# 2018

Draft Abbreviated Resettlement Action Plan for Digha STP Project, Patna, Bihar



Bihar Urban Infrastructure

Development Corporation

Limited

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# **Executive Summary**

# The Project

Conservation and cleaning of river Ganga is a continuous and collective effort of Central and State Govt, local bodies and general public. The first initiative in this regard commenced in 1985 under Ganga Action Plan (GAP) and extended to two phases over more than two decades. GAP-I completed in 2000 and GAP-II started in 1993. Later the programme was merged with National River Conservation Programme (NRCP). The Government of India (GoI) constituted the National Ganga River Basin Authority (NGRBA) on 20th February 2009, for the comprehensive management of the river. In 2014, the Ministry of Water Resources, River Development and Ganga Rejuvenation (MoWR, RD & GR, GoI) has taken up an integrated and comprehensive approach towards Ganga Conservation Mission named "Namami Gange". It envisaged as a flagship programme by integrating all the previous and currently ongoing initiatives by enhancing efficiency, extracting synergies and supplementing them with more comprehensive and better coordinated interventions. NGRBA has been dissolved with effect from 7th October, 2016 consequently under National Council for Rejuvenation, Protection and Management of River Ganga (referred as National Ganga Council) vide notification no. S.O.3187 dt. 07/10/2016 under EPA 1986. Under Namami Gange programme a holistic approach has been adopted to clean the river.

Patna is the capital of Bihar and is the second largest urban center in eastern India, after Kolkata. Digha zone is located on the western part of the city. It is named after Digha Ghat on Ganga River. This zone is bounded on the north by river Ganga, on the west by the Patna-sone canal, on the east by the Saidpur zone and the zone Beur lying on the south. The Municipal Corporation has agreed to extend a land measuring 6 Hectares at bank of Ganga River at northern part of Digha Zone. 2 nos. of intermediate pumping stations (IPS) along with 290 km sewer network are proposed in this sewerage project. One number of STP (128 Mld) with SBR technology is proposed for Digha zone.

This project zone is created by taking part from Beur zone. It is located at the western part of the city. This zone is bounded on the north by river Ganga, on the west by the Patna-sone canal, on the east by the Saidpur zone and the zone Beur lying on the south.

Previously there was no specific STP for this zone. It was previously part of the Beur zone therefore; the sewage flow from this zone was designed to the 35 MLD STP present in Beur Zone. The effluent from the STP of the Beur zone is released into the Badshahi nala. The proposed Sewerage system will include 1 no. STP and 2 No. of Sewage PS which will allow to collect wastewater from entire area to the new STP. The design capacity of the proposed STP is 100 Mld for 15 years. SBR is selected as preferred treatment technology for the said STP. BUIDCO has agreed to provide a land measuring approx. 6 Hectares at Ganga River Bank near Digha Ghat. The area is a vacant land has no major vegetation and no habitation of indigenous people/ fisherman.

This document comprises the Resettlement and Rehabilitation Action Plan (RAP) of the proposed Sewerage project. The RAP meets all Government of India (GOI) and World Bank Resettlement-related requirements and complies with applicable GOI and World Bank (OP/BP 4.12) regulations, policies, and procedures including those on public participation and environmental assessment.

# **Objective of RAP**

The overall objective of the RAP is to ensure that all PAPs at least regain their status of living they had prior to the project implementation or improve upon that. The specific objectives of this RAP are to:

- Identify the PAPs by the type of loss and extent of damage
- Categorize Entitled Persons (EPs) according to the eligibility criteria mentioned in the R&R policy of Safe Demo Corridor Project.
- Work out entitlements for each Eligible Person based on the criteria as laid down in the R&R policy of the project
- Ensure that all PAPs are aware of their entitlements under the policy and participate actively in the project.
- Identify land for resettlement and the preferences of the PAPs for their relocation if there will be any land acquisition in the future.
- Develop an institutional support for the implementation of R&R process.
- Evolve a suitable mechanism for monitoring and evaluation of the R&R process and indicate the parameters for monitoring.

#### The RAP components are

- Introduction and methodology
- Legal Framework and Resettlement Policy
- Census Results
- Public Consultations
- Income Restoration
- Institutional Arrangements
- Grievance Redress Mechanism
- Implementation Schedule
- Estimated Budget for implementation

While the policy document describes what need to be done, why and how, the action plan describes in more detail how, when by whom the activities will be carried out.

# Impact on Land acquisition and Voluntary Resettlement

As per the Census survey, land acquisition (Private land) has not been envisaged in this project. Construction has been proposed on the existing government land only. There are only 9 Non-titleholders, which are going to be impacted (minor) in this project. This RAP deals with the minor impacts on 9 Non-title holders.

# Policy, Legal Framework and Entitlement

The national, state and local environmental and social regulatory requirements that are applicable to the investments proposed are given in this section. The proposed scheme involves construction of STP,

pumping station and sewerage network. It requires to follow the Water Act and SPCB clearance prior to constructions.

Provisions mentioned in Environment and Social Assessment Management Plan prepared in 2018 has been adopted for this Digha Sewerage Project. It is also in accordance with the National Policies, State Policies and World Bank's Operational policies (OP. 4.12, OP 4.10 and OP 4.11). This Policy and Framework document describes the principles and approach to be followed in minimizing and mitigating adverse socio-economic impacts caused by upgradation of selected corridors for safety enhancement under the project. The action plan has been prepared is based on the broad outline laid down in the above mentioned policies.

The principle of the R&R policy is the guiding philosophy to provide a development approach to resettle and rehabilitate the people affected by project. In particular:

- Wherever possible, displacement will be reduced on or avoided altogether by sensitive design of civil works (e.g. alternative designs or modification to the design).
- Where displacement is unavoidable, those displaced will have their living standard improved.
  They will be located as a single unit among the peer groups or will be assisted to integrate into
  their new community. Attention will be paid to the needs of the most vulnerable groups to be
  resettled.
- PAPs will be compensated, at replacement cost, for assets lost.
- Adequate social and physical infrastructure will be provided.
- PAPs would be encouraged to participate in the design and the implementation of RAP

#### **Entitlement Matrix**

Entitlement matrix for this project has been developed in accordance with the provisions and guidelines adopted in the ESAMP, State, National and World Bank's Operational Policies and analysis of initial identification of project impacts.

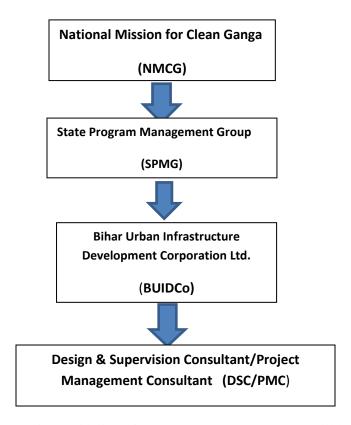
The proposed Entitlement Matrix for Resettlement and Rehabilitation prepared for Digha Sewerage project is given in the table 9, Chapter 3.

#### **Public Consultations**

Public participation was undertaken to make explicit the social factors that will affect the development impacts of planned sewerage project results. Through public participation, stakeholders and key social issues were identified and strategy was formulated. It included socio-cultural analysis and design of social strategy, institutional analysis and specifically addressed the issue of how poor and vulnerable groups may benefit from the project.

Consultations were held with affected 9 families. The main objectives of the consultation program were to minimize negative impact in the project site and to make people aware of the project.

# **Institutional Arrangement**



Within the overall implementation Guideline of the NGRBA program, RAP will be implemented by the executing agency under the overall guidance of SPMG. BUIDCo is the Executing agency. SPMG has a dedicated Social Development Expert. Social Expert from BUIDCo will implement the RAP and he will send the report to Social Development Expert of SPMG. There will be a Supervision Consultant who will implement the RAP with the help of contractor. Details can be seen in the chapter.

# Implementation Schedule, Monitoring and Budget

Implementation of RAP mainly consists of assistance to be paid for affected structures; Rehabilitation and Resettlement activities. The civil works contract for the project is normally awarded when compensations and R&R assistance is disbursed to the entitled persons as per Entitlement Matrix.

Specific situations may require an increase in timeline for the implementation of RAP. Such situations include, but not limited to local opposition, seasonal factors, social and economic concerns, training of support staff and financial constraints. Completion schedule will involve continuous coordination among the project management units and the various other involved departments and agencies.

Implementation of Resettlement Action Plan in this project consists of Resettlement & Rehabilitation of all PAPs. As per the conditions in the civil works contracts, land free from all encumbrances is to be made available to the contractors for the contract package. Time frame for implementation of RAP is synchronized with the proposed project implementation (construction schedule) in a way that commencement and progress of civil works is not jeopardized. A composite implementation schedule for R&R activities in the sub project including various sub tasks and time line matching with civil work

schedule shall be further prepared in the design stage of the project. However, the sequence may change or delays may occur due to circumstances beyond the control of the Project and accordingly the time can be adjusted for the implementation of the plan. Details are given in chapter—section

#### **Income Restoration**

The basic objective of income restoration activities is that no project affected person shall be worse off than before the project. Restoration of pre-project levels of income is an important part of rehabilitating individuals, households, and socio-economic and cultural systems in affected communities. Income restoration (IR) schemes will be designed in consultation with affected persons so as to benefit them. Based on the information collected on IR activities through the census socio-economic surveys, the implementing agency (DSC) will identify suitable IR programme for the affected persons. Steps to be followed for income restoration include:

Identification of target groups and choosing respective income restoration activities –Implementing agency (Design & Supervision Consultant) needs to identify the affected persons and prepare a list of feasible income restoration options. While identifying IR options, DSC shall consider the following factors:

- education level of affected persons,
- skill possession,
- likely economic activities in the post-displacement period,
- extent of land left,
- suitability of economic activity to supplement the income, and
- Market potential and marketing facilities.
- Training assistance to the affected PAPs.

# **Training**

Under this project, PAPs are encroachers (non titleholders) to STP site and involve is agricultural work only for 6-7 months as rest of 4-5 months area is flooded.

During public consultation, it was observed that PAPs were not interested in any skill enhancement program. We have kept the budget in this head. If there will be any requirement of training in construction phase for any PAPs, fund to be utilized from this head.

# Budget

The total indicative resettlement budget for Digha STP project has been estimated Rs. 3.79 lacs. Details can be seen in section 7.3.

#### 1. Introduction

# 1.1 Project background

Bihar is an important state from the perspective of river Ganga as a total of 445 km (almost 18%) of its total length of 2525 kms flow through the state. The length of Ganga River flowing adjacent to Patna is around 30 kms. According to CPCB Bulletin (vol 1, July, 2016), the existing sewage treatment capacity in Ganga basin is 1230.7 MLD against the total generation of 4973.81 MLD. Therefore, only 25% of the total generated sewage can be treated in the existing STPs. Field survey revealed that, the installed treatment plants are not running on their design capacities due to following reasons:

- Less inflow of sewage from sewer network due to improper repair and maintenance and siltation
- Choking of pipeline due to dumping of refuse and debris in manhole
- Power shortage
- Shortage of skilled and unskilled labour and
- · Paucity of funds.

The prevailing Sewerage system is inadequate and is at the point of breakdown. The city has an open combined system to carry both the dry weather flow and storm water and ultimately terminates into receiving river Ganga. It left enormous detrimental effect on overall City Sanitation especially during the monsoons. The drains overflow causing wastewater to remain stagnant for a considerable period in the low-lying areas of the town.

Therefore to provide better living conditions, health and personal hygiene of the people by increasing access of more people to safe sewage disposal and reduce frequency of occurrence of water and wastewater related diseases and mortality rate it is urgently needed to upgrade the existing Sewerage infrastructure of the area.

# **1.2 Project Description**

Digha being highly administrative and dense populated area of Patna city, needs a special attention during design and construction. To design the sewerage system properly with effective collection network, considering existing natural topography, Digha Zone has been further subdivided into two sub zones

Sub Zone 1: As shown in figure, the main/ Trunk network has been designed in view of that it would cater all major area. One major line is proposed from Jagdeopath road to Ashiyana More which is merging to another sub main covering Rupaspur, Jagdeopath, Vednagar etc. Henceforth, after crossing the belly road it will further move towards the northern side of zone to cater AG colony, Jaiprakash nagar, Kautilya nagar etc and will discharge to Proposed IPS 2.

Other major two lines are proposed from southern side of this zone to Raj Bhawan crossing to cater Airport area, Secretariat area, Raj Bhawan area. It continues towards northern side of Digha zone to

proposed IPS 2 located near junction of Kurji nala and railway line. Further it has been extented to STP as rising (pumping) main

Sub Zone 2:In other part of Digha zone, one main line has been proposed from Mandiri road and another line from Boring Canal road and both merged into another IPS (IPS 1) near to A.N. College. This IPS 1 will also cater added area (Digha Diara) flow in future. A pumping main has been proposed to discharge the raw water flow to STP directly. Hydraulic Design of the Sewerage network has been carried out separately in Sewer-gems V8i. Summary details of the Sewerage districts including details of sewer lengths and depths are dealt below:



Figure 1 Proposed Sewerage network of Digha zone

#### Minimum diameter for sewer network is proposed as:

- 500 mm and above (RCC NP3 Pipes)
- 200 mm to 400mm (DwC PE Pipe)

Recommended velocity of flow through pipe: Maximum velocity (non-scouring) considered as 3.0 m/sec and self-cleansing of 0.6 m/sec for initial peak flow (2020) and 0.8 m/sec for ultimate peak flow as per clause 3.15.1 of CPHEEO manual. However, frequent flushing of Network has been proposed where minimum velocity has failed to achieve.

#### Laying of Pipelines below sub-soil water Table

The ground water table in Patna varies from 6m -8m on an average below the ground level. The ground water table rises to around 4m during the monsoon. In the low-lying areas and the areas close to the Ganga, the ground water table is in the range of 3m - 4m below the ground level.

The maximum depth of the sewer line is in most areas limited to a maximum depth of 7.0m for the zone. To avoid / eliminate the need for additional pumping station and in effect, the additional expenditure in Operation and maintenance costs, some portion of network (around 10 km out of 290 km i.e. 2.7% of total network) goes beyond 7m but is limited upto 10m. The maximum depth considered seems logical in view of the higher sub-soil water table. However, in recognition of the fact, that the depth of manholes for similar works in Hajipur and Buxar (Which are close to Ganga) has been contemplated to a depth of 10.5m, the laying of sewer lines for Digha upto 7.0m seems justified with regards to the sub-soil water table.

However, the laying of pipe lines below sub-soil ground water shall be carried out with adequate measures to prevent caving of surrounding earth / soil. Provision for shoring and technical requirements has been contemplated (Timber shoring has been considered to be done for laying of sewers lines for depths upto 4.5m and Sheet piling for laying of sewer pipes beyond 4.5m has been considered in the estimates) so that the sidewalls of earth are protected.

Only a stretch of 5km upto IPS 2 and 4 Km upto IPS 1 at Digha Zone, Pipe network has been designed and considered beyond 7m to avoid another 2no pumping stations and also to cross drainage channel via tunneling method.

#### **Road Length and Pavement Type**

Total length of Road network in Digha (Municipal) is estimated at 290 Kms. Details of Road network and type of pavement type is presented below:

Table 1 Details of Road network and type of Pavements

Type of	Road Length (Km)
Pavement	Digha
Concrete Road	167.15
Bituminous Road	74.75
Brick Road	5.21
Earthen Road	43.03
Total (Kms)	290.14

#### **Intermediate Chamber and Household Connection**

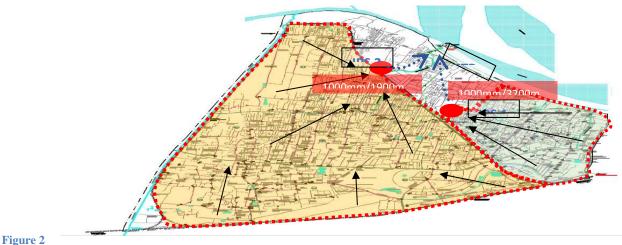
Household connection for Digha zone has been calculated based on intermediate year population. As discussed during last meeting, house hold connection cost will be borne by State Govt. itself & only connection between intermediate chambers to manholes will be added into project cost. So, based on current household density number of connection, Intermediate chamber have been proposed & presented below.

Ultimate population	Intermediate Population	Household number	Intermediate Chamber	Length of Pipe
890000	701000	122,982	30,746 nos	307460 m

Table 2 Details of intermediate chambers and household connection

#### **Pumping Station and Allied Rising Mains**

For the proposed Sewerage system, Sewage PS have been proposed to allow wastewater collected from one area to STP. Two IPS (Intermediate Pumping Station) has been considered for Digha Zone. The location of the Sewage Pumping Stations is shown below.



Location of Sewerage Pumping Stations

#### **Design of Capacity and Number of Pumps PS**

Based on the Dry Weather flows for the intermediate Design year of 2035, the pump capacities have been arrived. Submersible sewage pumps have been proposed, considering the economy both in terms of capital cost and in terms of operation and maintenance costs. Summary details of pumps for the intermediate design year are presented below:

Table 3: Details of Pumps

Description	Unit	IPS -1	IPS -2
Design Peak Flow (2035) =	LPS	1202.1	1185.8
	MLD	103.9	102.5
	m <sup>3</sup> /h	4327	4269
Average Flow (2035) =	m <sup>3</sup> /h	1923	1897
No. of working pumps for peak time =	nos.	2	2
No. of standby pumps for Peak Time (50% standby) =	nos.	1	1
No. of working pumps for lean time =	nos.	1	1
No. of standby pumps for lean Time (100% standby) =	nos.	1	1
Required Rating of each Pump for Peak flow	KW	229.00	196.00
Required Rating of each Pump for Lean flow	KW	102.00	87.00

#### **Sewage Pumping Station (STP)**

Lean, average, and peak flows are taken into consideration for optimum selection of pumping system. The symbiosis of pump characteristics of different pumps with various sizes of compatible force mains and corresponding power consumption, power efficiency zone, will be meticulously analysed to arrive for the most economical alternatives of pumping system and rising main under the perspective of designated pump operating points. Construction cost of pump house over collection pit is reduced making the same cost-effective. Provision of lifting/hoisting device with monorail arrangement at a requisite height above the sump shall be included for installation and necessary O&M of the pumping units.

Consideration of minimum velocity of 0.80 m/sec shall be the criteria for design of rising main. Hydraulic retention time (minimum) of the sump for the pumping station shall be taken as 3.75 minutes of peak flow.

Table 4: Wastewater generated and STP Capacity required in Design Years

Sewerage Zone	Area	Ward Details	Design Population			
Zone	(Sq. Km)		2020	2035	2050	
Digha	34	1 to 9, 20 to 26 & 28 (50%)	535406	701106	890250	
Flow Genera	tion takin	57.82	75.72	96.15		
Floating Pop	ulation @	80311	105166	133538		
Flow Genera	tion takin	2.89	3.79	4.81		
Infiltration for	r 288km in	0.72	0.72	0.72		

Total (MLD)	61.44	80.23	101.67
Additional waste water flow for Patliputra and Mainpura areas, Mld		12.00	14.00
Total (MLD)	61.44	92.23	115.67
Total (MLD) Say	62.00	100.00	116.00

#### **Modular Approach for Construction of STP**

The design of the proposed Sewerage system is for a period of 30 years (i.e. up-till 2050). However, the capacity of the Sewage Treatment Plant is proposed to be constructed for the design year 2035 (i.e. an initial fifteen year period as per CPHEEO Guideline) considering resource constraints and optimum utilization of assets.

Initial Design Capacity for 2035 for sewerage : 100 MLD
 Ultimate Design Capacity for 2050 : 116.0 MLD
 Additional augmentation in 2035 : 16.0 MLD

#### Location and Availability of Land for STP

The Municipal Corporation has agreed to provide a land at bank of Ganga River at northern part of Digha Zone. Ample vacant land is available. The location of the proposed land for Sewage Treatment Plant is shown below

#### Calculations of land required / to be acquired

The Sewage Treatment Plant is to be proposed for the year 2035 and land requirement will be 5.50 Ha. For further extension of STP Client will have to process further to acquire additional 0.88 Ha.

#### Justification for selection of technology (SBR)

The Life Cycle Cost analysis clearly illustrates that although a number of technologies can effectively work, the land requirement becomes the main guiding factor for the selection of the most suitable technology. Accordingly it is observed that only SBR system can only accommodated within the available land demarcated for STP in the ULB. Further acquisition of land in the Municipal Corporation is almost impossible because of the following-

- Large piece of land is absolutely scarce
- Land cost is very high because of many reasons
- Some government lands are available but already allotted for some other purposes.

Hence, amongst the alternatives SBR is the most feasible alternative for sewage treatment, since availability of land for STP(s) is the single most deterring factor, ultimately guiding the final selection of the proposed technology. Also this technology ensures that the latest CPHEEO guidelines for effluent quality i.e. BOD < 10 mg/l are met adequately.

That the plant that can be optimally accommodated within the existing available land extended by the ULB for the purpose shall be adopted irrespective of the higher energy requirement perspective. Hence, from the above Techno-commercial evaluation and with special emphasis on socio-environmental aspects clearly suggests for the SBR Technology for final adoption.

#### **Characteristics of Raw sewage**

The existing drainage channels in Digha have medium levels of BOD and Suspended Solids. The average TSS from wastewater samples collected from drains is in the region of 170mg/1 and the BOD value is under 100 mg/1. However, based on the experience gained from similar projects under Ganga Action plan, it is noted that the normative values of parameters like BOD and SS taken from field investigations need to be carefully established in designing of the Treatment Plants. In continuation, a more moderate value of 250 mg/l BOD has been considered in process design for the Treatment Plants. The value of Total Suspended Solids however has been considered at 300 mg/l.

#### **Characteristics of Treated Effluent**

The following effluent standards as prescribed by the CPCB have been adopted for evaluating treatment units and their sizes:

 Parameters
 Effluent Standards prescribed by CPCB

 pH
 6.5 – 9.0

 BOD (mg/l)
 <= 20</td>

 SS (mg/l)
 <= 50</td>

 Faecal Coliform (MPN/100 MI)
 Desirable

 <1000</td>

Table 5: Effluent Standards prescribed by CPCB

#### **Disposal of Treated Effluent**

The effluent from the Sewage Treatment Plant will be discharged through an RCC channel up to nala located at southern part of Pahari Zone & discharged ultimately to Punpun River. The size of channel of the effluent line against ultimate flow (2050) of 92 MLD is given below.

**Table 6 : Treated Effluent** 

Description	In 2020	In 2050	Remarks			
Flow	61 Mld	116 Mld				
Slope	1 in 3000	1 in 3000				
Manning's "n"	0.013	0.013				
Velocity (m/s)	0.76 m/s	0.83 m/s				
Required Depth (m)	1.94 m	1.94 m				
Length	500m	500m				
Width (m)	1.80m	1.80m				
Proposed Size of Channel	1.80m(w)X0.90m(D)+0.65m(F.B)					

# 2. Land Acquisition and Resettlement

#### 2.1 General

This chapter presents the requirements of land acquisition and other immovable assets in the project. It also discusses projects impacts on people and on their assets. This chapter is based on the finding of census Survey and the results of the survey established the impact on land, structures, buildings, community property, income, livelihood, trees, crops etc. and types of Project Affected Persons (PAPs) including the significance of impacts, vulnerability and socio-economic status. The result of the Census Survey indicates the nature and characteristics of R&R interventions required to mitigate negative impacts of the project.

# 2.2 Land requirement in the project

As per the SIA, project does not require acquisition of any private land and also there will be no impact on the structures. There will be minor impacts on the livelihood of 9 PAFs. All the affected persons/families are Non-titleholders (Encroachers, Squatters and Mobile vendors).

# 2.3 Non-titleholder's (Encroachers & Squatters)

As per the census survey there are 9 families who will lose their source of livelihood due to the project. These Families will be given cash assistance as per the revised Entitlement Matrix given in the RAP. Details are given in table 7

**Table 7- Details of PAP's in the Project** 

S No.	Name of the PAPs	Se x	Ag e	Educa tion	Caste	Total no. of family member s	Source of Income	Whether vulnerable	Type of Impact	Monthly Income (in thousands
1.	Doman Mahto	M	62	Illiterat e	OBC	5	Agriculture/ Farming	No	Loss of livelihood	30
2.	Niranjan Mahto	M	61	Illiterat e	OBC	11	Agriculture/ Farming	No	Loss of livelihood	36
3.	Suraj Dayal Rai	M	65	High School Passed	OBC	4	Agriculture/ Farming	No	Loss of livelihood	20
4.	Butan Mahto	M	67	5 <sup>th</sup> Passed	OBC	14	Agriculture/ Farming	No	Loss of livelihood	16
5.	Bidya Mahto	M	34	Illiterat e	OBC	16	Agriculture/ Farming	No	Loss of livelihood	32

S No.	Name of the PAPs	Se x	Ag e	Educa tion	Caste	Total no. of family member s	Source of Income	Whether vulnerable	Type of Impact	Monthly Income (in thousands
6.	Rohit Mahto	M	61	7 <sup>th</sup> Passed	OBC	15	Agriculture/ Farming	No	Loss of livelihood	52
7.	Santosh Mahto	M	32	5 <sup>th</sup> Passed	OBC	6	Agriculture/ Farming	No	Loss of livelihood	30
8.	Parmod Mahto	M	68	Illiterat e	OBC	17	Agriculture/ Farming	No	Loss of livelihood	32
9.	Jimendra Mahto	M	65	literate	OBC	9	Agriculture/ Farming	No	Loss of livelihood	35

# 2.4 Other Impacts during Construction

Construction related impacts are of various natures which will be mitigated by the construction Contractor through proper consultation process. Some of the general impacts as foreseen during construction in the Project are as below:

- Short-term impact in terms of minor increase in temperature may happen in the immediate vicinity of the alignment, construction camp area due to construction activities and cutting of trees falling in the RoW.
- During construction phase, changes in topography are envisaged due to the clearing of land, felling of trees, cutting and filling, and due to the construction of structures.
- Construction may cause aesthetic changes in the landscape.
- Drainage and flooding problem during construction due to stockpiling of materials, debris and construction of temporary approach road and yards would have impact of temporary nature.
- Sensitive receptors include school, hospitals and religious structures will be impacted. Some of the sensitive receptors need to be completely shifted and some are impacted due to noise and vibration. Appropriate mitigation measures shall be undertaken.

# 3. Resettlement Policies and Legal Framework

# 3.1 Background

The Government of India (GoI) constituted the National Ganga River Basin Authority (NGRBA) on 20th February 2009, for the comprehensive management of the river. In 2014, the Ministry of Water Resources, River Development and Ganga Rejuvenation (MoWR, RD & GR, GoI) has taken up an integrated and comprehensive approach towards Ganga Conservation Mission named "Namami Gange". It envisaged as a flagship programme by integrating all the previous and currently ongoing initiatives by enhancing efficiency, extracting synergies and supplementing them with more comprehensive and better coordinated interventions. NGRBA has been dissolved with effect from 7th October, 2016 consequently under National Council for Rejuvenation, Protection and Management of River Ganga (referred as National Ganga Council) vide notification no. S.O.3187 dt. 07/10/2016 under EPA 1986. Under Namami Gange programme a holistic approach has been adopted to clean the river.

Considering the importance of the Resettlement and Rehabilitation (R&R) activities in Digha STP project (NGRBA), a Resettlement action plan (RAP) has been prepared by the Social Expert from BUIDCo. The action plan prepared for the project serves as an appropriate tool, offers the required flexibility, within the boundaries set forth by the requirements of the Bank's operation policies and the country's regulatory mechanisms, in guiding the process of dealing with the unwarranted impacts and would help in augmenting the positive benefits.

Resettlement Action Plan prepared for Digha STP project is based on the provisions of **Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules 2014** (BLARR Rules 2014)/ Bihar Raiyati Land Lease policy 2014, The Right to Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 (LARR Act 2013), Bihar Public Land Encroachment Act 1956, ESAMP prepared for Digha project, Minimum Wages act of Bihar and in compliance with the provisons of World Bank's Operational Policies 4.12, 4.10 and 4.11 (resettlement of involuntarily displaced persons, indigenous people and Cultural properties).

The Resettlement Action Plan prepared for this project is based on the broad outlines laid down in the policy. The principle of the R&R policy is the guiding philosophy to provide a development approach to resettle and rehabilitate the people affected by project. In particular;

- Wherever possible, displacement will be reduced or avoided altogether by sensitive design of civil works (e.g. alternative designs or modification to the design).
- Where displacement is unavoidable, those displaced will have their living standard improved. They will be located as a single unit among the peer groups or will be assisted to integrate into their new community. Attention will be paid to the needs of the most vulnerable groups to be resettled.
- PAPs will be compensated, at replacement cost, for assets lost. Adequate social and physical infrastructure will be provided.

• PAPs and local community would be encouraged to participate in the design and the implementation of RAP.

# 3.2 Objectives and Scope of Resettlement Policy Framework

This Framework has been formulated to lay down the principles and procedures for management of social impacts caused by the construction of STP, IPS and laying of pipelines on selected sites under the Digha STP project and to guide the Executing and implementing agencies for future projects. Overall objective of this Framework is based on the following principles:

- Take due precautions to minimize disturbance to human habitations, tribal areas and places of cultural significance.
- Ensure that the Project Affected Persons (PAPs) are not negatively affected by the project.
- Involve affected people from inception stage to operation and maintenance.
- Consult affected people in issues of ROWs, land acquisition or loss of livelihood
- Encourage consultation with communities in identifying environmental and social implications of projects.
- Pay special attention to marginalized and vulnerable groups and secure their inclusion in overall public participation.
- Provide compensation and assistance to PAPs prior to any displacement or start of civil works.
- Guarantee entitlements and compensation to affected people as per the R&R policy as established in this document. This would ensure compensation and assistance sufficient to improve or at least restore livelihoods to levels experienced before the project.
- Share information with local communities about environmental and social implications.
- Broad community support is ascertained based on free, prior and informed consultation.

#### 3.3 Definitions

Following definitions that will be applicable unless otherwise stated specifically.

**Project Affected Person:** Affected persons are those who stand to lose all or part of their physical and non-physical assets including homes, productive land, community resources, commercial properties; livelihood; and socio-cultural network.

**Project Displaced Person:** A displaced person is a person who is compelled to change his/her place of residence and/ or work place or place of business, due to the project.

**Family:** A "Family" shall mean karta, spouse (Husband/Wife), and all dependents, including minor children. Every divorced, widowed, or separated daughter living separately or with the family on or before the cut-off-date will be treated as separate family.

**Encroacher:** A person who has extended their building, agricultural lands, business premises or work places into public/government land without authority.

**Squatter:** A person who has settled on public/government land, land belonging to institutions, trust, etc. and or someone else's land illegally for residential, business and or other purposes and/or has been occupying land and building/asset without authority.

**Vulnerable Person:** Vulnerable persons include people falling under 'Below Poverty Line' persons belonging to SC, ST, Divyangs and Woman Headed Households

**Titleholder:** Affected persons/families that have legal title to land, structures and other assets in the affected zone.

**Non-titleholder:** Affected persons/families/ households with no legal title to the land, structures and other assets adversely affected by the project. Non-titleholders include encroachers, squatters.

**Kiosk:** A kiosk is a booth/stall/cabin/cubicle made of wood or iron or any other building material located on Government land which could be shifted to another location as a single unit without much damage and is used for carrying out petty business/ commercial activities and has been in operation/existence prior to cut off date.

**Below poverty line (BPL) or BPL family:** means below poverty line families as adopted and defined by the Government of Bihar from time to time and those included in the BPL list that is in force.

**Replacement cost:** A replacement cost/value of any land or other asset is the cost/value equivalent to or sufficient to replace/purchase the same land or other asset.

**Cut-off date:** In the cases of land acquisition affecting legal titleholders, the cut-off date would be the date of issuing the notice under BLARR Rules 2014/Bihar Raiyati Land Lease Policy 2014/RFCTLARR act 2013. In cases where people lack title, the cut-off- date shall be the end date of the Census survey undertaken by the Project in the project area.

#### 3.4 Resettlement and Rehabilitation Guidelines

The Resettlement and Rehabilitation principles adopted for this project will provide R&R assistance to the Project Affected Persons (loss of livelihood), in the project area.

According to census survey there are only 9 PAPs identified in the project area.

The basic resettlement principles and guidelines include:

- Where land acquisition is required, it will be carried out according to the BLARR Rules 2014/ Bihar Raiyati land Lease Policy 2014/RFCTLARR act 2013 and in a way to minimize the adverse impacts and to avoid displacement as much as possible.
- In case of land acquisition, cash compensation for the land, at market value, to households affected by the loss of acquired land will be paid by the competent authority appointed under BLARR Rules 2016/ Bihar Raiyati land Lease Policy 2014/RFCTLARR act, 2013. Assistance will be provided to meet the replacement value, over and above the compensation amount. The replacement cost will be calculated as per the PWD BSR rates, without depreciation.
- Non-titleholder will be provided replacement cost of their structures.
- Provision for multiple options for resettlement (self-relocation or assisted relocation) of the affected residential structures, in case of land acquisition.
- Provision for shifting allowance to the Title and Non-titleholders for shifting of household goods and assets.

- Special assistance for vulnerable groups.
- PAPs will be meaningfully consulted and will have opportunities to participate in planning and implementing resettlement programs.
- Appropriate grievance redress mechanism (in form of Grievance Redress Committee at District level) will be established at the district level to ensure speedy resolution of disputes, if any.
- All activities related to resettlement planning, implementation, and monitoring would ensure involvement of women. Efforts will also be made to ensure that vulnerable groups are included.
- In case of land acquisition before taking possession of the acquired lands, the compensation will be paid to the Project Affected Persons.
- Provisions will be kept in the budget for those who were not present at the time of enumeration. However, anyone moving into the project area after the cut-off date will not be entitled to assistance/compensation.
- The Resettlement Plan will include a fully itemized budget and an implementation schedule.

# Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2014

Government of Bihar in exercise of the powers conferred by sub-section (2) of Section 109 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013), the Governor of the State of Bihar made the rules which may be called the Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2014. Important aspects of the policies are as follows:

- 1. Requisition for land acquisition shall be submitted by the Requiring Body to the Collector in Form I (detail of the form can be seen from the policy document) together with following documents, as the case may be:-
  - (i) Requisition in Form I;
  - (ii) Detailed Project Report;
  - (iii) Sanction letter of the project;
  - (iv) Estimated cost of the project;
  - (v) Three copies of village map(s) showing the affected areas;
  - (vi) Certified copies of the khatiyan of the lands to be acquired;
  - (vii) Information as to whether the land is irrigated multi-cropped and/or agricultural land. If it is irrigated multi-cropped land, whether it is covered under the proviso to section 10; if not, then what are the demonstrable exceptional circumstances for acquiring the land.
  - (viii) Any other document or information required by Collector.
- 2. Upon receipt of the requisition, the Collector shall constitute a team of revenue and agriculture officers of the district to visit the spot and enquire whether the requisition is consistent with the provisions contained in section 10. The team shall make field visits with the requiring body, examine

the revenue records, meet the families likely to be affected and submit a report to the Collector regarding the requisition being consistent or contrary to the provisions contained in section 10 (details of the section can be seen in policy document):Provided that no such enquiry shall be required in cases where the requisition has been made for the projects covered by the provision to section 10 (details of section 10 can be seen in BLARR Rules 2014 document).

- 3. If the Collector, based on the report of the team, other information available with him and instructions issued by the State Government in this regard, is satisfied that the requisition is consistent with the provisions contained under section 10; he shall pass a speaking order to this effect. If he is satisfied that the requisition is not consistent with the said provisions, he shall record the reasons in writing and return the requisition to the requiring body.
- 4. If the Collector is satisfied that the requisitioned land can be acquired, he shall calculate the estimated cost of acquisition and other charges and cause the Requiring Body to deposit the same. However, cost of undertaking SIA shall be calculated at a later stage under sub-Rule (1) of rule 8.
- 5. After deposit of the estimated cost of acquisition, the appropriate government shall proceed with the acquisition in accordance with the Act and these Rules.
- 6. The BLARR Rules 2014 proposes for Social Impact Assessment (SIA) study to map and estimate costs and benefits to the people affected through the acquisition. However in MMGSY the land required for the project will be minimal so no significant impact has been envisaged. Therefore PIU's have prepared a "Social Impact Assessment Statement" after doing the proper land verification with the support of District Land Revenue Department and Local Community

#### 7. Market value of the land:

- The minimum land 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
- .The average sale price for similar type of land situated in the nearest village or nearest vicinity area; or
- Consented amount of compensation as agreed upon under sub-section (2) of section 2 (see LARR act 2013) in case of acquisition of lands for private companies or for public private partnership projects.
- Factor by which the market value is to be multiplied in the case of rural areas i.e 1.00 (One) to 2.00 (Two) based on the distance of project from urban area, as may be notified by the appropriate government
- Factor by which the market value is to be multiplied in the case of urban areas 1 (one).

#### 8. Compensation

- The compensation shall be calculated as per the provisions laid down under section 26 to section 30 read with the First Schedule of the LARR Act 2013 and paid to all parties whose land or other immovable property has been acquired.
- Compensation shall be given to agriculture labourers, tenants, share croppers and artisans referred to in sub-clause (ii) of clause © of section 3 of the Act at the following rate

- In case of an agricultural labourer, a lump sum amount equivalent to the current minimum wages of two hundred days shall be paid. The tenants and share croppers shall be paid a lump sum amount of Rs twenty five thousand per acre of the land they cultivate as tenants or share cropper
- In case of artisans who may be working in the affected area for three years prior to the acquisition of the land shall be paid a lump sum amount of Rs. twenty five thousand.
- The market value of the building and other immovable property or assets attached to the land or building which are to be acquired will be paid to the PAP's/PAF's. Collector can take the services of a competent engineer or any other specialist in the relevant field in determining the market value.
- The value of trees and plants attached to the land acquired will be paid to the PAP's/PAF's. Collector can take the services of experienced persons in the field of agriculture, horticulture, forestry sericulture or any other specialist in the relevant field in determining the value.

Note: Details of the BLARR Rules, 2014 is available on the website- www.lrc.bih.nic.in

# Bihar Raiyati Land Lease policy 2014

Important aspects of the policy are summarised as follows:

- 1. The land may be taken on lease for construction of infrastructure, such as academic institutions/road/electricity projects/approach road/stadium/embankment/Canal/Land Bank etc., rehabilitation of persons affected by natural disaster and for other works of public purposes defined under section-2 (1) of the act. The land so to be taken on the condition of perpetual lease and will be registered.
- 2. To ensure the possibility of land transfer in less time, the feasibility of taking land on perpetual lease under 'Bihar Raiyati Land Lease policy 2014' will be investigated at District Collector level. The feasibility will be assessed before initiating the process of land take for small sponsored schemes under state plan in which the requirement of land/land segment is less and the number of raiyats are limited.
- 3. To investigate the feasibility of land to be taken on perpetual lease for the above mentioned schemes, District Collector will constitute a committee under Chairmanship of Additional District Collector. The members of the committee will include District Land Acquisition Officer/Sub Divisional Officer/Deputy Collector Land reforms/respective Circle Officer and two nominated officers from the concerned department (requiring body).
- 4. Committee will visit the affected area to aware the concerned landowners and Panchayat members about time and date, publicity and promotion, importance and provision of the Lease Policy of the project. After that, committee will obtain the recorded consent/disagreement from the concerned landowners. Committee has to submit its recommendation before the District Collector along with the documented recorded consent /disagreement-received form affected Landowners and the logical reasons.
- 5. After reviewing, the report received from the committee if District Collector gets satisfied that the land can be taken on lease from the concerned land owners or there is strong possibility of taking the land on lease under lease policy from the concerned land owners then he/she will inform the concerned department/authority/body accordingly.

After that the concerned department/authority/body can start the process of taking land/land segment on lease

#### Compensation

1. The land on perpetual lease may be taken at the rate of Four times in the rural areas and two times in the urban areas of the MVR (Minimum Valuation register). Provided that if trees or any other structure are situated on the said land, the District Collector shall, getting then evaluated by District Forest Officer and Executive Engineer, Building Construction.

Note: Details of the policy is available on the website lrc.bih.nic.in

The Right to Fair Compensation and Transparency in Land Acquisition, Resettlement and Rehabilitation (RFCTLARR) Act, 2013.

This RFCT-LARR, 2013 repeals the Land Acquisition Act, 1984 and is applicable to all States in India (except the state of Jammu and Kashmir). RFCT-LARR 2013 is a first national/central law that addresses land acquisition and rehabilitation and resettlement. This new act provides an enhanced framework for providing compensation and resettlement and rehabilitation assistances through a participative and transparent process for land acquisition in the public interest. The act lays down procedures for estimating fair compensation of the affected families (and not just the titleholders) due to land acquisition, rehabilitation and resettlement. The objectives of Act are as follows:

- to minimize displacement and to promote, as far as possible, non-displacing or least-displacing alternatives:
- to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of the affected families;
- to ensure that special care is taken especially for protecting the rights of the members of the Scheduled Castes and Scheduled Tribes, and to create obligations on the State for their treatment with concern and sensitivity;
- to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families:
- to integrate rehabilitation concerns into the development planning and implementation process; and
- Where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

Note: details of this act can be seen on http://dolr.gov.in/acts-rules-policiesacts/acts

# Safeguard Policies of the World Bank

#### **Involuntary Resettlement (OP 4.12)**

OP/BP 4.12 – Involuntary Resettlement- The key objective of the Bank's safeguard Policy 4.12 is to "ensure that displaced persons are assisted in their efforts to improve their livelihoods and standard of

living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher". The important clauses of the World Bank Policy in preparation of resettlement plan and policy framework includes the following:

- Ensure that the displaced persons are informed about their options and pertaining to resettlement;
- Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives;
- Prompt and effective compensation at full replacement cost for losses of assets;
- Provide assistance and allowances;
- Provide equivalent productive assets for the loss of residential house, agricultural land etc.;
- Provide support for the transition period (between displacement and livelihood restoration);
- Provide land related development assistance (credit facilities, training and job opportunities);
- Preferences should be given to land-based resettlement strategies for displaced persons whose livelihoods are land – based;
- Cash compensation level should be sufficient to replace the lost land and assets at full replacement cost in local markets;
- Depreciation and salvage value will not be deducted from the compensation value.
- Eligibility of Benefits should include the PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who do not have formal legal rights to land at time of census but have a claim to such land or assets and the PAPs who have no recognizable legal right to the land they are occupying;
- Particular attention will be paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc.
- The displaced persons and their communities will be provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing and monitoring resettlement. Appropriate and accessible grievance mechanisms will be established for these groups;
- A Grievance Redressal Mechanism will be made functional to resolve all complaints and grievances of PAPs.

#### **Indigenous Peoples Plan (OP 4.10)**

This policy aims to protect the dignity, right and cultural uniqueness of indigenous people; to ensure that they do not suffer due to development; that they receive social and economic benefits. The policy requires a social assessment by the borrower;

- a process of free, prior, and informed consultation with the affected Indigenous Peoples' communities at each stage of the project, and particularly during project preparation, to fully identify their views and ascertain their broad community support for the project;
- the preparation of an Indigenous Peoples Plan or an Indigenous Peoples Planning; and
- Disclosure of the draft Indigenous Peoples Plan or draft Indigenous Peoples Planning Framework.

# **Cultural Property (OP 4.11)**

This policy aims at assisting in the preservation of cultural property, historical, religious and unique natural value-this includes remains left by previous human inhabitants and unique environment features, as well as in the protection and enhancement of cultural properties encountered in Bank financed project.

# 3.4 Applicable Government of India and World Bank Requirements

**Table 8 Applicable acts/rules /policies** 

SL. NO.	ACTS/NOTIFICATIONS/POLICIES	RELEVANCE TO THE PROJECT	APPLICABILITY
1	APPLICABLE WORLD BANK POLI		
(1)	OP 4.12 – Involuntary Resettlement	The project entails no land acquisition but it may impact (minimal) livelihood of non-title holders at STP site.	APPLICABLE TO THE PROJECT
(2)	OP 4.10 – Indigenous Peoples	This policy may be triggered if there are indigenous people in the project area; when potential adverse impacts on indigenous people are anticipated; and if indigenous people are among the intended beneficiaries.	NOT APPLICABLE
(3)	OP 4.11 –Cultural Properties	This policy may be triggered by sub-projects under this in those areas where cultural property, historical, religious and unique natural value-this includes remains left by previous human inhabitants and unique environment features may be affected during	NOT APPLICABLE

SL. NO.	ACTS/NOTIFICATIONS/POLICIES	ACTS/NOTIFICATIONS/POLICIES RELEVANCE TO THE PROJECT	
		widening and strengthening work of the sub-projects.	
4	APPLICABLE STATE POLICIES		
(1)	Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement rules 2014 (BLARR Rules 2016)	Land required for the project shall be acquired as per the provisions of the rules.	APPLICABLE IF LAND WILL BE ACQUIRED
(2)	Bihar Raiyati Land Lease Policy (2014)	Government can acquire the land on lease through this policy. This is time saving approach and now days Govt. of Bihar is acquiring the land on lease for most of the projects.	APPLICABLE IF LAND WILL BE ACQUIRED
(3)	Minimum wages act	States minimum wages act policy is applicable if there will be loss of livelihood of Non-titleholders	APPLICABLE
5	CENTRAL ACTS AND POLICIES		
(4)	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR act 2013)	State act has been framed on the basis of this act only so this act will work as a guiding principle	APPLICABLE IF LAND WILL BE ACQUIRED
(5)	Equal Remuneration act, 1976	Project will ensure that equal wages will be paid to both men and women for similar works	APPLICABLE
(6)	Child Labor Prohibition act, 2016	Contractor will ensure that no child will be engaged in any type of activity.	APPLICABLE

SL. NO.	ACTS/NOTIFICATIONS/POLICIES	RELEVANCE TO THE PROJECT	APPLICABILITY
(7)	The Right to Information Act, 2005	The Act provides for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the project.	APPLICABLE

# 3.5 Socio-economic profile of Project affected persons

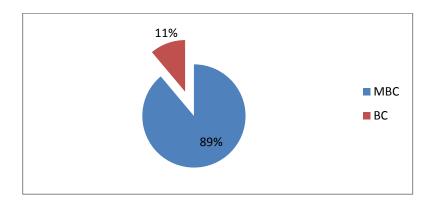
This section highlights the findings of Socio economic details of 9 Project Affected Persons (PAPs) which is based on a sample socio-economic survey conducted by Social Expert from BUIDCo (EA). In addition to the relevant social data collected during census survey, this socio economic detail was collected from PAPs through a structured socio-economic questionnaire (annexure-2). This socio-economic questionnaire was administered in the project area covering all 9 project affected persons. The information collected during the socio economic survey was analyzed and a base line was prepared to describe about the general socio-economic condition of project affected persons.

Based on the inferences from the Census survey, the impacts category was identified and the Socio – Economic survey was carried out by administering the focused questionnaire designed for the same.

# Distribution of PAPs as Per Religion and cast composition

Of the total sampled PAPs (9) Which are falling in Area which is known as Digha, All from the effected HH belongs to Hindu Religion (100%), and major part of the community belong to Most Backward Class (MBC – 89%) and rest belongs to backward Class (BC).

Head of HH	Community	Religion
Doman Mahto	MBC	Hindu
Niranjan Mahto	MBC	Hindu
Suraj Dayal Rai	BC	Hindu
Butan Mahto	MBC	Hindu
Bidya Mahto	MBC	Hindu
Rohit Mahto	MBC	Hindu
Santosh Mahto	MBC	Hindu
Parmod Mahto	MBC	Hindu
Jimendra Mahto	MBC	Hindu



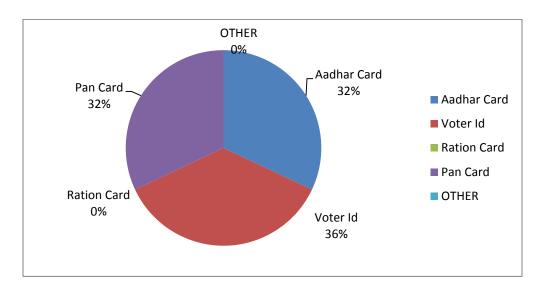
Pie chart - Distribution of PAPs as Per Religion and cast composition

# **PAPs having ID Cards**

Out of the total PAPs covered during the survey 88.9% of the having the Aadhar Card and Pan Card although all the head of the HHs having the voter Card.

Head of HH	Aadhar Card	Voter Id	Ration Card	Pan Card	Others
Doman Mahto	Yes	Yes		Yes	
Niranjan Mahto	Yes	Yes		Yes	
Suraj Dayal Rai	Yes	Yes		Yes	
Butan Mahto	Yes	Yes		Yes	

Bidya Mahto	Yes	Yes	Yes
Rohit Mahto	Yes	Yes	Yes
Santosh Mahto	Yes	Yes	Yes
Parmod Mahto		Yes	Yes
Jimendra Mahto	Yes	Yes	

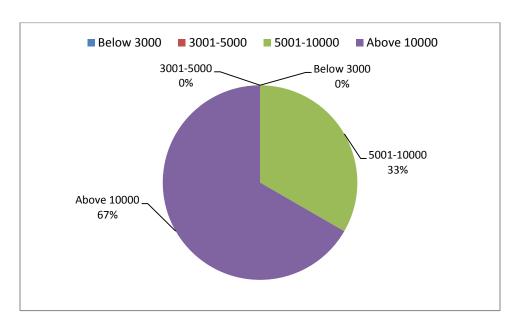


**Pie Chart - PAPs having ID Cards** 

# **Average Monthly Income: -**

Out of the total Nine PAPs 66.6% PAPs have a monthly income more than Rs 10,000/- and 33.3% PAPs having the monthly income in between Rs -5001 to 10,000/-. As details given below.

Head of HH	Below 3000	3001-5000	5001-10000	Above 10000
Doman Mahto				✓
Niranjan Mahto				✓
Suraj Dayal Rai			✓	
Butan Mahto				✓
Bidya Mahto				✓
Rohit Mahto			✓	
Santosh Mahto			✓	
Parmod Mahto				✓
Jimendra Mahto				✓

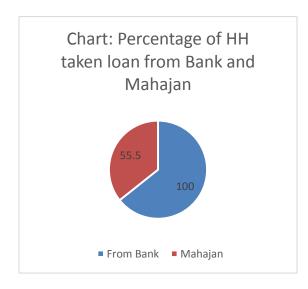


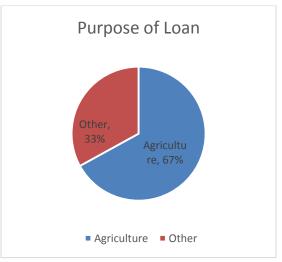
**Pie chart - Average Monthly Income** 

# Status on Debt from Bank and Mahajan

Of the total 9 PAPs no one have taken any loan from the bank, 66.6% of the PAPs have taken the Loan from Mahajan on 5% rate of interest and the purpose of this loan was Agriculture as shown in the table.

Head of HH	From Bank	Mahajan	On interest	Purpose of Loan
Doman Mahto	Nil			Loan
Niranjan Mahto	Nil		5%	Agriculture
Suraj Dayal Rai	Nil	•	3 /0	Agriculture
	Nil		50/	A ami au Ituma
Butan Mahto		<b>√</b>	5%	Agriculture
Bidya Mahto	Nil	<u> </u>	5%	Agriculture
Rohit Mahto	Nil	✓	5%	Agriculture
Santosh Mahto	Nil			
Parmod Mahto	Nil	✓	5%	Agriculture
Jimendra Mahto	Nil	✓	5%	Agriculture

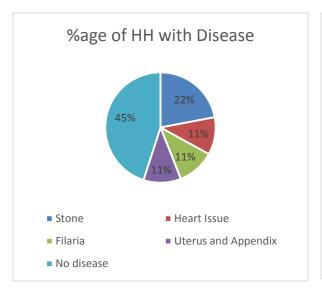


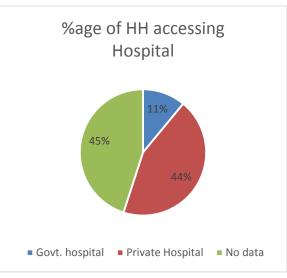


#### **Health Status**

Out of the 9 PAPs 5 (either self or family members) were suffering through serious disease in the last one year. Most of them had treatment at private hospitals.

Head of HH	Type of illness	Relation with Head of HH	Treatment received at
Doman Mahto	Stone	Wife	Private hospital
Niranjan Mahto	Heart Issue	Wife	Private hospital
Suraj Dayal Rai			
Butan Mahto	Filaria	Self	Govt. hospital
Bidya Mahto	Stone	Sister	Private Hospital
Rohit Mahto			
Santosh Mahto			
Parmod Mahto			
Jimendra Mahto	Uterus and Appendix	Wife	Private Hospital





# Expenditure

Only one head of the HH 11.1% is expending on rent for house, rest all 88.9% have their own individual constructed home. 88.9% of the PAPs evenly (Below 3000) expending on transportation. Major 44.4% of the PAPs expending 3001 -5000 on food, 88.9% of the PAPs expending below 3000 on Health and 55.5% of the PAPs are expending on education of their total Income. As shown below.

Head of HH	Expenses on Food	Expenses on Health	Expenses on Rent	Expenses on Transportation	Expenses on Education
Doman Mahto	3001-5000	Below 3000		Below 3000	Below 3000
Niranjan Mahto	5001-10000	3001-5000		Below 3000	Below 3000
Suraj Dayal Rai	3001-5000	Below 3000			
Butan Mahto	Below 3000	Below 3000		Below 3000	Below 3000
Bidya Mahto	5001-10000	3001-5000		Below 3000	Above 10000
Rohit Mahto	3001-5000	Below 3000		Below 3000	Below 3000
Santosh Mahto	3001-5000	Below 3000		Below 3000	Below 3000
Parmod Mahto	5001-10000	Below 3000		Below 3000	5001-10000
Jimendra Mahto	Below 3000	Below 3000	Below 3000	Below 3000	

### 3.6 Entitlement Matrix

Entitlement Matrix for Digha STP project has been prepared by considering several categories of project affected persons with varying eligibility for the compensation and assistance packages discussed below. This entitlement matrix has been developed in accordance with the basic principles and guidelines adopted in ESAMP prepared for Digha STP project, State and Central acts and policies and World Bank's Operational Policies. This matrix has also considered the analysis of initial identification of project impacts.

The proposed Entitlement Matrix for Resettlement and Rehabilitation prepared for Digha STP project is given in the below:

**Table 9 Entitlement Matrix** 

Sl. No	Type of Impact/Loss	Unit of Entitlement	Entitlements as per Policy
1	Agricultural	Land	
	uisition of cultural land	Land Holder	<ul> <li>Cash compensation as defined in First Schedule of RFCTLAR&amp;R Act, 2013 or any state policy</li> <li>Where jobs are created through the project, after providing suitable training and skill development in the required field, make provision for employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for ajobin such other project as may be required; or one- time payment of five lakhs rupees per affected family; or(c) annuity policies that shall pay not less than two thousand rupees per month Per family for twenty years with appropriate indexation to the Consumer Price Index for Agricultural Labourers (RFCTLARR Act, 2013, Second Schedule – clause4).</li> <li>In case of a project involving land acquisition on behalf of a acquiring body, each affected family which is involuntarily displaced shall get a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award. (RFCTLARR, 2013 – Second schedule; clause 5 para 1)</li> <li>Each affected family that is displaced and has cattle, shall get financial assistance of such amount as the appropriate Government may decide but not less than Twenty Five thousand rupees, for construction of cattle shed. (RFCTLAR&amp;R Act, 2013 Second Schedule clause)</li> <li>Each affected family shall be given a one-time resettlement allowance of fifty thousand rupees only (RFCTLARR, 2013 – Second schedule; clause 10)</li> <li>In case of a project involving land acquisition on behalf of an acquiring body, the stamp duty and other fees payable for registration of the land or house allotted to the affected families shall be borne by the acquiring body. The land for house allotted to the affected families shall be free from all</li> </ul>

			encumbrances. The land or house allotted may be in the joint names of wife and husband of the affected families (RFCTLAR&R Act, 2013. Second Schedule – clause 11).
2.	House		
	Acquisition of House	Affected Family	<ul> <li>If a house is lost in rural area, a constructed house shall be provided as per the Indira Awas Yojana specifications. If a house is lost in urban area, a constructed house shall be provided, which will be not less than 50 sq mts in plinth area (RFCTLAR&amp;R Act, 2013. Second Schedule – Clause 1 para 1).</li> <li>Provided that any such family in urban areas which opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees (RFCTLAR&amp;R Act, 2013. Second Schedule – Clause 1 para 3).</li> <li>Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house (RFCTLAR&amp;R Act, 2013. Second Schedule – Clause 1 para 4).</li> <li>Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award (RFCTLARR, 2013 – Second schedule; clause 5 para 1).</li> <li>Right to salvage material from the demolished structures</li> <li>Three months' notice to vacate structures</li> <li>One-time financial assistance of such amount as the appropriate Government may decide but not less than fifty thousand rupees, for shifting of the family, building materials, belongings and cattle. (RFCTLARR, 2013 – Second schedule; clause 6)</li> <li>Each affected family that is displaced and has cattle, shall get financial assistance of such amount as the appropriate Government may decide but not less than Twenty Five thousand rupees, for construction of cattle shed. (RFCTLARR, 2013 – Second schedule; clause 7)</li> <li>Each affected person who is rural artisan, small trader or self-employed person who has been displaced shall get a one-time financial assistance of such amount as the appropriate Government may decide but not less than (Rs. 25,000/-) twenty-five thousand rupees, for construction of working shed or shop. (RFCTLARR,</li></ul>

		• In case of a project involving land acquisition on behalf of an acquiring body, the stamp duty and other fees payable for registration of the land or house allotted to the affected families shall be borne by the acquiring body. The land for house allotted to the affected families shall be free from all encumbrances. The land or house allotted may be in the joint names of wife and husband of the affected families (RFCTLAR&R Act, 2013. Second Schedule – clause 11).
ii) BPL without homestead land and residing in the area for not less than three years	Affected Family	<ul> <li>Has been residing in the affected area continuously for a period of not less than three years preceding the date of declaration of the affected area and which has been involuntarily displaced from such area, shall be entitled</li> <li>If a house is lost in rural area, a constructed house shall be provided as per the Indira Awas Yojana specifications. If a house is lost in urban area, a constructed house shall be provided, which will be not less than 50 sq mts in plinth area (RFCTLAR&amp;R Act, 2013. Second Schedule – Clause 1 para 1).</li> <li>Provided that any such family in urban areas which opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees (RFCTLAR&amp;R Act, 2013. Second Schedule – Clause 1 para 3).</li> <li>Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house (RFCTLAR&amp;R Act, 2013. Second Schedule – Clause 1 para 4).</li> <li>Right to salvage material from the demolished structures</li> <li>One-time financial assistance of such amount as the appropriate Government may decide but not less than fifty thousand rupees, for shifting of the family, building materials, belongings and cattle. (RFCTLARR, 2013 – Second schedule; clause 6)</li> </ul>
3 Livelihood losses		
i) Rural artisan, small trader or self-employed Person displaced	Each affected person	• Will get a one-time financial assistance of such amount as the appropriate Government may decide but not less than (Rs. 25,000/-) twenty-five thousand rupees, for construction of working shed or shop. (RFCTLAR&R Act, 2013. Second Schedule – clause 8)
ii) Employment Assistance	Affected Family	• Where jobs are created through the project, after providing suitable training and skill development in the required field. make provision for employment at a rate not lower than the

minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required (RFCTLAR&R Act 2013, Second Schedule, Clause 4(a).; • The acquiring body shall give preference to the affected persons or their groups or cooperatives in the allotment of outsourced contracts, shops or other economic opportunities coming up in or around the project site; and • The acquiring body shall give preference to willing landless labourers and unemployed affected persons while engaging labour in the project during the construction phase. **Other Benefits** (i) Additional Affected • As far as possible, no acquisition of land shall be made in the assistance for Family Scheduled Areas. Where such acquisition does take lace it Scheduled shall be done only as a demonstrable last resort. Caste and (RFCTLAR&R Act, 2013 section 41 (1) and (2).) Scheduled • In case of acquisition or alienation of any land in the Tribe families Scheduled Areas, the prior consent of the concerned Gram Sabha or the Panchayats or the autonomous District Councils, at the appropriate level in Scheduled Areas under the Fifth Schedule to the Constitution, as the case may be, shall be obtained. in all cases of land acquisition in such areas. including acquisition in case of urgency, before issue of a notification under this Act, or any other central Act or a state Act for the time being in force (RFCTLAR&R Act, 2013 section 41 (3)). • In case of a project involving land acquisition on behalf of a Requiring Body which involves involuntary displacement of the Scheduled Castes or the Scheduled Tribes families, a Development Plan shall be prepared, in such form as may be prescribed. laying down the details of procedure for settling land rights due, but not settled and restoring titles of the Scheduled Tribes as well as the Scheduled Castes on the alienated land by undertaking a special drive together with land acquisition (RFCTLAR&R Act, 2013 section 41 (4)). • Where the affected families belonging to the Scheduled Castes and the Scheduled Tribes are relocated outside of the district then, they shall be paid an additional twenty-five percent rehabilitation and resettlement benefits to which they are entitled in monetary terms along with a one-time entitlement of fifty thousand rupees(RFCTLAR&R Act, 2013 section 41 (11)). • Provided that in every project those persons losing land and belonging to the Scheduled Castes or the Scheduled Tribes will be provided land equivalent to land acquired or two and a one-half acres, whichever is lower (RFCTLAR&R Act 2013, Second Schedule; clause 2) • In addition to subsistence allowance of INR 50,000, the

			Scheduled Castes and the Scheduled Tribes displaced from Scheduled Areas shall receive an amount equivalent to fifty thousand rupees.(RFCTLAR&R Act, 2013, Second Schedule, , clause 5, para 2)  In cases of displacement from the Scheduled Areas, as far as possible, the affected families shall be relocated in a similar ecological zone, so as to preserve the economic opportunities' language, culture and community life of the tribal communities. (RFCTLAR&R Act 2013, clause 5 para 3)
I	One time Resettlement allowance	Any Affected family not already covered under clause 2	• Shall be entitled to one time resettlement allowance of fifty thousand rupees (RFCTLAR&R Act 2013, Second Schedule clause 10).
5.	<b>Exemptions fr</b>	om stamp duty et	c.
			• In case of a project involving land acquisition on behalf of an acquiring body, the stamp duty and other fees payable for registration of the land or house allotted to the affected families shall be borne by the acquiring body. The land and house allotted will be in the joint names of wife and husband of the affected families. The land for house allotted to the affected family shall be free from all encumbrances (RFCTLAR&R Act, 2013 clause 11)
6.	Trees and stan	ding crops	
Tree	s on land being ired	Land holders	Market value of the trees to be computed as per the provisions of Horticulture and Forest Department.
the ti	ding crops at ime of isition, if any	Land holders	<ul> <li>Advance notice to harvest crops</li> <li>Market value of standing crops to be computed as per provisions of Agriculture Department.</li> </ul>
7.	Non-Titleh	olders - Loss of R	Residential/ Commercial Structures
	Non -titleholde Government lan	rs -structures on	Replacement cost for affected structure at current PWD schedule rates without depreciation for squatters and vulnerable encroachers.
			<ul> <li>Right to salvage material from the demolished structures.</li> <li>One months' notice to vacate structures will be given.</li> </ul>

8.	Additional assistance to vuln	nerable families
	Schedule Caste families, Schedule Tribe Families, Women Headed households and Divyangs.	Additional one time financial assistance equivalent to two months of minimum agricultural wages.
9.	Loss of Community Infrastr	ructure/ Community Property Resources
	Structures & other resources (e.g. land, water, access to structures etc.) within the Corridor of Impact	Reconstruction of community structure and Common property resources in consultation with the community.
10.	Loss of Livelihood for Non-Title	eholders
	Loss of livelihood	• As per RFCTLARR, 2013 – Second schedule; clause 5 para 1,each affected family which is displaced from the land acquired and is title - holders are liable of getting a monthly subsistence allowance.
		• In this project PAPs are non-titleholders and their socio economic conditions are good, reflected from table mentioned on page number 35. But as per ESMF, there is provision of giving subsistence allowance equivalent to three thousand rupees per month for a period of one year (from the date of award or date of handing over of site to contractor).
7.	Temporary impact during c	onstruction
	Land & assets temporarily impacted during construction	Compensation to be paid by the contractor for loss of assets, crops and any other damage as per prior agreement between the 'Contractor' and the 'Affected Party'.

### 4. Stakeholders Consultation

### 4.1 General

Public Consultation was undertaken to make explicit the social factors that will affect the development impacts of planned highway improvements and mediate project results. Through public participation, stakeholders and key social issues were identified and strategy was formulated. It included socio-cultural analysis and design of social strategy, institutional analysis and specifically addressed the issue of how poor and vulnerable groups may benefit from the project.

Consultation is a process, through which stakeholder influence and share control over development initiatives and the decisions and the resources, which affects them. The effectiveness of R&R programme is directly related to the degree of continuing involvement of those affected by the project. Comprehensive planning is required to assure that local government, local population and project staff interacts regularly, frequently and purposefully throughout all stages of the project. Participation of persons affected by projects is a primary requirement in development of R&R, if its programmes are to be suited the needs of the affected population. Their involvement vastly increases the probability of their successful resettlement and rehabilitation.

Consultations in the project were carried out with respective groups of affected population including women groups, farmers and agricultural labourers, etc. All the participants were informed in advance about the date, venue and time of the consultation.

### **4.2** Objective of the Public Consultations

The process of stakeholder's participation / consultations was taken up as an integral part of the study. The objectives of these consultations are:

- To educate the general public, specially potentially impacted communities / individuals and stakeholders about the proposed project activities;
- To familiarize the people with technical, environmental, social and economic issues of the project for better understanding;
- To solicit the opinion of the affected communities / individuals on environmental issues and assess the significance of impacts due to the proposed development;
- To secure people's inputs in respect of project planning, selection of mitigation measures and monitoring strategies;
- To ensure lessening of public resistance to change by providing them a platform in the decision making process;
- To inculcate the sense of belongingness in the public about the project.
- Understand the view of the affected persons on rehabilitation and resettlement issues; and Make the resettlement and rehabilitation process transparent.

## 4.3 Methodology of Public Consultation

Consultation with the stakeholders, beneficiaries, and community leaders were carried out by, personal discussions with officials, on site discussion with affected stakeholders, and during reconnaissance visits to the project area. Consultation was held in the month of December 2018. PAPs signed the consent form during the public consultation itself.

## 4.4 Outcome of Consultations in Digha STP project

- All the participants welcomed the project and agreed to take participation during implementation
- There will be loss of livelihood for 9 PAPs. However, the whole land is submerged in water for 4 to 5 months in a year; PAPs also do the agricultural activity in other private land as agricultural labour.
- PAP's are aware of the project and supporting it. They are ready to vacate the land on notice of one month.

### 4.5 Public disclosure

In order to make the RAP implementation process transparent, series of Public Consultation Meetings with all stakeholders have been carried out in the field. The purpose was to informally make the people aware about the project. The same will be continued for dissemination of information regarding rehabilitation process and entitlement framework. The salient features of RAP and the R&R policy will be translated in Vernacular languages (Hindi) and will be disclosed through public consultations. It will also be disclosed through the BUIDCo Website. The documents available in public domain will include:

- (i) Executive Summary (both in Hindi & English)
- (ii) RAP and entitlements;
- (iii) Monitoring reports.

## 5. Institutional Arrangement

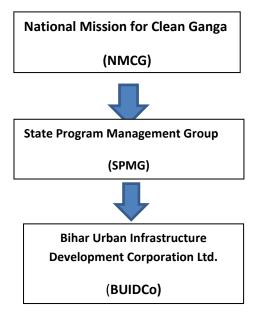
## 5.1 Background

Institutions for planning and implementation of resettlement programmes are numerous and vary substantially in terms of their respective roles and capacity to successfully carry out various components. Timely establishment and involvement of appropriate R&R institutions would significantly facilitate achievement of the objectives of the R&R Programme. This document reflects an institutional assessment and provides a strategy for developing required implementation capacity and minimizing risks. Capacity building and training are coordinated with the project implementation schedule to ensure that skilled staff is available to implement the RAP without delay in civil works. The main R&R institutions would include:

- NMCG
- World Bank
- SPMG
- Local Administration
- Line Departments
- Implementing agency (BUIDCo)
- PMC
- Grievance Redress Cell
- Monitoring & Evaluation Agency

## 5.2 Proposed Institutional arrangements in Digha STP Project

Within the overall implementation Guideline of the NGRBA program, RAP will be implemented by the Implementing agency, BUIDCo, under the overall guidance of SPMG/NMCG.



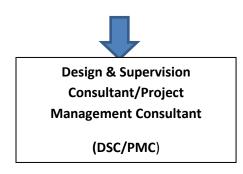


Figure 3 Institutional arrangement in Digha STP Project

# **5.3 Roles and Responsibilities**

Table 10 Roles and responsibilities in Project as per ESMF

Roles and Responsibilities
<ul> <li>Notification at various stages for land acquisition and joint measurement of land to be acquired along with the revenue department</li> <li>Design and approval of resettlement policy</li> <li>Coordinate with line departments such as telephone, state electricity board, public health engineering department and forest department for shifting of utilities and cutting of trees</li> <li>Participate in verification and survey of PAPs and categorization of PAPs</li> <li>Participate in consultations with PAPs and beneficiaries</li> <li>Designing and distribution of ID cards</li> <li>Coordinate and facilitate relocation of displaced persons including designing and construction of resettlement colony / vendor market; provision of basic amenities; distribution of plots / houses / to residential and/or commercially displaced persons</li> <li>Coordinate with civil construction contractor to relocate common property resources</li> <li>Permission and liaison with line departments for provision of basic amenities in resettlement colonies, land acquisition and income restoration schemes;</li> <li>Coordinate with revenue department for facilitating disbursement of compensation and resettlement and rehabilitation assistances</li> <li>Monitoring of physical and financial progress</li> <li>Approval of micro plans</li> <li>Consult with panchayat and block office to facilitate inclusion of PAPs' name for poverty alleviation schemes of government of</li> </ul>

	•			
	India.			
Beneficiaries and Host	<ul> <li>Assist DPR consultants in data collection and design</li> </ul>			
Population	Provide inputs to site selection			
	<ul> <li>Identify possible conflict areas with PAPs</li> </ul>			
	<ul> <li>Identify social and cultural facilities needed at resettlement sites</li> </ul>			
	<ul> <li>Assist in identification and design inputs for IG schemes</li> </ul>			
	<ul> <li>Help develop consultation process between hosts and PAPs.</li> </ul>			
	Manage common property			
	Participate in local committees.			
	<ul> <li>Assist PAPs in integration with hosts.</li> </ul>			
Project Affected	<ul> <li>Participate in public meetings and identify alternatives to avoid o</li> </ul>			
Persons (PAPs)	minimise displacement			
	Assist DPR consultants in developing and choosing alternative			
	options for relocation and income generation			
	Participate in census survey and meetings with host population			
	Provide inputs to entitlement provisions, thus assisting in			
	preparation of the resettlement action plan			
	• Participate in grievance redress as members of grievance redress cells (GRC)			
	Decide on relocation and management of common properties			
	Labour and other inputs in the project			
	Members of implementation committee			

**Roles and Responsibilities** 

### 5.4 Institutional arrangement for Monitoring and Evaluation

Levels

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 from PMC, whereas 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.

BUIDCO/PMC will be responsible for monitoring works during implementation phase. It will also include 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.

## **5.5 Internal Monitoring**

The project is responsible for internal monitoring on regular basis with the help of Social Officer of BUIDCO and Social Specialist of Project Management 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.

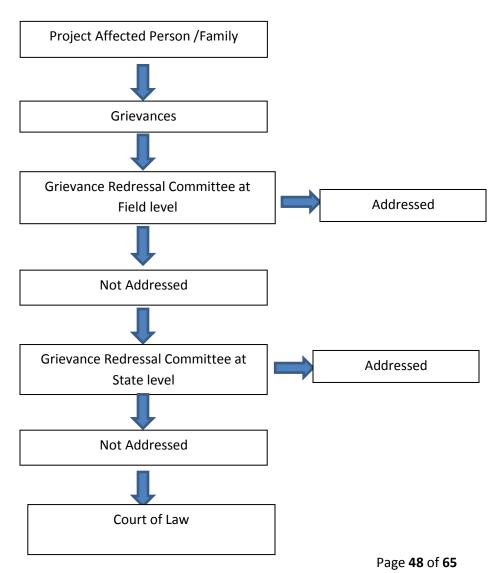
### 6. Grievance Redressal

It cannot be ruled out that during the implementation of RAP, some PAPs may not be satisfied with the assistance/benefits offered and may have some grievances. There is a provision for redress of grievances of PAPs. There will be GRC at the PIU and State level to hear and redress grievances made by PAPs and any other local residents having a stake in the RAP implementation process.

## 6.1 Grievance Redressal Mechanism in Digha STP Project

It is proposed that in Digha STP project there will be two level of Grievance Redressal Committee. One committee will be based at Field level and the other one will be based at state level.

Any person having grievance will file his /her grievance (in written) at field level office. Field level committee will address and resolve the grievance within 30 days after its receipt. Committee will transfer the grievance to state level if the issue is not resolved within 30 days. State level committee will also have to resolve the issue within 30 days after receiving of grievance. If the grievance is not addressed at state level (aggrieved person should be satisfied from the decision of committee) then the aggrieved part is free to move to the court.



Now the Grievance Redressal Mechanism is developed by SPMG Bihar for all NMCG projects which will be applicable to this project also. It is a three tier system. First the issues will be addressed at implementing agency, BUIDCo.If not resolved, then forwarded to SPMG and then NMCG.

#### 6.2 Grievance Redressal Act of Bihar

Government of Bihar has announced a new Grievance Redressal act2015. According to this act:

The GOB may notify from time to time, the Public Grievance Redressal Officer, first appellate authority, second appellate authority and revision authority and stipulated time limits.

The state government may notify from time to time, Department wise schemes, programmes and services on which complaint can be filed and also the public authority and department on which level the complaint will be redressed.

Establishment of Information and facilitation center- For the purposes of the efficient and effective Redressal of grievance of the people and to receive complaints under this act, the state government shall establish Information and Facilitation centers.

#### **Procedure**

- On receipt of a complaint under sub section1, the Public Grievance Redressal Officer shall give
  an opportunity of hearing to the complaint within the stipulated time limit and after hearing the
  complainant, decide the complaint either by accepting it or by suggesting an alternative benefit or
  relief available under any other law, policy, service, programme or scheme or by rejecting it for
  the reasons to be recorded in writing and shall communicate his decision on the complaint to the
  complainant within the stipulated time.
- Any person, who has not been given an opportunity of hearing and redressal of the complaint within the stipulated rime limit or who is aggrieved by the decision of the Public Grievance Redressal Officer, may file an appeal to the first appellate authority within thirty days from the expiry of the stipulated rime limit or from the date of the decision of the Public Grievance Redressal Officer: Provided that the first appellate authority may admit the appeal after the expiry of the period of thirty days but nor exceeding forty five days if ir is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.
- If the Public Grievance Redressal Officer does not comply with the provision of section 5, any person aggrieved by such non-compliance, may submit complaint directly to the first appellate authority which shall be disposed of, in the manner of a first appeal.
- The first appellate authority may order the Public Grievance Redressal Officer to given an opportunity of hearing and redressal to the complainant within the period specified by it or may reject the appeal.
- A second appeal against the decision of the first appellate authority may be filed before the second appellate authority within thirty days from the date of the decision of the first appellate authority: Provided that the second appellate authority may admit the appeal after the expiry of the period of thirty days but not exceeding forty five days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.
- An aggrieved person may file an appeal directly to the second appellate authority, if the Public Grievance Redressal Officer does not comply with the order of first appellate authority passed

- under sub-section (3) or the first appellate authority does not dispose of the appeal within the stipulated time limits and it shall be disposed of in the manner of a second appeal.
- The second appellate authority may order the Public Grievance Redressal Officer or the first appellate authority to give an opportunity of hearing and redressal to the complainant or dispose of the appeal, as the case may be, within the period specified by it which in any case will not exceed thirty days or may reject the appeal.
- Along with the order to give an opportunity of healing and redressal to the complainant, the second appellate authority may impose a penalty on Public Grievance Redressal Officer or any other Public authority or the first appellate authority in accordance with the provisions of section 8.

### 7. Income Restoration

The basic objective of income restoration activities is that no project affected person shall be worse off than before the project. Restoration of pre-project levels of income is an important part of rehabilitating individuals, households, and socio-economic and cultural systems in affected communities. Income restoration (IR) schemes will be designed in consultation with affected persons so as to benefit them. Based on the information collected on IR activities through the census socio-economic surveys, PMC will identify suitable IR programme for the affected persons. Steps to be followed for income restoration include:

Identification of target groups and choosing respective income restoration activities –Implementing agency (Design & Supervision Consultant) needs to identify the affected persons and prepare a list of feasible income restoration options. While identifying IR options, the following factors shall also be considered:

- education level of affected persons,
- skill possession,
- likely economic activities in the post-displacement period,
- extent of land left,
- suitability of economic activity to supplement the income, and
- market potential and marketing facilities.
- Training assistance for any one adult member of the commercial squatter family for income generation in opted areas.

### **Income Restoration Plan for Digha Project**

During Public consultation and Socio-economic survey all the 9 PAPs are not interested in taking any skill development training. All the impacted persons have informed that from beginning they are agricultural labourers and they are not so literate and skilled that they can do any other job and they are also not interested in it. All the PAPs will shift to another place.

### 7.1 Implementation of RAP

Implementation of Resettlement Action Plan mainly entails assistance/compensation to be paid for affected structures; Rehabilitation and Resettlement activities. Implementation plan has been spread over a period of one year. The civil of works contract for each sub-project is normally awarded when compensations and R&R disbursed to entitled persons as per Entitlement Matrix is completed.

Specific situations may require an increase in timeline for the implementation of RAP. Such situations include, but not limited to local opposition, seasonal factors, social and economic concerns, training of support staff and financial constraints. Completion schedule will involve continuous coordination among the project management units and the various other involved departments and agencies.

Implementation of RAP in this project consists of Resettlement & Rehabilitation of all PAPs. As per the conditions in the civil works contracts, land free from all encumbrances is to be made available to the

contractors for the contract package. Time frame for implementation of RAP is synchronized with the proposed project implementation (construction schedule) in a way that commencement and progress of civil works is not jeopardized. A composite implementation schedule for R&R activities in the sub project including various sub tasks and time line matching with civil work schedule shall be further prepared in the design stage of the project. However, the sequence may change or delays may occur due to circumstances beyond the control of the Project and accordingly the time can be adjusted for the implementation of the plan.

The implementation Resettlement Action Plan starts from the orientation training of staffs of SPMG, BUIDCo and other concerned agencies. The orientation program is more paramount to the staffs who involved in the project. There should be a proper coordination between SPMG, BUIDCo and the PMC for the smooth execution of RAP.

### 7.1.1 Implementation Procedure

The proposed R&R activities are divided in to three broad categories based on the stages of work and process of implementation. The details of activities involved in these three phases, i.e. Project Preparation Phase, RAP Implementation phase and Monitoring and Evaluation period are discussed in the following paragraphs.

## **Project Preparation Phase**

The major activities to be performed in this period include assigning roles and responsibilities of R&R to the designated persons at SPMG and BUIDCo level; submission of RAP for WB approval; appointment of consultants and establishment of GRC etc. The information campaign &community consultation will be a process initiated from this stage and will go on till the end of the project.

## **RAP** implementation Phase

After the project preparation phase the next stage is implementation of RAP which includes:

- Verification of Properties of affected persons and estimation of their type and level of losses;
- Issues regarding payment of compensation/assistance by BUIDCo/SPMG; payment of all eligible assistance as per EM;
- Site preparation for delivering the site to contractors for construction and finally starting civil work
- Identity Card shall be issued to all title holders and non-title holders PAPs within one month of declaration of eligibility list.

#### 7.1.2 Labour Management and Gender issues

### **Labour Management**

The Constitution of India provide detailed provisions for the rights of the citizens and also lays down the Directive Principles of State Policy which set an aim to which the activities of the state are to be guided.

These Directive Principles provide

- for securing the health and strength of employees, men and women;
- that the tender age of children are not abused;
- that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;
- just and humane conditions of work and maternity relief are provided; and
- that the Government shall take steps, by suitable legislation or in any other way, to secure the participation of employee in the management of undertakings, establishments or other organisations engaged in any industry.

On the basis of these Directive Principles as well as international instruments, Government is committed to regulate all economic activities for management of safety and health risks at workplaces and to provide measures so as to ensure safe and healthy working conditions for every working man and woman in the nation. Government recognizes that safety and health of workers has a positive impact on productivity and economic and social development. Prevention is an integral part of economic activities as high safety and health standard at work is as important as good business performance for new as well as existing industries.

### **Establishment of Construction/Labours Camp**

- Construction camps will not be proposed within 500 m from the nearest settlements to avoid conflicts and stress over the infrastructure facilities with the local community
- The Camp site will be provided with all the necessary facilities as per norms

### **During Construction period**

- Local people will be given preference for unskilled and other jobs created during construction of the project. The contractor would notify requirement of unskilled labours in nearby/surrounding village Panchayats.
- The contractor will maintain details of labour employed
- The Contractor shall obtain necessary permits for employment of labour and shall provide minimum wage as notified/stipulated by GoI or GoR. The details of labour, license, payment of wage, and receipt shall be maintained by the contractor.
- Skilled and unskilled labour if engaged from outside, the Contractor shall provide accommodation (in situ / rented) with basic amenities to minimise environmental impact footprint.

• In case, rented accommodation is not available, the Contractor shall construct temporary accommodation with all basic amenities as per the Factories Act, 1948 and the Building and other Construction Workers (regulation of Employment and Conditions of Services) Act, 1996.

### **Occupational and Personal Safety**

- The Contractor will comply with the requirements of the Environmental, Health, and Safety (EHS), Guidelines of the World Bank, April, 2007 and the statutory norms of safety during construction.
- The contractor will comply with all the precautions as required for ensuring the safety of the workmen as per the International Labour Organization (ILO) Convention No. 62 as far as those are applicable to this contract.
- The contractor will make sure that during the construction work all relevant provisions of the Factories Act, 1948 and the Building and other Construction Workers (regulation of Employment and Conditions of Services) Act, 1996 are adhered to.
- The contractor will not employ any person below the age of 14 years for any work and no woman will be employed on the work of painting with products containing lead in any form.
- The contractor will also ensure that no paint containing lead or lead products is used except in the form of paste or readymade paint.
- Contractor will provide facemasks for use to the workers when paint is applied in the form of spray or a surface having lead paint dry is rubbed and scrapped.
- Protective footwear and protective goggles to all workers employed on mixing asphalt materials, cement, concrete etc.
- Protective eye-shields to workers who are engaged in welding works.
- Protective goggles and clothing to workers engaged in stone breaking activities Earplugs to workers exposed to loud noise, and workers working in crushing, compaction, or concrete mixing operation.
- The contractor will comply with all regulations regarding safe scaffolding, ladders, working platforms, gangway, stairwells, excavations, trenches and safe means of entry and egress.
- The Contractor will mark 'hard hat' and 'no smoking' and other 'high risk' areas and enforce non-compliance of use of PPE with zero tolerance. These will be reflected in the Construction Safety Plan to be prepared by the Contractor during mobilization and will be approved by Supervision Consultant and PIU.

#### **Risk Force Measure**

- The contractor will take all reasonable precautions to prevent danger to the workers from fire, flood etc. resulting due to construction activities.
- The contractor will make required arrangements so that in case of any mishap all necessary steps can be taken for prompt first aid treatment. The Contractor's Construction Safety Plan approved by Supervision Consultant will identify necessary actions in the event of an emergency

#### First Aid

The contractor at every workplace will arrange for a readily available first aid unit including an
adequate supply of sterilized dressing materials and appliances as per the Factories Rules in every
work zone

- A suitable transport will be provided at all times to take injured or sick person(s) to the nearest hospital.
- The Contractor will provide a list of first aid units, medicine, sterilizers and its intended purpose with first aid box for readily understanding of workers.
- Health check-up of Labours will be conducted at regular interval by coordinating doctors of nearest Public Health Centre.

### **Temporary Accommodation**

- If labours are engaged from outside, necessary shelters and basic amenities shall be provided as per relevant provisions of the Factories Act, 1948 and the Building and the other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.
- All temporary accommodation must be constructed and maintained in such a fashion that uncontaminated water is available for drinking, cooking and washing.
- All toilets will be provided with dry-earth system (receptacles), which are to be cleaned and kept in a strict sanitary condition.
- The contractor shall explore and provide environmental sustainable toilet facilities such as mobile toilet.
- The Contractor will, at his own expense, abide by all anti-malaria instructions given to him by the Environmental Specialist, SC.
- Adequate health care is to be provided for the work force. Unless otherwise arranged by the local sanitary authority, Municipal solid wastes shall be disposed off in conformity to existing rules and regulation.

#### **Potable Water**

- The Contractor will also guarantee the following:
- The Contractor will also provide potable water facilities within the precincts of every workplace in an accessible place, as per standards set by the Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.
- Sufficient quantity of potable water (as per IS: 10500:2012) in every workplace site(s) at suitable and easily accessible places and regular maintenance of such facilities.

#### **Gender:**

Greater gender equality in labor-based construction and maintenance will provide significant social benefits to participating households and communities. Women's jobs can include unskilled jobs, repairs and maintenance etc.

## Measures to effectively mainstream gender in the project activities include:

Capacity development activities to promote better understanding of the differential gender impact
of poor infrastructure and of the social benefits of improving it (related to gender differences in
the purpose of travel and travel patterns, and in mobility outside the home and outside the
village);

- Recruitment procedures or quotas in minor works contracts, preceded by sensitization activities targeting both men (to encourage them to allow female family members to participate) and women (to inform them of opportunities);
- A requirement that contractors recruit a new workforce at regular intervals (e.g. every 5km) to maximize job creation and to ensure that women are not discouraged by excessive travel; and
- Equal pay for equal work for both men and women, with a requirement that contractors submit time sheets that are disaggregated by gender

#### Acts and Provisions in favor of women:

#### **Equal Remuneration act 1976**

• An Act to provide for the payment of equal remuneration to men and women workers and for the prevention of discrimination, on the ground of sex, against women in the matter of employment and for matters, connected therewith or incidental thereto. Project will ensure that there should be Equal pay for equal work for both men and women, with a requirement that contractors submit time sheets that are disaggregated by gender.

### Sexual Harassment of Women at Workplace-(Prevention, Prohibition and Redressal) Act 2013-

 An Act to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

**Table 11 Implementation Schedule** 

Activity	Status	Time	Responsibility	
Activity I. Resettlement an	d Rehabilitation			
1.Finalization of Site	Completed		BUIDCo	
2.Finalization of identification of PAPs Completed		November 2018	BUIDCo	
3.Finalization of draft RAP	In process	December 2018	BUIDCo	
4.Review and approval of RAP	Pending	June2019	World Bank	
5.Disclosure of RAP	Pending	August 2019	BUIDCo/PMC	
6.Formation of GRC	Completed	March 2019	SPMG/BUIDCo	
Activity II. Land Acquisition	on			
Land acquisition	Nil (Govt land -Patna Municipal corporation)			

### 7.1.3 Implementation Responsibility

It is the responsibility of the BUIDCo to ensure that the RAP is successfully implemented in timely manner. The implementation plan of RAP for a specific route will be prepared by the BUIDCo. BUIDCo will be assisted by the PMC. The implementation schedule proposed will be updated as the implementation progresses.

### 7.2 Capacity Building

The implementation of the RAP will require capacity building and orientation of the officers in charge of R&R at the SPMG and BUIDCo level. Therefore, it is planned that these officers will be imparted training and orientation on social safeguards and various aspects of LA and R&R for effectively implementing the RAP. This training and orientation will be conducted with the help of Project Management Consultants and other experts. The following components will be covered in the training:

- Understanding of the State and Central acts, policies and rules, and WB guidelines and requirements;
- Understanding of the policy and procedure adopted under the Project;
- Understanding of the Implementation Schedule activities step-by-step;
- Understanding of the Monitoring and reporting mechanism; and
- Understanding of the economic rehabilitation schemes

### 7.3 Indicative Resettlement Cost

The implementation of RAP entails expenditure, which is a part of the overall project cost. The R&R budget, gives an overview of the estimated costs of the RAP and provides a cost-wise, item-wise budget estimate for the entire package of resettlement implementation, including compensation, assistance, administrative expense, and contingencies Values for compensation amounts and other support mechanism will be adjusted, based on annual inflation factor.

Costs related to land acquisition and transfer of title to property from private individuals will be paid by project authorities.

Around 5% of the total cost should be set aside for physical contingencies. Such type of contingencies may arise as a result of time overrun of the project or due to various other unforeseen circumstances.

The costs estimated mainly include structure cost and R&R assistance costs.

A consolidated overview of the budget and cost estimates are given below. The budget is indicative of outlays for the different expenditure categories. These costs will be updated and adjusted to the inflation rate as RAP implementation is underway. Changes are likely to occur due to changes in the project design/alignments, more specific information on the number of PAPs, after the final verification by the implementing agency. Unit cost will be updated after recommendation of the Competent Authority. The budget includes item for compensation (land, structure, CPR, trees, assets etc.), resettlement assistance and implementation cost and contingency.

**Table 12 Indicative Resettlement Budget** 

Type of	No. of	Provision as per	Rate	Amount	Total
Impact	persons/families	entitlement			amount
	impacted	Matrix			
Loss of	9	Rs. 3000/family	Rs 3000		
livelihood		for 1 year		Rs.36000	$Rs.3,24,000^1$
Training and					50,000
capacity					
building					
		Total Cost			Rs. 3,74,000
Add 5% as contingency cost Rs. 18,700					Rs. 18,700
Final R&R cos	Final R&R cost Rs. 3,92,700				

<sup>&</sup>lt;sup>1</sup> 3000x9x12=3,24,000

## 8. Annexures

# **Annexure-1 Photographs of Public Consultation**



**Proposed Digha STP Site** 



**Project Affected Person's (PAPs)** 



**Project Affected Person's** 



**Group discussion with Affected Person's** 

## Participants list

#### ः कार्यवाही ः

दिनांक— <u>14:12:18</u> को Sewerage Treatment Plant (स्थान — दीघा, पटना) के निर्माण हेतू अवंदित भू—खंड पर किसानो द्वारा खेती ना किये जाने हेतू समीक्षा बैठक की कार्यवाही :-

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10. YANZ SIEN IDOUGH

11 Portions many Roberts

उपरिथाति :- बुडको पदाविकारी एवं प्रभावित किसान भाई

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B. RITED MEDI 1

अत्तरम प्रभावित किरानों के परिवार से हुए समझीता याची के आलोक में यह सनुष्ट किया गया कि निर्माण कार्य हेतु आयंदित मू खंड एए इनके हारा खेती नहीं, की आऐसी साथ ही किसी सरह का हरसक्षेत्र मा करने पर निर्मय किया गया।

#### राधन्यवाद [

प्रभावित किस्तान भाइचौँ का नाम एवं इस्ताभर कर उपरो≄त वर्णित पर सहमति प्राप्⊤की गई।

1. (अभिनार महुती

-880 HO27098

# **Annexure-2- Socio- economic survey questionnaire format**

## SOCIO ECONOMIC SURVEY

## PART A

## 1.0 Identification:

Name	Date:	Sr. No
of the		
area		

## 2.0 Household details

2.1	Name of the Head of the Household	Mr./Mrs.
2.2	Father/Husband Name	
2.3	If women headed household	Married - 1 Widow -2
		Destitute- 3 Single - 4 Divorce -5
		Others - 6 NA - 7
2.4	Contact number	
2.5	Age	
2.6	Occupation	
2.7	Gender	Male -1 Female - 2
2.8	Community	General - 1, OBC -2, BC -3, MBC - 4,
		SC -5 ST - 6
2.9	Religion	Hindu 1, Muslim 2, Christianity 3, Others 4
2.10	Mother tongue	Hindi-1, Bhojpuri-2, Magahi-3, Maithili-
		4,Others-5.

## 3.0 Housing details

Item	1	2	3	4	5	6
3.1 Occupancy Status	Owned	Rented	Leased	Care Taker	Sub Tenant	Squatt er
	Encroacher	Others				
3.2 Usage of Structure	Residential	Resi & Comm	Commerci al	Temporary	Others	
3.3 Housing condition	Pucca	Semi- pucca	Kutcha	Temporary		
3.4 Wall Type	Brick	Stone	Mud	Kutcha/ Tin	Others	

# 4.0 Physical Infrastructure

Item	1	2	3	4	5	6
4.1 Main source of drinking water	Ind. Tap	Public Tap	Hand pump	Well /Tube well	Water Can	Other s
4.2 Electricity	Independen t meter	Shared meter	Unauthorize d connection	No Electricity		
4.3 Availability of HH latrine.	Independen t	Shared	Public Toilet	Open defecation	Others	
4.4 Disposal mode of drain waste	Closed drainage	Open drainage	Septic tank	Soak pit	NA	
4.5 Vehicle available	Bi cycle	Two Wheeler	Three wheeler	Four wheeler		
4.6 Assets Available	Fan	TV	Fridge	Wash Machine	Comput er	Cup board
4.7Telecommunication	Landline	Mobile	Broadband	Nil		
4.8 Type of Fuel used for cooking	LPG	Kerosene	Firewood	Others		

# ${\bf 5.~0~Address~proof~and~Bank~details}$

Desc	cription	Availability	Desc	ription	Availability
5.1	Aadhar Card		5.2	Voter ID	
5.3	Ration Card		5.4	PAN	
3.3	Ration Cara		Card		
5.5	Others				
Ban	ık Details				
5.6	Bank Account	Yes -1 No -	2		
5.7	If Yes, Name of the Bank				

# 6.0 Assets, Income, Expenditure and indebtness

6.1 Land Owning Yes -1 No -2	6.2 Type of land Wet or Dry
	(acres)
6.3 Cattles	6.4 Total Monthly income (use
	code)
6.5 Outstanding Bank loans due	6.6 If yes, percentage of interest
6.7 Outstanding Private loans due	6.8 If yes, percentage of interest
6.9 Purpose of loan:	6.10 Expenses on Food
6.11 Expenses on Health	6. 12 Expenses on Rent

Code: 1 below 3000, 2 3001-5000 3.5001-10000 4. Above 10000

## 7.0 Social Infrastructure and Proximity

Facilities	Distance in Km	Facilities	Distance Km	in
7.1 Education Institutions		7.2 Place of worship		
7.3 Clinic /Dispensary		7.4 Police Station		
7.5 GH / PHC / Hospital		7.6 Ration shop		
7.7 Railway station		7.8 Market		
7.9 Bus stop		7.10 Drinking water source		

## 8.0 Health Details

8.1 Any major illness affected your family member in last one year Yes -1.	
No -2	
8.2 Who suffered in your family ( Relationship to PAH)	
8.3 Type of illness	
Malaria – 1 Dengue - 2, Chikungunea - 3 TB - 4, Jaundice - 5, Chicken Po HIV / AID -7 Others -8(Specify) N A -9	x – 6.
8.4 Treatment received at	
Govt. Hospital – 1 Private-2 Treated by Quakes – 3, Self medication – 4	
Others (Specify) -5 and NA – 6	
8.5 Cost of Treatment in Rs.	
8.6 No of days absent to work due to illness	
8. 7 Any Physically Challenged person in the family Yes -1 No -2	
8. 8 If yes, Mention the disability	
8.9 Do you aware of HIV / AIDS Yes -1 No -2	
8.10 If yes, TV -1, Radio -2, Hoarding -3, NGO -4, Others – 5	

# 9.0 Project and Impacts

9.1	Were your	assets acquired?			Yes - 1, No	-2
9.2	If yes, type	of assets	Land -1	Building -2,	Trees- 3,	Others-
4				_		
9.3	Are you awa	are of the propose	ed project of STP?		Yes - 1	No - 2
9.4	What	opportunities	you anticipate	from	this project:	self-
emp	loyment/job/	contract/educatio	nal facilities/ infrastr	ructure develop	oment/ electricit	y to your
hous	se/roads in vi	llages/ drinking v	vater/ medical faciliti	es/ others		
9.5	Is there add	equate power sup	ply to your area		Yes -1 No	o - 2

## 10.0 Skill Development

10.1	Requirement of Skill development in your family:	Male - 1	Female - 2
10.2	Age of aspirant :		
10.3	Type of skill development:		
10.4	Preferred Distance for training centre:		

## PART B

## 11.0 HOUSEHOLD Details of the PAHs

	Family Details							
S.No	Name of the Members ( Mention Head of HH in S.No: 2.1)	11.1 Relation to HH	11.2. Gender 1.Male 2.Female	11.3. Age	11.4. Education*	11.5. Occupation*	11.6. Monthly Income	11.7 Availed any benefits from Govt Schemes*
11.1								
11.2								
11.3								
11.4								
11.5								
11.6								

## **CODES**

<b>Education:</b>	Occupation	Benefits from Govt Schemes
1 Illiterate	1 . Unemployed	<ol> <li>Old Age pension</li> </ol>
2 Below 10 <sup>th</sup>	2. Student	2. Widower Pension
$3   10^{th} \text{ to } 12^{th}$	3. Housewife	3. Physically challenged
4 Graduate	4. Farmer	4. Govt Mediclaim
5 Post Graduate	5. Agricultural labour	5. House allotment by other
6 Professional	6 .Daily wager	project
7 Pro	7. Business/Self employed	6. Skill Training (Mention)
8 Others	8 .Retired	7. Others (Specify)
9 NA (below 6 years)	9 .Private service	8. Not Applicable(Do not
	10. Govt. Service	availed any benefits
	11 .Others	_
	12. NA (below 6 years)	

Name: