

Resettlement Plan

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India: Rajasthan Urban Sector Development Investment Program—Sikar Solid Waste Management Subproject

Prepared by Local Self Government Department

ABBREVIATIONS

ADB	—	Asian Development Bank
BPL	—	below poverty line
CBO	—	community-based organization
CLC	—	City Level Committee
DSC	—	Design and Supervision Consultant
GRC	—	Grievance Redress Committee
IPIU	—	Investment Program Implementation Unit
IPMC	—	Investment Program Management Consultant
IPMU	—	Investment Program Management Unit
LAA	—	Land Acquisition Act
LSGD	—	Local Self Government Department
MFF	—	Multitranches Financing Facility
MLD	—	million liter per day
NGO	—	nongovernmental organization
NRRP	—	National Resettlement and Rehabilitation Policy
PAF	—	Project Affected Family
PAH	—	Project Affected Household
PIU	—	Project Implementation Unit
PMU	—	Project Management Unit
ROW	—	Right of Way
RUIDP	—	Rajasthan Urban Infrastructure Development Project
RUSDIP	—	Rajasthan Urban Sector Development Investment Programme
SDS	—	Social Development Specialist
STP	—	Sewage Treatment Plant
ULB	—	urban local body

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EXECUTIVE SUMMARY

1. Government of Rajasthan has launched the Rajasthan Urban Sector Development Investment Program (RUSDIP) for development of infrastructure in 15 towns of the state with the financial assistance of Government of India and Asian Development Bank (ADB). The overall objectives of the Program are to meet basic human needs, improve quality of life and stimulate sustainable economic development. The 15 towns have been divided into three Design & Supervision Consultancy (DSC) units: I, II and III; under each unit there are 5 towns. Sikar comes under DSC-II.
2. Sikar located at 27° 32' N latitude and 75° 16' E longitude, is an important town of Shekhawati region of Rajasthan. The town also occupies a position of significance from the point of tourism and traffic.
3. The Infrastructure sectors that are being developed in Sikar under this Program are:
 - (i) Water Supply Rehabilitation and Expansion;
 - (ii) Waste Water Management (Sewerage);
 - (iii) Solid Waste Management;
 - (iv) Drainage; and
 - (v) Development/ Up-gradation of Roads.
4. Each sector listed above constitutes a subproject. The DSCs have or are developing Detailed Project Reports (DPRs) for each subproject. The DSCs will also provide supervision consultancy during the execution of the subprojects.
5. The DPR on Solid Waste Management Subproject has been approved by IPMU, the Implementing Agency, and implementation is at the take-off stage.
6. Sikar, a town of about 2.29 lakh population generates 103 MT of solid waste per day, out of which 60-70% waste are collected from within the boundary and simply dumped in the peripheries. The rest 30-40% remain inside the town. The process of waste collection, storage, transportation, treatment and disposal, undertaken by the ULB, is archaic for which there is a threat to life and environment. To improve the situation, a plan has been prepared. The Plan or the DPR prescribes a methodical and scientific process of solid waste handling and management in tune with the relevant laws and regulations. The DPR prescribes segregation of waste at source, collection and transfer of all waste to an interim point/ (containers), transportation of waste to an engineered site for land filling as a method of treatment and disposal.
7. This Resettlement Plan has been prepared in tune with the ADB Handbook on Resettlement and the agreed Resettlement Framework. The methodology prescribed by ADB was scrupulously adhered to, to find out any adverse or Involuntary Resettlement impact in the project area. This Resettlement Plan is based on Transect Walks and consultations with the affected persons. The primary objective of this Resettlement Plan is to mitigate the adverse impacts of the intervention and to assist in relocation of the affected Common Property Resources (CPRs). This is a **Category B** subproject as per the policy of ADB.
8. In SWM projects, Transfer Stations and Landfill sites are the only two components which are likely to have resettlement impacts or effects. For Sikar, Transfer Station has not been recommended in accordance with the Manual on Urban Solid Waste Handling & Management. Thus, the Landfill site was the only place which attracted attention to find out physical and economic displacement, and consequently, resettlement impacts or effects.

9. With Methodologies, Techniques and Tools well adopted for the purpose, the Landfill site in village Nani, the area with potential involuntary resettlement impact, was scrutinized. Public consultations were held there twice as the matter appeared sensitive. It is apparent that construction of the landfill site will lead to demolition and/ or physical displacement of common property/physical cultural resources, such as, a temple, a shrine, grazing and cremation grounds

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

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

12. Affected persons can bring their grievances to the notice of the implementing NGO and the Social Development Expert (SDE) of the DSC. If the decision given by the NGO and SDE is not satisfactory, grievances will be referred to the City Level Committee which will act as the Grievance Redress Committee (GRC). The GRC will try to resolve the grievance within a month of receiving the grievance. If the GRC fails to deliver satisfactory decision or delays more than one month, appeal can be made to the Inter-Ministerial Empowered Committee. Lastly, if the aggrieved is not satisfied with the decision of the inter-ministerial Empowered Committee then suit can be filed in the Civil Court.

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

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

I. PROJECT DESCRIPTION

1. The Investment Program will optimize social and economic development in 15 selected towns¹ 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.² This resettlement plan has been prepared for the Solid Waste Management subproject in Sikar.

2. Sikar is located in the North Eastern part of Rajasthan. The present population of the Town is approximately 2, 29 lakh. The quantity of solid waste generated in the town at present is 103 MT per day. The wastes generated from different sources are thrown on the roads or road sides by the generators. Only about 60-70% waste are collected by the urban local body (ULB). The ULB, in charge of solid waste collection, transportation and disposal, performs its duties in an unplanned and unscientific manner, consequently, the road sides are cluttered with wastes and since there is no identified place for treatment and disposal of wastes, the untreated wastes are disposed at any convenient place.

3. The present situation of solid waste management in the town being unsatisfactory, a proper and scientific handling and management of the municipal solid wastes is required. The objectives of the subproject are:

- (i) To collect, store, transport, treat and dispose all waste generated in the town in such a way that no waste remains inside the boundary of the municipality and become breeding grounds for pathogens, vectors and bacteria that are responsible for environmental pollution, degradation and threat to health and hygiene of living beings.
- (ii) To create an environment within town limits that is aesthetically appealing.

4. The subproject will have the following components:

- (i) Segregation of wastes at source.
- (ii) Collection of segregated wastes from source.
- (iii) Proper road sweeping and collection, transportation and disposal of sweeping waste.
- (iv) Collection of wastes generated from non-point sources and transportation, treatment and disposal of such wastes as per norm.
- (v) Collection of construction and bulky waste from source and transportation, treatment and disposal of such wastes as per norm.
- (vi) Transfer of segregated wastes from source to an interim collection point, i.e., a waste container. (Transfer stations have not been proposed in view of the size of the town and distance to the treatment & disposal site.) Waste Containers of 1.1 cu.m. have been proposed in the Plan.
- (vii) Transportation of wastes from collection points to treatment and disposal site as per prescribed norm.
- (viii) Land filling at the engineered/sanitary Landfill site.
- (ix) Procurement and use of tools, tackles, equipment and machinery for collection, transfer, transportation, treatment and disposal of all wastes as per rules.

¹ Particularly district headquarters and towns with significant tourism potential.

² 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.

- (x) Manpower augmentation as per norm.
- (xi) Capacity building programs.
- (xii) Information, education, communication and motivation for all stakeholders to handle and manage waste as per norm.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

5. There are a couple of riders in this Program: to avoid involuntary resettlement wherever possible, to minimize involuntary resettlement by exploring alternatives, to enhance or restore livelihoods of all physically and economically displaced with special emphasis on the poor and vulnerable. As such, the Involuntary Resettlement impact is virtually negligible in almost all the subprojects. Excepting temporary loss of livelihood, the subprojects have been designed to minimize adverse and maximize socio-economic impacts.

6. In accordance with ADB Guidelines, in Solid Waste Management Projects, the components which attract consideration from the point of view of resettlement, rehabilitation and Social Development are the site of Transfer Station and the Landfill site, because only these components of a Solid Waste Management project are likely to have Resettlement effects.

7. Sikar being a small town having a present population of about 2.29 lakh, instead of transfer station, waste containers have been proposed. The concerned ULB has been given a freehand to locate containers for solid waste collection at strategic locations with least encumbrance to people and traffic. Reportedly the containers will be located at different sites identified by the ULB, where there will be no Involuntary Resettlement impact and perhaps no resistance from the side of the people as the containers will be compact, scientifically and aesthetically designed with least scope for the stray animals to rummage, feed on and spill the wastes in the vicinity. Since the containers will have lids, irritants like bad odor, menace of flies, mosquitoes and other pests will be minimized.

8. **Landfill Site.** The concerned ULB had handed over this reportedly unencumbered trapezoidal plot of land measuring 180 mtrs. x 400 mtrs. x 360 mtrs x 422 mtrs. or 12 ha. (Plot No. 1115/828) to Rajasthan Urban Infrastructure Development Project (RUIDP) in 2008 for land filling of solid waste of Sikar town. Subsequently, the plots of land allotted to RAC (Plot No. 1114/828) and Bio-Medical Waste Treatment (Plot No. 1116/828) were amalgamated with this land. (Revenue map of the plot of land may be seen at Annexure – 1). All the three plots combined measure 20 hectares. Landfill site located eight kilometers away from the town (about 1 km. from the Bikaner-Jaipur NH-11 bye-pass) in village Nani.

9. Reconnaissance survey in the town, transect walk in and around the landfill site during November and consultations with the denizens revealed that the subproject will have resettlement impacts on common property/physical cultural resources as the entire land is used as (i) village grazing ground and the cremation ground is adjacent; (ii) in that particular plot of land (Plot no. 1115/828) stand the temple of Balaji/ Hanumanji and the shrine of the village deity, Sati Mata/ Nani Bai; and (iii) there is a depression/tank (dry) in the middle of the plot where water accumulates during the rainy season and used by both humans and animals in the dry seasons.

III. SOCIOECONOMIC INFORMATION/PROFILE

10. To estimate the temporary impacts, initially a series of transect walks were conducted; this was followed by a 100% census and a socio-economic survey conducted in the areas, where the works are to be done. This was conducted with the help of a predesigned tool. (Appendix 2). The Census was conducted using a two-page questionnaire with a battery of questions to address:

- (i) Name of respondent;
- (ii) Daily Income from the affected structure;
- (iii) Whether or not belongs to the under privileged / marginal class;
- (iv) Details of the construction package with address and chainage;
- (v) Whether location is in urban, peri-urban or rural area;
- (vi) Type of loss: viz. residential, commercial, kiosks etc;
- (vii) Whether the occupant of the structure is a squatter;
- (viii) Address of the structure;
- (ix) Whether the affected occupant holds a legal paper for occupancy;
- (x) Whether the occupant has ration card & enlisted in Voter's list;
- (xi) Description of the affected structure and its present use;
- (xii) Description of the affected structure within the ROW
- (xiii) Parallel distance of the affected structure along the ROW;
- (xiv) Perpendicular distance of the affected structure from the centre line; and
- (xv) Type of construction of the structure for roof, walls, floor & boundary.

11. A Socio-economic Survey of 100% of the occupants of the affected structures was conducted as per the requirements after the completion of Census survey in the stretches of impact of the proposed construction package. This was done with the aid of a structured close ended (for ease of information processing) battery of questions targeted to elicit responses on cardinal socio-economic enquiries:

- (i) Name of the Head of the Household;
- (ii) Name of Respondent;
- (iii) Relationship of the respondent with the household;
- (iv) Details of the family type e.g. Nuclear, Joint or Extended;
- (v) Social class & caste of the family e.g. Scheduled Tribe, Scheduled Caste, OBC or higher caste;
- (vi) Details of the family members with corresponding details:
 - (a) Name of each of the family members;
 - (b) Age of each of the family members;
 - (c) Relationship with the household;
 - (d) Sex of each of the family members;
 - (e) Marital status of each of the family members;
 - (f) Attained educational levels of each of the family members;
 - (g) Any particular skill of each of the family members; and
 - (h) Main or marginal nature of work & general work of family members.
- (vii) Nature of business (Name) of each of the family members;
- (viii) Source of Annual Income of the Household;
- (ix) Type of Use of affected structure;
- (x) Details of nature of business carried out from the affected structure;
- (xi) Assets of the Household in terms of movable & immovable property;
- (xii) Standard of living in terms of expenses on essentials; and
- (xiii) Indebtedness of the Family.

12. Based on these findings and confirmation from program preparation engineers, there would be expected permanent impacts on structures. The scope of land acquisition and identified temporary resettlement impacts is presented in the Table 1.

Table 1: Summary of Resettlement Impacts

Magnitude of Resettlement Impact	Number
Permanent Land Acquisition (in ha)	0
Temporary Land Acquisition (in ha)	0
Temporarily Affected Persons/Households	0
Titleholder Affected Persons/Households	0
Non-Titleholder Affected Persons/Households	0
Female Headed Households	0
Indigenous People/Scheduled Tribe Affected Person	0
Below Poverty Line Affected Person (Temporarily Affected)	0
Affected Trees and Crops	0
Temporarily Affected CPRs	4
Average Family Size	0
Average Household Income (per month)	0
Income Sources	

CPR = Rajasthan Urban Infrastructure Development Project.

IV. INFORMATION DISSEMINATION, CONSULTATION, PARTICIPATORY APPROACHES AND DISCLOSURE REQUIREMENTS

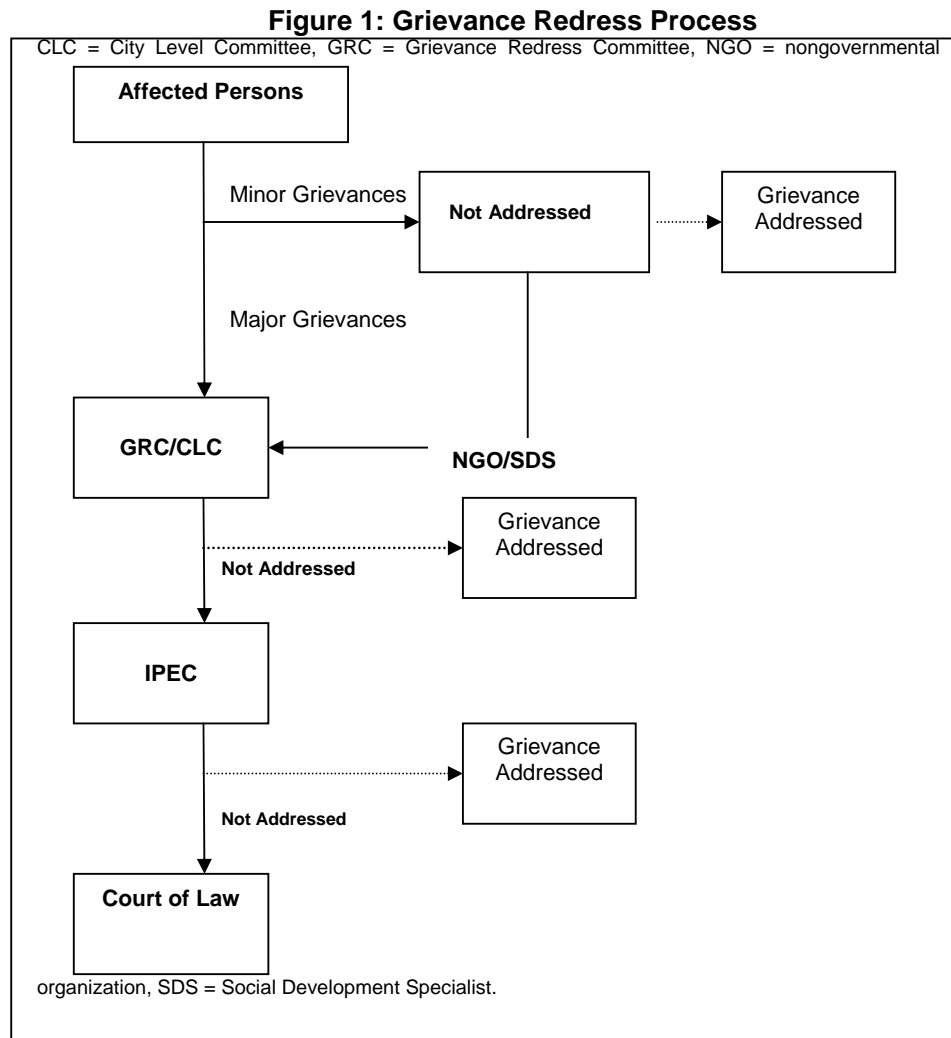
13. The Resettlement Plan was prepared in consultation with stakeholders. Consultations with the denizens of Nani village revealed that they had filed a legal case contesting the transfer of the plot of land to the ULB for landfill and composting (in 2003). The case has been resolved by a “compromise” between Gram Panchayat, Nani, and the ULB of Sikar, by the High Court, Jaipur in 2008. Meetings and individual interviews were held involving stakeholders, particularly potentially temporarily affected persons; and transect walks, census, survey and interviews were conducted to determine the potential impacts of subproject construction to prepare the subproject Resettlement Plan.

14. Following the model developed for the MFF, a town-wide stakeholder consultation workshop was conducted which provided an overview of the Program and subprojects to be undertaken in Sikar; Government and ADB’s resettlement policies and potential resettlement impacts of the subprojects in Sikar were discussed. During the workshop, Hindi versions of the Resettlement Framework was provided to ensure stakeholders understood the objectives, policy principles and procedures for any land acquisition, compensation and other assistance measures for any affected person.

15. Information continues to be disseminated to affected persons and beneficiaries through various media. English and Hindi versions of the Resettlement Framework are placed in the ULB office and affected persons have accesses to Resettlement Plan. The NGO engaged to implement the Resettlement Plan will continue consultations, information dissemination, and disclosure. A strategy for continued consultations and participation is in the Resettlement Framework. The finalized Resettlement Plan will also be disclosed in ADB’s website, the State Government website, the local government website, and the IPMU and IPIU websites. ADB review and approval of the Resettlement Plan is required prior to award of civil works contracts; and compensation/assistance of affected persons is required prior to commencement of civil works. Consultation and disclosure activities to be followed are in Appendix 5.

V. GRIEVANCE REDRESS MECHANISMS

16. Grievances of affected persons 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. 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 affected persons 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. The grievance redress process is shown in Figure 1.



17. All costs involved in resolving the complaints will be borne by the IPMU. The GRCs will continue to function throughout the project duration.

VI. POLICY AND LEGAL FRAMEWORK

18. The Legal Framework and entitlements for the Program are based on National Laws, The Land Acquisition Act, 1894 (and as amended in 1984) and the National Rehabilitation and Resettlement Policy (NRRP) for Project Affected Persons, 2007; ADB's Policy on Involuntary Resettlement; and the agreed Resettlement Framework. 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 subproject designs;
- (ii) where unavoidable, time-bound Resettlement Plans will be prepared and affected persons will be assisted in improving or at least regaining their pre-program standard of living;
- (iii) consultation with affected persons on compensation, disclosure of resettlement information to affected persons, and participation of affected persons in planning and implementing subprojects will be ensured;
- (iv) vulnerable groups will be provided special assistance³; (e.g. BPL, WHH, disabled, minority and indigenous people);
- (v) payment of compensation to affected persons including non-titled persons (e.g., informal dwellers/squatters and encroachers) for acquired assets at replacement rates;
- (vi) payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities;
- (vii) provision of income restoration and rehabilitation; and
- (viii) establishment of appropriate grievance redresses mechanisms.

VII. ENTITLEMENTS

19. Policy framework and entitlements are further discussed in Appendix 3. The entitlement matrix⁴ for the subproject based on the above policies and Section D of this Resettlement Plan are in Table 2.

³ 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).

⁴ While no impacts are noted on common resources, such row is included in the entitlement matrix as there is a probability of impacts on common resources should alignments change after detailed design.

Table 2: Entitlement Matrix

Sl.No	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
1	Any other loss not identified	-	-	Unanticipated involuntary impacts will be documented and mitigated based on the principle of the Resettlement Framework	-	NGO will ascertain the nature and extent of such loss. IPMU will finalize the entitlements in line with the Resettlement Framework.
2.	Common Property	-	Community	Replacement if possible or compensation at replacement rates and restoration measures.	Consultations with the community.	The IPIU, ULB, DSC, NGO will consult and negotiate with the community and determine the amount of cash compensation or cost of reconstruction of the community structures. The VC/IPMU will finalize the cost as per Resettlement Framework. Replacement/Reconstruction shall be undertaken by IPIU.

DSC = Design and Supervision Consultants, IPIU = Investment Program Implementation Unit, IPMU = Investment Program Management Unit, NGO = nongovernmental organization, ULB = urban local body, VC = Valuation Committee.

VIII. RELOCATION OF HOUSING AND SETTLEMENTS

20. In this subproject there will be no impact on affected persons as new scientifically engineered Landfill site and compost facility to be built on 20 ha of Government-owned land in village Nani.

21. At the landfill site, a temple, a shrine and grazing and cremation ground are being affected. A temple and a shrine with appurtenances presently existing in the landfill site may be relocated if the people of Nani agree to such a proposal. For relocation of the temple and the shrine suitable land is to be identified in consultation with the community and allotted to the village. By all probability these structures have been constructed only recently after the court verdict was announced in favor of the above site. Even then these CPRs can not be ignored and therefore PIU, Sikar is holding a CLC Meeting shortly (September 2010) to sort out the above issues, where the village head (Sarpanch) of Nani village would be present to voice the views of the concerned villagers. It is expected that a solution to the above issues would be reached after mutual consent. (Ref letter no. 746 stating about the CLC Meeting – Annexure 6).

22. If it is decided by the Implementing Agency and Executing Agency that under no circumstances the present site will be changed. An alternative site for landfill and compost plant may be explored to avoid social-legal hassles and consequential delay in execution of the project and cost overruns. The people of village Nani agree that they will abandon their present stance in exchange of replacement/compensation then valuation of assets will be done on the principle of compensation at the replacement value of the affected asset. The budget below is a tentative estimation of the replacement cost of the CPRs if they get relocated. The financial implication of the same may be assessed by the IPIU, DSC, and Implementing Agency. Thereafter, the IPMU will finalize the entitlement in line with the Resettlement Framework.

IX. INCOME RESTORATION AND REHABILITATION

23. At present there are no project Affected Persons, so the question of Entitlements, Assistance and Benefits to PAPs do not arise.

24. In future, during the course of periodical monitoring, if affected persons are identified then the assistance measures shall be governed by the established principles and the Entitlement Matrix will be same as in other Subprojects of the Program.

X. RESETTLEMENT BUDGET AND FINANCING PLAN

Table 3: Summary of Land Acquisition and Resettlement Costs

Item	Unit	Rate (in Rs.)	RR Cost (in Rs.)
Balaji / Hanumanji Temple 65 Sq.mtrs.	1	@ 2690	1,74,850 / 1,75,000
Porch attached to the Temple 46.8 sq. mtrs.	1	@1600	74,880 / 75,000
Sati Mata/Nani Bai Shrine with Tin shed 12.25 sq. mtrs.	1	@1600	19,600 / 20,000
Hand Pump	1	LS	80,000
Ground Level Water Reservoir	1	LS	10,000

Activity	Months												
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

ADB = Asian Development Bank, CLC = City Level Committee, GRC = Grievance Redress Committee, IPIU = Investment Program Implementation Unit, NGO = nongovernmental organization, PMU = Project Management Unit, SDS = Social Development Specialist.

^a The census will be the cut-off date for non-titled affected persons. For titled affected persons, the cut-off date is the date of notification.

^b The Resettlement Plan will be updated based on final detailed design and affected person census and surveys.

^c Endorsement and disclosure of finalized Resettlement Plans consistent with the Resettlement Framework to be undertaken.

XII. INSTITUTIONAL FRAMEWORK FOR RESETTLEMENT

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

26. IPIUs have already been established in the project towns to manage implementation of subprojects in their area. CLCs will monitor subproject implementation in each town. They will appoint Construction Contractors 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, 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.

27. Resettlement issues are coordinated by a Social Development Specialist (IPMU SDS) within the IPMU, who ensures that all subprojects comply with involuntary resettlement safeguards. A Resettlement Specialist who is part of the IPMC team assists the SDS. SDS, as part of the DSC, have been appointed to work with each IPIU to update the Resettlement Plan in the detailed design stage, and to prepare Resettlement Plans for new subprojects, where required to comply with Government and ADB policies. NGOs is appointed to implement Resettlement Plans. The resettlement costs, implementation schedules and the responsible agencies are provided in Tables 3, 4, and 5, respectively.

Table 5: Institutional Roles and Responsibilities

Activities	Agency Responsible
Subproject Initiation Stage	
Finalization of sites/alignments for subprojects	IPMU
Disclosure of proposed land acquisition and subproject details by issuing Public Notice	IPMU NGO
Meetings at community/household level with affected persons of land/property	IPMU
Formation of Valuation Committees	
Resettlement Plan Preparation Stage	
Conducting Census of all affected persons	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 affected persons for finalizing entitlements	IPIU/IPMU
Formulating compensation and rehabilitation measures	IPIU/IPMU
Conducting discussions/meetings/workshops with all affected persons 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 Resettlement Plan	IPMU/ADB
Sale Deed execution and payment	IPMU
Taking possession of land	
Resettlement Plan Implementation Stage	
Implementation of proposed rehabilitation measures	NGO/SDS
Consultations with affected persons during rehabilitation activities	NGO/SDS
Grievances redressal	NGO/SDS/GRC
Internal monitoring	IPIU
External monitoring	External Agency

ADB = Asian Development Bank, FGD = focus group discussions, GRC = Grievance Redress Committee, IPIU = investment program implementation unit, IPMU = investment program management unit, NGO = nongovernmental organization, SDS = Social Development Specialist, SIA=social impact assessment, VC = Valuation Committee.

XIII. MONITORING AND EVALUATION

28. Resettlement Plan implementation will be closely monitored to provide the IPMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Internal monitoring will be undertaken by the IPIU with assistance from the IPMU. Internal monitoring will involve: (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the socio-economic survey of affected persons undertaken during project sub-preparation; and (iii) overall monitoring to assess affected person 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 affected person databases, documenting results of affected person census, and verifying asset and socio-economic survey data which will be used as the baseline for assessing Resettlement Plan implementation impacts. The Executing Agency 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 affected person type of housing; (iv) assessment of affected persons 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 subprojects twice a year and submit reports directly to the Executing

Agency (IPMU). The Executing Agency will submit all external monitoring reports to ADB for review. Further details are in the Resettlement Framework.

Figure 2: Revenue Map of the Landfill Site - Sikar

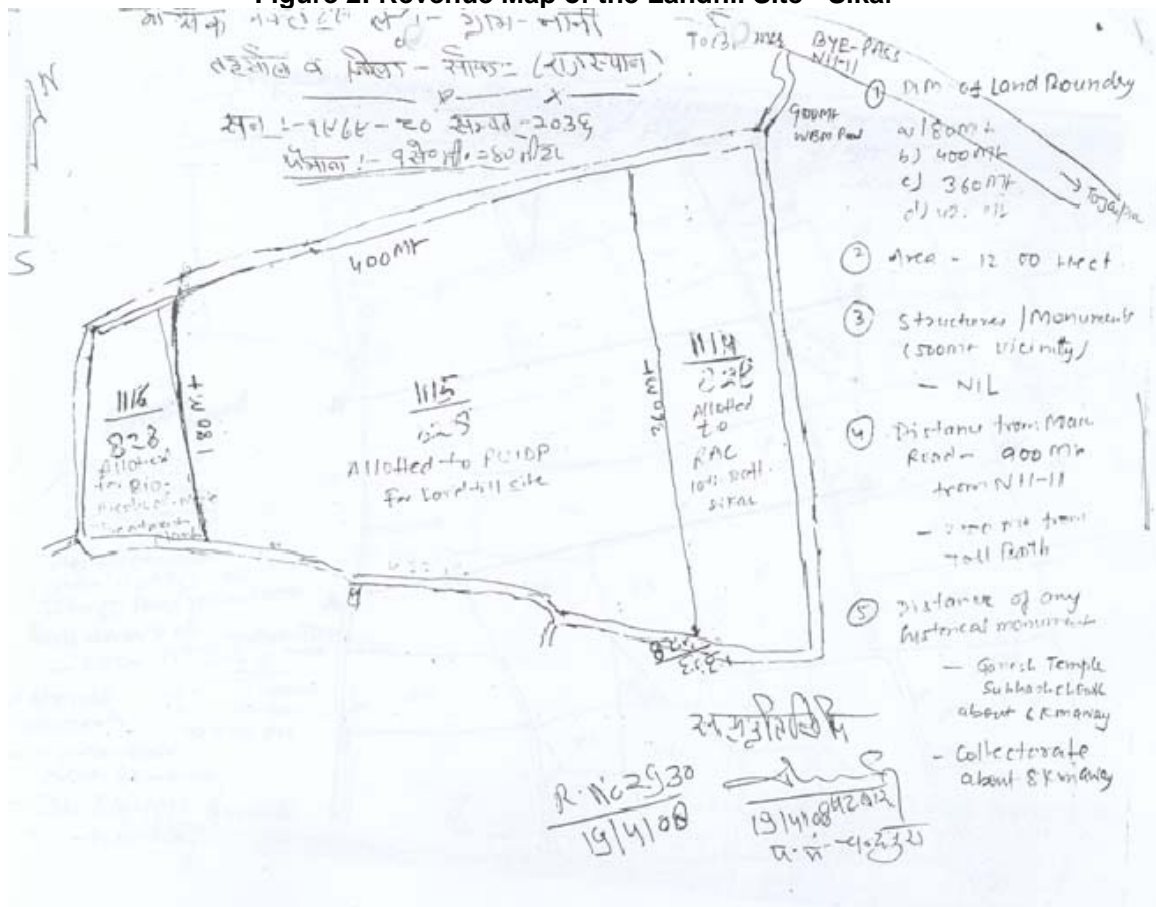
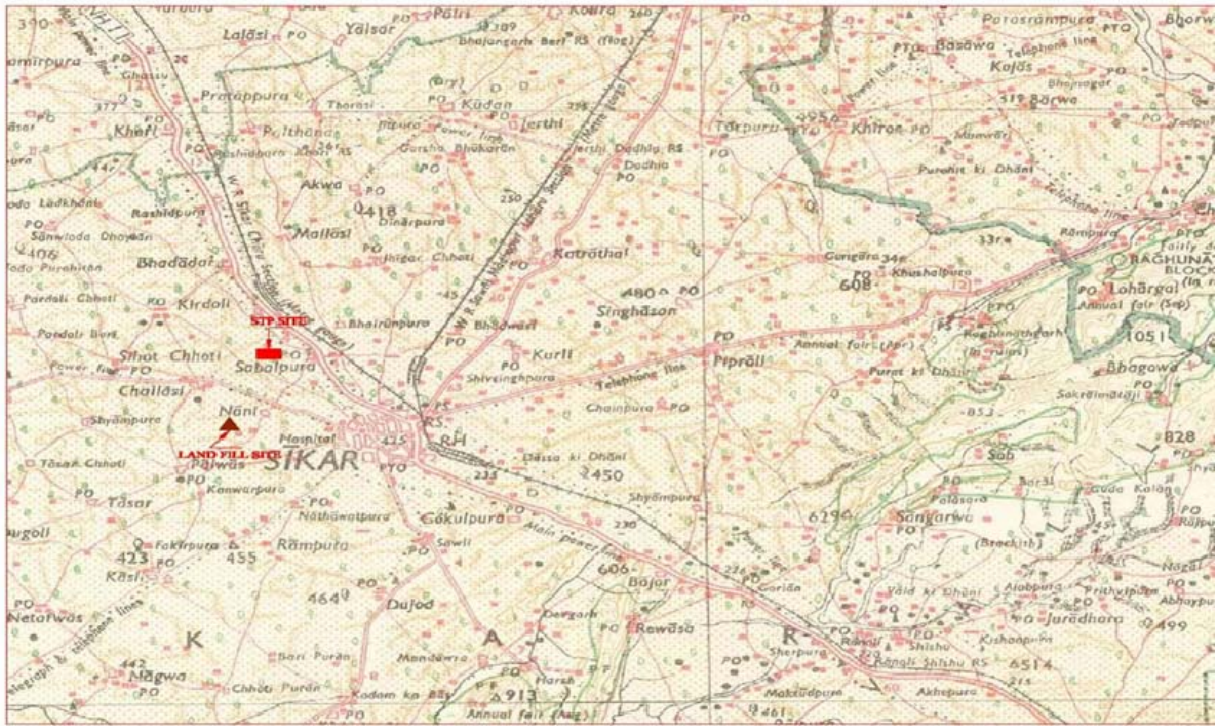


Figure 4: Location of landfill site



COMPONENTS AND RESETTLEMENT IMPACTS

COMPONENTS	INVOLUNTARY RESETTLEMENT IMPACT
Construction of a new scientifically engineered Landfill site and Compost facility to be built on 20 ha of Government land in village Nani.	A Temple and a Shrine, a hand pump and a GWR (CP/PCRs) built by the community are to be displaced/demolished/relocated after mutual consultation / consent with the local community. The village grazing ground (CPR) is to be replaced. (On the principle of quid pro quo)
Placement of Waste Containers in the Town (Presently there are 72 containers located at different places; to be enhanced to 204 as per DPR) (Size of the proposed Waste Containers: L-1375 mm x W- 1080 mm x H- 950 mm= 1 cum)	No impact as on vacant Government/ Municipal land.

3-1 D;k vkids ikL jk'ku dkMZ gS ?

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3-2 ;fn gka] iz'u 3-1 esa gS rks fdrus o"kZ ls ¼dsoy o"kl

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3-3 D;k vkidk uke oksVj fyLV esa gS?

¼1½ gkj ¼2½ ughaa

4-0 vkj-vks-MCyw- esa <kjps dk fooj.k

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4-2

4-3

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dksM% 4-1

1	vkokl	6	<kapk o lykVV
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4	[kkyh lykV	9	daVhys rkjksa ls f?kjk gqvk
5	d`f"k Hkwfe	10	?kj ckjh
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2	O;olkf;d	5	ckM+k ¼i'kq ?kj½	8	vU; ¼fy[ksa½
3	vkoklh; ,oa O;olkf;d	6	d`f"k Hkwfe		

dksM 4-4 & <kjps dk eki

1- IM+d ds lekUrj nwjh ¼pkSM+kbZ½

2- IM+d ds yEcor nwjh ¼yEckbZ½ ¼ehV

3- IM+ds ds e/; ls nwjh ¼ck,a½ ¼ehV

¼nk,a½ ¼ehVj esa½

4-5 fuekZ.k ds izdkj

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3	HkkbZ	8	cfgu	13	Hkrhtk
4	iq=h	9	tsBkuh@nsojkuh	14	vU; ¼fy[ksa½
5	iRuh	10	nkekn		

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1	fookfgr	6	vyx&vyx ¼fcuk fdlh dkuwuh dk;Zokgh ds½	7	fcNqM x;s@mtM+ x;s
2	vfookfgr	5	fo/kok		
3	rykd 'kqnk	6	fo/kqj		

'kS{kf.kd Lrj ds fy, dksM

1	fuj{kj	6	nloh d{kk rd	11	vU; ¼fy[ksa½
2	Ldwy ds fcuk i<+us fy[kus dh tkudkj	7	ckjoh d{kk rd	99	ykw ugha gksrk
3	f'kf{kr Ldwy esa tk jgs gS	8	Lukrd		
4	izkbZejh d{kk rd	9	LukrdksÜkj		
5	vkBoha d{kk rd	10	O;kolkf;d		

lkekU; fØ;k dyki ds fy, dksM

1	jkstxkj	4	fo?kkFkhZ	7	Ldwyh mez dk cPPkk fdUrq Ldwy ugha tkrk ¼6 o"KZ ;k mills vf/kd vk;q ds½
2	csjkstxkj	5	o`}@lsok fuo`r	8	fodykax
3	?kj dk dk;Z	6	cPpk ¼Ldwy u tkus okys 6 o"KZ l de vk;q ds½	9	vU; ¼fy[ksa½

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- 1- eq[; ¼;fn o"kZ esa 183 fnuksa ;k bls vf/kd fnuksa rd dk;Z
djrs gSa½
- 2- lhekUr ¼;fn o"kZ esa 183 fnuksa ls de dk;Z djrs gS½

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4-0 Hkwfe dk mi;ksx

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vflafpr ¼LFkkuh; eki esa½		
ckx&cxhpk ¼LFkkuh; eki esa½		
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vU; ¼fy[ksa½ ----- -----		

4-2 D;k vkids ikl bl izHkkfor Hkwfe ds vykok Hkwfe gSA 1-gka 2-ugha

;fn gka] iz`u la;k 4-2 esa gS rks bl izdkj dh Hkwfe dk eki ¼,dM+ esa½ &&&&&&

5-0 ifjokj dh vkenuh

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4	ikarh@caVkbZ ij yh xbZ Hkwfe ls	
5	d`f`k ;a=ksa dks fdjk;s ij nsus ls	
c	d`f`k vk/kkfjr O;olk; ls	
6	nqX/k mRiknu] eqxhZ ikyu] cdjh ikyu] lqvj ikyu] HksM+ ikyu vkfn	
7	m?kku ls	
l	taxykr	
8	tykou ba/ku ls	
9	taxy mRikn ls	
10	dqVhj m?kksx ls	

11	m?kksx ,oa O;kikj ls	
12	O;olk; @iS'kk ls	
13	ljdkjh ukSdjh ls	
14	izkbZosV ukSdjh ls	
15	xSj [ksrhgj etnwjh ls	
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17	fdjk;s ls ¼edku nqdku vkfn ls½	
18	vU; ¼fy[ksa½	

6-0 <kjps dk mi;ksx ¼dsoy O;kolkf;d <kjps ds fy,½

6-1 <kjps dk mi;ksx

- 1- nqdku 3- odZ'kkWi
- 2- xksnke 4- dk;kZy; ¼vkWfQI½

6-2 vki fdl izdkj dk O;olk; dj jgs gSA

1	pk; dh nqdku	2	<kck	17	ukbZ dh nqdku	25	vU; ¼fy[ksa½
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3	diM+s dh ¼jsfMesM½	11	LuSDI	19	fDyfud		
4	diM+s dh ¼dVihl½	12	iku@chMh@flxjsV	20	eksVy		
5	nokbZ	13	lkbZfdy fjis;j	21	gksVy		
6	vkWVks fjis;j	14	Vk;j fjis;j	22	fctyh dk lkeku		
7	Lis;j ikVZ~l	15	Vsyfjaax	23	dqVhj m?kksx		
8	feBkbZ	16	tujy LVksj	24	oSfYMax		

7-0 IEifÜk

7-1 d`i;k fuEu IEifÜk dh tkudkj ns

lkeku	dy Lo;a dh bZdkbZ;ka ¼la[;k½	cktkj ewY; ¼#i;s esa½
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flapkbZ bdkb;ka ¼la[;k½		
vkxfiu osy		
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foÜk ¼QkbZusUI½ #i;s esas		
lsfoax ,dkmUV		
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Vh-oh-@Vsi@jsfM;ks		
lkbZfdy@eksVj lkbZfdy		
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cSyxkM+h@cq//kh@maVxkMh		
ydMh@yksgs dk gy		
QkoM+k@gaff;k		
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6	vkus tkus ,oa lapkj ij	
7	ioZ@R;kSgkj ij	
8	d`f"k ¼tSlS cht] [kkn] ikuh] d`f"k ;a= vkfn fdjk;s ij½	
9	vU; ¼fy[ksa½	
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9-0 dtZ

9-1 d`i;k vius fiNys o"kZ ds dtksZ ds ckjs esa tkudkj nsaA

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POLICY FRAMEWORK AND ENTITLEMENTS

A. Policy and Legal Framework

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

1. Government Policy

a. National Resettlement and Rehabilitation Policy, 2007

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

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

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

b. Land Acquisition Act, 1894

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

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

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

2. ADB'S Safeguard Policy Statement, 2009 (SPS)

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

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

- (i) Involuntary resettlement will be avoided whenever feasible.
- (ii) Where population displacement is unavoidable, it should be minimized.
- (iii) All lost assets acquired or affected will be compensated. Compensation is based on the principle of replacement cost.
- (iv) Each involuntary resettlement is conceived and executed as part of a development project or program. Affected persons need to be provided with sufficient resources to re-establish their livelihoods and homes with time-bound action in co-ordination with civil works.
- (v) Affected persons are to be fully informed and closely consulted.
- (vi) Affected persons are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
- (vii) The absence of a formal title to land is not a bar to ADB policy entitlements.
- (viii) Affected persons are to be identified and recorded as early as possible to establish their eligibility, through a census which serves as a cut-off date, and prevents subsequent influx of encroachers.
- (ix) Particular attention will be paid to vulnerable groups including those without legal title to land or other assets; households headed by women; the elderly or disabled; and indigenous groups. Assistance must be provided to help them improve their socio-economic status.
- (x) The full resettlement costs will be included in the presentation of project costs and benefits.

B. Comparison of Borrower's Policy with the Resettlement Framework

7. The NRRP represents a significant milestone in the development of a systematic approach to address resettlement issues in India. LAA, 1894 however gives directives for acquisition of land in public interest and provides benefits only to titleholders. Table A3 presents a comparison of Government polices (LAA and NRRP) in comparison with the Resettlement Framework which is consistent with ADB's involuntary resettlement policy.

Table A3: Comparison between the Borrower's and ADB's SPS

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

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
				blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	
4.	Any involuntary resettlement should, as far as possible, be conceived and executed as a part of a development project or program and resettlement plans should be prepared with appropriate timebound actions and budgets. Resettlers should be provided sufficient resources and opportunities to reestablish their homes and livelihoods as soon as possible.	X	✓	According to the ADB's involuntary resettlement policy full Resettlement Plan is required when 200 or more people will experience major impacts. A Short Resettlement Plan is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, Resettlement Plan should be prepared when it involves resettlement of more than 400 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	The Resettlement Framework addresses the involuntary resettlement impacts. The entitlements to the Affected persons are outlined in the Entitlement Matrix.
				LAA does not provide for resettlement. However, it specifies the time limit for acquisition, though the project/program for which it is conceived need not necessarily be time-bound.	A time-bound action plan and implementation schedule for the involuntary resettlement activities is outlined. The key Resettlement Plan activities are identified and the responsibilities for the same outlined.
5.	The affected people should be fully informed and closely consulted on resettlement and compensation options. Where adversely affected people are particularly vulnerable, resettlement and compensation decisions should be preceded by a social	X	✓	LAA recognizes only titleholders, who are to be notified prior to acquisition.	Consultations have been carried out with affected persons. This will be further consolidated by the Resettlement Plan implementing NGO. The plan for information disclosure in the project, including the Resettlement Framework.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
	preparation phase to build up the capacity of the vulnerable people to deal with the issues.				
6.	Appropriate patterns of social organization should be promoted, and existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible. Resettlers should be integrated economically and socially into host communities so that adverse impacts on host communities are minimized. One of the effective ways of achieving this integration may be by extending development benefits to host communities.	X	✓	-	This is addressed in the Entitlement Matrix.
7.	The absence of formal legal title to land some affected groups should not be a bar to compensation. Affected persons entitled to compensation and rehabilitation should be identified and recorded as early as possible, preferably at the project identification stage, in order to prevent an influx of illegal encroachers, squatters, and other nonresidents who wish to take advantage of such benefits. Particular attention should be paid to the needs of the poorest affected persons including those without legal title to assets,, female-headed households and other vulnerable groups, such as indigenous peoples, and appropriate assistance provided to help them improve their status.	X	✓	LAA provides for every affected person to receive a notification prior to acquisition and for a hearing in case of any objection. Acquisition under the Act is permitted within one year from the date of declaration of intent to acquire, failing which, the process has to start again. LAA does not regard non-titleholders as affected persons. The <i>Rajasthan Urban Housing and Habitat Policy, 2006</i> aims to provide tenorial rights to urban slum dwellers with special emphasis on persons belonging to scheduled castes, scheduled tribes, weaker sections, physically handicapped and widows. This is consistent with recognizing those without legal titles and the vulnerable.	The process for verification of impacts and establishing the eligibility of the affected persons is outlined in the Resettlement Framework.

	Policy Principles	LAA	NRRP	Remarks	Compliance of proposed Resettlement Framework with ADB's SPS
8.	The full costs of resettlement and compensation, including the costs of social preparation and livelihood programs as well as the incremental benefits over the "without project" situation, should be included in the presentation of Project costs and benefits.	X	✓	According to the ADB's involuntary resettlement policy full Resettlement Plan is required when 200 or more people will experience major impacts. A Short Resettlement Plan is required when resettlement is insignificant when less than 200 people will experience major impacts. According to the NRRP, Resettlement Plan should be prepared when it involves resettlement of more than 500 families (roughly about 2,500 persons) in plain areas and 250 families (roughly about 1,250 people) in hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India.	The Resettlement Framework addresses the involuntary resettlement impacts. The entitlements to the affected persons are outlined in the Entitlement Matrix.
				The NRRP's concept of replacement cost is not clearly defined. However, the NRRP does consider various compensation packages to substitute the losses of affected persons.	This is addressed in the Entitlement Matrix
9.	To better assure timely availability of required resources and to ensure compliance with involuntary resettlement procedures during implementation, eligible costs of resettlement and compensation may be considered for inclusion in Bank loan financing for the project, if requested.	X	✓	-	The impacts have been assessed and Resettlement Plan costs according to the entitlement matrix have been worked out. These costs are included in the Project Costs.

ADB = Asian Development Bank, DDP = Desert Development Programme, LAA = Land Acquisition Act, NGO = nongovernmental organization, NRRP = National Resettlement and Rehabilitation Policy, SPS = Safeguard Policy Statement.

PUBLIC CONSULTATIONS

PUBLIC CONSULTATION No. 1 – SOCIAL

SUBPROJECT: Solid Waste Management

DATE & TIME OF CONSULTATION: 13.11.2009

11.00 AM

DURATION: Approximately 30 minutes including introductory and wrap-up

LOCATION: Mohalla Rosan Ganj (Ward No.1)

NUMBER OF PARTICIPANTS: 09(Attendance Sheet is attached)

Sl. No.	Key Issues/ Demands	Perception of Community	Action to be taken
01	Awareness of the Project-including coverage area	Very few (3 out of 9) appeared to be aware of the Project, coverage area, proposed location of containers, landfill site for treatment and disposal of waste.	The Implementing Agency, ULB, NGOs, Media should inform the public.
02	In what way they may be associated with the Project	Local people should be hired as laborers when construction work starts.	IPIU, DSC and Contractors to ensure.
03	Presence of any CPR nearby the Project area	There are CPRs in the Project area, near the containers; and in the landfill site.	Executing Agency, Implementing Agency, IPIU, DSC, ULB and Construction Contractors to ensure that project components do not adversely affect the CPRs/ the CPRs in the landfill site are relocated if permitted by people in Nani village.
04	Presence of any historical/cultural/religious sites nearby	There are historical/cultural/religious sites in the Project area inside the town where containers may be placed and also in the landfill site.	Executing Agency, Implementing Agency, IPIU, DSC, ULB and Construction Contractors to ensure that project components do not adversely affect the historical/cultural/religious sites in the Project area
05	Sources of drinking water (quality, quantity and anticipated impacts, suggestions of people to save the sources, provide new one or others.	Quantity of supply water is meager. SWM will have no adverse impact on sources of drinking water.	Line department should ensure supply of required quality and quantity of water.
06	Perception of people- they might face during construction and their requirement/demand with respect to noise, accessibility to various places and others	Since inside the town only containers will be placed, they do not feel threatened due to noise pollution or loss of accessibility.	The ULB is to ensure that placement of containers do not prevent accessibility.
07	Any conflict among people regarding uses of CPRs particularly, sources of water.	At present no conflict.	The line department and ULB to ensure continuance of status quo.
08	Relocation, enhancement of other facilities particularly, CPRs (water sources, temple, graveyards, dargah, mosque etc.)	No relocation entailed.	The line department and ULB to ensure continuance of status quo.
09	Opinion of people with regard	Since there will be no land	No action needed.

Sl. No.	Key Issues/ Demands	Perception of Community	Action to be taken
	to acquisition of land and property and their concern with respect to compensation money	acquisition, this point was not discussed.	
10	If displaced from the present place where they can relocate	Since there will be no displacement, this point was not discussed.	No action needed.
11	Preference/choice of assisted relocation or self-relocation	Since there will be no displacement, this point was not discussed.	No action needed.
12	What kind of R&R assistance they would require	Since there will be no displacement, this point was not discussed.	No action needed.
13	Find out from local government officials about availability of government land for resettlement of displaced people, if any	Since there will be no displacement, this point was not discussed with local government officials.	No action needed.
14	Impact on livelihood due to construction of project	There will be no adverse impact on livelihood due to this project.	No action needed.
15	Willingness to work in the project work	People are willing to work in the project.	The IPIU, DSC, ULB, Construction Contractors to ensure engagement of locals in the Project work.
16	Child labor (whether children below 14 yrs. of age work; if yes, what kind of work they are involved in – hazardous or non-hazardous)	Presently construction work has not started, so there are no laborers and as such any child laborers.	The IPIU, DSC, ULB, Construction Contractors to ensure that no child laborer is engaged in the Project work.
17	Awareness and knowledge about HIV/AIDS	People are well aware.	The line department (Health & Family Welfare) should take action in collaboration with local NGOs, Media and ULB.
18	Whether the participants would be interested in knowing about HIV/AIDS if some awareness camp is organized in future by the Project Authority.	Yes.	The line department (Health & Family Welfare) should take action in collaboration with local NGOs, Media and ULB.
19	What kind of facilities they would like so that their movement remains unaffected when placement of containers and construction at landfill site starts	They expect that access and movement remains unhindered.	IPIU, DSC, ULB and Construction Contractors to ensure that access and movement remain open.

CPR = Common Property Resources, DSC = Design and Supervision Consultants, IPIU = Investment Program Implementation Unit, NGO = nongovernmental organization, SWM = solid waste management, ULB = urban local body.

(Attendance Sheet)

Sl.No.	Name of the Participant ^a	Profession of the Participant
01		Service
02		Computer Teacher
03		Student

04		Teacher
05		Media
06		Student
07		Laborer
08		Social Worker
09		Engineering Student

^a Names taken out to protect privacy.

PUBLIC CONSULTATION No. 2 – SOCIAL

SUBPROJECT: Solid Waste Management

DATE & TIME OF CONSULTATION: 12.11.2009

3.00 PM

DURATION: Approximately 45 minutes including introductory and wrap-up

LOCATION: Village Nani, Near Landfill Site

NUMBER OF PARTICIPANTS: 11 (Attendance Sheet is attached)

Sl. No.	Key Issues/ Demands	Perception of Community	Action to be taken
01	Awareness of the Project-including coverage area	All (11 out of 11) appeared to be aware of the Project, coverage area and location of the landfill site	The Implementing Agency, ULB, NGOs, Media should inform, educate and motivate the public to cooperate.
02	In what way they may be associated with the Project	Point blank they refused to be associated	IPIU, NGO and District Administration to ensure community's association.
03	Presence of any CPR nearby the Project area	There are CPRs in the Project area, particularly near containers; and in the landfill site.	IPIU, ULB and Construction Contractors to ensure that project components do not adversely affect the CPRs
04	Presence of any historical/cultural/religious sites nearby	There are historical/cultural/religious sites in the Project area. Near containers; and in the landfill site.	IPIU, DSC, ULB and Construction Contractors to ensure that project components do not adversely affect the historical/cultural/religious sites in the Project area
05	Sources of drinking water (quality, quantity and anticipated impacts, suggestions of people to save the sources, provide new one or others.	Quantity of supply water is meager. SWM will have no adverse impact on sources of drinking water.	Line department should ensure supply of required quality and quantity of water.
06	Perception of people-they might face during construction and their requirement/demand with respect to noise, accessibility to various places and others	The locals feel threatened due to noise pollution and environmental pollution due to landfill	The Implementing Agency may consider of an alternative site.
07	Any conflict among people regarding uses of CPRs particularly, sources of water.	At present no conflict.	The line department and ULB to ensure continuance of status quo.
08	Relocation, enhancement of other facilities particularly, CPRs (water sources, temple, graveyards, dargah, mosque etc.)	Relocation entailed.	The line department and ULB may consider an alternative.
09	Opinion of people with regard to acquisition of	The locals are not prepared to endure the	The Implementing Agency and ULB to

Sl. No.	Key Issues/ Demands	Perception of Community	Action to be taken
	land and property and their concern with respect to compensation money	loss of the temples.	motivate the people to accept relocation of the temple or look for alternative sites.
10	If displaced from the present place where they can relocate	The community is not prepared for relocation of the temples.	The Implementing Agency and ULB to motivate the people to accept relocation of the temple or look for alternative sites.
11	Preference/choice of assisted relocation or self-relocation	The community is not prepared for relocation of the temples.	The Implementing Agency and ULB to motivate the people to accept relocation of the temple or look for alternative sites.
12	What kind of R&R assistance they would require	The community is not prepared for relocation of the temples and R&R assistance.	The Implementing Agency and ULB to motivate the people to accept relocation of the temples, accept R&R assistance or look for alternative sites.
13	Find out from local government officials about availability of government land for resettlement of displaced people, if any	Since there will be no displacement of persons, this point was not discussed with local government officials.	No action needed.
14	Impact on livelihood due to construction of project	There may be adverse impact on livelihood of the people living near the landfill site.	Implementing Agency and ULB may look for alternatives.
15	Willingness to work in the project work	Local people are not willing to work in the project in the landfill site.	The IPIU, DSC, ULB, Construction Contractors to ensure engagement of locals in the Project work elsewhere.
16	Child labor (whether children below 14 yrs. of age work; if yes, what kind of work they are involved in – hazardous or non-hazardous)	Presently construction work has not started, so there are no laborers and as such any child laborers.	The IPIU, DSC, ULB, Construction Contractors to ensure that no child laborer is engaged in the Project work.
17	Awareness and knowledge about HIV/AIDS	Participants are somewhat aware.	The line department (Health & Family Welfare) should take action in collaboration with local NGOs, Media and ULB.
18	Whether the participants would be interested in knowing about HIV/AIDS	Yes.	The line department (Health & Family Welfare) should take action in

Sl. No.	Key Issues/ Demands	Perception of Community	Action to be taken
	if some awareness camp is organized in future by the Project Authority.		collaboration with local NGOs, Media and ULB.
19	What kind of facilities they would like so that their movement remains unaffected when placement of containers and construction at landfill site starts	The locals demanded that the landfill site should be somewhere else.	Implementing Agency and ULB to think of alternatives.

CPR = Common Property Resources, DSC = Design and Supervision Consultants, IPIU = Investment Program Implementation Unit, NGO = nongovernmental organization, SWM = solid waste management unit, ULB = urban local body.

(Attendance Sheet)



Public Consultation in Village Nani

Sl.No.	Name of the Participant ^a	Profession of the Participant
01		Advocate
02		Farmer
03		Advocate
04		Engineering Student
05		Farmer
06		Farmer
07		Farmer
08		Farmer
09		Teacher
10		Teacher
11		Service

^a Names taken out to protect privacy.

CONSULTATION AND DISCLOSURE

A. Consultation

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

B. Disclosure

5. Information was and continues to be disseminated to affected persons for the sample subprojects. Finalized Resettlement Plans will be disclosed in ADB's website, IPMU websites, and IPIU or town websites; and information dissemination and consultation will continue throughout program implementation.
6. The IPIU SDS will conduct consultations and disseminate information to all affected persons. Resettlement Plans will be translated into the local language and made available at offices of the: (i) Urban Local Bodies (ULBs); (ii) relevant local government line agencies; and (iii) IPMU and IPIUs. Resettlement Plans will also be kept in the public libraries, accessible to citizens as a means to disclose the document and at the same time creating wider public awareness.
7. The Resettlement Framework and Resettlement Plans will be disclosed in the following websites: IPMU, IPIU, State Government, local governments, and ADB. The IPMU will issue notification of implementation start dates for each subproject. The notice will be issued by the IPMU in local newspapers one month ahead of implementation. This will create awareness of project implementation. The IPMU and IPIUs will provide information on

Involuntary Resettlement policies and features of the Resettlement Plan. Basic information such as subproject location, impact estimates, entitlements, and implementation schedule will be presented in the form of a brochure that will be circulated among affected persons. Posters containing basic Resettlement Plan information will also be posted in different localities to increase awareness. Copies of Resettlement Plan summaries will be kept in the IPMU and IPIU offices and will be distributed to any affected person consulting on resettlement issues. The Resettlement Framework will be made available in local language during public meetings. This will enable stakeholders to provide inputs on the resettlement process, prior to award of civil work contracts.

8. An intensive information dissemination campaign for affected persons will be conducted by the IPIU with assistance from the implementing NGO at the outset of Resettlement Plan implementation. All the comments made by the affected persons will be documented in the subproject records and summarized in subproject monitoring reports. A summary of consultation and disclosure activities to be followed for each subproject are in Table A5.

Table A5: Consultation and Disclosure Activities

Program Phase	Activities	Details	Responsible Agency
Investment Program Bridging Phase	Mapping of the Program areas	Area to be mapped, clearly showing survey numbers of titleholders of land/property proposed for acquisition	IPMU in coordination with District Collector's offices and other local bodies.
	Stakeholder identification	Cross section of stakeholders to be identified in order to facilitate their participation in the Program.	IPMU and IPIUs in consultation with stakeholders.
	Program/subproject information dissemination; Disclosure of proposed land acquisition	Leaflets containing information on the Program and subproject to be prepared. Public notice issued in local newspapers (and disclosed on IPMU/IPIU websites) including survey numbers and names of titleholders for land to be acquired concurrent with consultation with titleholders.	SDS and Resettlement Specialist from IPMU. IPMU may seek the assistance of CAAP consultants for leaflet preparation. Notice will be issued from the District Collector's office. SDS IPMU and SDS IPIU to disclose on the web.
	Stakeholder consultations	Further consultations with affected titleholders and households. Consultations with non-titled affected persons and other stakeholders during subproject scoping.	SDS IPIU and NGO.
Resettlement Plan Preparation Phase	SIA surveys	Surveys to be conducted. Summary Resettlement Framework to be disclosed in local language through printed materials to affected persons particularly those who are vulnerable and other stakeholders.	IPIU to conduct surveys. SDS IPIU to disclose Resettlement Framework to stakeholders (including making it available in IPMU/IPIU offices and government agency offices), SDS IPMU to disclose on the web.
	Formulating compensation and resettlement assistance measures	Conducting stakeholder consultations particularly affected persons in and reflecting issues raised in revised Resettlement Plan.	SDS IPIU and NGO.
	Disclosure of final entitlements and rehabilitation packages	Provision of Resettlement Plans to all stakeholders particularly affected persons. Conducting consultations and distributing local language versions of the summary Resettlement Plan.	SDS IPMU, and SDS IPIU to disclose on the web. SDS IPIU and NGO to conduct consultations.

Program Phase	Activities	Details	Responsible Agency
Resettlement Plan Implementation Stage	Disclosure of Resettlement Plan	Review and approval of Resettlement Plan by Executing Agency. Review and approval of Resettlement Plan by ADB. Web disclosure of the Resettlement Plan.	Executing Agency to provide ADB with Resettlement Plan for review and approval. SDS IPMU, and SDS IPIU to disclose on the web.
	Consultation with affected persons during Resettlement Plan implementation	Consultations with affected persons.	NGO with monitoring from IPIU and external agency.

ADB = Asian Development Bank, IPIU = Investment Program Implementation Unit, IPMU = Investment Program Management Unit, NGO = nongovernmental organization, SIA = Social Impact Assessment.

SOCIAL ISSUES FOR LANDFILL SITE AT SIKAR



Government of Rajasthan
Office of Executive Engineer

**Rajasthan Urban Sector Development Investment Program,
RUIDP- Phase -II, investment Program Implementation Unit, Sikar**

A-14, Basant Vihar, Behind BSNL Office N-11, Sikar (Rajasthan)-332001
Tel No.: 01572-271062, Fax No.: 01572-250710, Email : spansikar@rediffmail.com, ipiu_skr@rediffmail.com, sikar.ruidp.gov.in

No. EE/RUSDIP/TR-02/SKR/WW-01/2010-11/ 746

Date: 25.08.2010

The Deputy Project Director (T),
RUSDIP, Jaipur.

Sub: - Social Issues for landfill site at Sikar.

Sir,

The land for landfill site development was made available by Nagar Parishad, Sikar to RUSDIP. This land was allotted to Nagar Parishad, Sikar in year 2003 for establishing the Solid waste disposal plant. One structure in form of a room called as temple is existing at the South West corner of land and near to this temple, one symbolic Pillar type structure called Shrine of Nanibai also exists. As per Nagar Parishad Plea in Honorable Court, these structures were constructed without any permission from competitive authority. One hand pump and water tank is also exists in the land.

Honorable High Court, Rajasthan gave the decision in favour of Nagar Parishad vide dated 13th, August-2008 and allowed to Nagar Parishad to establish the Solid waste plant at this proposed land, provided Nagar Parishad is restrained from dumping the waste till the compost Plant becomes ready for operation. However RUSDIP is only developing the landfill trench at site and shall handover to Nagar Parishad for Operation & Maintenance.

The option of shifting of these existing structures at somewhere else shall be discussed in the upcoming CLC meeting, which is proposed to be held on 13/09/10. The Sarpanch of Nani Village will also be present in the CLC meeting.

However the RUSDIP has proposed separate route for these structures and no construction activity shall be taken up by RUSDIP around these structures.

Submitted for further necessary action please.

Enclosed: as above.

Executive Engineer
IPIU, RUSDIP - Sikar

Date: 25.08.2010

No. EE/RUSDIP/TR-02/SKR/WW-01/2010-11/ 746-50
Copy to: - following for information & necessary action.

1. PA to Project Director, RUSDIP, Jaipur.
2. The Team Leader, IPMC, RUSDIP, Jaipur.
3. The Team Leader, DSC, Nagaur.
4. The A.C.M., DSC-II, Sikar.

Executive Engineer

Photographs



Front View of Balaji / Hanumanji Temple



Side View of Balaji/ Hanuman Ji Temple



Hand-pump Near Balaji Temple



Sati Mata/ Nani Bai Shrine