

# Resettlement Planning Document

---

Updated Draft Short Resettlement Plan for Jhalawar-Jhalrapatan Water Supply Sub-project  
Project Number: 40031  
September 2007

## India: Rajasthan Urban Sector Development Investment Program

Prepared by Local Self Government Department.

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

## SHORT RESETTLEMENT PLAN

### A. Scope of Land Acquisition and Resettlement

1. The Investment Program will optimize social and economic development in 15 selected towns<sup>1</sup> in Rajasthan through investments in urban infrastructure (water supply, wastewater management, solid waste management, urban drainage, and urban transport and roads), social infrastructure, and infrastructure support to cultural heritage. The Program will also provide policy reforms to strengthen urban governance, management, and support for urban infrastructure and services.<sup>2</sup> This short resettlement plan (RP) has been prepared for the first phase of the water supply sub-project in Jhalawar-Jhalrapatan. The sub-project involves: (i) intakes structures and pumps, (ii) clear water and overhead tanks, (iii) dedicated power supply, (iv) rehabilitation of existing water treatment plants, (v) district laboratory, and (vi) works to reduce unaccounted for water (UFW)—repair and replacement of mains and house connections, and installation of meters. The Jhalawar-Jhalrapatan map is in Appendix 1.

2. Sub-project design minimized land acquisition and resettlement impacts. The following works are confined within the compound of existing facilities and will not have any resettlement impacts: (i) intake structures and pumps, (ii) dedicated power supply, (iii) rehabilitation of existing water treatment plants, and (iv) district laboratory. Clear water and overhead tanks will be in vacant government land. For UFW works, repair and replacement for house connections and the installation of meters will not have any resettlement impacts. While the repair and replacement of mains will not require permanent land acquisition since it will be undertaken within road rights-of-way (ROW), it can cause temporary disruptions.

3. To estimate the temporary impacts from an estimated 160 kilometers (km) of distribution network improvement for the water supply sub-project, 2-km transect walks were conducted in Jhalawar and Jhalrapatan.<sup>3</sup> Based on the transect walks and confirmation from Program preparation engineers, there are no expected impacts on permanent structures. Impacts are confined to movable structures placed on ROWs, and public utility posts. Estimated resettlement impacts based on extrapolations from the transect walks are in Table 1. Temporary impacts will mostly (277) be on affected persons (APs) with various repair stands (shoe repair, bicycle and motorcycle repair, automotive parts repair, etc.). The rest of the APs (53) are vegetable/fruit vendors or tea stall owners (13). Of these APs, 77% have encroached onto the ROW for commercial purposes and the remainder are squatters. APs will be assisted in moving to the other side of the road and returning their structures after construction is completed. Where moving is not required, access will be ensured by the contractor. The construction period will be minimized and is estimated to be less than 30 days per section of work. A summary of socio-economic survey information is Appendix 2. The scope of land acquisition and resettlement identified is based on preliminary design and will be updated during detailed design.

---

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

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

<sup>3</sup> Transect walks were conducted in six 300-meter sections of the two towns namely Bada Bazaar, Old Dhak Khana, and Sanjay Colony in Jhalawar; and Bus Stand Area, Police Station Area, and Krishi Upaj Mandi in Jhalrapatan—representing high, low and medium density areas. In the absence of detailed designs, inputs were obtained from the civil engineer to assess the extent of impacts likely due to the proposed works.

**Table 1: Summary of Resettlement Impacts**

Impact	Jhalawar	Jhalrapatan
Permanent Land Acquisition (ha)	0	0
Temporary Land Acquisition (ha)	0	0
Temporarily Affected Persons (APs)*	0	343.0
Titled APs (Temporarily Affected)	0	198.0
Non-titled APs (Temporarily Affected)	0	145.2
Female AP	0	0
IP/STAP	0	0
BPL AP (Temporarily Affected)	0	13.2
Affected Trees/Crops	0	0
Temporarily Affected Common Structures	36 Electricity Posts	96 Electricity Posts
Average Family Size	-	5.9
Average Household Income (per month)	-	Rs4,688.40
Income Sources Temporarily Affected	-	repair shop, fruit and vegetable vending

\* Estimated based on the transect walks conducted along the proposed networks constituting of owner/operators of repair shops and tea shops, and vendors.

## B. Policy Framework and Entitlements

4. The policy framework and entitlements for the program are based on national laws: *The Land Acquisition Act, 1894* (LAA, amended in 1984), and the National Policy on Resettlement and Rehabilitation for Project Affected Persons, 2003 (NRRP); ADB's *Policy on Involuntary Resettlement, 1995*; and the agreed Resettlement Framework (RF). Based on these, the following core involuntary resettlement principles applicable are:

- (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative sub-project designs;
- (ii) where unavoidable, time-bound RPs will be prepared and affected persons (APs) will be assisted in improving or at least regaining their pre-program standard of living;
- (iii) consultation with APs on compensation, disclosure of resettlement information to APs, and participation of APs in planning and implementing sub-projects will be ensured;
- (iv) vulnerable groups will be provided special assistance<sup>4</sup>;
- (v) payment of compensation/assistance to APs including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates;
- (vi) payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities;
- (vii) provision of income restoration and rehabilitation; and
- (viii) establishment of appropriate grievance redress mechanisms.

5. Policy framework and entitlements are further discussed in the RF. The entitlement matrix for the sub-project based on the above policies and Section D of this RP are in Table 2.

<sup>4</sup> Including poor households, households headed by women, the elderly, the disabled, and scheduled tribes considered vulnerable based on the agreed Indigenous Peoples Development Framework (IPDF).

**Table 2: Entitlement Matrix**

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
1	Temporary disruption of livelihood		Legal titleholders, non-titled APs	<ul style="list-style-type: none"> <li>• 30 days advance notice regarding construction activities, including duration and type of disruption.</li> <li>• Contractor's actions to ensure there is no income/access loss consistent with the IEE.<sup>5</sup></li> <li>• Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity<sup>6</sup></li> <li>• For construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater.</li> </ul>	<ul style="list-style-type: none"> <li>• Identification of alternative temporary sites to continue economic activity.</li> </ul>	Valuation Committee will determine income lost. Contractors will perform actions to minimize income/access loss.
2	Impacts on vulnerable APs	All impacts	Vulnerable APs	<ul style="list-style-type: none"> <li>• Livelihood. Vulnerable households will be given priority in project construction employment.</li> </ul>	<ul style="list-style-type: none"> <li>• Vulnerable households will be identified during the census.</li> </ul>	NGO will verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households.
3	Loss and temporary impacts on common resources	Common resources	Communities	<ul style="list-style-type: none"> <li>• Replacement or restoration of the affected community.</li> </ul>	-	IPMU and Contractor.
4	Any other loss not identified	-	-	<ul style="list-style-type: none"> <li>• Unanticipated involuntary impacts will be documented and mitigated based on the principles of the Resettlement Framework (RF).</li> </ul>	-	NGO will ascertain the nature and extent of such loss. IPMU will finalize the entitlements in line with the RF.

<sup>5</sup> This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

<sup>6</sup> For example assistance to shift to the other side of the road where there is no construction.

### **C. Consultation, Information Dissemination, Disclosure, and Grievance Redress**

6. The RP was prepared in consultation with stakeholders. Meetings and individual interviews were held involving stakeholders, particularly potentially temporarily affected persons; and transect walks and interviews were conducted to determine the potential impacts of sub-project construction to prepare the sample sub-project RP. During Program preparation, a town-wide stakeholder consultation workshop was conducted which provided an overview of the Program and sub-projects to be undertaken in Jhalawar and Jhalrapatan; and discussed the Government and ADB's resettlement policies and potential resettlement impacts of the sub-projects in Jhalawar and Jhalrapatan. During the workshop, Hindi versions of the RF were provided to ensure stakeholders understood the objectives, policy principles and procedures for any land acquisition, compensation and other assistance measures for any AP. Information continues to be disseminated to APs and beneficiaries through various media. English and Hindi versions of the RF and RP have been placed in the Urban Local Body (ULB) office and RPs have been provided to APs. The NGO engaged to implement the RP will continue consultations, information dissemination, and disclosure. A strategy for continued consultations and participation is in the RF. The RP will be made available in the ULB office, Investment Program Project Management Unit and Implementation Unit (IPMU and IPIU) offices, and the town library. The finalized RP will also be disclosed in ADB's website, the State Government website, the local government website, and the IPMU and IPIU websites. ADB review and approval of the RP is required prior to award of civil works contracts; and compensation/assistance of APs is required prior to commencement of civil works.

7. Grievances of APs will first be brought to the attention of the implementing NGO or Social Development Specialist (SDS). Grievances not redressed by the NGO or SDS will be brought to the City Level Committees (CLC) set up to monitor project implementation in each town. The CLC, acting as a grievance redress committee (GRC) is chaired by the District Collector with representatives from the ULB, state government agencies, IPIU, community-based organizations (CBOs) and NGOs. As GRC, the CLC will meet every month. The GRC will determine the merit of each grievance, and resolve grievances within a month of receiving the complaint, failing which the grievance will be addressed by the inter-ministerial Empowered Committee (EC). The Committee will be chaired by the Minister of Urban Development and Local Self Government Department (LSGD), and members will include Ministers, Directors and/or representatives of other relevant Government Ministries and Departments. Further grievances will be referred by APs to the appropriate courts of law. The IPIU will keep records of all grievances received including: contact details of complainant, date that the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome.

### **D. Compensation and Income Restoration**

8. APs will be provided 30 days advance notice to ensure no or minimal disruption in livelihood. If required, they will also be assisted to temporarily shift for continued economic activity. For example they will be assisted to shift to the other side of the road where there is no construction. Ensuring there is no income or access loss during sub-project construction is the responsibility of contractors. Consistent with the initial environmental examination, contractors will ensure: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption

during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

9. Should construction activities result in unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater will be provided. Vulnerable APs will be given priority in project construction employment.

10. Compensation and assistance to APs must be made prior to possession of land/assets and prior to the award of civil works contracts.

#### **E. Institutional Framework, Resettlement Costs, and Implementation Schedule**

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

12. IPIUs will be established in seven zones across the State to manage implementation of subprojects in their area. CLCs will monitor sub-project implementation in each town. They will appoint Construction Contractors (CC) to build elements of the infrastructure in a particular town (supervised by DSC). Once the infrastructure begins to operate, responsibility will be transferred to the appropriate state or local Government Agency (GA), who will be given training, support and financial assistance through the Program where necessary to enable them to fulfill their responsibilities. They will employ local Operations and Maintenance Contractors (OMC) to maintain and repair the infrastructure as required.

13. Resettlement issues will be coordinated by a Social Development Specialist (IPMU SDS) within the IPMU, who will ensure that all subprojects comply with involuntary resettlement safeguards. A Resettlement Specialist (RS) who is part of the IPMC team will assist the SDS. SDS, as part of the DSC, will be appointed to work with each IPIU to update the RP in the detailed design stage, and to prepare RPs for new subprojects, where required to comply with Government and ADB policies. NGOs will be appointed to implement RPs. The responsible agencies, resettlement costs, and implementation schedules are provided in Tables 3, 4, and 5, respectively. Details on implementation arrangements, flow of funds, and implementation schedules are in the RF.

**Table 3: Institutional Roles and Responsibilities**

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

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

**Table 4: Summary of Land Acquisition and Resettlement Costs**

	Item	Cost
1	<b>Relocation and transfer</b>	
	Movement of electricity posts	660,000
2	<b>Administrative and implementation costs</b> (Cost for IPIU for all sub-projects in the zone)	
	Implementing NGO covering NGO engagement, cost of census and survey of APs and inventory of assets, cost of information and consultations, training and monitoring (including evaluation by independent agency), and rental of office space and required physical facilities and materials.	3,000,000
3	<b>Contingencies</b>	
	Price (5%)	200,000
	Physical (20%) for unanticipated impacts such as temporary impacts on structures or temporary loss of land	900,000
	<b>Total (Rs)</b>	<b>4,760,000</b>

**Table 5: Schedule of Resettlement Implementation**

Activity	Months																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
i. Establishment of IPMU and IPIU	◆																	
ii. Appointment of SDS (IPMU and IPIU)	◆																	
iii. Appointment of NGOs	◆																	
iv. Briefing of the CLC on GRC functions	◆																	
v. Census and socio-economic surveys (issuance of i.d. cards)*	◆	◆																
vi. Consultations and disclosure		◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
vii. Confirmation of government land to be used and transfer from other departments	◆	◆																
viii. RP preparation**		◆	◆															
ix. RP review and approval (IPMU and ADB)***			◆															
x. Issue notice to APs				◆														
xi. Compensation and resettlement assistance					◆	◆	◆											
xii. Relocation as required					◆	◆	◆											
xiii. Skills training as required					◆	◆	◆											
xiv. Takeover possession of acquired property								◆	◆	◆								
xv. Internal monitoring				◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
xvi. Handover land to contractors										◆								
xvii. Start of civil works											◆							
xviii. External monitoring											◆							◆
xix. Rehabilitation of temporarily occupied lands																		Immediately after construction

\* The census will be the cut-off date for non-titled APs. For titled APs, the cut-off date is the date of notification.

\*\* The RP will be updated based on final detailed design and AP census and surveys.

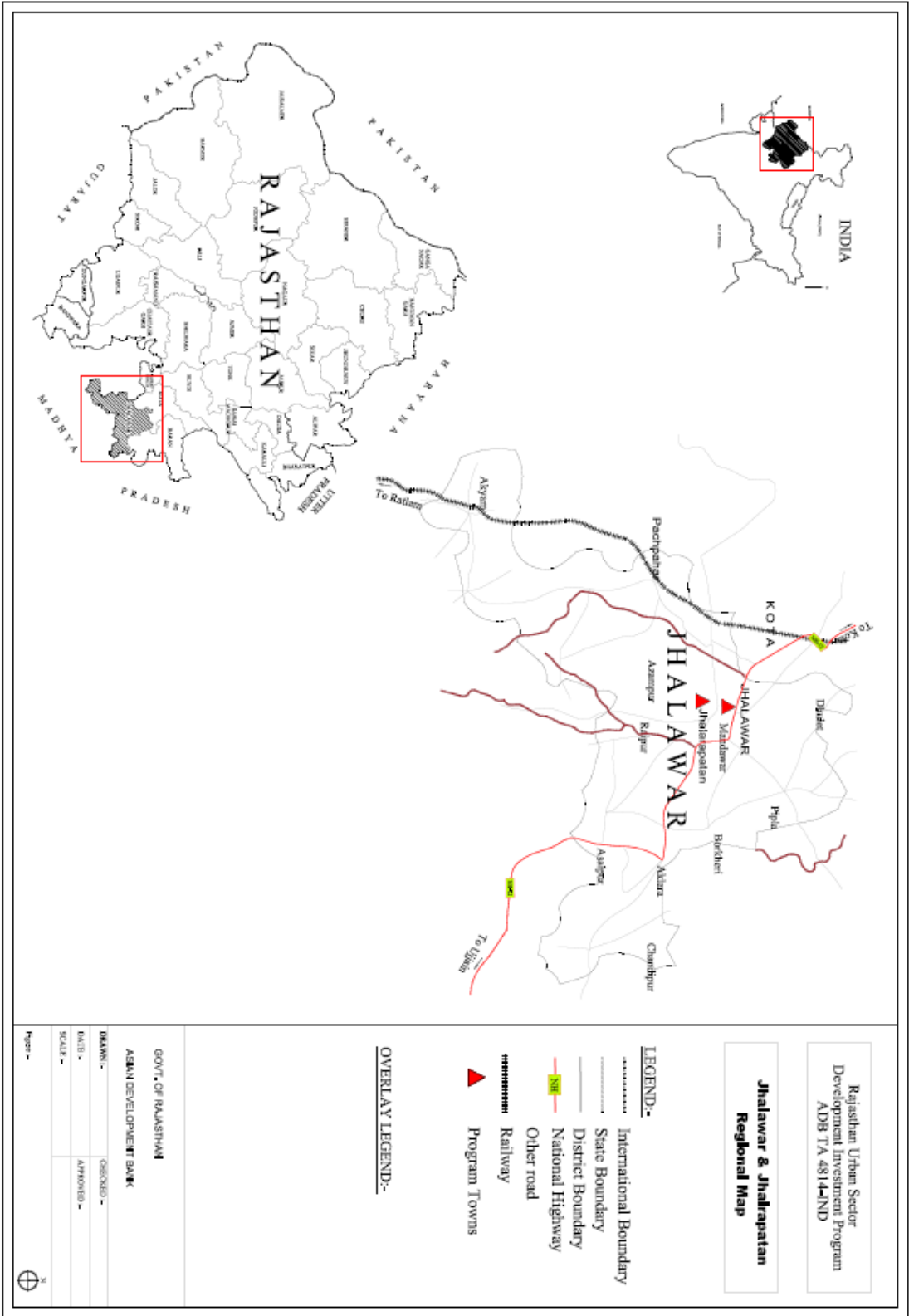
\*\*\* Endorsement and disclosure of finalized RPs consistent with the RF to be undertaken.

## F. Monitoring and Evaluation

RP implementation will be closely monitored to provide the IPMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Internal monitoring will be undertaken by the IPIU with assistance from the IPMU. Internal monitoring will involve: (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the socio-economic survey of APs undertaken during project sub-preparation, and (iii) overall monitoring to assess AP status. Job charts will be given to the SDS. The job charts will indicate the targets to be achieved during the month. Monthly progress report will be prepared and submitted to the IPMU, reporting actual achievements against the targets fixed in their respective job charts and reasons for shortfalls, if any. The IPIU will be responsible for managing and maintaining AP databases, documenting results of AP census, and verifying asset and socio-economic survey data which will be used as the baseline for assessing RP implementation impacts. The EA will appoint an independent agency to undertake external monitoring to document: (i) restoration of income levels; (ii) changes and shifts in occupation pattern; (iii) changes in AP type of housing; (iv) assessment of

APs access to amenities, such as water, electricity, and transportation; and (v) performance of NGO, IPIU, and IPMU in resettlement implementation. The independent agency will monitor sub-projects twice a year and submit reports directly to the EA (IPMU). The EA will submit all external monitoring reports to ADB for review. Further details are in the RF.

# Appendix 1 MAP



**Appendix 2**  
**SUMMARY OF SOCIO-ECONOMIC INFORMATION FROM TRANSECT WALKS**

**Table 1: High Density Area: Bus Stand Area**

<b>AP</b>	<b>Household Size</b>	<b>Ethnicity</b>	<b>Female-headed</b>	<b>Occupation at ROW</b>	<b>Monthly income (Rs)</b>	<b>Titled/non-titled</b>
1	6	SC	No	Fruit vending	4,000	NT
2	6	Others	No	Fruit vending	3,600	NT
3	6	SC	No	Vegetable vending	3,300	NT
4	7	Muslim	No	Vegetable vending	5,000	NT
5	5	SC	No	Shoe repair	2,500	NT
6	4	Muslim	No	Tea stall	4,000	NT

**Table 2: Medium Density Area: Police Station**

<b>AP</b>	<b>Household Size</b>	<b>Ethnicity</b>	<b>Female-headed</b>	<b>Occupation at ROW</b>	<b>Monthly income (Rs)</b>	<b>Titled/non-titled</b>
1	6	Muslim	No	Mechanic - automobile parts repair	6,000	NT
2	7	Muslim	No	Mechanic	5,400	NT
3	5	SC	No	Mechanic	5,500	NT
4	6	SC	No	Shoe repair	3,000	NT