

Himachal Pradesh State Road Transformation Program (HPSRTP)

Resettlement Policy Framework

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**HIMACHAL PRADESH ROAD & OTHER INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD.**

(Government of Himachal Pradesh Undertaking)

(An ISO 9001:2008 QMS & ISO 14001:2004 EMS conforming company)

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Abbreviations

BPL	Below Poverty Line
CMU	Corridor Management Unit
COI	Corridor of Impact
CSA	Contract Supervision Agency
DC	Divisional/District Commissioner
ESCP	Environmental and Social Commitment Plan
FGDs	Focus Group Discussions
GoI	Government of India
GoHP	Government of Himachal Pradesh
GRC	Grievances Redress Committee
GRM	Grievances Redress Mechanism
ESIA	Environment and Social Impact Assessment
ESF	Environment and Social Framework
ESMU	Environment and Social Management Unit
HPPWD	Himachal Pradesh Public Works Department
HPRIDP	Himachal Pradesh Road and Other Infrastructure Development Corporation
HPSRTP	Himachal Pradesh State Road Transformation Project
MoEF	Ministry of Environment and Forest
PAPs	Project Affected Persons
PD	Project Director
PM	Project Manager
PIU	Project Implementation Unit
SEP	Stakeholder Engagement Plan
NGOs	Non-Government Organizations
RAP	Resettlement Action Plan
RoW	Right of Way
SC	Schedule Caste
ST	Schedule Tribe
SIA	Social Impact Assessment
SDO	Social Development Officer
TDP	Tribal Development Plan

Executive Summary

Project context and description

GoHP's program for transforming state level transport institutions, improving mobility and logistics for horticulture and overall economic growth in HP, connecting HP to the Bharatmala network, and enhancing Road Safety, sets the goal for the institutional transformation envisaged to be implemented under the proposed project. The Project Development Objective is to enhance the efficiency of the transportation, logistics and Road Safety institutions to stimulate horticulture and overall economic growth in Himachal Pradesh. The proposed operation comprises the following: Component 1: Building HP's Transport and Logistics Institutions, and Resilience; Component 2 - Component 2. Improving priority MDRs stimulating HP's horticulture and overall economic growth. This component will finance upgrading priority target collector roads/MDRs. Component 3: Enhancing Road Safety. Under Component 2 upgrading of approximately 77.25 km of roads connecting small holding farmers production and primary processing clusters to wholesale markets/SME clusters. The implementation of the core initiatives of the project is expected to result in: i) Improved efficiency of transport and logistics institutions; ii) Reduction in maintenance expenditure; iii) Reduction in transport cost for transporting products from production clusters to SME/wholesale markets along the project roads; iv) Reduction in road accident fatalities per 100,000 population in pilot areas.

Upgradation and Maintenance Corridors

In respect of infrastructure related interventions proposed under component, the project comprises 4 upgradation roads totalling 77.25 km across three districts, namely Solan, Bilaspur and Mandi districts of the state. Additionally, the project involves 150 km of maintenance roads & their location is presently unknown. The nature of activities under upgradation corridor are likely to involve: concentric widening, eccentric widening and as well as geometric improvements at necessary locations taking into account locations with blind spots and areas prone to landslides; design improvement including widening scheme, speed, embankment height and the rural but mountainous setting of the road. In addition, reconstruction, retaining with minor and extension are required in minor bridges, major bridges, pipe, slab and box culverts, etc. Project shall remodel bus stops (also locally known as rain shelters) that lie en-route. Maintenance activities for 150 km of maintenance corridors are likely to comprise: minor repairs works, curve improvements, blind spot improvements, provision of passing places on the road; small component on simple rehabilitation of bridge carriageway, components of retaining walls/ breast walls at critical locations, Bio-Engineering components etc., the routine maintenance tasks, periodic maintenance components, road safety component and emergency works etc.

Potential adverse impacts

The proposed sub-project roads chosen for upgradation are located in three districts & Solan, Bilaspur and Mandi. Screening was carried out for all four corridors, while detailed ESIA's were conducted for 2 priority upgradation corridors based on the final designs. Existing right of Way (RoW) details were collected from HPRIDC/HPPWD and verified with revenue records. The impact assessment indicated that that existing RoW is encroached at many locations by structures & residential, commercial and common property resources mainly near habitations and in market places. Based on these assessments and as it is anticipated that impacts of a similar nature are likely to be experienced in the remaining upgradation and maintenance corridors as well, pre-construction adverse social impacts are likely to be: loss of fertile agricultural and/or residential land; loss of structures used for residential, commercial and other purposes and associated loss of livelihood i.e., loss of livelihood due to impacts on sources of earning; impacts on owners/ titleholders, tenants, cultivators, non-titleholders (encroachers, squatters); differential impacts on vulnerable and disadvantaged population e.g. BPL, SC, ST, physically challenged, women headed households; loss of other properties and

assets such as boundary walls, ponds etc.; partial/minor of common property resources such as religious shrines/structures, school building, health centres, water resources (hand pumps), bus/rain shelters, etc.; temporary or permanent disruption of livelihood due to clearing of RoW particularly, petty shop owners, squatters and encroachers. Construction stage impacts are likely to include: loss of land due to land-slides resulting from hill cutting activities; cracks in structures or damage due to construction works e.g. hill cutting activities; drying up of seasons springs or streams due to construction works, dust emissions during construction leading to impacts on crops and trees resulting in lower yield or growth; road safety issue such as accidents due to increased traffic movement following road improvements; possibility of gender-based violence arising from influx of migrant labor for construction works; and likelihood of spread of HIV/AIDS among construction workers and road side community. These aspects are covered under the Corridor specific Environment and Social Management Plan.

Applicable Legal and Regulatory Framework

Applicable GOI, GoHP regulations & acts and policies and WB ESF and ESS include: Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR) and Rules 2015; Standing Order No 28 on acquisition of Land by Private Negotiation The Himachal Pradesh Road Infrastructure Protection Act, 2002 (and Rules 2004); The Himachal Pradesh roadside land control act 1968; The Right to Information Act, 2005; Provisions of the Panchayats (Extension to the Scheduled Areas); Act, 1996. In terms of the World Bank's ESF, besides the overarching ESS 1 that formed the basis for conducting the social impact assessment of risks and impacts, the ESS 5 on Land Acquisition Restrictions on Land Use and Involuntary-Resettlement deals with aforementioned social risks and issues. ESS-8 on Cultural-Heritage that shall cover impacts on the CPRs particularly those having religious and cultural value to the communities in the project area. ESS-10 on Stakeholder-Engagement-and-Information-Disclosure that aims to establish a systematic approach to stakeholder engagement and shall define the Project's modes of engagement with the PAPs, affected communities, other interested parties and disadvantaged and vulnerable groups in the project area.

Resettlement Policy Framework

The Resettlement Policy Framework has been prepared based on the assessments that included review of applicable legal and policy framework. The framework bridges the gaps to conform to the provisions of World Bank's ESS. It lays down the principles and procedures for management of social impacts caused by the project and guide the social impact assessment and preparation of Resettlement Action Plans. The suggestions and recommendations by different stakeholders were carefully examined to consider as an input for the preparation of Resettlement Policy Framework (RPF). Comparative analysis of World Bank ESF, 2016 (ESS 5 and other afore-mentioned relevant ESS) and RFCTLARR Act 2013 and GoHP Standing Order on Private Negotiations, reveals that there are several similarities and a few differences. Similarities include: preparation of detailed impact management plans including i) census & socio-economic surveys, ii) consultations and iii) disclosure, etc in case land is taken using the formal act. Private negotiations necessitated detailed consultations by project authorities but through district administration; iv) valuation of land at market value plus multiplication factor and solatium meets or might in cases, exceed the ESS 5 requirement of replacement cost, particularly when using Private negotiations method; v) R&R assistances for transition period, resettlement allowance, shifting allowance for those displaced and other support measures are provided and these meet the ESS 5 requirements. Differences between ESS 5 and GoI/GoHP approaches related to: i) non-recognition of non-titleholders (encroachers and squatters) as PAPs, ii) provision of entitlements for non-titleholders & such as provision of: any compensation for impacted assets (structures, trees, crops); assistances or support towards livelihood restoration or enhancement; assistances for permanent or temporary loss of income arising from physical or economic displacement, iii) three year residency period to be considered as affected family; iv) depreciation being considered in valuation of structures; v) lack of any additional provisions for vulnerable groups other than Scheduled Tribes and Castes.

In order to address the above-mentioned gaps, the Resettlement Policy Framework for the project addresses the gaps by providing compensation and assistances commensurate to impacts to all impacted persons regardless of title. Further it provides for all inclusion of all impacted persons by establishing the date of start of census survey as the cut-off date. In addition, it widens the definition of vulnerable group by including other vulnerable groups such as BPL, Women headed households, old aged persons, farmers whose status changes post acquisition, etc. In valuation, it does not take into account the depreciation in calculating compensation for structures.

Entitlement Matrix

The Entitlement Matrix of the project is as below:

Sl. No.	Impact	Entitled Unit	Entitlement Details
A. Loss of Private Agricultural, Home-Stead & Commercial Land			
1	Loss of Land (agricultural, homestead, commercial or otherwise) within the Corridor of Impact (COI)	Affected family (Land owner/Titleholder family and families with traditional land right/occupiers)	<p>For all land acquired through RFCTL&RR Act,2013; or land taken through Private Negotiation,</p> <p>i. Compensation/lease amount shall be calculated and payable in accordance with Sections 26 to 30 and Schedule I¹ of RFCTLARR Act 2013²</p> <p>ii. Partial Impact on Land: In case only part of any land plot is affected, and its owner desires the whole plot be acquired on grounds that the plot has become uneconomic or has been severed due to LA (under Section 94), the competent authority can award compensation for remaining part of the plot or award 25% of actual value upto of the remaining land holding as additional compensation, allowing the owner to retain the remaining land plot, if agreeable. OR in case of private negotiations, DNC will consider acquiring remaining unviable parcel at the same rate</p> <p>iii. For all land acquired RFCTL&RR Act,2013 or Private Negotiation, Rehabilitation and Resettlement Assistances as per Schedule II of Act 2013:</p> <p>iv. If as a result of land acquisition, the Affected family becomes landless³ or is reduced to the status of a 'small' or 'marginal' farmer, assistance amount of Rs. 5.0 lakhs OR annuity policies that shall pay not less than two thousand rupees per month Per family for twenty</p>

¹ Schedule I comprises compensation at market value of the land, including valuation of all assets (structures, trees, crops) attached to the land; multiplication factor of 1 as applicable for all of Himachal Pradesh; plus a 'Solatium' equal to the amount of compensation (100%) for land including all attached assets

² Schedule II provisions that would be relevant to this project are: i) sum of Rs. 5,00,000/-; ii) subsistence grant for displaced families; iii) transportation cost for displaced families; iv) one time financial assistance for cattle shed; v) one time financial assistance for artisans/small traders; vi) one time resettlement allowance; vii) waiver of stamp duty and registration charges; viii) Provision of housing units in case of displacement

³ Land Less- Defined as 'a particular land loser will be land less after acquisition of particular piece of land no single unit of land will be in his/her possession.

Sl. No.	Impact	Entitled Unit	Entitlement Details
			<p>years</p> <p>Each affected family shall be given a one-time "Resettlement Allowance" of Rs. 50,000/- only.</p> <p>v. Support for livelihood restoration/enhancement: Counselling, skill development/Training support shall be imparted through by RAP implementing agency, based on needs assessments This assistance includes cost of training and financial assistance for travel/conveyance and food. Project work opportunities too would be explored.</p> <p>vi. Refund of stamp duty and registration charges incurred for replacement land to be paid by the project; replacement land must be bought within a year from the date of payment of compensation to project affected persons</p>
B. Loss of Private Structures (Residential/Commercial)			
2	Structure within the Corridor of Impact (CoI)	Title Holder/ Owner	<p>i. Compensation in accordance with Sections 26 to 30 (and Schedule I of RFCTLARR Act 2013</p> <p>ii. Right to salvage material from affected structures</p> <p>iii. Three months advance notice to vacate structure</p> <p>iv. For those losing cattle shed, a one-time assistance of Rs. 25,000/- would be payable</p> <p>v. For each affected family of an artisan or self-employed or own non-agricultural land, that is displaced and must relocate, a one-time assistance of Rs. 25,000/- would be payable; and</p> <p>vi. One-time subsistence grant of Rs. 36,000/- for each affected family who are displaced and require to relocate;</p> <p>vii. One-time financial assistance of Rs. 50,000/-for each displaced family towards shifting/transportation cost for shifting of the family, building materials, belongings and cattle</p> <p>viii. Refund of stamp duty and registration charges for purchase of new alternative houses/shops at prevailing rates on the market value as determined. Alternative houses/shops must be bought within a year from the date of payment of compensation</p> <p>ix. <u>In case of partial impact</u>, 25% additional award to be paid on compensation award for the affected part of the structure to enable damage repair where the owner/occupier of his/her own will, interested to retain the remaining part of the structure, provided the unimpaired continuous use of the such structure is possible without hazards</p> <p>vii. For commercial PAPs, Support for livelihood restoration/enhancement: Counselling, skill development/Training support shall be imparted through by RAP implementing agency, based on needs assessments This assistance includes cost of training and financial assistance for travel/conveyance and food. Project work opportunities too would be explored.</p>
3	Structure	Tenants/	<p>i. Registered lessees will be entitled to an apportionment of the compensation payable to</p>

Sl. No.	Impact	Entitled Unit	Entitlement Details
	within the Corridor of Impact (CoI)	Lease Holders	<p>structure owner as per applicable local laws.</p> <p>ii. One-time financial assistance of Rs. 50,000/- as transportation and relocation cost In case of tenants, three months written notice will be provided to vacate. In case three months notice to vacate structures is not provided, then three months rental allowance will be provided in lieu of notice.</p>
C. Loss of Trees and Crops			
4	Standing Trees, Crops within the Corridor of Impact (CoI)	Owners and beneficiaries (Registered/ Un-registered tenants, contract cultivators, leaseholders & sharecroppers)	<p>i. Cash compensation as estimated under Section 29(3) of Act⁴ to be paid at the rate estimated by:</p> <ul style="list-style-type: none"> • The Forest Department for timber trees • The State Agriculture Extension Department for crops • The Horticulture Department for fruit/flower bearing trees. <p>ii. Three months advance notice to project affected persons to harvest fruits, standing crops and removal of trees, or compensation in lieu as determined above.</p> <p>Registered tenants, contract cultivators & leaseholders & sharecroppers will be eligible for compensation for trees and crops as per the agreement document between the owner and the beneficiaries.</p> <p>Un-registered tenants, contract cultivators, leaseholders & sharecroppers will be eligible for compensation for trees and crops as per mutual understanding between the owner and the beneficiaries</p>
D. Loss of Residential/ Commercial Structures to Non-Title Holders			
5	Structures within the Corridor of Impact (CoI) or Govt. land	Owners of Structures or Occupants of structures (Encroachers, Squatters) identified as per Project Census Survey	<p>For loss of House</p> <p>i. Compensation at PWD BSR without depreciation for structure</p> <p>ii. One-time subsistence grant of Rs. 36,000 (Rs. 3000 x 12) or Rs. 36,000/- payable over a period of 12 months/ one year</p> <p>iii. Shifting/transportation assistance of Rs.50,000/-</p> <p>iv. Encroachers shall be given three months notice to vacate occupied land.</p> <p>v. Right to salvage the affected materials</p> <p>For loss of shop⁵/cattle shed or work shed</p> <p>vi. Compensation at PWD BSR without depreciation for structure</p> <p>vii. One-time subsistence grant of Rs. 36,000 (Rs. 3000 x 12) or Rs. 36,000/- payable over a period of 12 months/ one year</p> <p>viii. One-time rehabilitation grant of Rs. 25,000/- for reconstruction of affected shop given to artisans</p> <p>ix. Shifting/transportation assistance of Rs.50,000/-</p> <p>x. Encroachers /Squatters shall be given three months</p>

⁴ The collector for the purpose of the assessing the value of the standing crops damaged during the process of land acquisition may use the services of experienced persons in the field of agriculture as may be considered necessary by him.

⁵ Small shop includes commercial kiosks and shanties where business is carried out

Sl. No.	Impact	Entitled Unit	Entitlement Details
			<p>notice to vacate occupied land</p> <p>xi. Right to salvage the affected materials</p> <p>xii. Support for livelihood restoration/enhancement: Counselling, skill development/Training support shall be imparted through by RAP implementing agency, based on needs assessments This assistance includes cost of training and financial assistance for travel/conveyance and food. Project work opportunities too would be explored.</p>
E. Loss of Livelihood			
6	Loss of employment in non-agricultural activities or daily agricultural wages or other wage earners	Livelihood loser	<p>Subsistence allowance equivalent to Minimum Wages/Minimum Agricultural Wages⁶ for 3 months</p> <p>Only agricultural labourers who are in fulltime / permanent employment of the land owner, or those affected full time employees of the business, will be eligible for this assistance. <i>Seasonal agricultural labourers will not be entitled for this assistance.</i></p>
7	Temporary loss of business	Business owners	Compensation for temporary loss of income due to loss of access shall be determined as per data on income collected during SIA, and paid commensurate to the period of loss of income
F. Additional Support to Vulnerable Group			
8	Families within the Corridor of Impact (CoI)	Vulnerable affected families	<p>i. One-time Resettlement Allowance of Rs. 50,000/-</p> <p>ii. Support for livelihood restoration/enhancement: Counselling, skill development/Training support shall be imparted through by RAP implementing agency, based on needs assessments This assistance includes cost of training and financial assistance for travel/conveyance and food. Project work opportunities too would be explored.</p> <p>iii. Additional Subsistence Grant of Rs. 50,000/- for displaced families belonging to Scheduled Caste and Scheduled Tribe category</p> <p>iv. Displaced vulnerable households will be linked to the government welfare schemes, if found eligible and not having availed the scheme benefit till date.</p>
G. Loss of Community Infrastructure/Common Property Resources			
8	Structures & other resources (e.g. land, water, access to structures etc.) within the Corridor of Impact (CoI)	Affected communities and groups	Reconstruction of community structure and common property resources, will be done in consultation with community
I. Temporary Impact During Construction			
12	Land and assets temporarily impacted during	Owners of land and assets	<p>Temporary losses incurred during construction will be paid by the contractor as determined below:</p> <p>i. Damaged structure: Compensation will be estimated as per latest Basic Schedule of Rates</p>

⁶ As per rates issued by Department of Labor, Government of project state for different skills and trades

Sl. No.	Impact	Entitled Unit	Entitlement Details
	construction		(BSR) of Public Works Department, without depreciation ii. Crops and Trees: Compensation for crops & tree damages will be estimated as per Section 29(3) of RFCTLARR Act ⁷ . All temporary use of land outside ROW, would be done based on written / prior approval of landowner and contractor
J. Provision of Resettlement Site/Vendor Markets			
12	Loss of residential and commercial structures	Displaced titleholders and non-titleholders	i. Appropriate permanent housing with minimum specified floor area at resettlement sites providing basic services and other provisions laid down in Schedule III (that details the type of infrastructure amenities at resettlement colonies) of RFCLTARR Act, 2013 ii. For a house is lost in rural areas , a constructed house shall be provided as per the Pradhan Mantri Awas Yojana specifications or equivalent cost of the constructed house in lieu, shall be payable, but not less than Rs. 1.3 Lakh ⁸ . for a house lost in urban areas , a constructed house shall be provided, which will be not less than 50 sq mts in plinth area, OR if the family opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than Rs. 1.5 lakhs. iii. This provision in lieu of provision of alternative house shall be provided to all displaced families without discrimination including resident owners, occupant land assignees, long term lessees and displaced squatters iv. The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area as identified during Census survey v. One displaced family will be eligible for only one land plot at resettlement site and only one shop in the vendor market vi. Vulnerable PAPs will be given preference in allotment of shops in vendor market. vii. The provision shall be extendable to mixed use structures fulfilling residential and commercial purposes in owner as well as untitled categories.

All the applicable R&R assistance amounts shall be indexed to Consumer Price Index for Agricultural labourers (CPIAL) for the state of Himachal Pradesh and therefore updated prior to payment.

⁷ The collector for the purpose of the assessing the value of the standing crops damaged during the process of land acquisition may use the services of experienced persons in the field of agriculture as may be considered necessary by him.

⁸ PMAY- Pradhan Mandri Awas Yojana stipulates a central Assistance of Rs.1.3 Lakh for Beneficiary Led Individual House Construction.

Institutional Arrangements for Implementation

The HPRIDC will establish ESMU for implementation of ESMP and RAP under CMU, which will be headed by an Executive Engineer and supported by Assistant Engineers and junior engineers. The CMU at package level/district level will support the Project Director, HPRIDC in managing the project at field level on behalf of him. The ESMU will have two divisions namely, Environment Management unit (EMU) and Social Management Unit (SMU). The SDO will be responsible for day to day handling of social, resettlement and land related issue with the help of NGO or support organisation to be hired for the purpose. The Social Development Officer will be assisted by Resettlement and Rehabilitation Officer at the Construction Management Unit level. Effective RAP implementation will require institutional relationships and responsibilities, rapid organisational development and collaborative efforts by HPRIDC, State Government, partner NGO and affected population. It is ideal to have representation of other line department's viz., revenue, forest, public health, rural engineering, etc. in ESMU. However, the final requirements shall be decided by HPRIDC. ESMU will link the project with state government agencies, provide liaison with HPRIDC field units and impacted communities, and establish district level committees to co-ordinate social development and resettlement operations in the field and also to assist NGO partners. It will also engage required training services, oversee a grievance redress process and actively monitor RAP implementation.

Internal Monitoring & External Evaluation

Internal monitoring will be the responsibility of the ESMU. The ESMU internal monitoring will include: (i) administrative monitoring: daily planning, implementation, feedback and troubleshoot, individual PAP file maintenance, and progress reports; (ii) socio-economic monitoring: baseline information for comparing PAPs socio-economic conditions, evacuation, demolition, salvaging materials, community relationships, dates for consultations, etc. Monitoring and evaluation reports documenting progress on resettlement implementation and RAP completion reports will be provided by the HPRIDC to World Bank for review.

The HPRIDC will engage the services of an independent agency not associated with project implementation to undertake external evaluation twice ó at mid and at end term. The external agency, with previous experience in resettlement activities and familiarity with Government and World Bank resettlement policy, will be engaged to monitor and verify RAP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. The external agency will undertake impact evaluation on a sample basis during mid-term and project completion.

Co-ordination with civil works

The land acquisition and resettlement implementation will be co-coordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of cleared COI sections to the contractors. The project will provide adequate notification, counselling and assistance to affected people so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation. The bid documents will specify the extent of unencumbered land to be handed over at the time commencement of works and subsequent milestones and this will be strictly followed to ensure that land is provided on a timely basis to the contractors and also plan implementation of land acquisition and resettlement in line with procurement and civil work time table

Grievance Redressal Arrangements

The GRC will have representatives from PAPs, ESMU, field level staff, district magistrate/commissioner, local administration, revenue authority and local community. The main responsibilities of the GRC are to: (i) provide support to PAPs on problems arising from land/property acquisition; (ii) record PAP grievances, categorize, and prioritize grievances and

resolve them; (iii) immediately inform the PMU of serious cases; and (iv) report to PAPs on developments regarding their grievances and decisions of the GRC and the PMU. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, compensation, relocation, replacement cost and other assistance. Grievances of PAPs will first be brought to the attention to the site office level of the HPRIDC which shall be redressed within two weeks from the receipt of complaints. Grievances not redressed by the HPRIDC staff (field level) will be brought to the Grievance Redress Committee (GRC) which shall be redressed within four weeks from the date of receiving the complaint at ESMU/CMU level. The PAP has the right to refer the grievances to appropriate courts of law at any stage of the process.

Budget

The RPF contains an estimated resettlement budget that includes the cost of LA, R&R assistances, purchase of goods and consultancy services such as hiring of agencies for RAP implementation and Impact evaluation, etc. The cost of LA and R&R has been budgeted as part of the overall project costs and shall be met with Government of Himachal Pradesh funds. The World Bank's loan will be available for costs such as works, purchase of goods and NGO consultancy, M&E services, if required.

Disclosure and updating of RPF

The HPRIDC will ensure that PAPs and other stakeholders are informed and consulted about the sub-project, its impact, their entitlements and options, and allowed to participate actively in the development of the sub-project. The RPF in full and its executive summary (translated in local language ó Hindi) shall be disclosed on HPRIDC website. Besides, RPF, other related documents available in public domain will include: i) RAP (summary in local language); ii) list of eligible PAFs for various R&R benefits; iii) progress reports on RAP implementation will be disclosed in accordance with the Stakeholder Engagement Plan. As per Access to Information Policy of the WB all project documents will also be available at the World Bank Portal. The RPF Framework shall apply to all project roads under HPSRTP and all associated facilities.

This RPF will be an 'up-to-date' or a 'live document' enabling revision, when and where necessary to provide for unexpected situations and/or changes in the project or subcomponent design or applicable regulatory framework.

1.0 Project Description

1. GoHP's program for transforming state level transport institutions, improving mobility and logistics for horticulture and overall economic growth in HP, connecting HP to the Bharatmala network, and enhancing Road Safety, sets the goal for the institutional transformation envisaged to be implemented under the proposed project. As such, this project will support the launching of GoHP's program focusing on strengthening the institutional base for transportation infrastructure and logistics services administration.
2. The proposed Project Development Objective is to enhance the efficiency of the transportation, logistics and Road Safety institutions and improve priority Major District Roads to stimulate horticulture and overall economic growth in Himachal Pradesh. The proposed operation comprises the following Components and sub-components:

Component 1. Building HP's Transport and Logistics Institutions, and Resilience, including:

- Sub component 1.1: Re-establishing the Himachal Pradesh Road and Infrastructure Development Corporation (HPRIDC) and building resilience. The objective is to support GoHP's initiative to create a corporate entity responsible for the administration of HP roads and delivering safe, resilient and well performing roads supporting the horticulture and overall economic development of the State. This involves, re-establishing HPRIDC as the road asset and other public infrastructure manager, responsible for the development and maintenance of all roads and other infrastructure under the jurisdiction of the HPPWD.
- Sub component 1.2: Supporting the commercialization process of the direct labor operations and promoting competitive performance-based maintenance contracting. The objective is to support GoHP's initiative to improve the efficiency of maintenance execution and reduce maintenance cost, by laying the ground for the full commercialization of HPPWD's direct labor operations.
- Sub component 1.3: Establishing HP Motor Vehicle Administration (HPMVA), Strengthening the Directorate of Transportation of HPDOT and developing logistics system and strategy. The objective is to deliver efficient customer services, as well as competitive, safe and clean/less pollutant transportation in HP.

Component 2. Improving fruit belts stimulating HP's horticulture and overall economic growth.

This component will finance upgrading priority target collector roads/MDRs. The upgrading of approximately 77.25 km of roads connecting small holding farmers production and primary processing clusters to wholesale markets/SME clusters.

Component 3: Enhancing Road Safety, including:

- Sub component 3.1: Promoting the "Safe System" This support focuses on strengthening enforcement on state roads and critical accident spots along rural roads, by enhancing patrolling and establishing emergency response system.
 - Sub component 3.2: Promoting the "Safe Corridor initiative" The Safe Corridor initiative will support the state highway patrol by providing surveillance equipment (CCTV cameras for speed control, accident recording, etc.), variable messaging system (VMS), training the police, and establishing emergency response posts.
3. The implementation of the core initiatives of the project is expected to result in: i) Improved efficiency of transport and logistics institutions; ii) Reduction in maintenance expenditure; iii) Reduction in transport cost for transporting products from production clusters to SME/wholesale markets along the project roads; iv) Reduction in road accident fatalities per 100,000 population in pilot areas.

2.0 Sub-Project Roads

4. Under HPSRTP, the following four corridors are being taken up for upgradation works. In addition, 150 km roads will be taken up for maintenance ó locations of which are not finalized. Details of upgradation corridors are provided in Table 1.

S.No	Name of the Road	District	Length (in Km)
1	Baddi ó Sai ó Ramshahr	Solan	34.00
2	Dadhol óLadrour	Bilaspur	13.500
3	Mandi óRewalsar ó Kalkhar	Mandi	27.000
4	Raghunathpura-Mandi-Harpura- Bharari	Bilaspur	2.7500

3.0 Nature of proposed activities

5. The nature of proposed activities for the upgradation and maintenance corridors is given below:

Upgradation activities: The proposed improvement of project road comprises concentric widening, eccentric widening and as well as geometric improvements at necessary locations taking into account locations with blind spots and areas prone to landslides. Design improvement in the project road is done taking into consideration of lane configuration, widening scheme, speed, embankment height and the rural but mountainous setting of the road. The existing substandard geometry in rural area has been eliminated. In addition, reconstruction, retaining with minor and extension are required in minor bridges, major bridges, pipe, slab and box culverts, etc. Project shall remodel bus stops (also locally known as rain shelters) that lie en-route.

Maintenance activities: The 150 km of maintenance corridors are likely to comprise: minor repairs works, curve improvements, blind spot improvements, etc. Specifically it shall include: rehabilitation of pavements to achieve certain level, improvement of road junctions & intersections, provision of pilot ground water recharging using the road runoff & enhancement of natural springs, provision of passing places on the road as per requirement & IRC Codes & , norms narrow curves/reaches and other important locations, small component on simple rehabilitation of bridge carriageway, components of retaining walls/ breast walls at critical locations, Bio-Engineering components etc., the routine maintenance tasks, periodic maintenance components, road safety component and emergency works etc.

4.0 Key social issues and likely adverse impacts

6. The proposed sub-project roads chosen for upgradation are located in three districts ó Solan, Bilaspur and Mandi, while the location of 150 km roads proposed for maintenance is presently unknown. These districts with varying geo-climatic conditions and are exposed to varying degrees of environmental and social risks and impacts. Social screening surveys and initial impact assessment were conducted for all the proposed roads ó both upgradation and maintenance. ESIA's were conducted for all 4 upgradation corridors. However, as the final designs were ready only for two of the four corridors, ESIA's too were finalized only for two corridors and these would be taken in Year I of project implementation. Right of Way (RoW) details were collected from the concerned authorities (State PWD) and were verified with revenue records. The initial impact assessment for all roads and detailed ESIA's for candidate roads indicated that that existing RoW is not fully free from encumbrances and at many places it is encroached and squatted upon by the people for various purposes (residential and commercial) mainly near habitations and in market places. Specifically, the following adverse social impacts were observed. Impacts of a similar nature are likely to be experienced in the remaining upgradation and maintenance corridors as well.

Pre-construction stage

- Loss of fertile agricultural and/or residential land;
- loss of structures used for residential, commercial and other purposes and associated loss of livelihood i.e., loss of livelihood due to impacts on sources of earning;
- impacts on owners/ titleholders, tenants, cultivators, non-titleholders (encroachers, squatters)
- differential impacts on vulnerable and disadvantaged population e.g.BPL, SC, ST, physically challenged, women headed households
- Loss of other properties and assets such as boundary walls, ponds etc.;
- Partial/minor of common property resources such as religious shrines/structures, school building, health centres, water resources (hand pumps), bus/rain shelters, etc.;
- Temporary or permanent disruption of livelihood due to clearing of RoW particularly, petty shop owners, squatters and encroachers;

Construction stage

- Loss of land due to land-slides resulting from hill cutting activities
- Cracks in structures or damage due to construction works e.g. hill cutting activities
- Drying up of seasons springs or streams due to construction works
- Temporary & short duration or prolonged disruption to services such as water supply, power supply
- Disruption to access from houses or shops to the road;
- Disruption to traffic movement leading to time delays;
- differential impacts on vulnerable and disadvantaged population such as constraining their access, movement;
- Dust emissions during construction leading to impacts on crops and trees resulting in lower yield or growth;
- Likelihood of increased accidents due to increased traffic movement following road improvements;
- Possibility of gender-based violence arising from influx of migrant labor for construction works & a common practice in Himachal Pradesh; and
- Likelihood of spread of HIV/AIDS among construction workers and road side community.

Post-Construction/Operational stage

Increase in vehicular movement would result in:

- Increase in chances of accidents
- Increase in dust and noise emission
- Potential influx of outsiders into the project area

7. The initial four sub projects are estimated to impact approximately 2-3 hectares of private land, approximately 350 structures and approximately 50-60 CPRs. Actual number of impacts in the 150 km maintenance corridor would be known once the locations are identified, designs are finalized and the ESIA's are carried out. However, the nature of works in maintenance corridors are such that the anticipated impacts are likely to be minimal.

5.0 Applicable legal and regulatory framework and Bank's ESF

8. A review of the existing environmental and social legal and regulatory framework in terms of their relevance and applicability to the sub-project road is presented in this section. Table 2 lists all the applicable GOI regulations and their relevance to this sub-project.

Table 2: Summary of Applicable Legal and Regulatory Framework of GOI/GoHP to HPSRTP			
S.No.	Act / Rules	Key provisions and purpose	Applicability to Project Road
1	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR)	The act provides for a transparent process and fair compensation in land acquisition for public purpose and provides for rehabilitation and resettlement of land owners and those affected by land acquisition. It comprises four schedules that provide the minimum applicable norms for compensation based on market value, multiplier and solatium; resettlement and rehabilitation (R&R) entitlements to land owners and livelihood losers; and facilities at resettlement sites for displaced persons, besides providing flexibility to states and implementing agencies to provide higher norms for compensation and R&R.	Applicable to all sub-projects when land is required to be taken on involuntary basis i.e. if land is not taken on direct purchase from the owner
2	The Himachal Pradesh Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and Consent) Rules 2015,	Provides the rules for operationalizing the provisions of the above-mentioned act	Applicable to all sub-projects when land is required to be taken on involuntary basis i.e. if land is not taken on direct purchase from the owner
3	Acquisition of Land by Private Negotiation and Upkeep of Land Record/General Guidelines and Instruction (Standing Order No .28)(PBW(B)F(5)40/2017-PWD/ GoHP, January 2018	For speedier acquisition of land, the process of acquisition by private negotiations with the interested landowners have proved to be beneficial to both the parties i.e. landowners as well as acquiring department, Government of Himachal Pradesh in January 2018 publish the order to execute for infrastructure projects. If it is found that acquisition of land is imminent for a public purpose, following two options will be available with the concerned department i) Acquisition by private negotiation. ii) Compulsory acquisition under the provisions of the new Land Acquisition Act Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.	Either of the options would be used for acquiring land under the project. However HPRIDC's preferred option is private negotiations as it has helped HPRIDC in the past few years, to avoid lengthy and time consuming land acquisition processes, failing which HPRIDC shall resort to land taking using the Act.
4	The Himachal Pradesh Road Infrastructure Protection Act, 2002 (and Rules 2004)	The Act defines road infrastructure that includes: roads, paths and streets for transport or communication and also shall include: - (i) acquired road land width; (ii) all types of road and their structure, such as road pavements, shoulders, retaining walls, breasts walls, (iii) any structure ancillary to road transport and communication system; (iv) bridges including approaches, return walls, wing walls, protection works and allied structures;(v) expressways including interchanges, (vi) road furniture, such as parapets, railings, etc. No person shall: encroach upon the Government land under road infrastructure; iii) raise any permanent, temporary or movable structure on or from road infrastructure;	Applicable to all roads in HP specifically to address the issue of encroachments

Table 2: Summary of Applicable Legal and Regulatory Framework of GOI/GoHP to HPSRTP			
S.No.	Act / Rules	Key provisions and purpose	Applicability to Project Road
5	The Himachal Pradesh roadside land control act 1968	Act has provisions for restriction on buildings etc., in a controlled area no person shall erect or re-erect any building or make or extend any excavation or lay out means of access to a road in a controlled area.	Applicable to all roads in HP specifically to address the issue of encroachments
6	The Right to Information Act, 2005	The Act provides for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.	Applicable to the project as a whole.
7	The Rights of Persons with Disabilities Act, 2016	The Act ensures that persons with disabilities enjoy the right to equality and non-discrimination in all aspects of life. Every entity has to comply with the accessibility standards relating to physical environment, transport and information and communication technology as per the standards prescribed in the RPD Act. These include barrier free built environment having elevators/ramps for the benefit of wheelchairs. In respect to Access to Transport- mentioned that-the appropriate Government shall take suitable measures to provide, (a) facilities for persons with disabilities at bus stops, railway stations and airports conforming to the accessibility standards relating to parking spaces, toilets, ticketing counters and ticketing machines;(b) access to all modes of transport that conform the design standards, including retrofitting old modes of transport, wherever technically feasible	Applicable to the project road infrastructure in terms of making it more accessible.
8	The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	This law provides for recognition of forest rights to Scheduled Tribes in occupation of the forest land prior to 13.12.2005 and to other traditional forest dwellers who are in occupation of the forest land for at least 3 generations i.e. 75 years, up to maximum of 4 hectares. These rights are heritable but not alienable or transferable.	Applicable, if maintenance corridors are chosen in such tribal dominated areas.
9	The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996	One of the important provisions of this act states "The Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-settling or rehabilitating persons affected by such projects in the Scheduled Areas.	Applicable to "Scheduled Areas" if any maintenance corridors are chosen in the districts of Lahaul-Spiti, Kinnaur, Chamba district (Pangi & Barmour blocks) that are designated Scheduled Areas of the state.

6.0 World Bank ESF Policy, Directives and Standards – Extent of Relevance

9. Section below discusses the relevance of ESS 5 in particular and briefly describes a few relevant ESS and Directives that need to be considered in conjunction with ESS 5 for devising this RPF.

Table 3: Relevance of ESF (Policy, Directives, Standards) and Requirements in HPSRTP

World Bank ESS Policy, Standards, Directive	Objectives	Requirements	Relevance to the sub-project/project
World Bank Environment and Social Policy for Investment Project Financing	It sets out the mandatory requirements of the Bank in relation to the projects it supports through Investment Project Financing.	The types of E&S risk and impacts that should be considered in the environmental and social assessment. The use and strengthening of the Borrower's environmental and social framework for the assessment, development and implementation of World Bank financed projects where appropriate.	Applicable to this project
ESS-1 Assessment and Management of Environmental and Social Risks and Impacts	Identify, assess, evaluate, and manage environment and social risks and impacts in a manner consistent with the ESF. Adopt differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable, and they are not disadvantaged in sharing development benefits and opportunities	The types of E&S risk and impacts that should be considered in the environmental and social assessment. The use and strengthening of the Borrower's environmental and social framework for the assessment, development and implementation of World Bank financed projects where appropriate.	E&S risks and Impacts have been identified based on surveys and consultations with primary stakeholders including communities and implementing agency
ESS-5 Land-Acquisition-Restrictions-on-Land-Use-and-Involuntary-Resettlement	Avoid or minimize involuntary resettlement by exploring project design alternatives. Avoid forced eviction. Mitigate unavoidable adverse impacts from land acquisition or restrictions on land use by providing compensation at replacement cost and assisting displaced persons in their efforts to improve, or at least restore, livelihoods and living standards to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. Improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure. Conceive and execute resettlement activities as sustainable development programs.	Applies to permanent or temporary physical and economic displacement resulting from different types of land acquisition and restrictions on access. Does not apply to voluntary market transactions, except where these affect third parties. Provides criteria for 'voluntary' land donations, sale of community land, and parties obtaining income from illegal rentals. Prohibits forced eviction (removal against the will of affected people, without legal and other protection including all applicable procedures and principles in ESS5). Requires that acquisition of land and assets happens only after payment of compensation and resettlement has occurred. Requires community engagement and consultation, disclosure of information and a grievance mechanism.	Land will be required for widening, upgradation works in identified corridors and possibly for rehabilitation corridor works, curve/geometric improvements, blind spots, etc. Hence impacts on land, private and community owned assets including structures, trees and crops within existing and proposed ROW is likely. Physical and economic displacement too is very likely. Under this project land if any is required, shall be procured either through i) Private negotiations; or ii) LA Act 2013

10. Other relevant ESS are briefly described below:

- ESS-8 on Cultural-Heritage aims to protect cultural heritage from the adverse impacts of project activities and support its preservation. Address cultural heritage as an integral aspect of sustainable development. Promote meaningful consultation with stakeholders regarding cultural heritage. The alignment of the project road does not have any ancient monuments and/or archaeological site(s), protected but it has a few religious structures/shrines of local importance that are expected to be partially impacted by the proposed road improvement activities
- ESS-10 on Stakeholder-Engagement-and-Information-Disclosure aims to establish a systematic approach to stakeholder engagement that helps Borrowers identify stakeholders and maintain a constructive relationship with them; aims to promote and provide means for effective and inclusive engagement with project-affected parties throughout the project life-cycle and ensure that appropriate project information is disclosed to stakeholders in a timely, understandable, accessible and appropriate manner. It requires stakeholder engagement throughout the project life cycle, and preparation and implementation of a Stakeholder Engagement Plan (SEP). It also requires the Project Implementing agency to establish and implement a grievance mechanism to receive and facilitate resolution of concerns and grievances. The grievance mechanism needs to be proportionate to the potential risks and impacts of the project and be accessible and inclusive.
- Bank Directive Addressing Risks and Impacts on Disadvantaged or Vulnerable Individuals or Groups: This Directive applies to Bank in addressing E&S risks and impacts on disadvantaged and vulnerable persons or groups that are identified in these project corridors.

7.0 Need and Purpose of RPF

11. The Social Impact Assessment (SIA) for the following two sub-project roads will be finalized, approved and disclosed by project appraisal stage:

- i. Baddi - Sai - Ramshahr (in Solan district)
- ii. Dadhol & Ladraur (in Bilaspur district)

12. However, there are two more upgradation corridors & that are yet to be finalized and 150 km maintenance corridors & these locations are yet to be identified. Hence, the preparation of Resettlement Action Plans for all these roads cannot commence at present, therefore necessitating preparation of a Resettlement Policy Framework (RPF). Once DPRs with final designs and details of all activities are firmed up, ESIA to assess risks and impacts shall be carried out and mitigation plans as per provisions of the RPF will be prepared and implemented. This aspect shall be explicitly stated in the Environment and Social Commitment Plan (ESCP).

8.0 Principles and Scope of RPF

13. The Resettlement Policy Framework has been prepared based on the assessment findings conducted thus far and from the review of applicable legal and policy framework discussed above. The framework bridges the above-mentioned gaps to conform to the provisions of World Bank's ESS. It lays down the principles and procedures for management of social impacts caused by the project and guide the social impact assessment and preparation of Resettlement Action Plans. It brings together and built upon the current good practices in terms of procedures to address more systematic and institutional issues; and establish institutional arrangements at project and state for the implementation of RAP. This Framework shall apply to all project roads

under HPSRTP and all associated facilities⁹ whether partly or fully funded by World Bank during the entire period of loan assistance.

14. Based on the above analysis of Government statutes and the World Bank ESF, the following resettlement principles will be adopted to this project:

- **Screen** the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socio-economic survey of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. Take due precautions to minimize disturbance to human habitations, tribal areas and places of cultural significance. Measures to avoid and minimize involuntary resettlement impacts include the following: (i) explore alternative alignments which minimize impacts, (ii) ensure the appropriate technology is used to reduce land requirements, (iii) modify the designs, cross sections, and geometrics of components to maximize usage of the available Corridor of Impact or the available RoW and ensure involuntary resettlement is avoided or minimized.

Where displacement is unavoidable, improve, or at least restore, the livelihoods of all displaced persons through; (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, and (iii) prompt compensation at full replacement cost for assets that cannot be restored.

- **Ensure** that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets at replacement value.
- **Improve** the standards of living of the displaced poor and other vulnerable groups, including women, to national minimum standards or standard before displacement whichever is higher.
- **Carry out** meaningful consultations with displaced persons, host communities, and concerned agencies/departments. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay attention to the needs of disadvantaged and vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations.
- **Prepare** a Social Impact Assessment (SIA) and Resettlement Action Plan (RAP) elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- **Identify vulnerable families** will be identified and provided additional support in their efforts to improve their living standards.

⁹*Associated Facilities as per ESF, World Bank 2016*, means facilities or activities that are not funded as part of the project and, in the judgment of the Bank, are: (a) directly and significantly related to the project; (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist. For facilities or activities to be Associated Facilities, they must meet all three criteria.

- **Disclose** a draft resettlement action plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement action plan and its updates to displaced persons and other stakeholders.
- **Pay** compensation and provide all resettlement entitlements before physical or economic displacement and before commencement of civil works in that stretch of the sub-project. Implement the resettlement plan under close supervision throughout project implementation.
- **Establish** an accessible grievance redressal mechanism to receive and facilitate resolution of the concerns of displaced persons within stipulated time-frames.
- **Monitor** and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by considering the baseline conditions and the results of resettlement monitoring.

9.0 Comparative Analysis of key national, state acts and policies versus Bank ESF

15. ESS 5 applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation.
 - a) Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
 - b) Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures.
 - c) Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
 - d) Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;
 - e) Displacement of people as a result of project impacts that render their land unusable or inaccessible;
 - f) Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
 - g) Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
 - h) Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.
16. The above stated scope for application of ESS 5 covers both the approaches that shall be adopted by HPRIDC to acquire land for this project when necessary. This section describes the approach under the Standing order for private negotiations and change to the acquisition mode under LA Act 2013.
17. **Acquisition of Land by Private Negotiation (Standing Order No. 28)** and additional guidelines to support the existing Standing Order on Private negotiations to execute for infrastructure projects by Financial Commissioner Government of Himachal Pradesh, January 2018. As the acquisition of land often takes considerable time and execution of the projects gets

delayed and for speedier acquisition of land, the process of acquisition by private negotiations with the interested landowners have proved to be beneficial to both the parties i.e. landowners as well as acquiring department. In case, it is found that acquisition of land is imminent for a public purpose, following two options will be available with the concerned department, which are contained in Himachal Pradesh Financial Commissioner Standing Order No.28. &

- i. Acquisition by private negotiation.
- ii. Compulsory acquisition under the provisions of the new Land Acquisition Act & Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.&

18. In order to facilitate the process for land acquisition through private negotiation, there are two committees i.e. District Negotiation Committee (DNC) and District Land Price Fixation Committee (DLFC). DNC is constitute of the following members, examines and recommend the cases of land acquisition under private negotiation to the Government.

Deputy Commissioner of the respective District	Chairman
Superintending Engineer of Civil Circle	Member
Sub-Divisional Magistrate	Member
Executive Engineer, HPPWD Circle	Member
Tehsildar of concerned Tehsil	Member
Land Acquisition Collector	Member Secretary

19. The District land price fixation committee (DLFC)& role is to determine market prices for land at the district level with the following members. The DLFC& role in the process is to help arrive at the replacement value of land and other assets and assist DNC in its negotiations with the PAPs on the proposed values. The DLFC fix the replacement cost of land and other immovable assets as per the provision of Section 26, 27, 28, and 29 and Schedule I of RFCTLARR Act 2013.

Deputy Commissioner	Chairman
Sub Divisional Magistrate	Member
Tehsildar	Member
District Revenue Officer	Member

20. Key features and approach under the Standing order for private negotiations are as follows:

- There is no provision for conducting of SIA,
- Section 11 (1) issuance is the cut-off date
- Project authorities issue Section 11 (1) preliminary notification directly which includes: 1) details of land to be acquired in rural and urban area,2) a statement of the nature of the public purpose involved, reasons necessitating the displacement of affected persons etc
- Notices are issued in official gazette, local dailies and uploaded on website etc. as specified in Act
- Private negotiations provide the opportunity to affected persons to put forth their views and objections
- The DLFC fixes price as per provisions under Section 26-29 of the RFCTLARR Act and Schedule I on multiplier.
- 100% solatium on determined value provided on all assets on land.
- Also, structures are valued as per Basic Schedule of Rates including depreciation
- Negotiations are initiated within a week of issuance of Section 11 (1)
- The negotiations are conducted revenue village-wise involving land loser group in order to maintain transparency.
- There are maximum about 3 rounds of negotiations.

- Though the maximum period upto which the negotiations can be carried out is upto a period of 1 year (i.e. till the Section 11 (1) does not lapse), in practice, negotiations conclude within 1.5 months to two months.
 - When the negotiation committee constituted for the purpose by the Govt. successfully concludes the market value of the land with the owners as per the general instructions and further acceptance by the land owners, the detailed proceedings to this effect would be drawn and sent to the Govt. for approval of the negotiated rates through the Deputy Commissioner concerned without any delay.
 - The statement of landowners in context of acceptance of the negotiated rates are recorded and retained as evidence in the record.
 - Approval of negotiated rates and transfer of land in favour of the department by taking possession from the land owners and getting the mutations attested. No reference is allowed against the award (under Section 23) as it is done on mutual consent negotiation basis.
 - The entire negotiated amount will be paid in a single instalment within one month of negotiations either by electronic transfer (routine mode) or by cheque if affected persons request
 - Upon PAPs request authorities consider and acquire such unviable land holdings
 - The standing order guidelines 2018 also provide for statutory benefits and it means the same as the assistances under the Act and as specified in Schedule II & III.
 - There are no special provisions for vulnerable groups/persons
 - However, thus far no loss of livelihood has been compensated either through job, annuity or provision of Rs. 500000/-
 - There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act. In the event any deductions are made toward taxes, such amounts will have reimbursed.
21. For PAPs with whom negotiations conclude successfully, awards are initiated, but for the other land acquisition is continued with other sections as per LA Act. Since the Section 11 (1) is already issued, subsequent notifications of Section 15 (1), 19 (1) etc. are carried out as per the Act till the payment of compensation and other eligible R&R assistances.
22. A comparison between RFCTLARR Act, HP Private Negotiations (Standing Order -28) and Guidelines, 2018, and World Bank's ESF is summarized here. Annexure 1 presents the details along with gap-filling measures reflected in the entitlement matrix of the RPF that is applicable to HPSRTP.
- The Act, like provisions of ESS, requires SIAs for projects involving land acquisition with elaborate process of consultation at every notification stage. The standing order for private negotiations has no such provision for conducting SIA, but negotiations requires detailed consultations but only with land owners.
 - In determination of land value under the Act as well as per Standing Order for private negotiations, computation provisions from Section 26-30 of Act are used. The Standing Order provides for application of statutory provisions of multiplication factor and 100% solatium. A multiplication factor 1 (as is applicable across Himachal Pradesh) is taken into consideration while calculating the final amount. This is treated as the Base price for conducting negotiations. In case of private negotiations, in practice, determination of compensation goes upto a maximum of 5-10% higher than the rate determined through the act. ESS 5 requires replacement cost of land to be determined.
 - Act in its computation of compensation for structures takes depreciation into account and is not explicit about providing replacement cost of structures, though presumably the provision of 100% solatium will help arrive at replacement cost of structures or higher. GoHP standing order and guidelines too follows this principle of taking depreciation into account while

determining cost of structures and also provides for 100% solatium on these assets. ESS 5 requires replacement compensation for structures without depreciation

- The Standing order similar to the act requires that the value of trees, plants, or standing crops damaged to be compensated as determined under Section 29 of the Act. The standing order also provides for 100 percent solatium for these assets.
- GoHP standing order and guidelines too follows this principle of taking depreciation into account while determining cost of structures and also provides for 100% solatium on these assets
- The Act similar to World Bank requires compensation to be paid, prior to project taking possession of any land and provide R&R support including transitional support and moving allowances. In case of Standing order, all payments are required to be paid in one single instalment to the affected land owner prior to taking over land and its transfer to the project.
- Cut-off date for determining the compensation and entitlements and assistance to all those who are affected by the project irrespective of the ownership of titles. According to the RFCTLARR Act, the cut-off date for assistance to those depending on affected private lands is three years preceding the acquisition and for the titleholders it is the date of notification under the said Act. To bring this RPF in line with World Bank requirements, RPF mandates that while in the case of land acquisition, the date of issue of public notice of intended acquisition under Section 4(1) under the Act will be treated as the cut-off date for title holders. In case of private negotiations date of issuance of Section 11 (1) notification shall be treated as the cut-off date. In case of non-titleholders such as squatters and encroachers, cut-off date will be the start date of the census survey.
- In case of all affected non-title holders, suitable compensation (ex-gratia payments) for loss of assets and R&R assistance is proposed in the entitlement matrix. GoHP standing order does not have any provisions for non-titleholders as it deals only with private land owners and does not recognize encroachments and squatters on private land that is to be acquired.
- Further under the Standing Order, there is no provision for R&R assistances (for shifting, subsistence, livelihood loss, etc.)
- There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act. In the event any deductions are made toward taxes, such amounts will have reimbursed.
- Also similar to provisions laid down in RFCTLARR Act 2013, World Bank ESF (under ESS 5 & 7) requires consultation with PAPs during planning and implementation of resettlement action plan, Tribal Development Plan and public disclosure of drafts.

23. In the event of any conflict or inconsistency between the provisions of this GOI, RFCTLARR Act 2013, Standing Order of GoHP and the RPF and the provisions of World Bankø ESF, the provisions of the ESF, 2016 shall prevail.

10.0 Definitions

24. In this Resettlement Policy Framework, following terms shall mean as described below, unless the context requires otherwise,

- **Affected family:** As defined in RFCTLARR Act 2013 and also as identified from the Census-Socioeconomic survey carried for the specific corridor.
- **Agricultural Land:** land used for: (i) agriculture or horticulture; (ii) dairy farming, poultry farming, pisciculture, sericulture, seed farming, breeding of livestock or nursery growing

medicinal herbs; (iii) raising of crops, trees, grass or garden produce; and (iv) land used for the grazing of cattle.

- **Agricultural labourer:** means a person primarily resident in the affected area for a period of not less than five years immediately before the declaration of the affected area, who does not hold any land in the affected area but who earns his livelihood mainly by manual labour on agricultural land therein immediately before such declaration and who has been deprived of his livelihood;
- **Assistance:** All support mechanisms such as monetary help (R&R assistances), services, trainings or assets given to Project Affected Persons/Project Affected Families constitute assistance in this project.
- **Below poverty line (BPL) family:** means below poverty line families as defined by the Planning Commission of India, from time to time and those included in the BPL list for the time-being in force;
- **Commissioner** means the Commissioner for Rehabilitation and Resettlement appointed under sub-section (l) of section 44 of RFCTLARR Act 2013;
- **Compensation:** Compensation refers to: i) amount negotiated with the land owner based on the private negotiations method (under Standing order No 28); ii) restitution made to property under Sec 26-30 as per provisions laid down in RFCTLARR Act 2013;
- **Corridor of impact (COI):** Refers to the minimum land width required for construction including embankments, facilities and features such as approach roads, drains, utility ducts and lines, fences, green belts, safety zone, working spaces etc. Additional land width would be acquired/purchased or taken on temporary lease if the Corridor of Impact extends beyond the available/existing Right of Way;
- **Cut-off Date:** For title holders, the date of first notification & Section 4 (1) under LA Act 2013 will be treated as the cut-off date, and for non-titleholders the start date of project census survey for that sub-project will be the cut-off date. In case of acquisition by Private negotiations, cut off date is the first date of notification shall be Section 11 (1) for Title holders. Note: In case of longer alignments with possibilities of change in route alignment, project authorities may establish two cut off dates for two different sections.
- **Displaced family** means any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area;
- **Encroacher:** Any person illegally occupying public property by extending their land boundary or a portion of their building onto the existing government land or RoW is an encroacher.
- **Entitled Person (EP):** Entitled Person includes all those who qualify for, or are entitled to, compensation / assistance since being impacted by the project. The basis for identification of Entitled Persons (EP) in the project will be the cut-off date (for NTH) and first notification for land acquisition (for TH).
- **Kiosk:** A kiosk is a booth/stall/cabin/cubicle made of wood or iron or any other building material which could be shifted to another location as a single unit without much damage and is used for carrying out petty business/ commercial activities and has been in operation/existence prior to cut off date;
- **Landowner:** A person who is an allottee or a grantee of any land under any scheme of the Government under which such allotment or grant is to mature into ownership, who has mortgaged his land (or any portion thereof) or who has permanent rights and interest in land;
- **Landless agricultural labourer:** A person who does not hold any agricultural land and who has been deriving his main income by working on the lands of others as subtenant or as an agricultural labourer prior to the cut off date.
- **Land Looser with Unclear Title:** Land losers with unclear titles For the categories of PAPs whose ownership titles are not clear, like people residing in the abadi lands, or where the land was given to a person/ group of persons under various government schemes or by the institution of local self government (allotted/ leased/ land share after Chakbandi etc), or allotted/ leased land transferred through power of attorney or any other legal instrument, but the ownership records are not clear; the replacement cost of the land would be provided in the

form of replacement assistance. For such cases rehabilitation assistance would be provided as for the non-agricultural titleholders.

- **Non-agricultural labourer:** means a person who is not an agricultural labourer but is primarily residing in the affected area for a period of not less than five years immediately before the declaration of the affected area and who does not hold any land under the affected area but who earns his livelihood mainly by manual labour or as a rural artisan immediately before such declaration and who has been deprived of earning his livelihood mainly by manual labour or as such artisan in the affected area;
- **Major Impact:** The DPs suffering the following impacts and requiring relocating are categorized as Major Impacted DPs: (i) loss of place of dwelling, (ii) loss of place of business; (iii) loss of livelihood; (iv) loss of agricultural productive land of marginal farmers; those who become marginal farmers or landless after acquisition;
- **Marginal Farmer:** A cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to one-half hectare;
- **Market value** means the value of land determined in accordance with section 26 of RFCLARR Act 2013;
- **Minor Impact:** A PAP suffering minor impact is one who is affected to a lesser degree than the major impacts defined above.
- **Minimum Wages** means the minimum wage of a person for his/her services/labor by type of trade per day as stipulated by Department of Labor of the project state.
- **Non-Perennial Crop:** Any plant species, either grown naturally or through cultivation that lives for a season and perishes with harvesting of its yields has been considered as a non-perennial crop in the project.
- **Non-titleholder:** Affected persons/families/ households with no legal title to the land, structures and other assets adversely affected by the project. Non-titleholders include encroachers, squatters, etc.;
- **Notification:** means a notification published in the Gazette of Himachal Pradesh;
- **Occupier:** means a member of a Scheduled Tribes community in possession of forest land prior to the 13th day of December, 2005;
- **Project displaced person (PDP):** Any tenure holder, tenant, Government lessee or owner of other property, or non-titleholder who on account of the project has been involuntarily displaced from such land including plot in the *abadi* or other property will be considered as PDP. A displaced will always be a PAP but all PAP may not be PDP;
- **Project affected household (PAH):** A social unit consisting of a family and/or non-family members living together, and is affected by the project negatively and/or positively;
- **Project affected area:** Refers to the area of village or locality under a project for which land will be acquired under RFCTLARR Act 2013 through declaration by Notification in the Official Gazette by the appropriate Government or for which land belonging to the Government will be cleared from obstructions;
- **Project Affected person (PAP):** Any tenure holder, tenant, Government lessee or owner of other property, or non-titleholder who on account of the project has been affected from such land including plot in the *abadi* or other property in the affected area will be considered as PAP;
- **Project:** Project refers to the Himachal Pradesh State Roads Transformation Program funded by the World Bank and implemented by HPRIDC
- **Perennial Crop:** Any plant species that live for years and yields its products after a certain age of maturity is a perennial crop. Generally, trees, either grown naturally or horticulturally and yield fruits or timber have been considered as perennial crop in the project. For example, tamarind, coconut, mango, teak, neem etc. are perennial crops.
- **Persons losing their livelihood:** Persons losing their livelihood are individual members of the DHs, who are at least 18 years of age and are impacted by loss of primary occupation or source of income.

- **Private Property Owners:** Private property owners are persons who have legal title to structures, land or other assets.
- **Permanent Buildings or Pucca Structure:** Buildings of a permanent construction type with reinforced concrete.
- **Replacement Cost:** A replacement cost/value of any land or other asset is the cost/value equivalent to or sufficient to replace/purchase the same land or other asset; and has been provided in the Entitlements;
- **Resettlement Area** means an area where the affected families who have been displaced because of land acquisition, are resettled by the project authority/appropriate Government;
- **Residual Land:** Residual land can be defined as the remaining portion of land left with the owner of the holding after acquisition of land by the project.
- **Sharecroppers:** Persons who cultivate land of a titleholder on terms of sharing income there from with the titleholder.
- **Small Farmer:** A cultivator with an un-irrigated land holding up to two hectares or with an irrigated land holding up to one hectare, but more than the holding of a marginal farmer.
- **Semi-Permanent Building or structure:** Buildings of a semi-permanent type with tiled roof and walls not of concrete or permanent brickwork.
- **Scheduled Areas** means the Scheduled Areas as defined in section 2 of the Provisions of the panchayats (Extension to the Scheduled Areas) Act, 1996;
- **Squatter:** A person who has settled on public/government land, land belonging to institutions, trust, etc. and or someone else's land illegally for residential, business and or other purposes and/or has been occupying land and building/asset without authority;
- **Subtenants:** Persons, who not being tenants, can cultivate land on certain terms and conditions.
- **Tenant:** A person who holds/occupies land-/structure of another person and (but for a special contract) would be liable to pay rent for that land/structure. This arrangement includes the predecessor and successor-in-interest of the tenant but does not include mortgage of the rights of a landowner or a person to whom holding has been transferred; or an estate/holding has been let in farm for the recovery of an arrear of land revenue; or of a sum recoverable as such an arrear or a person who takes from Government a lease of unoccupied land for the purpose of subletting it;
- **Temporary Building/Kutch structure:** Temporary building or structure means a temporary type of structure, which includes buildings with roofs constructed of thatch, galvanized iron or asbestos.
- **Women Headed Household (WHH):** A household that is headed by a woman and does not have an adult male earning member is a Woman Headed Household. This woman may be a widowed, separated or deserted person.
- **Vulnerable group:** This includes Scheduled Caste, ST, family/household headed by women/female, disabled, handicapped, Below Poverty Line (BPL) families; widows; and persons above the age of 65 years **irrespective of their status of title** (ownership). Vulnerable groups would also include those farmers who (after acquisition of land) become small/marginal farmers. For such cases, total land holding of the landowner in that particular revenue village will be considered in which land has been acquired;
- **Wage earner:** Wage earners are those whose livelihood would be affected due to the displacement of the employer. The person must be in continuous employment for at least six months prior to the cut-off date with the said employer and must have reliable documentary evidence to prove his/her employment.

11.0 Entitlement Matrix

25. Under this Resettlement and Rehabilitation Policy adopted for the project, several categories of project affected persons are recognized with varying eligibility for the compensation and assistance packages in the entitlement matrix below **Table 4**. In accordance with the principles of this resettlement policy framework, all displaced households and persons will be entitled to a

combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. The affected persons will be entitled to the following five types of compensation and assistance packages:

- a. Compensation for the loss of land, crops/ trees at their replacement cost;
- b. Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- c. Alternative housing in case of physical displacement;
- d. Assistance in lieu of the loss of business/ wage income, loss of agriculture livelihoods and income restoration assistance;
- e. Assistance for shifting and provision for the relocation site (if required), and
- f. Rebuilding and/ or restoration of community or common property resources/facilities.

12.0 Terms

Bigha	1/5 of an acre
Hectare	A unit for area
Corridor of Impact	Width of corridor required for the construction of road, service lane, drain, footpath, access, tree plantation and for safety zone. The corridor of impact for the project a) in Open and Built-up areas it would be 9 meters in Hilly terrain & 12 meters in Rolling terrain; however in Built-up areas where it is not possible it would be 7 meters in Hilly terrain & 10 meters in Rolling terrain.
Development Block	A number of villages grouped together form a Development Block.
Tehsil/Subdivision	Revenue administration unit comprising of group of villages
Panchayat Samiti	Local Self-governing body at Block level is Panchayat Samiti.
District Collector /Magistrate	Administrative head of a District.
Divisional Commissioner	Administrative head of a division comprising a number of districts.
Panchayat	Elected local self-governing body at village level.
Poverty Line	A family whose annual income from all sources is less than a designated sum as fixed by the concerned State Government. in which the project falls, will be considered to be below Poverty Line.
Jambandi	Basic records of Land Right
Khatedar	According to Law, all land belongs to the State and all so-called Landowners are tenants of the State. They are called Khatedars.
Muafi Lands	Include lands attached with Temples, Mosques, Gurudwara, Churches etc.

Table 4: Entitlement Matrix

Sl. No.	Impact	Entitled Unit	Entitlement Details
A. Loss of Private Agricultural, Home-Stead & Commercial Land			
1	Loss of Land (agricultural, homestead, commercial or otherwise) within the Corridor of Impact (COI)	Affected family (Land owner/Titleholder family and families with traditional land right/occupiers)	<p>For all land acquired through RFCTL&RR Act,2013; or land taken through Private Negotiation,</p> <p>i. Compensation/lease amount shall be calculated and payable in accordance with Sections 26 to 30 and Schedule I¹⁰ of RFCTLARR Act 2013¹¹</p> <p>ix. Partial Impact on Land: In case only part of any land plot is affected, and its owner desires the whole plot be acquired on grounds that the plot has become uneconomic or has been severed due to LA (under Section 94), the competent authority can award compensation for remaining part of the plot or award 25% of actual value upto of the remaining land holding as additional compensation, allowing the owner to retain the remaining land plot, if agreeable.</p> <p>OR in case of private negotiations, DNC will consider acquiring remaining unviable parcel at the same rate</p> <p>x. For all land acquired RFCTL&RR Act,2013 or Private Negotiation, Rehabilitation and Resettlement Assurances as per Schedule II of Act 2013:</p> <p>xi. If as a result of land acquisition, the Affected family becomes landless¹² or is reduced to the status of a õsmallõ or õmarginalõ farmer, assistance amount of Rs. 5.0 lakhs</p> <p style="text-align: center;">OR</p> <p>annuity policies that shall pay not less than two thousand rupees per month Per family for twenty years</p> <p>Each affected family shall be given a one-time "Resettlement Allowance" of Rs. 50,000/- only.</p> <p>xii. Support for livelihood restoration/enhancement: Counselling, skill development/Training support shall be imparted through by RAP implementing agency, based on needs assessments This assistance includes cost of training and financial assistance for</p>

¹⁰ Schedule I comprises compensation at market value of the land, including valuation of all assets (structures, trees, crops) attached to the land; multiplication factor of 1 as applicable for all of Himachal Pradesh; plus a õSolatiumõ equal to the amount of compensation (100%) for land including all attached assets

¹¹ Schedule II provisions that would be relevant to this project are: i) sum of Rs. 5,00,000/-; ii) subsistence grant for displaced families; iii) transportation cost for displaced families; iv) one time financial assistance for cattle shed; v) one time financial assistance for artisans/small traders; vi) one time resettlement allowance; vii) waiver of stamp duty and registration charges; viii) Provision of housing units in case of displacement

¹² Land Less- Defined as óa particular land loser will be land less after acquisition of particular piece of land no single unit of land will be in his/her possession.

Sl. No.	Impact	Entitled Unit	Entitlement Details
			<p>travel/conveyance and food. Project work opportunities too would be explored.</p> <p>kiii. Refund of stamp duty and registration charges incurred for replacement land to be paid by the project; replacement land must be bought within a year from the date of payment of compensation to project affected persons</p>
B. Loss of Private Structures (Residential/Commercial)			
2	Structure within the Corridor of Impact (CoI)	Title Holder/ Owner	<p>x. Compensation in accordance with Sections 26 to 30 (and Schedule I of RFCTLARR Act 2013</p> <p>xi. Right to salvage material from affected structures</p> <p>xii. Three months advance notice to vacate structure</p> <p>kiii. For those losing cattle shed, a one-time assistance of Rs. 25,000/-would be payable</p> <p>xiv. For each affected family of an artisan or self-employed or own non-agricultural land, that is displaced and must relocate, a one-time assistance of Rs. 25,000/- would be payable; and</p> <p>xv. One-time subsistence grant of Rs. 36,000/- for each affected family who are displaced and require to relocate;</p> <p>xvi. One-time financial assistance of Rs. 50,000/-for each displaced family towards shifting/transportation cost for shifting of the family, building materials, belongings and cattle</p> <p>vii. Refund of stamp duty and registration charges for purchase of new alternative houses/shops at prevailing rates on the market value as determined. Alternative houses/shops must be bought within a year from the date of payment of compensation</p> <p>viii. <u>In case of partial impact</u>, 25% additional award to be paid on compensation award for the affected part of the structure to enable damage repair where the owner/occupier of his/her own will, interested to retain the remaining part of the structure, provided the unimpaired continuous use of the such structure is possible without hazards</p> <p>xiv. For commercial PAPs, Support for livelihood restoration/enhancement: Counselling, skill development/Training support shall be imparted through by RAP implementing agency, based on needs assessments This assistance includes cost of training and financial assistance for travel/conveyance and food. Project work opportunities too would be explored.</p>
3	Structure within the Corridor of Impact (CoI)	Tenants/ Lease Holders	<p>ii. Registered lessees will be entitled to an apportionment of the compensation payable to structure owner as per applicable local laws.</p> <p>iv. One-time financial assistance of Rs. 50,000/- as transportation and relocation cost In case of tenants, three months written notice will be provided to vacate. In case three monthsø notice to vacate structures is not provided, then three monthsø rental allowance will be provided in lieu of notice.</p>
C. Loss of Trees and Crops			

Sl. No.	Impact	Entitled Unit	Entitlement Details
4	Standing Trees, Crops within the Corridor of Impact (CoI)	Owners and beneficiaries (Registered/ Un-registered tenants, contract cultivators, leaseholders & sharecroppers	<p>iii. Cash compensation as estimated under Section 29(3) of Act¹³ to be paid at the rate estimated by:</p> <ul style="list-style-type: none"> • The Forest Department for timber trees • The State Agriculture Extension Department for crops • The Horticulture Department for fruit/flower bearing trees. <p>iv. Three months advance notice to project affected persons to harvest fruits, standing crops and removal of trees, or compensation in lieu as determined above.</p> <p>Registered tenants, contract cultivators & leaseholders & sharecroppers will be eligible for compensation for trees and crops as per the agreement document between the owner and the beneficiaries.</p> <p>Un-registered tenants, contract cultivators, leaseholders & sharecroppers will be eligible for compensation for trees and crops as per mutual understanding between the owner and the beneficiaries</p>
D. Loss of Residential/ Commercial Structures to Non-Title Holders			
5	Structures within the Corridor of Impact (CoI) or Govt. land	Owners of Structures or Occupants of structures (Encroachers, Squatters) identified as per Project Census Survey	<p>For loss of House</p> <p>iii. Compensation at PWD BSR without depreciation for structure</p> <p>xiv. One-time subsistence grant of Rs. 36,000 (Rs. 3000 x 12) or Rs. 36,000/- payable over a period of 12 months/ one year</p> <p>xv. Shifting/transportation assistance of Rs.50,000/-</p> <p>xvi. Encroachers shall be given three months notice to vacate occupied land.</p> <p>vii. Right to salvage the affected materials</p> <p>For loss of shop¹⁴/cattle shed or work shed</p> <p>viii. Compensation at PWD BSR without depreciation for structure</p> <p>xix. One-time subsistence grant of Rs. 36,000 (Rs. 3000 x 12) or Rs. 36,000/- payable over a period of 12 months/ one year</p> <p>xx. One-time rehabilitation grant of Rs. 25,000/- for reconstruction of affected shop given to artisans</p> <p>xxi. Shifting/transportation assistance of Rs.50,000/-</p> <p>xii. Encroachers /Squatters shall be given three months notice to vacate occupied land</p> <p>xiii. Right to salvage the affected materials</p> <p>xiv. Support for livelihood restoration/enhancement: Counselling, skill development/Training support shall be imparted through by RAP implementing agency, based on needs assessments This assistance includes cost of training and financial assistance for</p>

¹³ The collector for the purpose of the assessing the value of the standing crops damaged during the process of land acquisition may use the services of experienced persons in the field of agriculture as may be considered necessary by him.

¹⁴ Small shop includes commercial kiosks and shanties where business is carried out

Sl. No.	Impact	Entitled Unit	Entitlement Details
			travel/conveyance and food. Project work opportunities too would be explored.
E. Loss of Livelihood			
6	Loss of employment in non-agricultural activities or daily agricultural wages or other wage earners	Livelihood loser	Subsistence allowance equivalent to Minimum Wages/Minimum Agricultural Wages ¹⁵ for 3 months Only agricultural labourers who are in fulltime / permanent employment of the land owner, or those affected full time employees of the business, will be eligible for this assistance. <i>Seasonal agricultural labourers will not be entitled for this assistance.</i>
7	Temporary loss of business	Business owners	Compensation for temporary loss of income due to loss of access shall be determined as per data on income collected during SIA, and paid commensurate to the period of loss of income
F. Additional Support to Vulnerable Group			
8	Families within the Corridor of Impact (CoI)	Vulnerable affected families	<ul style="list-style-type: none"> v. One-time Resettlement Allowance of Rs. 50,000/- vi. Support for livelihood restoration/enhancement: Counselling, skill development/Training support shall be imparted through by RAP implementing agency, based on needs assessments This assistance includes cost of training and financial assistance for travel/conveyance and food. Project work opportunities too would be explored. vii. Additional Subsistence Grant of Rs. 50,000/- for displaced families belonging to Scheduled Caste and Scheduled Tribe category viii. Displaced vulnerable households will be linked to the government welfare schemes, if found eligible and not having availed the scheme benefit till date.
G. Loss of Community Infrastructure/Common Property Resources			
8	Structures & other resources (e.g. land, water, access to structures etc.) within the Corridor of Impact (CoI)	Affected communities and groups	Reconstruction of community structure and common property resources, will be done in consultation with community
I. Temporary Impact During Construction			
12	Land and assets temporarily impacted during construction	Owners of land and assets	Temporary losses incurred during construction will be paid by the contractor as determined below: <ul style="list-style-type: none"> iii. Damaged structure: Compensation will be estimated as per latest Basic Schedule of Rates (BSR) of Public Works Department, without depreciation iv. Crops and Trees: Compensation for crops & tree damages will be estimated as per Section 29(3) of RFCTLARR Act¹⁶.

¹⁵ As per rates issued by Department of Labor, Government of project state for different skills and trades

¹⁶ The collector for the purpose of the assessing the value of the standing crops damaged during the process of land acquisition may use the services of experienced persons in the field of agriculture as may be considered necessary by him.

Sl. No.	Impact	Entitled Unit	Entitlement Details
			All temporary use of land outside ROW, would be done based on written / prior approval of landowner and contractor
J. Provision of Resettlement Site/Vendor Markets			
12	Loss of residential and commercial structures	Displaced titleholders and non-titleholders	<p>ii. Appropriate permanent housing with minimum specified floor area at resettlement sites providing basic services and other provisions laid down in Schedule III (that details the type of infrastructure amenities at resettlement colonies) of RFCLTARR Act, 2013</p> <p>ix. For a house is lost in rural areas, a constructed house shall be provided as per the Pradhan Mantri Awas Yojana specifications or equivalent cost of the constructed house in lieu, shall be payable, but not less than Rs. 1.3 Lakh¹⁷.</p> <p>for a house lost in urban areas, a constructed house shall be provided, which will be not less than 50 sq mts in plinth area, OR if the family opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than Rs. 1.5 lakhs.</p> <p>x. This provision in lieu of provision of alternative house shall be provided to all displaced families without discrimination including resident owners, occupant land assignees, long term lessees and displaced squatters</p> <p>xi. The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area as identified during Census survey</p> <p>xii. One displaced family will be eligible for only one land plot at resettlement site and only one shop in the vendor market</p> <p>xiii. Vulnerable PAPs will be given preference in allotment of shops in vendor market.</p> <p>xiv. The provision shall be extendable to mixed use structures fulfilling residential and commercial purposes in owner as well as untitled categories.</p>

Note: All unit costs will be updated to 2019 prices or revised to the year of payment, prior to payment

Besides the above provisions to address construction stage, mitigation measures with specific responsibilities has been provided in the corridor specific ESMPs for mitigating construction stage impacts.

¹⁷ PMAY- Pradhan Mandri Awas Yojana stipulates a central Assistance of Rs.1.3 Lakh for Beneficiary Led Individual House Construction.

13.0 Updated Resettlement unit costs

26. The project has adopted the unit costs for R&R assistance as available in LARR Act, 2013. The Consumer Price Index for Agricultural labourerø (CPIAL) for the state of Himachal Pradesh has increased by 20%¹⁸ during the period between January 2014 to December 2019. Hence, all these unit have been updated and are presented in **Table 5**.

No	Entitlement	Unit rates as of January 2014 (in INR)	Revised as of December 2019 (rounded off to nearest INR)
1	Livelihood assistance (Lump sum)	5,00,000	6,00,000
2	Livelihood assistance (Annuity)	2,000/per month for 12 months x 20 years	2,000/per month for 12 months x 20 years (to be adjusted every year as per CPIAL index)
3	One-time assistance for loss of Cattle shed/petty shop	25,000	30,000
4	One-time assistance for displaced artisan/small traders/small shops	25,000	30,000
5	Cash in lieu of house, if opted (as per indexed and updated figures at time of payment)		0
	Rural	1.3 lakhs	Amounts to be updated as per PMAY guidelines as prevalent at the time of implementation
	Urban	1.5 lakhs	
6	Transportation / Shifting assistance for displaced	50,000	60,000
7	Subsistence allowance for displaced @ INR 3000 per month for 1 year	36,000	43,200
8	One-time Resettlement Allowance	50,000	60,000

Any other monetary allowance other than those listed above will be indexed to year of payment prior to payment

14.0 Valuation of Lost and Affected Assets

27. Compensation for Land and Assets attached to the Land: Land will be acquired either through LA Act 2013 or Private Negotiations method:
- All compensation and R&R assistances will be processed as per RFCTLARR Act 2013.
 - Compensation of the land to be acquired in urban and rural area: (market value x 1) plus value of assets attached to land or building) plus (100% solatium) = Land Compensation

¹⁸ CPAIL Index for Himachal Pradesh: 656 in February 2014 and 783 in October 2019 (source: <https://pib.gov.in/newsite/mbErel.aspx?relid=104657> & http://labourbureau.gov.in/LBO_indnum.htm)

Price in case of acquisition by Act or amount determined as per mutual consent/negotiations basis.

28. Compensation for Structures: The replacement value of houses, buildings and other immovable properties will be determined based on latest PWD Basic Schedule of Rates for valuation purpose as on date without depreciation. While considering the PWD rate, HPRIDC will ensure that it uses the latest rates for the structures. Wherever the SR for current financial year is not available, the Competent Authority will update the BSR to current prices based on approved previous year escalations. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies in accordance with the modalities determined by such bodies to ensure correct use of the amount of compensation.
29. Compensation for Trees: Compensation for trees will be based on their market value. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops, fruit bearing trees will be decided in consultation with the Departments of Forest, Agriculture and Horticulture. In line with the provision of RFCTLARR Act 2013, 100% solatium will be added to the assessed value of the trees. Prior to taking possession of the land or properties, the compensation will be fully paid and affected persons will have the opportunity to harvest crops/trees within 15 days from the date of payment of compensation.
30. If the residual land, remaining after acquisition, is unviable, the owner of such land/property will have the right to seek acquisition of his entire contiguous holding/property provided the residual land is less than the minimal land holding of the district/State. Owner's choice in this regard should be obtained either prior to payment in case of direct purchase or prior to declaration of award.
31. Further, all compensation and assistance will be paid to PAPs at least 1 month prior to displacement or dispossession of assets. In case of compensation payable following acquisition through private negotiations, direct payment transfer of single instalment payment will be done to beneficiary bank account. The HPRIDC will assist beneficiaries to open a Bank account, in case they do not have Bank Account and in special cases, provide the payment through cheque.
32. Even after payment of compensation, displaced PAPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that PAPs can take away the materials so salvaged within 15 days of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice. Trees standing on the land owned by the government will be disposed of through open auction by the concerned Revenue Department/ Forest Department.
33. There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act. In the event any deductions are made toward taxes, such amounts will have reimbursed.
34. **Livelihood Restoration/Enhancement:** Each PAPs whose income or livelihood is affected by a subproject will be assisted to improve or at least restore it to pre-project level. Income restoration schemes will be designed in consultation with affected persons and considering their resource base and existing skills. HPRIDC will identify the number of eligible PAPs/DPs and will conduct training need assessment in consultations with the affected persons so as to develop appropriate income restoration schemes.
35. The HPRIDC with support of specialised agency will examine local employment opportunities and produce a list of possible income restoration options. Suitable trainers or local resources will be identified by HPRIDC in consultation with local training institutes. Disadvantaged and vulnerable households will get special assistance in this regard. The HPRIDC will also facilitate

affected person access to Government schemes that could help them to restore income and livelihood. In addition, the entitlement matrix provides for one-time income restoration allowance.

36. It is the responsibility of the HPRIDC to ensure that the RAP is successfully implemented in a timely manner. The implementation schedule needs to be updated periodically and monitored judiciously. The objectives of the RAP shall be deemed achieved only when the following criteria are met:

- All legal compensation both for land and structure and other assets (trees, crops, etc.) are be paid;
- All eligible PAPs must have received their due R&R entitlements;
- Any relocation or resettlement and economic rehabilitation required is fully completed.
- All project affected common property resources must be replaced/restored re-established or suitably augmented

15.0 Estimation of land requirement and Preparation of Land Acquisition Plans

37. The right-of-way (RoW) shall be established based on revenue maps and field measurement books (FMB), which will be the basis for detailed design and wherever possible the RoW shall be restricted to available RoW to minimize land acquisition and resettlement impacts. Land Plan Schedule present details of the land parcels to be acquired for the project and will be used for issuing notifications as per land acquisition act or for private negotiation by District Administration from PAPs.

38. The preparation process of LAP includes:

- Collection of Village map, jamabandi etc., and record of rights from the Tehsil Office
- Based on the final road designs and spot inspection sketches for LA are made
- Calculation of land acquisition requirement in a particular survey number is arrived based on the jamabandi;
- Field verification of right of way(RoW) is done from PWD notifications;
- Identify and Stakeout on ground of the areas beyond RoW where private land needs to be acquired as per approved proposed alignment designs;
- Measurement of land proposed to be acquired to be done along with the Revenue Department. After field verification land are transferred to each survey sketch;
- The LA plans have to be finally signed by the concerned authorities

39. Census Survey Updating: If the PAPs are not displaced and affected within two years from the census surveys key census socio-economic surveys will be updated once in two years, in order to keep the baseline date for measuring the living standards of the affected people, The Census and socio- economic survey formats are placed in **Annexure 2 and 3**.

16.0 Co-ordination with civil works

40. The land acquisition and resettlement implementation will be co-coordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of

contracts, and release of cleared COI sections to the contractors. The project will provide adequate notification, counselling and assistance to affected people so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation. The bid documents will specify the extent of unencumbered land to be handed over at the time commencement of works and subsequent milestones and this will be strictly followed to ensure that land is provided on a timely basis to the contractors and also plan implementation of land acquisition and resettlement in line with procurement and civil work time table.

41. Table 6 lists the actions to be completed by different stages:

Table 6 – List of actions linked to civil works	
Stage of civil works	Activities
Before issuance of civil work bids	Preparation of Land Acquisition Plan and Strip Plan
	Preparation of RAP based on Social Impact Assessment comprising Census & Socio-Economic survey of affected persons and its disclosure
	List of encumbrance free stretches available for construction
	Issuance of draft Notification of the 11 Land Acquisition
	Appointment of Arbitrator
	Formation of Price Fixation Committees and Negotiation Committees
Before award of civil works contract	Appointment of RAP implementation agency/NGO
	Private Negotiations with Titleholders by Price Fixation Committees and Negotiation Committees & Award
	Identification & Verification of PAPs by NGO
	Valuation of structures
	Preparation of Micro Plans for Rehabilitation & Resettlement by the NGO
	Issuance of ID Cards
	Update draft Resettlement Plan to reflect surveys, consultations, design changes, and due diligence results
	Consultations disclosure, & awareness generation
	R&R Award for Titleholders & Non-Titleholders
	Preparation and Approval of Micro Plans
Disbursement of R&R assistance amounts	
Before handover of land to contractor	List of encumbrance free stretches available for construction by first & second milestone by dates
	Handover of land to contractors first & second milestone

42. As described above, ESIA would be undertaken once the draft road designs are ready for the remaining upgradation corridors and maintenance corridors. These ESIA's would then form the basis for preparation of RAP (and also LAP) for these corridors and these would be made ready before invitation of bids for civil works.

17.0 Institutional Arrangements

43. The HPRIDC, for Tranche I roads under HPSRTP will establish ESMU for implementation of ESMP and RAP under CMU, which will be headed by an Executive Engineer and supported by Assistant Engineers and junior engineers. The CMU at package level/district level will support the Project Director, HPRIDC in managing the project at field level on behalf of him.

44. The ESMU will have two divisions namely, Environment Management unit (EMU) and Social Management Unit (SMU). The EMU and SMU will be headed by an Environment officer and Social Development Officer (SDO) Respectively. The SDO will be responsible for day to day handling of social, resettlement and land related issue with the help of NGO or support organisation to be hired for the purpose. The Social Development Officer will be assisted by Resettlement and Rehabilitation Officer at the Construction Management Unit level. The Resettlement and Rehabilitation Officer will work as ear and eyes for the SMU in the field..

Environmental and Social Management Unit (ESMU)

45. Effective RAP implementation will require institutional relationships and responsibilities, rapid organisational development and collaborative efforts by HPRIDC, State Government, partner NGO and affected population. It is ideal to have representation of other line department's viz., revenue, forest, public health, rural engineering, etc. in ESMU. However, the final requirements shall be decided by HPRIDC. ESMU will link the project with state government agencies, provide liaison with HPRIDC field units and impacted communities, and establish district level committees to co-ordinate social development and resettlement operations in the field and also to assist NGO partners. It will also engage required training services, oversee a grievance redress process and actively monitor RAP implementation.
46. The ESMU will be headed by the Project Director of the rank of Chief Engineer, Social Development Officer of HPRIDC at corporate level and Resettlement and Rehabilitation Officers of HPRIDC responsible for implementation of RAP at field level. The CMU of HPRIDC at field level with active support from NGO will implement the RAP on ground and support from Social Development Officer. Since the Revenue Department has district wise jurisdiction; the respective CMU and Resettlement and Rehabilitation Officer will co-ordinate with revenue department. The HPRIDC will induct one Social Development Officer.
47. The Resettlement and Rehabilitation Officers at CMU level will be posted for the project period by HPRIDC in due course of time. The Resettlement and Rehabilitation officer will be rank of Assistant Engineer. In addition to Resettlement and Rehabilitation Officer at the CMU level a revenue officer will be made part of CMU to look after land acquisition matter. However, the Resettlement and Rehabilitation Officers will be provided with orientation training prior to take-up their assignment in field.

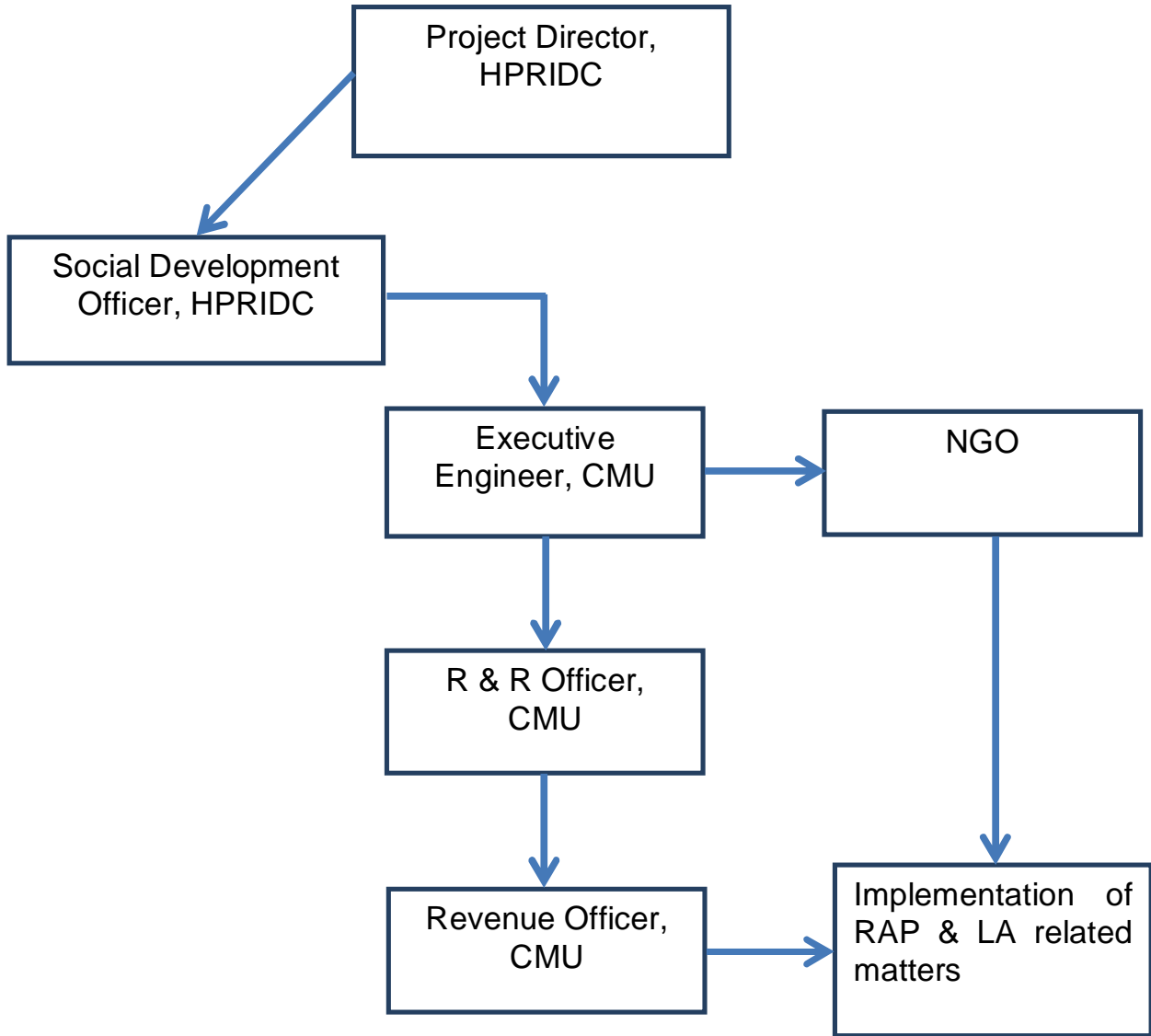


Figure 1: Organizational structure for RAP Implementation, HPRIDC.

48. **Support Agency/NGOs:** The Project activities if leading to physical or economic relocation disturbs the present activities of PAPs and therefore there is a need to establish and stabilise their livelihood. While all tasks relating to Land Acquisition are taken care by the Land Acquisition Officer and his staff, the implementation of RAP is the responsibility of the ESMU. The NGO or any other implementing agencies will help in implementing various components of the RAP, particularly the use of compensation and rehabilitation assistance for more productive purposes like purchase of land, self-employment, etc. The NGO(s) selected will have to work directly under the social development officer, who will oversee implementation of RAP. 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 NABARD, SIDBI, 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. The indicative TOR for hiring of NGOs is placed in **Annexure 6**.

Training and Capacity Building

49. Establishment of adequate implementation capacity to launch and carry out the components of resettlement must be completed before the start of civil works. To enhance capabilities, ESMU staff can be sent on exposure visits to other projects with good resettlement programmes as well as sponsored for training courses in Resettlement and Rehabilitation (R&R). The training would also cover techniques of conducting participatory rural appraisal for micro planning, conducting census and socio-economic surveys, dissemination of information, community consultation and conducting of monitoring and evaluation.

Roles and responsibilities of officials

50. Chief Engineer-cum-Project Director will be overall responsible for the implementation of the project and also for the implementation of RAP. The Administrative roles and responsibilities and financial powers existing and to be delegated of the Environmental Social Management Unit (ESMU) officials is given in Table 7 below.

Table 7: Administrative roles and responsibilities		
Unit responsible	Personnel /Agency	Administrative Roles & Responsibilities
GoHP	Principal Secretary PWD and Revenue Department	<ul style="list-style-type: none"> • Approval of RPF and authorization of its disclosure
HPRIDC	Project Director	<ul style="list-style-type: none"> • Overall in charge of day to day activities of LA and R&R. • Participate in State and District level meetings to facilitate LA and R&R activities. • Responsible for contracting NGOs and M&E consultants. • Periodic appraisal of progress and reporting to the World Bank and the Government on monthly basis. • Approval of RAP and its disclosure by HPRIDC • Head of the GRM cell

Table 7: Administrative roles and responsibilities		
Unit responsible	Personnel /Agency	Administrative Roles & Responsibilities
	Executive Engineer	<ul style="list-style-type: none"> • Responsible for all R&R activities • Co-ordinate the implementation of R&R activities with PIU, field staff, engineering and revenue officials. • Approve of micro plans prepared by the NGOs for implementing RAP. • Monitor the progress of R&R activities and LA carried out by the NGO and M&E Consultants. • Hold periodic meetings on R&R implementation and report to the PD. • Provide advisory support to ESDU for monitoring of RAP implementation.
ESMU	SDO	<ul style="list-style-type: none"> • Co-ordinate implementation of R&R activities with PIU and field staff. • Facilitate the appointment of external agency for impact evaluation and co-ordinate evaluation activities to be taken up by the implementing NGO. • Assist PD to perform R&R activities. • Review the work in finalization of resettlement site development. • Prepare monthly progress report for the ESDU and Land Acquisition. • Monitor the R&R report and submit to PD.
CMU/ Each District	Executive Engineer	<ul style="list-style-type: none"> • Participate in District level meetings. • Oversee the process of implementation of RAP in the field. • Ensure the preconstruction work is done before handing over site to contractor. • Oversee the process of land acquisition, shifting of CPRs and other assets in the field. • Scrutinise and certify the structures valuation report submitted by the valuers. • Co-ordinate selection of resettlement site. • Conduct periodic review with staff • Submit monthly progress reports to PD on R&R activities.
	Assistant Executive Engineer	<ul style="list-style-type: none"> • Responsible for pre-construction work in his jurisdiction. • Finalization and demarcation of COI. • Co-ordinate with NGO/M&E consultants and SDO to carry out R&R activities. • Co-ordinate with valuers for preparations of estimates. • Support SDO/NGO for selection of resettlement site.
	Social Development Officer	<ul style="list-style-type: none"> • Overall responsible for R&R activities in the field • Liaison with District administration and line departments for dovetailing government schemes. • Make budget provision for R&R activities • Participate in allotment of sites to PAPs. • Co-ordinate with NGO/M&E consultants for implementation of R&R. • Facilitate opening of Joint Accounts for PAPs for transfer of R&R assistance through cheque. • Co-ordinate to disseminate the R&R policy in local language. • Facilitate public consultation on R&R Policy with NGO/ Revenue/ PWD officials.

Table 7: Administrative roles and responsibilities		
Unit responsible	Personnel /Agency	Administrative Roles & Responsibilities
		<ul style="list-style-type: none"> Organize meetings with NGOs to review progress at district level.
Data Base	Data Management Specialist	<ul style="list-style-type: none"> Responsible for maintaining the database of the PAPs. Responsible for maintaining the database of overall physical and financial progress. Co-ordination of the database for SDRC. The implementation of R&R activities by NGOs to be maintained. Provide necessary formats for collection of field information. Co-ordinate with SDRC to prepare and maintain the progress report. Maintain the records of grievance redressal committee. Identify discrepancies in disbursement.
External Agencies	NGO	<ul style="list-style-type: none"> Responsible for providing ESDU support for implementation of RAP. Verification of PAPs. Distribution of ID cards. Preparation of micro plans. Dissemination of information. Assist to PAPs to avail R&R assistance and compensation. Identify resettlement /vendor market sites. Identify training needs and provide the same. Facilitate in opening joint accounts. Enable PAPs to identify alternate sites for house/shop Assist PAPs to relocate. Provide monthly progress reports on implementation
	M&E Consultants	<ul style="list-style-type: none"> Conduct monitoring of RAP implementation activities. Conduct internal, external and concurrent monitoring. Provide early alert to PIU to redress any potential problems. Monitor target achievements and slippages. Certification of readiness from LA and R&R view at the time of issuing bid documents and award of contract.
	Grievance Redressal Committee.	<ul style="list-style-type: none"> Support PAPs in resolving issues related to R&R and LA. Record grievance and resolve them within stipulated time. Inform PIU about any serious cases. Report to the aggrieved parties about the decisions of the PIU.

18.0 Consultation & Disclosure

51. Consultations towards preparation of this RPF comprised interactions with following:

- Affected persons and communities
- Officials from the revenue department particularly on the application of Standing Order on Private negotiations; and
- Interactions Special Land Acquisition Officer of HPSRP I and other officials of HPRIDC

Their suggestions and RPF provisions are presented below

Concerns and suggestions	Input towards formulation of RPF
From affected persons including vulnerable persons	
Those with impacted house structures wanted to know what alternative would be provided by the project.	Adequate provision has been made in entitlement matrix like replacement cost of structure without depreciation.
Wanted to know what the compensation and assistance package was for the project.	The provisions of LA Act 2013 for compensation and R&R benefits has been provisioned in the entitlement matrix with inflation coverage as would be applicable in 2019. Most specifically, Non-titleholders have been provided with assistances to address project impacts on their assets and livelihood loss.
Timely payment of assistance and compensation	RPF provides for disbursement of compensation to the affected persons before handing over the stretch to the contractor.
Likely affected persons have requested the project not to affect their livelihood ó as they will be left with no alternatives	Entitlement matrix provides for income restoration provisions e.g. skill training
For those persons whose houses/structures were getting, people asked for sufficient payment for the structure.	The entitlement matrix proposed in the RPF the valuation of structure will be done without depreciation.
Any additional provisions for ST groups and SC groups identified in the corridor	The RPF expands the definition of vulnerable group and includes not only SC, ST but also BPL, WHH, Elderly and farmers who will experience change in land holding category as a result of acquisition
Interactions with Revenue department/Spl. LAO	
Application of GoHP Standing Order versus RFCTLARR Act 2013	Process of application of private negotiations and LA Act (in case of failure) is detailed in the RPF
Application of GoHP Standing Order on Private negotiations in respect of process and timelines	Implementation schedule of RPF particularly in coordination with civil works incorporates the timelines

52. Stakeholders' consultations have been in progress from the inception stage of the project and the same will be continued during the entire project cycle, i.e., preparation, implementation and post implementation, in accordance with the Project's overall Stakeholder Engagement Plan. In accordance with the actions and approaches listed towards different stakeholders and in particular to PAPs, information dissemination and consultation activities shall continue. Formal and informal consultative process will be carried out for sub-projects including, but not limited to: Focus Group Discussions (FGDs), public meetings, community discussions, and in-depth and key informant interviews; in addition to the censuses and socio-economic surveys. 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.

53. The HPRIDC will ensure that PAPs and other stakeholders are informed and consulted about the sub-project, its impact, their entitlements and options, and allowed to participate actively in the development of the sub-project. The salient features of RPF shall be translated in local language -

Hindi disclosed through the HPRIDC website. The documents available in public domain will include:

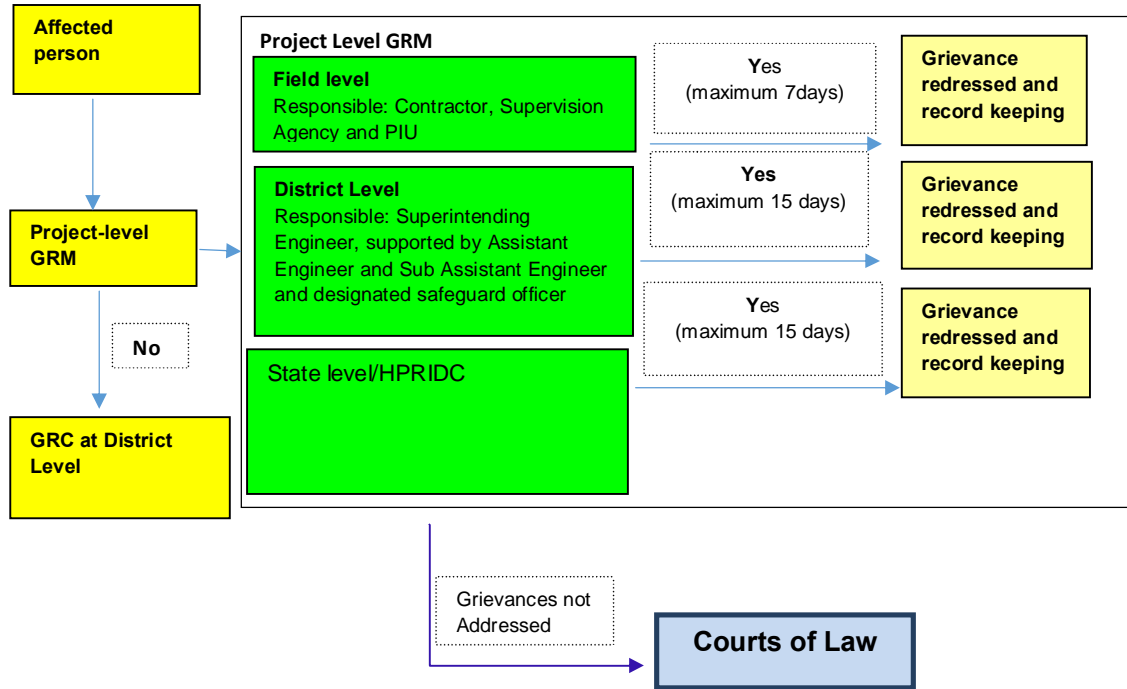
- Entitlement Matrix and RAP (summary in local language)
- list of eligible PAFs for various R&R benefits.
- Also progress reports on RAP implementation will be disclosed in accordance with the Stakeholder Engagement Plan

As per Access to Information Policy of the WB all project documents (ESIA, RAP, ESCP, SEP, etc.) will also be available at the World Bank Portal. All documents will be kept in HPRIDC offices.

19.0 Grievance Redress Mechanism

54. Efficient Grievance redress mechanism will be developed to assist the PAPs resolve their queries and complaints. Each RP will detail specific grievance redress mechanisms. Grievances of PAPs will first be brought to the attention to the site office level of the HPRIDC which shall be redressed within two weeks from the receipt of complaints. Grievances not redressed by the HPRIDC staff (field level) will be brought to the Grievance Redress Committee (GRC) which shall be redressed within four weeks from the date of receiving the complaint at ESMU/CMU level. The GRC will have representatives from PAPs, ESMU, field level staff, district magistrate/commissioner, local administration, revenue authority and local community.
55. The main responsibilities of the GRC are to: (i) provide support to PAPs on problems arising from land/property acquisition; (ii) record AP grievances, categorize, and prioritize grievances and resolve them; (iii) immediately inform the PMU of serious cases; and (iv) report to PAPs on developments regarding their grievances and decisions of the GRC and the PMU. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, compensation, relocation, replacement cost and other assistance.
56. The GRC will meet every month (if grievances are brought to the Committee), determine the merit of each grievance, and resolve grievances within a month of receiving the complaint. Records will be kept of all grievances received including contact details of complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. The GRCs will continue to function during the life of the Project including the defects liability period.
57. The proposed GRC does not impede access to the country's judicial or administrative remedies. The PAP has the right to refer the grievances to appropriate courts of law at any stage of the process. The HPRIDC will ensure that PAPs has the right to approach court of law any time during the process of grievance redress activities.

Figure 2: Grievance Redress Mechanism



20.0 Monitoring and Reporting

Internal Monitoring

58. Internal monitoring will be the responsibility of the ESMU. The ESMU internal monitoring will include: (i) administrative monitoring: daily planning, implementation, feedback and troubleshoot, individual PAP file maintenance, and progress reports; (ii) socio-economic monitoring: baseline information for comparing PAP's socio-economic conditions, evacuation, demolition, salvaging materials, community relationships, dates for consultations, and number of appeals placed; and (iii) impact evaluation monitoring: Income standards restored/improved, and socioeconomic conditions of the affected persons. Monitoring and evaluation reports documenting progress on resettlement implementation and RAP completion reports will be provided by the HPRIDC to World Bank for review. Tables 8-10 below provides indicative monitoring Indicators for Physical & financial Progress and grievances. These indicators would be finalized during implementation.

Table 8 – Indicative monitoring Indicators for Physical Progress

Monitoring Indicators	Implementation Target	Revised Implementation Target	Progress this Month	% Revised against Implementation Target
Compensation for Structures, other assets (cattle sheds)				
Preparation and dissemination of leaflets to various stakeholders				
Preparation and approval of micro plans				
Number of joint bank accounts				

Monitoring Indicators	Implementation Target	Revised Implementation Target	Progress this Month	% against Revised Implementation Target
opened				
Issuance of identity cards				
Submission of monthly progress reports				
One time rehabilitation grant provided				
Livelihood Restoration Allowance for affected Categories				
Allowances paid to Vulnerable groups				
Community Assets rehabilitated/restored				
No. of PAPs who have received training for livelihood restoration/enhancement				

Table 9 – Indicative monitoring indicators for financial Progress

Category	Estimated Cost (INR)	Progress this month
R&R Assistance		
RAP Implementation NGO Services		
M&E Services		

Table 10 - Monitoring of Grievances received and redressed

Particulars	Quarters			
	Q1	Q2	Q3	Q4 & Cumulative Total
No. of cases referred to GRC				
No. of cases settled by GRC				
No. of cases pending with GRC				
Average time taken for settlement of cases				
No. of GRC meetings				
No. of PAPs moved court				
No. of pending cases with the court				
No. of cases settled by the court				

External Evaluation

59. The HPRIDC will engage the services of an independent agency not associated with project implementation to undertake external evaluation twice ó at mid and at end term. The external agency, with previous experience in resettlement activities and familiarity with Government and

World Bank resettlement policy, will be engaged to monitor and verify RAP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. The external agency will undertake impact evaluation on a sample basis during mid-term and project completion. It will record PAPs views on resettlement issues; PAPs understanding of entitlement policies, options, and alternatives; site conditions; compensation valuation and disbursement; grievance redress procedures; and staff competencies. The agency will also evaluate the performance of the ESMU related to resettlement issues. The indicative TOR for hiring of M&E agency is placed at annexure 7.

Table 11 - Indicative Impact Evaluation Indicators

Parameter	Breakup of parameter	Baseline (%)	Mid-Term (%)	End -Term (%)
Occupation of HH*	Agriculture			
	Trade/Business			
	Petty shop keeping			
	Agri labour			
	Non-Agri labour			
	Service			
Annual Income*	<75000			
	75001 - 1lakh			
	1lakh - 2.5lakh			
	2.5lakh - 5lakh			
Possession of Assets*	TV			
	Fridge			
	Cycle			
	Motor Cycle			
	Car			

60.

21.0 Resettlement Budget

61. The resettlement budget will comprise itemized estimate of compensation for land, structures, trees, crops, various resettlement assistances, rehabilitation or replacement of CPRs including land, if government land is not available, institutional cost, contingency, additional studies if required, cost towards implementation, engagement of RAP implementation agency, evaluation consultants, etc. Based on the initial estimates provided by the RAP preparation consultants and later by the RAP implementation agency, the ESMU shall update and prepare final estimates for compensation and assistances payable. They shall jointly review the compensation for land with the Revenue department and with HP Public Works Department for cost of structures and CPRs. Based on these estimates the ESMU shall prepare a request for funds and submit the same through the Project Director to the Government of Himachal Pradesh for release of funds for disbursal. Each sub-project specific RAP shall provide for contingency costs to meet any unforeseen expenditure.
62. The estimated cost of land acquisition and R&R payment for the four upgradation corridors would be INR 17.2 Crore of which compensation for land INR12 Crore and R&R assistance INR 5.2 Crore. In context of maintenance corridors, while no impacts on land or structures is envisaged but these cannot be ruled out as there might be certain curve improvements, blind spot improvements which could result in minor impacts on land and/or structures. As the locations of

these corridors are not known at present, the resettlement budget shall be updated based on actual requirements following conducting of ESIA's.

63. The cost of LA and R&R has been budgeted as part of the overall project costs and shall be met with Government of Himachal Pradesh funds. The World Bank's loan will be available for costs such as works, purchase of goods and NGO consultancy, M&E services, if required.

22.0 Updating of Resettlement Policy Framework

64. Revision/Modification of the RPF: This RPF will be an 'up-to-date' or a 'live document' enabling revision, when and where necessary. Unexpected situations and/or changes in the project or subcomponent design would therefore be assessed and appropriate management measures will be incorporated by updating the Resettlement Policy Framework to meet the requirements of country's legislations and Bank ESF. Such revisions will also cover and update any changes/modifications introduced in the legal/regulatory regime of the country/ state. Also, based on the experience of application and implementation of this framework, the provisions and procedures would be updated, as appropriate in consultation with the World Bank and the implementing agencies/departments.

Annexure 1– Comparison of ESF, RFCTLARR Act 2013 and GoHP Financial Commissioner Standing Order No. 28 and Measures to address gaps

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Acquisition of Land by Private Negotiation and Upkeep of Land Record/General Guidelines and Instruction (Standing Order No28) (PBW(B)F (5) 40 / 2017-PWD /GoHP, January 2018	Measures to bridge the Gap between Policy/Acts and ESF, 2016 of World Bank
1	Avoid involuntary resettlement wherever feasible	Social Impact assessment (SIA) should include: (i) whether the extent of land proposed for acquisition is the absolute bare minimum extent needed for the project; (ii) whether land acquisition at an alternate place has been considered and found not feasible [Ref: Section 4 sub-section 4(d) and 4(e)]	None	ESIA will be conducted for all roads under HPSRTP II
2	If unavoidable, minimize involuntary resettlement by exploring project and design alternatives	None	None	Usage of principle of mitigation hierarchy to analyse alternatives to avoid/minimize/compensate or offset
3	To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels	None	None	Would be ensured through suitable provisions in the RAP
4	To improve the standards of living of the displaced poor and other vulnerable groups.	None	None	Would be ensured through suitable provisions in the RAP
5	Screen the project early on to identify past, present, and future involuntary resettlement impacts	While the policy does not specify any requirement for screening of the project at an early stage for	None	Screening of all sub-projects towards enabling identification of the potential resettlement impacts and associated risks will

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Acquisition of Land by Private Negotiation and Upkeep of Land Record/General Guidelines and Instruction (Standing Order No28) (PBW(B)F (5) 40 / 2017-PWD /GoHP, January 2018	Measures to bridge the Gap between Policy/Acts and ESF, 2016 of World Bank
	and risks.	resettlement impacts and risks, it requires carrying out social impact assessment before any proposal for land acquisition (section-16).		be carried out.
6	Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks (ESS-1)	Carry out census of affected people and their assets to be affected, livelihood loss and common property to be affected; R&R scheme including timeline for implementation. (Section: 16. (1) and (2)).	Provides for assessment of land and structures including photography of structures	The ESS-1 requirements will be followed based on which census and socio-economic has been carried out for this road
7	Carryout consultations with displaced persons, host communities and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options (ESS-10)	<ul style="list-style-type: none"> • Consultation with Panchayat, Municipality, to carry out SIA. (Section: 4. (1)) • Public hearing for Social Impact Assessment. Section: 5. • Discussion on and Public hearing for Draft Rehabilitation and Resettlement Scheme Section: 16. (4). and (5). 	Provides for consultations and negotiations with land owners only. It has no provisions for non-titleholders.	All impacted persons 6 land owners and users of land (non-titleholders such as squatters and encroachers) would be consulted. The ESS-10 requirements will be followed
8	Establish grievance redressal mechanism (ESS-1 and ESS-5)	<ul style="list-style-type: none"> • Establishment of Land Acquisition, Rehabilitation and Resettlement Authority for disposal of disputes relating to land acquisition, compensation, rehabilitation and 	No provision	A project level GRM will be included in the RAP and Resettlement policy framework (RPF).

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Acquisition of Land by Private Negotiation and Upkeep of Land Record/General Guidelines and Instruction (Standing Order No28) (PBW(B)F (5) 40 / 2017-PWD /GoHP, January 2018	Measures to bridge the Gap between Policy/Acts and ESF, 2016 of World Bank
		<p>resettlement. <i>Section: 51. (1). and Section: 64.</i></p> <ul style="list-style-type: none"> The Requiring Body or any person aggrieved by the Award passed by an Authority under section 69 may file an appeal to the High Court within sixty days from the date of award. <i>Section: 74. (1). and (2).</i> 		
9	Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase. (ESS-1 and ESS-5)	Social Impact Assessment is must before taking final decision on acquisition of land followed by preparation of R&R Scheme	No provision	Social Impact Assessment, consultations with relevant stakeholders 6 affected and interested parties will be done
10	Improve or restore the livelihoods of all displaced persons through (i) land-based resettlement strategies (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and	<ul style="list-style-type: none"> Land for land in case of irrigation projects to the landowners losing agricultural land. Land for land in every project to landowners belong to SC and ST community up to 2.5 acres of land. <i>Section: 31 and The Second Schedule</i> <ul style="list-style-type: none"> Provision of housing units in case of displacement. Offer for developed land. <i>Section: 31 and The Second</i> 	No provision. However, relating to computation of compensation, the order provides for compensation upto the limit as would be calculated under the HP RFCTLARRA 2013 Additionally all statutory benefits are given and it is deemed as good as an award	Structure to be compensated at replacement cost without depreciation, besides commensurate provisions to address livelihood issues. Specific provisions to address impacts on non-titleholders need to be incorporated

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Acquisition of Land by Private Negotiation and Upkeep of Land Record/General Guidelines and Instruction (Standing Order No28) (PBW(B)F (5) 40 / 2017-PWD /GoHP, January 2018	Measures to bridge the Gap between Policy/Acts and ESF, 2016 of World Bank
	(iv) additional revenues and services through benefit sharing schemes where possible. (ESS-5)	<p><i>Schedule</i></p> <ul style="list-style-type: none"> Recognizes 3 methods and whichever is higher will be considered which will be multiplied by a factor given in The First Schedule. Compensation given earlier will not be considered; If rates not available floor price can be set; Steps to be taken to update the market value. (Section 26 and The First Schedule) Provision for employment, fishing rights, annuity policy etc (Section: 31 and The Second Schedule) 		
11	If there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; provide transitional support and development assistance, such as	<ul style="list-style-type: none"> A family as a unit will receive R&R grant over and above the compensation and those who are not entitled to compensation. Section: 31 Homeless entitled to constructed house, land for land in irrigation projects in lieu of compensation, in case of acquisition for urbanization 20% of developed land reserved for owners at a prices equal to 	No provision	Relocation is not envisaged under the proposed sub-project as designs are avoiding full impact on structures

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Acquisition of Land by Private Negotiation and Upkeep of Land Record/General Guidelines and Instruction (Standing Order No28) (PBW(B)F (5) 40 / 2017-PWD /GoHP, January 2018	Measures to bridge the Gap between Policy/Acts and ESF, 2016 of World Bank
	land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required. (ESS-5)	compensation or jobs or onetime payment or annuity for 20 years or subsistence grant, transportation, land and house registered on joint name husband and wife, etc. <i>Second Schedule</i> <ul style="list-style-type: none"> • Provision for infrastructural amenities in resettlement areas. Section: 32 and Third Schedule 		
12	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. (ESS-5)	<ul style="list-style-type: none"> • Landless people are considered and eligible for R&R grants. <i>Section: 16. (2).</i> • Widows, divorcees, abandoned women will be considered as separate family and entitled to R&R provisions <i>Section: 3. (m)</i> • Homeless entitled to constructed house and landless entitled to land in irrigation project. <i>Second Schedule</i> • Special provision for Scheduled Caste/Scheduled Tribe; <i>Section: 41.</i> • Additional provisions for SC&ST for land for land in 	No provision	Commensurate measures would be provided for in the RAP

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Acquisition of Land by Private Negotiation and Upkeep of Land Record/General Guidelines and Instruction (Standing Order No28) (PBW(B)F (5) 40 / 2017-PWD /GoHP, January 2018	Measures to bridge the Gap between Policy/Acts and ESF, 2016 of World Bank
		irrigation projects, additional sum over and above the subsistence grant. <i>Second Schedule</i>		
13	If land acquisition is through negotiated settlement, ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status. (ESS-5)	R&R entitlements apply in case of land acquired/purchased for PPP projects and for Private Companies. <i>Section: 2. (2), and 46.</i>	The replacement cost of land and other immovable assets as per the provision of Section 26 ,27,28,and 29 and Schedule I of RFCTLARR Act 2013.	Provisions as applied in the RFTCLARR Act will be used and additional measures where required will be used for vulnerable and disadvantaged persons.
14	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets. (ESS-5)	The Act recognises: <i>Section: 3 (c)</i> <ul style="list-style-type: none"> • a family which does not own any land but belong to the family of an agricultural labourer, tenant, sharecroppers, or artisans or working in affected area for three years prior to the acquisition of the land • the Scheduled Tribes and other traditional forest dweller who have lost any of their forest rights • family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen • a family residing or earning 	No specific provision	Under this project, provision would be made to that in the case of land acquisition, the date of publication of preliminary notification for acquisition under Section 4.1 of the LAA will be treated as the cut-off date for title holders, and for non-titleholders such as squatters the start date of the project census survey.

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Acquisition of Land by Private Negotiation and Upkeep of Land Record/General Guidelines and Instruction (Standing Order No28) (PBW(B)F (5) 40 / 2017-PWD /GoHP, January 2018	Measures to bridge the Gap between Policy/Acts and ESF, 2016 of World Bank
		livelihoods on any land in the urban areas for preceding three years or more prior to the acquisition of the land		
15	Prepare a resettlement plan / indigenous peoples plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. (ESS-5 and ESS-7)	<ul style="list-style-type: none"> Preparation of Rehabilitation and Resettlement Scheme including timeline for implementation. <i>Section: 16. (1) and (2).</i> Separate development plans to be prepared. <i>Section 41</i> 	No specific provision	For this corridor, RAP will be prepared. IPDP or TDP is not required.
16	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders. (ESS-10)	<ul style="list-style-type: none"> The draft Rehabilitation and Resettlement Scheme prepared shall be made known locally by wide publicity in the affected area and discussed in the concerned Gram Sabhas or Municipalities and in website. <i>Section: 16. (4)</i> The approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation and in website. <i>Section: 18.</i> 	No specific provision	In addition to the publishing of the approved resettlement plan, the RAP and RPF includes provision for disclosure of the various documents pertaining to RAP implementation in accordance with Stakeholder Engagement Plan (SEP)

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Acquisition of Land by Private Negotiation and Upkeep of Land Record/General Guidelines and Instruction (Standing Order No28) (PBW(B)F (5) 40 / 2017-PWD /GoHP, January 2018	Measures to bridge the Gap between Policy/Acts and ESF, 2016 of World Bank
17	<p>Include the full costs of measures proposed in the resettlement plan and indigenous peoples plan as part of project's costs and benefits. For a project with significant involuntary resettlement impacts and / or indigenous peoples plan, consider implementing the involuntary resettlement component of the project as a stand-alone operation. (ESS-5)</p>	<p>The requiring body shall bear the cost of acquisition covering compensation and R&R cost. <i>Section: 19. (2) and Section 95. (1)</i></p>	<p>No specific provision</p>	<p>None</p>
18	<p>Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation. (ESS-5)</p>	<ul style="list-style-type: none"> • The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid within three months for the compensation and a period of six months for the monetary part of rehabilitation and resettlement entitlements. <i>Section: 38. (1)</i> • The Collector shall be responsible for ensuring that the rehabilitation and resettlement process is completed in all its aspects before displacing the affected families. <i>Section: 38. (2)</i> 	<p>The replacement cost of land and other immovable assets as per the provision of Section 26 ,27,28,and 29 and Schedule I of RFCTLARR Act 2013.</p>	<p>None</p>

S.No	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	Acquisition of Land by Private Negotiation and Upkeep of Land Record/General Guidelines and Instruction (Standing Order No28) (PBW(B)F (5) 40 / 2017-PWD /GoHP, January 2018	Measures to bridge the Gap between Policy/Acts and ESF, 2016 of World Bank
19	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports. (ESS-5)	<ul style="list-style-type: none"> • The Rehabilitation and Resettlement Committee, to monitor and review the progress of implementation of the Rehabilitation and Resettlement scheme and to carry out post-implementation social audits in consultation with the Gram Sabha in rural areas and municipality in urban areas. <i>Section: 45. (1)</i> • Set up National and State level Monitoring Committee to review and monitor progress. <i>Section 48-50</i> 		The ESS-5 requirements will be followed.

Himachal Pradesh State Roads Transformation Project (HPSRTP)
World Bank Project Phase II.
Questionnaire for Census Survey

Structure No.:

Date:

Name of the Enumerator:

Field Supervisor:

1.0 GENERAL IDENTIFICATION:

1.1 Location : Rural/Semi-urban/Urban

1.2 Chainage: Side : Left / Right

1.3 Name of the Hamlet/Schedule Area :

1.4 Name of Revenue Village/Town :

1.5 Panchayat /Municipality / city :

1.6 Name of the Police Station :

1.7 Taluk : District :

1.8 **Type of Impact:** 1. Title Holder Land. 2. Title Holder Land+Structure. 3. Non-Title Holder Encroacher. 4. Non Title Holder ó Structure/ Squatters- Residential. 5. Non-Title Holder ó Structure/Squatter-Commercial. 6. Non Title Holder ó Tenants.-Residential. 7. Non Title Holder ó Tenants.-Residential. 8. Kiosks

1.9 Magnitude/Extent of Impact:

Type	Extent/Magnitude			
	<10%	10-30%	30-50 %	➤ 50 %
Land				
Land +Structure				

2.0 HOUSEHOLD IDENTIFICATION:

Tenant

Owner

2.1 Name of the head of the Household:

2.2 Father's/Husband's Name:

2.3 Name of the Respondent:

2.4 Relationship of the respondent with the head of the household:

2.5 Ration Card No:

Aadhar No:

2.6 Number of years living in this place:

2.7 Social Status:**Religion:** Hindu/ Muslim / Christian/Jain/ Sikh/ Others (Specify)**Caste :** ST/ SC/ OBC/ OC

2.8 Type of Family :

1. Joint

2. Nuclear

3. Extended

3.0 HOUSEHOLD IDENTIFICATION:

S.No	Name of the Family Members *	Relationship with HH Head	Age	Sex	Gender Orientation	Marital Status	Education	Main Occupation	Skill possessed	PwD Persons

*Start with HH

RELATIONSHIP WITH HEAD OF HH:

- 1. Head of the family 2.Wife 3.Father 4. Mother5. Son 6. Daughter7. Brother 8.Sister
- 9.Son in law 10. Daughter in law 11.Sister in law 12.Grandchild 13. Others

SEX: 1. Male 2. Female 3.Other Gender(Lesbian , Gay, Bisexual and Transgender)

Sexual Orientation:1. Lesbian , 2.Gay, 3.Bisexual and 4. Transgender

EDUCATION:

1. Illiterate 2. New-literate 3. Primary 4. Middle5. High School 6. Intermediate 7. Graduate
8. Post Graduate 9. Professional 10. Others (specify)

OCCUPATION :

1. Service 2. Trade 3. Farming 4. Allied Agriculture 5. Agricultural Laborer 6. Non Agricultural Laborer
7. HH Industry 8. Professionals (Engineer, Doctor, Ayurvedetc) 9. Petty business (mainly kiosks) 10. Unemployed
11. Student 12. Retired 13. House wife 14. Others (Specify)

- MARITAL STATUS:** 1. Married 2. Unmarried 3. Divorced 4. Separate 5. Widow6. Widower 7. Deserted

- DISABILITY ASPECTS:** 1. Blind 2. Chronical Disease 3. Crippled 4. Orphan 5. Others (Specify)

4.0 HOUSEHOLD INCOME FROM VARIOUS SOURCES DURING THE LAST YEAR:

S.No	Sources	Annual Income(Rs)
1	Agriculture	
2	Service (Govt/Pvt)	
3	Dairy	
4	Goat/Sheep rearing	
5	Poultry	
6	HH Industry	
7	Farm Wages	
8	Nonfarm wages	
9	Remittances Rentals/interests(etc.)	
10	Others (Specify)	
	TOTAL	

5.0 NATURE OF LOSS DUE TO THE PROJECT (only tick the relevant items):

5.1 IMPACT CATEGORY – Building Land

5.2 USE OF STRUCTURE/PROPERTY

Residential	Commercial	R&C	Official	Work Shade	Cattle Shed	Farm House	Others
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5.2.1 What is usage of the structure?

S.No	Type of Loss	Effectd
1	Structure for residence	
2	House Plot	
3	Structure under commercial use	
4	Agriculture Land	
5	Land and structure	
6	Livelihood	
7	Residence cum commercial	
8	Compound wall	
9	Government Building	
10	Cattle shed	
11	Kiosks	

12	Well/Tubewell	
13	Hand Pump	
14	Toilet	
15	Others (Specify)	

5.3 LOSS OF STRUCTURE –

Identification and measurement (Please take photograph of structure from side view to understand losses)

Location of the Structure from centerline Distance from C/L

Type	Dimensions of Structure		Affected Portion		Affected Built up Area (Sqm) with ROW		
	Length	Breath	Length	Breath	Single / Double Story		
					Roof	Wall	Floor
Pucca							
Semi Pucca							
Katcha							

Note: For each of the storey get the details as indicated in the above

5.4 Other Losses

S.No	Loss	Dimensions		
		Length	Width	Circumference/depth
1	Boundary wall			
2	Wire fencing			
3	Sunshade			
4	Threshing Floor			
5	Well			
6	Others			

5.5 Ownership of Structure :

Legally Owned	01
Owned but in Government Land (Patta)	02
Rented	03
Encroached	04
Squatter	05

Others	06
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5.6 Loss of Land:

5.6.1 Ownership of Land

Owned	Govt	Leased	Trust	Temple	Church	Mosque
Bus stop	Pond	Community Hall	Arch	Hand Pump	Public Tap	Tank
Statue	Govt School	Others (specify)				

5.6.2 Please give details of loss of the land

Type of Land	Owned	Leased in	Leased Out	Encroached	Total	Area cultivated	Extent of Loss(%)
Irrigated							
Un irrigated							
Orchard							
Others							
Total							
Extent of Loss							

6.0 Options for Resettlement and Rehabilitation (Please ask only to PAF other than Kiosks)

6.1 Resettlement :- if structure is lost

6.1.1 As a result of the loss you need to be relocated, how do you like to be shifted?

- 1) Self-Relocated.
- 2) Project to make arrange for relocation.

6.1.2 If 2 in 6.1 above where do you want to be relocated?

Within the village/Town	1
Outside the village/ Town	2
Within the district	3
Outside the district	4

6.1.3 What should be distance from the present location:-

Within 5 km	1
Within 5-10 km	2
More than 10 km	3

6.1.4 What type of support expected from the project in your relocation?

Compensation of the structure	1
Assistance in shifting house hold materials	2
Assistance for alternative house side	3
Assistance in construction of house	4
Permission to salvage of building materials	5
Support in trans position in salvage material	6
Other support (Specify)	7

6.1.5 If self-relocated, what arrangement you will make?

Extend existing structure	1
Construct (home in vacant plot)	2
Move out of the area	3
Stay at relatives/ friends place	4
Any other (Specify)	5

6.2 Rehabilitation :- Ask those PAPs whose livelihood would be affected

6.2.1 What type of support do you expect from the project in restoration of your livelihood lost?

Compensation at replacement value	1
Assistance in shifting	2
Assistance in Transition	3
Alternative site for shop	4
Grant for restarting the operation	5
Assistance in accessing loans	6
Employment during project construction	7
Employment during maintenance	8
Training to improve the skill level	9
Others	10

6.2.2 If more than 25 % agricultural land is lost, ask the support required in restoring their income level

Land for land	1
Adequate compensation for replacing land	2
Grants to take-up alternate self-employment activity	3
Employment during Project construction	4
Employment during maintenance	5
Training to upgrade the skill level	6
Others (specify)	7

6.3 R&R Support for Tenant

6.3.1 If structure is getting affected what support you expect

Shifting Allowance	1
Cash grant for sustenance	2
Self- Relocation Others (specify)	3
Others (Specify)	4

6.4 R & R support to shareholders

6.4.1 What type of support you expect from the project for loss of share cropping or leasing in land.

1	Crash grant for the unexpired lease period
2	Support in improving farm production
3	Others (specify)

6.5 Income Restoration Options

1	Land for land	5	Employment during construction
2	Allied Agri. Activities	6	Training for self employment
3	Petty shops	7	Household Industry
4	Cash Grant	8	Others (specify)

Q.No:

Date:

Name of the Investigator:

Field Supervisor:

Name of the Signature/Fingerprint of respondent:

Himachal Pradesh State Roads Transformation Project (HPSRTP)

World Bank Project Phase II.

Questionnaire for Socio-Economic Survey

Structure No.:

Date:

7.0 GENERAL IDENTIFICATION:

7.1 Location : Rural/Semi-urban/Urban

7.2 Chainage: Side : Left / Right

7.3 Name of the Hamlet :

7.4 Name of Revenue Village/Town :

7.5 Panchayat /Municipality / city :

7.6 Name of the Police Station :

7.7 Taluk :

District :

7.8 Ration Card No:

Aadhar No:

7.9 Main Occupation of the family

1. Cultivation 2. Service 3. Business
4. Wage earning 5. Other (Please Specify)

7.10 Type of Family :

2. Joint 2. Nuclear 3. Individual

7.11 Social Status:

Religion : Hindu/ Muslim/ Christian/ Jain/ Sikh/ Others (Specify)

Caste : ST/ SC/ OBC/ OC

7.12 Type of Loss Due to the Project

Residential	Commercial	Residential and Commercial	Others (Specify)
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7.13 **Type of Impact:** 1. Title Holder Land. 2. Title Holder Land+Structure. 3. Non-Title Holder Encroacher. 4. Non Title Holder ó Structure/ Squatters- Residential. 5. Non-Title Holder ó Structure/Squatter-Commercial. 6. Non Title Holder ó Tenants.-Residential. 7. Non Title Holder ó Tenants.-Residential. 8. Kiosks

7.14 **Magnitude/Extent of Impact:**

Type	Extent/Magnitude			
Land	<10%	10-30%	30-50 %	➤ 50 %
Land +Structure				

7.15 Services available within house:

Do you have a separate kitchen	Yes - 1 / No - 2
Do you have a toilet	Yes - 1 / No - 2
Do you have a bathroom	Yes - 1 / No ó 2
Do you have electricity connection	Yes - 1 / No ó 2

Access to drinking water	Public tap ó 1 Hand pump ó 2 Own bore - 3 Open well ó 4 Common ó 5 Pond/Lake ó 6 Other(specify) - 7
Fuel for cooking	LPG Gas ó 1 Gobar Gas ó 2 Kerosene ó 3 Firewood ó 4 Other(specify) - 5
How long have you been staying in this house	

7.16 Do you have the following:

TV	Yes - 1 / No - 2
Fridge	Yes - 1 / No - 2
Washing Machine	Yes - 1 / No - 2
Cycle	Yes - 1 / No - 2
Motor cycles	Yes - 1 / No - 2
Car	Yes - 1 / No - 2
Telephone	Yes - 1 / No - 2
Mobile phone	Yes - 1 / No - 2
Cattles	Yes - 1 / No ó 2 If Yes, Number _____
Buffalo	Yes - 1 / No ó 2 If Yes, Number _____
Goat / Sheep	Yes - 1 / No ó 2 If Yes, Number _____

8.0 HOUSEHOLD IDENTIFICATION:

S.No	Name of the Family Members*	Relationship with HH Head	Age	Sex	Gender Orientation	Marital Status	Education	Main Occupation	Skill possessed	Disabled Persons

*Start with HH

RELATIONSHIP WITH HEAD OF HH:

- 1.Head of the family 2.Wife 3.Father 4.Mother 5.Son 6.Daughter 7. Brother 8.Sister
 9.Son in law 10. Daughter in law 11.Sister in law 12.Grandchild 13. Others

SEX: 1. Male 2. Female 3. Others Other Gender(Lesbian , Gay, Bisexual and Transgender)

Gender Orientation:1. Lesbian , 2.Gay, 3.Bisexual and 4. Transgender

EDUCATION:

2. Illiterate 2. New-literate 3. Primary 4. Middle 5. High School 6. Intermediate 7.Graduate
 8.Post Graduate 9. Professional 10. Others (specify)

OCCUPATION :

2. Service 2. Trade 3. Farming 4. Allied Agriculture 5. Agricultural Laborer 6. Non Agricultural Laborer
7.HH Industry 8.Professionals (Engineer, Doctor, Ayurvedetc) 9.Petty business (mainly kiosks) 10. Unemployed
11. Student 12. Retired 13.House wife 14. Others (Specify)

MARITAL STATUS:

1. Married 2. Unmarried 3.Divorced 4. Separate 5. Widow 6.Widower 7. Deserted

DISABILITY ASPECTS:

1. Blind 2. Chronical Disease 3.Crippled 4.Orphan 5. Others (Specify)

9.0 ASSETS OWNED

Agriculture Properties	Unit	Prevailing Market Value
Irrigated / Wet Land	Acre	
Un Irrigated / Dry Land	Acre	
Orchard/Horticulture Land	Acre	
Others	Acre	
Others Properties		
House Plot	Sq. mts	
House	Sq. mts	
Farm House	Sq. mts	
Trees	Sq. mts	
Others immovable assets like well	Sq. mts	

10.0 HOUSEHOLD INCOME FROM VARIOUS SOURCES DURING THE LAST YEAR:

S.No	Sources	Annual Income (Rs)
1	Agriculture	
2	Service (Govt/Pvt)	
3	Dairy	
4	Goat/Sheep rearing	
5	Poultry	
6	HH Industry	
7	Farm Wages	
8	Nonfarm wages	
9	Remittances Rentals/interests(etc.)	
10	Others (Specify)	
	TOTAL	

11.0 FINANCIAL STATUS

11.1 Deposits

Type of deposit	Institution where deposited	Amount deposited (Rs)
Long Term		
Short Term		
Others (Specify LIC etc)		

11.2 Indebtedness

Purpose of Borrowing	Amount	Source of Borrowing	Amount Returned (in Rs)	Balance (in Rs)
House Hold expenditure				
Agriculture				
House construction				
Commercial				
Animal husbandry				
Others				
Total				

12.0 Coverage Under Government Schemes

12.1 If you have availed any of the Government schemes, give details

Type of Scheme	Availed Yes/No	If Yes, indicate benefits received	Present status of the asset received
Name of the scheme			
Others benefits			

**

1. Continuing and getting returns
3. Stopped operation

2. Continuing & not getting returns

12.2 If the operation of the scheme is reported to have been stopped ask reasons (please give some options like death of animal, asset stolen, scheme not feasible in the area, animal sold due to disease, assets taken away as part of recovery of loan, etc.)

13.0 EXPENDITURE PATTERN

(Kindly indicate expenditure on different items during last one year)

Item	Expenditure (Rs)
Food	
Clothing	
Health	
Education	
Transport	
Marriage/Festivals	
Rent Farm Activities	

Item	Expenditure (Rs)
Others (Specify)	

14.0 NATURE OF LOSS DUE TO PROJECT:

- i. Structure ii. Land iii. Land & Structure iv. Livelihood

14.1 Loss of Structure:

Location of the Structure from centreline Distance from C/L _____

Type	Dimensions of Structure		Affected Portion		Affected Built up Area (Sqm) with ROW		
	Length	Breath	Length	Breath	Single / Double Story		
					Roof	Wall	Floor
Pucca							
Semi Pucca							
Katcha							

14.2 Loss of Land:

For the land to be lost indicate the ownership and extent of area (in acres):

Owned	Govt	Leased	Trust	Temple	Church	Mosque
Bus stop	Pond	Community Hall	Arch	Hand Pump	Public Tap	Tank
Statue	Govt School	Others (specify)				

a) Area owned and operated

Type of land	Owned	Leased in	Leased out	Encroached	Total	Area cultivated	Extent of Loss
Irrigated							
Un irrigated							
Orchard							
Others							
Total							
Extent of Loss							

b) Productivity

		Area (Ha)		
		Irrigated	Un irrigated	Orchard
Kharif				
Rabi				
Others				

c) Value of Land

Type of Land	Prevailing Rate of Land (Rs / acre)
Residential Land	
Commercial land	
Irrigated	
Un Irrigated	
Orchard	
Others	

15.0 HEALTH STATUS

15.1 Was any member of your family affected by any illness in last one year?

15.2 If Yes please indicate the details

S. No	Type of Disease	Treatment taken
1		
2		
3		

* Allopathic & 1 Homeopathic & 2 Ayurvedic & 3 Unani & 4
Other traditional methods & 5 No treatment & 6

15.3 Have you heard of HIV/AIDS Yes / No

15.4 If Yes, do you know how it spreads and prevention methods Yes / No

15.5 If Yes, what was the source of information

- | | | |
|-------------------|----------|--------------------|
| 1. Print media | 2. Radio | 3. TV |
| 4. Govt. Campaign | 5. NGO | 6. Other (Specify) |

16.0 MIGRATION

16.1 Do you or any of your family members migrate for work? Yes / No

16.2 If Yes how many members and for how many days / months in a year
 No. of members _____ No. of Days _____

16.3 Where do you migrate?
 1. Within district 2. Outside district 3. Outside the state 4. Other Country

16.4 What kind of jobs is undertaken?
 1. Agricultural Labour 2. Non Agricultural Labour
 3. Trade & Business 4. Others (Specify)

16.5 How much do you earn? Rs/month: _____

16.6 Trend of Migration
 1. Once in a year 2. Twice in a year 3. Every alternative year
 4. Once in a quarter 5. Every month 6. No regular interval

16.7 What time of the year do you migrate?
 1. Summer 2. Winter 3. Rainy season 4. No particular season

17.0 WOMEN STATUS

17.1 Kindly give the time spent by women members in the following activities

S.No	Economic / Non-economic Activities	Avg No. of hours spent per day
1	Cultivation	
2	Allie Activities	
3	Sale of forest products	
4	Trade & business	
5	Agricultural labour	
6	Non Agricultural labour	
7	HH Industries	
8	Services	
9	Household Work including cooking	
10	Taking care of infants/children	
11	Fetching water and collecting fuel wood	
12	Relaxation & Entertainment	
13	Others (Specify)	

** Dairy, Poultry, Piggery, Sheep rearing, Goatry etc.

17.2 If, engaged in economic activities total income Rs _____ year/month _____

17.3 Does your women member have any say in the decision making of household matters?

Yes / No

17.4 If Yes indicate their role in the following:

S. No	Issues	Yes	No
1	Financial Matters		
2	Education Matters		
3	Health care of child		
4	Purchase of assets		
5	Day to day activities		
6	On social function and marriages		
7	Others		

17.5 **Income Restoration Options**

1	Land for land	5	Employment during construction
2	Allied Agri. Activities	6	Training for self employment
3	Petty shops	7	Household Industry
4	Cash Grant	8	Others (specify)

18.0 **PERCEPTION ABOUT THE PROJECT**

18.1 Are you aware that the state road passing through your area in under development?

Yes / No

18.2 If No, explain them about the project. If yes and after explanation, ask the following

18.3 What benefits do you fore see from the project?

- a) Improved mobility
- b) Grater accessibility to education / health services
- c) Greater opportunities for economic activities
- d) Improved employment opportunities
- e) Higher wages
- f) Greater access to markets
- g) Realization of higher prices for the produce
- h) Increase in the value of the land and structures
- i) Any others (specify)

18.4 Do you also expect any adverse or negative impacts of the project?

Yes / No (if No, draw the attention to the potential losses expected and if he response is still No, end the interview)

18.5 If Yes, what are these?

- a) Loss of land and other assets
- b) Vulnerability to accidents

- c) Loss of common civic infrastructure
- d) Loss of access to common properties
- e) Increased water logging
- f) Increased incidence of HIV/AIDS and other diseases
- g) Women, children and ages are at risk
- h) Dusting and pollution during construction
- i) Increased noise pollution
- j) Any other (specify)

18.6 How do you think women will affect or benefit differently from the project?

Q. No:

Date:

Name of the Investigator:

Field Supervisor:

Name of the Signature/Fingerprint of respondent:

Himachal Pradesh State Roads Transformation Project (HPSRTP)

Checklist for Community Level Consultations

1.1 What would be the impact on Private or CPR structures that are to be removed?

1.2 What would be the impact on land utilization (agriculture, commercial use etc.)?

1.3 What would be the impacts on occupation and incomes due to the project?

1.4 What would be the project impact on the village community in general?

1.5 Perception of people regarding- Access to amenities- would it be changed after the project?

Amenity	Distance		Reduction on time		Quantity/Amount	
	Present	After the Project	Present	After the Project	Present	After the Project
Market						
School						
College						
Religious Place						
Post office/Bank						
Railway/Bus stand						
Going to outside District for Relatives/friends						
Value of Land/Property						

Any other(Specify)						
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1.6 What would be the direct and indirect Positive and negative impacts of the project?

1.7. What would be the improvement of the market connectivity?

1.8. What would be the improvement for the connectivity for religious place/tourism etc?

Outline of RAP

Resettlement Action Plan will be prepared if involuntary resettlement impacts are found in any project. The RAP will include the census of PAPs, and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, grievance redress mechanisms, and participatory results monitoring mechanisms. The RAP should be broadly structured in the following manner:

- (i) general description of the project,
- (ii) Scope of Land Acquisition and Resettlement
- (iii) Socio-economic Information
- (iv) Objectives, Policy Framework, and Entitlements
- (v) Gender Impact and Mitigative Measures
- (vi) Information Dissemination, Consultation, Participatory Approaches, and Disclosure Requirements
- (vii) Grievance Redress Mechanisms
- (viii) Relocation of Housing and Settlements
- (ix) Compensation, Relocation, and Income Restoration
- (x) Institutional Framework
- (xi) Resettlement Budget and Financing
- (xii) Implementation Schedule
- (xiii) Monitoring and Reporting
- (xiv) Arrangements for adaptive management

Indicative ToR for Hiring of NGOs

The Himachal Pradesh Road & other Infrastructure Development Corporation (HPRIDC) has undertaken the Himachal Pradesh Road Transformation Project which consists of improvement of four roads. The project will be implemented with loan assistance from the World Bank. Detailed Project reports, feasibility reports, and detailed engineering designs have been prepared for the project, including comprehensive environmental and social assessments. A detailed resettlement action plan (RAP) has been prepared for compensating and assisting the project-affected persons (PAPs) including the project-displaced persons (PDPs) to restore their life and livelihood. The RAP prepared fully complies with the requirements of the Government of India and the World Bank requirements. Implementation of the RAP is an important part of the overall project. To assist the HPRIDC in the implementation of the RAP, HPRIDC now invites the services of eligible NGOs to be procured under 'Quality and Cost Based Selection' (QCBS).

1. Objectives of the Assignment

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

- Educating the PAPs on their right to entitlements and obligations.
- To ensure that the PAPs are given their full entitlements as due to them, as per the entitlements given in the RAP, as may be modified by HPRIDC from time to time.
- To provide support and information to PAPs for income restoration.
- Assist the PAPs in relocation and rehabilitation, including counseling, and coordination with the local authorities.
- Assist the PAPs in 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 mechanism.
- To assist the Environmental and Social Management Unit (ESMU) of HPRIDC in ensuring social responsibilities of the Project, such as, compliance with Stakeholder Engagement Plan (SEP), Labour Management Procedure (LMP) and issues related to gender based violence.
- To collect data and submit progress reports on a monthly basis as well as quarterly basis for HPRIDC to monitor the progress of the RAP implementation.

2. Scope of Work

The NGOs shall play the role in assisting implementation of the RAP and in helping mitigating 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 advantages of the options available (as per the RAP).

3. Administrative Responsibilities of the NGOs will include-

- Working in co-ordination with the Social Development Officer (SDO) of ESMU, HPRIDC;
- Assist the SDO in carrying out the implementation of the RAP;
- To co-ordinate with the DLCs and GRCs in implementing the RAP;
- The NGO shall coordinate the meetings of the District level committee for approval of the micro plans wherever required.
- Assist the SDO in undertaking all public meetings, information campaigns at the commencement of the project and give full information to the affected community;
- Translate the R&R objectives and guidelines to implement actions for mitigating adverse impacts on the PAPs;
- To assist the Engineers (Supervision Consultants) to ensure that the Contracts comply with the applicable labour laws (including prohibition of child labour) and gender issues;
- To assist the PIU and /or the Engineers in ensuring compliance with the safety, health and hygiene norms, and the RAP actions proposed for HIV/AIDS awareness/prevention campaigns.
- Report to SDO on a monthly basis, and quarterly basis. The report should include physical and financial progress, both in terms of quantitative and qualitative reporting. The report should prominently feature, the problems and issues addressed and tackled with the PAPs and the solutions found. The report should have a separate chapter the women's issues their problems and what has been done (within the framework of the requirements of ESF, 2018 and ESS-5) to ensure their participation in decision-making as well as the

options made available for them to access economic opportunities, marketing and credit. The report should clearly indicate the number of field visits made by the NGOs staff and the outcome of consultations with people.

- Data base management of the PAPs.
 - Videography and digital photography cost required for implementation of the RAP 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 training component will be best utilised through the active support and involvement of the NGO.
 - All costs, including the cost of valuation of structures, land etc. to be borne by NGO within the project cost.
4. Responsibilities of Implementation of the RAP 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 RAP and the individual losses of the PAPs. He shall validate the date provided in the RAP and make suitable changes if required. The NGO shall establish Rapport with PAPs, consult them, provide them information about the respective entitlements as proposed under the RAP, and distribute entitlement cum Identity Cards to the eligible PAPs. An identity card should include a photograph of the PAP, the extent of loss suffered due to the project, and the choice of the PAP with regard to the mode of compensation and assistance.
- The NGO shall develop rapport between the PAPs and the Project Authority, particularly the SDO. This will be achieved through regular meetings with both the SDO and the PAPs. Meetings with the SDO 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 SDO.
- 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 RAP, 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 RAP, 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 SDO. 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. The NGO shall specially ensure consultation with the women from the PAP families especially women headed households.
- 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.
- While finalising the entitled persons (EPs) for compensation/assistance the NGOs shall make a list of entitled PAPs, and distribute **Identity Cards** to each and every verified eligible PAP.

4.2 Counselling the Entitled Persons

The counseling 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 under the RAP. 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 RAP.
- Distribution of the relevant portions of the RAP 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 Disbursing the Assistance

- Prepare micro plans indicating category of entitlement.
- Prepare micro plans for livelihood indicating alternate livelihood options, land identification, skills up gradation and institution responsible for training.
- The NGO shall assist the project authorities in ensuring a smooth transition (during the part or full relocation of the PAPs/PAFs), helping the PAPs to take salvaged materials and shift with proper notices. In close consultation with the PAPs, the NGO shall inform the SDO about the shifting dates agreed with the PAPs in writing and the arrangements desired by the PAPs with respect to their entitlements.
- The NGO shall assist the PAPs in opening bank accounts explaining the implications, the rules and the obligations of a joint account and how s/he can access the resources s/he is entitled to.
- The NGO shall ensure proper utilisation of the R&R budget available for each of the packages. The NGOs shall ensure that the PAPs have found economic investment options and are able to restore against the loss of land and other productive assets. The NGO shall identify means and advise the SDO to disburse the entitlements to the eligible persons/families in a manner that is transparent, and shall report to the HPRIDC on the level of transparent, and shall report to the HPRIDC on the level of transparency achieved in the project.

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 SDO Identity and Negotiate for the New Land for Resettlement

As part of the RAP, 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
 - o 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 PAPs/SDO 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/SDO 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 NABARD, SIDBI, 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 Representing the EPs in Market Value Assessment Committee

- Market Value Assessment Committees will be established at the district level to evaluate the actual market price of the properties in the areas where acquisition or land and /or structures are necessary. The project will assist the eligible PAPs/PAFs towards the difference between the assessed market price and the compensation award. The NGO shall represent the entitled persons (EPs) in the committee to ensure that a fair assessment takes place. All the valuation of structures will be vetted by the Government approved valuer.

4.8 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 I.R. Plan
- For I.R activity the productive potential of the same project may be explored.

4.9 Assisting the Supervision consultant in Ensuring the Social Responsibilities

The NGO shall assist the Engineers (Supervision Consultants) to ensure that the Contractors are abiding by the various provisions of the applicable laws, concerning the worker's safety, health and hygiene; women's issues and the child labour issues. Any divergence from the (workers welfare and remuneration, safety, health, hygiene, women's issues, and child labour issues) provisions of these laws should be brought to the notice of the supervision consultant and the SDO.

As per these laws, there are specifications regarding the facilities/requirements at the construction camp/site, including basic health care facilities, Mother and Child Welfare units and facilities for vaccinations, day crèche facilities, etc. The NGO shall work in co-ordination of the Lady Inspector of Works or the Resident engineers of the Contractor, or any other representative of the Contractors, to ensure these facilities are provided in a satisfactory manner, and all social responsibilities of the Contract is implemented satisfactorily.

Coordinate with Environmental Officer to facilitate consultation on rehabilitation of borrow areas.

4.10 Assisting the PIU/Supervision Consultant in Actions to HIV/AIDS Awareness/Prevention Campaigns

Information campaign/advertisement in collaboration with line agencies (such as NACO, DFID, etc), including provision of signage/hoardings at suitable locations, distribution of vehicle stickers, and provision of condom vending machines at suitable locations (rest areas, truck parking lay-byes, etc.). The NGO shall assist the PIU to implement these measures, including collaboration with the line agencies.

The contractors are required to provide condom vending machines at the construction camps, provide for medical facilities and regular medical checkups especially meant for detecting/curing STD/AIDS. The NGO shall ensure, in collaboration with Engineer that such facilities and medical checkups are provided to the workers at the construction camps.

5 Monitoring and Evaluation

The RAP includes a provision for quarterly, mid-term, and post-project monitoring and evaluation by external consultants. The NGO involved in the implementation of the RAP will be required to supply all information, documents to the external monitoring and evaluation consultants. To this end, the NGOs shall keep proper documentation of their work and the R&R process involved in the project, and shall be responsible for the upkeep and updating of such documents periodically and regularly. The documentation shall include photographs and videotapes of the pre-intervention and the post-intervention scenario of all the properties, structures, and assets affected by the project.

6. Recommending for the Improvement of R&R Services

- Extend all services recommended by the additional studies to be undertaken by the project, in respect to the R&R services to be provided as part of the project.
- Recommended and suggested techniques and methods for improvement of services extended by the concerned government departments and other agencies and committees in disbursement/extension of R&R services in the project.
- Document implementation of the R&R process and services, including difficulties faced and corresponding solutions.
- Discuss, with the HPRIDC on contingency management and other improvement of R&R services, within the project period.
- Documenting of Tasks Carried out by the NGO and Evaluation of the Achievements of RAP.

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

- Submit an inception report within three weeks; 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 SDO, with weekly progress and work charts as against the scheduled timeframe of RAP implementation.
- Prepare and submit quarterly reports on a regular basis, to be submitted to the SDO.
- 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 SDO. 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 floppy or a CD. All reports should be in English language 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,

- Prepare and submit separate descriptive reports on participatory micro-plans with full details of the Participatory Rapid Appraisal exercises conducted.

The NGO shall document in full details, the consultation/counseling 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.

8. Condition of Services

The NGO shall ensure that the RAP 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 HPRIDC in all other matters deemed to be required to implement the RAP 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 HPRIDC. No information gathered or generated during and in carrying out this assignment shall be disclosed by the NGO without explicit permission of the HPRIDC.

9. 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.

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

The HPRIDC will provide to the NGO the copies of the 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 HPRIDC will assist the NGO in collaborating with the Supervision Consultants. 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.

11. Payment Schedule:

The following payment milestone is proposed for making the payment to the NGO. The payment will be made subjected to the submission of certificate from the Manager (R&R)/SDO/DRRO that the targets have been achieved in a satisfactory manner.

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.
2.	Key Professionals (A)	2	Should be at least a diploma holder in civil engineering. S/he should have about 10 years experience in fieldwork. S/he should have participated in at least one project involving R&R activities, should have participatory knowledge of land measurement, and should be

			conversant with land valuation methods. Knowledge of local language is a necessary qualification.
3.	Key Professionals (B)	2	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 sound understanding of the land acquisition process and experience in participatory management. Knowledge of local language is a necessary qualification.
4.	Key Professionals (C)	2	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. 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.	Key Professionals (D)	2	Should be at least a postgraduate in social sciences/MBBS. S/he should have about 5 years in the field of HIV/AIDS. Knowledge of local language and experience of working in the region desired.
6.	Technical support professionals	Adequate as per the NGO	Should be graduate or equivalent in social sciences. Knowledge of local language and experience of working in the region desired
7.	Other support Personnel	Adequate as per the NGO	No minimum qualification

13. Additionally the following conditions shall apply to the team proposed by the NGO.

- That the proposal should accompany a personnel deployment schedule, clearly indicating whether the deployment is home-office based or in the field.
- That the NGOs must propose at least one woman as part of the key personnel. The person-month deployment of the woman key personnel shall constitute at least 33 % of the person-month deployment of all key professionals (including the team leader) in the assignment. At least two proposed woman key person shall be available to work at site for at least 50% of the duration of the assignment.
- That the women key persons, if selected for the contract, may be replaced during the period of contract, only with women key persons of equivalent qualifications and experience.
- That the NGOs will depute a 'technical support' team to work at the site, which will consist of at least 33 % of women members. Junior support personnel and/or administrative staff will not be considered as 'technical support' professionals, as far as this condition is concerned.

Indicative Terms of Reference for Hiring of External Evaluation Consultants

The Himachal Pradesh Road & other Infrastructure Development Corporation (HPRIDC) has undertaken the Himachal Pradesh Road Transformation Project which consists of improvement of four roads. The project will be implemented with loan assistance from the World Bank. Detailed Project reports, feasibility reports, and detailed engineering designs have been prepared for the project, including comprehensive environmental and social assessments.

A detailed resettlement action plan (RAP) has been prepared for compensating and assisting the project-affected persons (PAPs) including the project-displaced persons (PDPs) to restore their life and livelihood. The RAP prepared fully complies with the requirements of the Government of India and the World Bank ESF requirements. Implementation of the RAP is an important part of the overall project.

To assist the HPRIDC for the implementation Monitoring and Evaluation of the RAP, HPRIDC now invites the services of eligible consultants/organization to be procured under 'Quality and Cost Based Selection' (QCBS).

All possible steps have been taken to minimize land acquisition and demolition of structures so as to reduce adverse affect on people settled along the road. The HPRIDC has formulated a Resettlement Policy Framework, which had been the basis of the RAP. The consultants engaged for preparing the RAP conducted baseline socio-economic surveys and a census of the project affected persons (PAPs). Among others, the RAP stipulates involvement of a consulting agency for monitoring and evaluation (M&E) of implementation of the RAP, and compliance with the targets given in the RAP.

The overall project is being implemented by one project implementation unit called Environmental Social Management Unit charged with a Social development Officer. The RAP is being implemented with support of non-governmental organizations (NGOs). In order to ensure effective implementation of the RAP and achievement of the set targets, monitoring and evaluation of the R&R component of the project will be carried out to provide an assessment so as to enable timely adjustment of implementation set-up and procedures. It is in the background that the HPRIDC intends to hire the services of an independent consultant to monitor and evaluate implementation of the RAP being carried out by the HPRIDC with the support of the NGO/s deployed.

Objectives of the Assignment

The objectives of the M&E consultancy services are (a) to assess whether the implementation of the RAP is as per the HPRIDC RPF and the RAP; (b) to monitor the schedules and the achievement of targets; (c) to evaluate whether the outcomes of social development objectives of the project are being achieved.

Scope of Services

1. The consulting agency (CA) shall conduct quarterly monitoring of the implementation of the RAP for the first two years of service. The CA shall also undertake annual, mid-term and end-term evaluation of the R&R components of the project.
2. The CA shall computerize the available R&R database to monitor the progress of the R&R activities against the targeted performance indicators.
3. The CA shall develop formats for monitoring on the basis of indicators for all the R&R activities included in the RAP and other required indicators. The CA shall collect data form secondary and primary sources, which shall include field visits and interviews with a section of the PAPs. At least 25% PAPs should be interviewed.
4. The monthly and quarterly monitoring of the implementation of the RAP for the project (for all contract packages) shall include but not limited to monitoring the following:
 - > Appointment of the required staff (quarterly only);
 - > Training (quarterly only);
 - > Land acquisition and payment of compensation;
 - > Consultation and participation of the people (quarterly only);
 - > Inclusion of the vulnerable groups in the decision-making process;

- > Verification of the PAPs and distribution of identity cards;
 - > Relocation and development of resettlement sites;
 - > Distribution of assistance;
 - > Rehabilitation;
 - > Financial and physical progress;
 - > Any deviation from the RAP (quarterly only).
5. The CA shall undertake annual and mid-term evaluation of the R&R components of the project, which shall include but not limited to the following aspects:
- > The process of implementation of the RAP;
 - > The process of consultation;
 - > Transparency;
 - > The processes for delivery of the R&R services within the timeframe;
 - > The grievance redressal processes;
 - > The processes related to the district level committees (DLCs);
 - > The processes of disbursement of compensation and assistance;
 - > The processes of relocation;
 - > The processes of rehabilitation, which includes restoration of livelihood;
 - > Training of staff of the HPRIDC and the PAPs.
 - > The institutional arrangement and capacity to implement the RAP.
6. The CA shall undertake an end-term evaluation of the R&R components of the project, which includes but is not limited to the following:
- > Evaluate whether the goal of the HPRIDC R&R Policy to improve or restore the livelihood of the PAPs has been achieved;
 - > Evaluate consultation and participation of the people enabled the implementation of the RAP;
 - > Evaluate how the vulnerable groups benefited from the project;
 - > Evaluate the HPRIDC R&R Policy and RAP in the context of the diverse social and cultural groups;
 - > Evaluate the impact of the project specific measures to address the issues of (a) the quality of life of the PAPs; (b) health and hygiene; (c) gender sensitivity and empowerment; and (d) sexually transmitted diseases (STDs) including HIV/AIDS.
7. People's perception about the processes adopted for implementation of the RAP including about the (a) compensation and /or assistance received; (b) new relocation sites; (c) grievance redressal committees; (d) the district level committees; (e) the services of the NGOs; and (f) the HPRIDC.

Reporting

The CA shall submit the following reports:

1. Monthly Reports
2. Draft Quarterly Monitoring Reports & Final Quarterly Monitoring Reports;
3. Draft Annual Evaluation Report & Final Annual Evaluation Report;
4. Draft Mid-Term Evaluation Report & Final Mid-Term Evaluation Report;
5. Draft End-Term Evaluation Report & Final End-Term Evaluation Report.

Methodology

Following methods are suggested for monitoring and evaluation:

1. Focus Group Discussions
 2. Social Mapping
 3. Questionnaires
 4. Depth Interviews
- Team for the Assignment

The CA shall deploy a team of which the positions and minimum qualification are stated in the following:

Team Leader: S/he should be a post-graduate in social sciences with at least 10 years of experience in the field of social development. S/he should have monitoring and evaluation experience of more than 5 projects, and

should have held responsible positions in the previous assignments including as team leader. S/he should have adequate managerial skill and should be conversant with the region and the regional language.

Sub-Professional I: S/he should be a graduate in social sciences with at least 7 years of experience in the field of social development and participating rural appraisal. S/he should have adequate knowledge of computers and should be conversant with the region and the regional language.

Sub-Professional II: S/he should be a graduate in statistics with good knowledge of computerized database development and management and should be conversant with the region and the regional language.

Sub-Professional III: S/he should be a graduate in civil engineering with at least 7 years of experience in construction/maintenance of National/State Highways. S/he should have good knowledge of land measurement and should be conversant with the region and the regional language.

Support Staff: There should be an adequate number of support staff. They should be able to perform as asked by the members of the team.