

Abbreviated Resettlement Action Plan for STP site at Munger, Bihar



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TRYST WITH PROGRESS

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ABBREVIATIONS

NGRBA: National Ganga River Basin Authority
NGRBP: National Ganga River Basin Projects
NMCG: National Mission For Clean Ganga
NRRP: National Resettlement and Rehabilitation Policy
ESMF: Environmental & Social Management Framework
IPMF: Indigenous Peoples Management Framework
GAD : Gender Assessment and Development Framework
GAP : Ganga Action Plan
GOI: Govt. of India
GOB: Govt. of Bihar
NREGP: National Rural Employment Guarantee Program.
IA: Implementing agency
EA: Executing Agency
BSR: Basic Schedules of Rates
MAW: Minimum Applicable Wage
ToR: Terms of Reference
CPR: Common Property Resource
PCM: Public Consultation Meeting
FGD: Focussed Group Discussion
RAP: Rehabilitation Action Plan
BPL: Below Poverty Line
OBC: Other Backward Caste
SC: Scheduled Caste
ST: Scheduled Tribe
WHH: Women Headed Household
PAH: Project Affected Household
PAP: Project Affected Person
PAF: Project Affected Family
DP: Displaced Person
DF: Displaced family
NTH: Non Title Holder
TH: Title Holder
PH: Physically Handicapped
V: Vulnerable
MP: Micro Plan
M&E : Monitoring & Evaluation
R&R: Resettlement and Rehabilitation
RP: Resettlement Plan
ERG : Economic Rehabilitation Grant
NGO: Non Government Organisation
STP: Sewage Treatment Plant
IPS: Integrated Pumping Station
PEA: Project Executing Agency
PIU: Project Implementing Unit
PMU: Project Management Unit

CHAPTER 1

1.1 Introduction

Increasing population, haphazard urbanization and industrial growth in Ganga river basin has resulted in high pollution level in economically and culturally important river Ganga. The Government of India has established the National Ganga River Basin Authority (NGRBA) for comprehensive management of the river. The NGRBA program will adopt a river basin approach and has been given multi-sectoral mandate to address both water quantity and quality aspects. NGRBA is implementing the program with financial assistance from The World Bank in five major states (Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal) along the main stem of Ganga. To ensure effective implementation of the program NGRBA has designed a framework that address the technical, environmental and social aspects of each category of investment in the program

Recently, GOI has requested the World Bank to consider some of the investments that were approved by MoEF / NGRBA prior to the commencement of Bank funded program for retroactive financing. Since these investments were not prepared in line with the agreed framework of the project, Bank team carried out a due diligence to assess the technical, procurement, environmental and social safeguard aspects of each of these projects and their eligibility for financing. The current document provides the details of environmental and social safeguard due diligence carried out by the Bank Team and the agreed action plan for complying with some of the safeguard issues.

The Environment and Social safeguard due diligence was undertaken by the Bank team with co-ordination from Safeguard Specialists from National Mission for Clean Ganga (NMCG). The due diligence process was accomplished through detailed interactions with implementing agency, contractors, site visits and consultation with communities at site wherever feasible. Available DPR, design, drawings were also reviewed during the process.

1. 2 Project Background: Munger is the headquarter of Munger Division in the State of Bihar. The town is practically surrounded by the Ganga on three sides, viz. south, west and north and the Kharagpur hills forming the eastern border. It is situated in the heart of the district and its location has made portions of the town a beauty spot. Once considered a strategic location, the town is situated on the right bank of the Ganges and has a railway station (Jamalpur) accessible by trains from Delhi, Kolkata and Mumbai.

According to the 2011 census, Munger Municipal Corporation had a total population of approximately 3, 88,000.00. Details are as follows:

Description	Munger District	Munger Municipal Corporation
Total Population	1,367,765	2.13.101
Male	729,041	1,13,168
Female	638,724	99,928
Sex Ratio (Per 1000)	876	883
Average Literacy	70.46	81.83
Total Child Population (0-6 Age)	229,860	42,260

The towns have no access to any sewerage systems at present and rely instead on sewerage fixtures that are connected to an open storm water collection system. All household sewage is discharged into roadside drains. The Bihar project is expected to bring these cities' outdated sewerage systems to international standards and to benefit public health and safety.

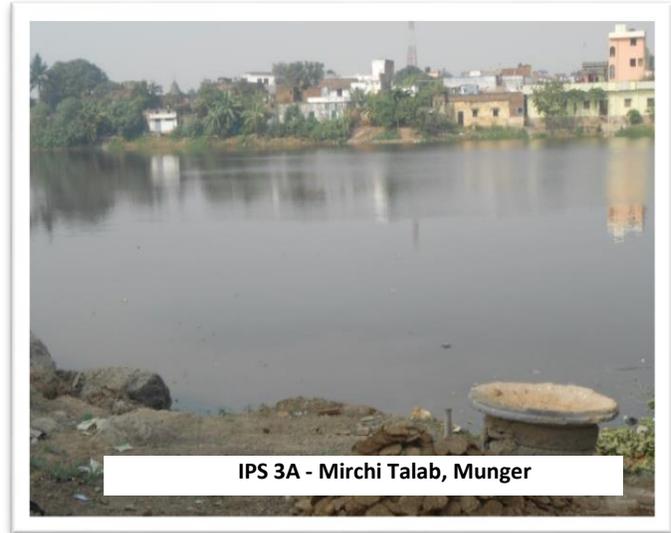
1.3 Brief of the Project: The sewerage system for Munger City is proposed to be implemented with financial assistance from National Ganga River Basin Authority (NGRBA). NGRBA is an agency under Govt. of India, which has launched a programme with the objectives of pollution abatement and to improve water quality of Ganga River. Under the



IPS 1 - Bhindwara Chowk (Bajrangi Mandir)

Project, comprehensive sewerage system (collection, treatment and disposal) has been proposed to cover complete Munger city. The aim is to ensure that no untreated wastewater is discharged in Ganga River. Designs are based on the Manual of Sewerage and Sewage Treatment (Second Edition), Ministry of Urban Development, 1993 and guidelines issued by NRCD for conservation of rivers and lakes.

Munger has no comprehensive sewerage system. Human excreta are disposed through on-site sanitation methods and open defecation is also common. Spent water from kitchen and bath rooms is discharged into surface drains that transport wastewater to local depressions. The effluent from septic tanks is also let into the surface drains.



The proposed project aims for an effective abatement of pollution of river Ganga by providing comprehensive sewage collection, treatment & disposal system using laterals, branches and trunk mains including sewage treatment plant. The project facilities are designed for a population 3,70,439 (projected for 2041). The project includes six pumping stations which will discharge treated wastewater at an STP. The treated wastewater from treatment plant site will be disposed in the River Ganga.

The sewage treatment plant is based on Sequential Batch Reactor technology and is of 30 MLD (Million Liters per Day) capacities. The treated effluent is designed to meet the treated sewage standards for discharge to inland waters, as prescribed by Indian Regulations. At least 33% of the open area shall be converted to a green belt/garden. Dense plantation shall be used for control of noise around the blower buildings. Plantation of large trees and green belt including creepers shall be used in the campus to ensure that odor, if at all emitted, get diluted and diffused and a visual barrier is created.

1.4 Project Components:

The details of project components are presented below:

A. Sewerage Treatment Plant (STP) of 30 MLD at Sherpur / Shekpura Village : The 30 MLD capacity is proposed based on projected population of 2046 (30 years from the date of commencement i.e. 2016).

B. Intermediate Pumping Station (IPS-I), Bhindwara Chowk, Jamalpur Road as Yet not decided.(Private Land)

C. Intermediate Pumping Station (IPS-II) at premises of Bihar Rajya Jal Parishad office, Lalu Pokhar. (Govt. Land)

D. Intermediate Pumping Station (IPS-III A) at Mirchi Talab. (Govt. Land)

E. Intermediate Pumping Station (IPS-III B) at No.2 Railway Gumti. (Govt. Land)

F. Intermediate Pumping Station (IPS-IV) at Kila Uttar Darwaza, Nr. Law College. (Govt. Land)

G. Intermediate pumping Station (IPS-V) near STP & MPS.



Laying Sewage Network of 142.9 kilometers; the construction of sewage network is in progress and it is mostly placed on the existing carriageway of the PWD or Municipality roads.

No issues related to indigenous people or involuntary resettlements have been identified.

1.5 Status of Environmental and Social Assessment

None of the project area involves forest land, or is located close to any ecologically sensitive areas.

No archeologically protected monument is located in close proximity.

Environmental and social screening carried out as part of this due diligence exercise using the screening matrix of the Environmental and Social Management Framework of NGRBA Project, concludes that the project components have limited impact on the local environment and can be mitigated with provision of adequate mitigative measures and adoption of environmental management plan. The project hence is categorized as 'Low Impact' category.

1.6 Social and Environmental Profile of the Area

Munger is situated in the southern part of Bihar. The district is spread over 1,419.7 Sq. km. in between 24° 22" north to 25° 30" latitudes north and 85° 30" East to 87° 3" longitude east. Physiography of the district is alluvial plain having gentle slope. The plain land is marked by presence of several minor depressions. Munger has an average elevation of 43 meters (141 feet). The topography of the town is not flat. The elevation variation within the town is about eleven meters. The mean annual rainfall is 1150 mm mostly confined to monsoon season. Maximum temperature during summer season is 45°C and minimum temperature during winter season is 3.5°C.

CHAPTER 2

2.1 Approach and Methodology

Approach and methodology mainly consist of quantitative and qualitative tools and techniques. The study was conducted in two phases.

2.1.1 PHASE – I: PRE SURVEY ACTIVITIES

Collection and review of project literature

This phase intends to familiarize with the concerned and important stakeholders to identify and collect the available literature and to scope the activities. This involved two pronged approach (a) discussions with Project Implementing authorities and other concerned, b) collection of available relevant project literature. Consultations were held with concerned revenue officials to establish the ownership of land. Literature review and consultations formed the basis for identification of key stakeholders.

Rapid reconnaissance survey to familiarize field activities

Following to the review and consultations, rapid preliminary field visits were conducted as part of ground truthing exercise. This provided the basis for field research preparation and helped in testing the questionnaires and checklists.

Scoping and other Pre survey activities

Both the review and rapid reconnaissance survey helped in finalizing the study instruments and inception report detailing the final methodology and work plan.

2.1.2 PHASE II: SURVEY ACTIVITIES

Census and socio-economic household survey for all affected persons

The census survey of all the project-affected persons available was conducted in the second phase. The survey, *inter alia*, has assessed the impacts of the project, the socio-economic conditions, and living standards of affected persons due to the project implementation. The following were collected during the survey:

- Socio economic conditions of the affected persons

- Family structure and number of family members
- Literacy levels
- Occupation type and income levels
- Inventory of household assets
- Loss of immovable assets due to the project by type and degree of loss
- Accessibility to the community resources
- Perceptions on the resettlement and rehabilitation measures
- Perceived income restoration measures
- Grievances of affected persons and its redressal
- Willingness to participate in the project

Qualitative survey

Qualitative surveys were conducted for evaluation of both affected population and implementation capacities. The qualitative survey included focus group discussions and in depth interviews with various sections of people such as women, knowledgeable persons and community leaders to elicit their expectations and suggestions, which will support and provide additional information collected through quantitative survey.

Assessment of livelihood losses

The study made an attempt to identify people losing their livelihood directly or indirectly. Also through consultations the rehabilitation strategies for those losses by way of training requirements for income generation and other remedial and restoration measures were identified. For this the consultations were conducted among:

- People losing properties/resources
- Knowledgeable persons
- Opinion leaders in the community

Review of legal policy provisions and implementation capacity

Relevant national and state legislations and regulations were reviewed. To study implementation arrangements and its capacity in delivering the R&R services verification of these arrangements and in-depth interviews with authorities were conducted.

Research Tools and Instruments

Various social research tools are employed to ensure that, all issues related to the study are adequately addressed so that a meaningful package of deliverables is developed. The entire exercise was carried out through an appropriate mix of social research techniques including desk research through review of information, concerned government departments and project authorities. Structured and semi-structured interviews, group discussions with the affected people and relevant government agencies and community were undertaken.

The study used various instruments to collect information for the different stakeholders involved in the project.

CHAPTER 3

3.1 Resettlement Policy & Legal Framework

3.1.1 The Right to Fair Compensation and Transparency in LA RR ACT, 2013,

The salient features of the bill include:

1. The Bill seeks to amend the Land Acquisition Act, 1894. The bill suggests that the 1894 Act be repealed and a new comprehensive legislation be brought in Parliament. It states that the legislation should be enacted expeditiously.
2. The bill notes that the use of the word 'may' dilutes specific provisions and provides undue discretion to the implementing agency. It recommends that 'may' should be replaced by 'shall' in all clauses except ones where the intent is to provide flexibility.
3. In order to protect agricultural land from getting acquired, it states that the Bill should include a provision that makes it mandatory for the Collector to submit a report stating that wasteland or barren land was not available for a particular project. Also, the government should make a list of unutilised land.
4. The Committee also makes several suggestions for development of wasteland. It also recommends that the government should do long term planning regarding the total area of agricultural land required to meet food grain requirements. Also, a strong law is required to protect prime agricultural land in similar manner as forest land. There should also be measures to guard against excessive acquisition of land which is at time more than the land required for the project.
5. The Committee recommends that in cases where award of compensation is pending, solatium and the rehabilitation and resettlement package should be provided retrospectively.
6. The Committee recommends that all the benefits provided under the Land Acquisition and Rehabilitation and Resettlement legislation should be doubled at every stage in case of second and subsequent displacement of a family/person.

7. The Bill would apply to Nagaland only when decided by a resolution of the Nagaland Legislative Assembly. This should be provided for in the Bill.
8. As per the Act, 30 days time period from the date of publication of the notification has been provided for the affected person to object to the acquisition of land. The Committee feels that the period is not sufficient and recommends that it be increased to 60 days.
9. The Committee is of the opinion that fixing some percentage of the land to be acquired by the appropriate government and private body for a particular project of public purpose is very contradictory and impractical. Also, the definition of “public purpose” as per the 1894 Act should be retained.
10. There should be discretion in deciding whether a Social Impact Study is necessary if the number of families is below the threshold level.
11. The Committee recommends that the highest price of sale deed as indicated in the sale deeds of the last three years plus 50 per cent of the highest price should be the criteria for assessing and determining the market value of the land. For tribal areas, the Committee recommends that the highest price of a sale deed of the adjoining non-tribal blocks/village for the last three years plus 50 per cent should be the criteria.
12. The Committee is against the provision that allows the Collector, before determining the market value of the land, to ascertain the intended land use category.
13. The Committee states that issue of shares and debentures as part of the compensation is not practical. Therefore, issue of shares and debentures should be over and above the admissible compensation. Further, it should be left to the acquiring body to issue shares and debentures over and above the admissible compensation to the affected person/family whose land is acquired.
14. The Committee pointed out certain contradictions in the Land Acquisition Bill and the Rehabilitation and Resettlement Bill with regard to compensation with shares and debentures.
15. The Committee recommends that emergency powers of the government may be restricted to acquisition of minimum area of land for the purpose of defence or national security or in case of natural calamities.

16. The Committee suggests that the Acquisition Compensation Disputes Settlement Authority should consist of at least three members, including the Chairperson. Also, the retirement age should be reduced to 65 years from 67 years.
17. The Committee proposes that the rate of interest should be increased from nine per cent to 15 per cent per annum and compound interest should be paid wherever applicable.

3.1. 2 Scheduled Caste and Scheduled Tribes Orders (Amendment) Act, 2002

The Act provides for the inclusion in the lists of Scheduled Tribes (ST), of certain tribes or tribal communities or parts of or groups within tribes or tribal communities, equivalent names or synonyms of such tribes or communities, removal of area restrictions and bifurcation and clubbing of entries; imposition of area restriction in respect of certain castes in the lists of Scheduled Castes (SC) and the exclusion of certain castes and tribes from the lists of SCs and STs.

3.2 Entitlement Matrix:

1. In accordance with the R&R measures suggested for the project, all displaced households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. The displaced persons will be entitled to the following five types of compensation and assistance packages:

- (i) Compensation for the loss of land, crops/ trees at their replacement cost;
- (ii) Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- (iii) Assistance in lieu of the loss of business/ wage income and income restoration assistance;
- (iv) Assistance for shifting and provision for the relocation site (if required), and
- (v) Rebuilding and/ or restoration of community resources/facilities.

2. Eligibility for entitlements under this RF is limited by an officially declared and publicized cut-off date to be determined for each subproject in accordance with applicable government regulations and procedures or falling on the date of the census of displaced persons. An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; (refer to Table 3.1).

Table 3.1: Entitlement Matrix

	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
Land						
1-a	Loss of private land	Agricultural land ¹ , homestead land or vacant plot	Legal titleholders/ Family with traditional titleholders ²	Compensation at replacement cost or land-for-land where feasible. ³ If land-for-land is offered, titles will be in the name of original landowners. One time Resettlement allowance ⁴ of Rs. 50,000 per affected family ⁵ Each affected family shall be eligible for choosing one time assistance option from: (i) Where jobs are created through the project, employment for at least one member of the affected family with suitable training and skill development in the required field; or (ii) One-time payment of Rs. 500,000 per affected family. All displaced families ⁶ will receive monthly subsistence allowance of Rs. 3,000 ⁷ for one year (total Rs. 36,000) from the date of award. Agricultural labourers shall receive two	Compensation accounts for all taxes and fees, and does not account for any depreciation. Vulnerable households will be identified during the census. Re-titling to be completed prior to project completion For option of choosing job created through project, job will be	The Valuation Committee will determine replacement value as per the procedures outlined in the subsequent sections of this document. PIU will ensure provision of notice. PIU will verify the extent of impacts through a 100% survey of APs, determine assistance, and identify vulnerable households.

1 The LARR, 2013 Act says no irrigated multi cropped land shall be acquired under this Act, except in exceptional circumstances, as a demonstrable last resort. Wherever such land is acquired, an equivalent area of culturable wasteland shall be developed for agricultural purposes or an amount equivalent to the value of land acquired shall be deposited with the appropriate Government for investment in agriculture for enhancing food-security. Such costing shall also reflect while preparing Resettlement Budget.

2 Traditional land rights refer to households with customary rights to land, and shall be treated equivalent to titleholders

3 Including option for compensation for non-viable residual portions.

4 The LARR Act–2013 specifies that each affected family shall be given one time Resettlement Allowance of Rs.50,000/- only. This is to cover transport and shifting.

5 'Family' includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him. Widows, divorcees and women deserted by families shall be considered separate family. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family – as defined under LARR Act–2013.

6 Displaced family" as defined by the LARR Act–2013, means any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area.

7 The LARR Act–2013 provides for monthly subsistence allowance equivalent to three thousand rupees per month for a period of one Year from the date of award.

				<p>thousand per month per family with appropriate Indexation to the Consumer Price Index.</p> <p>Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance.</p> <p>Additional assistance to Vulnerable Households</p>	paid at living wage and monitored by CSC.	
1-b	Loss of private land	Agricultural land, homestead land or vacant plot	Tenants and leaseholders (whether having written tenancy/lease documents or not / Sharecroppers	<p>Compensation for rental deposit or unexpired lease (such amount will be deducted from the compensation of land owners).</p> <p>All displaced families will receive (i) monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award,</p> <p>Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance</p> <p>One time resettlement allowance of Rs.50,000 per affected family</p> <p>Additional assistance to Vulnerable Households</p>	Land owners will reimburse tenants and leaseholders land rental deposit or unexpired lease Vulnerable households will be identified during the census.	PIU will confirm land rental and ensure tenants and leaseholders receive reimbursement for land rental deposit or unexpired lease, and report to PIU. PIU will ensure provision of notice.
2-a	Loss of Government land	Vacant plot, Agricultural land, homestead land	Leaseholders	<p>Compensation for rental deposit or unexpired lease (such amount will be deducted from the compensation of the lessee).</p> <p>All displaced families will receive monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award,</p> <p>Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance.</p> <p>Additional assistance to Vulnerable Households</p>	Vulnerable households will be identified during the census.	PIU will ensure provision of notice and identify vulnerable households.
2-b	Loss of Government land	Vacant plot, Agricultural land, homestead land, Row of road	Non-Title Holders/Squatters ⁸ , Encroachers ⁹	<p>60 days advance notice to shift from occupied land.</p> <p>Notice to harvest standing seasonal crops and compensation.</p> <p>All displaced families will receive monthly subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award,</p>	Vulnerable households will be identified during the census.	PIU will ensure provision of notice. PIU will identify vulnerable households.

⁸ Squatters are those who have no recognizable rights on the land that they are occupying.

⁹Encroachers are those who build a structure which is in whole or is part of an adjacent property to which he/she has no title. They are not vulnerable.

				Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance Additional assistance to Vulnerable Households		
Residential Structures						
3-a	Loss of residential structure	Residential structure and other assets ¹⁰	Legal titleholders Family with traditional land right	<p>Each affected family shall be eligible for choosing one time assistance option from:</p> <p>(i) Replacement cost of the structure and other assets (or part of the structure and other assets, if remainder is viable); or</p> <p>(ii) In Rural area, the displaced family will be provided with the option of constructed house as per Indira Awaas Yojana specifications in lieu of cash compensation; or</p> <p>(iii) In Urban area, the displaced family will be provided with the option of constructed house of minimum 50 sq. m. plinth area in lieu of cash compensation.</p> <p>(iv) The families which opts not to take the house offered shall be paid Rs.1,50,000</p> <p>Fees, taxes, and other charges related to replacement structure. Right to salvage materials from structure and other assets with no deductions from replacement value. One-time Resettlement allowance of Rs. 50,000 per affected household One time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction All displaced families will receive both: (i) One time Shifting assistance of Rs. 50,000 towards transport costs etc.; and (ii) monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance. Additional assistance to Vulnerable</p>	Compensation accounts for all taxes and fees, and does not account for any depreciation. Vulnerable households will be identified during the census.	Valuation committee will verify replacement value. PIU will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.

¹⁰ Other assets include, but are not limited to walls, fences, sheds, wells, etc.

				Households		
3-b	Loss of residential structure	Residential structure and other assets	Tenants and leaseholders	<p>Replacement cost of part/whole of structure constructed by the tenant/leaseholder, and this will be deducted from the compensation amount of the owner.</p> <p>Compensation for rental deposit or unexpired lease.</p> <p>Right to salvage materials (of the portion constructed by tenants or leaseholders) from structure and other assets</p> <p>One time Resettlement allowance of Rs. 50,000 per affected family</p> <p>One time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction.</p> <p>All displaced families will receive both: (i) One time Shifting assistance of Rs. 50,000 towards transport costs etc.; and (ii) monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award.</p> <p>Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance.</p> <p>Additional assistance to Vulnerable Households</p>	Land/structure owners will reimburse tenants and leaseholders rental deposit or unexpired lease.	Valuation committee will verify replacement value. PIU will verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households.
3-c	Loss of residential structure	Residential structure and other assets	Non-Title Holders/Squatters, Encroachers	<p>Replacement cost of structure constructed by the squatter</p> <p>Right to salvage materials from structure and other assets</p> <p>60 day notice to shift from occupied land.</p> <p>One time Resettlement allowance of Rs. 50,000 per affected family</p> <p>All displaced families will receive both: (i) One time Shifting assistance of Rs. 50,000 towards transport costs etc.; and (ii) monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award.</p> <p>Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance.</p> <p>Additional assistance to Vulnerable Households</p>	Vulnerable households will be identified during the census.	PIU will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.
Commercial Structures						
4-a	Loss of commercial structure	Commercial structure and other assets	Legal titleholders	Replacement cost of the structure and other assets (or part of the structure and other assets, if remainder is viable)	Compensation accounts for all taxes and fees, and	Valuation committee will determine

			Family with traditional land right	<p>Fees, taxes, and other charges related to replacement structure.</p> <p>Right to salvage materials from structure and other assets with no deductions from replacement value.</p> <p>One time Resettlement allowance of Rs. 50,000 per affected family</p> <p>One time financial assistance of Rs. 25,000 to the families losing shop for reconstruction of shop.</p> <p>All physically displaced families will receive both: (i) One time Shifting assistance of Rs. 50,000 towards transport costs etc.; and (ii) monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award.</p> <p>Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance.</p> <p>Additional assistance to Vulnerable Households</p>	<p>does not account for any depreciation.</p> <p>Vulnerable households will be identified during the census.</p>	<p>replacement value. PIU will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.</p>
4-b	Loss of commercial structure	Commercial structure and other assets	Tenants and leaseholders	<p>Replacement cost of part/whole of structure constructed by the tenant/leaseholder, and this will be deducted from the compensation amount of the owner.</p> <p>Compensation for rental deposit or unexpired lease.</p> <p>Right to salvage materials (of the portion constructed by tenants or leaseholders) from structure and other assets</p> <p>One time Resettlement allowance of Rs. 50,000 per affected family</p> <p>All displaced families will receive both: (i) One time Shifting assistance of Rs. 50,000 towards transport costs etc.; and (ii) monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award</p> <p>Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance.</p> <p>Additional assistance to Vulnerable Households</p>	<p>Land/structure owners will reimburse tenants and leaseholders land rental deposit or unexpired lease.</p> <p>Vulnerable households will be identified during the census.</p>	<p>Valuation committee will determine replacement value. PIU will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.</p>
4-c	Loss of commercial structure	Commercial structure and other assets	Non-Title Holders/Squatters, Encroachers	<p>Replacement cost of structure constructed by the squatter</p> <p>Right to salvage materials from structure and other assets</p>	<p>Vulnerable households will be identified during the</p>	<p>PIU will verify the extent of impacts through a 100% surveys</p>

				<p>One time Resettlement allowance of Rs. 50,000 per affected family All displaced families will receive both: (i) One time Shifting assistance of Rs. 50,000 towards transport costs etc.; and (ii) monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award.</p> <p>Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance.</p> <p>Additional assistance to Vulnerable Households</p>	census.	of AHs determine assistance, verify and identify vulnerable households.
Livelihood						
5	Loss of livelihood	Livelihood	<p>Legal titleholder Family with traditional land right</p> <p>Commercial tenant</p> <p>Commercial leaseholder</p> <p>Employee in commercial establishment</p> <p>Agricultural laborer (long term)</p> <p>Artisans</p> <p>Squatters</p>	<p>One time financial assistance of minimum Rs. 25,000.</p> <p>Skill up-gradation training to APs opted for (one member of the affected family) income restoration.</p> <p>Preference in employment under the project during construction and implementation.</p> <p>All displaced families will receive both: (i) One time Shifting assistance of Rs. 50,000 towards transport costs etc.; and (ii) monthly Subsistence allowance of Rs. 3,000 for one year (total Rs. 36,000) from the date of award</p> <p>Displaced families belong to Scheduled Caste (SC) and Scheduled Tribe (ST) will receive additional one-time Rs. 50,000 as subsistence allowance.</p> <p>Additional assistance to Vulnerable Households</p>	Vulnerable households will be identified during the census.	<p>PIU will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.</p> <p>For Agricultural laborer (long timer) Only those who are in fulltime / permanent employment of the land owner will be eligible for this assistance. Seasonal agricultural laborers will not be entitled for this assistance.</p>
Trees and Crops						
6	Loss of trees and crops	Standing trees and crops	<p>Legal titleholder</p> <p>Family with traditional land right</p> <p>Agricultural tenant/ leaseholder</p>	<p>Advance notice to harvest crops, fruits, and timbers.</p> <p>Compensation for standing crops in case of such loss, based on an annual crop cycle at market value</p> <p>Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value</p>	<p>Harvesting prior to acquisition will be accommodated to the extent possible</p> <p>Work schedules will avoid harvest season.</p> <p>Seasonal crops will be given 6-month</p>	<p>PIU will ensure provision of notice. Valuation Committee will undertake valuation of standing crops, perennial crops and trees, and finalize</p>

			Sharecroppers Non-Title Holders Squatter	multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops.	notice. If notice cannot be given, compensation for standing crops will be compensated at market value. Market value of trees/crops has to be determined.	compensation rates in consultation with APs.
Vulnerable						
7	Impacts on vulnerable APs	All impacts	Vulnerable APs	One time lump sum assistance of Rs. 25,000 to vulnerable households. This will be paid above and over the other assistance provided in items 1-a, 1-b, 2-a, 2-b, 3-a, 3-b, 3-c, 4-a, 4-b, 4-c, and 5. Receive preferential in income restoration training program under the project. Preference in employment under the project during construction and implementation. Access to basic utilities and public services	Vulnerable households will be identified during the census and implementation of project.	PIU will verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households. The PIU with support from the CSC and NGO ¹¹ will conduct a training need assessment in consultations with the displaced persons so as to develop appropriate income restoration schemes. Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes.
Temporary Loss						

11When suitable NGO is not available, the PIU will be staffed with qualified and experienced social workers to assist the IA in RP implementation

8	Temporary loss of land ¹²	Land temporarily required for sub-project construction	Legal titleholders Family with traditional land right	Any land required by the Project on a temporary basis will be compensated in consultation with the landholders. Rent at market value for the period of occupation Compensation for assets at replacement cost Restoration of land to previous or better quality ¹³ . Location of construction camps will be fixed by contractors in consultation with Government and local community.	Assessment of impacts if any on structures, assets, crops and trees due to temporary occupation. Site restoration.	Valuation Committee will determine rental value and duration of construction survey and consultation with APs. PIU will ensure compensation is paid prior to site being taken-over by contractor. Contractor will be responsible for site restoration.
9	Temporary disruption of livelihood		Legal titleholders, non-titled APs	60 days advance notice regarding construction activities, including duration and type of disruption. Cash assistance based on the minimum wage/average earnings per month for the loss of income/livelihood for the period of disruption, and contractor's actions to ensure there is no income/access loss consistent with the EMP. ¹⁴ Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity. ¹⁵	Identification of alternative temporary sites to continue economic activity.	Valuation Committee will determine income lost. Contractors will perform actions to minimize income/access loss.
Common Resources						
10	Loss and temporary impacts on common resources	Common resources	Communities	Replacement or restoration of the affected community facilities – including public water stand posts, public utility posts, temples, shrines, etc.	Follow RF	PIU and Contractor.
Other						
11	Any other loss not identified	-	-	Unanticipated involuntary impacts will be documented during the implementation phase and mitigated based on provision made in the RF.	-	PIU will finalize the entitlements in line with RF.

¹²Temporary possession of land for project purpose can be taken only for three years from the date of commencement of such possession/occupation.

¹³ If the land has become permanently unfit to be used for the purpose for which it was used immediately before the commencement of such term, and if the persons interested shall so require, the appropriate Government shall proceed under the Act to acquire the land as if it was needed permanently for a public purpose.

¹⁴ This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

¹⁵For example assistance to shift to the other side of the road where there is no construction.

3. Social impact assessment (SIA) surveys of the displaced persons will be undertaken in each subproject by the state social impact assessment unit so as to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain costs of resettlement, and prepare a rehabilitation program for implementation. The SIA surveys will comprise of:

(i) Baseline Socio-economic Sample Survey: The purpose of the baseline socioeconomic sample survey of displaced persons is to establish monitoring and evaluation parameters. It will be used as a benchmark for monitoring the socio-economic status of displaced persons. The survey will cover at least 20% of displaced persons. The suggested baseline data should include the following:

- Demographic (household composition by age, gender, ethnicity, education)
- Income and assets (individual, collective)
- Occupation (livelihood)
- Access to public service (health, education, water and sanitation, transport)
- Gender roles
- Attitude and preference on resettlement and participation in project employment.

The survey will collect gender-disaggregated data, where relevant, to address gender issues in resettlement. The survey will carry out the following: (i) preparation of accurate maps of the subproject area; and (ii) analysis of social structures and income resources of the population. The EA will allocate adequate resources required for each survey, commensurate with road length and level of anticipated impact.

(ii) Census Survey: The census will cover 100% of displaced persons. The purpose of the census is to: (i) register who the displaced persons are; (ii) assess their income and livelihoods; and (iii) collect inventory of their assets affected due to the project; (iv) identify DPs who are vulnerable¹⁶; and (v) collect gender-disaggregated information pertaining to the economic and socio-cultural conditions of displaced persons.

¹⁶ Vulnerable households include those who are (i) below official poverty line; (ii) landless; (iii) elderly-headed; (iv) female-headed; and (v) disabled.

3.3 Resettlement Plan

4. The resettlement plan (RP) will be prepared based on the results of the census and from information drawn from the baseline socio-economic sample survey the database on displaced persons should be completed before resettlement plan preparation. It will include the results and findings of the census of displaced persons, and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, grievance redress mechanisms, and results monitoring mechanisms. The RP will be disclosed to concerned stakeholders and their view incorporated in the plan.

5. The specific resettlement-related activities to be performed such as social impact assessment, census and socio-economic survey, resettlement planning, public consultation, grievance redress, development of mitigation measures and income restoration measures, preparation of a detailed budget and financing plan, implementation of resettlement plan, monitoring and evaluation, and their subproject implementation schedule will all be detailed in the resettlement planning document.

3.4 Valuation of Lost and Affected Assets

6. The valuation of affected land and structures will be governed by the following process:

7. Land surveys for determining the payment of compensation would be conducted on the basis of updated official records and ground facts. The land records containing information like legal title, and classification of land will be updated expeditiously for ensuring adequate cost compensation and allotment of land to the entitled displaced persons. In cases of areas under the District Council/Village Council in tribal areas, where official land records don't exist, formal land/property boundaries of private property owned by the tribal households can be determined through the process of community consultation and discussion with village head and village council members. Based on such information, land can be classified and land record can be updated and compensation assessment can be made. In the states where the land acquisition is proposed in hill/tribal areas, although the land is notified from the District Collector's/ Deputy Commissioner's office, the

verification of ownership is done by the District/Village Council/Panchayat in consultation with the village people and the community will be involved in assessment of compensation. After determination of ownership and compensation amount the same is sent to the district collector/ deputy commissioner. Records as they are on the cut-off date will be taken into consideration while determining the current use of land. The uneconomic residual land remaining after land acquisition will be acquired as per the provisions of RFCT in LARR Act, 2013. 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.

8. The methodology for verifying the replacement cost for each type of loss will be calculated as per the provision made in the RFCT in LARR Act -2013:

a. Valuation of Land:

- (1) The District Collector/Deputy Commissioner shall determine the market value of the land with assessment of (a) the market value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or (b) the average sale price for similar type of land situated in the nearest village or nearest vicinity area; or (c) consented amount of compensation as agreed upon, whichever is higher.
- (2) Where the market value as per above section (1) cannot be determined for the reason that: (a) the land is situated in such area where the transactions in land are restricted by or under any other law for the time being in force in that area; or (b) the registered sale deeds or agreements to sell for similar land are not available for the immediately preceding three years; or (c) the market value has not been specified under the Indian Stamp Act, 1899; the appropriate authority, the State Government concerned shall specify the floor price or minimum price per unit area of the said land based on the Price calculated in the manner specified in the above section (1) in respect of similar types of land situated in the immediate adjoining areas.

- a. The market value calculated as per above section (1) shall be multiplied by a factor of (a) 1(one) to 2 (two) two in rural areas based on the distance of project from Urban Area as notified by the State Government; and (b) one in urban areas.

(4). Solatium amount equivalent to 100% of the market value calculated on the basis of above (1 or 2) x 3.

Hence;

The cost of land in rural areas = $X + 100\%$ of X ,

The cost of land in urban areas = $X + 100\%$ of X

Where X = Market Value as determined above x 1 to 2.

b. Valuation of Building and Structure: The District Collector/Deputy Commissioner in determining the market value of the building and other immovable property or assets attached to the land or building which are to be acquired shall use the services of a competent engineer or any other specialist in the relevant field, as may be considered necessary by him. The cost of buildings will be estimated based on updated Basic Schedule of Rates (BSR) as on date without depreciation. Solatium of 100% will be added to the estimated market value of the structure as per the provision of RFCT in LARR Act - 2013. During valuation of structure/building following parameters should be taken in to account:

- From where they use to buy materials
- Type of shops (private or state-owned)
- Distance to be travelled
- Sources (local or foreign) and the cost of various materials
- Who will built the structures (owner or contractor) and whether they will use the hired labour or their own labor;
- Obtaining cost estimates by meeting at least three contractors/suppliers in order to identify cost of materials and labour
- Identifying the cost of different types of houses of different categories and compare the same with district level prices.

c. Valuation of Trees: Compensation for trees will be based on their full replacement cost. The District Collector/Deputy Commissioner for the purpose of determining the market value of trees and plants attached to the land acquired, use the services of experienced persons in the field of agriculture, forestry, Horticulture, Sericulture, or any other field, as may be considered necessary by him.

9. Even after payment of compensation, DPs/PAPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that DPs can take away the materials so salvaged within 48 hours of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice.

10. Trees standing on the land owned by the government will be disposed off through open auction by the concerned Revenue Department/ Forest Department. DPs will be provided with an advance notice of three months prior to relocation. Further, all compensation and assistance will be paid to DPs at least 3 months prior to displacement or dispossession of assets.

11. For temporary impact on land and common resources, any land required by the project on a temporary basis will be compensated in consultation with landowners and will be restored to previous or better quality. Implementation issues can be found in the Entitlement Matrix.

3.5 Income Restoration

12. Each DP whose income or livelihood is affected by a subproject will be assisted to improve or at least restore it to pre-project level. For vulnerable households, their living standards will be improved to national levels, including the provision of access to basic utilities and public services. The results of the socioeconomic survey and census will be used as baseline. Income restoration schemes will be designed in consultation with DPs and considering their resource base and existing skills. The PIU with support from the DSC

and NGO¹⁷ will identify the number of eligible displaced vulnerable persons based on the 100% census of the DPs and will conduct a training need assessment in consultations with the DPs so as to develop appropriate income restoration schemes. The PIU with support of the DSC and NGO, will examine local employment opportunities and produce a list of possible income restoration options. Suitable trainers or local resources will be identified by PIU and NGO in consultation with local training institutes. The PIU and NGO will also facilitate DP access to Government schemes that could help them to restore income and livelihood.

13. In addition, the entitlement matrix provides for short-term income restoration activities intended to restore the income of the displaced person in the period immediately before and after relocation focusing on relocation, and providing short-term allowances such as: (i) transitional allowance; and (ii) shifting assistance.

¹⁷When suitable NGO is not available, the PIU will be staffed with qualified and experienced social workers to assist the IA in RP implementation

CHAPTER 4

Public Consultation

4.1 Introduction

Consultation is a process in the project cycle in which an attempt is made to involve the public as stakeholders in project preparation through consultation and focus group discussion meetings. Stakeholders' participation and consultation have been viewed as a continual course of action, which promote public understanding and help eradicate hurdles in the way of the project. Consultation during project preparation as an integral part of the social assessment process not only minimizes the risks and unwanted propaganda against the project but also removes the gap between the community and the project formulators, which leads to timely completion of the project and making the project people friendly.

Public consultation

To carry out public consultation and participation as an integral part of the EA. Consultation sessions shall be carried out with different stakeholder groups at the local, regional and district levels, so as to incorporate the various environmental and social concerns and needs of the community and the relevant stakeholders. Specific attention should be paid to Project Affected Persons (PAPs), namely, those whose habitations or livelihoods will be directly impacted by the proposed sub-project.

To ensure the effectiveness of the consultations and the full participation of all stakeholders in the project, all relevant information shall be shared with the likely PAPs and local NGOs in a timely manner prior to the consultation and in a form and language that are understandable and accessible to the groups being consulted.

To ensure that consultations with these groups are carried out at least at the following two occasions: (a) shortly after environmental screening and before the terms of reference for the EA are finalized; and (b) once a draft EA report is prepared. Such groups should also be consulted throughout project implementation as necessary to address EA related issues relevant to them, allowing relevant stakeholders the opportunity to share their concerns during both the design and

implementation phases of the project. To make available both the initial draft EA and the report's conclusions at all relevant public locations accessible to PAPs and relevant stake holders.

4.2 Methods of Public Consultation

Keeping in mind the objective of minimizing adverse impact and the need of the stakeholders' participation for the smooth implementation of the project, consultation with the members of different sections of society and local communities of the project area were carried out. The consultation with people was made with the aim of building awareness among them. In this regard several meetings were organized at various locations, as detailed in this chapter. Consultations were carried at different level (Table 4.1) to elicit required information (their view & opinions).

Table 4.1: Levels of Consultations

Key Stakeholders	Types of Consultations
Local communities	Individual interview, field level observations, community consultations & meetings

The main objectives of undertaking these consultations were:

- Dissemination of information to build awareness among APs and inform them about the objective of the project.
- Discuss about the training requirements to enhance their skills & restore the livelihood.

Table 4.2: Date of Consultations carried out

Date	Place	No of persons attended	Male	Female
10 th July 2014	Chowkhandi Sherpur, Shiv Mandir – STP	6	6	Nil
10 th July 2014	Lal Darwaza IPS4	7	7	Nil
10 th July 2014	Mirchi Talab IPS 3A	16	14	2

Total land acquired for STP at Munger is 11.72 acres. Land for pumping stations at different locations as indicated above are government land. The above STP & IPS sites were surveyed along with officials of the project implementing agency and public consultations were held on 10.07.14 &

19.07.14 at the STP sites, to make people aware of the Project and elicit their views on the same. An overview of the consultations is given below:

Public Consultation Meeting was organized at the Munger Nagar Nigam on 20.11.2014, at 14.00 Hrs. Prior notice in writing was given to the PAPs, concerned government officials, public representatives and others. Some important dignitaries who attended the meeting included the Mayor, Ward representatives, Municipal Commissioner and other Municipal officials. The proceeds of the meeting have been Minuted and duly signed by the participants. Participants in the Public Consultation meeting were also photographed. Minutes of the meeting are annexed with this report.



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Table 4.3 DETAILS OF PUBLIC CONSULTATIONS				
S.No.	Date/Place	Issues Discussed	Measures Taken	Name of Participants
1.	10.07.14/ 19.07.14 Lal Darwaza IPS 4	Necessity of a proper sewage disposal system to maintain cleanliness and hygiene in Munger city	Establish a new pumping station	Ranjit Sah, Chandrashekar Kumar, Badal Kumar, Chhedu Kumar, Vinod Kumar, Vicky Kumar, Shambhu Kumar
2.	10.07.14/ 19.07.14 Chowkdi Sherpur, Shiv Mandir, STP		11.72 Acres land for the STP has been acquired. Some PAPs have been compensated, while some PAPs have not received their compensation yet. Bihar Govt. made provisions for a job for a PAP. Three PAPs have been given temporary jobs; however other PAPs are still waiting for a job since 1993. PAPs have no objection to the STP being set up on the acquired land, provided adequate compensation and jobs as promised are made available	Birendra Prasad Yadav, Surendra P. Yadav, Rabindra P. Yadav, Rinku Kumar, Nirgun Yadav, Subodh Yadav
3.	10.07.14/19. 07.14 Mirchi Talab IPS 3A	People are facing hygiene issues	Pumping station will reduce accumulation of sewage water	Sarbu Sah, Gonar Sahni, Jiten Paswan, Ram Singh, Sanjay Singh, Baban Singh, Ramavtar Mahto, Rinku Devi, Asha Devi, Kaleshwar Mahto, Ram Dhani, Shankar Prasad, Lalan Sahni, Rakesh Mahto, Ranjit Singh
4.	10.07.14/19. 07.14 Rail Gumati No.2 IPS 3B	Due to lack of sewage disposal system, people are forced to survive in pitiable conditions	Establishment of a pumping station will transport the sewage water to the STP and hence facilitate reduction of unhygienic living conditions	

NOTE: The signatures obtained during the public meetings are attached as Appendix.

4.3 Structured Consultation with stakeholders

Consultations with both the primary and secondary stakeholders were carried out along the project corridor. The stakeholders consulted include: (i) community having their residences along the ghat, (ii) road side shop owners/vendors, (iii) ghat users, and (iv) project officials. In deciding the target groups for consultations, care was taken to have a representation of a cross section of community and ghat users. These consultations provided inputs on social issues and in identification of the felt needs of the communities.

In the project preparation support team, local enumerators were selected for field work, meeting with people. Local enumerators are selected to have similar dialect of language of PAP and enumerators. This also helped to make the participation of local people in the process of survey. Resource persons were identified in each adversely affected ghat to facilitate consultation. These resource persons informed local people about the project and project related information to the affected people. As mentioned above, consultations were held with the people living along the river in the seven ghats, who are likely to be affected. Individual consultations were also done with the PAPs during the socio-economic surveys. The summary of the issues identified during the consultations are presented below:

- Relocation of displaced community members;
- Assistance for loss of livelihood due to the project; and
- Support in relocation especially to SC community majority of whom are sweepers and therefore they expressed apprehension that they may not be entertained in the city. Government should provide them alternative housing if they are displaced.
- The community also requested for post design consultations to know the impact of the project.

The signatures obtained during the public consultation meetings are attached as **Appendix**.

4.3 Consultation with Women

Consultations with women were conducted with two major objectives including, a) identifying women specific issues in the project, and b) securing participation of women in project activities. At every consultation meeting, women were encouraged to participate and their views and opinions were

heard. The number of women participants in each of the consultation has been given in table 4.2 above.

4.4 Stakeholder’s Roles and Responsibilities

Table 4.5 below shows the role of various stakeholders during community consultations and the expected benefits that arise due to such participation in project activities.

Table 4.5: Roles and Responsibilities Identified after Consultation

Stakeholders	Roles and Responsibilities	Expected Benefits for the Project
Potential Project Affected Persons, Project affected groups, Project Affected Communities,	Participate in formal and informal public meeting; Raise critical issues relevant to the project; Arriving at consensus on relocation options and speed up R&R efforts; Suggest mechanism for continued participation in project cycle; Participation in relocation measures Participate in grievance redressal.	Reducing bottlenecks in project implementation; Lower number of grievances and establish mechanisms to sort other grievances; Incorporation of good practices (of previous projects in project design. Community Capacity building and sense of ownership of the project
BUIDCO	Participate in public meetings; Participate in community consultations Establish Grievance redress mechanism Provide basic amenities in relocation sites Relocate community in a group Coordinate with line departments	Incorporate issues of community into the project; Remove bottlenecks of resettlement during project implementation
Line Department Officials	Provide basic amenities in relocation site; Dovetailing Government schemes	Coordinated effort for timely relocation.
NGOs/CBOs	Ensure public participation in project preparation and implementation; Verification of PAPs during project implementation; Participate in consultations for relocation of displaced households. Assist in smooth implementation of	Informed community that helps in project implementation; Community can express their opinions and preferences; Best practices would be integrated.

Stakeholders	Roles and Responsibilities	Expected Benefits for the Project
	such relocation; Assist project for dovetailing Government schemes for income generation activities; Assist in implementation of economic rehabilitation activities; Assist in grievance redressal of PAPs.	

4.5 Information Disclosure

The information disclosure would include sharing of project related information with the PAPs and other stakeholders. The following information shall be disseminated:

- For the benefit of the community in general and PAPs in particular, the RAP and R&R policy will be translated in local language and will be disclosed to PAPs.
- RAP document of the project will be hosted in the official web sites of Government of Bihar and BUIDCO.
- Key features of the entitlements will be displayed on information board in local language.
- BUIDCO with the help of contracted NGO will conduct information dissemination sessions and will solicit the help of the local community/business leaders and encourage the participation of the PAPs.
- Through public meetings, attempt would be made to ensure that vulnerable groups such as SC households understand the process of project preparation and their needs are addressed in the best manner possible.
- BUIDCO will organize public meetings to inform the community about the payment of compensation and assistance as per their category of loss.
- Regular update of implementation schedule of resettlement and rehabilitation activities of the project would be placed for public display at BUIDCO.

4.6 Mechanism for Continued Consultation

The consultation will be continued in the implementation stage. Several additional rounds of consultations with the PAPs will be done through NGO involvement during RAP implementation. These consultations will involve seeking consensus on compensation, relocation options and

assistances. The other round of consultation will occur when compensation and R&R assistance is provided and actual resettlement begins. The following set of activities will be pursued for effective implementation of RAP:

- Involvement of women and other vulnerable groups during the project implementation process to ensure their participation and addressal of their needs.
- The NGOs involved in the implementation of RAP will organize Public meetings, and appraise the communities about the progress in the implementation of project works.
- Involve community in project progress monitoring.

CHAPTER 5

5.1 Identified Impacts and Profile of the Project Area

Based on the project requirement, the team visited the project area and carried out detailed interactions with implementing agency, contractors, visited project sites, consultations with the affected communities.

There is no impact on the Title Holders & Non-title Holders either permanent or temporary.

Total 11.72 acres land has already been acquired for STP at Munger. Land for pumping stations at different locations are government land.

Sewerage Treatment Plant (STP) site was earlier a Government plantation site and the IA has cleared it after receiving NOC from Municipality The Implementing Agency i.e. BUIDCO has constructed boundary wall on proposed land and there is no squatter or encroachers on the land. The construction of sewage network of 142.9 kilometers is in progress and it is placed on the existing carriageway of the PWD or Municipality road. The work is being carried out with required permission/ NOC from the PWD and Municipality.

5.2 Stake Holder Consultations

The local communities are aware of the subproject and public consultations were carried out in the subproject during project implementation through joint interface meeting with ULBs, community meetings, sensitization meetings at temple with religious leaders/ local community, activity event at school campus.

5.3 Grievance Redressal Arrangements

Though no formal grievances have been recorded, project has not established any project specific grievance redressal mechanism. The mechanism available is the District Grievance Cell through District Magistrate's office. Bihar Jal Nigam officials also informally handle grievances if any.

5.4 Grievance Redressal

BUIDCO to disseminate information about Jan Sochna Kendra as district level grievance redress cell for the subproject. BUIDCo will also appoint/designate an officer as Grievance Redress Officer. The telephone number and address of Jan Sochna Kendra and of Grievance Redress Officer will be displayed on the project information board.

CHAPTER 6:

6. Institutional Arrangement

6.1 Institutional Setup for RAP Implementation

Within the overall implementation Guideline of the NGRBA program, RAP will be implemented by the executing agency under the overall guidance of Social officer of SPMG. A Social Development Officer will be appointed for managing social issues (including safeguards issues) at both central level as well as in each of the project states. These officers will assist the EAs in implementation of RAP provisions.

As per the R&R Policy of the project, state government will appoint the District Magistrate of **Munger** as Administrator for Resettlement and Rehabilitation for the project. The resettlement and rehabilitation works are to be carried out under his directions and guidance. He will be assisted by officers and employees as the appropriate government may provide. The roles and responsibilities of the Administrator include the following.

- Oversee the disbursement of compensation for houses
- Coordinate implementation of Resettlement plans with BUIDCO
- Assist BUIDCO in coordination with other line departments responsible for providing basic amenities in resettlement sites
- Review the implementation of RAP and income restoration works

In BUIDCO, an officer will be designated as Social Officer who will be responsible for the implementation of RAP with the assistance and participation of the NGO. This officer will also be responsible for co-ordination among different agencies, such as the district administration and other line departments. The officer will represent BUIDCO in meetings organized by the SPMG for providing information on the progress of RAP implementation. The specific role of Social officer of EA will be:

- Coordinate the implementation process with the assistance of NGO

- Coordination and close interaction with the state authorities during the preparation and implementation of the RAP.
- Conduct constant dialogue and regular meetings with the concerned State Authorities during the implementation
- Participate in issues concerning with PAFs
- Coordinate the RAP implementation with the displaced community
- Monthly review and Monitoring of the implementation process and incorporation of corrective measures if required
- Assist PAFs in registering of their grievances
- Convene meetings of grievance redress cell on regular basis and represent PAFs in the meeting
- Function till the completion of implementation of RAP, preparation and submission of ICR and evaluation of the implemented RAP.

To ensure that the affected persons are meaningfully consulted and provided opportunities to participate in the planning and implementation process of the rehabilitation program and in order to suitably accommodate their inputs and make the project more participatory in nature and broad based in its scope a community level institution will be established. The institution will have representatives from displaced households. The roles and responsibilities of this group include:

- Represent the displaced households in consultation and participation process
- Identify the activities to be taken up in terms of improving the accessibility and availability of basic infrastructure facilities in the resettlement colony such as roads, drinking water, health, education, sanitation etc.
- Coordinate with the NGO and participate in the verification and up-gradation of the rehabilitation action plan
- Coordinate with the NGO for identification of income generation schemes for the PAFs,
- Monitor the disbursement and utilization of the of the R&R assistances
- Represent the grievances of the PAFs to the appropriate body for suitable remedial measures
- Conduct monthly review meetings on the progress of RAP implementation

This Committee will be supported by the NGOs and also the Social Officer by way of giving them guidance in preparation of their development plans and others.

6.1.1 NGOs

For the implementation of the RAP a local Non-Government Organization (NGO) will be engaged. The NGO will carry out consultation with the affected community; The other activities to be carried out by the NGO includes the role of NGO in resettlement and rehabilitation relates to human aspects and economic rehabilitation requires human resources development consisting of education, training, awareness creation, coordinating between implementing agencies etc. specifically, the tasks of the NGO will be to:

- Develop rapport with local community and Project staff
- Consultations with the local community during the implementation of the RAP
- Assist the community in getting benefits from the appropriate local development schemes
- Forward the grievances of the PAFs to the grievance redressal mechanism
- Assess the level of skills and efficiency in pursuing economic activities, identify needs for training and organize training programs
- Participate in the monthly review meetings with the Social Officer and Displaced community
- Carry out other responsibilities as required from time to time

Selection of NGO: It is extremely important for successful implementation of RAP to select a genuine and capable NGO committed to the tasks assigned. Key quality criteria include:

- Experience in direct implementation of programs in local, similar conditions;
- Availability of trained staff capable of including vulnerable community into their programs;
- Competence, transparency and accountability based on neutral evaluations, internal reports, and audited accounts; and
- Integrity to represent vulnerable groups against abuses; experience in representing vulnerable groups, demonstrable mandate to represent local groups.
- Should have a clearer understanding to gender and poverty relations within the community and have the ability to pay particular attention to the social and economic needs of women and other vulnerable community.

The NGO will be involved through mutually agreed terms and conditions with specific responsibilities and in-built accountability. A contract will be signed with the NGO indicating the tasks to be performed and the amount to be paid for their services. The payment to the NGO will be linked to performance of the tasks assigned and the time period. The NGO will submit a monthly progress report. The monitoring and evaluation will also include the performance of the contracted NGO.

The Table below summarizes the role and responsibilities of various players in implementation of RAP

Table 6.1: Roles and Responsibilities

Levels	Roles and Responsibilities
NMCG Social Specialist	<ul style="list-style-type: none"> • Provide policy guidance to the state level counterparts • Monitoring R&R and relocation process. • Liaison with state administration for implementation of RAP; • Participate in state level meetings • Finalize TOR of contracting NGO for implementation and external agency for monitoring and evaluation • Prepare training schedule for state and project level social development officials for capacity building to implement the RAP; • Prepare TOR for any studies required and qualitative dimensions to the implementation of RAP; • Facilitate appointment of consultants to carry out the studies and co-ordinate them. • Monitor physical and financial progress on implementation of RAP;
SPMG – Social Development Officer	<ul style="list-style-type: none"> • Co-ordinate with district administration and NGO responsible for implementation of RAP; • Translation of R&R policy in local language and ensure dissemination at state; district and community level - prepare pamphlets on policy for information dissemination • Coordinate with the state and district level officials for implementation of RAP; • Liaison with district administration for dovetailing of government schemes for Income Restoration Schemes • Monitor physical and financial progress of implementation of RAP, • Participate in the project level meetings • Report progress, highlighting social issues not addressed, to provide for mid-course correction, • Coordinate training of project level staff with agencies involved. • Organise by-monthly meetings with NGO to review the progress of R&R and gender actions

Levels	Roles and Responsibilities
BUIDCO	<ul style="list-style-type: none"> • Disclosure of RAP and entitlements and also ensure that copies are made available to the PAPs; • Coordinate with local official for relocation of displaced households • Dissemination of Project Information at various stages of project as envisaged in the RAP • Ensure community involvement in every stage of the sub project • Documentation and disclosure of consultations • Shall be first level of grievance redressal and will guide PAPs further to redress their grievances • Ensure disbursement of compensation and / or entitlements as per schedule • Responsible for addressal of additional unforeseen impacts during construction • Ensuring incorporation of social issues in DPRs • Supervising the RAP tasks during implementation & its progress • Collect data pertaining to the evaluation and monitoring indicators • Will prepare monthly progress report and quarterly process documentation report
Social Specialist of Supervision Consultants	<ul style="list-style-type: none"> • Ensure social screening of investments; • Implement the agreed social mitigation measures; • Ensure compliance of national and other applicable laws and Acts pertaining to social, • Sensitize and help build capacity of the BUIDCO officials towards the implementation of the RAP provisions. • Assist Social Officer of BUIDCO in preparing monthly progress and quarterly process documentation reports
NGO	<ul style="list-style-type: none"> • The NGO will canvass about the project awareness • Implement Gender Action plan. • Prepare monthly progress reports and participate in monthly review meetings • Participate in the training program for capacity building • Carry out other responsibilities as required from time to time

6.2 Institutional Arrangement for Monitoring and Evaluation

The project authority will be responsible for carrying out M&E. Internal monitoring will be carried out by the Social Officer of BUIDCO with assistance from Social Officer and NGO whereas external monitoring and evaluation will be carried by a third party. The institutional arrangement for external monitoring and evaluation will be followed as mentioned in agreed ESMF. It will engage services of an external agency (third party) to carry out monitoring and evaluation. This will help monitor project activities closely. Regular monitoring by undertaking site visits will help identify potential difficulties and problems faced in the project implementation and subsequently help take timely corrective measures including deviations, if needed.

Monitoring will start as soon as the NGO is mobilized at site for implementation of RAP. Components of monitoring will include performance monitoring i.e., physical progress of the work such as construction of houses in relocation site, provision of basic amenities, relocation of displaced households, etc. and impact monitoring and external evaluation. Indicators that would be monitored related to performance are provided in the following sections. However, if during the project implementation some other indicators are found relevant those shall be included.

6.2.1 Internal Monitoring

The project is responsible for internal monitoring on regular basis with the help of Social Officer of BUIDCO and Social Specialist of supervision consultant. A quarterly report of internal monitoring will be prepared by Social Officer. BUIDCO will maintain a record of all transaction in their resettlement database, followed by entitlement records signed by the affected persons and survey based monitoring of resettlement progress. The internal monitoring will also provide feedback on community concerns, grievances and requests. Internal monitoring will focus and ensure the followings:

- Verification that there are no outstanding or unresolved issues with respect to the project and that property valuation and economic rehabilitation in accordance with the provision of plan,
- Information campaign, discrimination and consultation with affected persons,
- Status of relocation and timely disbursement of R&R assistance,
- Value of entitlement received equal to that of actual structure acquired,
- Use of entitlement and monitor its use,
- Compensation for affected structures and other assets,
- Payments for loss of income,
- Relocation of affected persons and supports provided,
- Implementation of economic rehabilitation and income restoration measures as per the entitlement matrix,
- Effective operation of the Grievance Redress Committees detailing out number of complaints received and those resolved; reasons for not being able to resolve the grievance and status of unresolved grievances, and
- Funds for implementing economic rehabilitation activities as timely manner and sufficient for the purposes and spent in accordance with the plan.

Table 6.2: Frameworks for Internal Monitoring

Type	Indicators	Issue	Procedure	Timing	Responsibility
Process level monitoring	RAP implementation	Employment of local labor including women	Site observation, attendance record, interaction with laborers and contractors	Monthly	BUIDCO /NGO
		Campsite management including lodging arrangement and campsite facilities	Site observation, interaction with laborers, contractors	Monthly	BUIDCO /NGO
		Use of health and safety measures	Site observation, interaction with laborers, contractors	Quarterly	BUIDCO / NGO
		Temporary leasing of private land and house	Site observation, contractors, check contract agreement	Monthly	BUIDCO / NGO
		Discrimination of wage rate between male and female workers	Interaction with laborers, labor survey, record of wage payment	Monthly	BUIDCO / NGO / SPMG
		Development of new settlements/slum along the river	Observation, recording of sites, photograph	Quarterly	BUIDCO / NGO /SPMG
		Incidence of communicable diseases like respiratory, STD, HIV/AIDS etc.	Discuss with local people, health workers/ health post/ center records	Annually	BUIDCO / NGO /SPMG
Impact level	Change in household level income and economic activities	Changes in occupation,	Consultation with relocated PAPs	Annually	BUIDCO / NGO
	Social safety	State of social harmony and	Police records, consultation with	Annually	BUIDCO / NGO

Type	Indicators	Issue	Procedure	Timing	Responsibility
		social security	relocated PAPs, NGO's progress report, report submitted by M&E Consultants and CSC		
	Housing condition at new relocation site	Completed house with basic amenities	Visit the area, discuss with people, observation and photographs	Annually	BUIDCO / NGO

6.2.2 External Periodic Evaluation and Concurrent Monitoring

The implementation activities will be evaluated externally during mid- term and end term through an independently appointed agency, consultant not involved with any aspects of the Project, which will also provide support to BUIDCO. BUIDCO or SPMG will hire such external agency. A survey of affected households will be undertaken to assess the degree to which the project's resettlement objectives have been met. The socio-economic survey undertaken during RAP preparation will form a baseline data, from which many of the indicators can be measured. A survey at the end of the sub-project period will cover all PAPs and assess changes caused by the project. The aim of the sample monitoring survey will be to measure the extent to which PAPs living standards have been restored/improved.

External monitoring will also be conducted to assess the Resettlement Action Plan implementation and its impacts, verify internal monitoring and suggest adjustment of delivery mechanisms and procedures. Additional monitoring surveys of a sample of affected households will be undertaken as a part of this activity. The socio-economic baseline surveys conducted during resettlement planning will be a part of this monitoring activity. This activity will be undertaken by an external independent agency trained in monitoring and evaluation and familiar with resettlement aspect of the infrastructure development, which will provide feedback on RAP implementation. The cost needed for such procurement will be borne by the project cost.

The external monitor will review the resettlement implementation. The external monitoring involves on:

- Review of RAP Implementation,

- Review of internal monitoring Reports,
- Review of compensation status,
- Rehabilitation supports,
- Information disclosure,
- Process and mechanism of compliance redress,
- Employment status of the PAPs,
- Livelihood restoration, and
- Awareness in HIV/AIDS and human trafficking.

Based on the above mentioned activities the external monitor will focus on:

- Evaluation of social and economic impact of relocation and economic rehabilitation of the project affected persons.
- Verify the objectives of enhancement of economic condition PAPs, or at least restoration of income levels and standard of living of the affected persons.
- Furnishing creative suggestions and modifications in relocation process and economic rehabilitation, if necessary.
- Making ex-post evaluation to ensure all resettlement activities are properly conducted.
- Verification of internal monitoring to ensure the appropriateness of activities carried out by program implementation unit in the field.
- Conduct household survey of PAPs to monitor progress comparing with pre-project, pre-resettlement standard.
- Evaluation of delivery system to the PAPs and assess impacts of entitlements to determine the approved resettlement action plan.
- Evaluation of consultation and grievance redress procedures to identify the levels of public awareness of grievance-redressed procedures, accessed by project affected persons and households for information and rapid conflict resolution.
- Evaluation of actual operations of grievance committee to assist project affected persons as required and to act as observers.
- Declaration of successful implementation for summing up of activities related to entitlements, distribution and resettlement.
- Recommend follow up action relating to outstanding actions required to complete achievement of objectives of the RAP and resettlement policies, additional mitigation measures for project affected persons.

Table 6.3: Frameworks for External Monitoring

Indicators	Procedure	Timing	Responsibility
Employment of local labor including women and children	Site observation, attendance record, interaction with laborers and contractors	Annually	BUIDCO/External Consultant
Campsite management including lodging arrangement and campsite facilities	Site observation, interaction with laborers, contractors	Annually	BUIDCO/External Consultant
Use of health and safety measures	Site observation, interaction with laborers, contractors	Annually	BUIDCO/External Consultant
Temporary leasing of private land and house	Site observation, contractors, check contract agreement	Annually	BUIDCO/External Consultant
Discrimination of wage rate between male and female workers	Interaction with laborers, labor survey, record of wage payment	Annually	BUIDCO/External Consultant
Encroachment into public land	Visit the identified public land interact with local people, take photographs	Annually	BUIDCO/External Consultant
Development of new settlements/slum along the river	Observation, recording of sites, photograph	Annually	BUIDCO/External Consultant
Incidence of communicable diseases like respiratory, STD, HIV/AIDS etc.	Discuss with local people, health workers/ health post/ center records	Annually	BUIDCO/External Consultant
State of social harmony and social security like alcoholism, narcotics etc.	Police records, discussion with local residents	Annually	BUIDCO/External Consultant
Changes in the living standard of people	Interview with families, internal monitoring records, discussion with PAPs	Annually	BUIDCO/External Consultant

6.3 Grievance Redressal Cell

The NGRB project is in the process of establishing an integrated grievance redress mechanism (IGRM) based on the use of ICT. The mechanism is still under preparation. The project will have a project-level grievance redressal cell (GRC) to address the grievances of the PAPs related to the disbursement of asset compensation and resettlement. The District Magistrate (DM) of Patna, in the capacity of Administrator of R&R, will constitute the cell before the start of the relocation process. The space for the functioning of the cell will be provided either in BUIDCO or in DM's office.

Members of GRC: The GRC will be constituted by the DM of Patna. The GRC will have representatives of PAPs, NGO and other opinion leaders who will look into the grievance of the people. It will be chaired by a retired officer, who served as principal/judges/ DM/Additional DM, etc. The suitability of the Chairperson will be decided by the DM in consultation with BUIDCO. Apart from the nominated persons, the cell will have representative from BUIDCO as convener.

Functions of the Cell: The GRC will conduct a meeting in the first week of every month to hear the grievances from the PAPs. All the complaints will be forwarded to the concerned department/officials within 15 days from the date of receiving the complaints. The issues resolved/addressed by concerned officials within 45 days from the receipt of the complaints. All the grievances received shall be discussed by the Chairperson of the cell with DM for the necessary action.

The compliance to all the petitions shall be reviewed in each of the meeting by the chairman and the DM. In case of the grievances not addressed by the GRC, it will be escalated to the office of District Magistrate by the Chairperson / BUIDCO. The PAPs also have the option of going to SPMG or even NMCG. The Social Specialists in SPMG and NMCG are the contact persons for grievance handling. The PAPs can also approach judiciary if their grievances are not addressed at any of these levels. The grievance cell shall submit a monthly report to the SPMG for the reference regarding the issues received and the cases disposed and forwarded to higher level.

The indicators for monitoring grievances are presented in **Table 6.4** below.

Table 6.4: Monitoring Indicators for R&R Implementation and Grievance Redressal

SI. No.	Monitoring Indicators	R&R Action	Grievance Redressal indicators
4	Implementation of Gender Development Plan	No. of women SHG developed No. of women PAPs and received compensation and assistance No. of women PAPs got employment training No. of women PAPs provided jobs in the project activities No. of women PAPs received loan for self employment No. of women PAPs participated in consultations by NGO/ BUIDCO	

CHAPTER 7

Implementation Schedule

This section outlines the action plan for the implementation of the R&R provisions and has been based on (i) type and extent of loss of assets, including structures identified through census and socio-economic surveys of the PAPs; (ii) eligible R&R measures as outlined in the entitlement matrix; and (iii) institutional framework for implementation of the plan including monitoring and evaluation. Based on these proposed actions, the budget for implementation of RAP has been worked out and integrated into the project costs. The details are provided in table 8.1 below.

Table 7.1: Actions for implementation of RAP

S. No	Impact category	Process to be adopted
1	Forming of Women Self Help Group (SHG) and training for skill development.	<p>The women PAPs affected due to the project will be provided assistance for forming of self-help groups</p> <p>Step 1 The eligible PAPs and interested to be member of will be identified by the NGO at the time of issuing of ID cards.</p> <p>Step 2 The NGO will assist in forming of the women self-group.</p> <p>Step 3 The NGO will provide support to the self-help for opening of bank accounts.</p> <p>Step 4 The training for the women PAPs will be organized through local institutes.</p> <p>Step 5 The list of eligible PAPs willing to undertake skill development program will be identified and submitted for the approval of BUIDCO.</p> <p>Step 6 The payment for the training institutes will be directly made to the institutes by BUDICO.</p> <p>Step 7 The NGO will help the SHG in getting the help of financial institutes for self-employment schemes.</p>

CHAPTER 8

R&R Budget

- There is no permanent or temporary impact due to this project. The NGO will canvass about the project awareness and implement Gender Action plan hence the cost has been calculated for NGO expenses and Monitoring expenses. The cost to Gender Action Plan has also been included.

A total of Rs.20, 00,000.00 has been estimated for monitoring and implementation of Resettlement Action Plan. The details of estimated budget have been presented in Table below.

Table : R&R Budget

Sl. No	Entitlement	Unit	Quantity	Amount (in Rs.)
1	Cost towards implementation of Gender Action Plan			5,00,000.00
2	RAP Implementation Cost for NGO			10,00000.00
3	Monitoring & Evaluation Cost			5,00,000.00
			Total	20,000,00.00