



**GOVERNMENT OF ANDHRA PRADESH
AP Urban Finance and Investment Development
Corporation**

**Andhra Pradesh Urban Water Supply and Septage
Management Improvement Project**
The Asian Infrastructure Investment Bank assisted

Resettlement Policy Framework (RPF)

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List of Acronyms

AF	Affected Family
AIIB	Asian Infrastructure Investment Bank
AP	Affected Person
APL	Above Poverty Line
AP RFCTLARAR Rules	Andhra Pradesh Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Rules
ARAP	Abbreviated Resettlement Action Plan
BPL	Below Poverty Line
CA	Community Assets
CPR	Common Property Resource
EMP	Environment Management Plan
ESP	Environmental and Social Policy
ESS	Environmental and Social Standards
GoAP	Government of Andhra Pradesh
PRED	Panchayat Raj Engineering Department
PWD	Public Works Department
R&R	Resettlement and Rehabilitation
RAP	Resettlement Action Plan
RFCTLARAR Act 2013	The Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act, 2013 and
RoW	Right of Way
RP	Resettlement Plan
RPF	Resettlement Policy Framework
SC	Schedule Caste
SoR	Schedules of Rates
ST	Schedule Tribe

Glossary of Resettlement & Rehabilitation Terms

- **Agricultural Land** means lands being used for the purpose of :(i) agriculture or horticulture; (ii) raising of crops, grass or garden produce; and (iii) land used by an agriculturist for the grazing of cattle, but does not include land used for cutting of wood only.
- **Assistance** refers to the support provided to Aps/AFs in the form of ex-gratia payments, loans, asset services, etc. in order to improve the standard of living and reduce the negative impacts of the 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 State BPL list in force.
- **Compensation** refers to the amount paid under RFCTLARAR Act 2013, for private property, structures and other assets acquired for the project. It refers to the amount as given in the Entitlement Matrix for the project.
- **Cut-off Date** is the date of Notification under Preliminary Notification issued in FORM IV and as provided in ACT 2013 will be the cut-off date where the land acquisition will be required. For Non-titleholders the date of socio-economic survey will be considered as the cut-off date.
- **Encroachers** are those persons who have extended their building, business premises or work places into government lands. Assistance will be provided to these persons, based on their loss.
- **Family** includes a person, his or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother and other relatives residing with him or her and dependent on him or her for their livelihood; and includes “nuclear family” consisting of a person, his or her spouse and minor children; Provided that widows, divorcees and women deserted by families and major sons, daughters, brothers and sisters shall be considered separate families.
- **Affected Family** includes(1) a family whose land or other immovable property has been acquired; (2) a family which does not own any land but a member or members of such family may be agricultural labourers, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans or who may be working in the affected area for three years prior to the acquisition of the land, whose primary source of livelihood stand affected by the acquisition of land; (3), the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognised under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land (4) family whose primary source of livelihood for 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 and such livelihood is affected due to acquisition of land; (5) a member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition; (6) a family residing on any land in the urban areas for preceding three years or more prior to the acquisition of the land or whose primary source of livelihood for three years prior to the acquisition of the land is affected by the acquisition of such land.

- **Government** refers to the Government of Andhra Pradesh.
- **Land Acquisition or Acquisition of Land** means acquisition of land under RFCTLARAR Act 2013.
- **Non-Perennial Crop** is 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. For example, paddy, sugarcane, groundnut, etc.
- **Notification** means a notification published in the Gazette of India, or as the case may be, the Gazette of State.
- **Perennial Crop** is any plant species that live for years and yields its products after a certain age of maturity is a perennial crop. Generally trees, either grown naturally or by horticultural and yield fruits or timber have been considered as perennial crop in the project. For example, tamarind, coconut, mango, teak, neem etc. are perennial crops.
- **Affected Persons (APs)** are any persons who have economic interests or residence within the project impact corridor and who may be adversely affected directly by the project. Affected persons include those displaced, those losing commercial or residential structures in whole or part, those losing agricultural land or homesteads in whole or part, and those losing income sources as a result of project action.
- **Replacement Cost** of the acquired assets and property is the amount required for the affected house hold to replace/reconstruct the lost assets through purchase in the open market. Replacement cost will be calculated at PRED/PWDs current Schedule of Rates without depreciation. Replacement cost will be in line with the provisos of the Entitlement Matrix of the project.
- **Severance of Land** Severance of Land can be defined of a land holding divided into two or more pieces due to acquisition of land mainly for laying new project alignment, such as a bypass or a re-alignment.
- **Squatter** means those persons who have illegally occupied government lands for residential, business and or other purposes.
- **Tenants** are those persons having any form of tenancy agreements, written or unwritten, with a private property owner with clear property titles, to occupy a structure or land for residence, business or other purposes.
- **Vulnerable groups** are persons such as differently abled, destitutes, widows, minorities, SCs and STs, orphans, persons above sixty years of age.
- **Women Headed Household** A household that is headed by a woman and does not have a male earning member is a Woman Headed Household. This woman may be a widowed, separated or deserted person.

1. Resettlement Policy Framework

1.1 Introduction

This Resettlement Policy Framework (RPF) is prepared for the Andhra Pradesh Urban Water Supply and Septage Management Improvement Project (APUWSSMIP) to be funded by Asian Infrastructure Investment Bank (AIIB) in Andhra Pradesh, to be implemented by Government of Andhra Pradesh (GoAP) through concerned Departments/ Corporations. This RPF is drawn in accordance with The Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act, 2013 (RFCTLARAR Act 2013) and Andhra Pradesh Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Rules, 2014 (APRFCTLARAR Rules 2014), and generally accepted practices and principles of resettlement and rehabilitation. The framework has been developed based on the following policies/ legislations:

- The Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act 2013 (RFCTLARAR Act 2013)
- Andhra Pradesh Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Rules, 2014 (APRFCTLARAR Rules 2014)
- The Asian Infrastructure Investment Bank (AIIB)'s Environmental and Social Policy and Environmental and Social Standards (ESS), in particular, ESS 2 (Involuntary Resettlement) and ESS 3 (Indigenous Peoples)

This RPF will act as guide for mitigating the social impacts that would be triggered by the sub-projects under each of the projects to be taken by GoAP for Urban Water Supply and Septage Management improvement projects in ULBs with AIIB funding.

1.1.1 Objective of RPF

The primary objective of this RPF is to provide better standard of living to the project Affected Families (AFs)/ Affected Persons (APs) or at least restore their standard of living as it was before project. If the AFs/ APs belong to Below Poverty Line (BPL) category before the project, then this RPF aims to bring them Above Poverty Line (APL). The other objectives of this RPF are to:

- Avoid or minimize involuntary resettlement where feasible, exploring all viable alternative project designs.
- Assist AFs/ APs in improving their former living standards, income earning capacity, and production levels, or at least in restoring them.
- Encourage community participation in planning and implementing resettlement.
- Provide assistance to AFs/ APs regardless of the legality of land tenure.

While the RPF is developed based on principles of the LARAR Act 2013, there may be situations when the Project proponents will acquire land through Negotiated Settlement. Negotiated Settlement will be necessary for securing small strips of land required for the project. The following principles will apply for Negotiated Settlement as well:

Apart from the above-mentioned objectives, the following non-negotiable principles will be followed for all the sub-projects implemented under the AIIB assistance.

- Compensation and Rehabilitation and Resettlement assistance will be paid before displacement.
- All compensation will be at replacement cost.
- No sub-project civil works will be initiated unless compensation for land and assets and rehabilitation and resettlement assistance is provided in full to all eligible AFs and APs.
- Livelihood Assistance will be given in form of Income Generation Assets (IGA) to be chosen by the AFs/ APs. The Project will provide information to the AFs/ APs on alternative income generation activities suitable for the area and help them in making choices.
- The Project will monitor the provision and performance of the IGA through appointed Consultants.
- Progress related to payment of land acquisition compensation and Rehabilitation and Resettlement entitlements will be thoroughly documented and quarterly reports will be sent to the AIIB.
- Under Negotiated Settlement the compensation cannot be below the compensation and other entitlements under LA Act 2013.

1.2 Options for the Project

However, keeping in mind any eventuality, the following options are proposed for procuring/ acquiring private lands:

1. Option 1: Land acquisition using LA Act 2013
2. Option 2: Direct Purchase/ Negotiated Settlement

1.3 Land Acquisition using RFCTLARAR Act 2013

The process for Land Acquisition under this Act has, broadly, three distinct procedures; these are described briefly below:

1.3.1 Preliminary notification under LA

- Notification u/s 11(1) by District Collector authorizing the Land Acquisition Officer for acquiring the lands.
- Publication in GP / Locality / News Papers / Gazette / Website.

- Conduct of Grama Sabha u/s 11(2) explaining the contents of the notification, provision for filing objections within 60 days duly fixing the hearing date and information to landowners regarding conduct of preliminary survey requesting them to be present in conduct of survey and informing the prohibitive clause imposed on alienation of lands covered by notification.
- Notice calling for objections on the preliminary notification on the area and suitability of land proposed to be acquired, justification offered for public purpose, the findings of the Social Assessment report.
- 60 days for filing objections and on enquiry by Land Acquisition officer, District Collector to take decision.
- Conduct of Socio Economic Survey to identify the affected families having lands and immovable properties, identifying livelihood losers dependent on the lands being acquired. Ex: Tenants, Agriculture labour, etc., and preparing a draft Resettlement Action Plan (RAP).
- To enumerate the amenities and infra structural facilities which are affected are likely to be affected due to acquisition and details of common property resources, etc.
- Preparation of draft RAP in consultation with the affected families and place it before Gram Panchayat for conduct of Public Hearing. The suggested formats for RAP and Abbreviated RAP (ARAP) are annexed to this report.
- The draft RAP and a specific report on the claims and objections raised in the public hearing to be placed before R&R Committee to be reviewed by the District Collector and submitted R&R Committee RAP duly incorporating the suggestions and views of the R&R Committee.
- The R&R Committee approve the RAP and cause publication in Locality and website.

1.3.2 Publication of declaration under LA

- The District Collector to make publication of declaration along with summery of RAP and declaration of an area identified as the resettlement area in cases of displacement of AFs/ APs
- Publication in Locality / Gazette / News Papers / Website
- Award Enquiry notices to be issued, conduct enquiry into the ownership, apportionment and interests if any.

1.3.3 Compensation to land owners

- Market value as specified in the Indian Stamp Act, 1899 for the registration of sale deeds or average sale price for similar type of lands situated in the vicinity area.
- Average sale price will be arrived at duly taking the 3 years sales statistics immediately preceding 3 years of the date of 11(1) notification, arrange similar type lands into separate blocks viz., Agricultural Dry /Wet Lands, non-agriculture and workout per acre values, arrange in descending order of the value of the land, take 50% of the highest sales and calculate the average.

- The land rates for the respective areas need to be updated before calculating the market value.
- Basic value or average sale value whichever is high is the Market Value.
- The Market Value to be multiplied with the factor. The multiplication factor under item (2) of the First Schedule for rural areas shall be 1.25 other than scheduled areas and 1.50 for scheduled (tribal) areas subject to any further notification as may be notified by Government.
- Calculate structure value/tree value duly evaluated by experts of the Department.
- Add solatium of 100% on Market value + value of the structure / trees
- 12% Additional Payment on Market Value, payable from the date of issuance of Section 11(1) notification till passing of the Award.
- Damages if any during survey or due to any other cause be paid additionally.
- If dissatisfied with the compensation the interested persons may make an application before the District Collector or approach the courts.

1.3.4 Option 2: Direct Purchase/Negotiated Settlement

Enquiries reveal that ULBs have experience of direct purchase of private lands for public purposes. Hence, this method can be adopted, on a willing seller and willing buyer basis, to avoid delays. However, the rate adopted can not be less than that of compensation and other entitlements under LA Act. The main objective of using Direct Purchase/ Negotiated Settlement is to gain in terms of time required for securing the land.

Negotiation process involves the following:

- Willing ness between buyer and seller shall be there
- Proper documentation with the affected person shall be there
- The minimum negotiated price shall be not be less than market value and in any case not be lower than the compensation and other entitlements under LA Act.
- All negotiations shall be carried out in a transparent manner

In case of failure of negotiations compensation will be paid as mentioned in the Entitlement Matrix of the RPF and as per the LA Act.

1.4 Compensation for Structures and other Assets

Structures: The compensation for structures includes market price of the assets to build/ procure at replacement asset, or to repair, if affected partially. In determining the replacement cost, depreciation of the asset and the value of salvaged materials are not taken into account. Compensation for trees, crops and other assets will be based on the replacement value using existing prices prepared

by relevant agencies, taking into account their productivity and/or local market prices. An addition of 30% is added to the replacement value.

Common Property Resources: Grazing lands, places of worship, places of heritage value, burial grounds, water points, community wells, bore wells for drinking water, roads, path ways, community meeting places, wood lots, etc. are categorized under this heading. These resources will be restored to an acceptable level at an appropriate place as agreed with the community. Community will be fully involved in their replacement.

1.5 Categories and Identification of AFs/ APs

1.5.1 Categories of Project AFs/ APs

The lands acquired will normally be agricultural, residential and commercial lands both in urban and peri urban (rural) areas. Taking these into account, and given that a generic framework is being developed, following broad categories of AFs/ APs are identified:

1. Titleholders
 - a. Agricultural
 - b. Residential
 - c. Commercial
 - d. Institutional (both Government and Private)
2. Encroachers/ Squatters with no valid title
 - a. Agricultural
 - b. Residential
 - c. Commercial
3. Tenants/ Sharecroppers
 - a. Agricultural
 - b. Residential
 - c. Commercial

1.5.2 Cut-Off Date

For preparing a list of AFs/ APs, a Socio-economic survey of the affected families will be done during the planning phase of a sub-project. The list will be appended to the sub-project Detailed Project Report (DPR). The date on which the socio-economic survey is conducted will serve as the cut-off date. No additions to this list will be made unless authorized with concrete proof by the respective Project Director/ Engineer-in-Chief.

1.5.3 Identification of AFs/ APs

The project proposes community participation through participation in identification of AFs/ APs, mobilizing community in implementing RAPs (if any),

and in addressing community's grievances if any. The following process will be adopted to identify AFs/ APs:

- Once the land required is identified, it is classified as either government land or encroached land and/or private land based on ownership status
- The project announces a cut-off date as the Baseline Socio-Economic survey date for identification of affected people.
- The project will identify the encroachers and titleholders as per the ownership status with the help of community members and relevant documents.
- Based on this information the Project proponents will arrive at the total number of AFs/ APs

A detailed census based socio-economic survey will be conducted and extensive consultations will be held with the AFs/ APs. Each target community will be identified and differentiated on the basis of their source and level of income. The survey will focus on land and various productive assets including wages. This information will be used to determine the nature and extent of livelihood support/assistance (over and above the provision made for compensation) required to restore adequate income levels. All these measures will be taken only after consulting the affected families and wider community. This approach will help the project in achieving its objective of ensuring that no affected household becomes poorer with the intervention.

1.6 Valuation of Structures and Assets

The project shall utilize the services of various state department Experts in civil engineering/ geology/ agriculture/ horticulture as required or alternatively hire the services of government approved Valuers for valuation of structures and other immovable assets. The objective of this exercise is to establish the extent of loss and estimation of replacement cost. The major tasks are as follows:

1. Measurement of affected structure/ immovable assets
2. Establishing construction typology
3. Establishing extent of loss
4. Estimation of replacement cost

The measurement will provide required information for valuation. For valuation, the latest Schedules of Rates (SoR) of the R&B will be applicable. This SoR provides the consolidated unit rates for permanent, semi- permanent and temporary construction. Details as to how such consolidated unit rates have been arrived at is also explained, generally in the respective SoRs. Using the analysis as guide, the Expert/ Valuer can arrive at the compensation value of a structure/ asset. Various SoRs also provides rates for hand pumps, dug-wells, tube wells, etc. including installation charges. Extent of loss would be determined primarily in terms of the portion of the structure affected. While calculating replacement cost the following principles need to be kept in mind:

- If a structure/ asset is affected 50% or more, then consider the whole structure as affected. When a portion of the structure is affected, and if it becomes unviable for use as per the AF/ AP, then consider the whole structure as affected.
- Do not depreciate the cost of the structure/ asset for its age.
- Add 30% extra over and above the estimated cost to arrive at replacement value.
- Allow the AFs/ APs to salvage and carry, for free, any materials for their use. Do include the cost of salvaged material in the replacement cost.
- In case of crops, give prior notice and allow sufficient time, as required by AF/ APs to harvest crops or pay compensation for the crops as determined by concerned departments.

1.7 AIIB Policy on Resettlement

The above national policies are consistent with the AIIB Policies on Involuntary Resettlement. The AIIB's Environmental and Social Standard 2: Involuntary Resettlement, which is applicable aims to avoid or minimize involuntary resettlement. In order to manage resettlement sustainably, the standard prescribes a screening process to determine the scope and application of this standard; both physical and economic displacement either full or partial or permanent or temporary. When adverse impacts do not fall within the definition of Involuntary Resettlement, then such impacts are avoided/ minimized/ mitigated/ compensated for. As per these standards, the client is required to develop and implement a management plan to restore the livelihoods of affected persons to at least pre-project level or better.

The Client is required to undertake a) planning through survey of land and asset losses, census of affected persons and establishment of a socio-economic baseline, b) prepare a Resettlement Plan (RP) elaborating on displaced persons' entitlements, income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and a time-bound implementation schedule. In the baseline information, customary rights, collective or communal forms of land tenure needs to be included. The gender perspective needs to be considered in the above context. The affected persons need to be consulted during the entire process of planning and implementation. This RP needs to be disclosed. When displacement is only economic, a livelihood restoration plan needs to be prepared. When impacts are minor or fewer than 200 affected people, an Abbreviated Resettlement Plan (ARP) is prepared. The present RPF is prepared as the present project consist of a series of activities whose details are yet to be available. The RP/ ARP is prepared in line with the following principles:

1. Proportionality is ensured by making the RP/ ARP consistent with the extent and degree of the impacts

2. The client should carry out meaningful Consultations with affected and host communities including all stakeholders
3. A Grievance Redress Mechanism is established for resolution of grievances of the affected persons
4. The client provides Social Support by supporting the social and cultural institutions of affected and host communities
5. The client takes up Livelihood Restoration, to improve, or at least restore, the livelihoods of all affected persons
6. Resettlement Assistance is provided to the affected persons with needed assistance including security of tenure, transitional support and civic infrastructure and community services
7. Improve the Standards of Living of the poor and other vulnerable groups affected
8. Ensure that affected Persons without Title or Legal Rights, are eligible for, and receive, resettlement assistance and compensation for loss of non-land assets
9. Develop procedures for Negotiated Settlement in a transparent, consistent and equitable manner if land acquisition or changes in land use rights are acquired through negotiations
10. The implementation of the Involuntary Resettlement should be a part of the project and should be conducted before construction works are initiated
11. Pay Compensation and Entitlements before any physical or economic displacement under the project
12. Provide close Supervision of the implementation of the resettlement plan throughout project implementation
13. Use suitably qualified and experienced experts, for Monitoring and assessing resettlement outcomes, impacts on the standards of living of affected persons, achievement of objectives, etc. and disclose the monitoring reports.
14. Use suitably qualified and experienced third parties to support monitoring programs.

1.8 Entitlement Matrix

This Entitlement Matrix is developed giving various entitlements for all categories of AFs/ APs, based on RTFCTLARR Act 2013. This Matrix can be used as a guide for preparing RAPs/ ARAPs for sub-projects. All the families will be entitled to two broad categories of assistance; 1) Compensation for land loss; and 2) Rehabilitation and Resettlement and Livelihoods assistance for starting some income generation activity, which may include the purchase of lands, as decided by the AF/ AP. The livelihood assistance in the matrix are rather indicative (as they are average figures), whereas, the actual assistance will relate to, at the minimum restoring, if not enhancing the pre-impact income levels. It may also be noted that livelihood assistance figures have been worked out such as to yield an annual income of Rs. 36,000/- per family, an income level corresponding to the initial ladder of the APL. The amounts given in the Entitlement Matrix are for the financial year 2014-15. After this year, these amounts will be increased by 10%

every year to compensate for inflation. Details related to the entitlements are presented in the matrix below.

1.8.1 Minimum R&R Entitlements under RTFCTLARR Act 2013

The following are the minimum R&R entitlements under this Act:

1. Subsistence allowance at Rs. 3000/- per month per family for 12 months.
2. The AFs/ APs shall be entitled to: (a) Where jobs are created through the project, mandatory employment for one member per affected family or (b) Rs. 5,00,000/- per family; or (c) Rs. 3,000/- per month per family as annuity for 20 years, with appropriate index for inflation; The option of availing (a) or (b) or (c) shall be that of the AF/ AP.
3. If a house is lost in rural areas, a constructed house shall be provided as per the Indira Awas Yojana specifications. If a house is lost in urban areas, a constructed house shall be provided, which will be not less than 50 sq. m. in plinth area. In either case the equivalent cost of the house may also be provided in lieu of the house as per the preference of the project affected family
4. Rs. 50,000/- for transportation
5. A one-time Resettlement Allowance of Rs. 50,000/-.

The income loss for commercial activities shall be worked out based on daily profit found during census survey and the income loss shall be assessed for a minimum of 30 days disruption or more when required.

1.8.2 Special Provisions for SCs and STs

In addition to the R&R package, SC/ST families will be entitled to the following additional benefits:

1. One- time financial assistance of Rs. 50,000/- per family.
2. Families settled outside the district shall be entitled to an additional 25% R&R benefits.
3. Payment of one third of the compensation amount at very outset.
4. Preference in relocation and resettlement in area in same compact block.
5. Free land for community and social gatherings.
6. In case of displacement, a Development Plan is to be prepared.
7. Continuation of reservation and other Schedule V and Schedule VI area benefits from displaced area to resettlement area.

Table 1: Entitlement Matrix

S. No.	Impact Category	Entitlements	Implementation Guidelines
1	Loss of Land (agricultural, homestead, commercial or otherwise)	<p>A. TITLE HOLDERS – Compensation for Loss of Private Property</p> <p>Compensation for Land</p> <p>a. Land will be acquired by the competent authority in accordance with the provisions of RFCTLARR Act, 2013.</p> <p>b. Replacement cost for land will be, higher of (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid for PPPs or private companies.</p> <p>c. Plus 100% solatium and 12% interest from date of notification to award on the total amount.</p> <p>d. The multiplier factor adopted by GoAP for land in rural area, based on the distance from urban area to the affected area, will be applied.</p> <p>e. In case of severance of land, house, manufactory or other building, as per Section 94 (1) of the RFCTLARR Act, 2013, the whole land and/or structure shall be acquired, if the owner so desires.</p> <p>f. Stamp duty and registration fee.</p> <p>We need to refer to the provisions of Negotiated Settlement here; we need to agree on a ceiling for land that can be secured through Negotiated settlement. Lets say a maximum of 720 sq ft or 67 sq meters. In case of Negotiated Settlement, R&R allowances will not be applicable</p>	<p>No tax to be deducted on compensation or on any of the R&R entitlements provided in this matrix.</p> <p>The process of Negotiation involves the following steps: (i) negotiation will take place when there is a willing buyer – willing seller; (ii) consultation with the affected person has to be carried out and documented; (iii) the minimum negotiated price to start negotiations will be not below the valuation of land based on the market value of land; (iv) all the safeguards as mentioned in the RF has to be followed (v) all negotiations has to be carried out in a transparent manner and validated by a Third Party (eminent citizen / any party without any interest in the process, appointed by the PMU);(vi) in case of failure of negotiations compensation will be paid as outlined in the Entitlement Matrix of the RF and (viii) the entire process has to be documented. 19 The third party will</p>

S. No.	Impact Category	Entitlements	Implementation Guidelines
			have to submit reports during and on conclusion of negotiations; costs related to third party certification will be borne by the project proponent.

S. No.	Impact Category	Entitlements	Implementation Guidelines
2	Loss of Structure (house, shop, building or immovable property or assets attached to the land)	<p>a. The market value of structures and other immovable properties will be determined by R&B on the basis of relevant R&B Schedule of Rates (SR) as on date without depreciation with 100% solatium or replacement cost, whichever is higher.</p> <p>b. Lump-sum of Rs. 25,000/- to all families who lose cattle shed, or replacement cost of structure, whichever is higher.</p> <p>c. Loss of other properties such as irrigation wells will be compensated at scheduled rates of Roads and Buildings Department (R&B) with 100% solatium, or replacement cost of asset, whichever is higher.</p> <p>d. Replacement cost of bore well, opens well and hand pumps, plus 100% solatium. Wells and hand pumps must be operational to be eligible.</p> <p>e. Owners have right to salvage materials of the affected structures.</p> <p>f. In case of impact to crops, three months (90 days) advance notification for the harvesting of standing crops (or) lump sum equal to the market value of the yield of the standing crop lost determined by the Agricultural /Horticulture Department.</p> <p>g. In case of impact to timber trees, Compensation based on timber value at market price or as valued by the Forest Department with 100% solatium whichever is higher. For other perennial trees as valued by the Horticultural Department with 100% solatium or replacement cost whichever is higher.</p>	1 month notice will be provided before demolition of the structure.
		B. REHABILITATION AND RESETTLEMENT – Affected families both Land Owners and the Families whose livelihood is primarily dependent on Land Acquired)	
3	Land Owners losing land or structures	<p>Each affected family will be given a one-time Resettlement Allowance of Rs. 50,000/-. One-time lump sum payment (in lieu of employment or annuity) of Rs. 5,00,000/- for Affected Family whose land or other immovable property has been acquired and to those whose livelihood is fully dependent on the acquired land.</p> <p>All affected families, if physically displaced from residence or commercial place due to acquisition, the following payments will be applicable: Rs. 86,000/- subsistence grant for vulnerable families; and Rs. 36,000/- subsistence grant for all other families; Rs. 50,000/- for transportation; Rs. 150,000/- in rural areas and Rs. 200,000/- in urban areas as house construction grant; Rs. 25,000/- for each affected family of an artisan or self-employed.</p>	a. Vulnerable Families are those belonging to SC/ ST category or those who are eligible for BPL Schemes, or those headed by woman, elderly (above 60 years of age), or disabled.

S. No.	Impact Category	Entitlements	Implementation Guidelines
4	Families whose livelihood is Primarily dependent on the private land or structures to be acquired (users of private land or structures such as workers, sharecroppers, artisans, tenants etc.) Workers shall be of full time Employment either in Businesses or agriculture that are affected due to acquisition. In case of seasonal employed workers, these are not eligible for benefits.	Each affected family will be given a one-time Resettlement Allowance of Rs. 50,000/-. All affected families, if physically displaced from residence or commercial place due to acquisition, the following payments will be applicable: Rs. 86,000/- subsistence grant for vulnerable families; and Rs. 36,000/- subsistence grant for all other families; Rs. 50,000/- for transportation; Rs. 150,000/- in rural areas and Rs. 200,000/- in urban areas as house construction grant; Rs. 25,000/- for each affected family of an artisan or self-employed.	a. Vulnerable Families are those belonging to SC/ST category or those are eligible for BPL Schemes, or those headed by woman, elderly (above 60 years of age), or disabled.
5	Impact on Structures/ other Assets of Squatters and Encroachers	a. The market value of structures and other immovable properties will be determined by R&B on the basis of relevant R&B Schedule of Rates (SoR) as on date without depreciation or replacement cost, whichever is higher. b. For partly affected structures, if the remaining portion is unviable for usage, then compensation for the entire structure shall be given. c. Lump-sum of Rs. 25,000/- to all families who lose a cattle shed, or replacement cost of structure, whichever is higher. d. Loss of other properties such as irrigation wells will be compensated at scheduled rates of Road and Buildings Department (R&B), or replacement cost of asset, whichever is higher e. Replacement cost of bore well, open well and hand pumps. Wells and hand pumps must be operational to be eligible. f. Owners have right to salvage materials of the affected structures. g. In case of impact to crops, three months (90 days) advance notification for the harvesting of standing crops (or) lump sum equal to the market value of the yield of the standing crop lost determined by the Agricultural /horticulture Department.	1 month notice will be provided before demolition of the structure.

S. No.	Impact Category	Entitlements	Implementation Guidelines
		h. In case of impact to timber trees, Compensation based on timber value at market price or as valued by the Forest Department whichever is higher. For other perennial trees as valued by the Horticultural Department, or replacement cost whichever is higher.	
		C. IMPACT TO SQUATTERS / ENCROACHERS - Those in the existing right of way where no land acquisition is done.	
6	Other Entitlements to Squatters	Each squatter family will be given a one-time Resettlement Allowance of Rs 50,000/-. All squatter families, if physically displaced from residence or commercial place, the following payments will be applicable: Rs. 86,000/- subsistence grant for vulnerable families; and Rs. 36,000/- subsistence grant for all other families; Rs. 50,000/- for transportation; Rs. 150,000/- in rural areas and Rs. 200,000/- in urban areas as house construction grant; Rs. 25,000/- for each affected family of an artisan or self-employed.	a. Other Entitlements for Squatters are applicable for who live or do business there. b. Structure Owners in Government land who do not live there and rented out the structure will be provided Compensation and not eligible for Entitlements. However, the Occupier (Squatter tenant) will be eligible for Entitlements.
7	Other Entitlements to Encroachers	All encroachers if losing income as a result of physical relocation from any commercial structure will receive the equivalent of 3 months minimum wage as per district's rate or monthly income for 3 months, whichever is higher, as applicable.	
		D. IMPACT TO VULNERABLE FAMILIES	
8	Vulnerable Households Landowners losing 10% or more of their agricultural land (who are not already included in the vulnerable category)	Support for Training and Income Generation Provision of vocational training of Rs. 20,000/- per household participant.	a. Vulnerable Families are those belonging to SC/ST category or are eligible for BPL Schemes, those headed by woman, elderly (above 60 years of age), or and squatters who are landless b. The Project with support from consultants will identify the number of eligible vulnerable displaced families based on the 100% census of the displaced persons and will conduct a Training Needs Assessment through consultants in consultation with the

S. No.	Impact Category	Entitlements	Implementation Guidelines
			displaced families so as to develop appropriate training programs suitable to the skills, market and the region. c. Suitable trainers and local resources will be identified by project in consultation with local training institutes.
		E. IMPACT DURING CIVIL WORKS	
9	Temporary impact on land for land owners	Cash for land lease through written agreement of the landowner and contractor. Land will be returned to owner rehabilitated to original condition.	
10	Temporary impact to structures and/or on income, regardless of their legal status,	Payment Rs. 5,000/- per month for up to a maximum of 12 months.	Eligible when shop closed or access severely restricted due to civil works.
11	Temporary loss of livelihoods to vendors.	All vendors whose livelihoods are affected are shifted to a mutually agreeable location or paid a payment of Rs. 5,000/- per month, as per the choice of vendors.	The project will follow the provisions under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.
		F. COMMON PROPERTY RESOURCES	
12	Community Assets (CAs)	For private assets: compensation as per provisions above for private assets. For Public owned assets: Reconstruction of affected assets and transfer to local authorities for maintenance.	Additional documented consultation with communities and relocation assistance are required.
13	Schools, Hospitals and other sensitive receptors (health centers, day care, etc.)	In addition to 9, Construction of safety fence and noise barriers by the project, if supported by sensitive receptor's administration	This will be included in the environmental management plan (EMP) cost.
14	Utilities such as water supply, drainage, sewerage, electricity, OFC, etc.	Will be relocated and services restored prior to commencement of civil works.	The project will ensure that utilities are relocated prior to commencement of civil works in accordance with the civil works schedule
		G. UNFORESEEN IMPACTS	

S. No.	Impact Category	Entitlements	Implementation Guidelines
15		Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of RFCTLARAR Act 2013 and Asian Infrastructure Investment Bank's Safeguard Policies.	

2. Annexures

2.1 Annexure 1: Guidance on Census Survey Tool

Design a modular census survey tool which includes the following modules, apart from specific information required by the project.

1. General Information, Project Information, Identification, etc.
2. Household Demographic Information – Household Members, Gender, Vulnerability, Education, Skills, Profession, Employment, Income, Government Assistance Accessed, etc.
3. Socio-Economic Information
4. Housing Status, Type of housing, etc.
5. Household Assets, Livestock, Land, etc.
6. Details of likely Losses to be suffered – Land, Assets, Livelihoods, etc.
7. Access to Utilities
8. Agriculture Practices, Agriculture Labour, Crops, Yields, etc.
9. Migration patterns
10. Expenditure Pattern
11. Loans and Indebtedness
12. Decision making at household level, Women participation, etc.
13. Access to common facilities/ infrastructure
14. Health seeking behavior
15. Perceptions on Project
16. Preferred R&R Options
17. Preferred Income Generation Options
18. Other Key Information
19. Investigator information

2.2 Annexure 2: Format of Resettlement Plan

1. Introduction

1. Brief Introduction of the sub-project
2. Description of Component(s) that cause land acquisition/alienation and resettlement
3. Overall Estimates of Land Acquisition and R&R

2. Measures to Minimise Resettlement

1. Description of Efforts Made for Minimizing Displacement
2. Description of the Results of these Efforts
3. Description of Mechanisms to Minimize Displacement and Loss of Livelihood/Income during Implementation

3. Census and Socio-Economic Surveys

1. Provide the results of the census and socio-economic surveys
2. Identify all categories of impacts and the extent of impact on each affected

4. Consultation and involvement of PAFs

1. Describe various Stakeholders
2. Summarize process of consultation on the results of socio-economic surveys
3. Describe the need and mechanisms to conduct updates to socio-economic surveys
4. Describe how this process of consultation would be continued through implementation and monitoring
5. Describe the plan for disseminating information to Project Affected Persons

5. Entitlement Framework

1. Provide a definition of AFs and APs together with their categorization based on impacts
2. Describe R&R entitlements for each category of impact
3. Describe method of valuation used for affected land, structures and other assets
4. Using Entitlement Matrix, present a table of all AFs/APs and their losses/impacts and entitlements

6. Relocation (if applicable)

1. Does the Project need community relocation sites? If yes, have they been inspected and accepted by AFs?

2. Have the Project Affected Persons agreed to the strategy for housing replacement? Will new housing be constructed/allocated? If AFs are to construct houses, explain if compensation entitlement for housing is sufficient to help them construct houses.
3. List of proposed sites along with number of affected families to be relocated
4. Describe respective mechanisms for (i) procuring/acquiring/alienating ; (ii) developing and (iii) allotting resettlement sites
5. Provide detailed description of arrangements for development of resettlement sites including provision of social infrastructure
6. Describe the feasibility studies conducted to determine the suitability of the development of sites.

7. Income Restoration

1. Are the compensation entitlements sufficient to restore income streams for each category of impact? If not, what additional economic rehabilitation measures are necessary?
2. Briefly spell out the restoration strategies for each category of impacts, and describe institutional, financial and technical arrangements/aspects involved
3. Describe the process of consultation with AFs to finalize strategies for income restoration
4. How do strategies for restoration vary with the area/locality of impact
5. If income restoration involves change in livelihoods or other economic activities allow substantial amount of time for capacity building, accessing institutional funds/credits/markets, preparation and implementation. Work out the rate of returns for each of the economic activities opted by the entitled person.
6. How are the risks of impoverishment proposed to be addressed?
7. Explain the main institutional and other risks for effective implementation of plans for restoration of livelihood
8. Describe the process for monitoring the effectiveness of income restoration activities

8. Institutional Arrangements

1. Describe institution(s) responsible for: (a) delivery of each item/activity in the entitlement policy; (b) implementation of resettlement and rehabilitation programs and (c) coordination of all other activities as described in the Resettlement Plan
2. State how coordination issues will be addressed in cases where resettlement and rehabilitation are spread over a number of institutional/departmental jurisdictions
3. Indicate the agency that will coordinate all implementing agencies – do they have the necessary mandate and the resources
4. Describe the external (non-Project) institutions/departments involved in the process of resettlement and restoration of income such as land development,

land allocation, credit, training for capacity building and the mechanisms in place to ensure adequate cooperation and performance of these institutions/departments

5. Describe the results of the institutional capacity assessment and give the institutional development plans including staffing schedule and training requirements
6. Discuss institutional capacity for, and commitment to, resettlement and rehabilitation

9. Monitoring and Evaluation

1. Describe the internal monitoring process
2. Define key monitoring indicators for resettlement, rehabilitation and participation and provide a list of these indicators which would be used for internal monitoring
3. Describe institutional (including financial) arrangement
4. Describe frequency of reporting and contents of reports
5. Describe the process for integrating feedback from internal monitoring into implementation
6. Describe financial arrangements for external monitoring including process for awarding and maintenance of contracts for the entire duration of R&R
7. Describe the methodology for external monitoring
8. Describe frequency of external reporting and its contents

10. Redress of Grievances

1. Describe the structure and process of grievances mechanisms at various levels including step-by-step process for registering and addressing grievances and provide specific details regarding registering complaints, discussing them with AFs, response time, communication modes etc.
2. Describe the mechanism for appeal
3. Describe the provision, if any, to enable AFs to approach civil courts in case these provisions fail.

11. Implementation Schedule

1. List the chronological steps in implementation of Resettlement Plan including identification of agencies responsible for each activity along with a brief explanation of each activity
2. A month-wise implementation schedule (Gantt chart) of activities to be taken as part of Resettlement Plan
3. Description of the linkage between R&R implementation and initiation of civil works for each of the Project component

12. Costs and Budgets

1. Clear statement of financial responsibility and authority
2. List the sources of funds for R&R and describe the flow of funds
3. Indicate if costs of R&R are included in the overall Project costs
4. Identify R&R costs, if any
5. Provide a cost-wise, item-wise budget estimate for the entire R&R costs including administrative expenses, monitoring and evaluation and contingencies
6. Describe the specific mechanisms to adjust cost estimates by *inflation* factor
7. Describe provisions to account for different types of contingencies

2.3 Annexure 3: Format of Abbreviated Resettlement Plan

1. Introduction

1. Brief Introduction of the sub-project
2. Description of Component(s) that cause land acquisition/alienation and resettlement
3. Overall Estimates of Land Acquisition and R&R

2. Census and Socio-Economic Surveys

1. Provide the results of the census and socio-economic surveys
2. Identify all categories of impacts and the extent of impact on each affected

4. Consultation and involvement of AFs

1. Describe various Stakeholders
2. Summarize process of consultation on the results of socio-economic surveys
3. Describe the plan for disseminating information to Affected Persons

5. Entitlement Framework

1. Describe R&R entitlements for each category of impact
2. Describe method of valuation used for affected land, structures and other assets
3. Using Entitlement Matrix, present a table of all AFs/ APs and their losses/ impacts and entitlements

6. Income Restoration

1. Are the compensation entitlements sufficient to restore income streams for each category of impact? If not, what additional economic rehabilitation measures are necessary?
2. Briefly spell out the restoration strategies for each category of impacts, and describe institutional, financial and technical arrangements/aspects involved
3. Describe the process of consultation with AFs to finalize strategies for income restoration
4. If income restoration involves change in livelihoods or other economic activities allow substantial amount of time for capacity building, accessing institutional funds/credits/markets, preparation and implementation. Work out the rate of returns for each of the economic activities opted by the entitled person.
5. How are the risks of impoverishment proposed to be addressed?

7. Institutional Arrangements

1. Describe institution(s) responsible for: (a) delivery of each item/activity in the entitlement policy; (b) implementation of resettlement and rehabilitation

programs and (c) coordination of all other activities as described in the Abbreviated Resettlement Plan

8. Monitoring and Evaluation

1. Describe the internal monitoring process

9. Redress of Grievances

1. Describe the structure and process of grievances mechanisms at various levels including step-by-step process for registering and addressing grievances and provide specific details regarding registering complaints, discussing them with AFs, response time, communication modes etc.
2. Describe the mechanism for appeal
3. Describe the provision, if any, to enable AFs to approach civil courts in case these provisions fail.

10. Implementation Schedule

1. List the chronological steps in implementation of Abbreviated Resettlement Plan including identification of agencies responsible for each activity along with a brief explanation of each activity

11. Costs and Budgets

1. Clear statement of financial responsibility and authority
2. List the sources of funds for R&R and describe the flow of funds
3. Indicate if costs of R&R are included in the overall Project costs
4. Identify R&R costs
5. Describe the specific mechanisms to adjust cost estimates by *inflation* factor
6. Describe provisions to account for different types of contingencies.

