occupiers such as occupiers of assigned lands or tribes occupying forest with claims/ rights recognized under state/ central laws covered u/s 3 (c) point no. iii and v of RFCT-LARR Act, 2013 will get compensation with solatium at par with titleholders.	(c) Right to salvage material from the affected structures. (d) Three months' advance notice to vacate structures.
4	Value of assets attached to land or building	To be determined as provided under section 29 In determining the amount of compensation to be awarded for land acquired under this Act. The Collector shall take into consideration- the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings. Compensation determination shall take place under Section 29 (i) for building/ properties, (ii) for Tree and (iii) for crops of RFCT-LARR Act 2013.		B. Partial impact on land: In case only a part of any land plot is affected and its owner desires that the whole plot be acquired on the grounds that the plot has been rendered uneconomic or has been severed due to LA (u/s 94 RFCT-LARR Act, 2013 and Note C), the competent authority can award Compensation for the remaining part of the plot; or award 25% of actual value of remaining land holding as additional compensation allowing the owner to retain the remaining land plot, if agreeable to the land loser.
5	Solatium	Equivalent to one hundred percent of the market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 2 for rural areas or serial number 3 for urban areas plus value of assets attached to land or building against serial number 4 under column (2).		C. Compensation for trees/ crops etc. a. Cash compensation as estimated u/s 29 (3), RFCT-LARR Act, 2013 by: i. Forest Department for timber trees ii. State Agriculture Extension Department for crops iii. Horticulture Department for horticulture,

S. No.	Component of Compensation Package in respect of land acquired under RFCT-LARR Act, 2013	Determination Procedure	Eligible Category	Explanatory Remarks
6	Final Award in Rural areas	Market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 2 plus value of assets attached to land or building mentioned against serial number 4 under column (2) plus solatium mentioned against serial number 5 under column (2).		<p>perennial trees</p> <p>iv. Cash assistance to title holders and non-squatters for loss of trees, crops and perennials at market value.</p> <p>b. Three months' advance notice to affected parties to harvest fruits, crops. In case standing crops, the affected parties shall receive three months' advance notice to salvage crops, or compensation in lieu thereof as determined above.</p>
7	Final Award in Urban areas	Market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 3 plus value of assets attached to land or building mentioned against serial number 4 under column (2) plus solatium mentioned against serial number 5 under column(2).		<p>D. Alternative Compensation packages</p> <p>In case where a State Government through any Act or Gazette Notification or as approved by any authority of State Government (duly authorized for the purpose) as per their approved procedure has fixed a rate for compensation of land, the same may be adopted by the Competent Authority in determining the compensation for land in lieu of package available under the First Schedule.</p> <p>Provided that the State Government shall provide the entitlement of affected family to avail the better compensation and resettlement and rehabilitation which should not be less than the amount payable according to the RFCTLARR Act, 2013.</p>
8	Other component if any to be included	Interest on compensation payable to the affected families as notified by the concerned State Government or at the rate of 12% per annum from the date of LA notification u/s 11 applicable as per section 30 (3) of RFCT-LARR Act, 2013 and explained in Note A (6).		
1	Resettlement and Rehabilitation cost	Each affected family owning land and assets in the acquired area.	Compensation to be determined and provided u/s 31A of the Gujarat Amendment Act 2016. Each affected family shall be given a one-time "Resettlement and Rehabilitation cost" of such lump sum amount equal to fifty percent (50%) of the	<p>The lump-sum amount R&R cost shall not be less than the amount payable according to the second schedule of the RFCTLAR&R Act 2013.</p> <p>The affected family receiving this lump-sum amount under this category shall be titled in lieu of all other benefits under the second schedule.</p>

S. No.	Component of Compensation Package in respect of land acquired under RFCT-LARR Act,2013	Determination Procedure	Eligible Category	Explanatory Remarks
			amount of compensation (as determined under section 27 of central Act) to the affected families.	
2	Provision of Housing units in case of displacements	<p>a. All affected families defined u/s 3 c of RFCT- LARR Act, 2013 required to relocate due to the project for which land is being acquired including land owners, customary dwellers and occupiers whose livelihood is primarily dependent on the affected land.</p> <p>b. This benefits shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaced from such area u/s 1 (2) of Second Schedule of LARR Act, 2013.</p>	<p>a. Rural areas: A constructed house as per Indira Awas Yojana specifications, or cash assistance in lieu thereof as determined by the concerned State Government under its own resettlement policy or rules, equivalent cost of the house may be offered, provided that such cash assistance shall not be less than Rs. 60,000.</p> <p>b. Urban areas: A constructed house of minimum 50 sq mts in plinth area or cash assistance in lieu thereof as determined by the concerned State Government under its own resettlement policy or rules, provided that such cash assistance shall not be less than Rs.1,50,000.</p>	<p>a. This cash assistance in lieu of the provision of alternative house shall be provided to all displaced families without discrimination, including resident owners, occupant land assignees, and long-term lessees.</p> <p>b. This assistance shall be extendable to mixed-use structures fulfilling residential and commercial purposes in owner as well as un-titled categories.</p>
3	Land for Land where feasible	In the case of irrigation project, as far as possible and in lieu of compensation to be paid for land acquired, each affected family	Provided that in every project those persons losing land and belonging to the Scheduled Castes or the Scheduled Tribes will be provided a land equivalent to land acquired or two and a one half acres, which is lower.	Preference shall be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based where feasible. These strategies include resettlement on public land or on private land acquired or purchased for resettlement. Whenever Replacement land is offered, resettlers are

S. No.	Component of Compensation Package in respect of land acquired under RFCT-LARR Act, 2013	Determination Procedure	Eligible Category	Explanatory Remarks
			<i>(Item 2</i>	
		owning agricultural land in the affected area and whose land has been acquired or lost, or who has, as a consequence of the acquisition or loss of land, been reduced to the status of a marginal farmer or landless, shall be allotted, in the name of each person included in the records of rights with regard to the affected family, a minimum of one acre of land in the command area of the project for which the land is acquired.	<i>Of Second Schedule-RFCT-LARR Act, 2013).</i>	Provided with land for which a combination of productive potential, locational advantages and other factors is at least equivalent to the advantages of the land taken. If sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment shall be provided (as per serial no.5a) in addition to cash compensation for land and other assets lost.
4	Offer for Developed Land	In case the land is acquired for urbanisation purposes, twenty per cent of the developed land will be reserved and offered to land owning project affected families, in proportion to the area of their land acquired and at a price equal to the cost of acquisition and the cost of development: Provided that in case the land owning project affected family wishes to avail of this offer, an equivalent amount will be deducted from the land acquisition compensation package payable to it. <i>(Item 3 of Second Schedule-RFCT-LARR Act, 2013)</i>		This provision is not applicable to the GSHP II road projects; however this provision may apply in case if project involving land developments are undertaken by R&BD in future.
5	Choice of Annuity of Employment	Affected families defined u/s 3 (c) of RFCTLAR&R Act	The appropriate Government shall ensure that the affected families are provided with the following	Suitable provisions will be made and disclosed in line with the extent Law/Rules as obtaining in the concerned Govt. at the time of

S. No.	Component of Compensation Package in respect of land acquired under RFCT-LARR Act,2013	Determination Procedure	Eligible Category	Explanatory Remarks
		2013.	<p>options:</p> <p>a. Where jobs are created through the project, after providing suitable training and skill development in the required field, make provision of employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required; or</p> <p>b. onetime payment of five lakhs rupees per affected family; or</p> <p>c. Annuity policies that shall pay not less than two thousand rupees per month per family for twenty years, with appropriate indexation to the Consumer Price Index for agricultural labourers.</p>	acquisition.
6	Subsistence grant for displaced families for a period of one year.	Each affected family (losing residential or commercial structures) defined u/s 3 of RFCTLARR, Act 2013, displaced by the project.	<p>a. Subsistence allowance equivalent to three thousand rupees per month for a period of one year.</p> <p>b. In addition to this amount, the Scheduled Castes and the Scheduled Tribes displaced from scheduled areas shall receive an amount of Rs. 50,000 on one time basis.</p>	<p>Each affected family which is displaced shall be given a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award or after displacement.</p> <p>The affected family will have the option to opt for onetime payment of subsistence allowance payable over a year.</p> <p>In case of displacement from the Scheduled Areas, as far as possible, the affected families shall be relocated in a similar ecological zone, so as to preserve the economic opportunities language, culture and community life of the tribal communities.</p>
7	Transportation cost for displaced families	Each displaced family defined in u/s 3 of RFCTLARR Act, 2013	One-time financial assistance of Rs. 50000/- as transportation cost for shifting of the family, building materials, belongings and	All displaced families will receive three months advance notice to vacate.

S. No.	Component of Compensation Package in respect of land acquired under RFCT-LARR Act, 2013	Determination Procedure	Eligible Category	Explanatory Remarks
			cattle.	
8	Each affected Cattle Shed or Petty shop	Each displaced family (defined in u/s 3 of RFCT-LARR Act, 2013) having cattle shed or petting shop	One-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of Rs, 25000/- for construction of cattle shed or petty shop as the case may be.	Small shops will include commercial kiosks, vendors where business is carried out. Kiosks and vendors receiving this cash assistance under the small shop category shall not be entitled to any other rehabilitation assistance under second schedule. Provided that the PIU and the implementation support NGO/ agency will consult such PAPs and assess the requirement of subsistence allowance and shall be provided based on their livelihood loss. Cattle shed shall mean any permanent, semi- permanent structure or makeshift shed erected on long term basis for keeping cattle.
9	One-time grant to artisan, small traders and certain others	Each displaced family of an artisan, small trader or self- employed person or an affected family which owned non- agricultural land or commercial, industrial or institutional structure in the affected area, and which has been involuntarily displaced from the affected area due to land acquisition.	One-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of Rs. 25,000/-.	The affected families eligible for this assistance may be from title holder or non-title holder categories as defined u/s 3 © of RFCT-LARR Act, 2013 The actual person losing income in this category shall be eligible for this financial assistance without discrimination on the basis of gender.
10	Fishing rights	In cases of irrigation or hydel projects, the affected families may be allowed fishing rights in the reservoirs, in such manner as may be prescribed by the appropriate Government.		This provision is not applicable to the GSHP II Road projects.
11	One-time Resettlement Allowance	Each affected family (defined in u/s 3 of RFCT-LARR Act, 2013)	One-time “Resettlement Allowance” of Rs.50000/-	a. The affected families eligible for this allowance may be from title holder or non-titleholder categories as defined us/3 c of RFCT-LARR Act, 2013. Non-title holders such as encroachers and squatters for those in the Right of Way where no Land Acquisition is done and occupy prior to the date of census or the date of project area was delineated, whichever date is earlier. b. The actual person losing income in this category shall be eligible for

S. No.	Component of Compensation Package in respect of land acquired under RFCT-LARR Act,2013	Determination Procedure	Eligible Category	Explanatory Remarks
				this financial assistance without discrimination on the basis of gender.
12	Stamp duty and registration fee	Each displaced family	Reimbursement of stamp duty and fees for purchase and registration of alternative property.	Purchase of alternative property including land, residence, or shop to replace the lost and assets in the name of self or and in the name of the spouse within one year from receipt of compensation.
13	Provisions of Resettlement Sites	Groups of affected families relocated by the project in block in resettlement sites established for the purpose	Appropriate permanent housing with minimum specified floor area at resettlement sites with providing basic services and other provisions as spelt out in the Third Schedule of RFCT-LARR Act, 2013 where resettlement sites are established for the displaced families.	<p>a. This may not be applicable in most cases; however, wherever such an option is planned, R&BD shall include these in the Resettlement Action Plan (RAP) and implement the same.</p> <p>b. The RAP shall spell out services to be provided, key conditions for allowing occupancy and indicators for withdrawal of post-resettlement support once the people are adequately settled.</p>
14	Loss of community Infrastructure and Common Property Resources	Affected communities and groups	Reconstruction of community structure and common property resources.	The reconstruction of community structures and replacement of common property resources shall be done in consultation with the community.
15	Mitigation of Temporary Impacts on Lands and Assets	Affected owners of land and assets	Compensation for restoration of temporary impact during construction like disruption of normal traffic, damage to adjacent parcel of land/ assets due to the movement of heavy machinery and plant sites.	The contractor shall bear the compensation cost of any impact on structure or land due to movement of machinery during construction or establishment of construction plant. All temporary use of lands outside proposed RoW to be through written approval of the landowner and contractor. Location of construction camps by contractors in consultation with R&BD.

Notes to Entitlement Matrix

Note A:

1. Compensation would be determined by Competent Authority as per provisions in RFCT-LARR Act, 2013 section 26, which specifies the following criterion for assessing and determining market value

of the land.

- a. The market value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds or agreements to sell, as the case may be in the area where the land is situated or
- b. The average sale price for similar type of land situated in the nearest village or nearest vicinity, ascertained from not less than 50% of the sale deeds registered during three years.

Whichever is higher.

The date for determination of market value shall be the date on which the notification has been issued under section 11.

Explanation 1: The average sale price referred to in clause (b) shall be determined taking into account the sale deeds or the agreements to sell registered for similar type of area in the near village or near vicinity area during immediately preceding three years of the year in which such acquisition of land is proposed to be made.

Explanation 2: For determining the average sale price referred to in Explanation 1, one half of the total number of sale deeds of the agreements to sell in which the highest sale price has been mentioned shall be taken into account.

Explanation 3: While determining the market value under this section and the average sale price referred to in Explanation 1 or 2 any price paid as compensation for land acquired under the provisions of this Act on an earlier occasion in the district shall not be taken into consideration.

Explanation 4: While determining the market value under this section and the average sale price referred to in Explanation 1 or 2 any price paid, which in the opinion of the Collector is not indicative of actual prevailing market value may be discounted for the purposes of calculating market value.

2. The market value calculated as per said (1) above shall be multiplied by a factor of one or two based on the distance from urban area as may be notified by the appropriate Government.
3. Where the market value as per 1 or 2 above cannot be determined for the reason that:
 - a. The land is situated in such area where the transaction in land are restricted by or under any other law for the time being in force in that area; or
 - b. The registered sale deeds or agreements to sell as mentioned in clause (a) of sub-section (1) for similar land are not available for the immediately preceding three years or;
 - c. The market value has not been specified under the Indian Stamp Act, 1899 by the appropriate authority.
 - d. The State Government concerned shall specify the floor price or minimum price per unit area of the said land based on the price calculated in the manner specified in sub-section (1) irrespective of similar types of land situated in the immediate adjoining areas;
4. In determining the amount of compensation to be awarded for land acquired under RFCT-LARR Act, 2013 the provisions under section 28 of the Act shall be taken into consideration.
5. Those occupying village common lands/ abadi lands prior to 1961 shall be eligible to be treated as "regularized land holders" as permitted by law and shall be provided with alternative land or site allowance equivalent to land compensation.
6. In addition to the market value of the land awarded, in every case the competent authority will award an amount at the rate of 12% per annum on such market value for the period commencing on and from the publication of the notification u/s 11 till the date of award or the date of taking possession, whichever is earlier.

Note B: The compensation for houses, buildings and other immovable properties will be determined on the basis of current market value by referring to relevant Schedule of Rates (SoR) as on date without depreciation. While evaluating structure value, services of competent engineer, or any other specialist shall be hired. While considering the SoR, an independent evaluator registered with the Government hired for the purpose will use the latest SoR for the residential and commercial structures in the urban and rural areas of the region, and in consultation with the owners.

Note C: In case only a part of any land plot is affected and its owner desires that the whole plot be acquired, the competent authority may make additional award as per section 94 of RFCT-LARR Act, 2013 for the remaining part of land without initiating the land acquisition process afresh. The compensation/

assistance would be normally paid/ provided to the Household Head. Or else to the member with the household who owns/has valid papers to the affected structure/ land or based on verification will receive the compensation or assistance. Also during

implementation stage, NGO shall undertake a verification exercise and provide details to the PIU for preparation of micro plan and payment of compensation and eligible assistances.

Note: All unit costs will be updated to 2021 prices or revised to the year of payment, prior to payment (updated based on the Consumer Price Index for Agricultural labourer's (CPIAL)⁵ for India during the period between January 2014 to March 2021)

16. Besides the provisions listed above to address construction stage impacts, mitigation measures with specific responsibilities will be provided in the sub project specific ESMPs for mitigating construction stage impacts.
17. If the residual land, remaining after acquisition, is unviable, the owner of such land/ property will have the right to seek acquisition of his entire contiguous holding/ property provided the residual land is less than the minimal land holding of the district/ State. Owner's choice in this regard should be obtained either prior to payment in case of direct purchase or prior to declaration of award.
18. Further, all compensation and assistance will be paid to PAPs at least 1 month prior to displacement or dispossession of assets. In case of compensation payable following acquisition through private negotiations, direct payment transfer of single instalment payment will be done to beneficiary bank account. The PIU will assist beneficiaries to open a Bank account, in case they do not have Bank Account and in special cases, provide the payment through cheque.
19. Even after payment of compensation, displaced PAPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that PAPs can take away the materials so salvaged within 15 days of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice. Trees standing on the land owned by the government will be disposed of through open auction by the concerned Revenue Department/ Forest Department.
20. There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act. In the event any deductions are made toward taxes, such amounts will have reimbursed.
21. Livelihood Restoration/ Enhancement: Each PAPs whose income or livelihood is affected by a subproject will be assisted to improve or at least restore it to pre-project level. Income restoration schemes will be designed in consultation with affected persons and considering their resource base and existing skills. PIU will identify the number of eligible PAPs/ DPs and will conduct training need assessment in consultations with the affected persons so as to develop appropriate income restoration schemes.
22. The IA with support of specialised agency will examine local employment opportunities and produce a list of possible income restoration options. Suitable trainers or local resources will be identified by IA in consultation with local training institutes. Disadvantaged and vulnerable

⁵January 2014: 757 CPAIL Index e sourced from - http://labourbureau.gov.in/LBO_indnum.htm)

households will get special assistance in this regard. The IA will also facilitate affected person access to Government schemes that could help them to restore income and livelihood. In addition, the entitlement matrix provides for one-time income restoration allowance.

23. It is the responsibility of the IA to ensure that the RAP is successfully implemented in a timely manner. The implementation schedule needs to be updated periodically and monitored judiciously. The objectives of the RAP shall be deemed achieved only when the following criteria are met:
- a. All legal compensation both for land and structure and other assets (trees, crops, etc.) are be paid;
 - b. All eligible PAPs must have received their due R&R entitlements;
 - c. Any relocation or resettlement and economic rehabilitation required is fully completed.
 - d. All project affected common property resources must be replaced/ restored re-established or suitably augmented

Estimation of land requirement and Preparation of Land Acquisition Plans

24. The existing right-of-way (RoW)/ Land parcel ownership shall be established based on revenue maps and field measurement books (FMB), which will be the basis for detailed design and wherever possible the proposed land taking or proposed RoW shall be minimized to reduce land acquisition and resettlement impacts. Land Plan Schedule present details of the land parcels to be acquired for the project and will be used for issuing notifications as per land acquisition act or for private negotiation by District Administration from PAPs.

25. The preparation process of LAP includes:

- Collection of Village map, jamabandi etc., and record of rights from the Tehsil Office
- Based on the final designs and spot inspection sketches for LA are made
- Calculation of land acquisition requirement in a particular survey number is arrived based on the jamabandi;
- Field verification of available project land is done from revenue department;
- Identify and Stakeout on ground of the areas project authority land where private land needs to be acquired as per approved proposed alignment designs;
- Measurement of land proposed to be acquired to be done along with the Revenue Department. After field verification land are transferred to each survey sketch;
- The LA plans have to be finally signed by the concerned authorities

26. Census Survey Updating: If the PAPs are not displaced and affected within two years from the census surveys key census socio-economic surveys will be updated once in two years, in order to keep the baseline date for measuring the living standards of the affected people.

Co-ordination with civil works

27. The land acquisition and resettlement implementation will be co-coordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of encumbrance free land ions to the contractors. The project will provide adequate notification, counselling and assistance to affected people so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation. The bid documents will specify the extent of unencumbered land to be handed

over at the time commencement of works and subsequent milestones and this will be strictly followed to ensure that land is provided on a timely basis to the contractors and also plan implementation of land acquisition and resettlement in line with procurement and civil work time table.

28. **Table 2** lists the actions to be completed by different stages:

Table 2 : List of actions linked to Civil works

Stage of civil works	Activities
Before issuance of civil work bids	Preparation of Land Acquisition Plan and Strip Plan
	Preparation of RAP based on Social Impact Assessment comprising Census & Socio-Economic survey of affected persons and its disclosure
	List of encumbrance free area available for construction
	Issuance of draft Notification of the 11 Land Acquisition
	Appointment of Arbitrator
	Formation of Price Fixation Committees and Negotiation Committees
Before award of civil works contract	Appointment of RAP implementation agency/ NGO
	Private Negotiations with Titleholders by Price Fixation Committees and Negotiation Committees & Award
	Identification & Verification of PAPs by NGO
	Valuation of structures
	Preparation of Micro Plans for Rehabilitation & Resettlement by the NGO
	Issuance of ID Cards
	Update draft Resettlement Plan to reflect surveys, consultations, design changes, and due diligence results
	Consultations disclosure, & awareness generation
	R&R Award for Titleholders & Non-Titleholders
	Preparation and Approval of Micro Plans
	Disbursement of R&R assistance amounts
Before handover of land to contractor	List of encumbrance free stretches available for construction by first & second milestone by dates
	Handover of land to contractors first & second milestone

29. **Support Agency/ NGOs:** The Project activities if leading to physical or economic relocation disturbs the present activities of PAPs and therefore there is a need to establish and stabilise their livelihood. While all tasks relating to Land Acquisition are taken care by the Land Acquisition Officer and his staff, the implementation of RAP is the responsibility of the PIU. The NGO or any other implementing agencies will help in implementing various components of the RAP, particularly the use of compensation and rehabilitation assistance for more productive purposes like purchase of land, self-employment, etc. The NGO(s) selected will have to work directly under the social development officer, who will oversee implementation of RAP. With regards to the above, the NGO shall,

- Co-ordinate (and impart wherever required) the training and capacity building of the PAPs, for upgrading their skills for income restoration. This will include the training to be given by

the NGO to women self-help-group members in accounting, record maintenance, skill acquisition in the chosen enterprise, and marketing, etc.

- Help the PAPs in realizing and optimizing the indigenous technology knowledge (ITK) through use of local resources.
- Define, evolve, and explore alternative methods of livelihood using the local skill and resources.
- Contact financial institutions like NABARD, SIDBI, RMK and the Lead Bank of the area in accessing the credit required by the individual as well as groups of PAPs and the women's groups from the PAFS. The NGO shall maintain a detailed record of such facilitation, and plan for each PAF to repay the loan.
- Establish linkages with the District administration for ensuring that the PAPs are benefited from the schemes available and those they are entitled to. The focus for this component of the NGOs work shall be the vulnerable PAPs for their income restoration. The NGO shall maintain a detailed record of such facilitation. ToR for hiring of NGOs shall be submitted by IA and approved by Bank.

Resettlement Budget

30. The resettlement budget will comprise itemized estimate of compensation for land, structures, trees, crops, various resettlement assistances, rehabilitation or replacement of CPRs including land, if government land is not available, institutional cost, contingency, additional studies if required, cost towards implementation, engagement of RAP implementation agency, evaluation consultants, etc. Based on the initial estimates provided by the RAP preparation consultants and later by the RAP implementation agency, the PIU shall update and prepare final estimates for compensation and assistances payable. They shall jointly review the compensation for land with the Revenue department and with Public Works Department for cost of structures and CPRs. Based on these estimates the PIU shall prepare a request for funds and submit the same through the Project Director to the Government for release of funds for disbursement. Each sub-project specific RAP shall provide for contingency costs to meet any unforeseen expenditure.
31. The cost of LA and R&R has been budgeted as part of the overall project costs and shall be met with State Government funds. The World Bank's loan will be available for costs such as works, purchase of goods and NGO consultancy, M&E services, if required.

Outline of a Resettlement Action Plan

32. Resettlement Action Plan will be prepared if involuntary resettlement impacts are found in the ESDD study. The RAP will include the census of PAPs, and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, grievance redress mechanisms, and participatory results monitoring mechanisms. The RAP should be broadly structured in the following manner:
- (i) General description of the project,
 - (ii) Scope of Land Acquisition and Resettlement
 - (iii) Socio-economic Information
 - (iv) Objectives, Policy Framework, and Entitlements
 - (v) Gender Impact and Mitigative Measures
 - (vi) Information Dissemination, Consultation, Participatory Approaches, and Disclosure Requirements

- (vii) Grievance Redress Mechanisms
- (viii) Relocation of Housing and Settlements
- (ix) Compensation, Relocation, and Income Restoration
- (x) Institutional Framework
- (xi) Resettlement Budget and Financing
- (xii) Implementation Schedule
- (xiii) Monitoring and Reporting
- (xiv) Arrangements for adaptive management

Outline of Livelihood Support Plan

33. The purpose of this document is to set out a process to be followed to identify the families requiring livelihood improvement support on account of loss of their existing livelihood due to project interventions. The livelihood support plan is aimed at providing assistance and put in place an action plan duly taking into account inputs from each of the identified families assessing the opportunities so that the identified families can be assisted in restoring their livelihoods. The document also describes monitoring mechanism to verify and effectively implement the proposed action plan.

Livelihood Restoration Plan : Need & Purpose

Existing efforts in Livelihood Improvement and Current Progress

Profiles of the area - Availability and Accessibility of Livelihoods

Methodology for Identifying the families requiring livelihood support

Consultative Process for Developing Action Plan

Outline of Action Plan

Implementation approach

Monitoring Mechanism and Monitoring Register

Establishing linkages for sustainable livelihoods improvement

Comparison of ESF versus RFCTLARR Act 2013 and Measures to address gaps

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Measures to bridge the Gap between Policy/ Acts and ESF, 2016 of World Bank
1	Avoid involuntary resettlement wherever feasible	Social Impact assessment (SIA) should include: (i) whether the extent of land proposed for acquisition is the absolute bare minimum extent needed for the project; (ii) whether land acquisition at an alternate place has been considered and found not feasible [Ref: Section 4 sub-section 4(d) and 4(e)]	RAP and ESIA will be carried out.
2	If unavoidable, minimize involuntary resettlement by exploring project and design alternatives	None	Usage of principle of mitigation hierarchy to analyse alternatives to avoid/ minimize/ compensate or offset
3	To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels	None	Would be ensured through suitable provisions in the RAP
4	To improve the standards of living of the displaced poor and other vulnerable groups.	None	Would be ensured through suitable provisions in the RAP
5	Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks.	While the policy does not specify any requirement for screening of the project at an early stage for resettlement impacts and risks, it requires carrying out social impact assessment before any proposal for land acquisition (section-16).	Screening of all sub-projects towards enabling identification of the potential resettlement impacts and associated risks will be carried out.
6	Determine the scope of resettlement planning through a survey and/ or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks (ESS-1)	Carry out census of affected people and their assets to be affected, livelihood loss and common property to be affected; R&R scheme including timeline for implementation. (Section: 16. (1) and (2)).	The ESS-1 requirements will be followed based on which census and socio-economic has been carried out
7	Carryout consultations with displaced persons, host communities and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options (ESS-10)	<ul style="list-style-type: none"> • Consultation with Panchayat, Municipality, to carry out SIA. (Section: 4. (1)) • Public hearing for Social Impact Assessment. Section: 5. 	All impacted persons – land owners and users of land (non-titleholders such as squatters and encroachers) would be consulted. The ESS-10 requirements will be followed

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		<ul style="list-style-type: none"> Discussion on and Public hearing for Draft Rehabilitation and Resettlement Scheme <i>Section: 16. (4). and (5).</i> 	
8	Establish grievance redressal mechanism (ESS-1 and ESS-5)	<ul style="list-style-type: none"> Establishment of Land Acquisition, Rehabilitation and Resettlement Authority for disposal of disputes relating to land acquisition, compensation, rehabilitation and resettlement. <i>Section: 51. (1). and Section: 64.</i> The Requiring Body or any person aggrieved by the Award passed by an Authority under section 69 may file an appeal to the High Court within sixty days from the date of award. <i>Section: 74. (1). and (2).</i> 	A project level GRM will be included in the RAP and ESMF.
9	Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase. (ESS-1 and ESS-5)	Social Impact Assessment is must before taking final decision on acquisition of land followed by preparation of R&R Scheme	Social Impact Assessment, consultations with relevant stakeholders – affected and interested parties will be done
10	Improve or restore the livelihoods of all displaced persons through (i) land-based resettlement strategies (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit	<ul style="list-style-type: none"> Land for land in case of irrigation projects to the landowners losing agricultural land. Land for land in every project to landowners belong to SC and ST community up to 2.5 acres of land. <i>Section: 31 and The Second Schedule</i> Provision of housing units in case of displacement. Offer for developed land. <i>Section: 31 and The Second Schedule</i> 	Structure to be compensated at replacement cost without depreciation, besides commensurate provisions to address livelihood issues. Specific provisions to address impacts on non-titleholders need to be incorporated

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	sharing schemes where possible. (ESS-5)	<ul style="list-style-type: none"> Recognizes 3 methods and whichever is higher will be considered which will be multiplied by a factor given in The First Schedule. Compensation given earlier will not be considered; If rates not available floor price can be set; Steps to be taken to update the market value. (Section 26 and The First Schedule) Provision for employment, fishing rights, annuity policy etc (Section: 31 and The Second Schedule) 	
11	If there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; provide transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required. (ESS-5)	<ul style="list-style-type: none"> A family as a unit will receive R&R grant over and above the compensation and those who are not entitled to compensation. Section: 31 Homeless entitled to constructed house, land for land in irrigation projects in lieu of compensation, in case of acquisition for urbanization 20% of developed land reserved for owners at a prices equal to compensation' jobs or onetime payment or annuity for 20 years' subsistence grant, transportation, land and house registered on joint name husband and wife, etc. Second Schedule Provision for infrastructural amenities in resettlement areas. Section: 32 and Third Schedule 	Relocation is not envisaged under the proposed sub-project

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Measures to bridge the Gap between Policy/ Acts and ESF, 2016 of World Bank
12	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. (ESS-5)	<ul style="list-style-type: none"> • Landless people are considered and eligible for R&R grants. <i>Section:16. (2).</i> • Widows, divorcees, abandoned women will be considered as separate family and entitled to R&R provisions <i>Section: 3. (m)</i> • Homeless entitled to constructed house and landless entitled to land in irrigation project. <i>Second Schedule</i> • Special provision for Scheduled Caste/ Scheduled Tribe; <i>Section: 41.</i> • Additional provisions for SC&ST for land for land in irrigation projects, additional sum over and above the subsistence grant. <i>Second Schedule</i> 	Commensurate measures would be provided for in the RAP
13	If land acquisition is through negotiated settlement, ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.(ESS-5)	R&R entitlements apply in case of land acquired/ purchased for PPP projects and for Private Companies. <i>Section: 2. (2), and 46.</i>	Provisions as applied in the RFTCLARR Act will be used and additional measures where required will be used for vulnerable and disadvantaged persons.
14	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets. (ESS-5)	<p>The Act recognizes: <i>Section: 3 (c)</i></p> <ul style="list-style-type: none"> • a family which does not own any land but belong to the family of an agricultural labourer, tenant, sharecroppers, or artisans or working in affected area for three years prior to the acquisition of the land • the Scheduled Tribes and other traditional forest dweller who have lost any of their forest rights • family whose primary source of livelihood for 	Under this project, provision would be made to that in the case of land acquisition, the date of publication of preliminary notification for acquisition under Section 4.1 of the LAA will be treated as the cut-off date for title holders, and for non-titleholders such as squatters the start date of the project census survey.

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		<p>three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen</p> <ul style="list-style-type: none"> • a family residing or earning livelihoods on any land in the urban areas for preceding three years or more prior to the acquisition of the land 	
15	<p>Prepare a resettlement plan/ indigenous peoples plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. (ESS-5 and ESS-7)</p>	<ul style="list-style-type: none"> • Preparation of Rehabilitation and Resettlement Scheme including timeline for implementation. <i>Section: 16. (1) and (2).</i> • Separate development plans to be prepared. <i>Section 41</i> 	<p>Where required, RAP will be prepared. IPDP or TDP is not required.</p>
16	<p>Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders. (ESS-10)</p>	<ul style="list-style-type: none"> • The draft Rehabilitation and Resettlement Scheme prepared shall be made known locally by wide publicity in the affected area and discussed in the concerned Gram Sabhas or Municipalities and in website. <i>Section: 16. (4)</i> • The approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation and in website. <i>Section: 18.</i> 	<p>In addition to the publishing of the approved resettlement plan, the RAP includes provision for disclosure of the various documents pertaining to RAP implementation in accordance with Stakeholder Engagement Framework (SEF)</p>
17	<p>Include the full costs of measures proposed in the resettlement plan and indigenous peoples plan as part of project's costs and</p>	<p>The requiring body shall bear the cost of acquisition covering compensation and R&R cost. <i>Section: 19. (2) and Section 95. (1)</i></p>	<p>None</p>

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	benefits. For a project with significant involuntary resettlement impacts and/ or indigenous peoples plan, consider implementing the involuntary resettlement component of the project as a stand-alone operation. (ESS-5)		
18	Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation. (ESS-5)	<ul style="list-style-type: none"> • The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid within three months for the compensation and a period of six months for the monetary part of rehabilitation and resettlement entitlements. <i>Section: 38. (1)</i> • The Collector shall be responsible for ensuring that the rehabilitation and resettlement process is completed in all its aspects before displacing the affected families. <i>Section: 38. (2)</i> 	None
19	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports. (ESS-5)	<ul style="list-style-type: none"> • The Rehabilitation and Resettlement Committee, to monitor and review the progress of implementation of the Rehabilitation and Resettlement scheme and to carry out post-implementation social audits in consultation with the Gram Sabha in rural areas and municipality in urban areas. <i>Section: 45. (1)</i> • Set up National and State level Monitoring 	The ESS-5 requirements will be followed.

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		Committee to review and monitor progress. <i>Section 48-50</i>	

Monitoring and evaluation indicators

Table 3: Indicative monitoring indicators for Physical Progress

Monitoring Indicators	Implementation Target	Revised Implementation Target	Progress this Month	% against Revised Implementation Target
Compensation for Structures, other assets (cattle sheds)				
Preparation and dissemination of leaflets to various stakeholders				
Preparation and approval of micro plans				
Number of joint bank accounts opened				
Issuance of identity cards				
Submission of monthly progress reports				
One time rehabilitation grant provided				
Livelihood Restoration Allowance for affected Categories				
Allowances paid to Vulnerable groups				
Community Assets rehabilitated/ restored				
No. of PAPs who have received training for livelihood restoration/ enhancement				

Table 4: Indicative Monitoring Indicators for Financial Progress

Category	Estimated Cost (INR)	Progress this month
R&R Assistance		
RAP Implementation NGO Services		
M&E Services		

Table 5: Monitoring of Grievances received and redressed

Particulars	Quarters			
	Q1	Q2	Q3	Q4 & Cumulative Total
No. of cases referred to GRC				
No. of cases settled by GRC				
No. of cases pending with GRC				
Average time taken for settlement of cases				
No. of GRC meetings				
No. of PAPs moved court				
No. of pending cases with the court				
No. of cases settled by the court				

Table 6: Indicative Impact Evaluation Indicators

Parameter	Breakup of parameter	Baseline (%)	Mid-Term (%)	End -Term (%)
Occupation of HH*	Agriculture			
	Trade/ Business			
	Petty shop keeping			
	Agri labour			
	Non-Agri labour			
	Service			
Annual Income*	<75000			
	75001 - 1lakh			
	1lakh - 2.5lakh			
	2.5lakh - 5lakh			
Possession of Assets*	TV			
	Fridge			
	Cycle			
	Motor Cycle			
	Car			