7 ANALYSIS OF PROJECT IMPACTS

As presented in the socio-economic profile of the project affected people, majority of the people in the project area own land, which is used primarily to grow plantations, of mainly apple. The major impacts of the project, as a result of land acquisition or land selling would include:

- Loss of private property
- Loss of asset including plantations
- Loss of livelihood and income directly linked to the above two losses
- Other indirect losses

In addition people have voiced concerns on issues such as safety, pollution, loss of lifestyle, and threat to their crops and see these as possible impacts of the project.

The project will not impact any homestead land or residential structures, hence no physical resettlement is envisaged.

7.1 LAND REQUIRED BY THE PROJECT

The project will require land in three villages in Manali Tehsil and Kullu District. The villages are:

- Prini
- Jagatsukh
- Aleo/ Vashisht

A fourth village, Hamta, will be affected by the proposed road through that village.

The purpose for which the land would be required includes building a colony for the project staff, and for building roads around the project area. The table below summarises the land requirement in the different villages.

Table 7.1 Land required by the project

Village	Village wise land to be acquired (Ha)	Number of *khasras**	Purpose
Prini	6.83	117	Colony and road
Jagat Sukh	3.94	75	Colony and Road
Aleo/Vashisht	0.99	20	Road
TOTAL	***11.76***	***212***	

Note: This is based on present status and does not reflect the final land acquisition figures.

**Khasra is the local terminology for any plot of land for which land record are maintained.*

These figures of land are based on the land records provided by the project proponent for the three project affected villages. While the location and land requirement of the colony has more or less been decided, the final road alignment is yet to be decided. Hence the total land that will be acquired for construction of the road is not yet known.

The project has however prepared an assessment of total land under different categories, to be acquired for the project. This includes:

- Private land: 36.565 ha
- Government land: 8.54 ha
- Forest Land: 32.167 ha

The total land requirement is envisaged as 77.272 ha.

7.2 *NUMBER OF PEOPLE LOSING LAND*

The land records in Manali, as everywhere, are maintained in terms of *Khasra* or plot numbers, which are to be updated regularly by the Revenue Department. There can be one or more than one claimant to that plot number. Typically, a plot may have belonged to the original owner (grandfather to the current generation) and that plot has now been formally or informally split among the children. If there has been formally split the mutation would need to be recorded in land records. This, in the normal course of events, does not get done regularly and mutation records may not reflect the actual land holding pattern in the ground.

Another problem is when the land has been split between family members on the basis of an informal understanding. Typically 2 or more brothers/sisters may be cultivating and getting income from different parts of a plot of land the records show still belongs to the father. The siblings then have no official documents to claim ownership of that piece of land they may be solely cultivating for the last many years.

Issues that have made it difficult to come up with an exact figure of the number of people losing land include:

- Some design components and alignments of roads have still not been frozen by the project proponents, as a result of which one cannot put down the exact number of people losing land
- Land records do not reflect the current ownership or use of the different plots of land to be acquired by the project.

However on the basis of the list of khasra numbers provided by the project proponents and the sample survey the SA team conducted, we estimate that the total number of families losing land can vary between 130 to 140. , Of these 50% are in Prini, 35.5 % in Jagat Sukh and the remaining 15.2% in Aleo *(see section on approach methodology for details).*

The following sections highlight each of the project impacts, based on the sample survey conducted among the project affected families.

7.3 *IMPACTS ON LAND*

The land that is being acquired for the project is being primarily used for apple plantations, and apple is the major source of income for majority of the PAFs. In some cases, people also use a part of that land for agriculture (wheat, rice, pulses, barley and maize being the major crops). Based on the sample survey, the following table shows the current use of the land plot impacted by the project.

Table 7.2 *Current Use of Impacted Land*

Current use	No of PAFs
Agriculture	17
Agriculture & Plantations	23
Plantations	100

** These values are projected for 140 project-affected families*

A critical issue to note during land acquisition is whether the parcel or plot of land being impacted remains viable for whatever purpose it was currently being used. In other words, what percent of those parcels of land will be acquired. The sample survey brought out that in case of 76.3 % of PAFs, the entire parcel of land was in the process of being acquired. Nearly 80% of the PAFs will lose more than 75% of the parcel of land impacted by the project. In all these cases, that land parcel may become unviable for any cultivation or plantations in future.

Table 7. 3 *Impacts on Parcel of Land*

Range of Impacts (%)	**No of PAFs**
<25	7
25-50	12
50-75	12
75-100	109

** These values are projected for 140 project-affected families*

A separate analysis was done to estimate what percentage of total land owned were the PAFs losing. The sample survey showed that while a significant 34% of PAFs were losing less than 10% of their total land, approximately 3.4% of PAFs were losing between 75 and 100% of their total land owned. On this issue of impact of land, what the sample survey has examined is the impact on the *de-facto ownership* of land and not on the basis of land records. [4] In fact, by the land records, no PAF will either become landless nor will have less than 1 bigha of land after acquisition.

Table 7. 4 *Impact on Total Land Owned*

Range of Impacts (%)	No. of families *
<25	90
25-50	31
50-75	14
75-100	5

** These values are projected for 140 project-affected families*

(1) [4] A person may be a joint owner of "x" bighas of land but actually cultivating and earning income from only "y" bigha. The remaining land (x-y bigha) might have been similarly divided among his family members, from which this person is not deriving any income or subsistence. Therefore this person's land impacts have been based on impacts on "y" bigha of land rather than "x" bigha.

7.4 *IMPACTS ON FAMILY INCOME*

As mentioned before, land was being used both for plantation purposes, as well as for agriculture. Crops grown were primarily for domestic purposes, and not sold for income. However, one needs to take into consideration that families practising agriculture were meeting between 3 to 5 month of their basic food requirements (wheat, rice, maize, pulses etc.) from their land, and would need to buy these essential commodities in the market at a price. We have therefore assessed the agricultural production as income equivalent to the family.

7.4.1 *Impacts on agricultural income.*

50% of the PAFs were losing less than Rs 5000 per annum agricultural income. At the other end of the spectrum though, 16.6% of the PAFs were losing between Rs 25,000 and Rs 50,000 agricultural income.

Table 7. 5 Loss of Agricultural Income

Range of loss (Rs.)	No of PAFs
<5000	70
5000-10000	31
10000-25000	16
25000-50000	23

In terms of percentage of agricultural income getting potentially lost through the project, 87% families are losing less than 25% of their agricultural income and 13% families are losing anything between 25% and 75% of their family agriculture income (or income equivalent). No family is losing more than 75% of their agricultural income.

7.4.2 *Impacts on Plantation income*

The project area is a part of the state's and the country's best apple growing regions and 69% of the land to be acquired is currently under apple plantations. Though apple is a costly crop to grow, the income is also substantial, and hence some of the PAFs are in to lose a significant amount of their incomes due to the land acquisition.

On an average, income from apples is calculated per box or *peti*, which contains approximately 20kg of apple. On an average, a box is sold for anything between Rs 350- and Rs 360, while the input costs per box varied between Rs 70– Rs 80 per box. Input costs included inputs of fertilisers and pesticides during cultivation, cost of packaging and cost of labour and transport to take the boxes to the market.

Table 7. 6 Loss of Plantation Income

Range of loss (Rs.)	No of PAFs
<10,000	33
10000-25000	49
25000-50000	23
50000-100000	19
>100000	16

As the table shows, while about 23% of the PAFs will lose less than Rs.10,000 worth plantation income, 25.6% of the PAFs will lose between Rs 50,000 to Rs. 1,00,000 per annum of their plantation income.

In terms of percentage of plantation incomes getting impacted, 51.6% families are losing less than 25% of their total plantation income. An issue of concern however is that nearly 13% of the families will lose 100% of their plantation incomes.

Table 7. 7 ***Percentage Loss of Family Plantation Income***

Range of loss in Plantation income (in %)	No of PAFS
< 25	72
25-50	32
50-75	11
75-100	25

7.4.3 Impact on Total Household Incomes

While the sections above indicated the impacts on individual sources of income namely agriculture and plantations, the correct assessment of the degree of impacts can be got from the impact on total household income. The sample survey showed that 58.7% of families would be losing less than 25% of their incomes because of the project. However, some 6% of families would be losing between 75% and 100% of their total family income.

Table 7. 8 ***Impacts on Total Household Income***

Range of Loss (%)	Projected No of Families *
< 25	82
25-50	33
50-75	16
75-100	9

* *These values are projected for 140* project-affected *families*

Some of such families that are losing more than 75% of their incomes are also families losing more than 75% of their land.

7.5 OTHER LOSSES

7.5.1 Loss of structure

None of the PAFs in the survey reported any permanent structure in the impacted land.

7.5.2 Loss of assets

Trees

Apple trees are the main assets that would be impacted in this project, as primarily plantation land is being acquired. Some of the trees are matured trees, which are generating substantial incomes for the families. The other trees are yet to mature, but would be generating incomes in a few years.

The table shows that approximately 13.7% families will be losing more than 100 apple trees while a majority of the PAFs stand to lose less than 50 trees.

Table 7. 9 Loss of Trees

No of trees	No of PAFs
0	0
1-25	58
25-50	50
50-75	5
75-100	8
> 100	19

On an average a 6 year old tree starts bearing fruit while a 10-year tree is considered to be a fully matured tree. Hence the percentage of matured trees being impacted gives a more accurate idea of the project impact on assets. The sample survey showed that as many 66.7% of the PAFs were losing all matured trees, which indicates a more severe impact on these families. Only 13.7% of families had no matured trees growing in the land to be acquired.

Table 7.10 Loss of Matured Trees

% loss of matured trees	No of PAFs
0	19
1-25	5
25-50	3
50-75	17
75-100	96

Other assets

In terms of other assets, 3.3% of the PAFs reported that they had irrigation channels constructed in the land to be acquired for the project. These channels are quite old and people estimate that it would take 3-4 days of labour to construct such channels. No other assets were reported to be potentially impacted by the project.

7.5.3 Loss of access to cultural and common property

The project has made every effort to avoid any impact on common property like places of worship, grazing grounds etc. The local *patwari* in each village has affirmed through a written document that no such property is getting affected in any of the three villages of Aleo, Prini and Jagat Sukh.

7.6 INDIRECT IMPACTS

None of the families in the survey reported that the impacted land involved sharecroppers. However sharecropping is commonly practised in the area and some of the PAFs reported that as their own land holdings were small, they practised sharecropping in other people's field. *This needs to be further investigated and sharecroppers' loss of income assessed during the census survey of the PAF in the implementation stage.*

Similarly none of the PAFs reported that the land acquisition would result in loss of income for any of their employees. In fact less than 2% families said they employed any permanent employee to work in their fields. The work was mostly done by family members of temporary labour hired during the cropping seasons. *However, loss of income for employees needs to be considered during the census survey in the implementation stage.*

7.7 COMMUNITY CONCERNS

While the direct and indirect impacts have been summarised in the above section, consultations with villagers at all three locations brought out some concerns and apprehensions that people have about the project, which need to be highlighted and addressed in the mitigation plans as well as focussed in the PCDP. Some of the concerns are arising primarily due to lack of adequate information with the local people, and this will be rectified in the course of public consultations.

7.7.1 Access to water from Duhangan Stream

People in Jagat Sukh stressed that they depended heavily on the waters of Duhangan stream for irrigation of their plantations and crops, and while the project plans to leave adequate water from this stream for downstream users, the villagers are not convinced that the remaining water will be adequate. This issue needs to be monitored during the construction and operation phase.

7.7.2 Impacts on Crop

The project will involve construction of roads and other structures such as colonies, and increase in plying of vehicles, which would lead to pollution and dust. The villagers are apprehensive that exposure to this may impact their apple crops, which presently grow in a relatively pristine environment. These fears were not only expressed by the PAFs but the larger village community in all the villages.

The project proponents have assured that they will take all preventive measures to ensure that impacts on crops are minimized. Many of these measures are already outlined within the Environment and Social Mitigation and Management Plan.

7.7.3 *Health Impacts*

There is a general apprehension that with damming of the rivers, and consequent water stagnation, there could be an increase in incidence of malaria. In addition, with outside labour coming to the area during the construction phase, there is a likelihood of increase in sexually transmitted diseases like HIV AIDS. Both these issues would need management interventions on the part of the project proponent and a focussed awareness campaign about its cause/ effect and precautionary measures, among the local community.

The ESMMP has outlined steps to monitor health impacts and has also outlined a detailed Health Management Plan to which the project proponent is committed.

7.7.4 *Increase in security risks and change in lifestyles.*

Like any other rural areas, people in the three affected villages live simple lives and move around freely without fear. This is especially true for women. However there are apprehensions that the project, during construction and implementation, will bring in a large number of outsiders, with varied backgrounds and cultures, into the area. The women feel that this might lead to them restricting their movements, and a general concern for their personal safety among strangers. It would change the lifestyle they were accustomed to for decades. While the local community has been exposed to tourists from outside for a long time, this project will entail a more permanent interaction through setting up of colonies in the vicinity of the villages.

7.7.5 *Increased pressures on local infrastructure*

With an influx of people and traffic, especially during the construction phase, the local communities fear that the pressure on existing local infrastructure and amenities (health facilities, water, drains and solid waste disposal systems etc.) may significantly increase, and without a commensurate investment on this infrastructure, the quality of life in the area may be affected.

The project proponent has assured that separate infrastructure would be provided for people coming into the area for the project, including housing, water and fuel needs, and pressure on local infrastructure will be closely monitored.

8 RESETTLEMENT ACTION PLAN

8.1 PRINCIPLES

The policy objective influencing the resettlement action plan is to *avoid or minimize, to the extent possible, the hardships and impoverishment that land acquisition may cause, and to mitigate any adverse impacts thereof at the household and community levels.* These objectives are detailed and made more specific in terms of the principles and guidelines to be followed for land acquisition, adoption of compensation/entitlement policies and planning and implementation of rehabilitation activities.

These principles, definitions and entitlement framework will be applicable when assessing and compensating social impacts due to the transmission line also.

8.1.1 Definitions and Eligibility for compensation and rehabilitation

Project Affected Family

A Project Affected Family (PAF) is one which, as a consequence of the project, sustains losses by reasons of impact on a) land b) structure c) immovable asset and/ or d) livelihood/ incomes. A PAF will be identified through a census survey that shall be undertaken after all the design component of the project is frozen.

PAFs may include the following one or more of the following categories:

Agricultural PAFs

- Titleholders
- Sharecroppers
- Tenants/ Lessee
- Non-legal Users/ Occupants

The project does not propose to impact any stricture or homestead land. The sample survey also did not come across PAFs in the tenant and lessee categories.

Non-legal Cultivators

All the families who are directly impacted in terms of loss of livelihood and income through loss of land, and other assets, whether they have a legal right over the land/ structure/ asset or not, are to be recognized as project affected families and will be covered in the entitlement framework. For non-legal cultivators, no compensation will be paid for loss of land to which they do not have legal titles, but rehabilitation assistance shall be provided for loss of livelihood and income. Compensation for loss of land will be paid to the owner of that land. In case of family members have informal arrangements for use of land, the compensation money to be paid to the legal owner, may be shared by the members on the basis of their mutual understanding. It would be the responsibility of the village Panchayat and the District Administration to ensure that the compensation money would be proportionately distributed among all the rightful shareholders of the concerned property.

Cut-off Dates

Cut-off dates will be established to determine eligibility of persons and their assets. *These are the dates on which the census of the affected families and their assets will be done*. Assets like structures and other which are created or groups claiming to be affected, after the cut off dates, will be ineligible for compensation.

Non-resident Owners

Compensation for loss of land/ structure/ assets will be made to owner/ owners of the land/ structure/ assets. Non-resident owners of structures/ land who do not live in the project area and have not been covered under the census survey, will have to come forward to claim their compensations. Their claim will be individually verified before disbursement of entitlements.

Family Unit

Family unit, in the project context, would be household members living in one house and sharing a kitchen. All cash payments to each family unit shall be made in joint accounts (of the husband and the wife). Every family member above the age of 18 years (i.e., adult sons, unmarried / widowed / separated / abandoned daughters) will be considered for specific rehabilitation assistance in form of skill up gradation and income restoration.

Vulnerable Families

Families with income below the poverty line (Rs 20,000 per annum per family)[5], families with mentally or physically challenged members, senior citizens (above the age of 60) and women headed households have been identified as vulnerable and are eligible for special assistance. In addition families losing more than 25% of their land through acquisition would be also identified as vulnerable.

Most Vulnerable Families

Families losing more than 75% of their actual land holding (and not only as per land records), and Scheduled Tribe families will be categorised as "most vulnerable".

Transition Allowance:

For vulnerable families, including families losing more than 25% of their total land holding after land acquisition, the project will provide rehabilitation

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3[5] Source: Department of Land Revenue

assistance in form of a monthly Transition Allowance for a period of 1 year. In addition Transition Allowance would be provided to sharecroppers and employees for loss of income for an appropriate period of time.

Land Purchase Assistance

It is likely that public knowledge of the project would result in an artificial inflation of the land prices in the immediate vicinity, especially for people who have received compensation and intend to purchase replacement land. However, in areas beyond the immediate influence of the project, the land prices are unlikely to rise substantially. The project proponents, through their land purchase assistance program shall make an assessment of the availability of land prices of different categories in a few selected areas and provide such information to those land losers willing to purchase replacement land
The land purchase assistance will therefore:

- Assist the family in identifying alternate lands
- Provide information on market prices

Tree Shifting Assistance

Wherever demanded, and technically feasible, the project proponents will assist the PAFs in shifting their apple trees to another part of their land holding not affected by the project or in new plots of land purchased. This assistance will involve providing vehicle to move trees as well as technical support from experts brought to the area for the purpose. The PAF will be responsible for the uprooting and re-planting of the tree. While the survival rate of such trees are not known, this assistance will not bar the PAF to be eligible for various other entitlements outlined under the relevant categories. This assistance will be more of a good will and confidence building measure by the project proponent, especially as PAFs have requested this assistance in various public consultations.

Skill up gradation and income restoration assistance

All Project Affected families will be eligible for special skill enhancement income restoration assistance to enable them to restore and preferably enhance their incomes through supplementary avenues.

8.1.2 Land Acquisition and Impact Mitigation Principles

Land Acquisition

In keeping with the policy objectives stated above, RSWML will adopt the following measures:

- To the extent possible, negotiate and buy the land required at market price. Only in cases where negotiations break down or do not take place, the project can go in for land acquisition, the process for which is already underway.
- Explore alternative designs and alignments to minimize the need for land acquisition. Even within this the aim would be to minimize the need to acquire private land and substitute it with government or revenue land.
- Ensure that no homesteads are being impacted.

- Wherever feasible, road alignments and location and design of colonies will use land that are of lower productive value in terms of productivity and use.
- Ensure that the project activities do not impact religious sites, cultural property and common property resources.
- Wherever land holdings left after land acquisition become economically unviable, the landowners will be given option to offer the entire holding for acquisition.

Impact Mitigation

Beside provisions outlined in the law of the land for land acquisition, provisions of the IFC and World Bank will be used to supplement those.

- As opposed to the requirements in the acquisition law, absence of legal titles will not be a bar to assistance, especially for the socio-economically weaker sections.
- Vulnerability, in terms of women headed households, family with aged and physically challenged members, and families below the poverty line, will be identified and issues specific to them will be addressed through appropriate policies and support. In addition families losing more than 25% of their land, after acquisition, will also be identified as vulnerable.
- Land alienation will be prevented in the case of tribal families, through a c land-for –land provision unless the PAF demands otherwise.
- At present the project does not intend to impact any Common Property Resources or cultural property. However, in case, after designs and alignments are complete, and if some elements may cause community wide impacts (restricting access to CPRs, or use of community facilities etc.) the project will re-build such facilities and provide for alternative access.

8.1.3 Entitlement Framework.

The compensation modalities are based on the assumption that no residential structures, homestead land, CPRs and cultural property will be impacted by the project.

Compensation for loss of land and assets

- Compensation for the acquired lands will be paid at costs negotiated on the basis of current government norms. The process to determine land value will be in consultation with the landowners.

- All affected non-land property, such as structures and trees, seasonal and perennial crops, orchards and other immovable items of value, will be compensated at negotiated costs.

- Families losing more than 75% of their land after acquisition will be identified as most vulnerable and the project will provide them an option of cash compensation or an alternative land equivalent in size, value and quality to that they are losing.[6]This land should preferably not be far from where these families are currently located. The project proponent will seek the assistance of the revenue department for this purpose.

4[6] Similar arrangement was made for people becoming landless in the "R & R Policy for Project Affected Persons" in the Naptha Jhakri Hydroelectric Project.

- All affected Scheduled Tribe families will be provided a similar option of land for land

- PAFs would be assisted in moving and re-planting of their apple trees in other plots of land owned by them or in new plots brought by them.

- Compensation and entitlements will be paid in full ***before*** the PAFs are evicted from the acquired land.

- The affected landowners shall have the right to use the land till compensation has been fully paid This provision is not necessary if the compensation of land includes the compensation for standing crop.

- Utilisation of compensation money will be regulated by the project proponent to ensure that the cash is not spent on wasteful expenditure. The project will encourage and facilitate the PAFs to use the money for building their asset base, repayment of debts, starting some enterprise of their own etc.

Compensation for loss of livelihood and incomes

Rehabilitation assistance is to be provided to all PAFs who will lose more than 25% of their total landholding and whose livelihoods and incomes are to be affected by the loss of land and asset (mainly trees). While the compensation for the loss of land / asset will enable them to replace their affected land /asset, the rehabilitation assistance (in the form of a transition allowance, and skill development and training schemes, etc.) will allow the PAFs to tide over the transition period immediately after incurring the loss and till the time they are able to re-establish their original economic activities or initiate new ones.

Mitigation of Impacts on Cultural Property / Access to Common Property Resources, Public Infrastructure and Amenities

The project designs till the time of the survey has ensured that no cultural or common property will be impacted. However, where impacts on cultural properties are unavoidable at a later stage, the structures will be relocated and restored in a convenient location in a culturally appropriate manner in consultation with the local community. Where common property resources such as grazing lands are affected, alternative arrangements would be made at an appropriate location.

8.1.4 Addressing Safety Concerns

Safety concerns and accident hazards, likely to result due to new roads will be appropriately addressed at the design stage.

8.1.5 Participation and Consultations

Finalisation of the entitlement packages and the rehabilitation measures shall be done in a participatory manner, with active involvement of the local community and village institutions. Regular consultations shall be held with the local community at the time of implementation of the social impact mitigation plan. The implementation process shall be monitored and evaluated by independent agencies and a grievance redressal mechanism shall be established to identify problems and take appropriate corrective actions.

8.2 *ENTITLEMENTS*

8.2.1 *Entitlements for Agricultural PAFs*

Legal Title-owners

1. Compensation for Loss of Land: Cash compensation shall be paid to landowners for the affected parcel of land at negotiated value (minimum compensation should be prevailing market rate for equivalent category and location of land, and to be determined by the negotiation committee). Seasonal and perennial crops grown on that land will be compensated at 3 times the net average annual income from that land during the last three years.

1 a) If the agricultural PAF is losing more than 25% of the total landholding:

PAFs losing more than 25% of their landholding would be classified in the vulnerable category. The project authorities in such cases, shall pay, in addition to the negotiated value, rehabilitation assistance in the form of a transition allowance, skill up gradation through vocational training and income restoration programs.

1 b) If the agricultural PAF is losing more than 75% of the total landholding:

Families losing more than 75% of their land after acquisition will be identified as most vulnerable and the project will provide them an option of either cash compensation at negotiated value or an alternative land equivalent in size, value and quality to that they are losing. The land that will be provided free of any transaction costs such as registration fee, transfer taxes etc. The project proponent will seek the assistance of the revenue department for this purpose.

If such PAFs choose the option of alternate land, and would like to start cultivation there, the project will provide additional start-up assistance, equivalent to 3 months transition allowance.

The project authorities in such cases, shall also pay, rehabilitation assistance in the form of transition allowance, skill up gradation through vocational training and income restoration programs, irrespective of whether the remaining parcel of land is viable or not.

1c) If agricultural PAF belongs to the ST category

All ST families will be provided an option for land equivalent land in area and in quality to the land getting acquired. The land that will be provided free of any transaction costs such as registration fee, transfer taxes etc. The project proponent will seek the assistance of the revenue department for this purpose.

These families will also be provided an additional 3 months transition allowance as start up assistance in case they would like to resume agriculture in the alternate land.

2. Rights to Use of Land: The affected landowners shall have the right to use the land till compensation has been fully paid. Also adequate notice (minimum of 3 months) has to be provided before eviction and the cultivator shall have the right to harvest standing crop sown before the eviction notice is issued. *This provision is not necessary if the compensation of land includes the compensation for standing crop.*

3. Loss of Trees: Compensation for loss of trees, which are present within the affected parcel of land, will be based on negotiated value of the trees, calculated on the basis of the annual productivity of the trees and the average productive life span of the trees. [7]

4 Loss of Assets, if any: If the agricultural PAF has any immovable asset /s which is located within the affected parcel of land, such as private tap stands, other irrigation structures, cattle troughs and sheds, then loss of all such assets shall be compensated.

5. Loss of Livelihood/ Income:

- *7 a) Transition Allowance* - A monthly transition allowance of Rs 2000[8] will be provided to all vulnerable agricultural PAFs for a period of one year.
- *7 b) Income Restoration Programs* -Rehabilitation assistance in the form of skill up gradation through vocational training and income restoration programs will be provided to all PAFs, irrespective of vulnerability.
- *7 c) Land Purchase Assistance Program:* Land Purchase assistance as defined in section 8.1.1 will be provided to all PAFs wanting to purchase alternate land.
- *7d Tree Shifting Assistance:* as defined in section 8.1.1 will be provided if so demanded by the PAF.

Non-legal Users/ Occupants of Agricultural Land

Non-legal occupants of agricultural land are not directly eligible for compensation for loss of land. [9]They are however eligible to the following entitlements:

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5 [7] The Department of Horticulture in HP has determined a formula for compensating fruit bearing tree. However, in our assessment, this may be lower than the present market value of the tree. Hence the value determined by the Horticulture Department would need to be appropriately "topped up". The exact amount of topping up would need to be decided by independent assessment by experts.

6 [8] TA amount is slightly more that the current poverty line of Rs 20,000/annum per family. The project will like to ensure that no family falls below the poverty line in the course of the project.

7 [9] They will get a share of the money from the titleholder and not directly from the LAO. The Panchayat will ensure that the land compensation will be fairly divided among rightful shareholder of the land, even if the land record are not updated and do not recognise them as owners. Mahila Mandals in each village will monitor the process.

1. Loss of Crop Income: Seasonal and perennial crops grown on that land will be compensated at 3 times the net average annual income from that land during the last three years.

2. Rights to use of Land: The PAFs shall be provided adequate notice (minimum of 3 months) before eviction and the cultivator shall have the right to harvest standing crop sown before the eviction notice is issued. *This provision is not necessary if the compensation of land includes the compensation for standing crop.*

3. Loss of Trees: Compensation for loss of trees owned by the PAF which are present within the affected parcel of land cultivated by the PAF will be paid based on negotiated value of the trees, calculated on the basis of the annual productivity of the trees and the average productive life span of the trees.

4. Loss of Assets, if any: If the agricultural PAF has any immovable asset /s which is located within the affected parcel of land, such as private tap stands, other irrigation structures, cattle troughs and sheds, then loss of all such assets shall be compensated.

5. Loss of Livelihood/ Income:

- *7 a) Transition Allowance* - A monthly transition allowance of Rs 2000 will be provided to all vulnerable PAFs for a period of I year.
- *7 b) Income Restoration Programs* -Rehabilitation assistance in the form of skill up gradation through vocational training and income restoration programs will be provided to all PAFs
- *7c Tree Shifting Assistance:* This assistance as defined in section 8.1.1.would be provided if so demanded by the PAF.

8.2.2 Entitlement for Sharecroppers

All sharecroppers will be identified during the census survey. If a family is practising sharecropping continuously on the land to be acquired, for over three years, they would be eligible crop compensation for seasonal and perennial crops grown on that land. The compensation will be 3 times the net average annual income from that land during the last three years. In addition they will also be eligible for a Transition Allowance of Rs 1000 per month for 6 months[10] as entitlement against loss of income. The census survey will verify their claim through discussions with other villagers and the village Panchayat.

The sharecropper families will be eligible for rehabilitation assistance in the form of skill up gradation through vocational training and income restoration programs

8 [10] The TA is less in this case and for a shorter duration because sharecroppping is done only for a few months in a year. Sharecropping income is rarely the primarily source of income for families. It rather supplements the income from land that the family owns and cultivates.

8.2.3 *Entitlement for loss of employment*

People, employed in land that will be acquired for the project for at least three years, will be compensated for the loss of income. **Such people will be identified by the census survey** and will be entitled to a Transition Allowance of Rs 1000 for six months. Claims for employee status will be verified through discussions with other villagers and the village Panchayat

Employees, in addition, will be eligible for rehabilitation assistance in the form of skill up gradation through vocational training and income restoration programs

8.2.4 *Entitlement for Vulnerable Families*

Vulnerable families under each category of PAFs are eligible for special rehabilitation assistance, as outlines in the sections above.

8.2.5 *Entitlement for Scheduled Tribe Families*

All vulnerable ST families will be eligible for the special assistance being provided for vulnerable families. In addition, and following the Himachal Pradesh's policy of prevention of land alienation among tribals in the state[11], the project will provide a lands-for land option to all tribals whose land is getting acquired for the project. The land that will be provided will be equal in size, value and quality to the one they are losing.

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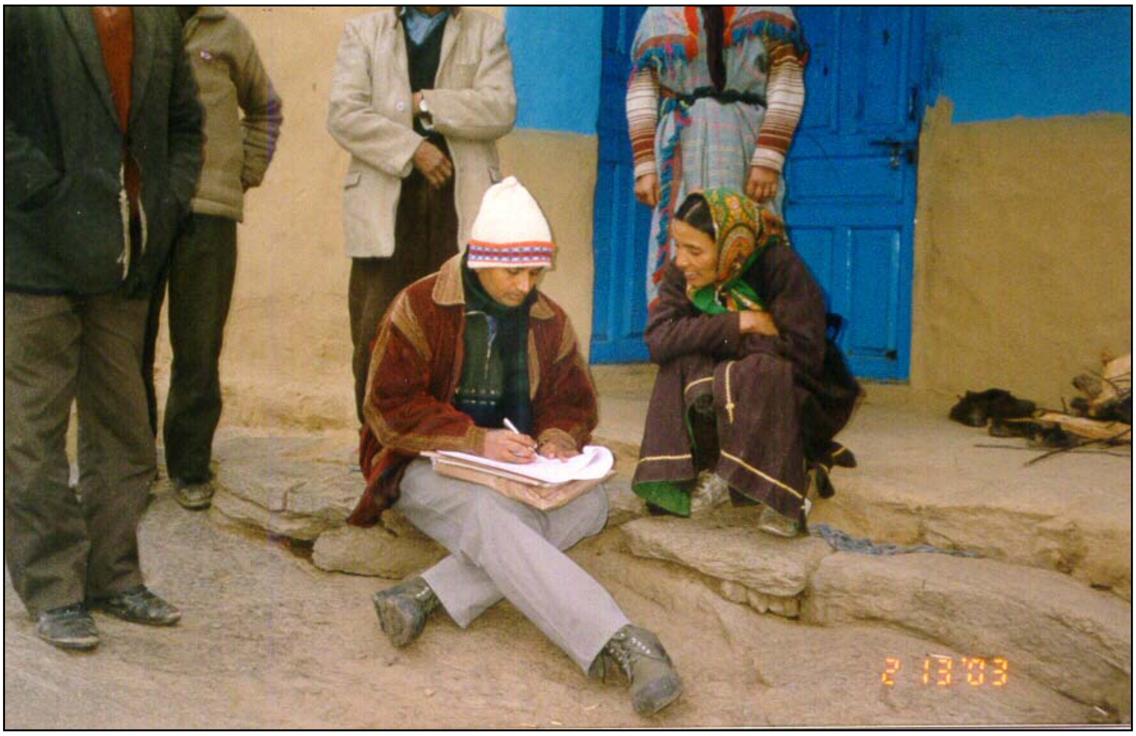
9 [11] Himachal Government has various policies to ensure that tribals do not get alienated from their lands, and that such land transfers are strictly regulated. Various project specific R & R policies (e.g. Naptha Jhakri & Baspa-II HEP) provide for alternative lands or employment for tribal families.

Discussions with a family in Hamta



Interview of a Tribal woman in Aleo

Table 8.1 Entitlement Matrix

CATEGORY OF LOSS	ENTITLED PERSON (EP)	SUB-CATEGORY OF EP	ENTITLEMENT	REHABILITATION ASSISTANCE
Agriculture land	Owner of land	Losing < 25% of total land holding	• Cash compensation for land at negotiated value • Cash compensation for seasonal and perennial crops at 3 times the net average income from that land during the last three years. • Compensation for loss of assets and trees at negotiated value • Compensation for loss of standing crop at negotiated value • Right to use the land till compensation is fully paid/settled	• Land Purchase Assistance • Tree Shifting Assistance • Eligible for skill enhancement and Income Restoration Programme
		Losing between 25-75% of total landholding (vulnerable)	• Cash compensation for land at negotiated value • Cash compensation for seasonal and perennial crops at 3 time the net average income from that land during the last three years • Compensation for loss of assets and trees at negotiated value • Compensation for loss of standing crop at negotiated value • Right to use the land till compensation is fully paid/settled	• Transition Allowance of Rs 2000 per month for 1 year. • Land Purchase Assistance • Tree Shifting Assistance • Eligible for skill enhancement and Income Restoration Programme

CATEGORY OF LOSS	ENTITLED PERSON (EP)	SUB-CATEGORY OF EP	ENTITLEMENT	REHABILITATION ASSISTANCE
		Losing > 75% of total landholding (vulnerable)	• Cash compensation for land at negotiated value OR • Land equivalent in size and quality in an appropriate location. The land that will be provided free of any transaction costs such as registration fee, transfer taxes etc. • Cash compensation for seasonal and perennial crops at 3 time the net average income from that land during the last three years • Compensation for loss of assets and trees at negotiated value • Compensation for loss of standing crop at negotiated value • Right to use the land till compensation is fully paid/settled	• Transition Allowance of Rs 2000 per month for 1 year. • An additional start up assistance for families choosing the land option and aiming to start cultivation in that land. • Land Purchase Assistance • Land Purchase Assistance • Tree Shifting Assistance • Eligible for skill enhancement and Income Restoration Programme
	Non legal users/Occupants*	Losing < 25% of total land holding	• Cash compensation for seasonal and perennial crops at 3 time the net average income from that land during the last three years • Compensation for loss of assets and trees at negotiated value • Compensation for loss of standing crop at negotiated value • Right to use the land till compensation is fully paid/settled	• Land Purchase Assistance • Tree Shifting Assistance • Eligible for skill enhancement and Income Restoration Programme
		Losing > 25% of total land holding (vulnerable)	• Cash compensation for seasonal and perennial crops at 3 time the net average income from that land during the last three years • Compensation for loss of assets and trees at negotiated value • Compensation for loss of standing crop at negotiated value • Right to use the land till compensation is fully paid/settled	• Transition Allowance of Rs 2000 per month for 1 year. • Land Purchase Assistance • Tree Shifting Assistance • Eligible for skill enhancement and Income Restoration Programme

CATEGORY OF LOSS	ENTITLED PERSON (EP)	SUB-CATEGORY OF EP	ENTITLEMENT	REHABILITATION ASSISTANCE
	Sharecropper		• Cash compensation for seasonal and perennial crops at 3 time the net average income from that land during the last three years	• Transition Allowance of Rs 1000 per month for 6 months
	Employee on that land			• Transition Allowance of Rs 1000 per month for 6 months
	Scheduled Tribe families		• Cash compensation for land at negotiated value OR • Land equivalent in size and quality in an appropriate location. The land that will be provided free of any transaction costs such as registration fee, transfer taxes etc. • Cash compensation for seasonal and perennial crops at 3 time the net average income from that land during the last three years • Compensation for loss of assets and trees at negotiated value • Compensation for loss of standing crop at negotiated value • Right to use the land till compensation is fully paid/settled	• Land Purchase Assistance • Tree Shifting Assistance • Eligible for skill enhancement and Income Restoration Programme
	Vulnerable Families**			• Transition Allowance of Rs 2000 per month for 1 year. • Land Purchase Assistance • Tree Shifting Assistance • Eligible for skill enhancement and Income Restoration Programme

**Non-legal cultivators will get their share of the compensation for land from the titleholders and not directly from the LAO.*

***Vulnerable families will be identified and specially supported under each loss category, including ST families.*