

Resettlement Planning Document

Draft Resettlement Framework
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India Infrastructure Development Investment Program for Tourism

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I. INTRODUCTION

1. The Infrastructure Development Investment Program for Tourism Financing Facility (the Facility) will develop and improve basic urban infrastructure and services in the four participating states of Himachal Pradesh, Punjab, Uttarakhand and Tamil Nadu—to support the tourism sector as a key driver for economic growth. It will focus on: (i) strengthening connectivity to and among key tourist destinations; (ii) improving basic urban infrastructure and services, such as water supply, road and public transport, solid waste management and environmental improvement, at existing and emerging tourist destinations to ensure urban amenities and safety for the visitors, and protect nature and culture-based attractions. Physical infrastructure investments will be accompanied by: (iii) capacity building programs for concerned sector agencies and local communities for better management of the tourist destinations and for more active participation in the tourism-related economic activities, respectively.

2. The Facility is through a multi-tranche financing facility. The Facility will be in various cluster destinations in identified tourism circuits in the four states. Typical activities proposed for the cluster destinations are outlined in Table 1.

Table 1: Overview of Components

| Component | Illustrative Activities |
|--|---|
| Enhanced Tourist Access and Connectivity | 'Last mile' road connectivity to tourist destinations Improving village access paths and trekking tracks Helipads in remote tourist areas Directional signs and other associated highway improvements |
| Enhanced Tourist Destination Environment and Tourist Support Facilities and Services | Improving basic environmental services at the destinations Providing bus terminals and car parking arrangements, Improvement of the public transport facilities in the tourism destinations, including introduction of Intelligent Transportation Systems (ITS) etc towards better mobility of tourists in the destinations. Providing tourist amenities, toilets, footpaths, landscaping etc. Provision of tourist circuit information systems and centers |
| Enhanced Protection and Management of Natural and Cultural Tourism Assets | Conservation of historic and cultural heritage buildings and structures Protection and improvement of habitat quality in the protected areas, including forests, wildlife sanctuaries, conservation reserves, community reserves and wetlands Facilitating conversion of cultural buildings for sustainable adaptive reuse |
| Enhanced Participation in Tourism by Local Communities | Providing alternative/supplementary livelihoods to protect natural and cultural assets Community based eco tourism products linked to activity 2 and 3 above, e.g. community run camping sites / guest houses, participation of communities in tourism activities etc. |
| Cross Cutting Themes- Capacity Building and Project Implementation Support | Support for project design and implementation Community and public awareness in the value and importance of protecting natural and cultural assets Development of institutional and community capacities to better manage natural and cultural assets. |

Source: Consultant's Output, 2010

3. The Facility is expected to have minimal land acquisition requirements, and minimal involuntary resettlement (IR) impacts. The subproject selection criteria specifies that subprojects with significant resettlement impacts will not be financed by the Facility. During subproject identification in the four project states, effort had been made to site subprojects within available government land (including panchayat land) at various natural and cultural heritage destinations. There are subprojects which will be sited in land owned by temple trusts. While not causing land acquisition, agreement by the temple trust will be documented by the Government.

During subproject identification, it was noted that there may be a need for acquiring land/private assets particularly in siting part of new facilities such as helipads and parking lots.

4. Where possible, the Government is encouraged to undertake negotiated settlement to avoid expropriation and eliminated the need to remove people forcibly. The negotiated settlement will be based on meaningful consultation with affected persons.¹ A negotiated settlement will offer adequate and fair price for land and/or other assets. The Government will ensure that any negotiations with displaced persons address the risk of asymmetry of information and bargaining power of the parties involved in such transactions. Where negotiated settlement is applied, this RF does not apply. However, the Government will engage an independent external party to document the negotiation and settlement processes. The Government will agree with ADB on consultation processes, policies, and laws that are applicable to such transactions; third-party validation; mechanisms for calculating the replacement costs of land and other assets affected; and record keeping requirements. These have to be agreed and undertaken prior to award of any civil works for subprojects where land is acquired through negotiated settlement.

5. The Facility will include interventions in protected areas and legally designated parks in all four states. These sub-projects are proposed in the areas identified for tourism development in the protected area's/park's management or conservation plan. The subproject selection criteria will ensure that subprojects which cause involuntary restrictions of land use or on access to these protected areas for the population in and around the subproject locations will not be financed by the Facility.

6. Temporary impacts on commercial establishments around natural and cultural heritage destinations and connectivity improvements are not due to land acquisition and are addressed in the environmental planning documents. Appendix 1 provides an overview of likely land acquisition and IR impacts due to proposed subprojects. The total estimate for land acquisition is 20 hectares. Overall resettlement impacts are to be further avoided or minimized through careful sub-project siting and alignment during the detailed design and implementation stages.

7. The proposed categorization for Tranche 1 is category C for involuntary resettlement. Tranche 1 subprojects do not result in any physical or economic displacement due to involuntary acquisition of land, or involuntary restrictions on land use or access to the Pong or Keshopur sanctuaries. Table 2 gives details of Tranche 1 subprojects. All land required for Tranche 1 subprojects are owned by the State Government, or implementing agencies. Because there are no involuntary resettlement impacts for Tranche 1 subprojects, no resettlement plan for Tranche 1 has been prepared. This Resettlement Framework (RF) has been prepared for future tranches.

Table 2: Tranche 1 Sub-projects in Himachal Pradesh and Punjab

| State | Cluster Destination | Sub-project Components |
|------------------|--|---|
| Himachal Pradesh | Himalayan Waters Sanctuary Destination and Shimla Heritage Route | <ul style="list-style-type: none"> Pong Reservoir improvements: Development of interpretation centre and tourist amenities at the Pong dam site, infrastructure improvements, development of jetties, improvements to forest houses, development of trails, landscaping in Ranser and Karu islands, development of camping sites at Dhameta and Nagrota Suriyan, capacity building of communities in villages around Pong on ecotourism and tourism value chains-based development Naina Devi destination improvements: development of a circular road of 1.2 km, improvement of pilgrim facilities including construction of a |

¹ Including those without legal title to assets.

| State | Cluster Destination | Sub-project Components |
|--------|--|--|
| | | <p>car park, with toilet and water facilities, funding for preparation of master plan for the Naina Devi destination, with focus on pilgrim management during festive seasons and waste management in the destination.</p> <ul style="list-style-type: none"> • Chintpurni destination improvements: Construction of an integrated parking, interpretation centre and tourist amenities complex apart from development of tourist rest sheds, toilet facilities and view points along pilgrim movement path from tourist centre to the temple • Masroor Rock, conservation and restoration of Masroor rock temples and development of parking and tourist amenities • Integrated master planning of 5 major cultural destinations, Naina Devi, Chintpurni, Kangra, Jwalamuki and Chamunda Devi • Shimla: Mall Road restoration project, including paving of the mall road with corbel stones, provision of retaining structures at locations vulnerable to slope failures, landscaping, provision of street furniture along the mall, master planning for restoration of heritage buildings along the mall road. |
| Punjab | Punjab Sikh Heritage Route Destination | <ul style="list-style-type: none"> • Gobindgarh Fort heritage conservation and adaptive reuse proposal • Amritsar City Gateway: access and connectivity and destination infrastructure improvements, including provision of multi-dispersed car parking areas around walled city circular road and tourist destinations, development of heritage trails around Amritsar walled city • Amritsar heritage conservation and adaptive reuse proposal, including restoration and revitalization of Amritsar Town Hall building and reuse of Rambagh Palace as a museum • Access and connectivity and destination infrastructure improvements to memorial at Chota Ghalughara in Gurdaspur District • Enhanced tourist access and connectivity in Sultanpur Lodhi in Kapurthala District, including improvements of pilgrim routes and provision of basic amenities • Keshopur Wetland development of site interpretation facilities and tourist infrastructure, including measures for habitat quality protection at the Wetland. Capacity building and skill development of village communities on community based eco-tourism development |

Source: Consultant's Output, 2010

II. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS

8. This RF reflects the national and state land acquisition and IR laws, policies, and regulations as well as Asian Development Bank's (ADB) Safeguards Policy Statement (SPS, 2009). The RF (i) explains the general anticipated land acquisition and resettlement impacts of subproject to be financed under the Facility; (ii) specifies requirements to be followed for subproject screening, categorization, assessment, and resettlement planning, including arrangements for stakeholders consultation and information disclosure; (iii) outlines objectives, policy principles, and procedures for any land acquisition, compensation and other assistance measures for any affected persons (APs), (iv) assesses adequacy of executing agency (EA) capacity to implement national and state laws, policies, and regulations and ADB's SPS and identify needs for capacity building; (v) outlines social impact assessment and census methodologies, (vi) specifies implementation procedures, including budget, institutional, capacity development, and monitoring and reporting requirements; and (vii) describes responsibilities of the EA and ADB in relation to the preparation, implementation, and progress review of IR safeguard documents of subprojects.

A. Policy and Legal Framework

9. The policy framework and entitlements for the Facility are based on national laws, policies and regulations which are discussed in this section, the four states' laws, policies and regulations, and ADB's SPS. The relevant state laws are:

- (i) Himachal Pradesh
Himachal Pradesh Tenancy and Land Reforms Act, 1972
Himachal Pradesh Ceiling on Land Holdings, Act 1972
Himachal Pradesh Village Common Lands Vesting and Utilization Act, 1974
Himachal Pradesh Holdings (Consolidation and Prevention of Fragmentation Act), 1971
- (ii) Punjab
Punjab Tenancy Act, 1887
Punjab Village Common Lands (Regulation) Act, 1961
Punjab Land Revenue Act, 1967
Punjab Public Premises and Land (Eviction and Rent Recovery) Act, 1973
- (iii) Tamil Nadu
Tamil Nadu Highways Act, 2000
Resettlement Policy adopted by the Government of Tamil Nadu (Government Order Ms. No. 193 dated 10.08.1998 and subsequent amendments)

1. Union Government's Laws, Policies, and Regulations

10. **Land Acquisition Act, 1894 (LAA).** The LAA governs land acquisition and compensation in the four states. The key provisions of the act are as follows:

- (i) Notification under Section 4(1): Whenever the Government requires land for a public purpose, it causes a notification under Section 4(1) in the official Gazette; and in two daily newspapers circulated in that locality of which at least one shall be in the regional language; and the Collector shall cause a public notice of the substance of such notification to be given at convenient places in the locality.
- (ii) Hearing of objections under Section 5-A: Any person interested in the land notified under Section 4(1) may within 30 days from the date of the publication of the notification make his objections, if any, to the Collector in writing and shall be heard by the Collector. Section 5-A is mandatory and is a condition precedent for declaration under Section 6, unless superseded by emergency provision under Section 17.
- (iii) Declaration of intended acquisition under Section 6: After considering the report made under 5-A(2) on the objections raised if any, a declaration shall be made to the effect that the particular land is needed for a public purpose. The amendment by Act LXVIII of 1984 makes it obligatory for the State to publish Section 6 declaration in two daily newspapers circulated in the locality of which one shall be in regional language and to cause public notice of the substance of the declaration apart from the publication in the Gazette.
- (iv) After declaration the Collector shall take order for acquisition under Section 7. The Collector then causes the land to be marked out, measured and planned under Section 8. The Collector then causes public notice under Section 9 to be given at convenient places on or near the land to be taken, stating the intention of the Government to take possession of the land, and that claims to compensation may be made.
- (v) Enquiry and Award by Collector under Section 11: The Collector shall enquire in to the objections, if any, into measurement, value and claims and shall make an award of

- the true area of the land
 - the compensation which in his opinion should be allowed for the land and
 - the apportionment of the said compensation among all the persons known or believed to be interested in the land, of whom, or of whose claims, he has information, whether or not they have respectively appeared before him.
- (vi) The Amendment Act LXVIII of 1984 introduced an important section, Section 11-A which prescribes two years time for the award to be passed after Section 6 declaration and if no award is made within this period, the entire proceedings for the acquisition of land shall lapse.
- (vii) Special powers in cases of urgency under Section 17: In cases of urgency, whenever the Government so directs, the Collector, though no such award has been made, may, on the expiration of fifteen days from the publication of notice under Section 9(1), take possession of land for public purpose (only in case of change in channel of a river or unforeseen emergency for railway administration, library or educational institution, common building in a village, godown for any registered co-operative society, dwelling house for the poor, any irrigation tank, irrigation or drainage channel or any well, or any road). However, amendment to Section 17 by Act LXVIII of 1984, was made to protect the interest of the landowners by directing deposit of eighty percent of the compensation as estimated by the Collector, before taking possession.
- (viii) Section 18 deals with reference to the court by the Collector on written submission made by the land owner who does not accepted the award made by the collector and require that the matter be referred to the court.
- (ix) Matters considered in determining the compensation under Section 23: The following will be taken into account while determining the compensation
- Market value of land on the date of 4(1) notification.
 - Damage to crops or trees.
 - Damage sustained due to severance of land.
 - Damage sustained by other property on account of acquisition.
 - Incidental expenses for relocation.
 - Section 23(1-A) provides for twelve percent per annum on market value from the date of 4(1) notification to date of award or the date of taking possession of the land², whichever is earlier.
 - Section 23(2) provides for thirty percent solatium on the market value of the land, in consideration of the compulsory nature of the acquisition.
- (x) Section 24 provides for matters which are to be neglected in determining compensation;
- (xi) Under section 25 the LA Act stipulates that the compensation amount fixed by the court should not be lesser than the compensation awarded by the District Collector under section 11.
- (xii) Section 28 empowers the court to order the District Collector to pay interest at 9% on the amount awarded by the court in excess of the compensation granted by the Collector and if the excess amount is paid into Court after 1 year from the date of taking possession, an interest at 15% per annum shall be payable.

² The Supreme Court has ruled that 12 percent interest shall come into effect only from the date of 4(1) and not before

- (xiii) Section 28-A provides an opportunity to those who have not made an application to the Collector under Section 18 of LA Act, to seek re-determination of the compensation amount. To avail the benefit of re-determining of the compensation a written application should be made within 3 months³ from the date of award of the Court.
- (xiv) Section 34 addresses delayed payments, and provide for an additional 9 percent per annum for the first year and 15 percent for subsequent years, if the compensation is not paid or deposited on or before taking possession of land (Section 9).

11. **National Rehabilitation and Resettlement Policy, 2007⁴ (NRRP)** provides broad guidelines and executive instructions and will be applicable to all government projects. The provisions of the NRRP 2007 provide for the basic minimum requirements, and all projects leading to involuntary displacement of people must address the rehabilitation and resettlement issues comprehensively. The State Governments, Public Sector Undertakings or agencies, and other requiring bodies are at liberty to put in place greater benefit levels than those prescribed under NRRP 2007. The principles of NRRP may also apply to the rehabilitation and resettlement of persons involuntarily displaced permanently due to any other reason. The objectives of the NRRP are as follows:

- (i) to minimize displacement and to promote, as far as possible, non-displacing or least-displacing alternatives;
- (ii) to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of the affected families;
- (iii) to ensure that special care is taken for protecting the rights of the weaker sections of society, especially members of the Scheduled Castes and Scheduled Tribes, and to create obligations on the State for their treatment with concern and sensitivity;
- (iv) to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families;
- (v) to integrate rehabilitation concerns into the development planning and implementation process; and
- (vi) where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

12. **The Land Acquisition (Amendment) Bill, 2007** has features as follows:

- (i) The provisions of the Rehabilitation and Resettlement Act 2007 shall apply in respect of acquisition of land by the appropriate Government (insertion after section 1 of the principal Act).
- (ii) The cost of acquisition will include: (a) compensation awarded including the solatium and other amount and interest payable there upon; (b) demurrage to be paid for damages caused to the land and standing crops in the process of acquisition; (c) cost of acquisition of out-project land for settlement of displaced or adversely affected families; (d) cost of development of

³ Application for re-determination of compensation filed after the expiry of three months is barred by limitation [1997 (6) SCC 59]

⁴ The Rehabilitation and Resettlement Bill, 2007 (Bill No.98 of 2007) proposed to give a statutory backing to NRRP 2007 and the Land Acquisition (Amendment) Bill, 2007 proposed to align its provisions with the goals and objectives of NRRP, 2007 were passed by Lok Sabha on February 25, 2009 and tabled in Rajya Sabha on February 26, 2009. Both bills have lapsed and are likely to be introduced in the forthcoming session of the parliament.

infrastructure and amenities at resettlement sites; (e) additional cost of resettlement as may be required after admissible adjustment of rehabilitation and resettlement cost against compensation awarded to affected persons or families; (f) administrative cost of acquisition of land including both in project and out-project areas lands; and (g) administrative cost involved in planning and implementation of resettlement and rehabilitation packages for providing physical rehabilitation and resettlement to the entitled and interested families, displaced or adversely affected on account of in-project acquisition of land (insertion after section 3 of the principal Act).

- (iii) Social impact assessment study shall be carried out in the affected area for the purpose of social impact appraisal (Insertion after section 3 of the principal Act).
- (iv) In determining the market value of land the Collector shall adopt the following criteria in assessing and determining the market value of the land:(a) the minimum land value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated; or (b) the average of the sale price for similar type of land situated in the village or vicinity, ascertained from not less than fifty per cent of the sale deeds registered during the preceding three years, where higher price has been paid; or (c) the average of the sale price, ascertained from the prices paid or agreed to be paid for not less than fifty per cent of the land already purchased for the project where higher price has been paid (insertion after section 11A of the principal Act).
- (v) Establishing the Land Acquisition Compensation Disputes Settlement Authority.

2. State Government's Policies

13. The land acquisition process in the four states is guided by the provisions of the Land Acquisition Act. In addition, there are specific legislations, at the state level which have relevance to the Facility. These legislations have specific objectives towards (i) management of common lands, and (ii) conversion of agricultural lands for non-agricultural purposes, etc, and are discussed in Appendix 3.

3. Safeguards Policy Statement (ADB, 2009)

14. The objectives of ADB's SPS with regard to IR are: (i) to avoid involuntary resettlement wherever possible; (ii) to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iii) to improve the standards of living of the displaced poor and other vulnerable groups.

15. ADB's SPS covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

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

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. 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.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value 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, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) 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; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) 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.
- (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.

- (ix) 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 affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) 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.

4. Comparison of the Borrower's Policy with the ADB's SPS

17. A comparison between the NRRP and ADB's SPS is provided in Annex B. The NRRP represents a significant milestone in the development of a systematic approach to address resettlement issues in India. The consistencies between the NRRP and ADB's SPS and addressing the few gaps form the basis of the finalizing the resettlement principles in this RF.

B. Resettlement Framework Principles and Entitlements

18. Following NRRP and other national laws, policies, and regulations relevant to IR; state laws, policies, and regulations of the four states, and ADB's SPS, entitlements for various impact categories are detailed in this section. Subprojects of the Facility may result in impacts which will require mitigation measures. These are (i) loss of assets, including land and houses; (ii) loss of livelihood or income opportunities; and (iii) collective impacts on groups, such as loss of common property resources and loss of access or limited access to such resources.

19. Resettlement impacts in subproject locations (such as existing tourist sites, religious places, connectivity improvements sites, etc.) will be limited to the area required for the subproject and its safety zones—referred to as the direct impact zone. Only structures and other encumbrances within this zone will be removed for subprojects. Efforts will be made during the preparation of the detailed design to minimize acquisition of land and other assets and to reduce negative socio-economic impacts. The structures and assets falling outside the direct impact zone will be left undisturbed. Unforeseen impacts to the structures or assets outside the direct impact zone will also be compensated in accordance with the principles of this RF.

20. Any person displaced due to subprojects will fall into either of the following three groups:

- (i) those who have formal legal rights to land that is lost in its entirety or in part;
- (ii) those who lost land in its entirety or in part who do not have formal legal rights to land, but have a claim to such land or assets that are recognized or recognizable under national laws; and,
- (iii) those who lost the land they occupy in its entirety or part who have neither formal legal rights nor recognized or recognizable claims to such land.

21. The EA will provide adequate and appropriate replacement land and structures or cash compensation at replacement cost for lost land and structures, adequate compensation for partially damaged structures, and relocation assistance to displaced persons in para 19(i) and 19(ii) prior to displacement. For persons described in para 19(iii), the EA will compensate them for the loss of assets other than land (, such as dwellings) and other improvements to the land at full replacement cost prior to displacement. Entitlements of persons under para 19(iii) are given only if they occupied the land or structures in the subproject area prior to the cut off⁵ date for eligibility for resettlement assistance.

22. A detailed description of each compensation measure and assistance is provided in the entitlement matrix (Table 3). APs will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of APs. The entitlement matrix for the Facility is an exhaustive list of entitlements based on the RF principles.

Table 3: Entitlement Matrix

| | Type of Loss | Application | Entitled Person ⁶ | Compensation Policy | Implementation Issues |
|----|--------------|---|---|--|--|
| 1a | Loss of land | Homestead land, agricultural land, or vacant plot | Owner(s) with legal title | <ul style="list-style-type: none"> • Compensation at replacement value or land-for-land where feasible. If the replacement cost is more than the compensation, as determined by the Competent Authority, then the difference is to be paid by the project in the form of "assistance" • Provision of stamp duty, land registration fee, capital gains tax, and value added tax incurred for replacement land • Option to be compensated if remaining land is no longer viable • Transitional allowance based on three months minimum wage rates. • Shifting assistance for households. • Notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. • Additional compensation for vulnerable households (item 5) | <ul style="list-style-type: none"> • If land-for-land is offered, title will be to both husband and wife. • Vulnerable households to be identified during detailed measurement surveys conducted as part of the RP |
| 1b | Loss of land | Homestead land, agricultural land, or vacant plot | Tenant(s) and leaseholder(s) | <ul style="list-style-type: none"> • Compensation equivalent to up to 3 months of rental, • (for agricultural lands) 60 days Notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. • Additional compensation for vulnerable households (item 5) | <ul style="list-style-type: none"> • Landowners will reimburse tenants and leaseholders land rental deposit or unexpired lease. • Vulnerable households to be identified during detailed measurement surveys conducted as part of the RP |
| 1d | Loss of land | Homestead land, agricultural | AP(s) without legal titles (squatter(s) and | <ul style="list-style-type: none"> • 60 days advance notice to shift from occupied land • Additional compensation for | <ul style="list-style-type: none"> • Vulnerable households to be identified during |

⁵ Cut-off date. Cut-off date shall be the following: (i) In the cases of land acquisition affecting legal titleholders, the cut-off date would be the date of issuing the notice u/s 6 of the LA Act, 1894, (ii) In cases where people lack title, the cut-off-date shall be the date of start of the Census survey undertaken by the project authority.

⁶ Identified during cut-off date

| | Type of Loss | Application | Entitled Person ⁶ | Compensation Policy | Implementation Issues |
|----|--------------------|---|--|--|---|
| | | land, or vacant plot | encroacher(s)) | vulnerable households (item 5) | detailed measurement surveys conducted as part of the RP |
| 2a | Loss of structure | Residential/commercial structure and other assets | Owner(s) with legal title | <ul style="list-style-type: none"> • Cash compensation equivalent to replacement value⁷ of structure (or part of structure) • Option to be compensated for entire structure if remaining structure is no longer viable • Rights to salvage materials from structure • Provision of all taxes, registration costs, and other fees incurred for replacement structure • Transfer and subsistence allowance (up to 3 months) • Additional compensation for vulnerable households (item 5) | <ul style="list-style-type: none"> • Vulnerable households to be identified during detailed measurement surveys conducted as part of the RP |
| 2b | Loss of structure | Residential/commercial structure and other assets | Tenant(s) and leaseholder(s) | <ul style="list-style-type: none"> • Cash compensation equivalent to replacement value of structure (or part of structure) constructed by the AP • Rights to salvage materials from structure • Provision of all taxes, registration costs, and other fees incurred for replacement structure • Transfer and subsistence allowance • Lease /rental agreements to be continued after the reconstruction of the structure, as in the case of monuments and heritage buildings, with clauses that no modifications to the heritage structure/monument shall be carried out by the tenant / leaseholder • Additional compensation for vulnerable households (item 5) | <ul style="list-style-type: none"> • Vulnerable households to be identified during detailed measurement surveys conducted as part of the RP • Structure owners will reimburse tenants and leaseholders rental deposit or unexpired lease, |
| 2c | Loss of structure | Residential/commercial structure and other assets | Encroacher(s) and squatter(s) | <ul style="list-style-type: none"> • Cash compensation equivalent to replacement value of structure (or part of structure) constructed by the AP • Rights to salvage materials from structure • Provision of all taxes, registration costs, and other fees incurred for replacement structure • Transfer and subsistence allowance • Additional compensation for vulnerable households (item 5) | <ul style="list-style-type: none"> • Vulnerable households to be identified during detailed measurement surveys conducted as part of the RP |
| 3 | Loss of livelihood | Livelihood/source of income | Business owner (s), tenant (s), leaseholder(s), employee(s), agricultural worker(s), hawker(s)/ vendors(s) | <ul style="list-style-type: none"> • Assistance for lost income based on three months lost income or minimum wage rates⁸. • Additional compensation for vulnerable households (item 5) | <ul style="list-style-type: none"> • Vulnerable households to be identified during detailed measurement surveys conducted as part of the RP |
| 4 | Loss of crops and | Standing crops and | Owner(s) with legal title, | <ul style="list-style-type: none"> • 60 days advance notice to harvest standing seasonal crops, | <ul style="list-style-type: none"> • Work schedule to allow harvesting prior |

⁷ To be assessed based on the current schedule of rates of the district.

⁸ To be provided for APs whose livelihood is getting affected by the project. The transitional allowance shall be calculated based on minimum wage rates for semi-skilled labor and is estimated at INR 175/day. This allowance shall be utilized till an alternative means of livelihood is found. In case of vulnerable households, the transitional allowance will be supplemented by livelihoods related skill training.

| | Type of Loss | Application | Entitled Person ⁶ | Compensation Policy | Implementation Issues |
|---|-------------------------------|--|---|--|--|
| | trees | trees | tenant(s), leaseholder(s) | <p>if harvest is not possible, cash compensation for crops (or share of crops) equivalent to prevailing market price</p> <ul style="list-style-type: none"> • Cash compensation for perennial crops and fruit bearing trees based on annual net product market value multiplied by 5 years. • Cash compensation equivalent to prevailing market price of timber for non-fruit trees | <p>to acquisition and avoid harvest season</p> <ul style="list-style-type: none"> • Market value to be determined |
| 5 | Impacts on vulnerable APs | All impacts | Vulnerable APs ⁹ | <ul style="list-style-type: none"> • Land-for-land option will be a guaranteed option for vulnerable APs • Additional allowance for loss of land or structure • Vulnerable households will be prioritized in any employment required for the Project | <ul style="list-style-type: none"> • Vulnerable households to be identified during detailed measurement surveys conducted as part of the RP • Land title will be to both husband and wife. |
| 6 | Temporary loss of land | Land temporarily acquired for the Project | Owner(s) with legal title, tenant(s), leaseholder(s), encroacher(s), squatter(s) | <ul style="list-style-type: none"> • 60 days advance notice • Provision of land rental value during the duration of temporary acquisition • Restoration of affected land | |
| 7 | Temporary loss of access | Temporary loss of access to land, structure, utilities, common property resource | Owner(s) with legal title, tenant(s), leaseholder(s), encroacher(s), squatter(s) | <ul style="list-style-type: none"> • 60 days advance notice • Provision of temporary access where possible • Restoration/enhancement of affected land, structure, utilities, common property resource | |
| 8 | Temporary loss of livelihood | Temporary loss of livelihood/source of income | Business owner(s), tenant(s), leaseholder(s), employee(s), agricultural worker(s), hawker(s)/vendors(s) | <ul style="list-style-type: none"> • 30 days advance notice regarding construction activities, including duration and type of disruption. • Contractor's actions to ensure there is no income/access loss through provision of access etc. • Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity. • For construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater. • Restoration of affected land, structure, utilities, common property resource | |
| 9 | Any other loss not identified | | | Unanticipated involuntary impacts shall be documented and mitigated based on the principles provided in ADB's IR Policy | |

⁹ Vulnerable APs may include female-headed households, disable-headed households, indigenous persons-headed households, and Below Poverty Line households.

Source: Consultant's Output, 2010

III. SOCIO-ECONOMIC INFORMATION

A. Surveys

23. For sub-projects involving land acquisition and resettlement impacts, the Safeguards Officer (SO), with assistance from the Social Development Specialist (Consultant) will undertake social impact assessment (SIA) for each identified subproject, on the basis of preliminary technical design. These surveys will help in determining the magnitude of displacement, prospective losses, better targeting of vulnerable groups, ascertaining actual costs of resettlement, and preparing and implementing a resettlement plan. The surveys will comprise:

24. **Census.** The purpose of the census is to register and document the status of potentially affected persons¹⁰ within the subproject's direct impact zone. The census will cover 100 percent of APs. The census will provide a demographic overview of the population, and will cover people's assets and main sources of livelihood. A sample questionnaire for the Census of APs is provided as an Appendix. The survey of the direct impact zone will cover the following: (i) boundaries of the site identified for the proposed subproject elements in case of subprojects involving new interventions, including development of parking areas and development of new tourist amenities and infrastructure, development of new helipads, etc., (ii) proposed right-of-way (RoW) boundaries, in case of connectivity improvements which will include titleholders and non-titleholders occupying the proposed RoW, (iii) current occupants of the subproject site (as in the case of existing tourist locations), including businesses, vendors, whether titleholders or otherwise and experience temporary disruptions during construction, and (iv) losses of APs.

25. **Baseline Socio-economic Survey.** The purpose of the baseline socio-economic survey is for establishing monitoring and evaluation parameters. It is used as a benchmark for monitoring the socio-economic status of APs. Given that there will be limited impacts from subprojects, the socio-economic survey will cover at least 50% of APs for all subprojects. The survey will collect gender-disaggregated data to address gender issues in resettlement. The survey will carry out the following: (i) preparation of accurate maps of the subproject area and updates; and (ii) analysis of social structures and income resources of the population. A sample format for conducting the baseline socio-economic survey is provided as an Appendix.

B. Formulation of Resettlement Plans

26. Resettlement Plans (RPs) will be prepared for subprojects based on the results of the census and from information drawn from the baseline socio-economic sample survey. The database of APs should be completed before RP preparation. RPs will be commensurate with subproject IR impacts. All RPs will be reviewed and approved by ADB before the award of civil works contracts.

27. RPs will be prepared by the project implementation unit (PIU) through a Social Development Specialist under the Design and Supervision Consultants (DSC). Work will be guided by the Safeguards Officer (SO) in the Project Management Unit which taps the Social Development Specialist of the Project Management Consultants (PMC). The RP will be brought

¹⁰ Potentially affected persons will include both titleholders and non-titleholders within the subproject's direct impact zone. The identification of non-titleholders would be based on legal documents, such as the ration card, voter's list etc. In the absence of any supporting legal documents, the information by the community, or panchayats will be considered.

to the notice of APs and host communities and comments will be addressed in subsequent revisions of the RP. The RP will be prepared in English, main content translated in local language,¹¹ and notified to the public (this can include posters and/or resettlement booklets). The completed RP will include the census of APs, and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, avenues for grievance redressal, and participatory results monitoring mechanism. The RP will be structured in the following manner:

- Executive Summary
- Project Description
- Scope of Land Acquisition and Resettlement
- Socio-economic Information and Profile
- Information Disclosure, Consultation, and Participation
- Grievance Redress Mechanisms
- Legal Framework
- Entitlements, Assistance and Benefits
- Relocation of Housing and Settlements
- Income Restoration and Rehabilitation
- Resettlement Budget and Financing Plan
- Institutional Arrangements
- Implementation Schedule
- Monitoring and Reporting

28. The RP will follow methods for valuing affected assets and determining replacement costs detailed in Section E.

C. Gender Impacts and Mitigation Measures

29. Negative impacts of subproject on female-headed households will be taken up on case-to-case basis and assistance to these households will be prioritized under the subprojects. The RP will formulate measures to ensure that socio-economic conditions, needs, and priorities of women are identified and the process of land acquisition and resettlement does not disadvantage women. The RP will ensure that gender impacts are adequately addressed and mitigated. Women's focus group discussions will be conducted to address specific women's issues. During disbursement of assistance and compensation, priority will be given to female headed households. Joint ownership in the name of husband and wife will be offered in case of non-female headed households where the asset was acquired during their marriage. In addition to the measures provided for addressing the gender concerns of the affected households, the RP will be implemented in accordance with the Facility's gender action plan.

IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

30. **Consultation and Participation.** The RF was prepared in consultation with the EA, IAs, and potential beneficiaries of subprojects in the four states. To understand the socio-economic conditions of communities and residents around potential subproject sites, socio-economic surveys were conducted along identified tourist circuits. During subproject preparation,

¹¹ Hindi in case of Himachal Pradesh and Uttarakhand, Punjabi in case of Punjab and Tamil in Tamil Nadu

implementation, and monitoring of subproject results and impacts, APs and other stakeholders will be informed, consulted, and encouraged to participate actively in the development process.

31. Different techniques of consultation with stakeholders are proposed during project preparation: in-depth interviews, public meetings, focus group discussions, town hall meetings, etc. Consultations will be held with special emphasis on vulnerable groups and will include consultations with stakeholders such as:

- (i) Heads and members of households likely to be affected, through in depth interviews and survey questionnaires,
- (ii) Groups/clusters of APs, elected representatives, at the urban local body (ULB)/panchayat levels,
- (iii) Major project stakeholders, such as women, tribal and ethnic communities, local voluntary organizations and community based organizations, and NGOs through focus group discussions, town hall meetings, etc., and
- (iv) Government agencies and departments through structured interviews and meetings.

32. Each RP will be prepared and implemented in close consultation with stakeholders and in accordance with methods described above. Relevant sections of the RF and RPs will be made available in local language(s) during consultations. The SO will ensure that APs and other stakeholders are informed and consulted about the subproject, its impact, their entitlements and options, and encouraged to participate actively in the development process. This will be done particularly in the case of vulnerable individuals and groups, who will be encouraged to choose options that entail the lowest risk.

33. The PIU, with assistance of the Social Development Specialist of the DSC and guidance from the SO of the PMU will ensure that any views of APs, particularly vulnerable APs, related to the resettlement process are looked into and addressed. Groups and individuals will be consulted and informed about the outcome of the decision-making process, and they will be informed of how their views were incorporated. Towards enhancing public awareness on the increased tourism potential of the natural and cultural destinations being taken up under the Facility and the increased livelihood opportunities to the local communities from the tourism-related activities, apart from improvement of infrastructure services in the destinations and the potential benefits in the quality of life—structured awareness campaigns will be undertaken. The consultation activities proposed during the various subproject stages are given in Table 4.

Table 4: Summary of Consultation Activities Proposed

| Sub-project Phase | Activities | Details | Responsible Agency |
|--------------------|----------------------------|--|--|
| Sub-project design | Stakeholder identification | In the event of land acquisition / resettlement required, Subproject area to be mapped, clearly showing survey numbers of titleholders of land/property proposed for acquisition | DSC consultants along with SO in coordination with PIU and support from DC's office. |
| | | Cross section of stakeholders to be identified in order to facilitate their participation in the sub-project. | SO with assistance from the DSC, along with officials from the DC's office. |

| | | | |
|-------------------------|---|--|---|
| | Sub-project information dissemination; | Leaflets containing information on sub-project to be prepared by the DSC | SO will approach DC with required details and will be involved in information dissemination. |
| | Stakeholder Meetings | Meetings at community/household level with titleholders of affected land/property and their family members during project scoping. Women's participation in the project meetings, through sex-disaggregated focus groups and meetings held at times conducive to women attendance | DSC consultants and SO with assistance of PIU / DC's office/local revenue officials will facilitate meetings to disclose the information to each AP. |
| | SIA surveys | Carry out a 100% census survey, 100% socio-economic survey for subprojects less than 100APs, and 10% sample survey for subprojects with more than 100APs. | SO with inputs from the Social Specialist of the DSC |
| | Disclosure of final entitlements and rehabilitation packages | Web disclosure of the RP. Circulating copies of RPs to all stakeholders including APs, translating summary RP in local language before conducting final disclosure meeting. Conducting public meetings for RP approval by APs. | DSC consultants will undertake all activities related to circulation of RP. PIU will arrange public meeting of all stakeholders with APs for RP approval. |
| | Disclosure of proposed land acquisition and sub-project details | Public notice will mention the names and survey no's of titleholders of land/property proposed for acquisition along with sub-project details. Notice will be issued in local newspapers. | Notice will be issued from the DC's office. |
| RP Implementation Stage | Disclosing final RP approved by ADB to all important stakeholders | Final RP reviewed and approved by ADB, to be updated/disclosed as per the disclosure requirements for the project | PMU |
| | Consultation with APs during rehabilitation activities | Meetings/discussions will be arranged with APs. Households to identify help required by APs during rehabilitation. | ULB / panchayats will arrange required meetings/discussions. Designated staff from PIU will participate. |

Source: Consultant's Output, 2010

34. **Disclosure.** The EAs will submit the following documents for disclosure on ADB's website:

- (i) RF endorsed by the EA before Facility appraisal;
- (ii) draft RP before subproject appraisal;
- (iii) final RP plan endorsed by the EA after the census of APs has been completed;
- (iv) new or updated RPs, and corrective action plans prepared during Facility implementation, if any; and
- (v) resettlement monitoring reports.

35. Electronic versions of the RF/RPs will be placed in websites of the EA/PMU after approval by the Government and ADB. In addition to website disclosure, information will be disseminated to APs at various stages. On finalization of the subproject location and design, the SO in coordination with the PIU will be responsible for issuing the public notice to acquire a particular land/property for the subproject. The notice will include information about the

subproject. The notice will be published in local newspapers, twice with a one week interval, and the costs will be shouldered by the EA. The SO and local revenue officials/officials from the DC's office will conduct meetings with APs in addition to the public notification to ensure that disclosure to all APs.

36. For the benefit of the community in general and APs in particular, relevant sections of the RF and RPs will be translated into local language and made available at: (i) Offices of ULB/village panchayat closest to the natural/cultural destination; (ii) District Magistrate Office; and, (iii) PIU, and (iv) PMU. Hard copies will be placed in the city library, accessible to citizens as a means to disclose the document and at the same time creating wider public awareness. The PIU offices will provide information on resettlement principles and features of the RP. The basic information in the RP including sub-project locations, impact estimations, entitlements, implementation schedule, etc. will be presented in the form of a brochure that will be circulated among APs.

V. COMPENSATION, INCOME RESTORATION AND RELOCATION

A. Compensation

37. Land acquisition and resettlement impacts will be compensated in accordance with the provisions of the entitlement matrix for the Facility. Compensation for loss of land will be determined on the basis of replacement value and will be fixed by the District Land Acquisition Officer. The verification will be carried out by the SO with assistance from the Social Development Specialist of the DSC through detailed market surveys and in consultation with key stakeholders.

38. The replacement values for immovable properties, including structures and assets will be arrived at as follows:

39. **Houses and Buildings.** The value of the houses, buildings and other immovable properties of APs will be determined for the purpose of payment of compensation at the relevant Basic Schedule of Rates (BSR) published by the respective state governments.

40. **Trees.** Compensation for trees will also be based on their market value in case of timber bearing trees and replacement value in case of fruit bearing trees based on rates fixed by the relevant department (Departments of Agriculture, Forest, Horticulture, Sericulture, etc.).

41. **Other Assets.** Compensation for other assets (wells, irrigation units, etc.) will be based on replacement value. If these are not covered under BSR, they will be determined by the Social Development Specialist of the DSC based on detailed market surveys and verified by the SO.

42. Compensation will be paid and resettlement of APs will be completed before taking possession of land/properties and prior to the start of civil works. The APs will hand over to the Government, land and properties acquired free from all encumbrances such as mortgage and debt. However, in case of any loans, on such acquired land and properties given to the AP by any government agency, remains unadjusted based on the information furnished by the AP or by the lending agency, such amounts will be deducted from total compensation. The acquired land and properties will vest in the Competent Authority paying compensation for such lands/properties.

B. Income Restoration and Rehabilitation

43. Long term loss of income or disruption of livelihood due to the Facility is not envisaged. The likely impacts on livelihood are related to disruptions of business, loss of livelihood for commercial activities of APs in and around the sub-project locations during the construction period. Such impacts are mitigated through management planning as part of the environmental management plan. The basic objective of income restoration is to ensure that each AP will at least have the same or improved income and livelihood after subproject implementation. Short-term income restoration activities are intended to restore AP's income in the period immediately before and after relocation focusing on relocation, and providing short-term allowances such as (i) subsistence/transitional allowance; and (ii) shifting assistance. These have been integrated into the entitlement matrix.

44. In the unlikely event of any loss of livelihood resulting in long term livelihood impacts, income restoration schemes will be designed in consultation with APs. The strategy for income restoration needs to be prepared prior to land acquisition. Based on the information collected on income restoration activities from the census and the socioeconomic surveys, income restoration strategies will be framed and activities planned. The SO will consider the resource base of APs and their socio-economic characteristics and preferences to tailor individual income restoration schemes. Towards this, it is proposed that one member for each of the vulnerable households losing their livelihood, and who has the capacity and willingness to acquire a new set of skills would be eligible for assistance. The Social Development Specialist of the DSC along with the Land Acquisition Officer will, identify the number of eligible households and individual beneficiaries based on the census of APs and a training needs assessment will be undertaken through consultations with the APs. For the identified households, a list of possible income restoration options in consultation with APs will be framed after examining local employment opportunities. Suitable trainers/local resources will be identified, and the assistance of local/regional training institutes will be sought. The RP budget will reflect the cost of providing income generating assets and training. The EA will also ensure AP access to government schemes that could help them restore income and livelihoods.

VI. GRIEVANCE REDRESS MECHANISMS

45. The Land Acquisition Officer at the district level with support from the Social Development Specialist of the DSC and the PIU, through continuous interactions with APs, will answer queries and resolve grievances regarding various issues including land acquisition, structures acquisition, livelihood impacts, entitlements, and assistance. Corrective measures will be undertaken at the field-level itself with responsibilities for implementation identified. Unresolved AP grievances will be forwarded to the Project Director, who will, based on review of the grievances, address them in consultation with the Safeguards Officer of the PMU. Should the grievance remain unresolved, the Project Director, will refer the issue to the Project Steering Committee which will act as Grievance Redress Committee (GRC) for the Facility.

46. The steering committee comprising Chief Secretary as Chairperson, and Secretary (Tourism) as Vice Chairperson and the Project Director as the Member Secretary will hear grievance of APs and facilitate solutions. The process will promote conflict resolution through mediation. The GRC will resolve the issue within one month from the date of registration of any case in the GRC. The functions of the GRC are as follows:

- (i) Provide support to APs on problems arising from land acquisition (temporary or permanent); asset acquisition; and eligibility for entitlements, compensation and assistance.

- (ii) Record grievances of APs, categorize and prioritize them and provide solutions within a month.
- (iii) Report to the aggrieved parties about developments regarding their grievances and decisions of the GRC.

47. The GRC will meet every month on a pre-fixed date during project implementation throughout the project duration, unless the Project Director informs that there are no grievances to address. The GRC will suggest corrective measures at the field level and assign responsibilities for implementing its decisions. The GRC will deliver their decisions within a month from registration of the case. In the event that a grievance is not addressed by the GRC, the AP can seek legal redress of the grievance in the appropriate Courts. All costs involved in grievance resolution up to the GRC-level will be borne by the EA.

VII. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

A. Institutional Arrangements and Responsibilities

48. The State Tourism Departments are the EA and will execute the part of the Facility falling under each respective state governments. The PMU will be responsible for overall facility implementation, monitoring, and supervision. A SO will be part of the PMU. The Project Management Consultants (PMC) will have a Social Development Specialist who will guide and work together with the SO at the PMU to effectively implement the RF and ensure RPs comply with safeguard provisions of the Facility.

49. The Social Development Specialist of the DSC at the PIUs, and the Land Acquisition Officer of districts, will be responsible for RP development and implementation. They will interact with the revenue department officials at the district level in each state on issues pertaining to land acquisition. Effective RP implementation has to be coordinated with district authorities.

50. The Land Acquisition Officer, of districts will verify title deeds, non-encumbrance certificates, basic tax receipts, possession certificates and other relevant records for each parcel of land to be acquired. The District Government Pleader or any other person specially authorized by the District Collector will scrutinize title deeds and other documents related to ownership and possession, and give necessary recommendation to the Land Acquisition Officer.

51. The Social Development Specialist of the DSC, under the guidance of the SO at the PMU would thereafter arrange for the titleholder to execute a transfer deed in favor of the concerned IA. The District Collector or Competent Authority will pay compensation and other cash assistance to the title holder by a bank cheque, once the PMU deposits the funds for this purpose at the Collector's Office.

52. The SO with the assistance from the Land Acquisition Officer will assume possession of the land on the same day on which the deed is registered. A Copy of the Deed of Registration would be obtained from the office of the Sub-Registrar and kept in safe custody along with the survey sketches by the SO. The SO will take steps to effect necessary changes in the classification of land through the Tehsildar on the basis of the copy of the registered deed obtained from the office of the Sub-Registrar. Table 5 summarizes institutional roles and responsibilities.

Table 5: Institutional Roles and Responsibilities

| Activities | Agency Responsible |
|--|--------------------|
| Sub-project Initiation Stage | |
| Finalization of sites/alignments for sub-projects | PMU |
| RP Preparation Stage | |
| Conducting Census of all APs | DSC / SO |
| Conducting FGDs/ meetings / workshops during SIA surveys | DSC / SO |
| Computation of Replacement Values of land/properties proposed for acquisition and for associated assets | LAO/ DSC/SO |
| Categorization of APs for finalizing entitlements | SO / DSC |
| Formulating compensation and rehabilitation measures | SO/ DSC |
| Conducting discussions/ meetings/ workshops with all APs and other stakeholders for this | SO/DSC |
| Fixing compensation for land/property with titleholders | LAO/SO |
| Finalizing entitlements and rehabilitation packages | SO/DSC |
| Disclosure of final entitlements and rehabilitation packages | SO/DSC |
| Approval of RP | PMU/ADB |
| Sale Deed Execution and Payment | SO / LAO |
| Taking possession of land | SO / LAO |
| RP Implementation Stage | |
| Implementation of proposed rehabilitation measures | SO / DSC |
| Consultations with APs during rehabilitation activities | SO /DSC |
| Grievances Redressal | DSC/SO/GRC |
| Internal Monitoring | SO |
| External Monitoring | External Agency |
| AP=affected person, DSC = Design and Supervision Consultant (Social Specialist),FGD=focus group discussions, GRC = Grievance Redress Committee, LAO = Land acquisition officer, PIU = Project Implementation unit, PMU = Project management unit, RP=resettlement plan, SIA=social impact assessment, SO = safeguards officer. | |

53. The roles and responsibilities of the SO include but are not limited to the following: (i) coordinate implementation of IR activities with the revenue officials at the district level, (ii) coordinate training for the district level revenue officials to implement the RP, (iii) organize public awareness campaigns including resettlement provisions with the help of print and electronic media, (iv) facilitate and coordinate joint verification survey of APs with the elected representatives as appropriate, finalize list of APs and inform them about tentative schedule of land acquisition/occupation, (v) coordinate valuation of assets, such as land, trees of various species, agricultural crops, etc. facilitating a joint process involving elected representatives, NGOs and APs, (vi) based on assessment of property values finalize compensation packages, (vii) coordinate land acquisition processes with associated government departments. (viii) inform APs about the entitlement matrix and compensation packages against different categories of losses, (ix) liaise with the District Administration and line departments (DRDA, DoRD etc.) for dovetailing government schemes for income generation and development programs for APs, (x) make budgetary provisions for IR activities, (xi) coordinate, supervise and monitor disbursement of compensation, (xii) coordinate monitoring activities to be taken up for assessing progress in implementing RPs, (xiii) facilitate the appointment of an external agency for impact evaluation and coordinate evaluation activities to be taken up by the agency, (xiv) facilitate appointment of consultants to carry out the studies and coordinate these, (xv) prepare quarterly monitoring reports for the PMU on the progress of RP implementation, and (xvi) participate in grievance redress.

54. If required, during RP implementation, partnerships will be developed with NGOs, which have a local base and en masse acceptability.

55. The role of the Social Specialist, DSC will include the following: (i) work under close coordination with the SO/LAO and the PIU to implement the RP, (ii) involve elected representatives and local leaders, wherever necessary to implement the RP facilitating transparency and public participation in the process, (iii) assist the PIU/ULB in disseminating the RP and other resettlement related information, (iv) take lead in joint verification and identification of APs, enlisting APs, counseling for livelihood restoration, disseminating project policies, documents etc., (v) determine replacement value of land and structures of APs, (vi) carry out a census of APs and identify vulnerable households, (vii) through counseling and awareness generation, resolve grievances of APs, (viii) raise unresolved grievances of APs, (ix) generate awareness about livelihood restoration activities, and help APs make informed choices, (x) identify training needs of APs for income generation activities and ensure that they are adequately supported, (xi) assist in disbursement of compensation cheques, (xii) participate in public meetings as and when required, and (xiii) submit periodic RP implementation reports to the SO.

56. An impact evaluation study will be carried out regarding RP implementation, for which the services of an external agency/consultant will be procured. The agency is expected to carry out the evaluation based on the following: (i) work out indicators to evaluate RP implementation, (ii) track achievements/failures of the implementation process including major targets of compensation and assistance provision, (iii) track APs in order to assess the restoration of incomes and standard of living of these APs in mid-term and post sub-project scenarios, (iv) provide suggestions and inputs in form of remedial measures in implementing RP, and (v) prepare and submit mid-term and end-term impact evaluation reports and submit to the PMU and ADB.

B. Implementation Arrangements

57. The implementation of subprojects in each state will be carried out in two tranches. For all subprojects to be taken up under each of these tranches, all land required will be provided free of encumbrances to the contractor prior to handing over of site and the start of civil works. All land acquisition and resettlement of APs, including taking possession of government lands, community lands, etc. is to be completed before the commencement of civil works. The implementation of RPs will include: (i) identification of cut-off date and notification; (ii) verification of losses and extent of impacts; (iii) finalization of entitlements and distribution of identity cards; (iv) consultations with APs on their needs and priorities; and (v) resettlement and provision of assistance to APs. No civil works, for any particular component wherein land acquisition and resettlement¹² is involved, will begin until APs receive approved compensation packages. The implementation schedule for a sample sub-project is indicated in Table 6. APs will be given sufficient notice to vacate their property before civil works begins.

¹² For components that do not require land acquisition, or detailed designs, the civil works will be taken up at an early date.

Table 6: Schedule of Resettlement Implementation

| | Implementation Schedule of RP Distributed over Quarters | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---|---|---|---|----------------|---|---|---|----|----|----|----|----|----|----|----|----|----|----|--|--|--|--|--|--|--|--|--|--|--|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | | | | | | | | | | | |
| | First Tranche | | | | | Second Tranche | | | | | | | | | | | | | | | | | | | | | | | | | |
| Resettlement Planning | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| RP Approval by ADB & PMU | | | | | | ◆ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Disclosure of RP | | | | | | ◆ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Distribution of RP/Brochure | | | | | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Socio-economic survey and list of APs | | | | | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Issue of identity cards | | | | | | | ■ | | | | | | | | | | | | | | | | | | | | | | | | |
| Identify and confirm poor and vulnerable APs | | | | | | | ■ | | | | | | | | | | | | | | | | | | | | | | | | |
| Initiate GRC | | | ◆ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Grivance Redressal Activities | | | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Land Acquisition, Temporary Land Occupation and resettlement | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Announce start date of RP implementation through public notification | | | | | | | | ■ | | | | | | | | | | | | | | | | | | | | | | | |
| Disburse compensation and relocation assistance | | | | | | | | | ■ | | | | | | | | | | | | | | | | | | | | | | |
| Arrange temporary occupation of lands | | | ■ | | | | | | ■ | | | | | | | | | | | | | | | | | | | | | | |
| Rehabilitate temporarily occupied lands | | | | | | | | | | | | | ■ | | | | | | ■ | | | | | | | | | | | | |
| Hand over of lands to the contractor | | ■ | | | | | | | | | | ■ | | | | | | | | | | | | | | | | | | | |
| Disburse livelihood restoration assistance | | | | | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Monitoring & Evaluation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Capacity building | All through the RP implementation period | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Internal monitoring | All through the RP implementation period | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| External monitoring | All through the RP implementation period | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

VIII. BUDGET AND FINANCING

58. Detailed budget estimates for involuntary resettlement will be prepared for each RP. It will be included in overall subproject estimates. The budget will include (i) detailed costs of land acquisition, relocation, and livelihood and income restoration and improvement, (ii) source of funding, (iii) arrangements for approval, and (iv) the flow of funds and contingency arrangements. Overall land acquisition and resettlement costs for the Facility are estimated at \$1.14 million. The cost estimates also provides allocation for contingencies. Subprojects involving construction is allocated with an additional 10% of physical contingencies for unanticipated impacts such as temporary impacts on structures or temporary loss of land. Funds for land acquisition, compensation for all assets lost, related resettlement assistance, and relocation and transfer will be provided by EA. Administrative and implementation costs, including cost of census and survey of APs and inventory of assets, cost of information and consultations, training and monitoring (including evaluation by independent agency) will be funded under the Facility. Land acquisition and resettlement costs will be considered as an integral component of subproject costs.

59. The cost of all compensation and resettlement works will be an integral part of the overall costs. It may be noted that government land does not necessarily imply a transfer. If required, the EA will pay for the identified government land and the cost of crops and trees will be factored in. Acquisition is proposed in the non-/post-harvest season so that losses are minimized. All compensation payment will be provided to APs prior to award of contracts for civil works. Table 7 presents the broad estimated resettlement costs for the for states based on sample sub-projects during facility preparation¹³.

Table 7: Summary of Land Acquisition and Resettlement Costs

| Item | Himachal | Punjab | Tamil Nadu | Uttarakhand |
|---|---------------|---------------|---------------|---------------|
| Compensation for loss of land | 50000 | 30000 | 50000 | 30000 |
| Compensation for loss of structures | 20000 | 40000 | 60000 | 50000 |
| Resettlement costs and assistance | 30000 | 20000 | 30000 | 20000 |
| Sub-total | 100000 | 90000 | 140000 | 100000 |
| Administration and implementation costs, including costs of surveys, consultations, training, grievance, etc. | 150000 | 150000 | 200000 | 150000 |
| Contingencies (Price 5% and Physical 10%) | 15000 | 13500 | 21000 | 15000 |
| Grand Total (\$) | 265000 | 253500 | 361000 | 265000 |
| S Million | 1.144 | | | |

IX. MONITORING AND REPORTING

60. The implementation of RPs will be monitored and there will be a mid-term and an end-term evaluation of project impacts on APs. Regular monitoring activities will be carried out by the SO. Qualified and experienced external experts or NGOs will verify monitoring information and advise on compliance issues for subprojects with significant IR impacts., The mid-term and end-term impact evaluation will be outsourced to an agency/NGO/institution/consultant, which will do the work in close coordination with the PMU.

A. Monitoring Mechanism

61. The monitoring of the process of RP implementation will be carried out during the entire Facility life. The monitoring activity will be carried out on a regular basis for assessing resettlement progress and identifying potential difficulties and problem areas. After 3 to 6 months of Tranche 2 implementation,¹⁴ the monitoring activity will be performed every quarter and progress reports thereof will be generated. Semi-annual reports will be submitted to ADB.

62. The SO will carry out monitoring. Quarterly progress reports will be prepared and submitted to the PMU which will report actual achievements against targets fixed with reasons for shortfalls, if any. All monitoring reports will have to be compiled within fifteen days at the end of each quarter. After reviewing the internal reports, a quarterly report will be provided to the Project Director for his assessment. Broadly, the monitoring and evaluation system will involve:

- (i) Administrative monitoring: daily planning, implementation, feed back and

¹³ These costs do not include PMU/PIU staff and consultants which are separately costed under the Project.

¹⁴ As no IR impacts are expected from Tranche 1, monitoring starts in Tranche 2. However, if detailed design shows IR impacts for Tranche 1, monitoring will start 3-6 months after Tranche 1 impacts are noted.

- trouble shooting, individual AP file maintenance, progress reports.
- (ii) Socio-economic monitoring: case studies, using baseline information for comparing AP socio-economic conditions, evacuation, demolition, salvaging materials, morbidity and mortality, communal harmony, dates for consultations, number of appeals placed, etc.
- (iii) Impact evaluation monitoring: income standards restored/improved etc.

B. Monitoring Physical and Financial Progress in RP

63. Monitoring will involve the following tasks:

- (i) Administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis,
- (ii) Socio-economic monitoring during and after the relocation process utilizing the baseline information established by the socio-economic survey of APs undertaken during subproject preparation to ensure that people are settled and recovering, and
- (iii) Overall monitoring whether recovery has indeed taken place successfully and in time.

64. Data from the baseline socio-economic surveys undertaken during subproject preparation will provide the benchmark for monitoring process to assess the progress and success of RP implementation. However, the monitoring process will also include the following:

- (i) Communication to and noting reactions from APs,
- (ii) Information from APs on entitlements, options, alternative developments, etc.
- (iii) Valuation of properties,
- (iv) Usage of grievance redress mechanism, and
- (v) Disbursement of compensation amounts and all assistances.

65. Monitoring will also cover physical progress of RP implementation. This will include relocation of the APs and affected community properties. The PMU will prepare quarterly progress reports.

C. Monitoring Indicators

66. The indicators for achievement of objectives under RP implementation are of two kinds:

- (i) Process Indicators: Indicating project inputs, expenditure, staff deployment, etc.
- (ii) Output Indicators: Indicating results in terms of numbers of affected people compensated, area of temporarily occupied lands restored, etc.

67. Input and output indicators related to physical progress of the work will include items such as:

- (i) Training of PIU and other staff completed.
- (ii) Census, assets inventories, assessments and socio-economic studies completed.
- (iii) Grievance redress procedures in-place and functioning.
- (iv) Compensation payments disbursed.
- (v) Relocation of APs completed.
- (vi) Employment provided to APs.
- (vii) Community development activities completed.
- (viii) Monitoring and evaluation reports submitted.

68. This monitoring will give information about whether the project objectives are being met. A key objective will be the estimation of AP incomes and quality of lives. If the monitoring and

documentation done during the first 6 months indicate that these objectives are not being achieved, more resources should be allocated. During implementation, benchmarks and indicators will be monitored to ensure that comparison is made against the socio-economic status including income streams, not just the fixed assets lost due to the Project.

D. Impact Evaluation

69. The broad objectives of the impact evaluation are as follows:

- (i) To assess whether APs have improved their living standards, in terms of income, housing condition, access to basic amenities, ownership of land and material assets.
- (ii) To monitor schedules and achievement of targets.
- (iii) To evaluate whether social development objectives of the Facility are being achieved.

70. The SO will document: (i) restoration of income levels; (ii) changes and shifts in occupation pattern; (iii) changes in AP type of housing; (iv) assessment of APs access to amenities, such as water, electricity, and transportation; and (v) performance of PIU/PMU in resettlement implementation.

71. An agency/NGO/institution/consultant will conduct mid-term and end-term evaluation to assess the effectiveness of the implementation of the IR provisions. The impact evaluation will emphasize assessment of achievements of subproject targets and the change in quality of life of APs. For carrying out the evaluation assignment, the agency/consultant will develop the necessary evaluation indicators. All evaluations are expected to be done on the basis of selective indicators.

72. Evaluation study reports, one mid-term and one end-term will be generated based on the findings of the mid-term and end-term evaluation studies. The reports will have to be generated within one month after the studies are conducted. The mid-term evaluation report should highlight the Facility's achievements based on set targets for the period and specify whether any problem exists in the implementation of the RP and provide rectification measures for achieving targets in the next phase.

73. The end-term evaluation will reveal the actual target achievements of RP implementation by the PMU. This report should take into account whether the Facility has improved the quality of life of the communities in the tourist destinations, especially APs. Any lacunae in the process of RP implementation should also be stated with future strategies to overcome such situations so that benefits can be utilized by the APs to the furthest extent.

| | | | | | | | | | | | | | | | | | | |
|---|--|---|--------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 4 | Enhanced Participation in Tourism by Local Communities | Providing alternative livelihoods to protect natural and cultural assets | IR impacts not envisaged | | | | | | | | | | | | | | | |
| | | Community based eco tourism products linked to activity 2 and 3 above, e.g. community run information centres and adventure sports activities . | x | x | √ | x | x | x | √ | x | x | x | √ | x | x | x | √ | x |
| 5 | Cross Cutting Themes- Capacity Building and Project Implementation Support | Support for project design and implementation | IR impacts not envisaged | | | | | | | | | | | | | | | |
| | | Community and public awareness in the value and importance of protecting natural and cultural assets. | IR impacts not envisaged | | | | | | | | | | | | | | | |
| | | Development of institutional and community capacities to better manage natural and cultural assets | IR impacts not envisaged | | | | | | | | | | | | | | | |

An overview of potential land acquisition and resettlement impacts due to the proposed project components is given in **Table A-1 to A-4**.

Table A-1 Himachal Pradesh

| S. No. | Sub-Sector Projects | Permanent Impact | Temporary Impacts during construction | |
|---------------------------------------|---|---|---------------------------------------|--|
| | | Land Acquisition / Resettlement | Temporary Land Occupation | Temporary Loss of access to Resources and Services |
| 1. Pong Reservoir and Wetlands | | | | |
| i. | Development of Pong dam Entry point including the development of an interpretation centre, landscaping and provisions of signages of the entry point, improvement of the existing jetties etc | Not envisaged as the proposed facilities are to be sited on lands belonging to the GoHP. | | The project proposes improvement of the jetties that are currently operational. Disruption/temporary loss of services to visitors during the construction period shall be offset through provision of alternative locations during the period of construction. |
| ii. | Development of Ecotourism Facilities at Ranser Island | Ranser island belongs to the forest department. There are no private lands within the island. No land acquisition envisaged. | | The improvement of the existing rest houses in Ranser island and the improvement of jetties at the Ranser side shall temporarily impair access to the tourists of these services, during the construction period. |
| iii. | Development of camping sites to be operated by VFDS and capacity building of the local villagers to participate in tourism activities – in the following villages Dharmeta, & Nagrotasuria | The improvements to the camping sites are proposed within lands belonging to the forest department. The existing treks in the vicinity of the forest guest houses shall be developed in terms of improved safety conditions and better infrastructure and amenities for the tourists. These shall be sited within the available lands with the Government. There are no land acquisition /resettlement impacts envisaged. | | |
| 2. Masroor Archaeological Site | | | | |

| S. No. | Sub-Sector Projects | Land Acquisition / Resettlement | Temporary Land Occupation | Temporary Loss of access to Resources and Services |
|---|---|--|---------------------------|--|
| | Masroor rock temples | the ASI complex, in line with the provisions of the management plan for the monument | | |
| ii. | Improvement of visitor facilities at the Masroor Temple complex entry area and provision of small-scale environment and CBT tourism infrastructure in the adjacent village. | These improvements shall be carried out in the lands belonging to the government, or the Panchayat. | | |
| 3. Naina devi destination improvements | | | | |
| ii. | development of a circular road of 1.2 km, improvement of pilgrim facilities including construction of a car park, with toilet and water facilities, funding for preparation of master plan for the Naina Devi destination, with focus on pilgrim management during festive seasons and waste management in the destination. | Not envisaged. The circular road alignment, a fresh alignment, is proposed totally on lands belonging to the Govt of Himachal. There are no structures within the proposed alignment. Impacts pertaining to cutting of trees have been addressed as part of the Environmental Management Plan The parking lot near the Naina Devi temple is proposed on a 1500 sqm plot that was acquired from private owners through private negotiations in 2008. The site is currently free of encumbrances. | - | - |
| 4. Chintpurni destination improvements | | | | |
| v. | Chintpurni destination improvements: Construction of an Integrated parking, interpretation centre and tourist amenities complex apart from development of tourist rest sheds, toilet facilities and view points along pilgrim movement path from tourist centre to Temple | Not envisaged. The Chintpurni Temple trust, with funding from the State Government, had acquired the proposed site in 2007. The site of about 2 ha is available with the trust. There are no structures within the proposed alignment. Impacts pertaining to cutting of trees have been addressed as part of the Environmental Management Plan The (4 locations) rest sheds and tourist amenities including toilets proposed along the pilgrim path to the temple from the proposed interpretation centre, are proposed on Government land parcels abutting the road. No land acquisition or resettlement impacts envisaged. | - | - |
| 5. Shimla: Mall Road restoration project | | | | |
| v. | Shimla: Mall Road restoration project, including paving of the mall road with corbel stones, provision of retaining structures at locations vulnerable to slope failures, landscaping, provision of street furniture along the mall, master planning for restoration of heritage | Not envisaged. The proposed improvements to the Mall road are within the available RoW of the Mall Road, with the Shimla Municipal Corporation. The proposed road side amenities, street scape improvements are within the available RoW. | - | To address temporary impacts to the tourist movement during construction, it is proposed a tourist |

| No. | | Land Acquisition / Resettlement | Temporary Land Occupation | Or access to Resources and Services |
|-----|--|--|---------------------------|--|
| | | lower reaches of the Mall Road and the Ridge are proposed within the lands belonging to the Government. No land acquisition or resettlement impacts envisaged. | | be prepared as part of the detailed designs to ensure minimal disruptions to tourists. Wide dissemination of the plan to be carried out. |
| vi. | | | | |

| S. No. | Sub-Sector Projects | Permanent Impact | | Temporary Impacts during construction | |
|---|--|---|---|--|--|
| | | Land Acquisition / Resettlement | Temporary Land Occupation | Temporary Loss of access to Resources and Services | |
| 1. Govindgarh Fort Heritage Conservation and Adaptive reuse proposal | | | | | |
| i. | Conservation and structural stabilization of the fort walls, bastions and moat | The proposed interventions are proposed within the 47 acres of land belonging to the Punjab Heritage and Tourism Promotion Board. | Not envisaged. | Not envisaged. | |
| ii. | Adaptive re-use of historic buildings for interpretation and visitor facilities including museum, interpretative galleries, restaurant, parking etc | | | | |
| iii. | Landscape development in the outer and inner zones of the fort complex including building of temporary structures in landscape, street furniture and monument lighting. | | | | |
| iv. | Son-e-Lumerie show in the inner most zone | | | | |
| v. | Development of tourist accommodation | | | | |
| 2. Amritsar City Gateway | | | | | |
| i. | Heritage Conservation and Adaptive reuse proposal, including restoration and revitalization of Amritsar Town hall building as the visitor interpretation centre and a cultural hub | The conservation of the town hall is proposed in phases. The ownership of the building is with the MCA. | The first phase to be taken up as part of the sample cluster, includes conservation and development of one block of the town hall. This portion of the building is currently under occupation of the Police department, GoP. The shifting of these premises to an alternative site is to be completed by November 2009. The other part of the building currently occupied by the Office of the MCA shall be taken up for renovation and conservation, only after the identification and development of an alternative office space for the same, and shall be taken up during subsequent phases of the project. | The site identified for the development of an underground museum is currently used for parking for visitors to the MCA office. The visitors parking will be accommodated within the parking complex outside the MCA for the construction period. | |
| ii. | Reuse of Rambagh palace as a museum | The palace is within the Rambagh garden, an ASI protected monument. Currently partial conservation of the | | | |

| No. | | Land Acquisition / Resettlement | Temporary Land Occupation | Of access to Resources and Services |
|---|---|--|---|-------------------------------------|
| | | assistance from Gol. The proposed interventions are within the building and do not envisage any fresh acquisition or resettlement impacts. | | |
| ii. | Provision of multi-dispersed car parking areas around walled city circular road and tourist destinations – in front of Gobindgarh fort and at the Rambagh Gate parking. | The proposed site at Gobindgarh is available with the Government, and is totally fenced, and is available for the development of parking. The proposed location at Rambagh gate is in lands belonging to the MCA and is currently used as parking places by the city residents and tourist vehicles. Given the need for more parking spaces at these locations to cater to the tourist demand, the MCA envisages development of multilevel car parks and parking for two wheelers at these sites. | The proposed site at Rambagh gate is temporarily occupied for parking purposes. | - |
| v. | Development of heritage trails around Amritsar walled city | Not envisaged as the proposed improvements are within the road RoW. The improvements are limited to provision of signages, tourist amenities along the trail, interpretation materials etc. | - | - |
| 3. War memorial at Chotta Ghalughara | | | | |
| i. | Access and connectivity and destination infrastructure improvements to memorial at Chota Ghalughara in Gurdaspur District: | The improvements shall be accommodated within the available RoW, no widening is envisaged The site for the proposed parking at the memorial is within the Memorial site, wherein the land belongs to the GoP. | | |
| 4. Enhanced Tourist Access and Connectivity in Sultanpur Lodhi in Kapurthala District, | | | | |
| ii. | Enhanced Tourist Access and Connectivity in Sultanpur Lodhi in Kapurthala District, including improvements of pilgrim routes and provision of basic amenities. | The improvements to the pilgrim routes/circuits between the Gurudwaras in the town shall be worked out so that they are within the available RoW, no widening is envisaged The provision of basic amenities are at Government lands. For interventions as parking to be carried out within the Gurudwara complexes, NOC from the respective Gurudwara committee shall be obtained prior to the finalization of the detailed design by the EA. Consultations have been held with the committee, and consent obtained for the establishment of the parking facilities and provision of other tourist amenities | | |
| 5. Development of community based Eco tourism facilities at Keshopur wetland | | | | |
| i. | Development of community based Eco tourism facilities at Keshopur wetland – including development of | The site for development of these eco-tourism facilities are proposed to be sited on lands belonging to the village | | - |

| S. No. | Sub-Sector Projects | Land Acquisition / Resettlement | Temporary Land Occupation | Temporary Loss of access to Resources and Services |
|--------|--|---|---------------------------|--|
| | <p>locations, visitor amenities-toilet blocks, sanitation etc, construction of watch towers, development of sites for eco-camping, trails etc.</p> | <p>acres each have been identified for the siting of the facilities. These lands are available with the panchayats and are free from any ongoing leases or encroachments.</p> <p>NOCs from the 5 village panchayats have been obtained for siting of tourist facilities and amenities for the siting of the ecotourism facilities and other measures for the protection of the community reserve.</p> | | |

| S. No. | Sub-Sector Projects | Land Acquisition / Resettlement | Temporary Land Occupation | Temporary Loss of access to Resources and Services |
|---|---|--|--|--|
| 1. Pichavaram Mangrove Forest and Staging Area | | | | |
| i. | <p>Development of Access to the Pichavaram Mangrove Forest Staging Site</p> <ul style="list-style-type: none"> • Venugopal Street, Km 0/0 to 0/6 (ODR): • Chidambaram Thandavaraya Sozhagan Pettai Km 0/0 to 4/0 (except 0/8 to 1/4) (ODR): • Chidambaram Nathan Pettai, C Manambadi Road km 0/0 to 4/8 (ODR): • Killai road km 7/2 to 11/4: • Provision of descriptional and directional signages | <p>Along the Venu gopal street, 25 shops (grocery/home appliances, tea-stalls) spill over onto the RoW for storage or display. While the carriageway is not encroached, the side drains are encroached. Consultations with the HD indicate that the encroachments onto the RoW will not be allowed on completion of the project implementation, and the covered drains shall be used as footpaths for pedestrians. A short resettlement plan to address the impacts on these encroachments is prepared.</p> <p>In addition to the presence of encroachments along Venugopal street, there are 15 residential units squatting within the RoW, for the past 25-30 years along Killai road in Singarakuppam settlement. These units shall not be impacted due to the proposed improvements, and constricted cross sections worked out at these locations.</p> | <p>The RoW within the urban stretch is occupied by ambulatory vendors (about 30nos), operating without any license from the Municipality. While these establishments shall be impacted, consultations reveal that these vendors shall continue their businesses in other portions of the city.</p> | Not envisaged. |
| ii. | <p>Development of Ecotourism Facilities at Pichavaram TTDC site</p> <ul style="list-style-type: none"> • Interpretation centre for Mangrove forests • Landscaping and provision of tourist amenities at the TTDC tourist complex • Jetty improvement and provision of electric boats | <p>The proposed improvements are within the lands belonging to the TTDC. No land acquisition envisaged.</p> | - | Disruption to existing boating services shall during the period of construction shall be addressed through provision of alternative sites. |
| 2. Tranquebar Historic Site | | | | |
| i. | Development of bus stop on ECR approach road and parking facilities | The proposed interventions are within available Government lands. | - | - |
| ii. | Development of parade ground and gold smith street | | | |
| iii. | Conservation and restoration of monuments such as Dansborg Museum, Old Mosque, Tank behind Dansborg, Zion church | No acquisition of private lands is envisaged. | - | - |
| 3. Gateway and Destination Interconnectivity | | | | |
| i. | Proposed Tourist support infrastructure in the gateway town and along the main roads linking Thanjavur with the main attractions | The proposed interventions at these gateway centers are proposed within available lands belonging to the roads department in case of connectivity improvements and the ULB in case of the improvements in Thanjavur. | - | - |

Table A-4: Uttarakhand

| S. No. | Sub-Sector Projects | Permanent Impact | Temporary Impacts during construction | |
|---|--|---|---------------------------------------|--|
| | | Land Acquisition / Resettlement | Temporary Land Occupation | Temporary Loss of access to Resources and Services |
| 1. Kotdwar gateway & Destination Interconnectivity | | | | |
| i. | Development of Kotdwar as an entry point to Corbett National Park | The interpretation centre and the proposed amenities for development of Kotdwar as an entry point are on lands belonging to the forest department. No private land is involved | - | - |
| ii. | Development of enroute facilities and destination interconnectivity | The developments are proposed within the existing RoW available along the roads leading to the Kotdwar destination. | - | - |
| 2. Villages in Northern Buffer Zone of Corbett Tiger Reserve | | | | |
| i. | Development of the 18 villages for community based eco tourism facilities | The infrastructure improvements are proposed within the available road RoW and in lands belonging to the panchayats or other government departments. No impacts on private land acquisition is envisaged. During consultations with the communities and the elected representatives, it has been agreed upon that prior to the taking up of the project, there shall be a NoC from the panchayat to the project authorities, for the siting of the proposed components. | - | - |
| ii. | Development of Forest rest houses along with camping sites to be operated by VFDS and capacity building of the local villagers to participate in tourism activities. | The improvement of the forest guesthouses and development of campsites, parking and other basic amenities at these guest house locations are within the premises of the land belonging to the forest department. Other attractions proposed such as the development of natural trails into the forest areas from these guesthouses are proposed on existing treks, and no new treks or pathways are envisaged. | - | - |
| 3. Landsdowne Historic Hill Station | | | | |
| i. | Development of Tip & Top Tourism Facilities | The site belongs to the Tourism Department, Government of Uttarakhand. | - | - |

HIMACHAL PRADESH

The Himachal Pradesh tenancy and Land Reforms Act, 1972 (Act of 6 of 1974), bars the transfer of land to non agriculturists¹⁵ under Section 118 of the Act. Provided further that a non agriculturist in whose case permission to purchase land is granted by the state government, should put the land to such use as for which the permission has been granted within a period of two years or a further such period, not exceeding one year, as may be granted by the state government to be counted from the day on which the deed covering the sale of land is registered and if he fails to do so, the land so purchased by him shall vest in the state government free of all encumbrances.

The act defines the extent of land that could be transferred in the name of non-agriculturists for different purposes. For construction of shops, the act specifies a maximum area of 300 sq m, while for construction of hotel, restaurant, or for any tourist purposes, the extent shall be as certified by the Department of Tourism, HP. For charitable, religious or public utility purposes, the act specifies that the extent of area shall be as certified by the District Collector.

The Himachal Pradesh Village Common Lands Vesting and Utilization Act, 1974 and the Punjab Village Common Lands (Regulation) Act, 1961. In 1974, Himachal Pradesh Village Common Land Vestment and Utilization Act was passed to enable the Government, to give *shamlat* lands to the landless people. Under this act the government took control of all common lands, and common grazing lands to supplement the pool of land available for distribution to those with little or no land. Rules and utilisation scheme for lands acquired under this Act were prepared in 1975. A part of the land was to be kept aside for common purposes like grazing to be managed under the Punjab Village Common lands (Regulation) Act 1961. The acquired *shamlat* lands were divided into two categories: allotable and non-allotable. The non-allotable was to be transferred to the Himachal Pradesh Forest Department (HPFD). These non-allotable *shamlat* lands, once "de jure" community lands available for the exercise of rights, became "de facto" common lands, as the Revenue Department did not transfer the lands to the HPFD. Moreover, no action could be taken to demarcate and classify these lands as forests under the provisions of the Indian Forest Act 1927 as critics saw this as a mechanism for converting community lands into government lands and restricting the right of access by communities.

A. Punjab

The Punjab Village Common Lands(Regulation) Act, 1961 provided for regulating the rights in village common lands popularly and colloquially known as 'Shamilat deh'. Section 13 of the Act barred jurisdiction of civil courts, over any matter arising out of the operation of the Act. The panchayat may make use of the land in Shamilat deh vested in it under the Act, either itself or through another, for any one or more of the following purposes:-

- (i) Model farm;
- (ii) Seed farm;
- (iii) Nursery garden or any other horticultural purpose;
- (iv) production of food, fibre or fodder crops;
- (v) Dairy farm;
- (vi) Grazing of cattle 1[animals];
- (vii) Tree plantation or any other purpose related to forestry;
- (viii) Dyeing and tanning of skins and hides;
- (ix) Storage of fuel, fodder and/ or grain;

¹⁵ Agriculturist has been defined as a person who cultivates land personally in an estate situated in Himachal Pradesh. In case of joint family, the land shall be deemed to have been cultivated personally if it is cultivated by any member of such family.

- (x) Bricks kilns 2[Pottery], extraction of shora 'sand stones, kankar, bajri, other minerals defined in the Punjab Minor Mineral 3(Concession) Rules 1964;
 - (xi) Cremation or burial ground ;
 - (xii) Manure pits;
 - (xiii) Public latrines and / or urinals;
 - (xiv) Pathways 4[streets and lanes], roads, drains or water channels;
 - (xv) Playground, recreation parks or children' park or 5(balwaris);
 - (xvi) Leasing out, for the purposes of abadi to a family having insufficient housing accommodation or for the purpose of industrial project approved by the Government;
 - (xvii) School building, school library or any other structure for educational Purpose;
 - (xviii) Maternity or first-aid centers;
 - (xix) Hospital or dispensary;
 - (xx) Veterinary Hospital or dispensary;
 - (xxi) Vehicle Park;
 - (xxii) Panchayatghar [or village Chaupal] [or Community Center];
 - (xxiii) Ponds and fisheries;
 - (xxiv) Wells, hand pump, water works, or any water lifting devices;
 - (xxv) Any other kindred common purpose with the approval of the Panchayat Samitis.
- ;

COMPARISON BETWEEN LA ACT, NRRP AND ADB INVOLUNTARY RESETTLEMENT SAFEGUARDS

| SNo | ADB Safeguard Requirement | Land Acquisition Act 1894 | NRRP, 2007 | Remarks, and provisions in NRRP | Measures to bridge the Gap |
|-----|---|---------------------------|------------|--|--|
| | Objectives | | | | |
| 1 | Avoid involuntary resettlement wherever feasible | X | ✓ | | - |
| 2 | If unavoidable, minimize involuntary resettlement by exploring project and design alternatives | X | ✓ | | - |
| 3 | To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels | X | ✓ | | - |
| 4 | To improve the standards of living of the displaced poor and other vulnerable groups. | X | ✓ | | - |
| | Policy Principles | | | | |
| 1 | Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. | X | ✓ | While the policy does not specify any requirement for screening of the project at an early stage for resettlement impacts and risks, the process for resettlement planning is defined. | Screening of all sub-projects in line with the IR checklist of ADB, towards enabling identification of the potential resettlement impacts and associated risks. |
| | 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 | x | ✓ | Clause 23. (1) After completion of baseline survey and census of the affected families under section 21, and assessment of the requirement of land for resettlement under section 22, the Administrator for Rehabilitation and Resettlement shall prepare a draft scheme or plan for the rehabilitation and resettlement of the affected families after consultation with the representatives of the affected families including women and the representative of the requiring body. | - |
| 2 | Carryout consultations with affected persons, host communities and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options | X | ✓ | Clause 10 (ii) hold consultation with the affected persons while formulating a rehabilitation and resettlement scheme or plan; | In addition to the consultations with the affected population, the framework includes provisions for information dissemination about the project including the entitlement and resettlement options to the affected persons. |
| | Establish grievance redressal mechanism | x | ✓ | Clause 14.—provides for appointment by the appropriate Government of an ombudsman for time bound disposal of grievances, etc. | Given that the Resettlement Impacts are not envisaged to be significant, a state level GRC at the PMU is proposed. |

| SNo | ADB Safeguard Requirement | Land Acquisition Act 1894 | NRRP, 2007 | Remarks, and provisions in NRRP | Measures to bridge the Gap |
|-----|--|---------------------------|------------|---|--|
| | Objectives | | | | |
| | Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase. | X | ✓ | Clause 4.—seeks to provide for social impact assessment study in certain cases in the proposed affected areas taking into consideration the impact that the project will have on public and community properties etc., and specify the ameliorative measures. | Such projects with significant resettlement impacts are not envisaged in the project. |
| 3 | 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 sharing schemes where possible. | X | ✓ | Clause 36 provides for the option of land based resettlement strategies | Structure to be compensated at replacement cost without depreciation Compensation is determined based on past sale statistics (circle rates / guideline value). However, if ESMC finds the compensation so determined is lower than the replacement value of the land, the IA will provide the difference as assistance |
| 4 | 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. | X | ✓ | Clause 30 – specifies that in case of involuntary displacement of less than four hundred families en masse in plain areas, or less than two hundred families en masse in tribal or hilly areas, DDP blocks or areas mentioned in the Fifth Schedule or Sixth Schedule to the Constitution, all affected families shall be provided basic infrastructural facilities and amenities at the resettlement area as per the norms specified by the appropriate Government | Not envisaged under the proposed project. Therefore, the provision of alternative resettlement sites is not provided for in the framework. |
| 5 | Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards | X | ✓ | Clause 46. The project authorities shall, at their cost, arrange for annuity policies that will pay a pension for life to the vulnerable affected persons (such as the disabled, destitute, orphans, widows, unmarried girls, abandoned women, or persons above fifty years of age), of such amount as may be prescribed by the appropriate Government subject to a minimum of five hundred rupees per month. | |

| SNo | ADB Safeguard Requirement | Land Acquisition Act 1894 | NRRP, 2007 | Remarks, and provisions in NRRP | Measures to bridge the Gap |
|-----|---|---------------------------|------------|--|---|
| | Objectives | | | | |
| 6 | 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 | X | ✓ | | Not envisaged |
| 7 | 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. | X | ✓ | Clause 3 provides that non-titleholders who has been residing or engaged in any trade, business, occupation or vocation continuously for a period of not less than five years in the affected area preceding the date of declaration of the affected area, and who has been deprived of earning his livelihood or alienated wholly or substantially from the main source of his trade, business, occupation or vocation because of the acquisition of land in the affected area or being involuntarily displaced for any other reason; | |
| 8 | 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. | X | ✓ | Clause 23 provides for the preparation and content of the Resettlement Plan to be prepared. | - |
| 9 | 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 affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders | X | X | The approved scheme or plan for rehabilitation and resettlement shall be published in the Official Gazette by the appropriate Government | In addition to the publishing of the approved resettlement plan, the RF includes provision for disclosure of the various documents pertaining to RP implementation. |
| 10 | Include the full costs of measures proposed in the resettlement plan and indigenous peoples plan as part of project's costs and 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. | X | ✓ | Clause 28—seeks to make it the responsibility of the requiring body to provide requisite funds to the Administrator for Rehabilitation and Resettlement for implementation of the scheme/plan for affected families; the requiring body to deposit 1/3rd cost of the scheme or plan with the Administrator for Rehabilitation and Resettlement on finalization of the scheme or plan. | - |

| SNo | ADB Safeguard Requirement | Land Acquisition Act 1894 | NRRP, 2007 | Remarks, and provisions in NRRP | Measures to bridge the Gap |
|-----|---|---------------------------|------------|--|----------------------------|
| | Objectives | | | | |
| | | | | | |
| 11 | Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation. | x | ✓ | Clause 29— seeks to provide that the compensation award, full payment of compensation etc. shall precede actual displacement of affected families where land acquisition is on behalf of a requiring body. | |
| 12 | 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. | x | ✓ | Clause 10 - The formulation, execution and monitoring of the rehabilitation and resettlement plan shall vest in the Administrator for Rehabilitation and Resettlement. | |

CENSUS SURVEY

| | |
|------|-------------|
| Date | Interviewer |
| | |

1. Identification

| | |
|---------------------------------------|--|
| 1.1 Drawing ID No. | |
| 1.3 Door No | |
| 1.4 Street Name | |
| 1.5 Name of settlement / area | |
| 1.6 Name of Town | |
| 1.7 Name of Road | |
| 1.8 Name of head of Household / owner | |
| 1.9 Name of Father / Husband | |
| 1.10 Name of the respondent | |
| 1.11 Relationship to HH | |

2. General Particulars

| | |
|--------------------------------|--|
| 2.1 Religion | Hindu-1 Muslim-2 Christian-3 Buddhist -4 Others – 5 (specify) |
| 2.2 Mother tongue | Hindi-1 Punjabi -2 Tamil -3 Bengali - 4 Others-5 (specify) |
| 2.3 Whether belonging to SC/ST | If yes, specify Caste/ Tribe |
| 2.4 Place of Nativity | |

3. Affected Building / structure / land details

| | |
|---|---|
| 3.1 Tenure | Owner - 1 Encroacher - 2 Squatter - 3 Tenant - 4 |
| 3.2 How long occupied ? | Years |
| 3.3 Impact Category | Residence - 1 Business - 2 Res & Bus - 3 Vacant Plot – 5 Open space (res / com) - 6 Agricultural land - 7 Others (specify) - 8 |
| 3.4 Roof material (Covering max. area) | Thatched /asbestos /tin-1 Tiled - 2 Concrete-3 NA - 4 |
| 3.5 Wall material | Bamboo-1 Mud-2 Brick-3 No wall - 4 NA - 5 |

I certify that the above information is true and correct.

| | | | |
|----------------------|--|------|--|
| Respondent Signature | | Date | |
|----------------------|--|------|--|

4. Household Income

| | | |
|---------------------------|--|-------|
| 4.1 Monthly Family Income | | Month |
|---------------------------|--|-------|

5. Expenditure

| | | |
|--------------------------------|--|-------|
| 5.1 Monthly Family Expenditure | | Month |
|--------------------------------|--|-------|

6. Affected Agricultural Land details

| | Affected Land | |
|--|---------------|---|
| 6.1 Tenure | | Squatter (has no legal right) - 1 Encroacher (owns adjacent land) - 2 Own - 3 Leased in - 4 |
| 6.2 Land use | | Agricultural - 1 Other than Agricultural - 2 |
| 6.3 Area of Land Affected | | Acre |
| 6.4 How long in use | | Years |
| 6.5 Primary Source of irrigation | | Canal - 1 Open well - 2 Bore well - 3 Tank - 4 Rain - 5 Not applicable - 6 |
| 6.6 No. of Agricultural Labourers dependent on this land | | Write numbers (approximate) |
| 6.7 Market value (owner) | | Rupees |
| 6.8 Market value (surveyor) | | Rupees |

8. Other affected assets

| | Item 1 | Item 2 | Item 3 | Item 4 | |
|-----------------------|--------|--------|--------|--------|---|
| 8.1 Asset type | | | | | Compound Wall-1 Hand pump - 2 Open well - 3 Bore well - 4 Tree - 5 Pump shed - 6 Other (specify) - 7 |
| 8.2 Units owned | | | | | Number |
| 8.3 Replacement value | | | | | In Rupees |

FORMAT FOR BASELINE SOCIO-ECONOMIC SURVEY
Socio Economic Survey

| | |
|------|-------------|
| Date | Interviewer |
| | |

1. Identification

| | |
|---------------------------------------|----------|
| 1.1 Drawing ID No. | |
| 1.2 Side (Left / Right) | |
| 1.3 Door No | |
| 1.4 Street Name | |
| 1.5 Name of settlement / area | |
| 1.6 Name of Town | Guwahati |
| 1.8 Name of head of Household / owner | |
| 1.9 Name of Father / Husband | |
| 1.10 Name of the respondent | |
| 1.11 Relationship to HH | |

2. General Particulars

| | | |
|--------------------------------|--|---|
| 2.1 Religion | | Hindu-1 Muslim-2 Christian-3 Buddhist -4 Others – 5 (specify) |
| 2.2 Mother tongue | | |
| 2.3 Whether belonging to SC/ST | | If yes, specify Caste/ Tribe |
| 2.4 Place of Nativity | | |

3. Affected Building / structure / land details

| | | |
|---|--|--|
| 3.1 Tenure | | Owner - 1 Encroacher - 2 Squatter - 3 Tenant - 4 |
| 3.2 How long occupied ? | | Years |
| 3.3 Impact Category | | Residence - 1 Business - 2 Res & Bus - 3 Workshop - 4 Warehouses - 5 Vacant Plot - 6 Open space (res / com) - 7 Agricultural land - 8 Others (specify) - 9 |
| 3.4 Roof material (Covering max. area) | | Thatched /asbestos /tin-1 Tiled - 2 Concrete-3 NA - 4 |
| 3.5 Wall material | | Bamboo-1 Mud-2 Brick-3 No wall - 4 NA - 5 |

I certify that the above information is true and correct.

| | | | |
|----------------------|--|------|--|
| Respondent Signature | | Date | |
|----------------------|--|------|--|

5. Expenditure

| | | |
|--------------------------------|--|-------|
| 5.1 Monthly Family Expenditure | | Month |
|--------------------------------|--|-------|

6. Indebtness

| | | |
|--|--|---------------------|
| 6.1 Do you have any debt | | Yes – 1 No - 2 |
| 6.2 Loan outstanding in Banking institutions | | In Rupees. |
| 6.3 Private loans | | In Rupees. |
| 6.4 Asset Pledged | | specify |

7. Do you own any other Commercial Shop (other than the affected)

Yes No

- a) If yes, Location:
- b) Plinth area of the Shop: (in Sq. ft.)
- c) Use:

8. Do you own any other House (other than the affected)

Yes No

- a) If yes, Location:
- b) Plinth area of the House: (in Sq. ft.)
- c) Use:

9. Business / Industry (Commercial) activity

1. **Specify..... (name and activity)**

| | | |
|---------------------------------------|--|---|
| 9.1 Nature of activity | | Hotel-1 Tea and Snacks-2 Repairs and workshop-3 Other shop (specify)-4 Other enterprise (specify)-5 |
| 9.2 No. of partners | | |
| 9.3 No. of employees/family workers | | |
| 9.4 Investment in Business | | Initial investment on goods & shop |
| 9.5 Working Capital in Business | | Daily |
| 9.6 Annual Net Income | | Total income excluding expenses |
| 9.7 Do you have record of your income | | Income Tax Returns / Sales Tax Returns |

| 9.8 | Name of Employees | Age | Sex | Monthly Salary | No. of members Dependent on this salary |
|-----|-------------------|-----|-----|----------------|---|
| a | | | | | |
| b | | | | | |
| c | | | | | |
| d | | | | | |
| e | | | | | |

10. Affected Agricultural Land details

| | Affected Land | |
|---|---------------|--|
| 10.1 Tenure | | Squatter (has no legal right) - 1 Encroacher (owns adjacent land) - 2 Own - 3 Leased in - 4 |
| 10.2 Land use | | Agricultural - 1 Other than Agricultural - 2 |
| 10.3 Area of Land Affected | | Acre |
| 10.4 How long in use | | Years |
| 10.5 Primary Source of irrigation | | Canal - 1 Open well - 2 Bore well - 3 Tank - 4 Rain - 5 Not applicable - 6 |
| 10.6 No. of Agricultural Labourers dependent on this land | | Write numbers (approximate) |
| 10.7 Market value (owner) | | Rupees |
| 10.8 Market value (surveyor) | | Rupees |

12. Other affected assets

| | Item 1 | Item 2 | Item 3 | Item 4 | |
|------------------------|--------|--------|--------|--------|---|
| 12.1 Asset type | | | | | Compound Wall-1 Hand pump - 2 Open well - 3 Bore well - 4 Tree - 5 Pump shed - 6 Other (specify) - 7 |
| 12.2 Units owned | | | | | Number |
| 12.3 Replacement value | | | | | In Rupees |

13. Economic indicators (house where the AP is living)

| | | |
|---|--|---|
| 13.1 Roof type of the house | | Thatched / Asbestos / Tin - 1 Tiled - 2 Concrete - 3 |
| 13.2 Wall type of the house | | Thatched / Wooden - 1 Mud - 2 Brick - 3 |
| 13.3 Ownership of the house | | Own - 1 Rented - 2 Shared without rent - 3 |
| 13.4 Do you have a separate kitchen | | Yes - 1 No - 2 |
| 13.5 Do you have a toilet | | Yes - 1 No - 2 |
| 13.6 Do you have a bathroom | | Yes - 1 No - 2 |
| 13.7 Do you have electricity connection | | Yes - 1 No - 2 |

| | | | |
|-------------------------------|--|--------|--------|
| 13.8 Do you have water supply | | Yes -1 | No - 2 |
|-------------------------------|--|--------|--------|

| | | |
|----------------------------|--|----------------|
| Do you have the following | | |
| 13.9 BW TV | | Yes - 1 No - 2 |
| 13.10 Colour TV | | |
| 13.11 Cycle | | |
| 13.12 Mixie | | |
| 13.13 Grinder | | |
| 13.14 Motor Cycles / Moped | | |
| 13.15 Car | | |
| 13.16 Telephone | | |
| 13.17 Mobile phone | | |

14.0 Impact on Women

Kindly tell us how much time you devote for various activities that you do in a day?

- Activities Time spent (in hours)
- Cooking _____
- Washing _____
- Collection of drinking water _____
- Cleaning of house _____
- Cattle rearing _____
- Child rearing _____
- Wage earning _____
- Household industries _____
- Support to cultivation _____
- Relaxation and entertainment _____
- Others (Specify) _____

Do you have any say in the activities (read out) at household level?

- Activities 1 - Yes, 2 - No
- Financial matters _____
- Child's education _____
- Healthcare of child _____
- Purchase of assets _____
- Day-to-day activities _____
- Social functions _____
- Others (Specify) _____

14. Resettlement Preferences

| | | | | | | | | |
|--|--|----------------------------|----------------------------------|--------------------------------|-------------------------------|------------------------------|------------------|--------------------|
| 14.1 Preferred place of relocation | | Same Area - 1 | Other (specify) - 2 | Not applicable - 3 | | | | |
| 14.2 Resettlement Options | | Land for land lost-1 | Cash assistance-2 | House in Resettlement Site - 3 | Shop in Resettlement site - 4 | Any other - 5 (specify)..... | | |
| 14.3 Factors to be considered in providing alternate place | | Access to family/friends-1 | Income from household activity-2 | Income from business-3 | Close to daily jobs-4 | Close to market-5 | Close to water-6 | Others-7 (specify) |

| | | | | | |
|--|--|--|--|--|--|
| <p>14.4 Do you want the remaining land / building also to be acquired by the project</p> | | | | | <p>Yes – 1 No – 2</p> |
|--|--|--|--|--|--|

GENDER ACTION PLAN

| Activity | Indicators/Targets | Responsibility | Time Schedule |
|---|---|---|--------------------------|
| Overall Project Related Tourism Activities | | | |
| <ul style="list-style-type: none"> Ensure women's participation in all consultative processes and structures for the prioritization of Project plans and decision-making. | <ul style="list-style-type: none"> Women's representation in all project-related decision-making processes and structures. Number of women in attendance and actively participating as recorded in meeting minutes [target: 30% representation of women] | PMU; PIU; Social Safeguards Specialist on design consultant team; contractors | March 2010 to March 2016 |
| <ul style="list-style-type: none"> Ensure equal job opportunity for female workers in all project-financed subprojects (i.e. skilled and unskilled jobs) | <ul style="list-style-type: none"> Women's representation in most subproject activities [target: 20% representation of women] | | |
| <ul style="list-style-type: none"> Bidding documents will include a clause requiring contractors to ensure the adoption of gender targets for the employment of laborers, the provision of core labor standards (incl. equal wages for work of equal value). | <ul style="list-style-type: none"> Bidding documents | | |
| <ul style="list-style-type: none"> Orient contractors at the time of issuing work orders on the implementation of the clause elaborating actions related to gender and core labor standards | <ul style="list-style-type: none"> Training session for Implementing Agencies on contractual arrangements and modalities to enforce gender/core labor standards provisions provided [target: biennial training] | Social Safeguards Specialist on design consultant team | |
| Connectivity Enhancement | | | |
| <ul style="list-style-type: none"> Take into account the needs of women identified by local communities in selecting the sites of roadside amenities (i.e. view sheds, toilets etc.) and their access to employment opportunities associated with the O&M of roadside amenities. Ensure equal job opportunity for female workers in all project-financed connectivity subprojects (i.e. skilled and unskilled jobs) | <ul style="list-style-type: none"> Systematic incorporation of women's needs and constraints in the preparation of all Project-financed subprojects Women employed in helipad and road subprojects (target: 20% representation) | PIU; Social Safeguards Specialist on design consultant team; contractors. | June 2011 to March 2016 |
| Destination Improvement and Tourism Planning | | | |
| <ul style="list-style-type: none"> Ensure the incorporation of community needs including 'social inclusion and gender' in the Tourism Management Plans to be finalized in selected natural and heritage sites. | <ul style="list-style-type: none"> Systematic incorporation of women's needs and constraints in the preparation of all plans. Gender reflected in reports. | PIU; Social Safeguards Specialist on design consultant team; contractors. | June 2010 to July 2011 |
| <ul style="list-style-type: none"> Ensure the availability and distribution of relevant information materials on social, gender and health-related risks and impacts associated with tourism infrastructure development. | <ul style="list-style-type: none"> Pamphlets developed by NGO and provided at each information center developed under the project. | NGOs/PIUs/ ULBs | June 2011 to March 2016 |
| Community-based activities | | | |
| <ul style="list-style-type: none"> Ensure that project-specific PPMS collects sex-disaggregated information and data and that-during its implementation- the program/project be adjusted (as needed) to ensure greater pro-poor and gender equality results/impacts | <ul style="list-style-type: none"> Gender-inclusive PPMS in place (with sex-disaggregated baseline, and regular collection of sex-disaggregated data on a set of agreed indicators (i.e. employment opportunities for women; reduced harm and/or burden on women). | PMU | March 2010 to March 2016 |

| Capacity Development, Fostering Community Participation and Project Management | | | |
|--|--|-----|--------------------------|
| <p>Adopt targets for women's participation in State Tourism and related Organizations and their representation in community-based tourism units</p> <ul style="list-style-type: none"> • Women's participation in skills development activities in heritage management and hospitality-related skills • Women's participation in decision-making processes and structures (i.e. discussions with Governments, private sector and community-based organizations on public-private partnership modalities) • Women's participation in training opportunities for tourism planning, coordination, monitoring and marketing • Inclusion of 'gender considerations' (incl. traditional gender division of labors and related gender needs), women's equitable involvement in the development of community-based ecotourism schemes, tourism-based livelihood generation including association of women's cooperatives, NGOs and self-help groups in initiatives related to the marketing and promotion of handicrafts and community-based products. | <ul style="list-style-type: none"> • 30-40% women target • Pro-poor and gender-responsive NGOs recruited | NGO | March 2010 to March 2016 |