

Terms of Reference for Selection of Consultant (NGO) for facilitation in implementation of Land Acquisition and Resettlement & Rehabilitation for expansion zone of Gaggal Airport in Distt. Kangra.

Project Background and Context of Assignment: -

The Himachal Pradesh Road & Infrastructure Development Corporation Limited (HPRIDCL) has been entrusted with the work of determining/ assessing the value of structures/ buildings and other immovable properties of assets and supporting land acquisition and Rehabilitation and Resettlement falling in the proposed expansion zone of Gaggal Airport in Kangra District. The project will be implemented with State funds including comprehensive social assessments. To assist the HPRIDCL in the implementation of the Social Impact Management Plan (SIMP), HPRIDCL now invites proposals for hiring the services of eligible NGOs to be procured under 'Consultant's Qualification- based Selection (CQS) as per the Procurement Regulation Framework of World Bank.

1. Objectives of the Assignment

The NGOs shall be responsible for the following, as per the Entitlement:

- Educating the PAPs on their right to entitlements and obligations.
- Support the Land Acquisition process to the Competent Authority
- Support in the preparation of the Rehabilitation Plan and its implementation
- Evaluate and assess the assets for the preparation for Awards
- To ensure that the PAPs are given their full entitlements as due to them, as per the entitlements given in the SIMP, as may be modified by HPRIDCL from time to time.
- To provide support and information to PAPs for income restoration.
- Assist the PAPs in relocation and rehabilitation, including counselling, and coordination with the local authorities.
- Assist the PAPs in the redressal of their grievances (through the grievance redressal cells set up by the project)
- Impart information to all the PAPs about the functional aspects of the various district-level committees set up by the project, and assist them in benefiting from such institutional mechanisms.
- To collect data and submit progress reports on a monthly basis as well as the quarterly basis for HPRIDCL to monitor the progress of the implementation.

2. Scope of Work

The NGOs shall play the role in assisting the land acquisition process including valuation and implementation of the Resettlement & Rehabilitation and in helping to mitigate the adverse effects of the project. The NGOs shall remain responsible for the development of a comprehensive livelihood system to facilitate the PAPs to take advantage of the options available (as per the SIMP).

3. Administrative Responsibilities of the NGOs will include-

- Working in coordination with the Client/ Social Specialist of HPRIDCL/ Implementing

Authority/ CALA/ SDM concerned;

- Assist the HPRIDCL and the implementing authority in carrying out the implementation;
- To co-ordinate with the District Level Committees (DLCs) and Grievances Redress Committees (GRCs) during implementation;
- Assist the Client/ Social Specialist of HPRIDCL/ Implementing Authority/ CALA/ SDM concerned in undertaking all public meetings, and information campaigns at the commencement of the project and give full information to the affected community;
- Data base management of the PAPs.
- Videography and digital photography cost required for implementation shall be included in the budget submitted by the NGO.
- The PAPs & PDPs will be facilitated for the Income Generation Scheme training through the NGOs i.e. the provisions made for the training component will be best utilised through the active support and involvement of the NGO.
- All costs, including the cost for valuation of structures, stakeholder consultations etc. to be borne by the NGO within the project cost.

4. Responsibilities of Implementation will include:

4.1 Identification and Verification

- The NGO shall undertake a detailed survey of the project-affected area and shall update the information on the Eligible PAPs and project-affected families (PAFs). The NGO shall verify the information already contained in the SIA and other documents and the individual losses of the PAPs. He shall validate the data provided in the SIA and other documents and make suitable changes if required. The NGO shall establish Rapport with PAPs, consult them, provide them with information about the respective entitlements as proposed under the SIMP, and distribute entitlement cum Identity Cards to the eligible PAPs. An identity card should include a photograph of the PAP individual credentials, the extent of loss suffered due to the project, and the choice of the PAP with regard to the mode of compensation and assistance.
- Prepare and update as necessary a computerized database of all PAPs'.
- Provide video and still photographic record of affected land and structure at the key stage of the project.
- The NGO shall develop rapport between the PAPs and the Project Authority, particularly the Social Specialist, HPRIDCL. This will be achieved through regular meetings with both the Client/ Social Specialist of HPRIDCL/ Implementing Authority/ CALA/ SDM concerned and the PAPs. Meetings with the client/ HPRIDCL will be held at least fortnightly, and meetings with the PAPs will be held monthly, during the entire duration of the assignment. All meetings and decisions taken shall be documented by the NGO.
- Prepare monthly action plans with targets in consultation with the Social Specialist, HPRIDCL.
- The NGO shall prepare a list of the project-displaced persons/families (PDPs/PDFs) for relocation, enlisting the losses and the entitlements as per the SIMP, after verification. It shall also prepare a list of the project-affected persons/families (PAPs/PAFs) enlisting the losses and the entitlement as per the SIMP, after verification. Verification exercise shall include actual measurement of the extent of

total property, loss/damage, and valuation of the loss/damage/affect along with the AE/JE HPPWD/ HPRIDCL. The NGO shall display the list of eligible PAPs in prominent public places like Villages, Panchayat Offices, Block/Tehsil headquarters, and the District Headquarters.

- During the identification and verification of the eligible PAPs/PAFs, the NGO shall ensure that each of the PAPs are contacted and consulted either in groups or individually. Asset valuation for the preparation of award.
- Participatory methods should be applied in assessing the needs of the PAPs, especially with regard to the vulnerable groups of PAPs.
- The methods of contact may include
 - (i) Village level meetings,
 - (ii) Gender participation through groups interactions, and
 - (iii) Individual meetings and interactions.

4.2 Counselling the Entitled Persons

The counselling shall include the following activities by the NGO:

- the NGO shall explain to the PAPs the need for land acquisition, the provisions of the policy and the entitlements as per the Social Impact Management Plan (SIMP). This shall include communication to the roadside squatters and encroachers about the need for their eviction, the timeframe for their removal and their entitlements as per the SIMP.
- Distribution of the relevant portions of the SIMP to each and every PAP to make them understand the entitlement packages in correct perspectives.
- The NGO shall disseminate information to the PAPs on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant.
- The NGO shall prepare micro-level plans for income restoration, in consultation with the PAPs. Women's perceptions are important to be incorporated in the development of these plans.
- NGO will monitor the involvement of child labour in the civil construction work in each package.

In all of these, the NGO shall consider women as a special focus group, and deal with them with care and sympathy.

4.3 Facilitation in Land Acquisition

- Facilitate affected families to update the records
- Facilitate the affected families to familiarize the entitlement under rehabilitation
- Facilitate the valuation with the approved valuer
- Facilitate the speedy negotiation of prices for private negotiation
- Co-ordinate CALA and PAFS for smooth disbursement
- Facilitate for private negotiation
- Suggest for speedy acquisition

4.4 Accompanying and representing the EPs at the Grievance Committee Meetings

- The NGO shall nominate a suitable person (from the staff of the NGO) to be a member of the GRCs for the respective contract packages.
- The NGO shall make the PAP aware of the grievance redressal committees (GRCs).
- The NGO shall train the PAPs on the procedure to file a grievance application and to confirm that a statement of claim from the concerned PAP accompanies each grievance application. The NGO shall help the PAPs in filling up the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC award.
- The NGO shall record the grievance and bring the same to the notice of the GRCs within 7 (seven) days of receipt of the grievance from the PAPs. It shall submit a draft resolution with respect to the particular grievance of the PAP, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting through the NGO representative in the GRC.
- To accompany the PAPs to the GRC meeting on the decided date, help the PAP to express his/her grievance in a formal manner if requested by the GRC and again inform the PAPs of the decisions taken by the GRC within 3 days of receiving a decision from the GRC. (The time frame for the GRC to take a decision is 15 days).

4.5 Assisting the EPs and the Client/ Social Specialist of HPRIDCL/ Implementing Authority/ CALA/ SDM concerned to Identity and Negotiate for the New Land for Resettlement

As part of the SIMP, it is proposed that a sizable number among the eligible PAFs will receive alternative land (commercial) building structures. Some of the more vulnerable among the PAFS will be eligible to receive these free of cost. Regarding these, the NGO shall,

- Obtain the PAPs choice in terms of Land identification
 - o Site for relocation
 - o Shifting plan and arrangements
 - o Grant utilization plan
 - o Community asset building plan and institutional arrangements in maintaining the assets.
- Assist the Client/ Social Specialist of HPRIDCL/ Implementing Authority/ CALA/ SDM/ PAPs in identifying suitable land for relocation and for agriculture, ensuring the replacement of the land lost in terms of quality and quantity.
- Identify suitable government land in consultation with the Revenue Department Officials and assist in negotiating its transfer to the PAPs/ CALA/ SDM at reasonable prices and motivate them to appreciate and welcome the new neighbours.

4.6 Assisting the eligible PAPs to take advantage of the existing Government Housing and Employment Schemes

With regards to the above, the NGO shall,

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

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

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

4.7 Inter-Agency Linkages for Income Restoration and other R&R Services

The NGO shall be responsible for establishing linkages with,

- Financial institutions for facilitating the PAPs to access credit.
- Government departments, district administration, etc., to ensure that the PAPs are included in the development schemes, as applicable;
- Training institutes for imparting skill and management training for enterprise creation and development.
- NGO shall conduct training Programme for income restoration for PAPs.
- NGO should prepare an Involuntary Resettlement (I.R). Plan
- For I.R activity the productive potential of the same project may be explored.

5. The NGO selected for the assignments shall be responsible to-

- Submit an inception report within a month; on signing up of the contract including a work plan for the whole contract including a work plan for the whole contract period, staffing and personnel deployment plan, and a withdrawal plan at the end of the period of contract. The withdrawal plan shall be detailed and reflect how the PAPs/PAFs will maintain the assets created and transferred to the PAPs/PAFs.
- Prepare monthly progress reports to be submitted to the Client/ Implementing Authority/ CALA/ SDM concerned, with weekly progress and work charts as against the scheduled timeframe of SIMP implementation.
- Prepare and submit quarterly reports on a regular basis, to be submitted to the Client/ Implementing Authority/ CALA/ SDM concerned.
- Valuation of Assets
- Submit a completion report at the end of the contract period summarizing the actions taken during the project, the methods and personnel used to carry out the assignment, and a summary of supports/assistance given to the PAPs.
- All other reports/documentation as described in these terms of reference.
- Record minutes of all meetings.

All progress reports shall include data on input and output indicators as required by the Client/ Implementing Authority/ CALA/ SDM concerned. Reporting in writing as well as photographs, videotapes etc., taken during the assignment shall be submitted in support of the reports, along with an electronic copy of the documents in a pen drive or a CD. All reports should be in English only. Accounts reports both on expenditure on administration as well as training and other heads shall be submitted with the quarterly and the completion reports. In addition to these above, the NGO shall, document in full details, the consultation/counselling processes, the process of identification of the resettlement sites, and a full description of the training imparted (on facilitated) as part of the assignment. This documentation shall be submitted to the HPRIDC as annual reports.

6. Condition of Services

The NGO shall ensure that the SIMP and R&R plan duly approved by the competent Authority is implemented in an effective and proper manner. The prime responsibility of the NGO shall be to ensure that each and every eligible PAPs receive appropriate and due entitlement (within the Entitlement Framework) and that, at the end of the project R&R services, the eligible PAPs have improved (or at least restored) their previous standard of living. Additionally, the NGO shall help the HPRIDCL in all other matters deemed to be required to implement the scheme of rehabilitation in its spirit and entirely including activities involving some financial implications.

All documents created, generated or collected during the period of contract, in carrying out the services under this assignment will be the property of the HPRIDCL. No information gathered or generated during and in carrying out this assignment shall be disclosed by the NGO without explicit permission of the HPRIDCL.

7. Timeframe for Services

The NGOs will be contracted for a period of **twenty four** months from the date of commencement, with a withdrawal methodology in built into the proposals from the NGO.

8. Data, Services and Facilities to be provided by the Client

The HPRIDCL will provide to the NGO the copies of the Social Impact Assessment (SIA) report/ PAPs' Census, the RAP, the land acquisition plan, strip plan final design report and any other relevant reports/data prepared by the Project Preparation Consultants. The HPRIDCL will assist the NGO in collaborating with the other departments. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for staff of the NGO, etc., shall be arranged by the NGO.

9. Deliverables/outputs: -

The organization shall deliver the following outputs. The time frame and no. of copies are proposed by the client and may be discussed and agreed during contract negotiations.

Sr. No	Output	Months from start	No. of copies
1.	Inception Report Draft Final	1 1.5	5+1SC 5+1SC
2.	Monthly progress Report	Monthly	5+1SC
3.	Database of PAPs, including video and still photos Draft Final	4 6	5+1SC 5+1SC
4.	Validation of Titleholders as per the requirement of sec 16 of RFCTLARRA 2013 Draft Final	4 6	5+1SC 5+1SC
5.	Valuers Report on Assets	2	5+1SC
6.	Preparation of draft R&R entitlements	6	4
7.	Preparation of Relocation Process of CPR and IR Draft Final	12 15	5+1SC 5+1SC
8.	Final Completion Report Draft Final	20 24	5+1SC 5+1SC

* SC- Soft Copy

10. Payment schedule

Sr. No	Deliverables	Payment schedule
1	On Submission of the Inception Report complete in all respect	10%
2	Monthly payment for evaluation structure on prorata basis	30%
3	Validation of affected families on pro rata basis	15%
4	After declaration of award by the Competent Authority	10%
5	After substantial completion of disbursements of R&R	15%

Sr. No	Deliverables	Payment schedule
6	Submission of Final Completion Report	10%
7	Approval of Final Completion Report	10%

Note:

50% of the invoice will be released on submission of reports/ database and balance 50% will be released after approval of reports by the Review Committee.

11. Overall experience

NGO must have worked in similar transportation projects during the last 15 years and should have the following experience:

1. Facilitating land acquisition in large infrastructure projects with a minimum value of Fifty Lakhs.
2. Experience in the state of Himachal Pradesh in RAP Implementation (at least two projects) preferably externally aided projects.
3. Average turnover of at least one crore in the past 5 years
4. At least one project of RAP Implementation of concentric in ports or hydel projects.

12. Team for the Assignment

The NGO shall depute a team of professional to the site. The constitution of the team and the qualification for the team members is given below: -

Sl. No.	Position	No. of Positions	Qualification
1.	Team Leader	1	The Team Leader should be a post-graduate, preferably in social sciences, and should have experience of working in civil engineering projects. S/he should have about 5 years' experience in implementation of R&R and rural development works. S/he should have held responsible position in the previous assignments should possess participatory management skills and should have good knowledge of the region and the local languages.
3.	Social and R&R Expert	1	Should be at least a graduate in social sciences. S/he should have about 5 years of working experience of which about 2 years in R&R or rural development projects. Should have a sound understanding of the land acquisition process and experience in participatory management. Knowledge of local language is a necessary qualification.
4.	Social Cum Communicati	1	Should be at least a graduate in social sciences. S/he should have about 5 years of working experience of

Sl. No.	Position	No. of Positions	Qualification
	on Expert		which about 2 years in R&R or rural development projects. S/he should have experience in livelihood analysis, developing and implementing vocational training, experience in participatory management. Knowledge of local language is a necessary qualification.
5	Valuer	1	Registered Valuer.
6.	Technical support professionals	Adequate as per the NGO	Should have a knowledge of CAD and proficient in MS Office.
7.	Field workers	Adequate as per the NGO	No minimum qualification, Knowledge of Revenue and proficient Communication