

UNITS

1 hectare	=	2.47 acres
1 hectare	=	10,000 sq. meter
1 hectare	=	11,959.90 sq. yards
1 hectare	=	2.5 Acres
1 acre	=	100 cents
1 cent	=	40.47 sq.mts.
1 meter	=	3.28 foot
1 sq. meter	=	10.76 sq. foot

ABBREVIATIONS

BPL	:	Below Poverty Line
SRMC	:	Schedule of Rates Mangalore Circle
CBO	:	Community Based Organization
CPR	:	Common Property Resources
DC	:	Deputy Commissioner
DPR	:	Detailed Project Report
DRRO	:	District Resettlement and Rehabilitation Officer
EA	:	Executing Agency
ESDU	:	Environmental and Social Development Unit
FGDs	:	Focus Group Discussions
GoK	:	Government of Karnataka
GRC	:	Grievance Redress Committee
Ha	:	Hectare
IA	:	Implementing Agency
LA	:	Land Acquisition
LAA / LA Act	:	Land Acquisition Act
R&R	:	Resettlement and Rehabilitation
M&E	:	Monitoring and Evaluation
NGO	:	Non-Governmental Organisation
NH Act	:	National Highway Act
NHAI	:	National Highway Authority of India
NHDP	:	National Highway Development Programme
NPRR	:	National Policy on Resettlement and Rehabilitation
PAF	:	Project Affected Family
PAP	:	Project Affected Person
PC	:	Project Consultant
PIU	:	Project Implementation Unit
RAP	:	Resettlement Action Plan
RoW	:	Right of Way
Existing Milestone	:	00/000
Chainage		
Proposed Design	:	00+000
Chainage		

DEFINITIONS

Assistance refers to the support provided to PAPs in the form of ex-gratia payments, loans, asset services, training and skills development, etc. in order to improve the standard of living and mitigate the negative impacts of the Project.

Below Poverty Line (BPL) Households are households whose monthly income is less than a designated sum as determined by the Government of India.

Compensation refers to the amount paid under the National Highways Act, 1956 for private property, structures and other assets acquired for the project. In this context, compensation refers to payments made by the Government when title of a property is transferred from a private entity to the government.

Cut-off-Date. The date of notification under Subsection (1) of Section 3A, of National Highways Act, 1956 will be considered as cut-off date for PAPs who have legal title to the land/property, proposed for acquisition. In the case of Squatters, Encroachers and unauthorized occupants the date of census/socio-economic survey conducted by the Design DPR Consultants will be considered as the cut-off date for entitlements under the Project.

Deputy Commissioner is the Administrative head of a District and overall in charge of any Land Acquisition for public purposes within the respective district.

Encroachers are persons who have extended their building, agricultural lands, business premises or work places into government lands.

Private Property Owners/ Titleholders are those who have legal title to land, structure and other assets.

Project Affected Person (PAPs) are persons who have economic interests or residence within the project impact area and who may be adversely affected directly by the Project. Project Affected Persons include those displaced, those losing commercial or residential structures in whole or part, those losing agricultural land or homesteads in whole or part, and those losing income sources as a result of project action, or having losses as described in the Entitlement Matrix. PAPs include both titled and non-titled persons experiencing resettlement impacts due to the Project.

Project Affected Family (PAFs) means consisting of such persons, his or her spouse, minor sons, unmarried daughters, minor brothers or unmarried sisters, father, mother and other members residing with him and dependent on him for their livelihood.

Project Impact Area refers to the area proposed for the project under NH Act 1956, involving permanent land acquisition.

Replacement Value of the acquired assets and property is the amount required for the Project Affected Household to replace/reconstruct the lost assets through purchase in open market.

Squatters are those who have illegally occupied lands for residential, business and or other purposes.

Tenants, Leaseholders and Sharecroppers are those persons having bonafide written or unwritten tenancy agreements, with a private property owner having clear property titles, to occupy a structure or land for agricultural use, residence and business.

Vulnerable Households, for Project compensation entitlement purposes, are households headed by women (not having any other earning members in the family above 14 years of age), disabled persons, indigenous persons, and BPL households.

CHAPTER – 1 INTRODUCTION

1.1 Introduction

The project road comprises the portion of NH-69 from chainage 3+000 at Mankapur in Nagpur District to chainage 59+300 at State border near Khursapar in Nagpur district of Maharashtra. Topographically this stretch runs through plain land.

The project road passes through one administrative boundaries– Nagpur districts of Maharashtra. With in the total length of 55.200 km (3+000 to 58+200) 25 villages are getting affected, out of 1 village of Nagpur rural, 4 villages of Kamptee taluka, 20 villages of Savner taluka and some municipal area of Nagpur Urban. Jripataka, Mankapur, Zingabai takali Nara, Panjara and Koradi are the major critical area in the social point of view. Around 50% of the project road passes through the mixed land use of residual and commercial plots.

1.2 Objectives of Social Assessment Exercise

Rapid Social Assessment was conducted with the main objective of identifying stretches of social sensitivity to assess the social feasibility of the project. The objectives also include the following:

- Providing inputs to the highway design team about the social concerns.
- Understanding the type of social impacts
- Quantifying the extent of social impact and
- Estimating the land acquisition cost.

Considering the above and the Terms of Reference (ToR) of the study, the following methodology has been adopted to carry out the social assessment.

1.3 Approach & Methodology

Task 1: Collection and Analysis of Secondary Data

Secondary data pertaining to various socio-economic parameters was collected from Government Departments like Census of India, Department of Industries, Department of Economics and Statistics, Department of Agriculture, Directorate of Settlements and Land Records etc. This helped to understand the socio-economic profile of the project area with respect to indicators like population growth rate, literacy rate, work force participation rate (WFPR) etc. in comparison with the project districts and Karnataka state.

Task 2: Initial Field Reconnaissance

Initial field reconnaissance was conducted in the beginning of the study to gather a preliminary understanding of the project stretch with respect to following features:

- Topography of the land, road geometry
- Environmental features like trees, any forest area, water bodies like ponds, rivers etc.
- Social and physical features like settlement pattern, its density, typology of buildings, especially presence of religious buildings, land use etc.

Task 3: Detailed Field reconnaissance

Further to initial reconnaissance, a detailed reconnaissance was undertaken to record and document the above socio-environmental features in detail.

Sub-task 3.1: Preparation of strip plans

The land use on either side of the road within a distance of 22.5 m from the centre line of the existing road on either side was mapped at every 200m. Indicating the distance of private property line from the carriage way, the location of buildings within 45 m ROW, type of building, number of floors, use of buildings etc. The strip plans documents the existing features on either side of the road that may be affected by the proposed project.

Sub-task 3.2: Counting of structures within 45m. ROW

This task was undertaken to quantify the impact on structures that would be affected by the widening of the road. The number of residences, commercial buildings, public utility buildings and religious structures were counted for RHS and LHS separately and an inventory of the count was prepared for every 200m length of the road.

Sub-task 3.3: Detailed study of socially sensitive features

Along with sub-task 3.2, detailed study of socially sensitive features like mosques, churches and temples, were studied with respect to their location, distance from the edge of the carriage way, type of building, ownership, historical importance etc. This task helped to document these features and identify the critical stretches from a social perspective.

Sub-task 3.4: Focused Group Discussions (FGD)

Focus Group Discussions were conducted at select places to understand the people's perception about the project as well as their issues and concerns. The willingness of the people to part with their land for the project and the compensation anticipated.

Sub-task 3.5: Collection of Land Value

The market values of land at various locations were collected from the people to facilitate calculation of land acquisition cost.

Task 4: Social Impact Assessment

Based on the data collected from detailed field reconnaissance the social impact assessment of the project was carried out with the objective of identifying socially sensitive areas along the project stretch. The critical issues pertaining to social sensitivities were analysed and potential hotspots where social impact could be more were identified. Based on this inputs were given to the highway team so that social concerns are incorporated in the alignment design of the highway from the very beginning and any adverse social impacts are minimized to the extent possible.

1.4 Report Structure

The Chapter – 1 of the report gives an introduction about the project, the objectives of Resettlement Action Plan (RAP), methodology of the study and the organisation of the report. Chapter – 2 gives the profile of the project area in terms of the administrative units along the project road, demographic and socio-economic profile, rapid social assessment of the project road, based on which critical stretches are identified. The summary of the proposed highway design is also given in this chapter. Chapter 3 discusses the legal framework applicable for the project and includes the review of National Highways Act and National Policy on Resettlement and Rehabilitation (NPRR) of Ministry of Rural Development (MoRD). The project specific entitlement matrix given here lists out various types of losses and provides basic parameters for preparation of compensation and resettlement benefits. The Chapter 4 identifies major loss categories and quantifies them based on the data from census surveys. The total area of land to be acquired, the number of affected structures, number and type of common properties affected etc. will be provided here. The different stages of public consultations, different methods adopted etc. are discussed in chapter 5 while institutional framework for implementation of the project, implementation schedule, monitoring and evaluation framework and mechanisms envisaged for grievance redressal are discussed in chapter 6. The RAP budget is given in chapter 7.

CHAPTER – 2

PROJECT AREA PROFILE

2.1 Profile of the Project Area

Following analytical section presents the profile of the project area in terms of its geography, administrative units, socio-economic features and agricultural sector. It uses various socio-economic parameters like literacy, work force participation etc. and draws a picture of development status of the project area in comparison with state and project districts.

2.1.1 Geographical Profile

The district has an area of 9,897 km² lying between 21°45'N to 20°30'N and longitude 78°15'E to 79°41'E in the Deccan plateau. It has 14 taluka, 25 town and 1,628 inhabited villages. According to 2001 census, the total population of the district is 10,67,637 and density is 306 persons per km² about 64 percent lives in the villages and rest in the towns.

Nagpur: The district is mainly an agricultural district. Oranges and Paddy are the two most important crops followed by pulses, sugarcane and oilseeds. Irrigation is made possible by a network of canals and also by tube wells and wells. Industrially Nagpur has been the main center of commerce in the Vidarbha region since early days and is an important trading location. However, Nagpur's economic importance had gradually declined relative to Mumbai and Pune after the merging of Vidarbha into the Maharashtra because of a prolonged period of neglect by the state government. Nagpur's economy is now recovering from past slowdown and city has attracted Rupees 5,000 crore in investment in 2004. In spite of the occurrence of minerals like, iron, kyanite, and coal etc. few mineral based industries have started here. Rural population is more or less evenly distributed in the district. The district is well endowed with a network of roads and other socio-cultural facilities.

The entire stretch of project road traverses through the political boundary of Nagpur district of Maharashtra state, that comprises of 4 villages in Kamthee taluka and 6 in Savnair Taluka rest of the stretch is township abutted in Nagpur Urban Taluka.

The project influence area's populations of 41 lakh persons are expected to be the direct beneficiaries of the project. The project is expected not only to enhance the economic growth of its direct beneficiaries but also to the neighboring areas in the region, thereby opening up of new economic opportunities for the local population. The construction of the project road is also expected to increase the rural urban

connectivity. It would improve the level of service of the existing road by reducing the travel time between agricultural produce and urban market areas, and industries using these products as their raw materials.

The demographic profile with socio-economic characteristics of the project affected district is described in the following section.

2.1.2 Administrative Profile

Administratively, the project road passes through Nagpur districts of Maharashtra state. Among the project districts, it passes through four talukas and around 29 villages. A total stretch of 56.300 Km starts at Nagpur Urban at Km 3/000 and ends at Km 59/300. Administrative profile of the project area is given in **Table 2.1**.

Table 2.1: Administrative Profile of the Project Area

Name of District	Name of taluk	No. of affected Villages	Name of affected Villages
Nagpur	Nagpur Urban	4	Jaripataka
			Mankapur
			Zingabai Talki
			Nara
	Nagpur Rural	1	Bhokara
	Kampthee	4	Panjara
			Koradi (N.V.)
			Mahadula (CT)
			Nanda
	Savner	20	Dahegaon(Rangari)
			Pipla (da-B)
			Kawadas
			Patansavangi
			Takali
			Manegaon
			Malegaon
			Borujwada
			Gujarkhedi
			Ajani
Pardi (Rithi)			
Hetisurla			
Bhagi Mahari			
Pipala (Bhadao)			
Khapa (Narsala)			

Name of District	Name of taluk	No. of affected Villages	Name of affected Villages
			Umari (Bharatpur)
			Borgaon Jangli
			Chhatrapur
			Jaitpur
			Khursapar

2.1.3 Demographic and Socio-Economic Profile

The following table presents a comparative picture of the various socio-economic indicators of the project area, project districts and the state, are summarized in table 2.2

Table 2.2: Comparison of socio-economic features of project area with districts and state

	Demographic Indicators	State	Nagpur	Project Area
1	Area (in Ha.)	30771300	21800	16367
2	Area (in Sq.Km.)	307713	9897	163.67
3	Total Population	96878627	4067637	160754
4	Total Population - M	50400596	2105314	84476
5	Total Population - F	46478031	1962323	76278
6	Urban population	41100980	2613751	7428
7	Urbanization Rate (%)	42.43	64.26	4.62
8	1991 population	78937187	3436000	135087
9	Population Density (Persons Per Square Km)	315	411	982
10	Decadal Growth Rate (%)	22.73	18.38	19.00
11	No. of households	19576736	838599	34299
12	Average Household Size	4.95	4.85	4.69
13	Child popln.-T	13671126	525850	20030
14	Child popln.-M	7146432	270823	10484
15	Child popln.-F	6524694	255027	9546
16	Sex Ratio - Females per 1000 males	922	932	903
17	Sex Ratio – females per 1000 males (Below 6 years)	913	942	911
18	SC Population - total	9881656	696461	23184
19	SC Population as proportion to total population (%)	10.20	17.12	14.42
20	ST Population -T	8577276	444441	12164
21	ST Population as proportion to total population (%)	8.85	10.93	14.42
22	LITERACY			
23	Literates - T	63965943	2976205	124239
24	Literates - M	37184963	1654342	68829

	Demographic Indicators	State	Nagpur	Project Area
25	Literates - F	26780980	1321863	55410
26	Literacy Rate (%)	66.03	73.17	77.29
27	Female Literacy Rate (%)	41.87	67.36	72.64
28	Gender disparity ratio - literacy	1.39	1.25	1.24

The population of the project area is only 1.6 lakh comprising 0.16 percent of state population. The project road traverses through 6 settlements, which consist of villages, towns and municipalities, out of which 4.62 percent are urban areas. Nagpur districts has the highest (64.26%) rate of urbanization than State (42.43%) (Refer **Figure 2.1**). A striking feature of the project area is that it has a very low sex ratio of 903, which is lower than that of the state as well as Nagpur district, the Child sex ratio shows is as sex ratio, it is 911 only.

Analysis of literacy and work force participation rates shows that level of development is not varying much among the state, district and project area, All the district and project area have a higher literacy rate than the state with decrease work force. A comparison of general literacy rates with female literacy rates shows low gender disparity. The WFPR of project area is 14.93 percent, which is comparable with the state average of 30.81 percent. But, project area lags behind much compared to state and other two districts in terms of WFPR of general and female population

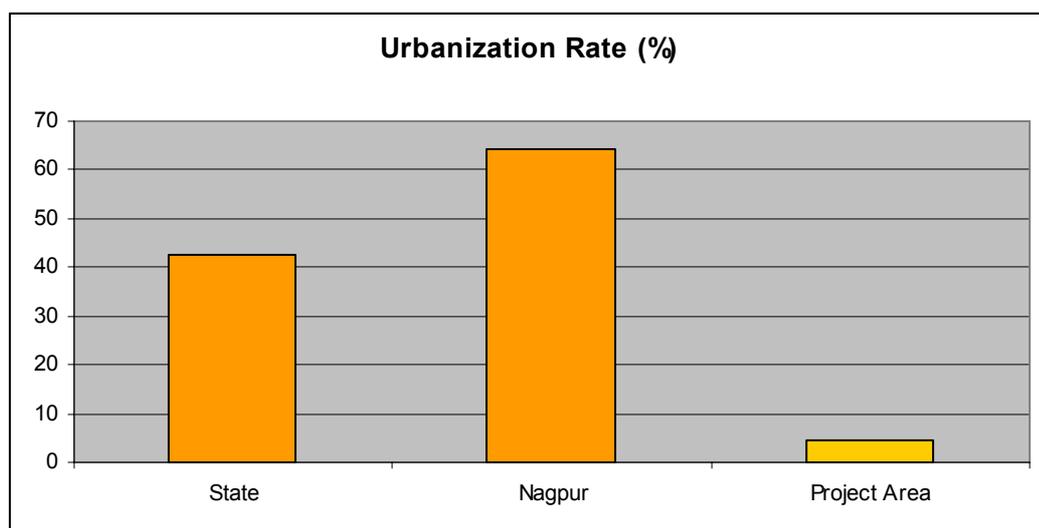


Figure 2.1: Urbanization Rate

Comparison of adult sex ratio of the State, project districts and project area (state-922, Nagpur-932, project area-903) reveals an unsatisfactory child sex ratio

(between 0 to 6 years). The adult sex ratio of the project area is 903 while child sex ratio is only 911. (Refer **Figure 2.2**).

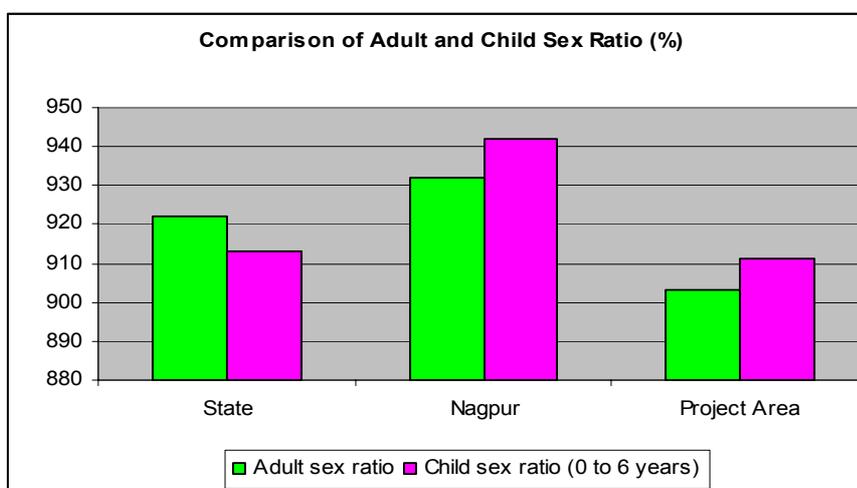


Figure 2.2: Adult and Child Sex Ratio

Table 2.3: Work Force Participation, 2001

Categories	2001 Work Force Participation		
	State	Nagpur	Project Area
Main Workers	34748053	1283079	47216
	35.87	35.87	35.87
Marginal workers	6425298	255270	5513
	6.63	6.28	3.42
Non-workers	55705276	2529288	108025
	57.50	62.18	67.20
Total Population	96878627	4067637	160754
	-100	-100	-100

Source: District Census Handbook, 2001

On the economic front, the project area has recorded a WFPR of 14.93 percent, which is lower than that of Nagpur district (22.77%). The trend indicates high dependency ratio in district, which has, more than three-quarters of its population in non-worker category.

Table 2.4: Work Force Composition, 2001

Categories	2001 Work Force Participation		
	State	Nagpur	Project Area
Cultivators	11813275	225346	3640
	31.95	5.3	8.93
Agricultural Labour	3783852	3783852	11091
	19.54	3.95	7.77

Categories	2001 Work Force Participation		
	State	Nagpur	Project Area
Household	795212	172812	18519
Industries	4.11	20.54	12.96
Other services	8598763	590817	100483
	44.4	70.21	70.34
Total Main Workers	24991102	4772827	133733
	100	100	100

The above table gives the analysis of main work force composition in the project area. There is a clear domination of tertiary sector over other two sectors indicated by the presence 70 per cent of the main workers of project area in other services category

2.1.4 Summing Up - Socio-Economic Profile

The project road passes through Nagpur districts. The project road traverses through rural settlements as well as Commercial areas (Head quarters of towns). An analysis of the socio-economic indicators like literacy rate and work force participation shows that level of development is very high in both the project districts and project area. The project area has a high literacy rate of 78.47 per cent and a WFPR of 36.98 per cent, which is just same as the state average of 36.64 per cent. Gender disparity in terms of literacy rate is very high compared to project districts and state but WFPR is less in project area as well as state and districts. The analysis of work force composition in the project area shows a clear domination of tertiary sector work force over other two sectors and a reduction in the workers in agricultural sector.

Hence the project, once completed, will increase the connectivity of the project area as well as the state as a whole to the surrounding region and the rest of the country, thereby facilitating an increased market access, locally, nationally and globally. Moreover, the project road will enhance the industrialisation of Nagpur. The resultant growth that the state is expecting can be nurtured and sustained only if infrastructure facilities like highways are adequately improved to meet the projected growth. Thus the project is expected to, not only enhance the economic growth of its direct beneficiaries – i.e. project towns and villages, but also, the state as a whole there by opening up new economic opportunities for the locally residing population.

2.2 Initial Assessment of Impacts

2.2.1 Land-Use along the Existing Project Stretch

The project road traverses through urban area as well as plain agriculture land. The existing highways both sides are ribbon development at commercial centers. The

other important characteristic along the road is that residential and commercial structures are more here so that once their building affected it will affect both their residence and their lively hood. The size of these commercial nodes varies widely and it repeats frequently at irregular intervals. The residential belts in between these nodes have small shops as well. In addition to commercial buildings, these nodal centers have religious structures (mostly small temples); institutional structures like schools, hospitals, Panchayat offices, post offices etc.

Nagpur district (Ch.3+000to 59+300):

The project road starts at Near Pagalkhana circle, Nagpur which is a commercially built up with two and three storied building after the town the project road passes through the institutional areas. One small Dargaha is falling at chainage 3+000 RHS just adjacent to carriageway and from chainage 3+100 to 6+650 both side of highway using for both residential and commercial purposes. Around 60% of the constructions along the highway were made more than 20 years back so that there are no parking spaces in front of the buildings. Panjra is the next built up town (9+000 to 9+350) which is the commercially built up. Three religious structures are falling in this stretch (One temple at chainage 16+850 –RHS, One temple at chainage 16+850 –RHS and one more temple at chainage 18+300 LHS). From chainage 22+000 to 39+500 and 32+000 to 48+900 is abutted in agriculture cultivation. Saoner bypass starting from chainage 33+000 and traverse through agriculture field up to 39+600 and after it entering residential built up and again it entering fallow land and finally merging at 39+700.with existing highway.



Table 2.5: List of Places along Project Road and Broad Landuse

Chainage	Names of places	Broad land use
Nagpur district (Ch. 3+000to 59+300):		
3+000 to 11+200	Pagal Kana, Mankapur, Zingabai Takali, Naka, Panjara, Koradi, Mahadula.	Busy commercial street
11+200 to 13+700 14+800 to 17+000 17+800 to 18+800 21+000 to 22+100 22+100 to 29+550 29+550 to 32+750 32+750 to 49+500 49+500 to 61+000	Nada, Dahegaon, Pimpala, Kavadas, Patansaongi, Manegaon, Buruzwada, Saoner Bypass, Umari, Jaitpur, Kursapar	Residential areas with homestead lands, open and agricultural lands Commercial centers at irregular intervals

Source: Field surveys conducted by K&J

2.3 Socially Sensitive Stretches And Critical Issues for Road Design

Based on the rapid social assessment undertaken on the field and the detailed study of socially sensitive features, certain critical sections have been identified, which are considered at various stages of preparing the highway design. A summary of the same is given in **Table 2.6**.

Table 2.6: Preliminary Critical Stretches Identified

Chainage	Names of places	Type of criticality	Existing design proposals from K&J
Nagpur district (3+000 to 58+200)			
3+000 to 286+000	Pagalkhana circle	Commercially built up	Reduction of Col to 45 meters
33+000 to 39+600	Saoner town	Busy hub of commercial, residential and religious activities	Buy pass

Source: Social Assessment undertaken by K&J

Nagpur district: The project stretch here passes through deferent types of sensitive areas. The heavy built up in the commercial areas, residential and commercial areas with semi built up and presences of religious centres very adjacent to the existing ROW. Saoner is the major congested town along the stretch, which proposed for bypass.

2.4 Available ROW

The ROW observed in the project road varies from 24m to 47 m except at few locations. Following table (Table 2.7) gives a summary of available ROW along the entire project length. The limited ROW coupled with poor road geometry makes the present riding conditions along this road extremely bad.

Table 2.7: Availability of ROW

Sr. No.	Chainage (Km)		ROW (m)
	From (km)	To (km)	
1	03/000	04/000	38.00
2	04/000	05/000	38.00
3	05/000	06/000	38.00
4	06/000	07/000	38.00
5	07/000	08/000	38.00
6	08/000	09/000	38.00
7	09/000	10/000	38.00
8	10/000	11/000	38.00
9	11/000	12/000	38.00
10	12/000	13/000	38.00
11	13/000	13/300	44.00
12	13/300	14/000	44.00
13	14/000	14/200	50.00
14	14/200	14/750	35.00
15	14/750	15/150	40.00
16	15/150	15/350	35.00
17	15/350	15/580	42.00
18	15/580	15/780	35.00
19	15/780	16/000	45.00
20	16/000	17/000	42.00
21	17/000	17/150	40.00
22	17/150	18/000	36.00
23	18/000	18/580	34.00
24	18/580	19/000	46.00
25	19/000	19/400	44.00
26	19/400	20/000	38.00
27	20/000	21/000	45.00
28	21/000	22/000	35.00
29	22/000	23/000	38.00
30	23/000	24/000	38.00
31	24/000	25/000	40.00
32	25/000	26/000	50.00
33	26/000	27/000	40.00

Sr. No.	Chainage (Km)		ROW (m)
	From (km)	To (km)	
34	27/000	28/000	38.00
35	28/000	29/000	40.00
36	29/000	30/000	36.00
37	30/000	31/000	40.00
38	31/000	32/000	36.00
39	32/000	33/000	36.00
40	33/000	39/600	Saoner Bypass
41	39/600	40/000	32.00
42	40/000	41/000	29.00
43	41/000	42/000	32.00
44	42/000	43/000	38.00
45	43/000	44/000	36.00
46	44/000	45/000	38.00
47	45/000	46/000	30.00
48	46/000	47/000	34.00
49	47/000	48/000	36.00
50	48/000	49/000	32.00
51	49/000	50/000	34.00
52	50/000	51/000	30.00
53	51/000	52/000	48.00
54	52/000	53/000	30.00
55	53/000	54/000	36.00
56	54/000	55/000	32.00
57	55/000	56/000	30.00
58	56/000	57/000	22.00
59	57/000	58/000	28.00
60	58/000	59/000	32.00
61	59/000	59/100	34.00

Source: Engineering surveys conducted by K&J

2.5 Proposed Project Design

Considering the huge lose of commercial establishment and job settlement the proposed highway limited with 45 meters RoW at major built up areas like Mankapur to Koradi(from chainage 4+100 to 9+550) and bypasses also proposed at Saoner town as the same reason(33+000 to 39+600). Widening of balance stretches, (excluding built up) is proposed for 45 meters RoW.

Some typical commercial structures at various built up areas.



Photo -1 (Chainage 10+100 LHS)



Photo -2 (Chainage 11+050 RHS)

CHAPTER – 3

R&R POLICIES AND ENTITLEMENT & INSTITUTIONAL FRAMEWORK

3.1 Introduction

This Resettlement Plan (RP) document describes the principles and approach to be followed in mitigating negative social and economic impacts of the project. The guidelines prepared for addressing the issues is limited to road stretch of NH - 208, from Km 0+000 to Km 81+200, in the State of Kerala under Public – Private Partnership (PPP) basis under Design, Build, Finance and Operation (DBFO) Pattern

3.2 Governing Acts and Policies

The RP has been developed based on applicable act/policies viz. National Highways Act-1956, R&R policy of NHAI for PPP projects formulated in 2002 and National Policy on Resettlement and Rehabilitation-2007 (NPRR, 2007), which are discussed below

3.2.1 National Highway Act, 1956

In India, compensation for land acquisition (LA) and resettlement assistance for project- affected people are generally governed by the Land Acquisition Act (1894). However, in case of NHAI projects, the National Highways Act, 1956 (hereafter NH Act) is used to carry out land acquisition for National Highways projects. The Act provides NHAI power to acquire land through “competent authority” (i.e.), the district collector and/or NHAI staff) through notification of official gazette by the Central Government. The Act states its own procedures for land acquisition as given below.

- (i) **Section 3A-Power to Acquire the Land etc:** Under the sub-section (1) notification will be issued in the official gazette, declaring central government’s intention to acquire the land. The notification will have brief description of land proposed for acquisition. This will be published in two local newspapers, one of which will be in local/native language.
- (ii) **Section 3B-Power to Enter for Survey etc:** Under this, any person authorized by central government in his behalf will enter in the affected area for survey and detail investigations to determine exact location of land and ascertain its suitability for the project.
- (iii) **Section 3C-Hearing of Objections:** Under this, any person interested in the land may within 21 days from the date of issue of notification under sub-section (1) of Section 3A, object to the use of land for the purpose(s) mentioned in the notification. Every objection is done in writing to the Competent Authority (CA); where the object or thereof will be given an opportunity of being heard in person or through legal practitioner. Only legal title holder/owner can file objections. CA will have full right to allow or disallow the objections.

- (iv) **Section 3D-Declaration of Acquisition:** Under this, Central government declares the acquisition of proposed land by notification in the official gazette, if there are no objection(s) made within the specified period or CA disallows the objection(s) under sub-section (2) of section 3C. CA submits the report to central government informing this. This declaration notification however has to be issued within one year, after initial notification is issued declaring central government's intention for acquiring land. The period of one year will be extended in cases where there is stay from the court. After declaration of notification, the proposed land will be vested with the central government as per sub-section (2) of 3D.
- (v) **Section 3E-Power to Take Possession:** Under this, central government can take possession of land vested with them under sub-section (2) of 3D. Central government with the help of Commissioner of Police in metropolitan areas and District Collector in the remaining places can enforce the surrender of land, if any person refuses or fails to comply with the directions under this section.
- (vi) **Section 3F-Right to Enter into the Land where Land is Vested with Central Government:** This section gives right to central government to enter into the land where land has vested in the central government under sub-section (2) of Section 3D.
- (vii) **Section 3G-Determination of Amount Payable as Compensation:** Under this section CA determines the amount of compensation, which covers only legal titleholders for market value of land; additional amount for trees, crops, houses or other immovable properties; damage due to severing of land, residence, place of business etc. CA issues public notice prior to this estimation in two local newspapers, one of which is in local/native language. Such notice states the particulars of the land and requires all persons interested in such land to appear in person or by an agent or by a legal practitioner before the CA to state the nature of their respective interest. The amount determined by the CA if not acceptable to the owner, will be determined by an arbitrator to be appointed by central government.
- (viii) **Section 3H-Deposit and Payment of Amount:** If the amount determined under section 3G by the arbitrator is in excess of the amount determined by the CA, the arbitrator may award interest at 9 percent per annum on such excess amount from the date of taking possession under Section 3D till the date of the actual deposit. CA on behalf of central government pays the compensation amount to entitled persons. Any disputes raised will be sorted by the court.

The Act requires that the processes must be completed within a year from 3A to 3D. The acquisition process is faster due to central government coordination and provision for arbitration or power of civil court for trying any LA-related dispute. Although NH Act, 1956 significantly reduces the time frame for acquisition, the rules and principles of compensation are derived from the LA

Act of 1894 amended from time to time. The Act covers only legal title holders and provides for: (i) market value of the land; (ii) a solatium of 30% on the market value for compulsory acquisition; (iii) additional amount for trees, crops, houses or other immovable properties; (iv) damage due to severing of land, residence, place of business; (v) compensation to bargadar (sharecroppers) for loss of earning; and (vi) an interest of 12% on the market value from the date of notification to award.

3.2.2 NHA - R&R Policy for PPP Projects

The LA Act does not address many of the social and economic issues associated with displacement and resettlement of “illegal” or non-titled informal settlers/squatters. However, in many donor-funded projects, NHA assisted affected persons even without any legal titles. The impacts of the present project are almost entirely on the roadside SBEs/households — people who are “non-titled” informal dwellers and encroachers. In the absence of a formal policy to assist non-titled persons, a project-specific set of resettlement principles consistent with the ADB policy on Involuntary Resettlement has been adopted in this project. The Policy requires compensation for lost assets at replacement costs both for titled and non-titled holders and assistance for lost income and livelihoods. The absence of formal titles to land or other assets will not be a bar

R &R Principles and Assistance: In accordance with the resettlement and rehabilitation (R&R) policy of the project, all affected households/SBEs will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the affected persons. In general terms, the affected persons in the project will be entitled to four types of compensation and assistance: (i) compensation for loss of land, crops/trees; (ii) compensation for structures (residential/commercial) and other immovable assets; (iii) assistance for loss of business/wage income; and (iv) re-building and/or restoration of community resources/facilities. A detailed description of each compensation measures and assistance is provided in the entitlement matrix (Table 3.1). The R&R activities in the project are guided by the following broad principles.

- Where land acquisition is required, it will be carried out in a way to minimize the adverse impacts and to avoid displacement as much as possible.
- Replacement land/or cash compensation at market value to households affected by the loss of agricultural or other kinds of land. Likewise, loss of standing crops and productive trees will be compensated at market price

- Cash compensation for structures (residential/commercial) affected by road widening and improvements at replacement cost
- Provision for (i) relocation of the informal settlers on project-sponsored resettlement sites with civic amenities, and (ii) markets to assist SBEs to assist in the restoration of businesses and incomes.
- Shifting cost to owners of residential structures and informal dwellers/squatters households due to loss of ability to maintain livelihood during relocation/shifting.
- Rehabilitation assistance i.e., compensation for lost businesses and workdays (including employees) due to relocation
- Special measures and assistance for vulnerable groups e.g., female-headed household, and disabled persons.
- Affected people and the beneficiary population will be informed and consulted about the project and its design. All information related to resettlement preparation will be disclosed to the APs and all concerns.
- Appropriate grievance redress mechanism will be established at the district level to ensure speedy resolution of dispute.
- All activities related to resettlement implementation will be monitored by a suitably qualified independent agency.

These principles are further explained in the entitlement matrix in **Table 3.2**. Compensation and R&R assistance will be paid in according with this policy before taking possession of the acquired land and properties. There would be no/or minimum adverse on host communities, and if occurs would be mitigated appropriately. All activities related to resettlement planning, implementation, and monitoring would ensure involvement of women. Efforts will also be made to ensure that vulnerable groups are included. R&R assistance will be provided to all squatters and disadvantaged vulnerable people as per the entitlement framework. Also the compensation will be paid at the replacement value. All losses, including loss of income, would be compensated within the overall R&R package as per the broad entitlement framework. The unit of entitlement framework will be the households as defined in the glossary. The replacement value will be assessed as per procedure laid down below (Acquisition of Land/Properties and Valuation). In case the replacement cost is more than the compensation at market price determined by competent authority, the difference is to be paid by the project in the form of assistance. The entitlement of compensation and assistance will be extended to only those APs who are so identified on or prior to the cut off date.

Acquisition of Land/Properties and Valuation: Land surveys for payment of compensation would be done on the basis of updated official records and ground facts. The land records will be updated relating to title, classification/current use of land expeditiously for ensuring adequate cost compensation and allotment of land to the entitled displaced persons. For determining classification/current use of land, official records as they are on the cut-off date will be taken into consideration. If 75 percent or more land holding of an AP is acquired or when the part of a land remaining after acquisition becomes economically unviable after acquisition, 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 average land holding of the district.

The project authority will determine the possible replacement cost of land and asset to be acquired. For this purpose, land market surveys will be done by project authorities in association with representatives of AP and professional assessors. While determining the replacement cost of the land project authority will take recourse to three systems of assessment described below: (i) valuation will take into account such prescribed rates or the average of the actual transaction rates of similar lands for the past one year for which sale deeds are registered; (ii) consider annual gross production value of crops of the concerned land, averaged over preceding five years times 20; and (iii) “circle value” of land determined by the state authority for the purpose of registration of sale deeds under Indian Registration Act of 1908. The circle rate, which is indexed every two years, is often very close to the replacement value. The replacement cost to be fixed up by the project authority shall be the amount, which will be the highest among the three amounts arrived at by the aforesaid three alternative methods. In case replacement cost is higher than the market value determined by competent authority, the difference would be paid in the form of assistance.

The value of the houses, buildings and other immovable properties of the AP will be determined for the purpose of payment of compensation at the relevant B.S.R. without depreciation. Compensation for properties belonging to the community or for common places of worship, which are acquired for the project, will be provided to enable construction of the same at the new place through the local self-governing bodies concerned in accordance with the modalities determined by such bodies to ensure correct use of the compensation amount. Ghair khatedars, who work on “Muafi Lands” pertaining to the common places of worship, shall be assisted for their R&R under special assistance scheme.

Compensation for trees will also be based on their market value in case of timber bearing trees and replacement cost in case of fruit bearing trees as per the rates decided by the competent authority in consultation with Department of Agriculture, Forest, Horticulture, Sericulture etc. as the case may be. Compensation will be paid before taking possession of the land/properties. Unless otherwise specifically mentioned in this policy document, the payment of the amount would be made in accordance with sub-section (1) through (6) of the section 3H of National Highway Act or in accordance with the relevant clauses of Land Acquisition Act, as the case may be.

Disposal of Acquired Properties: The acquired land and properties would vest in the project paying compensation for such lands/properties. However, even after payment of compensation, AP would be allowed to take away the materials salvaged from their houses and shops etc. acquired by the project and no charges will be levied upon them for the same. A notice to that effect will be issued to take away the materials so salvaged within 48 hours of their demolition if not taken then the same will be disposed by the project authority without giving any further notice.

APs receiving compensation for trees will be allowed to take away timber of their acquired trees for their domestic use. Trees standing on Govt. land will be disposed off by open auction by the Revenue Department/Forest Department.

Land Acquisition Plan and Schedule: Land surveys for the payment of compensation is to be done on the basis of updated official records and ground facts. The land records will be updated containing information relating to title, land classification, and current use of land. This updating would be done expeditiously for ensuring timely distribution of cost compensation and allotment of land to the entitled persons (EPs). Proposed land acquisition will be done according to NHA Act (Amendment 1997). According to the Act where the Central Government is satisfied that for a public reason any land is required for the building, maintenance, management or operation of a national highway or part thereof, it may, by notification in the Official Gazette, declare its intention to acquire such land.

Land will be acquired by District Administration/CA on behalf of NHA for which consultant will be preparing a Land Acquisition Plan with the help of field map of the villages. The marked region along with details of area to be acquired shall be verified and submitted by NHA Project Implementation Unit (PIU) to District Administration for further verification. The District Authority will issue notification under this Act,

which will follow public hearing. Any person interested in the land may, within twenty-one days from the date of publication of the notification under sub-section [1] of Section 3A, object to the use of the land for the purpose or purposes mentioned in that sub-section.

Every objection under sub-section [1] shall be made to the competent authority in writing and shall set out the grounds thereof and the competent authority shall give the objector an opportunity of being heard, either in person or by a legal practitioner, and may, after hearing all such objections and after making such further inquiry, if any, as the competent authority thinks necessary, by order, either allow or disallow the objections. Where no objection has been made to the competent authority within the period specified therein or where the competent authority has disallowed the objection the competent authority shall, as soon as may be, submit a report accordingly to the Central Government and on receipt of such report, the Central Government shall declare, by notification in the Official Gazette, that the lands should be acquired for the purpose or purposes mentioned in sub-section [1] of Section 3A. **Table 3.1** presents the land acquisition schedule for the project.

Table 3.1 LA Plan Schedule

Sl. No.	Activity	Start date	Completion date	Duration (Days)
1	Publication of notification under section 3A of the NHAI Act — appointment of competent authorities	1 st of Month 1	30 th of Month 1	30
2	Publication of notifications under section 3A(i) — intention to acquire land	1 st of month 2	30 th of Month 4	90
3	Receipt of objections from public	1 st of Month 5	30 th of Month 5	30
4	Hearing of objection by competent authority	1 st of Month 6	30 th of Month 6	30
5	Publication of notification under section 3D — declaration of acquisition	1 st of Month 6	30 th of Month 7	60
6	Determination of compensation and issue of award by the competent authority	1 st of Month 8	15 th of Month 9	45
7	Payment of compensation for land and structure to APs	15 th of Month 9	30 th of Month 9	15

Sl. No.	Activity	Start date	Completion date	Duration (Days)
8	Taking possession and hand over free encumbrance land for civil construction	1 st of Month 10	30 th of Month 10	30

Table 3.2 Detailed Entitlement Matrix:

Sl No	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
1A	Private Property	Agricultural land and assets.	Titleholder	Compensation at "replacement cost" or "actual market value"	<p>If the replacement cost is more than the compensation at "market price" as determined by the Competent Authority in the policy framework, then the difference is to be paid by the project in the form of "assistance".</p> <p>APs will be explained the process and their views will be taken into consideration, while determining the market value. If the residual plot(s) is (are) not viable, i.e., less than average land holding of the district, there are three options to be given to the EP.</p> <p>The EP remains on the plot, and the compensation and assistance paid to the tune of required amount of land to be acquired.</p> <p>Compensation and "assistance" are given for the entire plot including residual plot, If the owner of such land wishes that his residual plot should also be acquired by the project authority provided residual land is quantified less than average land holding of the districts. The project authority will acquire the residual plot so paid. If EP is from vulnerable group, compensation for the entire land is by means of land for land if so wished by EP provided that the land of equal or more productive value is</p>

SI No	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
					<p>available Transitional allowance of Rs.2000 per month for 9 months if the residual land is not viable or for 3 months when the residual land is viable</p> <p>In case of severance of agricultural land, an additional grant of 10% of the amount paid for land acquisition.</p> <p>All fees, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and resource establishment, are to be borne by the project. Alternative economic rehabilitation grant for vulnerable groups is Rs.2000 lump sum. Training for up-gradation of the skills for vulnerable groups and linked to employment opportunities is Rs.1000 lump sum.</p>
1 B	Private Property	Non-agricultural land and assets	Titleholder /owner Residential	Compensation at "replacement cost"	<p>If the asset (part or full) In question is a residential structure, then the replacement cost will be calculated as equivalent to the cost of provision of residential structure of area equivalent to that lost, subject to relevant "quality standards" of BSR as maintained by Government/Local Bodies Authorities.</p> <p>If replacement cost is more than the compensation (at "market price" as determined by the Competent Authority) then the difference is to be paid by the project in the form of "assistance".</p> <p>Transitional assistance of Rs.2000 per month in the form of grant to cover a maximum nine months rental accommodation.</p> <p>A lump sum shifting allowance</p>

SI No	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
					of Rs.500 for temporary, Rs.1000 for semi-permanent structures and Rs.2000 for permanent structures. Absentee landlords will receive only the compensation at “replacement cost”. Right to salvage materials from the demolished
			Tenant: Residential		The tenants will receive the following: The amount of deposit or advance payment paid by the tenant to the landlord or the remaining amount at the time of expropriation. (This will be deducted from the payment to the landlord). A sum equal to nine months rental in consideration of disruption caused. Compensation for any structure the tenant has erected on the property. (This will be deducted from the payment to the landlord). Shifting allowance of Rs.500 lump sum for shifting.
			Tenant: Commercial		The tenants will receive the following: The amount of deposit or advance payment paid by the tenant to the landlord or the remaining amount at the time of expropriation. (This will be deducted from the payment to the landlord). A sum equal to nine months rental in consideration of disruption caused. Compensation for any structure the tenant has erected on the property. (This will be deducted from the payment to the landlord). Shifting allowance of Rs.500 lump sum for shifting.

SI No	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
2	Others		Agricultural Land being Acquired		
2A	Livelihood	Wage earning Agriculture and other laborers	Individual	Lump sum	<p>1. This is valid for persons indirectly affected due to the employer being displaced, on a case by case basis after suitably determining the monthly wage.</p> <p>2. In individual cases, when the Wager will be entitled to Rs.2000 p.m. for a period maximum of 6 months</p> <p>3. Alternative Economic Rehabilitation support in the form of training for up-gradation of skill.</p>
2B		Non-perennial crops	Family	Notice to harvest standing crops	<p>They are entitled to be given a notice substantially 4 months in advance.</p> <p>Grant towards crop lost before harvest due to forced relocation, equal to market value of crop lost plus cost of replacement of seeds for the next season's harvest.</p>
2C		Perennial crops such as fruit trees	Family	Notice to harvest standing crops	<p>Compensation for perennial crops and trees, calculated as annual produce value for one season and times 3-5 depending on the nature of crops/trees</p>

3		Illegal Use of the ROW		Entitlement	Details
3A	Illegal use of the ROW	Encroachers	Family	Will receive no compensation for land but assistance for assets to the vulnerable	<p>Encroachers will be notified a time in which to remove their assets (except trees) and harvest their crops. To be assisted on case to case basis by considering relevant facts on family income and existing assets only in the case of person being a member of more disadvantaged families of the</p>

3		Illegal Use of the ROW		Entitlement		Details
						vulnerable group Compensation for structures at replacement cost to the vulnerable person. Right to salvage materials from the demolished structure.
3B		Squatters	Family	Will receive no compensation for land but assistance for assets,		Facilitation/access to training, which includes equivalent income generating assistance. A lump sum shifting allowance of Rs.500 for temporary and Rs.1000 for semi-permanent structures and Rs.2000 for permanent structures. Compensated for loss of structure at replacement cost. Transitional allowance @ Rs.2000 per family lump sum.
3C	Shifting Business		Mobile and ambulatory vendors	Family	They are not eligible for compensation or "assistance"	Ambulatory vendors licensed for fixed locations will be considered as kiosks.
3D			Kiosks	Family	"Assistance" for business disruption	The Assistance will be paid as a flat sum of Rs.2000

4	Additional support to vulnerable group	Primary source of income	Individual	Additional assistance to training or equivalent	The assistance will be equal to Rs.1000 for income generating or vocational training option for the EP's choice. The training includes starting a suitable production or service activity. Economic rehabilitation support and training and in case the money not spent for training programme, the equivalent amount to be paid as per EP's choice.
5A	Community infrastructure, cohesion and amenities	Common property resources	Community	Conservation, protection, compensatory replacement	Easily replaced resources, such as cultural properties will be conserved (by means of special protection, relocation, replacement, etc.) in consultation with the community Loss of access to firewood, etc. will be compensated by involving the communities in a social forestry scheme, in coordination with the Department of Forests, wherever possible. Adequate safety measures, particularly for pedestrians and children; Landscaping of community common areas;
					Improved drainage; roadside rest areas, etc. are all provided in the design of the highways. Employment opportunities in the project, if possible.

				Loss of trees will be replaced by compensatory afforestation.
5B	Any other impact not yet identified, whether loss of asset or livelihood			Unforeseen impacts will be documented and mitigated based on the principles agreed upon in this policy framework.

3.2.3 National Policy on Resettlement and Rehabilitation (NPRR), 2007

The National Policy on Resettlement and Rehabilitation stipulates the minimum facilities to be ensured for persons displaced due to acquisition of land for public purposes. The NPRR Policy applies to those projects involving displacement of 400 or more families in plain area, and 200 and more families in hilly area. The objectives of the policy are:

- (i) To minimize displacement and to identify non-displacing or least displacing alternatives;
- (ii) To ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of the affected families;
- (iii) To ensure that special care is taken for protecting the rights of the weaker sections of the society, especially members of the scheduled castes and scheduled tribes, and to create obligations on the state for their treatment with concern and sensitivity;
- (iv) To provide better standard of living, making concerted efforts for providing sustainable income to the affected families;
- (v) To integrate rehabilitation concerns into the development planning and implementation process; and
- (vi) Where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

3.3 Guideline for land Acquisition in linear acquisition projects (NPRR, 2007).

The R&R Policy formulated for the Project is in consonance with the central government's NH Act as well as it reflects the benefits under NPRR, 2007 to stipulate eligibility and provision for all types of losses identified under the project. The acquisition procedure will however follow as per NH Act, detailed in Section 3.2.1. Even though the NPRR, 2007 is concerned about the displacement of the families in various infrastructure development projects, it is not satisfying the grievances of the project affected families in the linear land acquisition projects, the same is illustrates in the below section .in the chapter 7 (7.19 of NPRR, 2007) of the policy has furnished some guidelines for R&R implementation in linear acquisition projects, which may not satisfy all the project affected families.

Entitled matrix for Highway Projects

In case of linear acquisitions, in project relating to railway lines, highways, transmission lines, laying of pipelines and other such projects wherein only a narrow stretch of land to be acquired for the project or is utilized for right of way, each khatedar in the affected family shall be offered by the requiring body an ex- gratia payment of such amount as the appropriate government may decide but not less than twenty thousand rupees, in addition to the compensation or any other benefits due under the Act or programme or scheme under which the land, house or other property is acquired;

Provided that, if as a result of such land acquisition, the land – holder becomes landless or is reduced the status of a “small” or “marginal” farmer, other rehabilitation and resettlement benefits available under this policy shall also be extended to such affected family.

Chapter – 4

ASSESSMENT OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

4.1 Preparation of Land Acquisition Plan

The revenue village maps of the all the villages through which the proposed highway alignment passes through were collected from concerned taluka offices and the same has been joined together and placed over the existing alignment plan. The proposed highway alignment plan was superimposed on this in order and the list of affected survey nos. was then listed and land sketches were collected for each of these survey nos. These sketches are currently being joined in the village maps to identify the details of the affected sub-division nos. like the type of land, nature of land and the name of the owner of the land. The land acquisition plan thus prepared comprises following drawing and NHA performas (Refer annexure 4.1). As the collection of Land records such as land sketches from concerned taluk offices is delaying, the consultant herewith submitting the draft 3(D) schedule (Annexure 4.2) Final 3(D) shall be submitted as separate volume after the collection of land records.

- i. LA plan with village map, survey Nos and sub-division Nos, showing the additional land to be acquired for the road.
- ii. 3a form giving the list of villages along the project stretch and the name of police stations under whose jurisdiction the project villages forms a part.
- iii. 3A form giving the survey no. wise land area to be acquired, its type and nature.
- iv. 3D form giving the names of owners whose land needs to be acquired for the project.

4.2 Resettlement & Rehabilitation Impacts

The LA plan thus prepared shows that the proposed highway designs from Nagpur to MP border with an ROW of 45 meter will cause resettlement and rehabilitation impacts in 29 revenue villages, out of which 4 are in Nagpur Urban taluka, 1 is in Nagpur Rural taluka, 4 are in Kamptee taluka and 20 are in Saoner taluka of Nagpur district. **Table 4.1** shows the location of these villages with along the project stretch with respect to the design chainages.

Table 4.1: Chainage wise list of affected villages

District	Taluka	Village Name	Village / Taluka Boundary	
			Proposed Chainage	
			From	To
Nagpur	Nagpur Urban	Jaripataka	3	4
Nagpur	Nagpur Urban	Mankapur	4	4.7
Nagpur	Nagpur Urban	Zingabai Talki	4.7	5.13
Nagpur	Nagpur Urban	Nara	5.15	8.6
Nagpur	Nagpur Rural	Bhokara	8.6	9
Nagpur	Kampthee	Panjara	9	9.35
Nagpur	Kampthee	Koradi (N.V.)	9.35	9.55
Nagpur	Kampthee	Mahadula (CT)	9.55	11.2
Nagpur	Kampthee	Nanda	11.2	13.7
Nagpur	Savner	Dahegaon(Rangari)	13.7	17
Nagpur	Savner	Pipla (da-B)	17	18.8
Nagpur	Savner	Kawadas	18.8	19.4
Nagpur	Savner	Patansavangi	19.4	22
Nagpur	Savner	Takali	22	29.34
Nagpur	Savner	Manegaon	29.34	32.5
Nagpur	Savner	Borujwada	32.5	32.75
Nagpur	Savner	Gujarkhedi	32.75	33.1
Nagpur	Savner	Ajani	33.1	34.2
Nagpur	Savner	Pardi (Rithi)	34.2	36.34
Nagpur	Savner	Hetisurla	36.34	37.87
Nagpur	Savner	Bhagi Mahari	37.87	40.1
Nagpur	Savner	Pipala (Bhadao)	40.3	43.5
Nagpur	Savner	Khapa (Narsala)	43.5	48.9
Nagpur	Savner	Umari (Bharatpur)	48.9	49.2
Nagpur	Savner	Borgaon Jangli	49.2	51
Nagpur	Savner	Chhatrapur	51	52
Nagpur	Savner	Jaitpur	53	53.14
Nagpur	Savner	Khursapar	57.7	58.2

Table 4.2 gives the summary of the number of affected survey numbers. It could be observed that a total of 27 survey nos. are affected in all these villages.

Table 4.2: Village wise no. of affected survey numbers

District	Taluka	Village Name	No. of affected survey nos.
Nagpur	Nagpur Urban	Jaripataka	2
Nagpur	Nagpur Urban	Mankapur	29
Nagpur	Nagpur Urban	Zingabai Talki	50
Nagpur	Nagpur Urban	Nara	7
Nagpur	Nagpur Rural	Bhokara	23
Nagpur	Kampthee	Panjara	13
Nagpur	Kampthee	Koradi (N.V.)	10
Nagpur	Kampthee	Mahadula (CT)	19
Nagpur	Kampthee	Nanda	6
Nagpur	Savner	Dahegaon(Rangari)	66
Nagpur	Savner	Pipla (da-B)	36
Nagpur	Savner	Kawadas	37
Nagpur	Savner	Patansavangi	66
Nagpur	Savner	Takali	47
Nagpur	Savner	Manegaon	29
Nagpur	Savner	Borujwada	27
Nagpur	Savner	Gujarkhedi	45
Nagpur	Savner	Ajani	
Nagpur	Savner	Pardi (Rithi)	22
Nagpur	Savner	Hetisurla	18
Nagpur	Savner	Bhagi Mahari	12
Nagpur	Savner	Pipala (Bhadao)	12
Nagpur	Savner	Khapa (Narsala)	10
Nagpur	Savner	Umari (Bharatpur)	55
Nagpur	Savner	Borgaon Jangli	15
Nagpur	Savner	Chhatrapur	48
Nagpur	Savner	Jaitpur	12
Nagpur	Savner	Khursapar	34

The proposed improvements of NH-69 from Nagpur to Saoneir up to MP border for an ROW of 45 meters requires acquisition of land and the resultant displacement of the local population will cause resettlement and rehabilitation impacts in the project affected villages which could be categorized as follows:

- Loss of land
- Loss of structures
- Loss of livelihood

4.2.1 Loss of Land

The additional land required for the widening of the existing road to 4 lane was estimated based on the land acquisition plan. Accordingly, an additional area of 157.22 Hectares would be required which includes both private land and government land. Out of this an area of 151.04 hectares would be required for road, 5.61 hectares for toll plaza, and 0.57 hectares for truck lay bays. The same is summarized in **Table 4.3**, while **Table 4.4** lists the village wise loss of land, further the taluka wise percentage of land acquisition is given in figure 4.1

Table 4.3: Land requirement for the proposed highway design

Design Feature	Land to be acquired	
	(sq.mts.)	(Hectares)
Road	1510415	151.0415
Toll Plaza	56149	5.61
Truck Lay bays	5740	0.57
Total	1572215	157.2215

Also, it has to be mentioned that the additional area for land acquisition has been calculated based on the existing ROW which is referring the primary data collected from the field and topo-survey details. This is because for the existing road, no authentic data was available which clearly sketches out the land currently in possession with PWD along the project stretch.

Among the total 26 projects affected villages maximum impact in terms of the extent of land to be acquired is in Patansavangi village of Saoner taluka in Nagpur district, where 8.27 Hectors needs to be acquired, while the least impact is in Nara village in the Nagpur Urban taluka where only 0.4 hectors of land is required for the road widening. Rest of the details has given below.

Table 4.4: Village wise loss of land

District	Taluka	Name of the village	Area for land acquisition	
			(sq.mts.)	(Hectares)
Nagpur	Nagpur Urban	Jaripataka	6439	0.64
Nagpur	Nagpur Urban	Mankapur	4755	0.47
Nagpur	Nagpur Urban	Zingabai Talki	20056	2.00
Nagpur	Nagpur Urban	Nara	4048	0.40
Nagpur	Nagpur Rural	Bhokara	19859	1.98
Nagpur	Kampthee	Panjara	9755	0.97
Nagpur	Kampthee	Koradi (N.V.)	6890	0.68

District	Taluka	Name of the village	Area for land acquisition	
			(sq.mts.)	(Hectares)
Nagpur	Kampthee	Mahadula (CT)	9940	0.99
Nagpur	Kampthee	Nanda	23990	2.39
Nagpur	Savner	Dahegaon(Rangari)	44280	4.42
Nagpur	Savner	Pipla (da-B)	21430	2.14
Nagpur	Savner	Kawadas	66890	6.68
Nagpur	Savner	Patansavangi	82760	8.27
Nagpur	Savner	Takali	59220	5.92
Nagpur	Savner	Manegaon	44650	4.46
Nagpur	Savner	Borujwada	44440	4.44
Nagpur	Savner	Gujarkhedi	450000	45
Nagpur	Savner	Ajani		
Nagpur	Savner	Pardi (Rithi)	66430	6.64
Nagpur	Savner	Hetisurla	27250	2.72
Nagpur	Savner	Bhagi Mahari	20350	2.03
Nagpur	Savner	Pipala (Bhadao)	35220	3.52
Nagpur	Savner	Khapa (Narsala)	12820	1.28
Nagpur	Savner	Umari (Bharatpur)	124510	12.45
Nagpur	Savner	Borgaon Jangli	56440	5.60
Nagpur	Savner	Chhatrapur	79250	7.92
Nagpur	Savner	Jaitpur	36290	3.60
Nagpur	Savner	Khursapar	150493	15.04

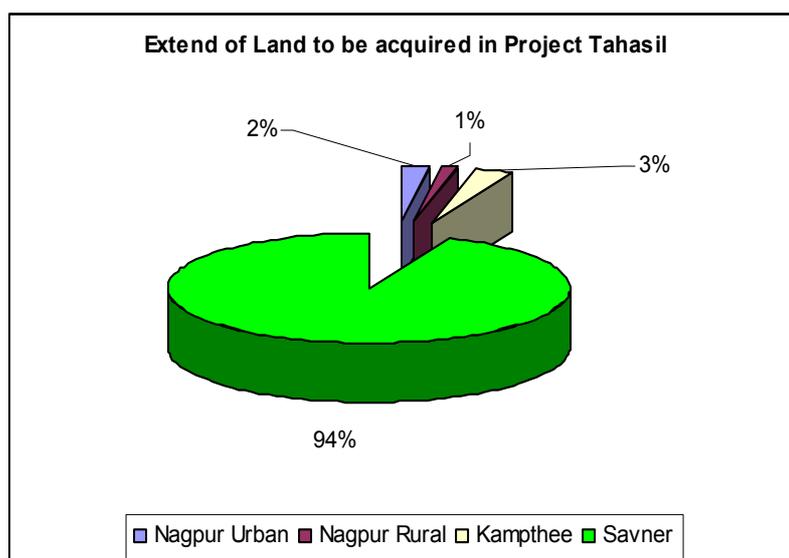


Figure 4.1: Extend of Land to be acquired in Project Tahasil

The details of the affected survey nos. with respect to the extent of land to be acquired, the type of land and the nature of land are given in 3A form as **Annexure 4.2**.

4.2.2 Loss of Structures

This category includes loss of structures and semi-open within private or government plots. The census survey conducted for all the structures affected under the project covered major structures like residential, commercial, community ownership and religious buildings as well as minor structures like compound walls bus stops, pump houses, wells, water taps etc. It reveals that a total of 81 structures are affected, of these 1180 are affected on the left side of the road; 1146 properties are potentially affected on the right side and 47 in bypass. Out of total no of affected structures around 95.34% are owned by privet individuals, 2.88% are community owned and 1.77% are religious related. The same is summarized in table.4.5 and percentage in figure 4.2

Table 4.5: Category of buildings affected

Sl.No	Particulars	Number of Properties			Total	% age
		Left	Right	Bypass		
1	Private Properties	214	216	Nil	430	95.34
2	Community Properties/Govt Properties	4	9	nil	13	2.88
3	Religious Properties	4	4	nil	8	1.77
Total		46	35	nil	451	100.00

**Includes taps graveyards, pump houses, wells, ponds, sheds, bus stops etc.*

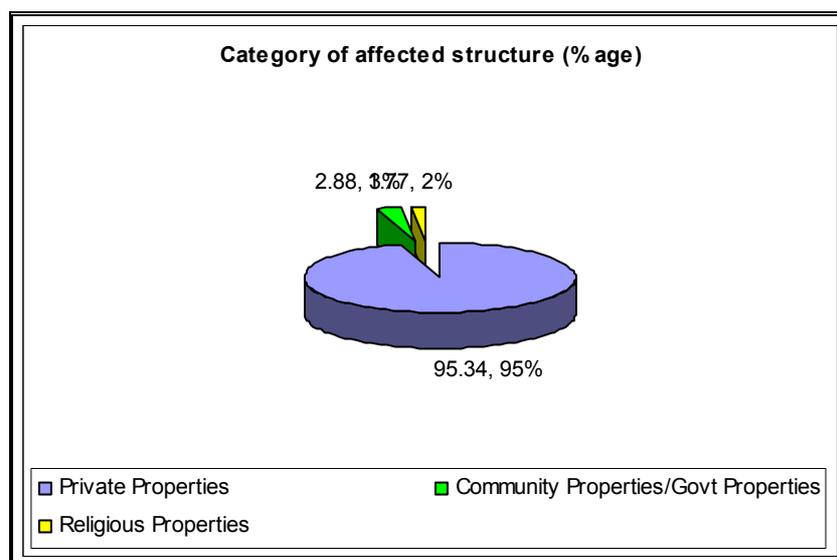


Figure 4.2: Category of affected structure.

A. Loss of Residential Structures

The number of residential structure likely to be affected due to the road widening project accounts to 430 in number, which is 95.34% of the total number of the structure lost. The less count of potentially affected residential property establishes that people tend to locate themselves away from the corridor. Details are in given below 4.6

Table: 4.6: Impact on Residential Structures

Sl. No	Type of Structures	No. of Structures			
		LHS	RHS	Bypass	Total
1	House	25	13	–	38
2	Huts	16	9	–	25
3	Cattle Shed	–	–	–	-
Total		41	22	Nil	63

B. Loss of Commercial Structures

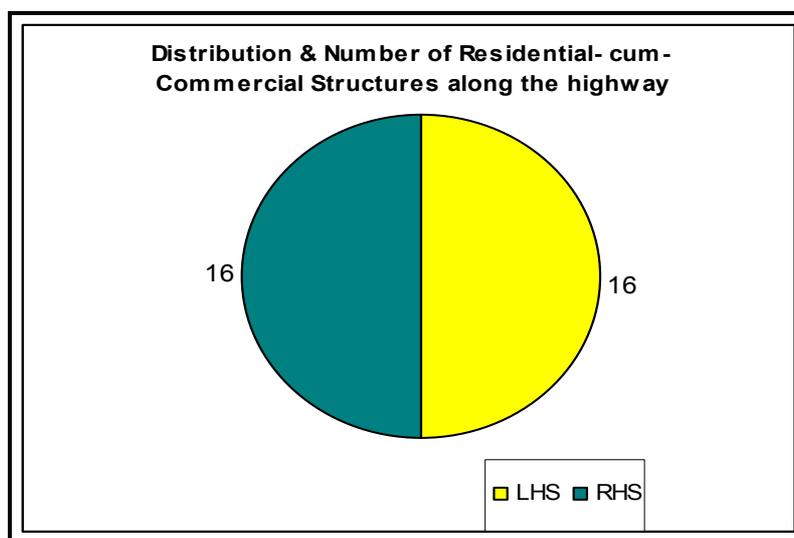
The total commercial structure envisaged to be affected sum up to 370, of these 284 structures are shops and 45 structures are provisional shops and 11 work shops are the another important category. The livelihood of the local people depends on the project road this statement is validated when one studies the type and the number of properties that are likely to be affected. Throughout the project corridor of 56 km, the physical pattern of the settlements that emerges is that of a linear development. One can observe ribbon development/linear development along the project road. This is due to the dependency of the people on the project corridor Details are given in table4.7

Table 4.7: Impact on Commercial Structures

Sl. No	Type of Structures	No. of Structures			
		LHS	RHS	Bypass	Total
1	Shop	120	164	–	284
2	Provision Shop	35	10	–	45
3	Private Clinic	1	–	–	1
4	Hotel	11	11	–	22
5	Workshop	7	4	–	11
6	Industry	3	3	–	6
7	Commercial Complex	–	1	–	1
Total		177	193	–	370

C. Loss of Residential- cum-Commercial Structures

There are only 16 structures that may be affected under the category of mixed structures (commercial-cum-residential) this constitutes to mere 3.5% of the total number of properties affected under various categories. Most of these structures are constructed more than 20 years back and they do not have land behind the building so once they displaced it will affect their livelihood also, the increased number of mixed properties shows that the percentage of people that are fully dependent on the corridor have their houses and shops together near the road.

**D. Loss of religions Structures**

The religious category includes properties such as temples, mosques, and mazar (these mazar are belonging to all religious denominations). The total number religious properties envisaged to be affected by the road-widening project counts to 8 Out of these 6 are temple, 1 mosques and 1 mazar. Category of affected structures are mentioned in table 4.8

Table 4.8: Impact on Religious Properties

Sl. No.	Type of Religious Properties	Number of Structures			
		LHS	RHS	Bypass	Total
1	Temple	2	4	—	6
2	Mosque	1	—	—	1
3	Mazar	1	—	—	1
Total		4	4	—	8

E. Affected Amenities and Social services

The number of affected social amenities includes such as schools, colleges, bus stops, etc. The total number of these amenities adds up to 13. Of the total amenities likely to be lost there are 3 bus stops, government offices 7, schools are 1 number and other structures are 2 ,which includes Open well, bore well, hand pumps, open stages, water taps ,etc. The details of these properties are given in the **Table 4.9**.

Table 4.9.Social amenities affected

Sl. No.	Type of Public Properties	No. of Structures			
		LHS	RHS	By pass	Total
1	School/College	1	–	–	1
2	Bus Stop	1	2	–	3
3	Govt. Offices	2	5	–	7
4	Others*	–	2	–	2
Total		4	9	–	13

* Open well, Bore well, hand pump, Open stage, water tap, etc.

F. Loss of other Immovable Assets

Loss of other immovable assets includes loss of compound walls and abandoned structures. From the census survey of structures it has been found that there are 13 PAFs whose compound wall alone is affected. Majority of the compound walls are semi pucca and privately owned. NO structures are surveyed as abandoned structure. Details are given in table4.10

Table 4.10: Other structures affected

Sl. No.	Type of Structures	No. of Structures			
		LHS	RHS	By pass	Total
1	Boundary Wall	4	9	–	13
Total		4	9	–	13

G. Type of Construction along the Road

The maximum numbers of properties that are likely to be affected due to the project road fall within the category of pucca. (Construction material used for constructing roof, floor and walls of a property is the major criteria to differentiate the likely affected structure into pucca, semi-pucca, kutcha, wooden and thatched.) Properties that have a cemented floor and an RCC roof is considered here as pucca. Semi pucca category includes the buildings with tiled roof and with ceiling, doors, windows, etc.

Of the total number of properties that are to be affected along the road, 128 are pucca, which is 25.70% of the total number of properties. This is followed by semi pucca structures with 183 and Kutcha structures are 187. **Table 4.11** provides the break up of the type of properties. The type of properties along the road or the construction material used along the road gives the standard of living and an estimate of the cost that may be incurred during compensating the structures.

Table.4.11: Type of construction

Sl.No.	Particulars	No of Properties				
		Left	Right	By pass	Total	% age
1	Kutcha	85	43	–	128	25.70
2	Pucca	57	126	–	183	36.75
3	Semi-Pucca	103	84	–	187	37.55
Total		245	253	0	498	100

H. The extent of impact

The extent of impact upon the buildings was categorized in to four depending up on how much portion of the structure is affecting. The first category is 100%, means fully affected and the others are 70 to 90%, 40 to 70% and less than 40% are the others. Out of the total 2373 affected structures, 1300 are fully affected (54.78%), followed by 2nd category 622 numbers (26.21%), 14.08% are in 40 to 70% category and only 4.99% are in last category. When analyzing the use of structure 26.93% of total structure are residential, 31.73% are commercial, 8.09% structures are using for residential – cum – commercial purpose, 19.22% are noted as Govt/public buildings and only 2.19% are in religious structures. The details are given in the **Table 4.12**.

Table 4.12: Extent of impact on properties

Item	Extent of Impact (Both along the road & bypasses)					Total	% age on total
	100% age	50 % age	25% age	less than 25% age			
Residential	23	20	—	7	50	10.29	
Commercial	266	73	23	8	370	76.13	
Resi + Comm.	10	11	2	9	32	6.58	
Public buildings	7	3	—	3	13	2.67	
Religious	6	1	1	—	8	1.65	
Others	8	5			13	2.67	
Sub-total	320	113	26	27	486	100.00	
% age on total	65.84	23.25	5.35	5.56	100.00		

I. Position of Properties / Assets along the Road

The census survey, conducted within the 45 meter of proposed RoW, indicates that there are significant no. of structures on both sides of the road along in the project road sections. The number of properties and its distance from the design centerline is depicted in **Table 4.13**.

Table 4.13: Position of Properties / Assets along the Road

Distance	Side of the existing Road			%of the total no .of structures
	Left	Right	Total	
Within 5 meters	5	4	9	1.42
Between 5 to 10 meter	5	17	22	3.46
Between 10 to 15 meter	59	88	147	23.11
Between 15 to 20 meter	296	136	432	67.92
Between 20 to 22.5 meter	19	7	26	4.09
(Total no. of Structures)	384	252	636	100

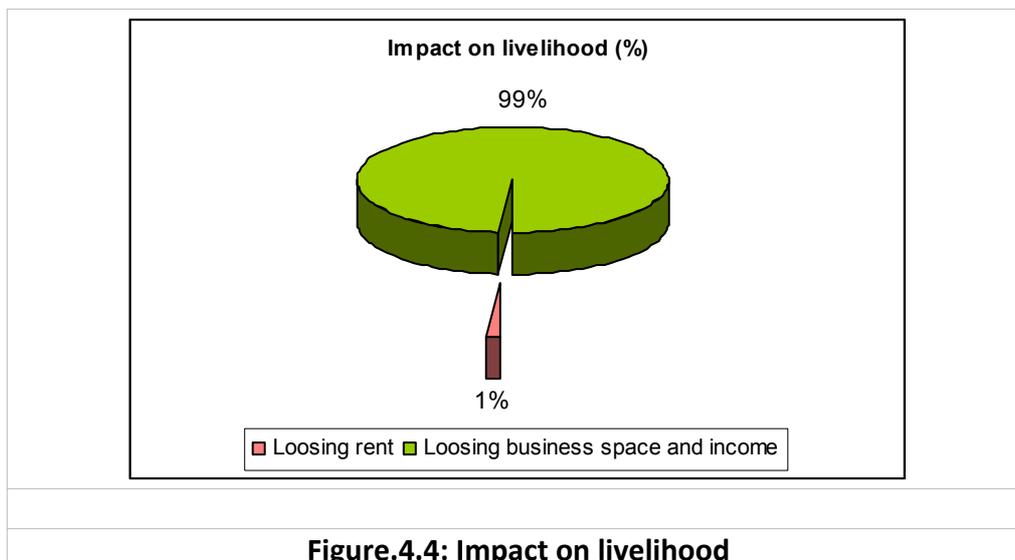
4.2.3 Impact on Livelihood/ Tenure

Out of a total of structure affected PAPs 933 are being affected on their livelihood. The main classification of the impact on livelihood is; 1) losing rent and, 2) losing business space and income, which comprises owners of commercial structures and Resi- cum - commercial structures. Owners of the residential – cum –commercial structures are losing their livelihood due to the loss of commercial spaces. As the census survey covered only the structure affected PAFs who are the owners of the affected structures, the number of people who are employed in these commercial

buildings and loses their livelihood are not covered. Assessment of loss of livelihood or income due to loss of land is not assessed due to non-availability of updated land records and due to the restricted coverage of the census survey to include only the affected structures. The details are given in the **Table 4.14**.

Table 4.14: Impact on Livelihood

Type of impact on livelihood	No of families				
	LHS	RHS	Bypass	Total	% age on total
Loosing rent	5			5	1.33
Loosing business space and income	177	193		370	98.67
Total	182	193		375	100.00



4.3 Conclusion

This chapter has described the project area situation with regard to the human settlements and the acquisition of land for the implementation of the project. An additional area of 157.22 acres would be required which includes both private land and government land, which is either acquired or transferred on behalf of NHA before the construction, the ownership details should be submitted along with 3(D) schedule.

CHAPTER – 5

PUBLIC CONSULTATIONS AND INFORMATION DISSEMINATION

5.1 Introduction

To ensure that people's concerns are incorporated in the project design and to promote public understanding about the project and its implications public consultation and information dissemination is treated as a two way process where the information is passed on to public and their feed back is sought to understand their issues. The consultative process is continued through out the project period – design preparation, implementation and post implementation periods. The preparatory stage consultation helps to explore alternative design options, to avoid very adverse social impacts and to reduce the magnitude of the impacts of the project, while consultations during implementation stage helps to facilitate a smooth resettlement of the PAFs thereby enabling speedy implementation of the project.

5.2 Objectives of Stakeholder Consultations

The overall goal of the consultation programme is to disseminate project information and to incorporate PAFs views in the Resettlement Action Plan. The specific objectives of the consultations are to:

- (i) Improve project design and lead to fewer conflicts and delays in implementation;
- (ii) Facilitate development of appropriate and acceptable entitlement options;
- (iii) Increase long-term project sustainability and ownership;
- (iv) To reduce problems of institutional coordination;
- (v) Make the resettlement process transparent; and
- (vi) To increase effectiveness of sustainability of income restoration strategies and improve coping mechanisms.

5.3 Identification of Stakeholders

Stakeholders are those who have a direct interest in project development and whose participation needs to be ensured in consultations at various stages. For consultation and participation primary and secondary stakeholders are to be identified. The following are the major stakeholders:

- (i) All Project Affected Persons (PAPs) and Households, Beneficiaries of the Project, including representatives of Vulnerable Households;
- (ii) Host population at planned resettlement site(s);
- (iii) Elected representatives, Community leaders of PAPs, representatives of CBOs;

- (iv) Designated staff of Project Implementation Unit (PIU)
- (v) DC / officials from DC's office and local Revenue officials; and
- (vi) Representatives of local NGOs

5.4 Stages of Consultations and Information Dissemination

The consultation process formulated for the project employs a range of formal and informal consultative methods including in-depth interviews with key informants, focus group discussions, meetings, and workshops. The consultation programmes are scheduled at several stages of the project, which can be broadly classified as:

- Project preparation phase
- Project initiation phase
- Project implementation phase
- Post implementation phase

Project preparation phase: The current phase is the project preparation stage where in the information gathered from field surveys are incorporated in the design phase of the project and preparation of RAP. At this stage following methodologies were used by the consultants for public consultation and information dissemination.

- (i) Reconnaissance survey
- (ii) Focus Group Discussions
- (iii) Census surveys
- (iv) Public Consultations

RAP was prepared in close consultation with the stakeholders and involved public consultations, FGDs and meetings, particularly with affected households. Consultations with PAPs during RAP preparation ensured that views of PAPs on finalising the highway alignment, compensation and rehabilitation measures are fully incorporated in the plan.

Project initiation phase: In project initiation phase, the EA/NHAI will be responsible for issue of notification, under sub-section (1) of Section 3A of NH Act, to inform potential PAPs about proposed acquisition along with project details. The notice will be published in two local newspapers, one of which will be in local/native language. In addition to this, PIU staff will inform potential PAPs about proposed acquisition with the help of village/ULB and revenue officials. With this, PAPs will be given opportunity to be heard in person or through legal practitioner within 21 days and can register any complaint related to proposed acquisition with Competent

Authority (CA)¹. The CA will satisfactorily disallow the complaints registered by PAPs in consultations with them. After disallowing complaints registered by PAPs, EA/NHAI will issue notification in the official gazette under Section 3D of NH Act, confirming the land acquisition. This notice will also be issued in two local newspapers, one of which will be in local/native language.

Project implementation phase: Consultations conducted during RAP implementation will help to identify help required by PAPs during rehabilitation. Further, an intensive information dissemination campaign for PAPs will be conducted at the outset of RAP implementation. This campaign will be designed by the PIU and executed by the implementing NGO. The objectives of the campaign are:

- (i) To help counter rumors and prevent distress;
- (ii) To assist in preparation for relocation to new sites; and
- (iii) Ensure all questions of the PAPs are answered to the best ability; print and audio-visual materials will be of secondary use in such areas.

All the comments made by the PAPs will be documented in the project record and summarized in project monitoring reports. Copies of approved Entitlement Matrix along with RAP implementation procedures and arrangements will be made available with CA/DC and PIU for reference and study by the public.

Implementing NGOs will ensure that any views of the PAPs, particularly BPL households, related to the resettlement process are looked into and addressed and that groups and individuals consulted are informed about the outcome of the decision-making process, and confirm how their views were incorporated. Since resettlement and rehabilitation is a continuous process and a baseline data/information is available, the implementing NGO will update the baseline information as and when required.

Post implementation phase: In this phase an evaluation of the project will be conducted to estimate whether the intended benefits have reached the people. All monitoring and evaluation reports of the R & R components of the project will be disclosed to the public.

5.4.1 Reconnaissance Survey

Social Assessment for the project began with reconnaissance surveys using social/environment mapping format for collecting primary data on various categories/

¹ District Commissioner (DC) will be the Competent Authority (CA)

typology of structures, natural and anthropogenic features and other important land uses like cultivable land, forest areas etc. As part of this a detailed socio-environmental mapping was undertaken for the entire project area for 50 m on either side from the existing edge of the carriage way. This exercise enabled social team to develop initial perceptions about the potential loss and benefits of the project on the Project Affected Families (PAFs). This exercise was also useful to interact with the public and pass on information about the project and get their feed back and viewpoints about it.

5.4.2 Consultation with Potentially Affected Households

The effectiveness of resettlement and rehabilitation process is directly related to the degree of continuing involvement of those affected by the project. In order to document the issues raised by PAPs, public consultations were conducted at nodal points of towns and villages. A large number of potentially affected persons expressed their views about the proposed project. The location wise public gathering and discussed issues are presented in the following table. Stakeholders groups included land owners and building owners, tenants, employees etc.

Table: 5.1: Public consultation at Pagal kana Cercle, Nagpur

Date & Time : 14/03/10, 1 pm	Subjects and issues discussed
Venue: Pagalkhana Square	<ul style="list-style-type: none"> • Objective of the project was shared with the people • Demand for parking space • During the public consultation at Sasthri cercle people demanded to limit widening up to 30 meter only(Existing average RoW) • As the upcoming road will be a high-speed corridor, the local residents demand for a service road for their day-to-day activities
Type of participants: Tenants & Employees	
 <p style="text-align: center;">Photo 1</p>	 <p style="text-align: center;">Photo 2</p>

Table: 5.2: Consultation at Zingabai Takali

Date & Time : 16/03/10, 3 pm	Subjects and issued discussed
Venue: Marcket area	<ul style="list-style-type: none"> • Objective of the project • During the consultation people demanded on going market rates as compensation for their affected properties. • People expressed their emotions on ancestral properties, which are falling in proposed alignment. • Demanded to keep away the religious centers from acquisition.
Type of participants: Land owners and building owners.	
	
Photo 1	Photo 2

Table: 5.3: Public Consultation at Mahadula

Date & Time : 6/03/07, 11Am & 8/03/07,4pm	Subjects and issued discussed
Venue: Mahadula	<ul style="list-style-type: none"> • Objective of the project • During the public consultation at Padubidri nortern side people-where is the most built up- demanded for bypass and other people demanded to widen the existing road with in 30 meter. • Demanded way side aminities like bus shelter,toilet,etc.
Type & No. of participants: Building owners, Tenants, Employees and politicians ,	



Photo 1



Photo 2

During the consultation all along the project road people welcomed the project, but some places like Takali, Mankapur, Koradi and Mahadula they demanded to limit the widening with in the available RoW so that the magnitude of social impact could be reduced. Weekly markets making the town very congested. All types of people were attended in consultation like owners of the buildings, tenants, employees, politicians, drivers and local people.

Takali:- The available RoW of this town is average 30 m and it is heavily built up with two storied and three storied buildings. During the consultation, people welcomed the project but at the same time they are varied about the loss of assets what they should have to suffer when widening the existing 30 meter RoW to 45 meters.

Mankapur: - Mankapur is a small town along the road with good business ambience. The available Row in the town is 38 meter only and one temple (with in 15 meter from center line right hand side of the road). During the public consultation people demanded for proper shifting of the temple.

Mhadula:- Mahadula is the major congested town along the project road the town is falling near by one km along the road with multi storied buildings. During the consultation we have noted their deferent opinion that tenants and employees of the town demanded for by pass while southern part people expressed their anxieties of their business after the bypass and they demanded the existing road widening. Proper footpath and parking space were also demanded by the people as the absence of these is making the town very congested during the peak hours.

5.4.3 Consultation With Local Government Officials

As per the process of information propagation and collecting relevant information for the social requirements of the project, various government officials were

consulted during the social screening exercise of the potentially project affected households.

5.4.4 Focus Group Discussions (FGD)

FGDs were conducted to assess the perception of the people about the proposed project. The stakeholders selected included shop keepers, local residents, owners/ workers of local commercial establishments etc. Issues and concerns of the people pertaining to the improvement of the road were discussed including their perception on the project. These discussions were conducted at few selected places Mahadula , Koradi, Heti, Manegaon and Khursapar to assess the perception of the people towards the project. Following are their responses for various issues discussed:

Types of Problem on the Present Road: The highway always busy with heavy trucks and tourist vehicles as it connecting major industrial and tourists centers of South India to central part of our nation. Even though the highway having a satisfactory width, all most all areas except built up towns, the unscientific alignment and surface making traffic difficult. In addition, the absence of any service roads along the busy commercial stretches leads to clashes in pedestrian and vehicle movement causing accidents.

Opinion on widening up to 4/6 laning: People are aware about the limitations of the existing road and also believe that this project is a must to improve the infrastructure services in Karnataka so that it can attract more investment in various fields and develop. They are willing to part with their land for the project purpose provided they receive adequate (market rate) and timely compensation for the losses they incur.

Land Acquisition: In all the places were FGDs conducted people expressed their willingness to part with their land for the project. The available land is not sufficient for 4/6 laning divided carriage way so that land acquisition is required in all most all along the road.

Consultation along the road**5.4.5 Census Surveys**

Census surveys were conducted wherein each PAF – the owner / occupant of each structure falling within the proposed ROW is identified and contacted as part of census surveys to register and document the status of potentially affected population within the project impact area. It will provide a demographic overview of the population served by the Resettlement Action Plan (RAP) and profiles of household assets and main sources of livelihood. It will cover 100% of the potentially affected population within the project impact area. Two separate structured interviews are being conducted separately for affected land and structures. The questionnaire quantifies the extent of impact upon each PAF in terms of the area of affected structure and residual structure and also documents the socio-economic status of the PAF to a limited extent. This survey process also serves as a tool to disseminate information about the proposed project and helps the PAF to be clear about the extent of losses.

CHAPTER – 6

INSTITUTIONAL FRAMEWORK

6.1 Introduction

Timely establishment and involvement of appropriate institutions would significantly facilitate achievement of resettlement objectives. The main institutions include:

- NHA
- Other relevant Government Department
- NGO
- GRC
- Training, Financial Institutions
- Partner Agencies (PC, Implementing NGO, Independent Monitoring Agency)

6.2 Resettlement Institutions and Framework

NHA has an Environmental and Social Development Unit (ESDU) at the corporate level. The ESDU has overall responsibility for policy guidance, coordination and planning, internal monitoring and overall reporting. The ESDU headed by a General Manager (GM), has one Deputy General Manager (DGM) - Environment and one Resettlement Manager (RM).

ESDU/NHA will undertake the revalidation of RAP before the start of RAP implementation and will engage services of Project Consultant (PC) for the same. For the project implementation NHA will set up Project Implementation Unit (PIU) at Mangalore. PIU will be headed by Project Director (PD), GM/DGM level officer. R&R Cell will be established as a part of PIU, and two District Resettlement and Rehabilitation Officers (DRROs), one for each project district, will be appointed to R&R Cell. DRROs will assist PD in all land acquisition and resettlement activities under the project. Institutional arrangement for RAP implementation is given in **Figure 6.1**.

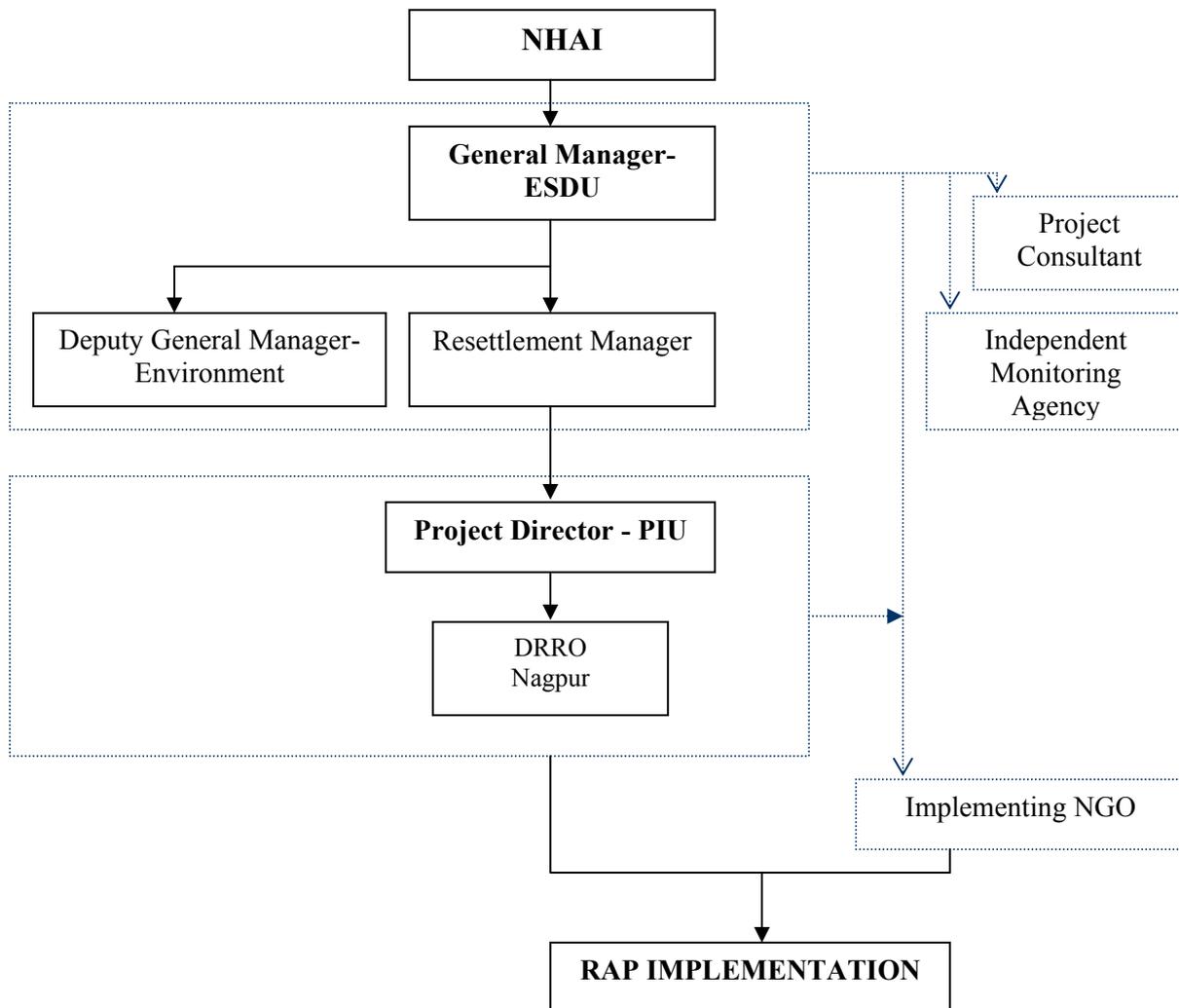


Figure 6.1: Institutional Framework: RAP Implementation

6.3 Roles and Responsibilities

NHA I will be the Executing Agency (EA) for project. ESDU of NHA I will oversee all RAP implementation activities, and will engage service of non-governmental organization (NGO) for RAP implementation and an independent agency for external monitoring. DRROs (R&R Cell) at PIU will undertake RAP implementation, with the help of NGO appointed by ESDU. All the RAP activities will be regularly reported to ESDU by PIU.

PIU/R&R Cell will establish networking with district administration (District Commissioner's office, Revenue Department etc.) to ensure timely implementation of RAP. Networking with central/state/town departments will also be established (i) so as to link proposed income restoration packages with government schemes, if any; (ii) for restoration/replacement of community infrastructure such as water supply, sewerage, electricity/telephone network, irrigation canals etc.; and (iii) for restoration/replacement of CPR's/public amenities such as shrines, schools etc.

Roles and responsibilities are explained in detail as below:

6.3.1 Environment and Social Development Unit (ESDU)

- Establish operational links within NHA to ensure early release of money for RAP activities;
- Coordination and overall monitoring of RAP implementation activities;
- Legal advise to PIU, partner agencies;
- Appoint NGO for RAP implementation and independent agency for external monitoring;
- Plan and conduct training programmes for capacity building of PIU staff and partner agencies;
- Review of monthly progress reports submitted by PIU

6.3.2 Project Implementation Unit (PIU)

Project Director:

- Coordinate with ESDU and ensure timely availability of funds and other resources for RAP activities;
- Liaison with district officials (DC, revenue etc) for support in land acquisition;
- Participate actively in training programmes, meetings conducted by ESDU, if any
- Coordinate activities of partner agencies (NGO/independent monitoring agency) in the field;
- Advise, coordinate and monitor work of R&R Cell (DRROs);
- Review monthly progress reports prepared by DRROs and send them to PIU;

District Resettlement and Rehabilitation Officers (DRROs) :

- Coordinate with district administration and implementing NGO for LA and R&R activities;
- Translation of R&R Policy Principles and Entitlement Matrix in local language, if required;
- Closely monitor the work of implementing NGO and conduct bi-monthly meeting to review the progress;
- Independently monitor physical and financial progress of RAP implementation and submit the report of the same to PD on monthly basis;
- Participate in regular meetings
- Provide any help needed by implementing NGO.

6.3.3 Implementing NGO

Implementing NGO will undertake RAP implementation after the revalidation of RAP by Project Consultant (PC) appointed by ESDU/NHAI. Implementing NGO will build a good rapport with all PAPs, and will try to address their concerns during RAP implementation. Coordinate with DRROs and implement R&R activities.

- Distribute copies of R&R Policy Principles and Entitlement Matrix to all PAPs
- Undertake consultations, meetings, workshops etc. required for RAP implementation
- Generate awareness about alternative economic livelihoods and enable PAPs to make informed choices.
- Conduct market feasibility study for proposed income restoration packages
- Identify training needs and institutions for proposed income restoration packages
- Opening of joint accounts, and facilitate the process of arranging loan to PAPs, if required
- Identify suitable resettlement sites/ transitional accommodation places with the help of DRROs
- Help PAPs in resolving minor grievances, if not, help them to reach GRC and further to the court
- Awareness campaign for highway related diseases, HIV/AIDS

6.3.4 Independent Monitoring Agency

ESDU will engage service of independent monitoring agency for external monitoring of RAP implementation activities. Independent Monitoring Agency will undertake following major tasks:

- Evaluate work of implementing agencies, ESDU, PIU and Implementing NGO
- Develop M&E indicators for physical and financial progress and assess the RAP implementation performance
- Submit the bi-annual reports to ESDU

6.4 Implementation Schedule

Implementation of RAP will include land acquisition, and resettlement and rehabilitation (R&R) activities. The implementation process will cover (i) identification of cut-off date and notification; (ii) verification of properties of PAPs and estimation of their type and level of losses and distribution of identity cards; (iii) preparation of PAPs for relocation through consultation, however, the process of consultation will continue throughout the RAP implementation and (iv) relocation and resettlement of the PAPs.

Implementation schedule should be revised, post-finalization of entitlements, compensation packages and the budget. This should depend on the magnitude of work to be undertaken as part of RP implementation. PAPs should be given sufficient notice period to vacate their property before civil works begins. No civil works should begin until all PAPs receive the approved compensation package. Civil works should therefore be linked with the completion of land acquisition. In this case, all land transfers from Government have to be completed. Depending on the ownership, PIU should coordinate the DC's office and the Revenue Department. A draft Implementation Schedule is given in Table 6.1, subject to change after revalidation of RAP.

It is assumed that implementation will take minimum 10 months to hand over land for civil works. Training for income restoration, if proposed, however shall continue for another month, estimating a total period of 11 months for RAP implementation.

Table 6.1: Draft Implementation Schedule

Sl. No.	Land Acquisition and Resettlement Activities	Start Date	Completion Date	Duration (Days)
1	Revalidation of RP	1st of Month 1	30th of Month 2	90
2	RP Approval by NHA	1st of Month 3	30th of Month 3	30
3	Issue of identity cards	1st of Month 4	30th of Month 4	30
4	Recruitment of Implementing NGO	1st of Month 3	30th of Month 3	30
5	Information sharing, consultations and disclosure meetings	All through the RP implementation period		
6	Payment of compensation and assistance for relocation	1st of Month 5	30th of Month 7	60
7	Relocation and resettlement of PAPs	1st of Month 6	15th of Month 8	75
8	Skill Training of vulnerable groups / income restoration activities, if proposed during revalidation	15th of Month 8	30th of Month 11	90 (Optional)
9	Possession of acquired property	1st of Month 9	30th of Month 9	30

Sl. No.	Land Acquisition and Resettlement Activities	Start Date	Completion Date	Duration (Days)
10	Internal monitoring	All through the RP implementation period		
11	External monitoring	All through the RP implementation period		
12	Handover acquired lands to contractors for construction	1st of Month 10		
13	Start of Civil Works	5th of Month 10 onwards		

6.5 Monitoring and Evaluation

Monitoring involves periodic checking to ascertain whether activities are progressing according to RAP. Monitoring will cover physical and financial components and provides a feedback to keep the program on schedule. By contrast, evaluation is essentially a summing up, the end of the project assessment of whether those activities have actually achieved the intended aims.

RAP implementation will be closely monitored to provide PIU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. For monitoring and evaluation (M&E), PIU will appoint an independent agency to undertake external monitoring of the entire project. The independent agency will monitor the project on a half-yearly basis and submit its reports directly to the PIU. In RAP implementation, the M&E system will perform the following key tasks:

- (i) Administrative monitoring to ensure that implementation is on schedule and that problems are dealt with on a timely basis;
- (ii) Socio-economic monitoring during and after the relocation process, if involved, utilizing the baseline established by the PAP census survey undertaken during project preparation to ensure that people are settled and recovering; and
- (iii) Impact evaluation to determine that recovery has indeed taken place and in time, succeeded.

The indicators for achieving the objectives under the resettlement and rehabilitation program are of three kinds:

- (i) Process indicators, indicating project inputs, expenditure, staff deployment, etc.;
- (ii) Output indicators, indicating results in terms of numbers of affected people compensated and resettled, training held, credit disbursed, etc.; and
- (iii) Impact indicators, related to the long-term effects of the project on people's lives.

Monitoring will also cover the physical progress of project provided resettlement sites, if any resettlement sites are established. It will also cover the relocation of people to new sites as well as the allocation of replacement assets.

6.5.1 Internal Monitoring

Internal monitoring will track indicators such as the number of families affected, resettled, assistance extended, infrastructure facilities provided, financial aspects, such as compensation paid, grant extended etc. R&R Cell at PIU will carry out internal monitoring, who will report to the Project Director on monthly basis in prescribed monitoring formats. These formats, to be filled by DRROs at R&R Cell, will indicate actual achievements against the targets fixed, and reasons for shortfall, if any. Based on the reports, the PIU will monitor and evaluate every three (3) months the overall progress on each R&R component within the project and determine actions to be taken by the PIU in situations where the set objectives are not being met. In addition, R&R Cell at PIU will have the responsibility for management and maintenance of PAP database (documenting results of PAP census, asset verification information, and socio-economic survey data etc.), which will be used as the baseline for assessing impacts of RAP implementation.

6.5.2 External Impact Evaluation

An external agency will be appointed by EA/NHAI, not associated with project execution, to evaluate the resettlement program at mid term and at the end of the project. The agency will submit evaluation on the following indicators:

- (i) Restoration of income levels;
- (ii) Changes and shifts in occupation pattern;
- (iii) Changes in type of housing of PAPs; and
- (iv) Assessing PAPs access to amenities, such as water, electricity, transportation etc.
- (v) Performance of implementing NGO and R&R Cell at PIU in RAP implementation.

6.5.3 Methodology

Monitoring and Evaluation (M&E) will include (i) Participatory rapid appraisal of the resettlement implementation in every affected village, (ii) Public consultations; (ii) observation checklist to be used for assessing eviction and resettlement processes; (iv) grievance appeals to be reviewed and discussed with PAPs about the satisfaction regarding the process; and (v) standard of living of the PAPs before and after implementation will be based on baseline information collected earlier.

All monitoring data, both internal and external will be disaggregated by gender. Also, emphasis will be given on vulnerable households identified under the project. Sensitive indicators such as law and order in project affected area, vigilance during eviction and demolition will also be assessed.

6.6 Grievance Redressal Mechanisms

A Grievance Redressal Committee (GRC) will be formed to ensure that grievances are addressed in a timely manner, facilitating timely project implementation. The GRC will be established as District Level Committee, one for each project district and will comprise representatives from PAPs (ensuring representation of BPL households), local government (panchayat officials/ULB officials), local NGOs/community based organizations (CBOs), public representative (Member of Parliament/Member of Legislative Assembly), and line departments (DC/revenue/forest etc.). Minimum participation of women in GRC will be 30 percent, while at least two persons from each mentioned category will be part of GRC. The GRC will work,

- (i) To provide support to the PAPs on problems arising out of land/ property acquisition;
- (ii) To record the grievances of the PAPs, categorize and prioritize and solve them within a month;
- (iii) To inform PIU of serious cases within an appropriate time frame; and
- (iv) To report to the aggrieved parties about developments regarding their grievances and decisions of the PIU.

6.6.1 Grievance Redressal Process

The GRC will redress grievances at the local-level in a consultative manner and with the participation of the affected households, or their representatives. The grievance redressal process is shown in **Figure 6.2**.

The first level of screening of grievances shall be undertaken by the implementing NGO and the respective District Resettlement and Rehabilitation Officers (DRROs). If not resolved, shall be placed before the GRC. The GRC will determine the merit of each grievance and attempt to resolve the same within a month from the date of lodging of complaints, failing which the grievance shall be addressed to the Arbitrator appointed by PIU. The Arbitrator will hear appeals against the decisions of GRC. The decision of the Arbitrator is final and cannot be contested in any other forum except in the Courts of Law. All costs incurred in resolving the complaints will be borne by the project.

GRC meetings will be announced to PAPs by the implementing NGO and DRROs a week in advance. To further ensure GRC accessibility to PAPs, the implementing NGO and DRROs will inform PAPs on grievance redressal procedures, the functions of the GRC, and how to access the GRC.

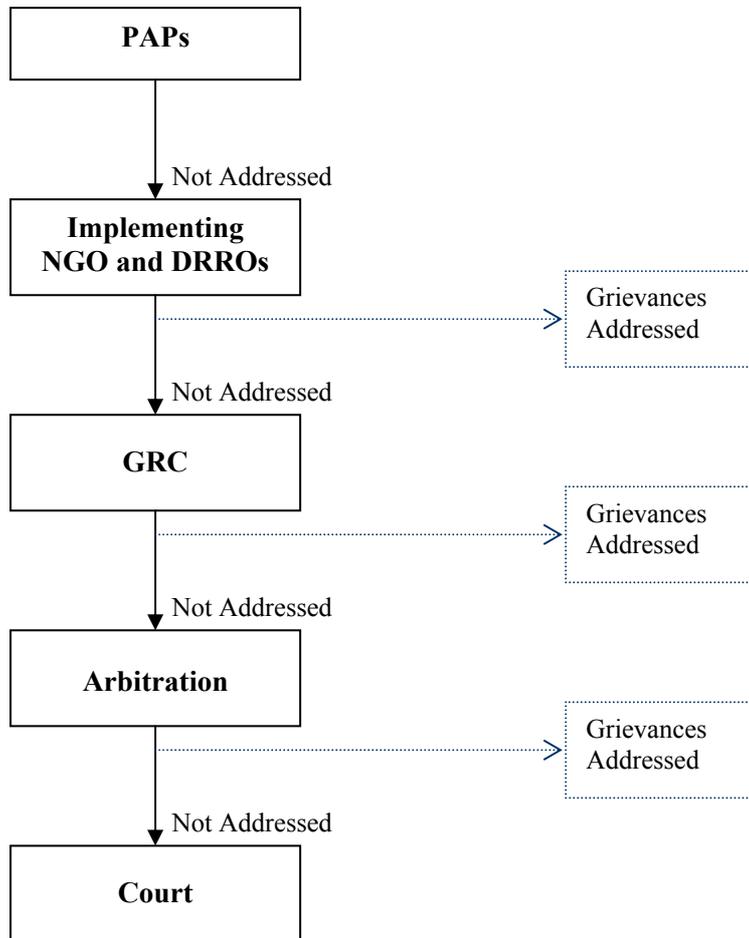


Figure 6.2: Grievance Redressal Process

CHAPTER – 7

RAP BUDGET

7.1 Introduction

Subsequent to the census survey of affected structures and preparation of land acquisition plans the rehabilitation impacts in terms of loss of land, structures etc, were quantified. Further to this, next step is to estimate the compensation to be provided to the PAFs as per the entitlement matrix prepared based on the NH Act, 1956. This chapter outlines the methodology of RAP cost estimation and RAP cost in terms of Land Acquisition (LA), assistance for structure and asset loss and various other kinds of assistance that is eligible under the framework of entitlement.

7.2 Prevailing Award Fixing Practices

7.2.1 Acquisition by PWD (NH Division)

In acquiring the land for the proposed road improvement, Land Acquisition Officer normally follows guidance values for fixing the compensation to PAFs. In the State of Karnataka, modified guidance values published by the government and these are base values for property transaction. This value has been collected by the social team of WSAPL from each SROs (Sub-Registrar's Office) for the village panchayats falling under his/her jurisdiction along the project stretch and used for calculation of compensation for land acquisition.

In case of loss of structures and assets, a technical valuation team of PWD inspects the site and advises LA Officer to fix individual award based on approved PWD Schedule of Rates. The LA Officer is the final discretionary authority to fix individual awards. However, the awards can be challenged in the Court of Law.

7.2.2 Proposed Approach for Estimating the Compensation

RAP Budget is prepared using guidance values of land as collected from SROs and in addition 30% solatium, 12 % additional increase subsistence allowance of Rs.10,000 per PAF is also included as mentioned in the entitlement matrix.

The preparation of budget based on market values is undertaken for a comparison to understand the extent of variation of the compensation amounts in both the approaches. For the purpose of implementation of the project, first approach is recommended to finalize the compensation for the PAFs.

7.3 Per Unit Rate of Land, Structure & Other Assets

Village-wise guidance values of land taken into consideration for preparation of RAP budget is given as follows. (Table 7.1)

Table 7.1: Unit Rate of Land per Acre (Guidance Values)

Villages	Chainage		Land Use	Guidance value
	From	To		
Jaripataka	3	4	Commercial	75,00,000/-
Mankapur	4	4.7	Commercial	75,00,000/-
Zingabai Talki	4.7	5.13	Commercial & Residential	80,00,000/-
Nara	5.15	8.6	Commercial	80,00,000/-
Bhokara	8.6	9	Commercial	80,00,000/-
Panjara	9	9.35	Commercial	80,00,000/-
Koradi (N.V.)	9.35	9.55	Residential	80,00,000/-
Mahadula (CT)	9.55	11.2	Commercial & Residential	80,00,000/-
Nanda	11.2	13.7	Commercial & Residential	80,00,000/-
Dahegaon(Rangari)	13.7	17	Commercial & Residential	36,00,000/-
Pipla (da-B)	17	18.8	Commercial & Residential	36,00,000/-
Kawadas	18.8	19.4	Commercial	36,00,000/-
Patansavangi	19.4	22	Commercial	36,00,000/-
Takali	22	29.34	Commercial	36,00,000/-
Manegaon	29.34	32.5	Commercial & Residential	10,00,000/-
Borujwada	32.5	32.75	Commercial	10,00,000/-
Gujarkhedi	32.75	33.1	Agricultural	11,70,000/-
Ajani	33.1	34.2	Agricultural	7,00,000/-
Pardi (Rithi)	34.2	36.34	Agricultural	10,20,000/-
Hetisurla	36.34	37.87	Agricultural	10,20,000/-
Bhagi Mahari	37.87	40.1	Residential & Agricultural	10,20,000/-
Pipala (Bhadao)	40.3	43.5	Agricultural	10,20,000/-
Khapa (Narsala)	43.5	48.9	Agricultural	10,20,000/-
Umari (Bharatpur)	48.9	49.2	Agricultural	10,20,000/-
Borgaon Jangli	49.2	51	Agricultural	10,20,000/-
Chhatrapur	51	52	Commercial	15,00,000/-
Jaitpur	53	53.14	Commercial	15,00,000/-
Khursapar	57.7	58.2	Commercial & Residential	15,00,000/-

Source: Sub-Registrar's Office along NH-69 from Nagpur to MP border

For calculation of loss of structures and other household assets, following standardized rates have been used, which have been worked out using 'Schedule of Rates Mangalore circle' of state PWD published in 2009-10.

(a) For Pucca Structure – Rs.13200/ sq.m. of plinth area.

- (b) For Semi-Pucca Structure – Rs.9500/ sq.m. of plinth area.
- (c) For Kutcha Structure – Rs. 5000/ sq.m. of plinth area.
- (d) For Boundary Wall – Rs. 5000/ running meter of 1.5m high and 1 foot wide plastered wall.
- (e) For Well – Rs. 12500 per meter of depth having standardized 2.5m diameter.

The above mentioned rates are applied to the plinth area of the above category of structures to get the total cost. Based on the extent of impact upon the structures if the remaining part is fund unviable then full structure is considered as fully affected and entire area is taken for cost estimation. Where ever the remaining portion is found to be viable, it is considered as partial impact and only the affected area is considered for valuation of the structures. The minor assets like open wells, compound walls etc. has been valued separately. However, detailed item wise valuation based on PWD schedule of rates needs to be undertaken at the time of implementation.

7.4 RAP Budget

RAP budget, can be broadly subdivided into following three subsections: Detailed RAP budget is given in table 7.5

- (a) Assistance for Loss of Land
- (b) Assistance for Loss of Structures, Assets & Developed Area within Resi/Com. Plots
- (c) R&R Implementation

7.4.1 Assistance for Loss of Land

Assistance for land has been prepared based on the land acquisition plan where the extent of land area that needs to be acquired is calculated for each survey number in each village. Based on the land use of the area to be acquired along the existing road and the bypasses, unit rates of land is applied (from the guidance values given in **Table 7.1**) to get the total assistance for loss of land. The land value includes 30% solatium, 12% additional increase and Registration and stamp duty (**Table.7.2**).

Table.7.2: Assistance for Loss of Land

Sl. No.	Components of Cost	Unit (Ha)
A : Total Affected Land Area (in Ha)		155.04
B : LA Cost		Cost (in INR Crores)
1	Cost of LA	15.5
2	Solatium @ 30% of the LA Cost	4.1
3	additional increase @ 12 % of the LA cost	1.6
4	Registration rate (8%) and stamp duty (1%) charges	1.09
Total		22.29

7.4.2 Cost of Structures

Cost of affected property adds upto Rs. 108.64 Crores ,of these 66.23 crore for pucca buildings and 41.56 crore for semi pucca bildings (Construction material used for constructing roof, floor and walls of a property is the major criteria to differentiate the likely affected structure into pucca, semi-pucca, kutcha, and thatched.), 0.85 crores for boundary wall, Kutcha and Tached buildings. The replacement cost of all government buildings also calculated, as the bus shelters would be modified by the NHA so that the replacement cost of existing bus shelters are not valued.

Table.7.3: Cost of Structures

SI No	Type Construction of Structure	Plinth area of Structure(Sqm)	Unit cost(Rs)	Total Amount(Crores)
1	Kutcha	1455	5000	0.7
2	Semi-pucca	2431	9500	2.3
3	Pucca	1741	13200	2.2
4	Boundary Wall	1547	5000	0.77
5	Compensation: Well(Average5 meter)		12500	
Total				5.97

7.4.3 R&R Assistance

R&R assistance and other cost include the ex-gratia amount Rs 10000/family. Different classifications of affected PAFs and assistance are estimated below in table 7.4

Table 7.4: R&R Assistance

Sl.No	Assistance	Unit	Quantity (Nos)	Unit Rate (Rs.)	Amount in Rs. Crore
1	R&R Assistance to Land affected PAF*	PAF	200	10000	6.29
2	R&R Assistance to Residential Establishments	PAF	50	10,000	0.91
3	R&R Assistance to Commercial Establishments	PAF	370	10,000	0.77
4	R&R Assistance to Residential Cum Commercial Establishments	PAF	32	10,000	0.19
5	Shifting of Religious Structures (shrines)	No.	8	-	
6	Shifting of Bus shelters , Water taps other Govt. properties#	No.	26	-	
	Total		686		8.15

* Approximated number

Source: Estimates by K&J's Social Team

Table.7.5: Final RAP Budget

Sl. No.	Item	Unit	Quantity (Ha)	Unit Rate (Crore)	Amount(Crore)
A	COMPENSATION: Land				
1	Cost of land along the road	Hectare	155.04	0.1	15.5
2	Solatum @ 30% of the LA Cost				4.1
3	additional increase @ 12% of the LA Cost				1.6
4	Registration rate (8%) and stamp duty (1%) charges				1.09
	Sub Total: Land				22.29
B	COMPENSATION: Structure				
Sl. No.	Type of Construction	Unit	Quantity	Unit rate/Rs	Amount(Crore)
1	Structure compensation: Kutcha	Sqm	1455	5000	0.7
2	Structure compensation: Semi-pucca	Sqm	2431	9500	2.3
3	Structure compensation: Pucca	Sqm	1741	13200	2.2

Sl. No.	Item	Unit	Quantity (Ha)	Unit Rate (Crore)	Amount(Crore)
4	Structure compensation: Boundary Wall	linear meter	1547	5000	0.77
5	Compensation: Well(Average 5 meter)	meter			
Sub Total: Structure					5.97
C	Other Assistance				
Sl. No.	Item	Unit	Quantity	Unit Rate (Rs.)	Amount(Crore)
1	R&R Assistance to Land affected PAF*	Nos	200	10000	0.2
2	R&R Assistance to Residential Establishments	Nos	50	10,000	0.05
3	R&R Assistance to Commercial Establishments	Nos	370	10,000	0.37
4	R&R Assistance to Residential Cum Commercial Establishments	Nos	32	10,000	0.032
5	Shifting of Religious Structures (shrines)	Nos	8	-	
6	Shifting of Bus shelters , Water taps & other govt. properties#	Nos	26	-	
Sub Total: Structure					0.652
GRAND TOTAL (A+B+C)					28.912