



## **DRAFT RESETTLEMENT ACTION PLAN**

**(Including Social Impact Assessment  
provided in the Chapter-II of this RAP)**

### **KHURJA - DADRI SECTION OF PROPOSED EASTERN DEDICATED FREIGHT CORRIDOR**

**DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA  
LIMITED**

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## ABBREVIATIONS

APM	Assistant Project Manager
BPL	Below Poverty Line
BSR	Basic Schedule of Rates
CBOs	Community based organizations
COI	Corridor of Impact
CPM	Chief Project Manager
CPR	Common Property Resources
CRO	Chief Resettlement Officer
CVC	Central Vigilance Commission
CVO	Chief Vigilance Officer
DFCCIL	Dedicated Freight Corridor Corporation of India Ltd
EA	Executing Agency
EDFC	Eastern Dedicated Freight Corridor
EIA	Environmental Impact Assessment
EM	Entitlement Matrix
FGD	Focused Group Discussion
FLC	Field Level Committee
FOB	Foot Over Bridge
GRC	Grievance Redress Committee
HH	House Hold
HLC	Headquarter Level Committee
IEC	Information, Education and Communication
INR	Indian Rupees
IR	Income Restoration
MOR	Ministry of Railways
NGO	Non Governmental Organization
NRRP	National Rehabilitation and Resettlement Policy
NTH	Non Title Holder
OP	Operational Policy
OM	Operational Manual
PAF	Project Affected Family
PAH	Project Affected House Hold
PAP	Project Affected Person
PCM	Public Consultation Meeting
PDF	Project Displaced Family

PDP	Project Development Plan
PMU	Project Management Unit
SESMRC	Social & Environment Safeguard Monitoring and Review Consultant
QSMT	Quality and Safeguard Monitoring Team
R&R	Resettlement and Rehabilitation
RAA	Railway Amendment Act
RAP	Resettlement Action Plan
ROW	Right Of Way
RTFC-LARR	Right to Fair compensation and Transparency in Land Acquisition and Resettlement and Rehabilitation Act, 2013
SEMU	Social and Environmental Management Unit
SIA	Social Impact Assessment
SMF	Social Management Framework
SPSS	Statistical Package for Social Sciences
SQM	Square meter
ST	Scheduled Tribe
TH	Title Holder
TOR	Terms of Reference

## EXECUTIVE SUMMARY

### THE PROJECT

E.1 The Resettlement Action Plan (RAP) for the Dedicated Freight Corridor Corporation of India Ltd. (DFCCIL) contains the magnitude of Land Acquisition, Resettlement issues and the Mitigation of Impacts. The report also includes the baseline socio-economic characteristics of the Project Affected Families (PAFs) & Project Affected Person (PAPs), the R&R policy provisions & entitlements, outcome of the consultations held with the communities, implementation and monitoring mechanisms. It also contains budget for the implementing the R&R provisions.

Dedicated Freight Corridor Corporation of India Ltd. (DFCCIL), a Special Purpose Vehicle (SPV) of the Ministry of Railways, Government of India is implementing Dedicated Freight Corridors connecting Delhi with Mumbai on the Western side and Ludhiana with Kolkata on the Eastern side. DFCCIL is implementing Eastern Dedicated Freight Corridor-1 (EDFC1) (Khurja-Kanpur), EDFC2 (Kanpur-Mughalsarai) and EDFC3 (Khurja-Ludhiana) sections with World Bank assistance and has requested inclusion of the Khurja-Dadri section in EDFC1 through a project restructuring.

As part of the preparatory work, a Resettlement Action Plan (RAP) has been prepared to address the resettlement issues relating to executing of the EDFC section from Khurja to Dadri proposed to be included in EDFC1.

The total length of the Khurja-Dadri Corridor is 47 Kms (Double line); out of which 11 Kms are in detour section & balance 36 Kms are in parallel to the existing North Central Railway track. The proposed Freight Corridor section traverses through 2 district and 38 villages of the state of Uttar Pradesh. ROW width is around 20-50 m in the parallel section and 40-60 m in detour

E.2 This RAP is project specific resettlement plan and has been guided by the, World Bank OP 4.12, NRRP 2007 and The Railways (Amendment) Act 2008 with applicable provisions of the Right to Fair Compensation and Transparency in Land Acquisition and Resettlement and Rehabilitation Act (RFCT-LARR) 2013 with applicable with effect from January 1, 2015. The Entitlement Matrix has been approved by the Railway Board, Ministry of Railways.

- The RAP objectives include: To describe SIA findings (resettlement impacts of land acquisition (LA) required for the Khurja-Dadri section), spell out the legal framework for land acquisition, outlining measures for ensure that the project affected people are able to improve or at least retain their pre-project living standards in the post resettlement period.
- To spell out arrangements for PAP identification, consultation, grievance redress, payment of compensation and R&R benefits, and monitoring and evaluation
- To outline the entitlements for the affected persons for payment of compensation and assistance for establishing the livelihoods
- To Develop communication mechanism to establish harmonious relationship between DFCCIL and Project Affected Persons(PAPs)
- To ensure adequate mechanism for expeditious for implementation of R&R

## R&R POLICY AND ENTITLEMENT FRAMEWORK

**E.3** The Resettlement and Rehabilitation policy is based on the basic principle that the project affected persons should improve or at least maintain their living standards in the post resettlement period and share the benefits of the project. The RAP has been prepared as per the provisions laid down in RAA 2008 and the Entitlement Matrix approved by Railway Board and the World Bank. The LA has been carried out for the Khurja-Dadri stretch as per RAA, 2008 and in line with the RPF approved with the World Bank in 2011 applicable for EDFC1. The Government of India enacted Right to Fair Compensation and Transparency in Land Acquisition and Resettlement and Rehabilitation Act, (RFCT-LARR) 2013, which shall apply to award of compensation under RAA, 2008 after a specified date. Accordingly, this RAP provides for extending compensation and resettlement and rehabilitation benefits as per the new RFCT-LARR in case of LA awards declared with effect from January 1, 2015. Due care has been taken to avoid or minimize land acquisition and involuntary resettlement impacts by exploring all viable alternatives and to ensure adequate rehabilitation package and expeditious implementation of rehabilitation process with the active participation of affected families. RAP offers special attention to the weaker sections including scheduled castes, small/marginal/landless farmers, and other vulnerable groups including poor, women headed families, disabled and the aged.

**E.4** The entitlements and options for each impact category have been provided in the detailed Entitlement Matrix (Chapter-3). Key impact categories are presented below.

**Table E 1: Key Impacts in Khurja-Dadri Section**

Sections	Land Acquisition in Ha.	No. of PAFs	Landless	Marginal	Small	Affected PAPs due to Structures						Living Below Poverty Line		Vulnerable PAPs	Community Property Resources
						Titled		Untitled				Land	Structure		
						Residential	Commercial	Residential	Comm.	Tenants	Kiosks				
Khurja-Dadri	211.67	1974	4	298	392	52	25	0	0	0	4	111	11	93 2	14

## MEASURES TAKEN TO MINIMISE RESETTLEMENT IMPACTS

**E.5** Minimum land acquisition and disturbance to existing features has been a prime objective of the design. Socially sensitive stretches have been avoided through selection of alternative links, provision of bypass around settlements and realignments. Along the existing tracks, changes were made in the designs as far as feasible thereby resulting in reduction, if not elimination of impacts. Minimization of impacts within the limitations of technical requirements and cost effectiveness was emphasized during entire course of Resettlement Plan Preparation.

## LAND ACQUISITION AND RESETTLEMENT IMPACTS

**E.6** *Loss of assets:* The proposed project stretch will involve acquisition of about 211.6 ha of land of which approximately 68.78% is under private acquisition. However, the

project will require very less (approximately 0.68 ha) built-up area which includes residential, commercial or residence-cum commercial land use. At many built-up locations land width has been reduced to as less as 17 meters which has resulted in reducing impact on residential as well as commercial structures

**E.7** Due to the project, total 1974 families are affected by the Project. Out of this, agriculture land of 1893 families is going to be affected, while 121 structures of 81 families are going to be affected. Major impacts are where the PAF is either displaced due to the loss of house or livelihood, agricultural or commercial; this category also includes those likely to become small/marginal/landless(694) farmers due to the impact of the project. When the families lose only a small part of their asset, and are able to maintain the living standards, as it was prior to the project without any assistance, the impact is called minor. Minor impact in case of asset includes boundary wall, steps, partial structure, etc. **E.8 Land acquisition requirements:** The proposed project stretch will involve acquisition of about 211.67 ha of land, of which approximately 145.59 ha. (68.78%) of private land and 66.08 ha (31.22%) of government land. **For resumption of government lands, DFCCIL pays the respective agencies in possession of such land parcels at rates determined by the concerned state government.**

**E.9 Loss of structures:** The project affects 81 PAFs private built-up properties of which 77 PAFs are Title Holders (TH) and 4 PAFs are Non-Title Holders (NTH). The area of the structure affected is 0.83 ha. Furthermore, about 76 PAFs will require to be relocated. These PAFs are losing more than 25% of their structure. These displaced families will be compensated at replacement value; income restoration scheme will be done as per provisions of EM. The facilitating NGOs will be assisting in income generation activities of these displaced families.

## KEY SOCIO-ECONOMIC FINDINGS

**E.10** The census and socio-economic survey reveals that amongst the affected people, below the poverty line constitutes about 6.18%. One third of the affected people are marginal land owners owning less than one hectare of land. About one-fifth is illiterates and only about 11 % are graduates. ***The social impact assessment study indicated that there are no tribal people living in the proposed corridor.***

**E.11 Loss of community resources:** 14 community properties are being displaced because of the project intervention. These include Temples, Samadhi, Hand pumps etc.

## CONSULTATIONS

**E.12** Consultations with PAFs and PAPs during Base Line Socio Economic Survey (BSES) were conducted to understand the perception, concern and response from them during the census survey. Also, about 30 meetings were held with the local community. Tahsil level public consultations were held in each of 4 Tehsils where PAFs, PAPs, NGOs and Government agencies were involved. The outputs obtained from these meetings helped in formulating strategies for minimizing impacts.

**E.13 Follow-up consultations:** Stakeholders workshops as follow-up consultation with the stakeholder's including the PAFs & PAPs will be conducted at the local level. These follow-up sessions provided DFCCIL an opportunity to explain to the community the manner in which the concerns raised during earlier consultations had been incorporated in R&R policy framework of DFCCIL. Suggestions of the community



during these sessions have been incorporated into the project design to the maximum extent possible. However more consultations are planned in the RAP during R&R implementation stage for strengthening participation. The CPM shall be responsible for holding inclusive consultations during implementation with the help of his field staff. These facilitating NGOs will assist CPM office in these consultations. Finding outcome of these consultations will be discussed and plausible solution to issues raised during preparatory phase will be undertaken. A separate Annex to this RAP has been added to provide a detailed picture of the consultations and issues discussed therein for reference.

## IMPLEMENTATION PLAN

**E.14 Institutional Arrangement:** Managing Director, DFCCIL is over all responsible for successful implementation of the RAP as head of the Organization. DFCCIL has already set up Chief Project Manager's Offices (CPM office) to act as Project Management Unit (PMU) at Meerut. The project will be implemented by the office Chief Project Manager (CPM) assisted by NGOs and APMs office at package unit. Besides regular staffs of the office, the CPM will be assisted by APM (Social) – one in each package along with their staff. While SEMU at HQ will be providing technical and logistics support to CPM office, implementation of RAP including disbursement of compensation and R&R assistance will be done by CPM though it's Competent Authority/Administrator. The CPM will be responsible for coordinating completion of LA and R&R. There shall be a Deputy CPM (Social) to assist the CPM in overall planning, implementation and monitoring of the LA and R&R activities. The handing over of site will be considered as complete only when compensation at replacement value and R&R assistance as per provision of EM has been given to eligible PAFs. The CPM will certify the site readiness for handing over the stretch to the contractor, which includes date and time of compensation and R&R assistance are given, grievance(if any) are resolved, and Transfer certificate (in the prescribed format) from Competent Authority awarding the land for construction.

**E.15 Grievance Redress:** There shall be grievance redress/R&R committees to hear and redress the grievances, if any, of the PAFs & PAPs at field and Head Quarter levels. The Field level grievance committee (FLC) shall be convened by CPM where the District Collector shall be the Chairperson, and other members will be the President, Zilla Parishad (District Council) and a representative from a reputed local NGO. The HQ level grievance committee (HLC) shall be convened by GM/SEMU where the Director, Project and Planning and GM-SEMU, Social Specialist and a representative of the MoR shall be members. Arbitrators have been appointed to hear grievance cases relating to payment of compensation for land acquired under RAA, 2008 An Ombudsman has been appointed for hearing cases not resolved to the satisfaction of the aggrieved PAP/PAF at the levels mentioned above, including cases directly referred by the DFCCIL.

**E.16 The Project Level R&R Committee:** DFCCIL will further strengthen the field level GRM with organizing grievance hearing camps in the affected villages as may be required to resolve grievances relating to the application of the RFCT-LARR to the LA process carried out under RAA, 20018 w.e.f. January 1, 2015. DFCCIL will establish an Resettlement and Rehabilitation Committee to monitor the LA and R&R process as also address any major obstacles affecting the LA and R&R process. The R&R Committee

will comprise the Director, Project and Planning, General Manager, (SEMU) and a Representative from the Ministry of Railways. The Additional General Manager (SEMU), and the Social Specialist will assist the R&R Committee. The Committee will be chaired by the Director/ Project & Planning.

**E.17 Monitoring and Evaluation:** The performance monitoring of the RAP implementation will be done by internal oversight mechanisms of the DFCCIL SEMU and CPM office with the help of the PMC and the facilitating NGOs. Quality and impact monitoring will be done by independent Social & Environment Safeguard Monitoring and Review Consultant (SESRMC) consultants.

**E.18 Relocation of CPRs:** A total of 14 Common Properties Recourses (CPRs) have been identified as affected and shall be replaced in consultation with the local community.

**E.19 R&R Costs and Budget:** The budget for the implementation of the R&R provisions and other associated costs of implementing the RAP has been estimated to be **INR 197 Crores.**

## CHAPTER – 1: INTRODUCTION

### PROJECT BACKGROUND

**1.1** India's economy is diverse, encompassing agriculture, handicrafts, textile, manufacturing, and a multitude of services. Although a large portion of Indian workforce earn their livelihood directly or indirectly through agriculture, services are a growing sector and will play an increasingly important role in India's economy. The rapid progress in industrial and agricultural sectors has generated a higher level of demand for rail transport, particularly in core sectors such as coal, iron and steel, ores, petroleum products and essential commodities such as food grains, fertilizers, cement, sugar, salt, edible oils etc.

**1.2** In order to contribute towards sustainable growth of the national economy and for improving its share in the total land transport of goods, the need for a major leap by Indian Railways (IR) in the provision of additional rail transport capacity was felt. In keeping with the same, Ministry of Railways (MOR) has embarked on a long term plan to construct high axle load, high speed, dedicated freight corridors along a part of its network referred to as the golden quadrilateral and its diagonals. As a first step in this direction, the Ministry of Railways (MOR) has decided to construct a Dedicated Freight Corridor (DFC) spanning the Mumbai to Delhi (Western DFC) and Delhi to Kolkata (Eastern DFC) along the legs of the golden quadrilateral. These two corridors – Western and Eastern will cover a length of approximately 3200kms.

**1.3 *Eastern Corridor.*** This is a DFC with an initial route length of 1309 km and consisting of two distinct segments as an electrified double line of 897 km between Son Nagar and Dadri, and an electrified single line of approximately 412 km between Khurja and Ludhiana (Sahnewal Kalan). It has further been decided to extend the Eastern DFC to Dankuni in the Kolkata area, an additional route length of approximately 534 km making a total corridor length of about 1843 km.(Figure 1.1 is attached.)

**1.4 *Western Corridor:*** This is a double line DFC from Jawaharlal Nehru Port in Navi Mumbai to Tughlakabad/Dadri in the NCR of Delhi, running along the Indian Railways' JN Port, Vasai Road, Surat, Vadodara, Ahmedabad, Mahesana, Palanpur, Ajmer, Phulera, Ringus, Rewari, Dadri route over a route length of 1483 km.

**1.5** Ministry of Railways (Government of India) has entrusted the work of planning, implementation and management of selected freight corridor networks to Dedicated Freight Corridor Corporation of India Limited (DFCCIL), a special purpose vehicle set up by the Government of India. Government of India has approached the World Bank to provide financial assistance for the development of Eastern Dedicated Freight Corridor from Mughal Sarai to Khurja. In order to proceed with the project in a synchronized and systematic manner, DFCCIL has identified following corridor to be the project proposed to be funded by World Bank.

**Table 1.1 Proposed Corridors under World Bank Assistance**

Sl. No.	Proposed Section	Proposed Development	Length	Jurisdiction
1	Bhaupur-Khurja	APL-I(Phase-I)	343	CPM Kanpur
2	Mughalsarai-	APL-II(Phase-II)	402	CPM Mughalsarai,

	Bhaupur			Allahabad(E&W), Kanpur
3	Khurja-Ludhiana	APL-III(Phase-III)	401	CPM Meerut and Ludhiana
4	Khurja-Dadri	APL-III(Phase-III)	47	CPM Meerut

As presented in Table 1.1, total length of the proposed Khurja-Dadri section Corridor is approximately 47 Kms. The report in hand(for Khurja Dadri section) has also been prepared on similar line of SIA and RAP report of Bhaupur-Khurja section.

## PROJECT OBJECTIVES

**1.6** The Eastern corridor of the DFC between Delhi and Kolkata traverses through the state boundaries of Delhi, Uttar Pradesh, Bihar, and West Bengal. The prime objective of the DFC project is to facilitate speedier and smoother transportation of bulk goods without any interruption between the two metropolises - Delhi and Kolkata - and their respective hinterlands at minimum cost and in the least time. The Khurja-Dadri section of 47 km is proposed to be included in EDFC1. The **development objectives of the Project** (EDFC1) are to: (a) provide additional rail transport capacity, improved service quality and higher freight throughput on the 343 km Khurja - Kanpur section of the Eastern rail corridor; and (b) develop the institutional capacity of DFCCIL to build and maintain the DFC infrastructure network. In this, the Kurja-Dadri section of 47 km is proposed to be included. The proposed corridors are basically parallel to the existing track while bypassing the major cities having dense built up area along the existing tracks. It is anticipated that the construction of DFC would induce economic development, generate employment and above all, improve economic integration of regions in the country with improved links among major economic and trade centres.

## BENEFITS OF THE PROJECT

**1.7** The project will entail multitude benefits for both, the railways and the local residents of the area it traverses through. Besides overall development of infrastructure, free flow of goods on the Eastern Dedicated Freight Corridor (EDFC) and passenger traffic on IR network, the project will ensure positive changes in regional economics. The project will have following benefits for the local people:

- With DFC implemented and shifting of freight trains to DFC tracks, number of passenger trains can be increased on the existing Railway track thus more passenger movement from / to Delhi and Kanpur.
- Faster movement of agricultural produce (especially perishable items like potatoes) to the consumption centres in the east and north including export to international market,
- Development of floriculture, truck farming(vegetable) near the EDFC tracks for Delhi urban agglomeration which will boost to the local economy of villages, thus improving average income of the farmers,
- Establishment of food processing/agricultural based industries in the vicinity of the EDFC
- Growth of new economic hubs in future along the EDFC,

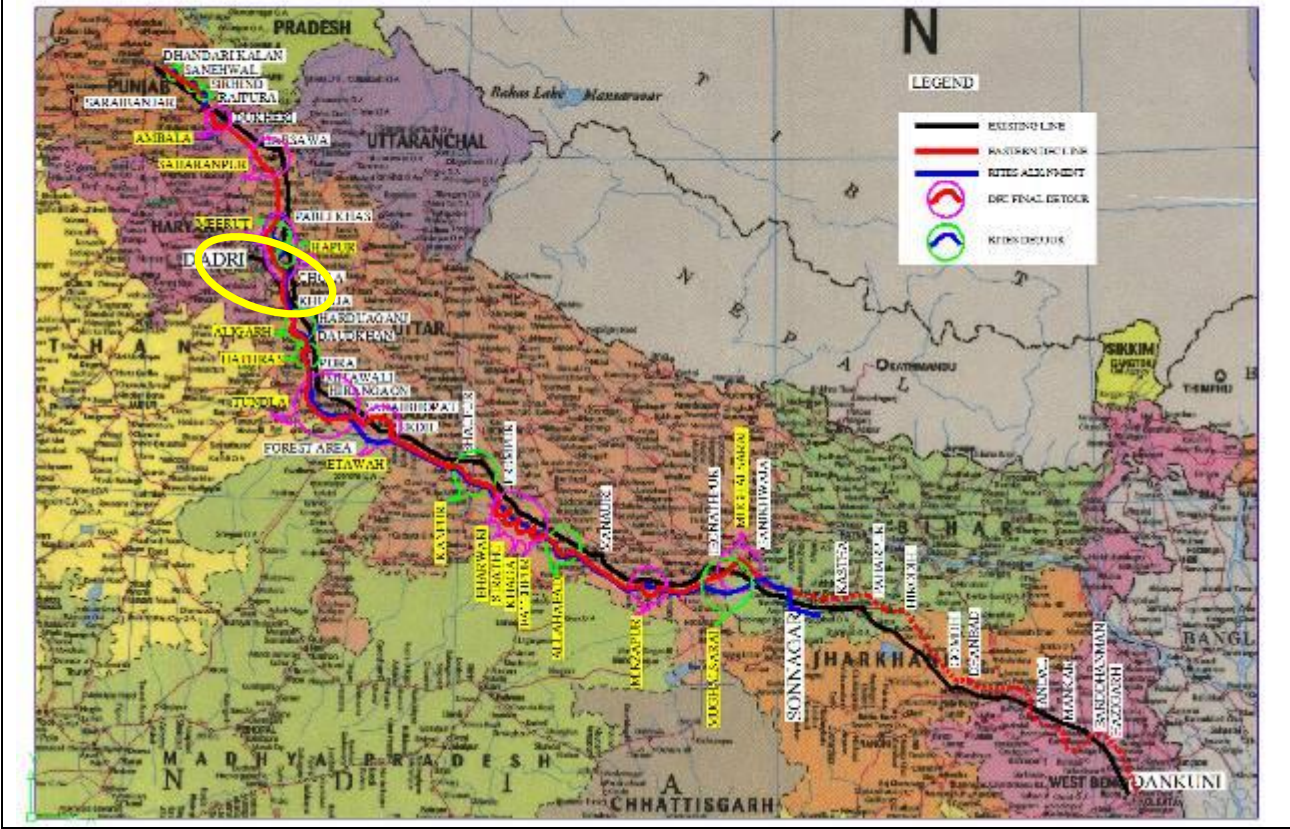
- Employment opportunities in the construction, operation and maintenance of EDFC
- With commissioning of DFC and increasing Rail Freight Traffic, movement of trucks for transportation of goods will reduce and this will result substantial reduction of pollution and improvement in the quality of environment.
- Provision of underpasses, foot over bridge and other environmental enhancement measures to improve safety of people and animals,
- Accessibility to agricultural fields through underpasses and Road along the EDFC tracks.

## PROJECT DESCRIPTION

1.8 Schematic diagram of Khurja-Dadri is shown in Figure 1.1 & 1.2. The length of existing route from Khurja to Dadri is approximately 47 Kms and falls in 2 districts of Uttar Pradesh. The existing route (from Khurja- Dadri) comprises of two rail tracks interspersed with loop line at important stations. General land width (existing RoW) along the tracks is about 50 meters in open areas and about 60 meters near loop line. Average additional land width (available with Indian Railways land required for laying DFC tracks) is about 5-6 meters either side. Generally, the terrain is flat with little vertical gradients. Horizontal curves are within acceptable limits. The existing Rail network passes through the congested areas of Jamalpur, Ajayabpur, Rithauri, Wair, Bodaki, Samashpur and Sultanpur. The proposed freight corridor is proposed to be developed into a double track freight corridor dedicated to goods trains along with a 10 meters road for maintenance of the corridor and other utility services. The proposed land width (proposed RoW or Corridor of Impact) is about 50 meters for parallel portions. The distance between existing IR tracks and proposed DFCC tracks has been kept at 12-15 meters. Crossing stations, TSS, SSP and SST have been proposed at appropriate interval as per IR works manual. The new tracks, for most portions, are proposed to be parallel to the existing tracks except at locations where laying of such parallel tracks may have severe social, environmental or technical constraints.

Fig. 1.1: EDFC Project Map

DEDICATED FREIGHT CORRIDOR (EASTERN)





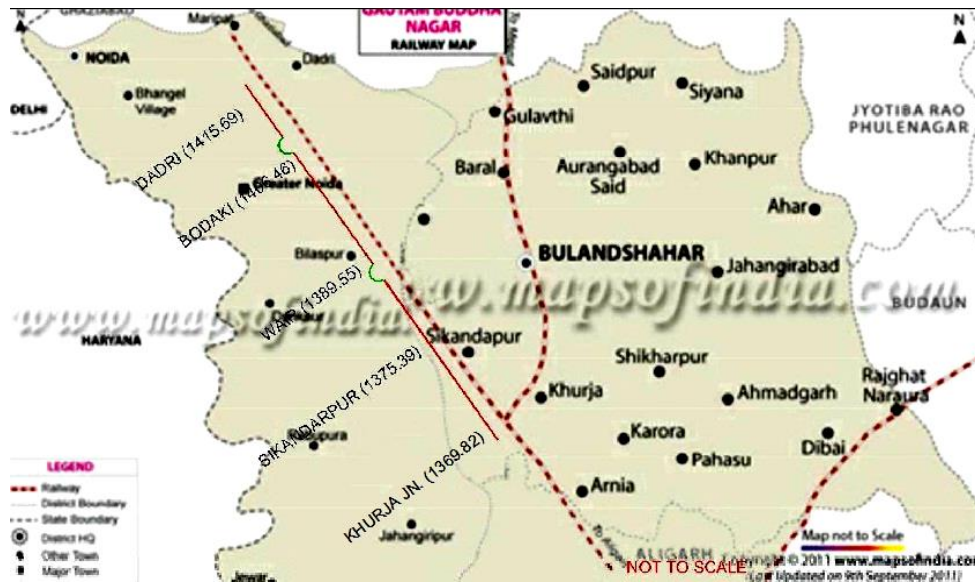


Fig. 1.2: Project Location Map

1.9 To avoid displacement of people, DFCC has undertaken certain technical efforts like minimizing track distances at selected locations and reducing embankment heights and slopes. Despite these efforts, acquisition of land, structures and other assets could not be avoided. Issues related to displacement and relocation has not been addressed so far. In order to understand social and economic impact of displacement as well as to address these issues by specific R&R intervention the SIA needs to be carried out. The present study aims to evolve suitable techniques for identification of displacement and relocation issues by establishing project impact zone<sup>1</sup>. Nature, extent and magnitude of impacts would be studied through survey and investigation. Opinion, decision and participation of the people in the entire process would be ensured through stake holder's consultations.

## SOCIAL IMPACT ASSESSMENT

1.10 The social assessment of the project has been carried out to assess the potential adverse impacts associated with this Project. This assessment is done also in line with the RPF. The following sections provide an outline methodologies adopted for this SIA. (Detailed methodology is attached as annexure 1.1).

- (i) **Census and Baseline Socio-Economic Survey:** Based on final alignments and detailed measurement survey of land and structure, a census and baseline socio-economic survey was carried out during the months of November -December 2011.
- (ii) **Stakeholders Consultation:** The SIA involved extensive Stakeholder Consultations (over 30) at individual and village levels. Another round of consultations has been planned at Tahsil and District level as the project planning progresses after UP Assembly election.

<sup>1</sup> Project Impact Zone generally refers to proposed RoW in case of SIA studies. However for environmental studies it may refers to 50-100 meters where indirect impact could be experienced.

- (iii) **Survey of Secondary data and literature:** The SIA survey formats were prepared to gather data on issues and aspects after a survey of the existing literature on the population profile including their demographic and social cultural status.
- (iv) **Minimizing Displacement:** One of the objectives of the social assessment was to minimize displacement, and promote no-displacing or least displacing alternatives. To avoid displacement of people, technical steps undertaken by DFCC included consideration of alternative alignments, minimizing track distances at selected locations, and reducing embankment heights. (COI from 40 meters to 17 meters).

The steps taken to reduce corridor of impact to minimize displacement include the following.

- a) Reducing track distance between IR network and DFC network to minimum level, these locations are Jamalpur, Ajayabpur, Rithauri and Sultanpur.
- b) Ruling out service roads in the built-up stretches,
- c) Providing retaining wall/fencing of DFC at suitable distance from last track of DFC, 3 meters extra width (if land is available) from houses to retaining wall in order to provide access to local residents, if additional land is not available, with access to residents from other side of their house, which will be planned during implementation of the project.
- d) Re-modelling of yard and reducing distance between yard and DFC tracks.
- (v) Alignment has been designed in such a way to avoid physical displacement of large number of people. Mostly the alignment of DFC project has been planned in parallel to existing Railway alignment. To avoid displacement of large number of people, short detours have been planned at congested locations.
- (vi) **Analyses of Alternative Alignments:** Alternative analysis of the proposed Wair and Bodaki detour portion was carried out. The result of analysis of the alternative alignments indicates that bypasses have been proposed to avoid congestion and large scale magnitude of displacement of people. Analysis of these alternative alignments indicates that displacement and resettlement issues have been minimized at these critical locations under the project.

## SALIENT FEATURE OF THE PROJECT

**1.11** In order to assess the Project level resettlement impacts, a detailed census was undertaken from Dadri to Khurja from November 2011 to December 2011. During the survey, it is estimated that a total of 1974 families will be affected as a result of the Project construction. The impacts of the present project largely include loss of land (agriculture, residential and commercial); structure (residential, commercial, residential cum commercial and government & institution owned), trees, orchards, irrigation facilities, income and livelihood (owners, employees, squatters). The Table 1.1 below presents the Project Affected Families.



**Table 1.1: Project Area: Salient Feature**

Section s	Title Holders				Non-Title Holders				Total (PAFs) (3 to 8)	G. Total (Land + Structure) (1+9)
	Land		Structures		Structures					
	Total	S/M /L*	Resi	Com	Resi	Com	Te n	Kiosk s		
	1	2	3	4	5	6	7	8		
Khurja -Dadri	1893	694	52	25	-	-	-	4	81	1974

\* S/M/L - Small Farmers/Marginal Farmers/Landless farmers.

## OBJECTIVES OF RESETTLEMENT ACTION PLAN

**1.12** This RAP is project specific resettlement plan and has been guided by the, The Railways (Amendment) Act 2008, the Entitlement Matrix approved by Railway Board, Ministry of Railways and in accordance to the World Bank guidelines for the same as mentioned in the Annex A of Involuntary Resettlement Instruments guided by the World Bank Operational Manual 4.12 & OP 4.11 for Physical Cultural Resources. The RAP is based on the general findings of the resettlement census survey, field visits, and meetings with various project-affected persons in the project area. The primary objective of the RAP is to identify impacts and to plan measures to mitigate various losses of the Project while the specific objectives are as follows:

- To describe SIA findings (resettlement impacts of land acquisition (LA) required for the Khurja-Dadri section), spell out the legal framework for land acquisition, outlining measures for ensure that the project affected people are able to improve or at least retain their pre-project living standards in the post resettlement period.
- To spell out arrangements for PAP identification, consultation, grievance redress, payment of compensation and R&R benefits, and monitoring and evaluation
- To outline the entitlements for the affected persons for payment of compensation and assistance for establishing the livelihoods
- To Develop communication mechanism to establish harmonious relationship between DFCCIL and Project Affected Persons(PAPs)
- To ensure adequate mechanism for expeditious for implementation of R&R

The key guiding principles of the RAP are as follows:

- Avoid or minimize land acquisition and involuntary resettlement impacts by exploring all viable alternative designs;
- Where displacement is unavoidable, prepare time-bound RAP for PAPs so that they are not worse off than the present socio-economic condition after the implementation of the project. In other words, assist affected persons in improving their former living standards and restore their income earning capacity and additional assistance to vulnerable groups;

- Ensure wide range of meaningful consultations with stakeholders including likely PAPs on compensation, disclosure of resettlement information, participation of PAPs in planning and implementation of the resettlement program in order to suitably accommodate their inputs and make rehabilitation and resettlement plan more participatory and broad based;
- Facilitate harmonious relationship between the Executing Authority and PAPs through mutual co-operation and interaction;
- Ensure payment of compensation and assistance to PAPs including non-title holders for lost assets at replacement value;
- Ensure payment of compensation and resettlement assistance prior to taking over the possession of land and commencement of any construction activities;
- Provide rehabilitation assistance for loss of livelihood/income;

**1.13** The RAP outlines the details of the project, description of the project location, the magnitude of impacts based on the census, and spells out the necessary implementation procedures for resettlement and rehabilitation of the entire project affected families including the entitlement matrix as well as the legal framework and policies. The RAP has the following Chapters –

Chapter Number	Name of Chapter	Description
1	Introduction	Outlines Project background, objectives and methodology adopted for social assessment and preparation of RAP.
2	<b>Social Impact Assessment</b> (Base Line Socio-Economic Status of project affected people)	Discusses the project area, the socioeconomic profile of PAPs, and extent of LA by type of land and categories PAPs.
3	Policy Framework for and Resettlement and Rehabilitation	Discusses the Resettlement Policy with brief features of Entitlement Framework
4	Stake Holders Consultations	Gives details on the stakeholders' consultation at Village, Block and District levels and lesson the outcome from the people participation in this section.
5	Scope of Land Acquisition and Compensation procedure.	Outlines LA procedure, methodologies institutional set-up for LA.
6	Institutional and Implementation Arrangement	Focuses on roles and responsibilities of important stakeholders in the implementation of RAP, monitoring and evaluation, grievance redress

Chapter Number	Name of Chapter	Description
		mechanism, implementation arrangement & schedule and budget.

## CHAPTER - 2: SOCIAL IMPACT ASSESSMENT FINDINGS:

### Base Line Socio-Economic Status Of Project Affected People

#### GENERAL

**2.1** This chapter describes about the project area and socio-economic profile of the project affected families. This chapter specifically analyzes the impacts on land and other immovable assets based on detailed measurement survey done after the final designs. Based on the impact on land and structures, a Census Survey was carried out; and the results of the survey established socio-economic status of PAFs. The Census Survey has indicated the nature and characteristics of R&R interventions required to mitigate negative impacts of the proposed project.

#### THE PROJECT AREA

**2.2** The proposed DFC Corridor passes through 38 villages of 2 districts in Uttar Pradesh. These Districts are Bulandsahar and Gautam Budh Nagar. The project area is located in the lower Gangatic Plain. The average annual rainfall varies between 662 mm to 863 mm. The rivers and streams of these districts jointly consist of the rivers of Yamuna and Ganga drainage basin. The important crops of the zone are rice, wheat, maize, pearl millet, sorghum, barley, gram, pigeon pea, lentil, groundnut, rapeseed and mustard and sugarcane. Out of 47 km of total project length about 36 km is in parallel and about 11km is in bypass stretch. (Table 2.1)

**Table 2.1: Project Area: Salient Features**

District	Chainage km		Distribution of length (km)		Total			
	From	To	Parallel	Bypass	Length	Districts	Villages	LA (Ha)
Buland Shahar	1369.820	1394.112	18.59	952	28.11	1	21	126.07
GB Nagar	1394.112	1415.69	17.83	3.75	21.58	1	17	85.60
<b>Total (KRJ-DER)</b>			<b>36.42</b>	<b>13.27</b>	<b>49.69*</b>	<b>2</b>	<b>38</b>	<b>211.67</b>

(\* The length is revised as 47 km; the chainage details shall be updated in this Table)

#### FINDINGS OF THE CENSUS AND BASELINE SURVEY

**2.3** The census and socio-economic surveys have been carried out in all 38 affected villages. These surveys were carried out from November 2011 to December 2011. The census identified a total of 1974 project affected families comprising of 5841 persons. During the census survey, the data gathered from the census survey reveals that amongst the affected 1974 PAFs, the majority 95.90% will incur impact on agricultural land and 4.10 % families incurring impact on their residential or commercial structures.

The following section will analyze the key data findings of the census survey and impacts on the people along the project area.

#### PROJECT IMPACTS

**2.4** The proposed project stretch will involve acquisition of about 211.67 ha of land of which approximately 145.59 hec.(68.78%) is private land. However, the project will

require very less (approximately 1.57 ha) built-up area which includes residential and commercial or residence-cum commercial (0.32%) and community properties (0.26%). At many built-up locations land width has been reduced to as less as 17 meters which has resulted in reducing impact on residential as well as commercial structures. Table 2.2 indicates that impact on residential, commercial and community properties has not been significant.

**Table 2.2: Project Area: Loss of Land**

Section	Private Land(in ha)			Govern ment	Total (In Ha.)
	Agri.	Resi. /Com.	Community		
Khurja Dadri	144.36 (68.20%)	0.68 (0.32%)	0.55 (0.26%)	66.08 (31.22%)	<b>211.67 (100%)</b>

\*Figure in brackets is percentage

### Agricultural land –

**2.5** Table 2.3 presents extent of loss in terms of loss of area of agricultural land of each PAF. Analysis of the census data indicate that out of the total 1893 PAFs losing their agricultural land, about 80.45% PAFs will lose less than 0.15 Ha. Of land, 16.54% will lose between 0.15 Ha. to 0.50 Ha., 3.01% will lose between 0.5 ha to 1 ha of land. As per the RPF, all Khatehdars would receive the same (Rs. 20,000) ex-gratia irrespective of their extent of loss. The ex-gratia of Rs 20,000 will help land losers to find replacement value of land losing about 0.15 ha of land. Severity of Impact is adequately addressed by providing additional INR 15 per sq meter for additional land beyond 0.15 Ha. In case where LA award is declared after January 1, 2015, every land loser will receive INR 50,000 as minimum onetime resettlement assistance irrespective of size of land acquired as per RFCT-LARR Act, 2013.

**Table 2.3: Parcel of Plot Affected of each PAFs**

Section	Category of Affected Area of Agriculture Land in (Ha.)				Total
	0 - 0.15	0.15 - 0.5	0.5 - 1.0	More than - 1.0	
Khurja Dadri	1523 (80.45%)	313 (16.54%)	57 (3.01%)	0 (0.00%)	<b>1893 (100%)</b>

### Structures –

**2.6** Table 2.4 indicates the physical impact on the structures being acquired. Out of 257 structures under various categories about 79.33% of structures are losing more than 25% of its area. During census survey and consultations, it was established that losing more than 25% of structures may cause displacement of the people. Hence social assessment has categorized families losing more than 25% of area as displaced families. However actual displacement categories will be reassessed at the time of implementation.

**Table 2.4 Assessment of Impact on Structures**

Section	0-25%	25-50%	50-75%	75-100%	Total
Khurja Dadri	25(20.66)	16(13.22)	33(27.27)	47(38.84)	121(100)

### Identification of Small, Marginal and Landless farmers

**2.7** Census and baseline survey has ascertained that about 694 landowners are landless, marginal or small. Out of 1893 agricultural PAFs about 0.21% are landless, 15.74% Marginal and 20.71 % are small as given in Table 2.5. The landowners, who have been reduced to the status of small /marginal or landless as a result of DFCC land acquisitions, will be assisted as described in the Entitlement Matrix. However; these numbers will be verified by the concern Revenue Department

**Table 2.5: Identification of Small and marginal farmers**

Section	Total	General	Landless	Small	Marginal	Total
Khurja Dadri	<b>1893</b>	1199 (63.34%)	4 (0.21%)	392 (20.71%)	298 (15.74%)	694

### Impact on PAFs losing structure due to the Project

**2.8** Information given in Table 2.6 indicates the families that will be affected because of loss of structure (residential or commercial) in the project. It can be seen from the Table 2.6 that out of 102 affected families about 96.08% are titleholders and about 3.92% are Kiosks.

**Table 2.6: Project Affected Families (PAFs)**

Section	Titleholders		Non Titleholders (Squatters, Tenant & Kiosks)				Total
	Resi	Comm	Resi	Comm	Tenants	Kiosks	
Khurja Dadri	52	25	Nil	Nil	Nil	4	81

### Displacement due to the Project

**2.9** Information given in Table 2.7 indicates the families that will be displaced because of this project. Out of 81 project affected families about 76(93.14%) are being displaced. Out of total 76 displaced families, about 61.84% are losing their residence and 32.89% are losing their permanent shops. About 5.26% kiosks are also being displaced.

**Table 2.7: Project Displaced Families**

Section	Titleholders		Non Titleholders (Squatters, Tenant & Kiosks)				Total
	Resi	Comm	Resi	Comm	Tenants	Kiosks	
Khurja Dadri	47(61.84)	25(32.89)	Nil	Nil	Nil	4(5.26)	76

### Impact on Community structures

**2.10** Apart from individual assets, SIA had identified 14 CPRs within the proposed ROW. Efforts were made to minimize the impact on these CPRs by reducing Corridor of impact (COI) to minimum (about 17 m). As a result, number of CPRs need relocation will be reduced (Table 2.8). Consultation with the community suggests that these facilities are used by people very often. Therefore these facilities will be replaced in consultation with the communities who are using it, irrespective of ownership of these CPRs. Enhancement of the CPRs along with environmental measures such as plantation of trees is being planned under EIA&EMP. Wherever required suitable boundary wall will be constructed to mitigate noise and vibration impact. All these community properties will be enhanced in consultation with community.

**Table 2.8: Affected Community Properties Resources (CPRs)**

Section	Temple	Mosque	Hospital	School	Others/Burial ground/Samadhi	Total
Khurja Dadri	3	0	0	1	10	14

#### CPR DATA

Sl. No.	Structure	Location	Area in HA	Photo	Relocation Plan & Costing	Date
1	Temple	Ismailpur Bhudena	0.1424			
2	Temple	Arora	0.0384			
3	Temple	Rithori	0.0201			
4	School	Asthauli	0.0308			
5	Govt Hand Pump	Samaspur	--			
6	Govt Hand Pump	Samaspur	--			
7	Govt Hand Pump	Samaspur	--			
8	Smadhi	Mainamoujpur	0.2100			
9	Smadhi	Mainamoujpur	0.4370			
10	AmbedkarMurti	Sultanpur	0.0199			
11	Smadhi	Khanpur	0.6335			
12	Smadhi	Makrandpur urf Fatehpur	0.0201			
13	Smadhi	Gangrol	0.0736			
14	Smadhi	Rithori	0.0576			

#### SOCIO-ECONOMIC ANALYSIS OF THE PAFS AND PAPS

##### Age-Sex Composition

**2.11** In the families loosing agricultural land in the project, there are 3374 males (57.77%) and 2476 females (42.23%). Of the total 5228 agricultural PAPs, 2192 are females. It is noticed from Table 2.9 that the sex ratio for this stretch is 731.

**Table 2.9: Age-Sex Composition**

Type of Impact	0-6		6-15		15-18		18-45		45-59		59-Above		Total	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Agricultural land	193	114	515	321	238	117	1485	1117	393	334	212	189	3036	2192
Structure	26	22	62	51	33	23	145	130	45	26	27	23	338	275
<b>Total</b>	<b>219</b>	<b>136</b>	<b>577</b>	<b>372</b>	<b>271</b>	<b>140</b>	<b>1630</b>	<b>1247</b>	<b>438</b>	<b>360</b>	<b>239</b>	<b>212</b>	<b>3374</b>	<b>2467</b>

### Annual Income Patterns of the PAFs

**2.12** Information collected during Census survey on income level of each PAFs indicates that PAFs are economically weak. It can be seen from Table 2.10 that out of total 1974 PAFs, about 25% of total PAFs are earning less than 50,000. PAFs earning less than Rs 25,000 have been considered as people 'Below the Poverty line (BPL)' which is about 6.18% of total PAFs.

**Table 2.10: Total Annual Income**

Section	Income Group (Rs.)				Total
	0 - 25000	25000 – 50000	50000 - 1 Lakh	above 1 Lakh	
Land	111 (5.86)	353 (18.65)	519 (27.42)	910 (48.07)	1893 (100)
Structure	11(13.58)	12(14.82)	24(29.63)	34(41.97)	81(100)
Total (KRJ-DER)	<b>122(6.18)</b>	<b>365(18.49)</b>	<b>543(27.51)</b>	<b>944(47.82)</b>	<b>1974(100)</b>

\*Figure in brackets is percentage

### Social Status of the Project Affected Families

**2.13** Table 2.11 presents information about social status of PAFs. Out of total 1974 PAFs, about 42.10% are general and 50.91% are OBC. About 6.99% are schedule caste. As mentioned in Table 2.11. **Schedule tribe people are not affected by the project.**

**Table 2.11: Social Status of the PAFS**

Section	General	Schedule caste	Schedule Tribe	Other backward caste	Total
Khurja Dadri	831(42.10%)	138(6.99%)	0(0.00%)	1005(50.91%)	<b>1235(100%)</b>

Furthermore, the SIA established the proposed project will not impact any tribal groups in the project area. Moreover, the assessment found that there are no tribal specific habitations along the proposed DFC corridor. Therefore, this project triggers the Bank's operational policy (OP 4.12) on involuntary resettlement and **not OP 4.10 on Indigenous Peoples (referred as tribal in Indian context).**



## Vulnerability

**2.14** Table 2.12(a) presents number of PAPs under vulnerable categories as per NRRP 2007. Among the PAPs, there are 932 vulnerable persons. Out of these, 71.78% are people above the age of 50 years. Other significant categories are widows (15.45%) and unmarried girls above the age of 18 years (12.77%). This would become significant while planning for the women's income generation and restoration strategies. These vulnerable categories of PAPs will be supported by the project but within the purview of EM.

From the Table 2.12(b), it is ascertained that about 122 PAFs are below the poverty line. Under the project (as per EM), BPL families are also considered as vulnerable. Table 2.12(b) presents BPL families considered as vulnerable. These families will be assisted to regain their living standard.

**Table 2.12 (a) Vulnerability Status of the PAPs**

Section	Project Affected Persons					Total
	Disabled / Orphan	Widow	Un Married Girls above 18 years	Abandoned Women	Person above 50 years	
Khurja Dadri	0(00)	144(15.45)	119(12.77)	0(00)	669(71.78)	932

**Table 2.12 (b) Vulnerability Status of the PAFs**

Section	Project Affected Families BPL		
	Land	Structure	Total
Khurja Dadri	111(90.98%)	11(9.02%)	122(100)

**2.15** Taking into account the socio-economic vulnerabilities of the PAFs, specific provisions in form of additional assistance have been incorporated in the RAP to ensure that they are not marginalized in the process of development. However, the actual number of these vulnerable people eligible for R&R support will be scrutinized by the implementing agencies. The information provided in the above table shall be reconfirmed and beneficiaries will be identified for provision of R&R assistance through NGOs.

## Education Status

**2.16** Amongst the PAPs, there is a high degree of illiteracy in the project area. About one-fifth (19.60 %) PAPs are illiterate. Another 24.20 % of the PAPs are basic literates. About 16.44% of the total PAPs have studied up to the 8th standard school level (Table 2.13). Amongst PAPs, there are 656 (11.23%) graduates in the area. Less number of professionally educated PAPs points to the lower level of opportunities in the project area. Since about 19.60% of the PAPs are illiterate, special efforts and attention would be required for communicating awareness about social issues resettlement and rehabilitation options, compensation and project related decisions. These efforts will include generating awareness, available income restoration schemes, grievance redressal mechanism, under the project. The facilitating NGOs will be given key responsibility for this.

**Table 2.13: Education Status of PAPs**

Section	Education level						Total
	Un Educated	Educated	8th	10 <sup>th</sup>	Inter mediate	Graduate	
Khurja Dadri	1145 (19.60)	1414 (24.20)	960 (16.44)	1012 (17.33)	654 (11.20)	656 (11.23)	<b>5841 (100)</b>

**Occupational Background**

**2.17** In the families losing agricultural land, about 18.13% PAPs are housewives who are engaged in daily household work. Another, 12.29% are students, 9.54% PAPs are labourers in the agricultural sector or otherwise. About 4.35% of the PAPs are engaged in business activities (trade and petty business). Many of these businesses people are associated with the small economic activities such as Tiffin centers, tea centers, general stores, etc.

**Table 2.14: Occupation Profile of PAPs**

Section	Occupation profile(PAPs)								Total PAPs
	Service	Business	Cultivator	Students	House Wife	Labour	Un-Employed	Workers	
PAPs	665 (11.39)	254 (4.35)	1112 (19.03)	718 (12.29)	1059 (18.13)	557 (9.54)	453 (7.76)	1023 (17.51)	<b>5841 (100)</b>

**IMPORTANT FINDINGS AND CONCLUSIONS OF THE PROJECT ARE:****2.18**

- Census survey identifies approximately 1974 PAFs and 5841 PAPs. Out of 1893 agricultural PAFs about 0.21% are landless, 15.74% Marginal and 20.71 % are small. About 211.67 (68.78% private land) is required for the construction of the project. Average acquisition per family works out to be 1336 Sqm. (0.13 Ha).
- Number of displaced families is approximately 76. Approximately 1.65 family per kilometer is getting displaced for this project, which is fairly low.
- DFCCIL has further reduced land width from 40 meter to 20 meter in some built-up stretches resulting in minimizing displacement.

The following are some of the key baseline socio-economic standard of the affected, which will become basis for measuring the changes in the living standards during the impact assessment studies.

**Table 2.15 Socio-economic data on affected people****Status on Indebtedness**

Amount of debt	0 - 10000	10000-25000	25000-50000	50000-above	reported cases
Percentage of	To be determined at the time of RAP implementation				

cases	
-------	--

**Status on Income Level**

Income per year in Rs.	0-25000	25000-50000	50000-100000	above 100000	Nos. of families
Percentage	122(6.18)	365(18.49)	543(27.51)	944(47.82)	1974(100)

**Education Status**

Education level	Un Educated	Educated	8th	10 <sup>th</sup>	Intermediate	Graduate	Total PAPs
Percentage	1145 (19.60)	1414 (24.20)	960 (16.44)	1012 (17.33)	654 (11.20)	656 (11.23)	5841 (100)

**Occupation Profile**

Occupation	Service	Business	cultivator	Students	House Wife	Labour	Un-Employed	Workers	Total PAPs
Percentage	665 (11.39)	254 (4.35)	1112 (19.03)	718 (12.29)	1059 (18.13)	557 (9.54)	453 (7.76)	1023 (17.51)	5841 (100)

**Status of Project affected houses**

Category	Pakka	Semi - Pakka	Kacha	Total
TH	93	17	11	121
NTH				
TH and NTH taken together				
No of household having separate kitchen	93			
No of households having separate Bath	108			

**Project Affected People:** Based on an analysis of impacts, the affected people are categorized into various impact categories with applicable entitlements, which is given in the table below:

**Table 2.16: Project Affected Households by Impact Categories**

Sl. No	Impact Category	No. of PAHs	Entitlements	Remarks
<b>( a ) Title Holders: Loss of Land</b>				
1	Land owners losing less than 1500 Sq.mts and remain in the same land holding category	941	<ul style="list-style-type: none"> <li>• Compensation as replacement value as per EM</li> <li>• Ex-gratia of Rs. 20,000</li> <li>• Reimbursement of stamp duty charges</li> </ul>	Reimbursement should be claimed within one year of receipt of compensation

Sl. No	Impact Category	No. of PAHs	Entitlements	Remarks
2	Land owners losing less than 1500 Sq.mts and becoming Land less/Marginal/Small land owners	582	<ul style="list-style-type: none"> <li>• Compensation as replacement value as per EM</li> <li>• Ex-gratia of Rs. 20,000</li> <li>• Reimbursement of stamp duty charges</li> <li>• Rehabilitation grant of Rs. 75,000</li> </ul>	
3	Land owners losing more than 1500 Sq.mts and remain in the same land holding category	258	<ul style="list-style-type: none"> <li>• Compensation as replacement value as per EM</li> <li>• <i>Ex-gratia of Rs. 20,000 and Rs. 15 per Sq.mt for land above 1500 sq.mts</i></li> <li>• Reimbursement of stamp duty charges</li> </ul>	
4	Land owners losing more than 1500 Sq.mts and becoming Land less/Marginal/Small land owners	112	<ul style="list-style-type: none"> <li>• Compensation as replacement value as per EM</li> <li>• Ex-gratia of Rs. 20,000 and Rs. 15 per Sq.mt for land above 1500 sq.mts</li> <li>• Rehabilitation grant of Rs. 75,000</li> </ul>	
<b>( b) Title Holders: Loss of Structures</b>				
1	Those losing less than 25% of structures	25	<ul style="list-style-type: none"> <li>• Replacement cost of affected structure evaluated by Independent Valuer</li> </ul>	
2	Those losing more than 25% of structures	96	<ul style="list-style-type: none"> <li>• Replacement cost of affected structures evaluated by Independent Valuer</li> <li>• Reimbursement of stamp duty charges</li> <li>• Transition allowance Rs. 4,000</li> </ul>	

Sl. No	Impact Category	No. of PAHs	Entitlements	Remarks
			<ul style="list-style-type: none"> <li>Shifting allowance of Rs. 10,000</li> <li>Subsistence allowance of Rs. 30,000 for those living BPL</li> <li>House construction assistance in case of BPL</li> <li>Rs 25,000 in case of business/ artisan/ self employed</li> </ul>	
3	Affected Tenants/Lease holders	-	<ul style="list-style-type: none"> <li>3 months written notice</li> <li>Shifting allowance of Rs. 10,000</li> </ul>	Rental allowance as per EM in case of advance t notice cannot be served
4	Kiosks	4	<ul style="list-style-type: none"> <li>3 months written notice</li> <li>Shifting allowance of Rs. 10,000</li> </ul>	
<b>(c) Non Title holders</b>				
1	Those loosing residential structures	0	<ul style="list-style-type: none"> <li>Compensation for structure loss based on Independent valuer's assessment</li> <li>Transitional allowance Rs. 4,000</li> <li>Shifting allowance of Rs. 10,000</li> <li>Subsistence allowance of Rs. 30,000 for those living BPL</li> <li>House construction assistance in case of BPL</li> <li>Rs 25,000 for business, self</li> </ul>	

Sl. No	Impact Category	No. of PAHs	Entitlements	Remarks
			employed, artisans	
<b>(d) Additional /Other Assistance</b>				
1	Loss of livelihood (Agricultural Laborers/Employees)	-To be identified	<ul style="list-style-type: none"> <li>Rehabilitation Grant of Rs. 75,000</li> <li>Training assistance of Rs. 4,000</li> <li>Employment with contractors to BPL persons as per EM</li> </ul>	
2	Vulnerable People	1054	<ul style="list-style-type: none"> <li>Cash grant of Rs. 30,000</li> </ul>	300 days minimum wages
3	Tribal Households	0	<ul style="list-style-type: none"> <li>Additional assistance of Rs. 50,000</li> </ul>	If lost customary rights/ access to forest produce

(This is to be clarified that the entitlements mentioned in the above table are payable to the eligible PAFs subject to verification of their eligibility and application of the Entitlement Matrix for various categories as shall be decided by the Competent Authority/Administrator R&R in an evidence-based manner and with legal advice wherever necessary from the DFCCIL/Indian Railways).

## CHAPTER - 3: LEGAL FRAMEWORK

### APPLICABLE LAWS

**3.1** For the DFC project, The Railways (Amendment) Act, 2008 is applicable. Based on this act and the National Rehabilitation and Resettlement Policy, 2007 an entitlement matrix has been approved by the Railway Board. Any other relevant laws if applicable shall be considered.

### RAILWAYS (AMENDMENT) ACT, 2008

**3.2** The Railways Act, 1989, which consolidates and amends the law relating to Railways, was further amended in 2008. This Act is called The Railways (Amendment) Act, 2008 (RAA 2008). The RAA 2008 has been prepared for execution of a special railway project, notified as such by the Central Government from time to time, to provide national infrastructure for a public purpose in a specified time-frame, covering one or more states or Union territories.

**3.3** The main elements of Chapter IVA are shown in the following table:

Sections		Description
20 A	Power to acquire land, etc	Declaration of intention to acquire land required for execution of a special railway project. This is the first notification and empowers the competent authority to cause the substance of the notification.
20 D	Hearing of objections, etc	Objections must be made by interested persons within 30 days from the date of publication of the notification under sub-section (1) of section 20A.
20 E	Declaration of acquisition	On publication of the declaration under sub-section (1), the land shall vest absolutely in the Central Government free from all encumbrances.
20 F	Determination of amount payable as compensation	Amount to be paid as compensation shall be determined by an order of the competent authority. The competent authority shall make an award under this section within a period of one year from the date of publication of the declaration.
20F(6)	Arbitration	If the amount determined is not acceptable to either of the parties they can ask for arbitration and an arbitrator shall be appointed for this purpose.
20 G	Criterion for determination of market value of land	(i) the minimum land value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated; or (ii) the average of the sale price for similar type of land situated in the village or vicinity, ascertained from not less than 50% of the sale deeds registered during three years, where higher price has been paid, Whichever is higher.

20 I	Power to take possession	To surrender or deliver possession thereof to the competent authority or any person duly authorized by it in this behalf within a period of 60 days of the service of the notice.
20 N	Land Acquisition Act 1 of 1894 not to apply	Nothing in the LA Act, 1894 shall apply to an acquisition under this Act.
20 O	Application of the National Rehabilitation and resettlement Policy (NRRP), 2007 to persons affected due to land acquisition	The Provisions Of The NRRP, 2007 for the project affected families, notified by the Government Of India in the Ministry Of Rural Development vide number F.26011/4/2007-LRD, dated the 31 <sup>st</sup> October, 2007, shall apply with regard to land acquisition by the Central Government under this Act.

### **NATIONAL REHABILITATION AND RESETTLEMENT POLICY, 2007**

**3.4** As per Section 20 O of the Railways (Amendment) Act, 2008, the National Rehabilitation and Resettlement Policy, 2007 (NRRP 2007) is adopted for the DFC Project.

**3.5** The National Rehabilitation & Resettlement Policy, 2007 for Project Affected Families (PAFs) have been prepared by the Department of Land Resources, Ministry of Rural Development, and Government of India. The policy stipulates the minimum benefits to be ensured for persons displaced due to acquisition of land for public purposes. The objectives of the Policy are:

- (a) *to minimize displacement and to identify the non-displacing or least-displacing alternatives;*
- (b) *to plan the Resettlement and Rehabilitation of project affected families (PAFs), or project affected households (PAHs), including tribal and vulnerable households;*
- (c) *to provide improved standard of living to PAFs or PAHs; and*
- (d) *To facilitate a harmonious relationship between DFCCIL/CA and PAFs.*

**3.6** The Policy is applicable to projects displacing 400 or more families *en masse* in plain areas, or 200 or more families *en masse* in tribal or hilly areas, Desert Development Programme (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India. However, the basic principles of policy can be applied to rehabilitation and resettlement of PAFs regardless of the number of PAFs.

*The salient feature and the statements of the NRRP policy are as followings:*

- (i) SIA shall be mandatory for all projects involving displacement of four hundred or more families' *en masses* in plain areas, or two hundred or more families' *en masses* in tribal or hilly areas etc. Co-ordination with EIA in the context of the public hearing done in the project affected area for EIA shall also cover issues related to SIA.



- (ii) Consultations with project affected people and disclosure of relevant information to them at various stages of resettlement planning;
- (iii) Affected people without legal rights also need to be assisted (affected people categorized landless agricultural workers, forest dwellers, tenants and artisans who are critically dependent on the acquired assets for their subsistence/ livelihoods);
- (iv) Prepare resettlement plans that are disclosed to the project affected people in draft form, and reviewed and approved by competent authorities;
- (v) Collection of socio economic base line data for project affected households;
- (vi) Vulnerable project affected people will get extra cash/kind assistance;
- (vii) A monitoring cell should be constituted under the project.
- (viii) Each project affected family comprising of rural artisan/small trader and self employed person shall get one-time financial assistance for construction of working shed/shop for livelihood support.

### **RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION AND RESETTLEMENT AND REHABILITATION ACT, 2013 (RFCT-LARR)**

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 RFCT-LARRA provisions on land compensation have limited implications for the Khurja-Dadri section where land acquisition has been over 80 percent completed. **All land compensation awards made with effect from January 1, 2015 shall be compliant with the RFCT- LARRA, 2013.** Wherever awards have been made after 1<sup>st</sup> Jan 2015 at old rates, the difference will be paid to farmers as supplementary award in accordance with the new RFCT-LARRA.

Given that of 150 ha of private land, LA award has already been made for 130 ha or over 80% of land required, RFCT-LARR shall apply in a limited way for this stretch in cases where award is pending. DFCCIL will take the following steps to deal with any confusion emerging out of the application of RFCT-LARR, 2013 for LA Awards declared w.e.f. January 1, 2015, which may be more than what has been awarded under RAA, 2008 prior to January 1, 2015.

- a) DFCCIL will establish a communication strategy to educate the PAFs regarding the applicability of RFCT-LARR for LA and R&R entitlements

provided under RAP with explaining the eligibility criteria, entitlements, and implementation procedures.

- b) DFCCIL will strengthen the Grievance Redress Mechanism with holding special grievance hearing camps in the affected villages as may be required to resolve grievances relating to the application of the RFCT-LARR to the LA process carried out under RAA, 20018 w.e.f. January 1, 2015.
- c) DFCCIL and MoR will establish an apex level Resettlement and Rehabilitation Committee to monitor the LA and R&R process as also address any major obstacles affecting the LA and R&R award and disbursement process.

## **WORLD BANK GUIDELINES FOR INVOLUNTARY RESETTLEMENT**

**3.8 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 standards 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:

- (a) Ensure that the displaced persons are informed about their options and rights pertaining to resettlement;
- (b) Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives;
- (c) Prompt and effective compensation at full replacement cost for losses of assets;
- (d) Provide assistance and allowances;
- (e) Provide equivalent productive assets for the loss of residential house, agricultural land etc.;
- (f) Provide support for the transition period (between displacement and livelihood restoration);
- (g) Provide land related development assistance (credit facilities, training and job opportunities);
- (h) Preference should be given to land based resettlement strategies for displaced persons whose livelihoods are land-based;
- (i) Cash compensation level should be sufficient to replace the lost land and assets at full replacement cost in local markets;
- (j) Depreciation and salvage value will not be deducted from the compensation value.
- (k) Eligibility of Benefits should include the PAPs who have formal legal rights to land (including customary and traditional land rights recognised under law), the PAPs who do not have formal legal rights to land at the time of census but have a claim to such land or assets and the PAPs who have no recognisable legal right to the land they are occupying;

- (l) 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;
- (m) 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;
- (n) A Grievance Redressal Mechanism will be made functional to resolve all complaints and grievances of PAPs.

In addition to the above core measures, the bank's policy also emphasizes the need for a detailed resettlement policy inclusive of all the above points; a project specific resettlement plan, an institutional framework for implementation, well developed monitoring and evaluation mechanisms, a time schedule for implementation, and a detailed financial plan.

### **DISABILITIES (EQUAL OPPORTUNITIES, PROTECTION OF RIGHTS AND FULL PARTICIPATION) ACT, 1995**

**3.9** The Act is guided by the philosophy of empowering persons with disabilities. The Act endeavors to introduce an instrument for promoting equality and participation of persons with disability on the one hand, and eliminating discriminations of all kinds, on the other.

### **OTHER APPLICABLE ACTS**

3.10 Other Applicable Acts include the following:

- Minimum Wages Act, 1948
- Contract Labour Act, 1970
- The Bonded Labour System (Abolition) Act, 1976
- Child Labour (Prohibition and Regulation) Act 1996 along with Rules, 1988
- Children (Pledging of Labour) Act, 1933 (as amended in 2002)
- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995
- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996
- Untouchability Offences Act, 1955
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995
- Right to Information Act, 2004
- Forest Rights Act, 2006

### **RESETTLEMENT POLICY FOR DFC PROJECT AND ENTITLEMENT MATRIX**

**3.11** The National Rehabilitation and Resettlement Policy of 2007 (NRRP-2007), represents a significant milestone in the development of a systematic approach to address resettlement issues in India and closes significantly the gap between Indian national

policies and operational policy of the World Bank. The Railway Amendment Act, 2008 gives directives for the acquisition of land in the public interest and provides benefits only to titleholders. The RAA also does not provide replacement cost for the loss of land and assets but it gives 60 percent solatium above the present market price of land calculated as per provision of Sec 20G, RAA, 2008.

**3.12** To minimize the gap between National and International Policy, DFCCIL /MOR have formulated the Resettlement and Rehabilitation Policy including entitlements. Based on these, the following core involuntary resettlement principles are applicable:

- ❖ Avoid or minimize land acquisition and involuntary resettlement impacts by exploring all viable alternative designs;
- ❖ Where displacement is unavoidable, prepare time-bound RAP for PAPs so that they are not worse off than the present socio-economic condition after the implementation of the project. In other words, assist affected persons in improving their former living standards and income earning capacity with additional assistance to vulnerable groups;
- ❖ Ensure wide range of meaningful consultations with stakeholders including likely PAPs on compensation, disclosure of resettlement information, participation of PAPs in planning and implementation of the resettlement program in order to suitably accommodate their inputs and make rehabilitation and resettlement plan more participatory and broad based;
- ❖ Facilitate harmonious relationship between the Executing Authority and PAPs through mutual co-operation and interaction;
- ❖ Ensure payment of compensation and assistance to PAPs including non-title holders for lost assets at replacement value;
- ❖ Ensure payment of compensation and resettlement assistance prior to taking over the possession of land and commencement of any construction activities;
- ❖ Provision of rehabilitation assistance for loss of livelihood/income;
- ❖ Establishment of institutional arrangements such as grievance redress mechanism, NGO & SESMRC.

**3.13** The land acquisition for the project is being carried out based on RAA'2008 and **Entitlement Matrix** approved by the Railway Board, Ministry of Railways.

### **ELIGIBILITY FOR COMPENSATION/ASSISTANCE / REHABILITATION**

**3.14** Eligibility for compensation, assistance, and rehabilitation is shown below.

**Table 3.1: Eligibility for Compensation, Assistance, and Rehabilitation**

Sl. No.	Eligibility
1	<p>The cut-off date for listing eligible affected persons for receiving entitlements under this RAP shall be the date on which notification is issued as under the Section 20A of RAA 2008 for legal owners and non-titleholders in affected zone.</p> <p>The wage linked R&amp;R benefits and house building allowances shall be at</p>

	current rates in order to meet the NRRP requirements. The cash based allowances shall be updated from time to time.
2	Eligibility of different categories of PAFs will be as per the Entitlement Matrix shown in the section below.
3	The unit of entitlement will be the family.
4	Title holder PAPs will be eligible for compensation as well as assistance. The traditional occupiers of village lands residing on such lands prior to 1961 shall be conferred title as per the guidelines issued by U.P Government vide their latest guidelines.
5	Non-titleholder PAPs will not be eligible for compensation of the land occupied by them however; they will receive compensation for the investment made by them on the land such as replacement value of structures and other assets. They will also be eligible for R&R assistance as per Resettlement Policy and Entitlement Matrix.
6	In case a PAFs could not be enumerated during census, but has reliable evidence to prove his/her presence before the cut-off date in the affected zone shall be included in the list of PAPs after proper verification by the grievance redress committee.
7	PAFs from vulnerable group will be entitled for additional assistance as specified in the Entitlement Matrix.
8	PAFs belonging to BPL category will be identified at the time of disbursement of Compensation. They will get benefits as detailed in Entitlement Matrix.
9	PAFs will be entitled to take away or salvage the dismantled materials free of cost without delaying the project activities. In case of non-fruit bearing trees, if the losers of tree wants to take down the tree on his own to use the timber for own purposes and is not interested in receiving compensation, s/he shall have a right to cut his/her trees..
10	If a notice for eviction has been served on a person/family before the cut-off date and the case is pending in a court of law, then the eligibility of PAP will be considered in accordance with the legal status determined by the court and the PAP will be eligible for compensation/assistance in accordance with the RAP provisions.
11	Identification of vulnerable individuals will be done during implementation of RAP by NGOs through community consultation in the open meeting of respective Gram Sabha. NGO will verify the details of vulnerable persons such as disabled, destitute, orphans, widows, unmarried girls, abandoned women and persons above 50 years of age; who are not provided or cannot immediately be provided with alternative livelihood and who are not otherwise covered as a part of family. In determining vulnerability, their poverty and social vulnerability shall be a key consideration. Further people below poverty line will also be supported as per provision of entitlement matrix (E1).
12	As per note B of Entitlement Matrix, DFCCIL would also hire an independent

	Evaluator registered with the Government, who can assist the replacement cost of land and provide inputs to the competent authority.
<b>13</b>	The land losers shall be reimbursed stamp duty towards purchase of alternate land/assets with the compensation received within one year of the disbursement as per the EM. Compensation award letter addressed to land losers shall contain an advice that refund of stamp duty and registration charges shall be done only for replacement land bought within a year from the date of payment of compensation in the name of land owner or in the name of land owner and spouse.
<b>14</b>	In providing Livelihood allowance under Para 8 of the Entitlement Matrix, the following shall be taken into consideration:- <ul style="list-style-type: none"> <li>a) Landless and marginal farmers irrespective of change of status.</li> <li>b) Those losing income due to shop/business.</li> </ul>

## ENTITLEMENT MATRIX

**3.15** Entitlement Matrix is presented in Table 3.2. PAPs will be eligible for a combination of compensation and assistance measures depending upon the nature of ownership rights of lost assets, type of impact and their socio-economic status.

**3.16** The benefit amounts offered in the EM will be periodically updated and disclosed. The Entitlement Matrix will be reviewed and updated, if required, based on lessons learnt from the implementation process in order for better management of the R&R in future.

**Table 3.2: Entitlement Matrix**

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
<b>A. Loss of Private Agricultural, Homestead &amp; Commercial Land</b>				
1	Land on the Project Right of Way	Legal Title holders and Affected Parties with traditional land rights	i. Compensation at replacement cost ii. Resettlement and Rehabilitation	<p>(i) Cash compensation for the land at market value, which will be determined as mentioned in note (A) (section 20 G of RAA 2008)</p> <p>(ii) 60% solatium on the compensation determined in (i) above (section 20F (9) of RAA 2008).</p> <p>(iii) In case where a State Government through any act or Gazette Notification or as approved by any authority of State Government (duly</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				<p>authorized for the purpose) as per their approved procedure has fixed a rate for compensation of land, the same may be adopted by the Competent Authority in determining the compensation for land in lieu of (i) &amp; (ii) above.</p> <p>(iv) Additional ex-gratia amount of Rs 20,000/- for those losing land up to 1,500 sqmts; Plus @ Rs.15 per sqmt for area acquired above 1,500 sqmt (para 7.19 NRRP 2007)</p> <p>(v) If as a result of land acquisition, the land holder becomes landless or is reduced to the status of a “small” or “marginal” farmer, rehabilitation assistance equivalent to 750 days of minimum agricultural wages would also be given</p> <p>(vi) The Competent Authority may in case of doubt/conflicting claims of compensation of market value may take inputs from an independent evaluator also before deciding the award. Detailed procedure in this regard is in note B</p> <p>(vii) Policy for acquisition/compensation for residual land will be as per note C</p> <p>(viii) Refund of stamp duty and registration charges incurred for replacement land to be paid by the project; replacement land</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				must be bought within a year from the date of payment of compensation to affected party as defined in section 20(H) of RAA 2008
2		Registered tenants, contract cultivators & leaseholders	Compensation for standing crops at market rate	Registered tenants, contract cultivators & leaseholders are not eligible for compensation for land. They will only be eligible for compensation for standing crops at market rate if 3 months' advance notice is not served by EA.
3		Un-registered tenants, contract cultivators, leaseholders, sharecroppers	Compensation for standing crops at market rate	Un-registered tenants, contract cultivators, leaseholders & sharecroppers are not eligible for compensation for land. They will only be eligible for compensation for standing crops at market rate if 3 months' advance notice is not served by EA. In case of share croppers, compensation shall be in the ratio as mutually agreed by the share croppers and land owners.
<b>B. Loss of Private Structures (Residential/Commercial)</b>				
4	Structure on the Project Right of Way	Title Holder/Owner	Compensation at replacement rate Resettlement & Rehabilitation Assistance	(i) Cash compensation for the structure at replacement cost which would be determined as per note D. (ii) Right to salvage material from the demolished structures. (iii) Three months' notice to vacate structures. (iv) Refund of stamp duty and registration charges for purchase of new alternative houses/shops at prevailing rates on the market value as determined in (i) above.



Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				<p>Alternative houses/shops must be bought within a year from the date of payment of compensation to affected party as defined in section 20(H) of RAA 2008.</p> <p>(v) Resettlement &amp; Rehabilitation Assistance as applicable as under:</p> <p>(a) Transition Allowance of Rs 4,000/- per household.</p> <p>(b) Each affected family getting displaced shall get a one-time financial assistance of Rs 10,000 as shifting allowance (para 7.10 NRRP 2007).</p> <p>(c) Each affected family that is displaced and has cattle, shall get financial assistance of Rs 15,000/- for construction of cattle shed (para 7.10 NRRP 2007).</p> <p>(d) Each affected person who is a rural artisan, small trader or self-employed person and who has been displaced shall get a one-time financial assistance of Rs 25,000/- for construction of working shed or shop (para 7.12 NRRP 2007).</p> <p>(e) House construction assistance for those living below poverty line equivalent to the latest construction cost of Indira Awas Yojana Scheme for Rural Areas</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				and cost of house construction under JNURM for Urban Areas
5	Structure on the Project Right of Way	Tenants/Lease Holders	Resettlement & Rehabilitation Assistance	<p>b. Registered lessees will be entitled to an apportionment of the compensation payable to structure owner as per applicable local laws.</p> <p>c. In case of tenants, three months written notice will be provided along with Rs 10,000 towards shifting allowance (NRRP 7.11).</p> <p>d. Three months' notice to vacate structures. In case notice is not provided, then three months' rental allowance will be provided in lieu of notice.</p>
<b>C. Loss of Trees &amp; Crops</b>				
6	Standing Trees, Crops on Project Right of Way	Owners & beneficiaries of land	Compensation at market value	<p>(i) 3 months' advance notice to affected parties to harvest fruits, standing crops and remove trees</p> <p>(ii) Compensation to be paid at the rate estimated by:</p> <p>(a) the Forest Department for timber trees</p> <p>(b) State Agriculture Extension Department for crops</p> <p>(c) Horticulture Department for perennial trees</p> <p>(d) Cash assistance to title holders and non-title holders including informal settlers/squatters for loss of trees, crops and perennials at market value</p>
<b>D. Loss of Residential/Commercial Structures to Non-Title Holders</b>				
7	Structures on the	Owners of structures	Compensation at replacement cost	(i) Encroachers (as defined in Note F) shall be given three

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
	Project ROW	identified as on date of notification (20A).	Resettlement & Rehabilitation Assistance	<p>months' notice to vacate occupied land or compensation for loss of crops or structures. If notice is not given cash assistance to squatters (as defined in Note F) for their structures at replacement costs which will be determined as mentioned in Note D</p> <p>(ii) Resettlement &amp; Rehabilitation assistance as under:</p> <p>(a) Transition Allowance of Rs 4,000/- per household.</p> <p>(b) Shifting allowance of Rs 10,000 per household (para 7.11 NRRP 2007).</p> <p>(c) Assistance of Rs 15,000/- for loss of cattle shed (para 7.10 NRRP 2007).</p> <p>(d) If the affected party getting displaced is a rural artisan, small trader or self-employed person assistance of Rs 25,000/- for construction of working shed or shop (para 7.12 NRRP 2007)</p> <p>(e) House construction assistance for those living below poverty line equivalent to the latest construction cost of Indira Awas Yojana Scheme for Rural Areas and cost of house construction under JNURM for Urban Areas</p>
<b>E. Loss of Livelihood</b>				
8	Households living on Right of	Title Holders/ Non-Title	Rehabilitation Assistance	(i) Rehabilitation grant equivalent to 750 days of minimum agricultural wages

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
	way	holders/sha re-croppers, agricultural labourers and employees		<p>to those families losing livelihood (NRRP para 7.14)</p> <p><i>(land title holders availing assistance of 750 days minimum wages under section 1(v) above would not be eligible for this assistance)</i></p> <p>(ii) Training Assistance of Rs 4,000/- for income generation per household</p> <p>(iii) Temporary employment in the project construction work to Affected Persons with particular attention to APs Below Poverty Line (BPL) by the project contractor during construction, to the extent possible</p>
<b>E1 Additional support to Vulnerable Group (as defined in Note E) &amp; those Below Poverty Line</b>				
9	Households affected by ROW	Households affected by ROW	Resettlement & Rehabilitation Assistance	One time additional financial assistance equivalent to 300 days of minimum wages
<b>E2 Additional assistance to Scheduled Tribe affected families</b>				
10	Affected Scheduled Tribes	Households affected by ROW	Rehabilitation Assistance	<p>(i) Each ST affected family shall get an additional one time financial assistance equivalent to five hundred days minimum agricultural wages for loss of customary rights or usage of forest produce (para 7.21.5 NRRP 2007)</p> <p>(ii) In case of land acquisition from each ST affected family, at least one third of the compensation amount due shall be paid to the affected families at the outset as first instalment and the rest at the time of taking over the possession of the</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				land (para 7.21.4 NRRP 2007)
<b>F. Loss of Community Infrastructure/Common Property Resources</b>				
11	Structures & other resources (eg land, water, access to social services etc) on ROW	Affected communities and groups	Reconstruction of community structure and common property resources	Reconstruction of community structures and replacement of common property resources in consultation with the community as appropriate
<b>G. Temporary impact during Construction</b>				
12	Land & assets temporarily impacted during construction	Owners of land & assets	Compensation for temporary impact during construction like disruption of normal traffic, damage to adjacent parcel of land/assets due to movement of heavy machinery and plant site.	The contractor shall bear the compensation cost of any impact on structure or land due to movement of machinery during construction or establishment of construction plant. All temporary use of lands outside proposed ROW to be through written approval of the landowner and contractor. Location of construction camps by contractors in consultation with DFCCIL

### Notes to Entitlement Matrix

#### Note A

1. Compensation would be determined by Competent Authority as per provisions in RAA 2008, section 20 (G) which specifies the following criterion for assessing and determining market value of the land:

- (i) the minimum land value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated; or
- (ii) the average of the sale price for similar type of land situated in the village or vicinity, ascertained from not less than 50% of the sale deeds registered during three years, where higher price has been paid, whichever is higher.

2. Wherever the above provisions are not applicable, the concerned State Government shall specify the floor price per unit area of the said land based on the average higher prices paid for similar type of land situated in the adjoining areas or vicinity, ascertained from not less than 50% of sale deeds registered during the preceding 3 years where higher price has been paid, and the competent authority may calculate the value of the land accordingly (section 20(G) of RAA 2008 to be followed).

3. While determining the compensation amount, competent authority or arbitrator shall also take into account the following, as per provisions in section 20 F (8) of RAA 2008:

- (i) Damage, if any sustained by the person interested at the time of taking possession of the land, by reason of the severing of such land from other land.
- (ii) Damage, if any, sustained by the persons interested at the time of taking possession of the land, by reason of the acquisition injuriously affecting his other immovable property in any manner, or his earnings
- (iii) If, in consequence of the acquisition of the land, the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change.

4. Before assessing and determining the market value of the land being acquired, competent authority shall:

- i. Ascertain the intended land use category of such land; and
- ii. Take into account the value of the land of the intended category in the adjoining areas or vicinity.

5. In case where the right of the user or any right in the nature of an easement on, any land is acquired, an amount calculated at ten per cent of the compensation amount determined under section 20 F (1) of RAA 2008, shall be paid by the EA to the owner and any other person whose right in enjoyment of the land has been affected.

#### **Note B**

DFCCIL would also hire an Independent Evaluator registered with Government, who can assist to assess the replacement cost of land as follows and provide inputs to the competent authority:

- (i) Appraise recent sales and transfer of title deeds and registration certificates for similar type of land in the village or urban area and vicinity
- (ii) Appraise circle rate in urban and rural areas of the district
- (iii) Appraise agricultural productivity rate for land – 20 years yield.

The Competent Authority may take inputs from the independent evaluator before deciding the compensation for the land.

#### **Note C**

If the residual plot(s) is (are) not economically viable, the EA will follow the rules and regulations applicable in the state and compensate accordingly; if there are no state specific rules and regulations available regarding residual land is less than average land holding of the district after EA purchase, the EA in agreement with the Affected Party, will follow one of the following:

- (i) The EA will buy the residual land for the project following the entitlements listed in the entitlement matrix; or
- (ii) The EA will pay the Affected Party 25% of the land hardship compensation for that portion of land without its purchase.

#### **Note D**

The compensation for houses, buildings and other immovable properties will be determined on the basis of replacement cost by referring to relevant Basic Schedule of Rates (B.S.R) as on date without depreciation. While considering the B.S.R, the

independent evaluator registered with the Government will use the latest B.S.R for the residential and commercial structures in the urban and rural areas of the region, and in consultation with the owners

**Note E**

NRRP 2007 defines Vulnerable Persons as disabled, destitute, orphans, widows, unmarried girls, abandoned women or persons above 50 years of age; who are not provided or cannot immediately be provided with alternative livelihood, and who are not otherwise covered as part of a family (para 6.4 (v) NRRP 2007)

**Note F**

Definitions:

Marginal farmer: A cultivator with an un-irrigated land holding up to 1 hectare or with an irrigated land holding up to half hectare.

Small farmer: A cultivator with an un-irrigated land holding up to 2 hectares or with an irrigated land holding up to 1 hectare, but more than a marginal farmer.

Encroacher: A person/family, who transgresses into the public land (prior to the cut of date), adjacent to his/her own land or other immovable assets and derives his/her additional source of shelter/livelihood.

Squatter: A person/family that has settled on the public land without permission or has been occupying public building without authority prior to the cut-off date and is depending for his or her shelter or livelihood and has no other source of shelter or livelihood.

.....

**Further guidelines for applying Entitlement Matrix**

3.17 At the time of compensation evaluation before declaration of award u/s 20 F of RAA' 2008, CA will also consider the compensation by State Government through any act or Gazette Notification or as approved by any authority of State Government (duly authorized for the purpose) as per their approved procedure has fixed a rate for compensation of land. Each PAPs shall be advised individually about the details of compensation and the how the rates are calculated. The details of compensation methods are available in the copy of award which available in CPM office.

3.18 In case of LA award declaration made after January 1, 2015, the provisions of RFCT-LARR 2013 shall apply with regard to payment of compensation. Where award is already declared by CA and there is difference in compensation, in such cases PAPs can approach to Arbitrator through Grievance Redressal Mechanism provided in the RAP. In case the land compensation has been made as per the RAA, 2008 after January 1, 2015 without taking into consideration applicable provisions of RFCT-LARR 2013, the difference in award shall be paid as per the RFCT-LARR, 2013.

3.19 In implementing the RAP, special attention will be given to the vulnerable groups-small, marginal, and landless farmers, families living below poverty lines, physically challenged, women and children, the elderly, SC families, in extending the R&R assistance as per the EM.

3.20 With regard to enlisting the physically disabled people, the level of disability shall be decided as per the medical certificate issued by the CMO of the concerned district. The vulnerability of the disabled person shall be declared in the open meeting of Gram Sabha and a person having more than 50% disability certificate may be considered for this benefit.

3.21 In case of Common Property Resources, if the land and structure is privately owned the compensation for land shall be paid to the Title holder as per the RAA-2008. The reconstruction/replacement of the CPR shall be implemented in consultation with the community as appropriate.

3.22 In case of Abadi Deh land, compensation shall be paid to the abadi land holders at par with the land owners; in case of occupiers of village common lands, alternative sites or site allowance will be provided to the displaced families in coordination with the concerned Panchayats that receive compensation towards acquisition of the village common lands.

3.23 R&R assistances may be provided in the joint names of wife and husband from the affected families wherever possible.



**3.24** In providing Livelihood allowance under Para 8 of the Entitlement Matrix, the following shall be taken into consideration:-

- a) Landless and marginal farmers irrespective of change of status.
- b) Those losing income due to shop/business.

## CHAPTER – 4: STAKEHOLDER'S CONSULTATIONS

### INTRODUCTION

**4.1** Consultative procedure has been a critical but important front in the entire social assessment process. This consultation framework has been continued during preparation of RAP, which in turn, has developed strategies for community dialogues and involvement in the project during implementation stage. While social assessment ensured involvement of local communities through participatory planning, structured consultations and FGDs have been conducted at strategic locations during RAP finalization stage to endorse and integrate important resettlement issues in the project design. Following section highlights type of consultations, inputs of consultation in action plan, follow-up consultations to inform people about endorsement of their opinion and preferences in project design. The follow-up consultations also intended to disclose R&R policy framework and have inputs/comments of people to integrate them in final RAP.

### CONSULTATION DURING SIA STAGE

**4.2** Detailed and extensive consultations were carried out during Base-line and socio-economic survey stage. These consultations were held at village level 30 consultations), Tahsil level (4 consultations). Major focus of these consultations were information dissemination about the project, involve people in the SIA process, take their suggestions about the project and understand their opinion and preferences in R&R planning. Besides these consultations during SIA studies, there have been continuous dialogues with the villagers during finalization of alignment and land acquisition process. The information disseminations and consultations were also done during 20 A notifications, hearing of objections under section 20 E notifications and declaration of award stage.

**4.3** Following Table (4.1) presents number of consultations held and average number of participants in these meetings.

**Table 4.1: Consultations**

Package Level	Village (Number)		Tahsil		District	
	Consultation	Average Participant	Consultation	Average Participant	Consultation	Average Participant
<b>GB Nagar</b>	12	15-45	1	5-10	Will be conducted during second round of consultation.	
<b>Bulandsahar</b>	18	15-25	3	10-12		
<b>Total</b>	30		4			

**4.4** As mentioned above, opinion and preference gathered during SIA were analyzed during RAP preparation stage. Technical team after due considerations of key outcomes of consultation has modified design alternatives to reduce social impacts and provide additional facilities to the community. However some of the expectations of people could not be fulfilled like provision of job, completely avoiding LA etc. Summary findings of outcome and its integration project have been presented in Table 4.2.

**Table 4.2: Key Outcomes of Consultation and its integration into the Project**

Category	Key Outcomes	Integration in Action Plan
Project Impacts	<ul style="list-style-type: none"> <li>Cracks in houses because of high speed loaded goods train because of vibration,</li> <li>Project officials should provide correct information,</li> <li>Loss of source of livelihood because of loss of fertile agricultural land,</li> <li>Loss of access to the agriculture field especially in bypasses,</li> <li>Loss of religious and other common properties,</li> <li>Division of habitation and cultural properties because of DFC tracks,</li> <li>Increase in accidents and suicide because of construction of tracks.</li> </ul>	<ul style="list-style-type: none"> <li>Vibration will be minimized using plantation, and constructions of boundary wall as agreed in EMP.</li> <li>Communication will be done with the help of NGOs and community based organizations,</li> <li>Loss of livelihood is addressed in RAP,</li> <li>Underpasses/RUB is proposed at suitable locations.</li> <li>Religious properties will be replaced in consultation with communities.</li> <li>This type of community properties have been connected through underpass,</li> <li>Accidents hotspots will be identified and remedial measures taken.</li> </ul>
Expectations from the Project	<ul style="list-style-type: none"> <li>Provision of Job in lieu of compensation,</li> <li>Compensation as the replacement value of lost assets,</li> <li>Gramsabha land should be given as resettlement site,</li> <li>Job to landless families,</li> <li>Compensation on the norms of private acquisition,</li> </ul>	<ul style="list-style-type: none"> <li>Provision of job has not been decided upon as yet.</li> <li>Compensation at replacement value under revised EM.</li> <li>Since Land Acquisition for DFC project is a linear acquisition, there is no mass displacement. Moreover, the surplus land is not available with Ministry of Railways. Therefore, resettlement site has not been planned for DFC project.</li> <li>Entitlement Matrix has been revised. To offer latest rates for Compensation as per the new EM,</li> </ul>
Design and Alternatives	<ul style="list-style-type: none"> <li>Pipeline and underground pipe should be constructed,</li> <li>Width of land for DFCC Track should be reduced to minimize land acquisition,</li> <li>Underpasses should be constructed near important crossing especially near</li> </ul>	<ul style="list-style-type: none"> <li>Lost pipeline will be replaced,</li> <li>Width of Land is reduced to 17 meters at many locations to minimize the impact,</li> <li>About 86 underpasses/RUB are planned (mainly in bypasses) to compensate loss of connectivity,</li> <li>Location of FoB will be finalized after</li> </ul>

Category	Key Outcomes	Integration in Action Plan
	school, <ul style="list-style-type: none"> <li>Foot over bridges should be given at important locations</li> <li>Remodeling of yard and platform to minimize ROW</li> </ul>	another round of PCMs by facilitating NGO during the course of implementation. These Fobs will be finalized with close coordination with MoR official as at will also cross existing IR Track.

## VILLAGE LEVEL CONSULTATIONS

**4.5** As a part of project preparation, the SIA team conducted a consultation in each villages. Summary of important issues, key findings and suggestions of the village level consultations have been presented in Table 4.3.

**Table 4.3: Important Issues/Suggestions and key findings of Consultation**

Location	Date of PCM	Suggestion of PAPs	Key Action
Village- Ajayabpur, Tahsil-Dadri Distt-GB Nagar	28/11/2011	<ul style="list-style-type: none"> <li>Compensation should be given on 2011 circle rate not at the 2008 rate,</li> <li>Solatum should be given on structure and trees as well</li> <li>There is persistent problem in getting land record updated from village revenue officers (Lekhpals)</li> </ul>	<ul style="list-style-type: none"> <li>Compensation will be given at market value as given in EM.</li> <li>There will not be any deduction in amount of check at the time of disbursement</li> <li>Land record of all land owners losing their land will be updated before the disbursement of compensation</li> </ul>
Village Rithauri, Tahsil-Dadri, Distt-GB Nagar	28/12/2011	<ul style="list-style-type: none"> <li>Compensation in similar line as it is given to the people of Bakshi village</li> <li>Compensation should be given on 2011 circle rate not at the 2008 rate,</li> <li>Compensation given (calculated hypothetically during consultation) is sufficient to purchase similar land</li> </ul>	<ul style="list-style-type: none"> <li>The facilitating NGOs will assist PAP in getting certificates of self-declaration, distribution of share from Tahsil.</li> </ul>
Village Jamalpur, Tahsil –GB Nagar sadar , Distt-GB Nagar	12/12/2011	<ul style="list-style-type: none"> <li>PAN Card should not be mandatory for compensation</li> <li>Compensation should be given as per quality of</li> </ul>	<ul style="list-style-type: none"> <li>PAN card is not required for the compensation of agricultural land</li> <li>Compensation for loss of land is per EM</li> </ul>

Location	Date of PCM	Suggestion of PAPs	Key Action
		land to be acquired	
Khairali Hafijpur, Tahssil-GB Nagar, Distt-GB Nagar	21/12/2011	<ul style="list-style-type: none"> <li>• People opined that those losing more than one acre of land should be given job,</li> <li>• Compensation should be given at the Ghaziabad rate</li> <li>• Underpass should be given</li> </ul>	<ul style="list-style-type: none"> <li>• DFCCIL has prepared very specific policy about LA.</li> <li>• Compensation shall be given as per EM,</li> <li>• Underpass will be decided at the time of implementation of the project as per suggestions of engineer of the DFCCIL</li> </ul>
Village Wair, Tahsil Sikandrabad, District Bulandsahr	30/10/2011	<ul style="list-style-type: none"> <li>• Land losers who become landless should be given. Compensation of land</li> <li>• If land from Gramsabha is being taken, compensation should be given in account of to Gramsabha</li> <li>• Job to land losers</li> </ul>	<ul style="list-style-type: none"> <li>• Compensation for land will be decided as per procedure under RAA 2008 and as per EM,</li> <li>• Gramsabha land will be transferred as per resumption proposal,</li> </ul>

**4.6 Future Consultation:** Consultations were held in 30 locations covering about 38 villages in 2 districts. These consultations focused on information disseminations, provisions of RAA 2008 and NRRP 2007 and revised Entitlement matrix. Follow-up consultations will be held to explain about provisions of compensation to each affected PAPs, and implementation framework under the project.

**4.7** The consultation mechanism ensured active participation of PAPs in understanding entitlement of each categories of PAPs, grievance and complain handling mechanism, persons to be contacted in case of any ambiguity in disbursement procedure. Basic feature of entitlement were discussed and a hand out was also distributed to PAPs. During the consultation PAPs also raised some important issues/suggestion/findings which are listed below -

- Compensation should be given on current market value instead of 2008 rate.
- Proportionate ex-gratia as per EM (PAFs losing more than 1500sqm) has helped to meet equivalent replacement value of land.
- Few PAPs are facing difficulties in getting their land record (hissa kashi etc.) updated land records are being collected by Land Acquisition Facilitation consultant working with field unit. PAPs were informed about policy of DFCCIL about residual land (left out land) DFCCIL has prepared very specific policy about Residual. As per EM,

residual land will be purchased from PAFs, if PAFs do not agree to sale, they will be compensated 25% of the value of residual land over and above the cost of compensation, For this purpose EM was discussed with PAPs and also disclosed

- Detailed institutional arrangement for implementation of RAP required to be disclosed to the people. RAP will be disclosed prior to Implementation.
- Communication with PAPs about methodologies of calculation of compensation and entitlements, grievance redress mechanism is weak. The facilitating NGOs will educate PAPs about methodologies of calculation of compensation and entitlement, grievance mechanism. Grievance redressal will be done with the help of facilitating NGOs and through Ombudsman

**4.8** *DFCCIL will have in place a communication strategy to deal with any confusion emerging out of the application of the RFCT-LARR with effect from January 1, 2015. The CPM-Meerut (DFCCIL) will conduct inclusive consultations with the help of his field staff during the implementation to explain various provisions in the RAP and to ensure that the LA and R&R process is carried out in a participative manner taking into consideration PAP views and concerns, and in order to expedite the process. The CPM will be assisted by the NGOs in holding these consultations.*

## **ACTION PLAN**

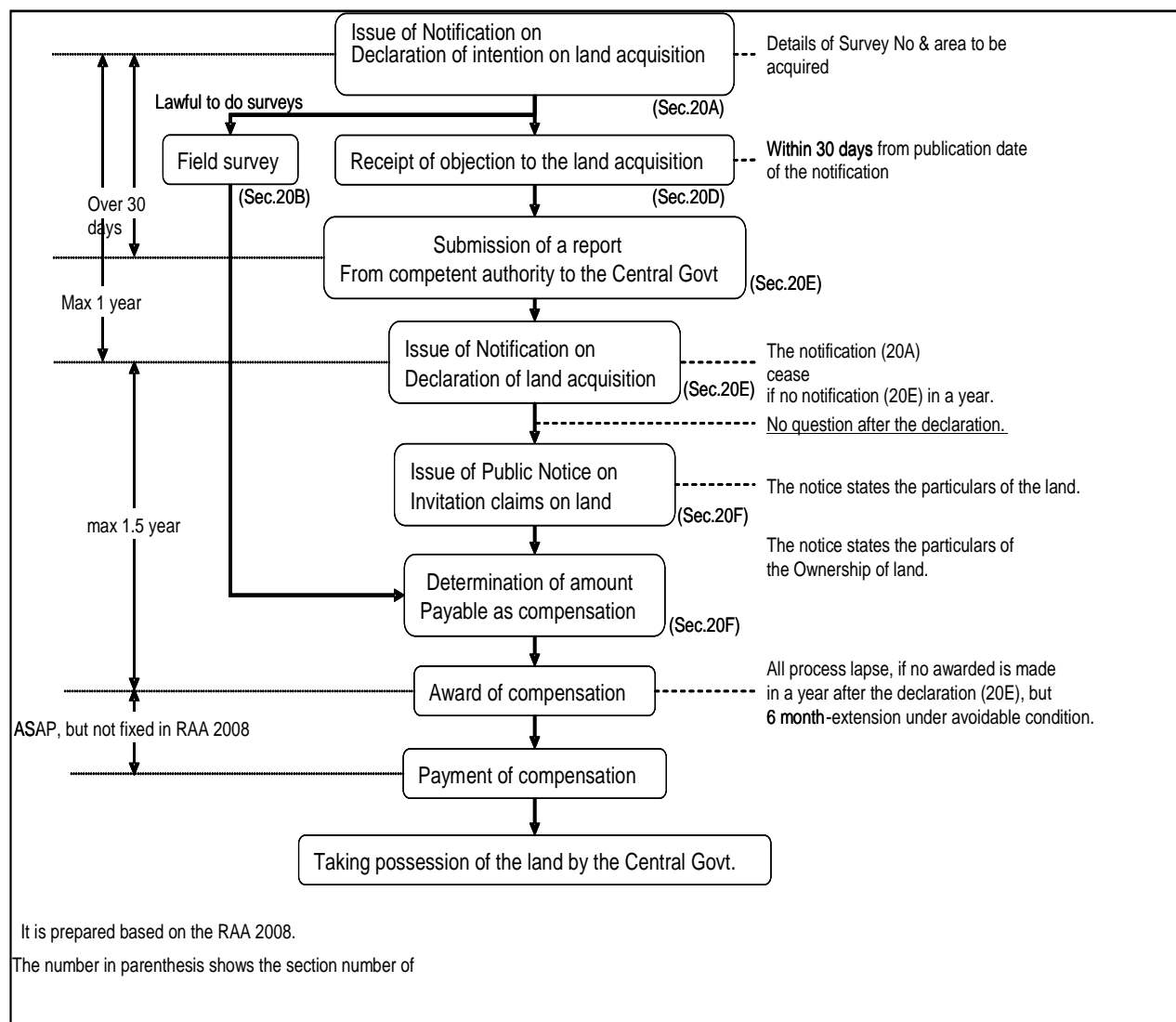
### **4.9 DFCCIL will take following action**

- 1) Will take steps to explain the applicability of the Entitlement Matrix has already been revised to offer latest rates of compensation, and steps have been taken to strengthen the institutional arrangements for LA and R&R.
- 2) FOBs will be provided or extended over the DFC tracks where the DFC tracks pass within the Railway Boundary between the station and the settlements or the township to prevent accidents. Location of FoB will be finalized after another round of PCMs by facilitating NGO during the course of implementation. These Fobs will be finalized with close coordination with MoR official as at will also cross existing IR Track.
- 3) Suitable noise barriers will be provided near schools to mitigate the noise levels.
- 4) RUBs will be provided on all roads in detours to ensure that movement across the DFC tracks is not restricted.
- 5) Boundary wall will be provided where the tracks are near the habitats to prevent accidents.
- 6) The above actions are not exhaustive and further actions as needed and suggestions arising out of the above consultations shall be considered and suitable measures will be taken.

## CHAPTER – 5: SCOPE OF LAND ACQUISITION AND COMPENSATION PAYMENT PROCESS

### LAND ACQUISITION PROCESS IN EDFC PROJECT

**5.1** The proposed EDFC project has been declared as ‘Special Railways Project’ as per The Railways Amendment Act, (RAA) 2008 (section 2 of the Railways Act 1989). In EDFC Project, land acquisition process is going as per RAA, 2008. A flowchart of the land acquisition process is shown fig. 5.1:



**Fig. 5.1: Flowchart of the Land Acquisition Process under Railways (Amendment) Act, 2008**

### EXTENT OF LAND ACQUISITION

**5.2** The proposed EDFC track for Khurja-Dadri section has been proposed mostly parallel to the existing IR tracks. Detours has been planned for Wair(Sikandrabad) . Average land width available for laying the EDFC tracks (Existing ROW) ranges from 12 - 15 meter. The proposed cross sections indicate that about 50 meter land is required to accommodate various features of proposed tracks. The technical examination of the cross section suggests that these features include distance between tracks of IR and

EDFC network, distance between two EDFC tracks, corridor for utility, refuge distance for service trolleys, and additional width for maintenance corridor or service roads. At detours the land width required varies from 40 meters to 60 meters with average width of about 50 meters. Table 5.1 presents the extent and purpose of proposed land acquisition.

**Table 5.1: Project Area: Loss of Land**

Section	Private Land(in ha)			Govern ment	Total (In Ha.)
	Agri.	Resi. /Com.	Community		
Khurja Dadri	144.36 (68.20%)	0.68 (0.32%)	0.55 (0.26%)	66.08 (27.87%)	<b>211.67</b> <b>(100%)</b>

Source: Detailed LAP, CPM Offices, DFCCIL

### Type of Land

**5.4** The proposed project stretch will involve acquisition of about 211.67 ha of land of which approximately 68% is private land. However, the project will about 66.08 ha of Government land. At many built-up locations land width has been reduced to as less as 17 meters which has resulted in reducing impact on residential as well as commercial structures. Table 5.2 indicates that impact on residential, commercial and community properties has not been significant

**Table 5.2: Type of Land under Acquisition**

Khurja Dadri Section	Chakmarg /Chakroa d	Banjar/Us ar/ Naveen Parti	Khalihaan /Hadwaar	Khaad ke Gadhe	Raasta/M ukhya Marg	Nali	Pashuchar Bhumi	Nahar	Marghat/ Kabristaa n	Abadi	others	Total
Total	3.80	9.25	0.29	1.06	6.95	4.65	7.09	0.45	0.75	1.55	30.94	<b>66.08</b>

Source: Detailed LAP, CPM office

### Present Status of Land Acquisition of Eastern Corridor

**5.5** DFCCIL has maintained close coordination with revenue department of the State Government for speedier acquisition of land under RAA 2008. On date, 20A , 20E and 20 F notices have been issued for the entire length. As of May 2015, LA award has been declared for about 130 ha of private land.

### Appointment of Competent Authority

**5.6** As per Section 7A, RAA 2008, Ministry of Railways has already nominated Competent Authority to act as land Acquisition Officer all along the corridor. Competent Authority has been empowered to declare the award along with other benefits as per Entitlement Matrix approved by Railway Board. The Competent Authority for district of Bulandsahar is ADM Bulandsahar. Competent Authority for GB Nagar District is SDM(Sadar) LA..

**5.7** The Competent Authority in addition to discharging his duty for land acquisition as under RAA, 2008 shall also be designated as the Administrator for R&R as under NRRP, 2007, and shall be responsible for payment of all applicable R&R assistance as per the Entitlement Matrix.



## **APPOINTMENT OF ARBITRATOR**

**5.8** As per Clause 20F(6) of RAA 2008, the Commissioners of Saharanpur, and Meerut Revenue Divisions have been appointed as Arbitrators for the districts of through the official Gazette.

### **Preparation of Land Plans**

**5.9** After issue of 20 A notifications, land surveys along the DFC's intended ROW are conducted to produce a "Land Plan" for respective sections at scale of 1:2,000 ~ 4,000. It identifies village names/Sub district (Block) names together with their boundaries traversed /bisected by ROW on both sides.

**5.10** A Land Acquisition Plan is also produced at the same scale to indicate respective land plot (Khasra) revenue survey map boundaries and numbers referring to the land registration maps maintained by Village level administration, together with detail acreage measured in hectares. It also includes collecting details such as owner of property, type of structure, number of floors and land use patterns, such as agriculture, commercial, barren, forest etc.

**5.11** Land acquisition proposal is prepared in the format prescribed by the revenue department of respective states including collection of property records, Khasra and Khatauni including superimposition of revenue record on proposed alignment & calculation of area to be acquired, preparation of statement of area to be acquired along with Land Owners details etc. This proposal is then submitted to the Competent Authority and after his approval, published under section 20A & 20E of Railway Amendment Act, 2008.

### **Acquisition Process for government land**

**5.12** After the publication of mandatory notification i.e. 20A as per RAA, 2008 the proposal for resumption of land is submitted to the Collector of concerned district. The Collector then decides the amount which will have to be deposited in the Revenue head of Government treasury by the DFCCIL. This amount is worked out at the Tehsil level and the report submitted to the collector who compiles it and gives the demand. After deposit of money by the acquiring agency, land is transferred by an order of collector.

### **Inputs from Independent Evaluator for Determination of Land Price**

**5.13** DFCCIL will hire an Independent Evaluator registered with Government, to assist the CA in assessing the replacement cost of land as follows and provide inputs to the Competent Authority as given in Entitlement Matrix;

- (i) Appraise recent sales and transfer of title deeds and registration certificates for similar type of land in the village or urban area and vicinity;
- (ii) Appraise circle rate in urban and rural areas of the district;
- (iii) Appraise agricultural productivity rate for land – 20 years yield.

**5.14** The Competent Authority may take inputs from the independent evaluator before deciding the compensation for the land. This is likely in cases especially where (a) more than "One Acre" of land is to be acquired; (b) where a wide variance between the local market rate and the circle rate, or (c) higher unit rates for similar land parcels offered by

other projects in the impacted locality is reported. This power rests with the Competent Authority as per EM.

### **Valuation for Residual Plots**

**5.15** If the residual plot (s) is (are) not economically viable, the Executing Agency (EA) will follow the rules and regulations applicable in the state and compensate accordingly; if there are no state specific rules and regulations available regarding residual land being less than average land holding of the district after EA purchase, the Executing Agency in agreement with the Affected Party, will follow one of the following:

**5.16** The DFCCIL will buy the residual land for the project following the entitlements listed in the entitlement matrix; or it will pay the affected party 25% of the land compensation payable for that portion of land without its purchase as hardship allowance. Land hardship is determined based on severity of impact on land. DFCCIL has proposed to assist such PAFs in case left out land is not viable. This is clearly elaborated in EM (chapter -3).

### **Replacement Cost of Land**

**5.17** The following explain how the replacement cost of land is provided

- (i) Cash compensation for the land at market value, which will be determined as above mentioned.
- (ii) 60% solatium on the compensation determined in (i) above (section 20F (9) of RAA 2008). or
- (iii) Ex-gratia amount of Rs 20,000/- for those losing land up to 1,500 Sqm; Plus additional ex-gratia @ Rs.15 per Sqm for area acquired above 1,500 Sqm
- (iv) If as a result of land acquisition, the land holder becomes landless or is reduced to the status of a “small” or “marginal” farmer, rehabilitation assistance equivalent to 750 days of minimum agricultural wages would also be given to the affected family.
- (v) In order to ensure payment of compensation at replacement cost, the Competent Authority may in case of doubt/conflicting claims of compensation of market value may take inputs from an independent evaluator also before deciding the award.
- (vi) Policy for acquisition/ compensation for residual land, if required.
- (vii) Compensation award letter addressed to land losers shall contained an advice that refund of stamp duty and registration charges shall be done only for replacement land bought within a year from the date of payment of compensation in the name of land owner or in the joint name of land owner and spouse.

### **Valuation of Fixed Assets**

**5.18** The compensation for houses, buildings and other immovable properties will be determined on the basis of replacement cost by referring to relevant Basic Schedule of Rates (B.S.R) as on date without depreciation. While considering the B.S.R, the independent evaluator registered with the Government will use the latest B.S.R for the residential and commercial structures in the urban and rural areas of the region.

### **Compensation Payment Process**

**5.19** The following are the key features:

- Since the project will be implemented through respective CPM offices. DFCCIL will adopt following fund flow mechanism for the timely implementation of RAP.
- DFCCIL will get approval of required funds for both LA and implementation of RAP from Ministry of Railways and will maintain a separate account for LA including R&R under the project.
- As per section 20F (I) of RAA 2008, where any land is acquired under this act, there shall be paid an amount which shall be determined by an order of competent authority.
- The money shall be deposited in a separate joint saving bank account in a nationalized bank preferably in a State Bank of India in the name of competent authority, who are all State Government officers and the officials nominated by DFCCIL preferably Assistant Manager (Finance). All the payments released towards compensation will be released into the Joint Accounts.
- Any amount, if likely undisturbed for more than a year from the date of last transaction in the Joint Bank Account of Competent Authority (Land Acquisition) and Assistant Manager/Manager (Finance), DFCCIL along with any amount of interest lying in the said account, shall be remitted back to account of DFCC after closing the joint account. The claims of compensation and arbitration award if any, after closing of joint account shall be recommended by competent authority to concerned CPMs who shall in turn refer it to the head quarter for release of payment.
- Disbursement of compensation will be done by cheques jointly signed by the account holders, DFCC will prepare all the documents required for taking possession of the land will be taken by Railway official immediately and handed over to DFCCIL officials and land handing over documents will be signed by Railways as well as DFCCIL official. Subsequently, lease agreement would be signed based on these documents.
- The payment of R&R assistances will also be done in a similar fashion as per Entitlement Matrix by the Administrator-R&R/ Competent Authority.
- There are no registered agricultural tenants and sharecroppers eligible for R&R assistance in Khurja-Dadri section. Registered tenants are generally not found in UP, since this EM will also be applicable to other parts of country where registered Tenants may be found, therefore this provision has been included in the EM). Any claimants in this category will be identified and provided with assistance as per the entitlement matrix, where applicable.
- However, under the Khurja-Dadri section, SIA has identified no tenants who are residing or running shops on rent (unregistered).

**Facilitating the Computation and Disbursement of compensation for Land Acquisition**

**5.20** Assistance will be provided to CA for preparation and distribution of compensation, for opening of bank accounts for affected families in the nearby or schedule /regional rural bank and subsequent deposition of cheques in the said account

while also keeping the acknowledgement of receipt of compensation cheques for record. The disbursement of compensation will be organized by making a suitable camp including arrangement of tents etc where required and with video /photography of the event. This information will be made to the concerned PAFs at least a week in advance.

### **Providing Legal assistance for Land Acquisition**

**5.21** All necessary arrangements for transferring the land title to IR/DFCCIL with all legal formalities like purchase of stamp papers, typing work involved, handing/taking over land, attending the Revenue Department, all charges payable to Govt. such as stamp duty etc shall be paid by DFCCIL. The facilitating NGOs under the guidance of APM (Social) shall provide facilitative support to PAFs enabling them to receive the LA compensation and other rehabilitation assistance as per their eligibility.

### **Possession of Land**

**5.22** Section 20J of RAA 2008 empowers Central Government to enter and do other act on the land after publication of 20E. However, in compliance of the social safeguard requirements of the World Bank policy, the process of payment for compensation of the award of the land owners, and disbursement of applicable rehabilitation assistance to the concerned PAFs (especially for all the structure losers) shall be completed before taking the land into possession for carrying out any activity on the land. For Government land, physical activity on the land shall be started after depositing the required amount as per the resumption order by the State Government or on getting a no objection certificate from the State Govt. Adequate notice will be given to PAFs prior to start civil work. No structures shall be disturbed till PAFs receives their Entitlements. MOR shall take possession of land with the DFCCIL acting as the facilitator. In both the cases the Competent Authority/Administrator-R&R and the Chief Project manager shall jointly certify that the land acquisition and R&R process have been completed.

### **Application of “Right to Fair Compensation and Transparency in Land Acquisition and Resettlement and Rehabilitation Act, 2013” (RFCT-LARR):**

**5.23** The 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 RFCT-LARRA provisions on land compensation have limited implications for the Khurja-Dadri section where land acquisition has been over 80 percent completed. All land compensation awards made with effect from January 1, 2015 shall be compliant with the RFCT- LARRA, 2013. Wherever awards have been made after 1st Jan 2015 at old rates, the difference will be paid to farmers as supplementary award in accordance with the new RFCT-LARRA. Given that of about 150 ha of private land, LA award has

already been made for 130 ha or over 80% of land required, RFCT-LARR shall apply in a limited way for this stretch in cases where award is pending. DFCCIL will take the following steps to deal with any confusion emerging out of the application of RFCT-LARR, 2013 for LA Awards declared w.e.f. January 1, 2015, which may be more than what has been awarded under RAA, 2008 prior to January 1, 2015.

- a) DFCCIL will establish a communication strategy to educate the PAFs regarding the applicability of RFCT-LARR for LA and R&R entitlements provided under RAP with explaining the eligibility criteria, entitlements, and implementation procedures.
- b) DFCCIL will strengthen the Grievance Redress Mechanism with holding special grievance hearing camps in the affected villages as may be required to resolve grievances relating to the application of the RFCT-LARR to the LA process carried out under RAA, 20018 w.e.f. January 1, 2015.
- c) DFCCIL and MoR will establish an apex level Resettlement and Rehabilitation Committee to monitor the LA and R&R process as also address any major obstacles affecting the LA and R&R award and disbursement process.

## CHAPTER – 6: INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENT

**6.1** DFCCIL is responsible for the technical aspects and overall execution of the Project. Chief Project Manager's Offices (CPM office) have already been established at Meerut. CPM Offices headed by an officer of the rank of General Manager.. At the Head Office, Social & Environmental Management Unit (SEMU) has been established, which is headed by an officer of the rank of General Manager. SEMU looks after Land Acquisition and Rehabilitation and Resettlement process under the project. DFCCIL as project implementation agency is responsible for monitoring the use of loan funds and overall implementation process. DFCCIL, headed by Managing Director, will have overall responsibility for policy guidance, coordination and planning, internal monitoring and overall reporting of the Project. SEMU facilitates land acquisition and compensation, relocation and resettlement, and the distribution of assistance for the PAPs. The main responsibility of SEMU is monitoring and implementing all resettlement and rehabilitation activities, including land acquisition. The responsibilities of this unit include:

- (a) Responsible for monitoring and approving all land acquisition activities;
- (b) Liaison with respective CPM office to facilitate PAP access and take advantage of services and programs already in place;
- (c) Evolve mechanisms for coordinating the delivery of the compensation and assistance to entitled persons;
- (d) Review and provide social development perspectives and inputs to on-going project design and implementation by working closely with project planners, contractors, and construction supervision consultants;
- (e) Oversee a grievance redress process, actively monitor RAP implementation, and cooperate with planned project evaluations.

### R&R INSTITUTIONAL LEVEL AT THE HEADQUARTER LEVEL

**6.2** Presently, DFCCIL has following institutional structures:-

- a) **Managing Director**, DFCCIL, is responsible for the successful implementation of the project.
- b) **Director, (Project and Planning)**, DFCCIL, is the Chief Executive of the project and is responsible for successful implementation of the various project components including RAP. In respect of RAP, specific responsibilities include the following
  - Coordination with the Railway Board and relevant state government authorities on land acquisition, R&R entitlements and other social components.
  - Report the progress in RAP implementation to MD, DFCCIL
  - Report to Railway Board (ED,LA) about progress in LA and R&R,
  - Interact regularly with SEMU staff,
  - Monitor progress of R&R with SEMU Staff and field CPMs.

- Ensure timely release of money to CA offices required for RAP implementation and
  - Take up issues with MD for issues to be resolved at the Railway Board (MOR).
  - Framing corporate policy including Entitlement Matrix, etc.
- c) **Social and Environmental Management Unit (SEMU)** Presently the SEMU has a General Manager, Additional General Manager, SEMU & Additional General Manager (LA). SEMU has also hired an Environmental Expert and one Social Expert. The SEMU unit has been strengthened with DGM (Grievances). The entire SEMU unit is responsible for the smooth implementation of RAP. During the course of the project implementation, SEMU will be responsible for the following. The Unit is not responsible for direct implementation of LA and R&R, but for documenting and monitoring the process and ensures overall coordination.
- Report to Dir. /PP about the progress in LA and R&R,
  - Coordinate with the CPM office, on the implementation of RAP,
  - Prepare formats and agree on criteria for the verification of PAFs,
  - Review individual micro plan (including R&R entitlements) prepared by the CPM office,
  - Develop training modules for project staff and other functionaries on managing social aspects of the project.
  - Guide CPM offices in matters related to resettlement and rehabilitation.
  - Ensure budgetary provision for resettlement and rehabilitation
  - Ensure timely release of budget for implementation of RAP.

#### **Capacity Augmentation of DFCCIL (SEMU) unit at Corporate Office**

**6.3** Institutional arrangement at DFCCIL Head Office will include augmenting the capacity of the Social and Environmental Management Unit (SEMU). The Environment Expert & Social Experts have already been appointed. DGM (Public Grievances) has also been appointed at Corporate Office.

**6.4** The Consultant (Social) will look after the resettlement and rehabilitation components of the Project and ensure that all rehabilitation and resettlement issues are complied with as per the resettlement policy. S/He will be assisted by Assistant Project Manager (Social) in the CPM office.

#### **Role and Responsibility of HEAD QUARTER Officials for RAP Implementation**

**6.5** The administrative roles and responsibilities are given below in Table 6.1.

**Table 6.1: Administrative and Financial Responsibilities of SEMU Unit for RAP Implementation**

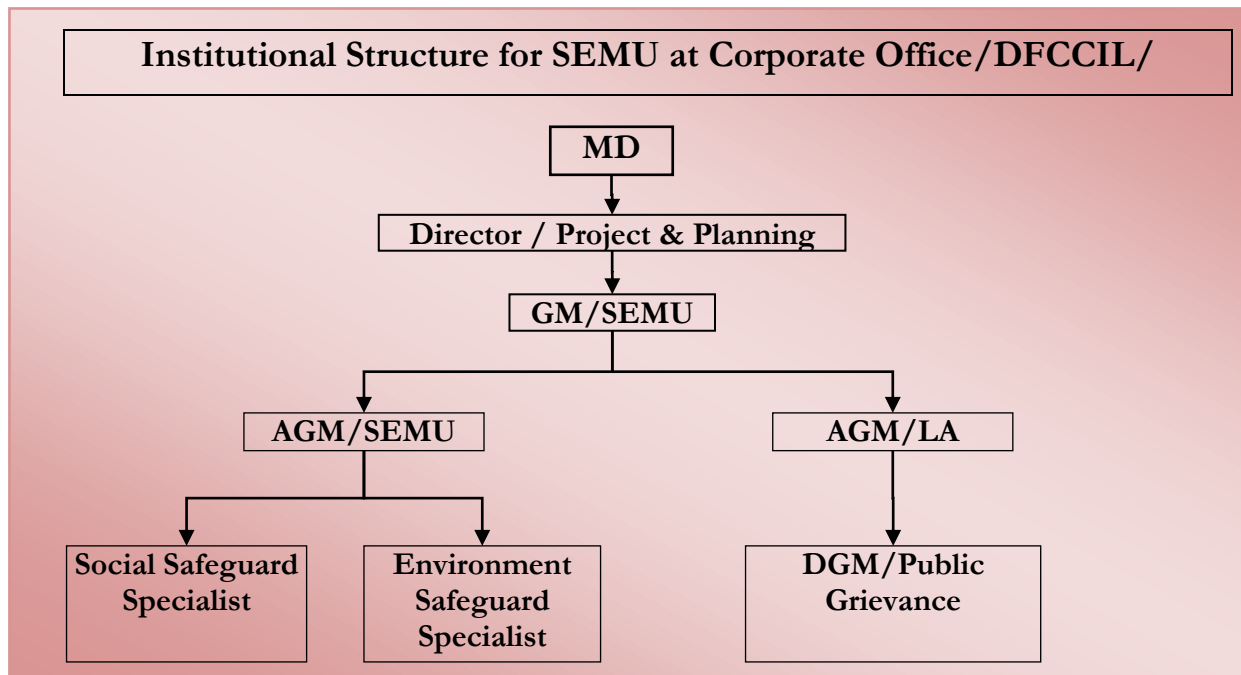
<b>Personnel</b>	<b>Administrative Roles and Responsibility</b>
<b>General Manager (SEMU)</b>	<ul style="list-style-type: none"> <li>• Responsible for all work related to Environmental and Social Considerations of the project.</li> <li>• Responsible for coordinating with World Bank for all</li> </ul>

Personnel	Administrative Roles and Responsibility
	<p>environmental and social consideration of the Project.</p> <ul style="list-style-type: none"> <li>• Responsible for monitoring the Process of Land acquisition and RAP implementation. Assistance given by AGM/land acquisition.</li> <li>• Grievance redress related to Land Acquisition / social and environmental considerations. The GM is assisted by DGM/E for disposal of all grievances related to LA and implementation of RAP for the project.</li> <li>• Ensure budgetary provision for resettlement and rehabilitation of PAPs and relocation, rehabilitation and reconstruction of common property resources (CPR).</li> <li>• Ensure timely release of budget for implementation of RAP.</li> </ul>
<b>AGM/SEMU</b>	<ul style="list-style-type: none"> <li>• Assisting GM SEMU in all social and environmental issues and reports to GM (SEMU),</li> <li>• Assisting in finalisation of Environmental and Social reports prepared by the consultants,</li> <li>• Public disclosure of EIA, EMP, SIA, SMF, RAP etc.</li> <li>• To provide assistance for devising suitable institutional mechanism to monitor and supervise effective implementation of EMP and RAP,</li> <li>• To provide information for any parliament questions / RTI query on environmental aspects of the project,</li> <li>• To furnish information to PR/Adm department of DFCCIL for any environment impact related News item appearing in the print or electronic media.</li> </ul>
<b>AGM/LA</b>	<ul style="list-style-type: none"> <li>• Processing of proposals for land acquisition for notification of 20 A and 20E at Corporate Office,</li> <li>• Coordinating the land acquisition cases in Ministry of Railways, Ministry of law, Official language section and publication department for notification of 20A and 20E.</li> </ul>
<b>DGM/Grievance</b>	<ul style="list-style-type: none"> <li>• In charge of complaint receipt section,</li> <li>• To process for redressing any complaint or grievance received directly in DFCCIL corporate office,</li> <li>• To assist GM/SEMU in getting remarks on complaints/grievances on R&amp;R issues from concerned officers. To give replies to the complaints based on decision taken in corporate office,</li> <li>• To maintain data base of complaint received and replies given to the complainants,</li> </ul>



Personnel	Administrative Roles and Responsibility
	<ul style="list-style-type: none"> <li>• To assist GM/SEMU in monitoring the grievance redress process pertaining to R&amp;R issues,</li> <li>• To process any RTI case / query related to land acquisition.</li> </ul>
<b>Social Safeguards Specialist</b>	<ul style="list-style-type: none"> <li>• Assist CPM office in the implementation RAP,</li> <li>• Provide on an on-going basis technical assistance to facilitating NGOs, build their capacities and ensure R&amp;R program is implemented,</li> <li>• To prepare, manage and retrieve the database of LA and R&amp;R of EDFC,</li> <li>• Prepare reporting formats for NGOs,</li> <li>• Coordinate with NGOs towards implementation of RAP,</li> <li>• Review and prepare progress report on LA and R&amp;R,</li> <li>• Report to GM (SEMU) about the progress,</li> <li>• Develop innovative implementation strategies within the framework of RAP. This essentially involves close collaboration and working with the CPM office, Project Beneficiary Groups (PBGs), and facilitating NGOs,</li> <li>• Monitor the implementation of RAP and to prepare required monitoring reports,</li> <li>• Interact with Monitoring and Evaluation (M&amp;E) agencies in developing monitoring formats,</li> <li>• Organize training and capacity building modules for officials of DFCCIL, LAFC and RRFC.</li> </ul>

Organizational Structures for Head Office is given Fig 6.1



**Fig. 6.1: Organizational Structures for Corporate Office**

## **R&R INSTITUTIONS AT THE FIELD LEVEL**

**6.6** Presently, in the field, Office of Chief Project Manager (CPM) is in Meerut is headed by CPM, who is looking after the overall land acquisition work for their respective stretches. They are assisted by a Deputy Chief Project Manager (Dy.CPM), and Assistant Project Managers (APMs). The CPM is assisted by Land Acquisition Facilitation Consultant (LAFC). Roles and responsibilities are presented in Table 6.2. Furthermore, retired revenue officers, computer specialists have been provided to each Competent Authority to help in Land Acquisition. Training on R&R issues is envisaged to be given to the APMs so that they have a better understanding of the R&R situation under the project. This system is expected to continue till the work starts.

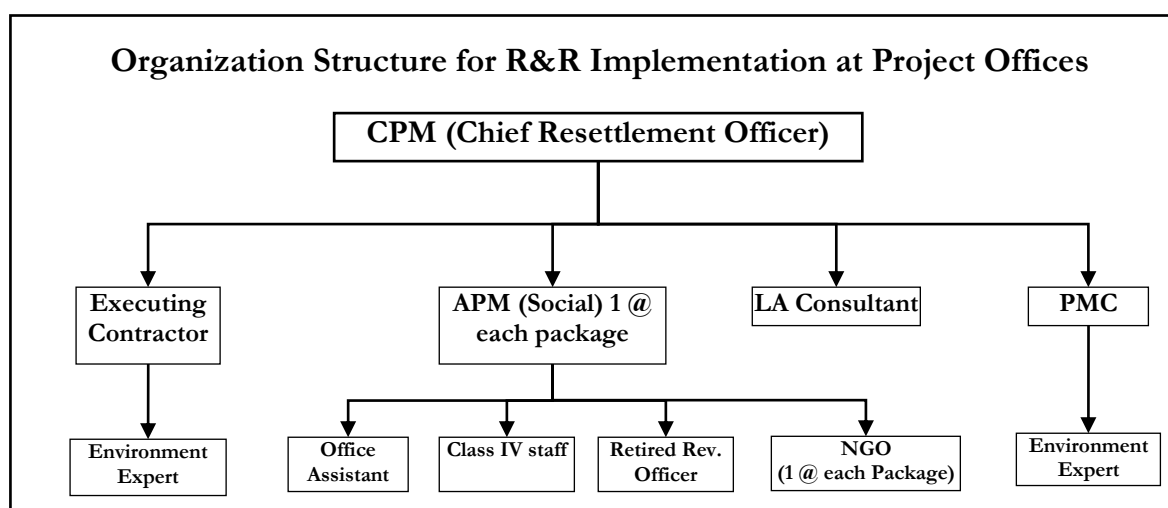
**6.7 Chief Project Manager is the Chief Resettlement Officer (CRO), and is responsible for implementing the RAP under the overall guidance of the SEMU and the Director (PP).** The CRO will be assisted Assistant Project Manager (APM/Social) one for each package and Assistant Project Manager (APM/Environment) to look after the implementation of RAP. The CPM will take guidance and directions from GM SEMU at DFCCIL Head Office in policy matters related to resettlement and rehabilitation. Under APM/Social, one social management/cell will be established. One retired revenue officer and one office assistant cum computer Operator will be under this cell to look after of RAP implementation and social issues. For every contract an APM (Social) post will be filled up on deputation from eligible Railway Staff or a suitable person taken on contract basis. This team will be detailed to look after all the pending R&R issues including compensation, R&R disbursement and re-imbursement of stamp duty etc.

Similarly, Project Management Consultant and Executing Contractor will be available once construction work starts to oversee R&R work.

**6.8** Broad roles and responsibilities of field units in their respective stretches will be as follows:

- Co-ordinate with the District Administration, on Land Acquisition and R&R activities,
- Close liaison with PAPs like Titleholder and as well as non-titleholders,
- To have a regular interaction with the Local Communities to develop good working relationship,
- Disclosure of information in field offices,
- Facilitating NGOs will assist in implementation of RAP (ToR is attached as annexure 6.1.)
- Ensure meetings on resettlement and rehabilitation policy and RAP and intensive information dissemination,
- Ensure inclusion PAPs who could not be enumerated during census but have documentary evidence to be included in the list of PAPs,
- Develop and maintain a PAP level database including aspects related to losses, compensation, R&R entitlement, release of funds and utilization,
- Ensure that the R&R assistance is used for the purpose it is meant for,
- Ensure preparation of identity cards and distribution of the same to PAPs,
- Ensure disbursement of resettlement and rehabilitation assistance in a transparent manner.
- Participate in meetings related to resettlement and rehabilitation issues,
- Facilitate in opening of joint account of PAPs,
- Monitor physical and financial progress on LA, R&R,
- Prepare monthly progress report related to physical and financial progress of implementation of RAP,
- Ensure release of compensation and assistance before taking over the possession of land prior to start of construction work,
- Ensure relocation, rehabilitation and reconstruction of CPRs before dismantling through proper mechanism.

**6.9** The Organizational Structures for Field Office is given Fig 6.2



**Fig. 6.2: Organizational Structures for Each CPM Units**

### ADMINISTRATIVE ROLES, RESPONSIBILITIES & FINANCIAL POWERS

**6.10** The administrative roles and responsibilities are given below in Table 6.2 and financial powers are as mentioned in Schedule of Powers (SOP) of DFCCIL.

**Table 6.2: Main Administrative and Financial Responsibilities of Field Unit for RAP Implementation**

Personnel	Administrative Roles and Responsibility
<b>CPM</b>	<ul style="list-style-type: none"> <li>➤ Overall in charge of LA and R&amp;R.</li> <li>➤ Participate in State and District level meetings to facilitate LA and R&amp;R activities.</li> <li>➤ Responsible for executing the work from NGOs and M&amp;E consultants.</li> <li>➤ Shall submit final R&amp;R eligibility lists and assist in the monitoring evaluation of RAP</li> <li>➤ Assisting PAPs with income restoration and livelihood strengthening measures</li> <li>➤ Periodic appraisal of progress and reporting to the World Bank and the DFCCIL HQ on monthly basis</li> </ul>
<b>Administration for R&amp;R /Competent Authority</b>	<ul style="list-style-type: none"> <li>➤ Award for compensation of land and structures as per RAA 2008 and EM.</li> <li>➤ Award for R&amp;R benefits as per Entitlement Matrix.</li> </ul>
<b>APM (Social)</b>	<ul style="list-style-type: none"> <li>➤ Responsible for R&amp;R Implementation and Land Acquisition in</li> </ul>

Personnel	Administrative Roles and Responsibility
	<p>the field and in charge of day to day activities,</p> <ul style="list-style-type: none"> <li>➤ Prepare progress report on physical and financial monitoring of R&amp;R and submit to CPM,</li> <li>➤ Oversee the process of land acquisition, shifting of CPRs and other assets in the field,</li> <li>➤ Scrutinise and certify the structures valuation report submitted by the Evaluators,</li> <li>➤ Conduct periodic review with staff,</li> <li>➤ Submit monthly progress reports to CPM on R&amp;R activities.</li> <li>➤ Directly interact with PAFs and record their views and grievances and transmit the same to the CPM/RR Committees</li> <li>➤ Monitor the community level activities of the NGOs</li> </ul>
NGO	<ul style="list-style-type: none"> <li>➤ Develop rapport with PAPs,</li> <li>➤ Constitute Project beneficiary Groups (PBGs)/SHGs</li> <li>➤ Develop communication strategies (on regular basis through formal information centres)) to address grievances of PAPs,</li> <li>➤ Assist PAPs in updating land record (Distribution of shareowner etc.)</li> <li>➤ Assists PAPs in addressing their grievances through established procedures as per RAP.</li> <li>➤ Liaison with Revenue Department,</li> <li>➤ Coordinate with LAFC to facilitate DFCCIL in the implementation and management of LA&amp;R&amp;R.</li> <li>➤ Put into practice the innovative implementation strategies developed by the SEMU (HQ).</li> <li>➤ Liaise with the District Administration and other development agencies to dovetail their development programs for the socio-economic improvement of affected communities and vulnerable groups.</li> <li>➤ Develop innovative mechanism/methodologies to ensure active involvement of various project stakeholders in the</li> </ul>

Personnel	Administrative Roles and Responsibility
	implementation of RAP like Formation of project beneficiary group (PBG)/SHGs for rehabilitation of PAPs, ➤ Help in the monitoring and evaluation of RAP, ➤ Attend to any other relevant responsibilities assigned by the CPM,
<b>LAFC</b>	➤ Distribution of Notice to Khatedar after notifications ➤ Collection of Sale deeds (Registry Rate) of each Villages ➤ Preparation of entitlement matrix & compensation package ➤ Survey & Valuation of structure tube wells & other properties. ➤ Preparation of reply of objection against notification for compensation claims and coordinating with C.A. ➤ Preparation approval & agreement for distribution of compensation ➤ Joint measurement with revenue staff & and DFCCIL ➤ Making proposal for acquisition of Govt. land & other follow up with revenue official.
<b>PMC</b>	➤ Assist in internal monitoring and supervision of the LA/R&R ➤ Assist in coordinating the LA R&R and the civil work process
<b>Social and Environment Safeguard Monitoring and Review Consultant (SESMRC)</b>	➤ Carry out periodic quality audit of the LA and R&R implementation focussing on timeframe, PAP communication and consultation, distribution of entitlements, grievance redress, coordination with civil work, PAP satisfaction especially with regard to rehabilitation of the displaced and livelihood restoration of the poor land losers, intermediate outcomes of the LA and R&R; and recommend improvements, if any.

### Corporate Social Responsibility

**6.11** DFCCIL will take social responsibility for reconstruction of community structures and replacement of common property resources like Temple, Schools, Colleges, Roads, and Hospitals in consultation with the community. The facilitating NGOs will organize PCM with concern stakeholder's to decide the CSR work to be done by DFCCIL. However, the DFCCIL will follow GOI guidelines to plan and carry out CSR.

### Environmental Protection

**6.12** Environmental Assessment has been conducted and environmental impacts are observed and subsequently EMP had been formulated. Accordingly the project falls under 'A' category as per World Bank classification. Most mitigation measures have already been adopted by DFCC, such as detours proposed at busy and dense locations and utilizing existing Railway Land. Environmental issues will be mitigated with the implementation of EMP. Based on feedback from consultation and as per the Environmental Management Plan (EMP), health and safety issues will be addressed

including with regard to minimizing sound impacts, accident risks, and management of work camps. The contract documents will include a clause which will prevent any involvement of child labour and ensure equal wages for both men and women as per and health and safety measures as per the applicable laws of the country. The details of such contract clauses are included in EMP which is part of bid document also.

## **MONITORING AND EVALUATION**

### **Need for Monitoring**

**6.13** M&E will focus on effectiveness of RAP implementation, including the physical progress of land acquisition and R&R activities, the disbursement of compensation, the effectiveness of public consultation and participation activities, and the sustainability of income restoration and development efforts among affected communities. The objective of monitoring is to provide the project authorities with feedback on RAP implementation and to identify problems and successes as early as possible to allow timely adjustment of implementation arrangements. For these reasons, monitoring and evaluation of LA and R&R activities have been delineated in the RAP and will be integrated into the overall project management process. This section provides a coherent monitoring plan, which identifies organizational responsibilities, methodology, and schedule for monitoring and reporting. The three components of this monitoring plan include: (a) performance monitoring, impact monitoring; and end term evaluation or completion audit.

### **Performance Monitoring**

**6.14 Performance Monitoring**—Performance monitoring will be an internal management function allowing the DFCCIL-SEMU to measure physical progress in LA and R&R activities against milestones set out in the RAP implementation plan. Progress will be reported by field unit to corporate office (SEMU Unit) against the time schedule with dated list of targeted actions (displayed in this RAP as annexure 6.3 ;). Performance milestones will include:

Public consultations held: Confirmation of the census survey of PAPs in various categories for disbursing R&R benefits including especially for cattle shed owners; vulnerable families requiring subsistence allowance; families requiring livelihood assistance; land tenants and share croppers;

- Completion of additional assessments in case of design changes
- functioning of the grievance redress mechanisms in place;
- Compensation payments;
- Relocation of displaced families with R&R benefits disbursed;
- Provision of facilities to replace damaged/affected CPR;
- Rehabilitation of small/marginal and landless farmers losing land/livelihoods
- Income restoration and development activities initiated;
- Periodic progress reports submitted

**6.15** The SEMU will be responsible for performance monitoring at the project level and the CPM offices will be responsible for performance monitoring at the field level;

Performance Monitoring will involve periodic field visits by SEMU and continuous implementation monitoring by the CPM and his staff including the Deputy CPM, APM-Social and the facilitating NGOs. This process of performance monitoring will be supported by the Social and Environment Safeguard Monitoring and Review Consultant (SESMRC) appointed by DFCCIL, who will prepare monitoring reports and suggest operational remedies in the LA & RR implementation process if required.

**6.16 Process and Impact Monitoring:** The Social and Environment Safeguard Monitoring and Review Consultant (SESMRC) consultant/agency will quarterly provide independent quality audit of the RAP implementation and assist in monitoring impacts in order to verify the effectiveness of internal monitoring, and to suggest adjustment in policies, delivery mechanisms and procedures as required. The external monitor will submit quarterly report to determine the quality and effectiveness of RAP implementation. Quality and Impact Monitoring will help gauge the effectiveness of the RAP and its implementation in meeting the needs of the affected population. The effects of RAP implementation will be tracked against the baseline conditions of the population prior to project implementation. This baseline has already been established through the census and baseline socio-economic survey during SIA. Some key objectively verifiable indicators for measuring the impact of land acquisition and physical relocation include: health and welfare of affected population and the effectiveness of impact mitigation measures, including livelihood restoration and development initiatives. Some key impact indicators will include: size of land holding, economic wellbeing including annual income, employment/livelihoods, and indebtedness; educational status of the school going population; living conditions including type and size of housing, fixed and movable assets; problems arising among the affected population (declining crop yields, high incidence of disease, and decline in family income) requiring remedial action. In addition to the above quantitative indicators, impact monitoring will also involve the use of qualitative indicators to assess the satisfaction of PAFs with La and RR process and, the adequacy of these initiatives, especially with functioning of the grievance redress mechanism; consultation and people's participation; transparency and accountability in the LA and R&R process; information dissemination and communication with the affected population. The quality monitoring method will involve direct consultation with the PAFs through meetings, focus group discussions, or similar forums established by the project management for participation as part of the consultation framework. The scope of work of Social and Environment Safeguards Monitoring and Review Consultant (SESMRC) is provided in Annexure 6.2.

**6.17 Completion Audit/End Evaluation:** DFCCIL will undertake an end-term evaluation by an independent third party to assess whether the outcome of the RAP complies with the involuntary resettlement policy. The key objective of this external evaluation, or completion audit, will be to determine whether the efforts made to restore the living standards of the affected population have been properly conceived and executed. The audit will verify how far the physical inputs committed in the RAP have been delivered and the services have been provided. In addition, the audit will evaluate whether the mitigation actions prescribed in the RAP have had the desired effect. The socioeconomic status of the affected population will be measured against the baseline conditions of the population before displacement, established through the census and socioeconomic studies. This evaluation will be undertaken after all RAP inputs—



including payment of compensation and R&R assistances have been paid and other supplementary development initiatives have been completed prior to Project closure. This evaluation will enable DFCCIL to undertake corrective actions, if any, as recommended by the evaluation before the project is complete. The third party impact assessment will be carried out at least twice during the project cycle including the end term evaluation.

## **GRIEVANCE REDRESS MECHANISM**

**6.19** It cannot be ruled out that during the implementation of LA and R&R, some PAFs may not be satisfied with the compensation/benefits offered and may have some grievances. There is a provision for redress of grievances of PAFs relating to the application of the Entitlement Matrix in respect of Land Acquisition and Rehabilitation. There shall be GRC at the field and headquarter levels to hear and redress grievances made by PAP/PAFs and any other local residents having a stake in the DFC project implementation process. The complainant shall be allowed himself or with the help of legal adviser (advocate) to present at the hearing of his/her case.

**6.20 Grievance Redress at the Field Level:** There shall be a Resettlement and Rehabilitation Committee convened by the Chief Project Manager, which will comprise the following:

- a. District Collector of the concerned District, or his nominee ( Chair );
- b. Concerned Competent Authority/Administrator ( R&R) (invitee);
- c. Concerned Assistant Project Manager-Social (only to provide for secretarial service);
- d. Zillah Parishad Chairperson/his or her nominee and
- e. Representative from civil society/ a reputed local NGO.

**6.21 Grievance Redress at Project Level:** There shall be a Resettlement and Rehabilitation Committee convened by the General Manager (SEMU), which will comprise the following:

- a. Director (Project Planning)
- b. Deputy General Manager-Grievance
- c. Social Specialist
- d. Representative of the MOR

**6.22 Role of Arbitrator:** The Arbitrator, who in this case is the Commissioner of the concerned revenue division have been duly appointed vide gazette dated July 15, 2010 to hear and redress grievances related to compensation payable under the RAA, 2008 to the PAFs.

**6.23 An Ombudsman** will be appointed by the MOR to hear and resolve grievances not addressed by the R&R Committees established by DFCCIL to the satisfaction of the concerned project affected person/ family upon receipt of request from him/her. Ombudsman will in place by February 2011.

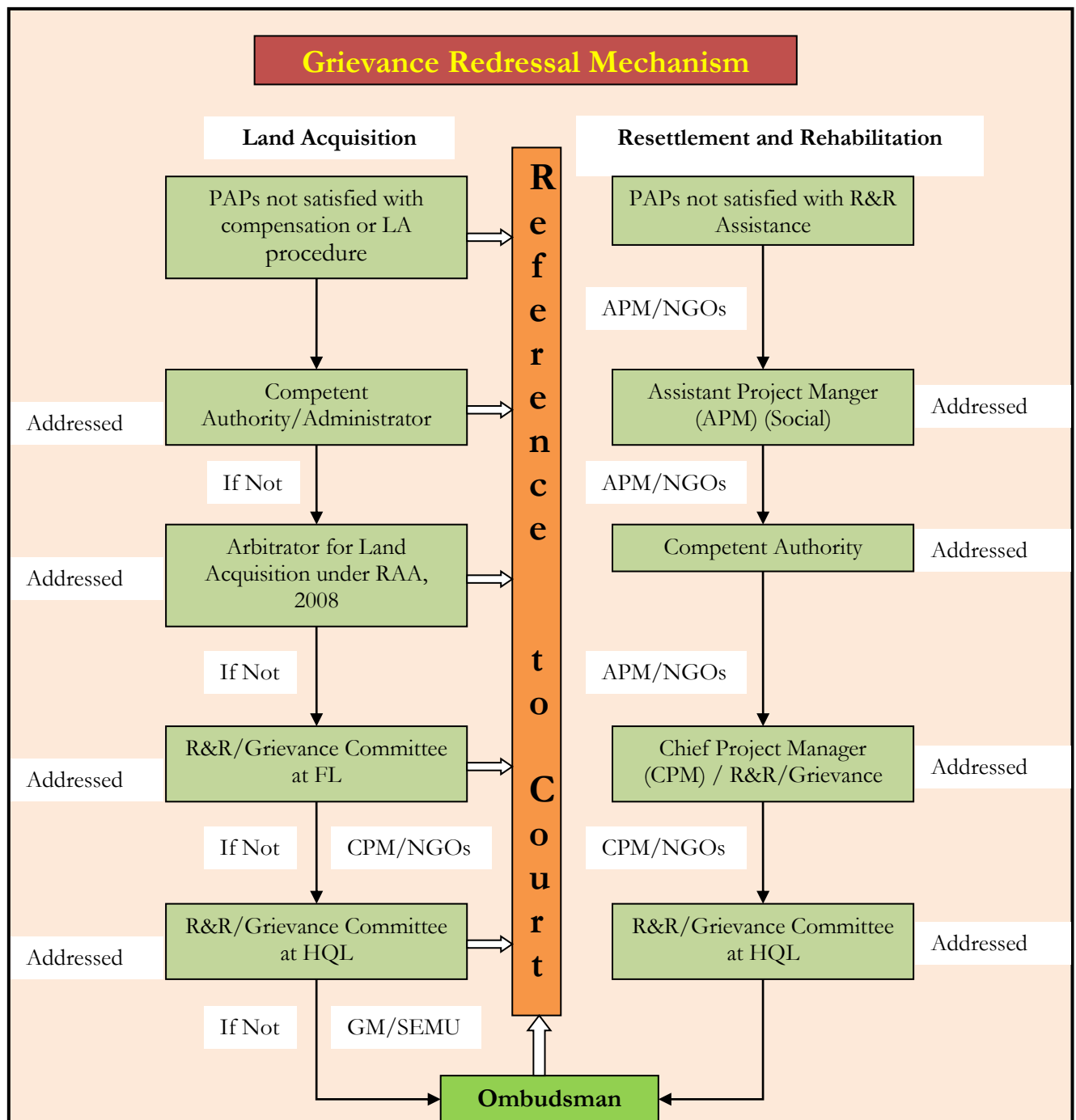


Fig. 6.3: Grievance Mechanism

### Meeting and Decision Making Process of the Committee

**6.24** Representations shall be received either by CPM who is the Convenor of Field Level Committee (FLC) or directly by CA or SEMU unit as well who is the convenor of Head Quarter Level Committee (HLC). Grievance may be either regarding land or R&R benefits. For the grievance pertains to compensation for land and homestead land property, the Arbitrator shall be the apex authority and for the grievance pertains to R&R benefits, the Ombudsman shall be the apex authority. If the representation is found to be genuine, then the FLC level will try to resolve the case with support by Competent Authority. If the representation is incorrect or found to be lacking in documentary

evidence, the case would be rejected and the decision would be conveyed to the HLC. If it will not be solved by FLC level, then it would be conveyed to the HLC for resolution. The PAPs not satisfied with the grievance redress process can seek legal remedy in the court of law.

The Grievance redress process does not indicate that any application or administrative fees shall be levied from the aggrieved parties. I will like to clarify that this grievance redress process is different from the formal litigation process.

**6.25** It is suggested that R&R/Grievance Committee at Field Level Cell and Competent Authority from State Government shall meet regularly (at least once in a month) on a prefixed date (preferably on first 7th day of the month). The committee will fix responsibilities to implement the decisions of the committee member. This will not only help proper assessment of the situation but also in suggestive corrective measures at the field level itself. The committee shall deliver its decision within 30 days of the case registration.

**6.26** At the Head Quarter Level, Land acquisition and R& R related complaint will handled by DGM Public grievances under GMSEMU and AGM Land. If any grievances are not solved, the case will be submitted to higher authority

## **COMPLAINT HANDLING SYSTEM IN DFC FIELD LEVEL AND CORPORATE LEVEL**

### **Field Level Complaint Handling System**

**6.27** The complaints/grievances regarding compensation for agricultural, residential & commercial and others properties, will be handled by the CPM offices initially. After verification of documents if it is found genuine it will be solved CPM level only. If it is not solved at the field level, it will be referred to HQ.

### **Corporate Level Complaint Handling System**

**6.28** A centralized complaint handling system, which includes maintaining a project log and filing to monitor status of follow up of each received complaints, will be established by the DFCCIL.

**6.29** Complaint handling system has been established in terms of MOR & CVC guidelines. Complaint registers have been opened at each regional office and with each GGM/GM at Corporate office. All complaints received by the concerned office shall be entered into this register. Complaints having vigilance angle shall be marked to CVO by the concerned officer. GM/IT has been nominated as the Chief Complaint Handling officer to monitor the disposal of complaints received and put up the status to the Board of Directors on monthly basis.

**6.30** Recording and appropriate referral of all incoming grievances or complaints will be undertaken by the DFCCIL with each case generating an automatic, standard format report. DFC will respond to all complaints, received from any source, normally within fifteen days of receipt.

**6.31** Comments, Suggestions and Grievances Handling component will be included on the web site (<http://www.dffccil.org>). This will be updated on a monthly basis. The site will also enable online tracking of complaints by the complainants.

**6.32** Tracking of the status of investigations and measures taken will be reported in monthly reports to management.

**6.33** For the complaint mechanism to function efficiently, the information concerning the alternative conduits for complaint shall be widely publicized on the website and on information boards at work sites and regional offices.

### **Strengthening Preventive Vigilance to Deter Fraud and Corruption**

#### **6.34**

- (i) As the first step, CVO (Chief Vigilance Officer) has already been appointed for DFCC. Contact details of CVO shall be publicized widely through the DFCC website and also on bulletin boards at appropriate locations in the corporate and regional offices.
- (ii) An exclusive vigilance cell has been set up which, under the direction of CVO, acts as a watchdog to handle fraud and corruption complaints/cases in coordination with Vigilance Directorate, Ministry of Railways, CVC (Central Vigilance Commission) and CBI (Central Bureau of Investigation). In this context, two posts have already been created-(i) Dy. Chief Vigilance Officer, (ii) Asst. Vigilance officer. Vacancy notices have been circulated to fill up these posts.

**6.35** It would take some time to man the Vigilance cell, therefore as a temporary measure, one AM/Engg. & one AM/Fin. has also been deployed to assist CVO in conducting preventive check & complaint investigation in addition to their current duties.

### **INCOME RESTORATION**

**6.36** One of the objectives of the RAP is to restore livelihood conditions of the PAPs at pre-project level; if not enhanced. In other words; under the project; the main focus of restoration and enhancement of livelihood will be to ensure that the PAPs are able to "regain their previous living standards". The EM has adequate provisions to address the issues relating to loss of economic livelihood of the people due to project. The broad entitlement which will assist PAPs in income restoration includes:

- (i) Additional ex-gratia @ Rs 15/Sqm for LA more than 1500 Sqm,
- (ii) Rehabilitation assistance to landless, marginal and small farmers @750 days of minimum wage allowance,
- (iii) Transitional allowance to PAFs,
- (iv) One time financial assistance to rural artisans, traders and self-employed @ INR 25000,
- (v) Subsistence allowance to the affected BPL households @ 300 days of minimum wage allowance,
- (vi) Rehabilitation assistance (750 days of minimum wage) to those losing livelihood,
- (vii) Special rehabilitation assistance @ 300 days of minimum wage to the vulnerable persons including the poor, widows, women headed women families, physically challenged, and the aged.
- (viii) Training assistance for income generation through NGOs and
- (ix) Temporary employment in construction (if available for civil work and opted by the PAPs).

The PAFs awarded LA compensation w.e.f. January 1, 2015 will receive the following entitlements as livelihood support measures as per the RFCT-LARR Act, 2013:

- (i) Compensation for land payable at market value multiplied by a factor of 1-2 in rural areas and 1 in urban areas with 100% solatium plus interest @ 12% per annum from the date of LA notification,
- (ii) One time resettlement grant of Rupees 50,000 to affected families,
- (iii) Employment opportunity to at least one member of the affected family, or annuity @ minimum Rupees 2000 per month for 20 years suitably indexed to the consumer price index or onetime payment of Rupees 500,000 to the affected family,
- (iv) Subsistence allowance @ Rupees 3000/month for one year with additional Rupees 50,000 for the affected Dalit (SC) families,
- (v) Onetime grant of rupees 25000 to the artisans, small shops, venders, self-employed people.

Other than provisions in EM, support available for Income Generation Scheme (IGS) includes initiatives to promote financial literacy for enabling gainful utilization of R&R benefits, skill training to the poor eligible and interested youth from the affected families to enhance their employability and technical support to those ready to undertake entrepreneurial activities utilizing their LA and R&R benefits.

DFCCIL has experimented with providing job skill training to a limited number of affected youth along Eastern and Western Corridors. It has committed to prepare and implement a Skill Building Plan as a part of RAP implementation in order to strengthen income generation amongst the poor, eligible and affected youth as agreed with the Bank. This income generating initiative will focus on financial literacy, skill building and entrepreneurship development for the PAPs, in collaboration with potential partners.

One of the key challenges of implementation to facilitating NGOs is to motivate PAPs in capitalizing these Income Restoration activities. For this purpose, the CPM office along with facilitating NGOs will help PAPs on opting and making feasible income generation activities for rehabilitation. This will require undertaking detailed market feasibility study to choose the most viable and promising income restoration programs for PAPs.

In addition to the project-sponsored programs, the facilitating NGO will play a proactive role to mobilize various government schemes and ensure their accessibility and benefits to PAPs, particularly BPL, WHH and other vulnerable groups by making self help groups/project beneficiary groups (PBGs).

These governmental program aims at creating sustained employment by strengthening rural infrastructure through employment guarantee to rural poor for at least 100 days in a year. NGOs are assigned key roles for assisting and supporting PAPs for restoration of Income and Livelihood. The NGO will work with the PAPs and line department of the concern Districts to dovetail these programs to benefit PAPs. (Detailed livelihood program/training for skill upgradation is attached in ToR of NGOs).

**6.37** To achieve this goal, the Entitlement Matrix offers adequate resettlement and rehabilitation assistance to the displaced families as well land and structure losers which will enable them to restore their livelihoods and incomes. During this implementation, the NGOs will assist the PAFs in their efforts to prepare and implement income restoration activities with handholding and facilitation support. IR scheme should be designed in consultation with affected persons and they should explicitly approve the programme.

**6.38** Since Land Acquisition for DFC project is a linear acquisition, there is no mass displacement, 76 people have been displaced in a stretch of approximately 47 km in scattered way. Therefore, self-relocation is encouraged though various provisions like compensation, construction grant etc sufficient to enable them to find alternative house of their choice.

### **Data base Management**

**6.39** A census Database will be created by the SIA consultants by using user-friendly software for database management. This database will be transferred to the DFCCIL, for upgrade and further use.

**6.40** The main purpose of the data base and use will be

- (i) Monitoring the progress of R&R implementation
- (ii) Determining the entitlements to be paid
- (iii) Tracking pending entitlements and amounts
- (iv) Organizing outputs for periodical reports and other project requirements, and
- (v) Establishing input formats.

As a part of database management key social economic profile of PAPs relating to income, occupation, housing, access to basic amenities, ownership of livestock, household and commercial assets; indebtedness, etc will be collected and updated, which will become the basis for measuring the impact of resettlement and rehabilitation.

**6.41** The MIS so developed would help NGOs and DFCCIL to manage, transmit, exchange, and network the data. In this connection software will be prepared by the MIS experts of the consultant.

The software data base management will be having three parts.

1. Census Survey Data including data of baseline socioeconomic survey
2. Data of all PCMs
3. Reports (SIA, SMFs, RAP)
4. Implementation progress of LA and RR assistance and grievance redress status, and relevant implementation data.

**6.42** The database for R&R prepared by SIA Consultants shall be reconfirmed by the DFCCIL filed team and the NGOs. All data collected during baseline socioeconomic survey and land acquisition process will be fed in the database software and the database will be maintained by APM/Social in CPM's office in the field. In the HQ office, Social Safeguards Specialist will be responsible for maintaining R&R data. Data will be updated

based on the information sent by the CPM office in assistance with NGOs continuously for requirements of R&R implementation and monitoring payments. APM (social) will independently report the progress to corporate office working directly under the control of GM (SEMU) to avoid fraudulent practice of NGO. SESRMC will also submit independent quarterly report to SEMU.

### **Public Disclosure**

**6.43** In order to make the RAP implementation process transparent, a series of PCMs with all stakeholders have been carried out in the field for dissemination of information regarding rehabilitation process and entitlement framework. The salient features of RAP and the R&R policy have been translated in Vernacular languages (Hindi) and disclosed through public consultations held in 12 spots along the alignment. It will also be disclosed through the DFCCIL Website. The documents available in public domain will include (i) RAP and entitlements; (ii) Monitoring report. All documents will be kept in: (i) CPM offices (ii) - District Administration offices of the 2 districts of the project; and major stations. The RAP document will also be available at the World Bank website. . The facilitating NGOs will assist in community level disclosure and information dissemination work, which will include community display, meetings and consultations, The items for mandatory disclosure include: Entitlement Matrix and RAP (summary in local language) and the list of eligible PAFs for various R&R benefits, performance monitoring (progress reports on LA and R&R), quality audit, and impact evaluation reports. These will be disclosed on the DFCCIL website, PCM office and eligibility lists will be disclosed at the Panchayat offices.

### **Implementation OF RAP**

**6.44** Implementation of RAP mainly consists of compensation to be paid for affected structures; Rehabilitation and Resettlement activities. It is likely that the overall project will be implemented over a 5 years period and civil works are likely to commence in 2016. The civil works contract for each sub-project will only be awarded when compensations and R&R disbursed to entitled persons as per EM and minimum 80% of the land taken over by DFCCIL.

**6.45** Specific situations may require an increase in time, allotted to a task. 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.

**6.46 Capacity Building:** The implementation of the RAP will require capacity building and orientation of the officers in charge of LA and R&R at the CPM office 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 consultants and experts. The following components will be covered in the training:

- Understanding of the RAA 2008, 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

### **Implementation Procedure**

**6.47** 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**

**6.48** The major activities to be performed in this period include establishment of PMU and CPM office at subproject and project level respectively; 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**

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

- Identification of Cut-off date and notification for land acquisition as per Railway amendment act, 2008 regarding land acquisition;
- Verification of Properties of affected persons and estimation of their type and level of losses;
- Issues regarding payment of compensation/award by DFCCIL; payment of all eligible assistance as per EM;
- Preparations of affected persons for relocation and rehabilitation of affected persons,
- Initiation of economic rehabilitation measures and Relocation and rehabilitation of the affected persons;
- Site preparation for delivering the site to contractors for construction and finally starting civil work
- Identity Card shall be issued to all non-title PAPs within one month of declaration of eligibility list.

#### **Monitoring and Evaluation Phase**

**6.50** The internal monitoring will be the responsibility of PMU, CPM office and implementing NGO which is mandatory. When implementation of RAP starts the independent monitoring and evaluation will be the responsibility of SESMRC to be hired for the project (see Annexure 6.2). This is in addition to report sent by APM (social) to SEMU regarding the progress of R&R implementation. SESMRC consultants and NGOs working for this project will document the good practice and lessons learnt which shall be used in subsequent phases of the project.

#### **R&R Implementation Schedule**



**6.51** Implementation of RAP consists of land Acquisition, payment of compensation by Competent Authority for Land Acquisition, relocation of displaced families and rehabilitation of all PAFs. Consultation will continue throughout the implementation. 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 subproject 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 as detailed in Annexure -6.3

➤ **Implementation process**

**6.52** The RAP will be implemented by each CPM offices after its approval from DFCCIL (HQ) and Railway Board (MOR). LA & R&R activities as per the approved Entitlement Matrix such as disbursement of compensation for acquisition of land and assets, resettlement and rehabilitation of project affected persons will be done through the CA and CPM.

➤ **Social Audit:**

**6.53** Annual Social Audit will be done by SESMRC/ NGO Consultant. Audit team will verify implementation of R&R. The Social Audit team will verify implementation of R&R as per RAP and will submit the report to the SEMU who will plan and implement corrective action, if required within defined time frame.

➤ **Implementation schedule**

**6.54** Civil works will be started after minimum 80% of the land taken over by DFCCIL. By this time encumbrance free land should be made available to contractors. Total time period for implementation and completion of R&R is of 30 months.

**6.55** For APL II, the LA process (disbursement of compensation and award) is in advance stage. According to the plan, the encumbrance free stretch for civil works will be available once the land costs are given to eligible PAPs. Disbursement of R&R assistance is expected to complete by December 2015 (Figure 6.4).

**6.56** The RAP activities have been scheduled and summarized with the project implementation. Micro planning, verification of census survey data, assessing losses, institution identification, affected person participation, relocation and income restoration are typical RAP implementation related activities, which have been considered during implementation. However, sometimes sequence may change or delays witnessed due to circumstances beyond the control of the Project. The RAP Implementation schedule is presented below:

**Table 6.3 RAP Implementation Schedule**

SN	Activity	Timeline
1.	LA Process (20A notification)	2012-2013
2.	Joint measurements as per 20E of RAA	December 2013

3.	Listing out Land Losers as per 20F	October 2014
3.	Award as per 20F of RAA	December 2014
4.	Disbursement of LA Award	Expected to be completed by December 2015
5.	Preparation of List of eligible PAPs for R&R benefits	Jan 2015-Oct 2015
6.	Disbursement of R&R benefits	Nov-2015-March 2016
7.	Stakeholder consultations	Oct 2011-End of Project
8.	Grievance Redress	Continuous
9.	Capacity building of DFCCIL field staff	June 2015-Dec 2015
10.	Livelihood Skill Building Support	January 2016-June 2016
11.	M&E	Continuous
12.	Site handover	June 2016

## COORDINATION WITH CIVIL WORK AND CERTIFICATION

**6.57** The resettlement program will be co-coordinated with the timing of civil works. The required co-ordination has contractual implications, and will be considered in procurement and bidding schedules, award of contracts, and release of cleared COI sections to project contractors. The project will provide adequate notification, counselling and assistance to affected people so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation. The RAP implementation schedule is provided in above chart (Fig.6.4). This provides the key benchmarks of implementing the RAP. All other activities related to implementation and land acquisition will be undertaken simultaneously.

### **6.58** *Actions to be completed prior to award of contract include:*

- (i) 80% of the total stretch of the entire section of the contract package made available free of encumbrances, which should be available in contiguous stretches of 20 kilometres. In order to achieve this, the following actions should have been completed satisfactorily: The Government land should have been transferred or payment for the same made or no objection certificate should have been obtained from the land owning agency
- (ii) All compensation and resettlement assistance shall be provided prior to taking over the land. Additional facilities like income restoration, rehabilitation, training etc. will continue during implementation period;
- (iii) The community assets should have been relocated/ re-established;
- (iv) Similar actions for the remaining 20% of the contract package will be completed within 12 months from the date of the award of contract.

The completion of the above actions will be duly certified by the CPM prior to the award of contract and the timeline for handing over of the remaining stretch of the land for civil work.

**6.59** It will be the responsibility of the CPM to ensure that the RAP is successfully implemented in a timely manner. The implementation schedule needs to be updated periodically and monitored judiciously.

Resettlement and Rehabilitation is complete only when the following criteria are met:

- I. Compensation have been disbursed,
- II. R&R disbursement is done and utilization of R&R assistance is done in upgradation of skills,
- III. Income restoration activities like training for skill up gradation is completed
- IV. A follow-up survey of PAPs document income improvements, or at least income restoration, for all PAPs, or that for those not restored, PAPs have all agreed to enhanced mechanisms for restoring their livelihoods

## **COST ESTIMATE**

### **6.60 Statement of Financial Responsibility and Authority and Source of Funds and the Flow of Funds**

- The money for the compensation shall be kept in joint account in the name of the Competent Authority and Assistant Manager Project /Finance to take the personal approval of CPM in each case. All the payments of the compensation shall be released out of such account.
- Any amount, if likely undisturbed for more than a year from the date of last transaction in the Joint Bank Account of Competent Authority (Land Acquisition) and Assistant Manager/Manager(Finance), DFCCIL along with any amount of interest lying in the said account, shall be remitted back to account of DFCC after closing the joint account. The claims of compensation and arbitration award if any, after closing of joint account shall be recommended by Competent Authority to concerned CPMs who shall in turn refer it to the Head Quarter for release of payment.
- CPMs however, will ensure that payment, in all cases released to the genuine claimant, proper records are maintained and records including books of accounts are proper reconciled on a periodical basis. Assistant Manager/Manager (Finance) will advise and assist CPMs in discharging these functions.
- Disbursement of compensation will be done by cheques jointly signed by the account holders, DFCC will prepare all the documents required for taking possession of the land. The possession of the land will be taken by Railway official immediately and handed over to DFCCIL official and land handing over documents will be signed by Railways as well as DFCCIL officials. Subsequently lease agreement would be signed based on these documents.
- Once the compensation money has been disbursed DFCC will start submitting monthly account of the money released by the Railways as compensation with the various joint account and those actually disbursed as compensation.

- The land rate fixed by the Competent Authority will be approved in house by DFCCIL. Whenever the award for Competent Authority is not found to be reasonable / acceptable, DFCCIL may while depositing the amount in the joint account, refer the matter for arbitration.

### **Estimated budget, by cost and by item, for all resettlement cost**

**6.61** Estimated budget, by cost and by item, for all Land including resettlement costs including planning and implementation, management and administration, monitoring and evaluation and contingencies is approximately **Rs. 197 Crores**. This is part of already approved details estimate of this section. Contingency provisions are also available to take into account variations from this estimate. The budget will be indicative of outlays for the different expenditure categories. These numbers are indicative and based on survey. Expenditure will be done after verifying the ground situation.

**6.62** These costs will be updated and adjusted to the inflation rate as the project continues and in respect of more specific information such as extra number of PAPs during implementation, and unit costs will also be updated when necessary. The budgetary allocation for the rehabilitation component of the project has been determined based on the anticipated impacts, entitlement options as defined in the approved entitlement matrix and the requirements to be fulfilled as per the directives under the Entitlement Matrix approved by Ministry of Railways and guidelines prescribed by WB.

The unit costs for the calculation of budget have been provided.

### **Sources of Funding**

**6.63** As agreed upon, during the project financing proposal and provision made in the RAP, all R&R cost will be borne by the MOR. MOR will ensure allocation of funds and availability of resources for smooth implementation of the project R&R activities.

### **IMPLEMENTATION BUDGET**

**6.64** 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 LA award, etc. Unit cost will be updated after recommendation of the CA.

### **SUMMARY OF COMPENSATION FOR LAND LOSS AND R&R ASSISTANCE**

**6.65** The project requires about 211.67 ha of land. Provision of additional solatium amount of 60% has been made which will be paid along with cost of land to bridge the gap between replacement value and cost of land. Table below summarizes category wise cost of acquisition of land and R&R assistance. The cost estimates are subject to adjustments as required. Details of cost breakup are tabulated below.

**Table 6.4: Cost of Land and R&R Assistance in Crores (INR)**

Sl. No.	Item	Total
---------	------	-------

1	Cost of Land	147.34
2	Cost of Structure (Titleholder)	2.80
3	Cost of Structure (Non-Titleholder)	0.0
4	R&R Assistance	7.13
5	Relocation cost of CPR	0.28
6	<b>Total</b>	<b>157.55</b>
7	Implementation Charges i/c Training, Administration, Management, Capacity building, Monitoring, NGOs etc.@10%	15.76
	Contingency @15%	23.63
	<b>G. Total</b>	<b>196.94</b>
<b>Say Rs.(In words) One Hundred Ninety Six Crore Ninety Four Lacs</b>		

**Annexure-I**

**SIA FORMAT: CENSUS AND BASELINE SOCIO-ECONOMIC SURVEY FOR THE  
IDENTIFICATION OF PROJECT AFFECTED FAMILIES**

**DEDICATED FREIGHT CORRIDOR CORPORATION INDIA LTD, GOVT. OF INDIA**

**CENSUS QUESTIONNAIRE OF ALL AFFECTED HOUSEHOLDS**

Questionnaire No: 

Date: ---/---/-----

Property ID No. 

Time:-----

Photograph of  
the structure

Name of Investigator:-----

Name of the Supervisor:-----

---

**A: GENERAL INFORMATION**

---

**1. Property Details – Location**1.1 Parallel to Railway      1.2 Near Diversion      1.3 Near ROB 

1.4 Chainage Km if available 1.5 District\_\_\_\_\_ Tehsil \_\_\_\_\_ Village/Town\_\_\_\_\_

1.6 Location 1. Rural 2. Semi Urban 3. Urban

1.7 Side (Facing Delhi ) 1.Right hand side 2 left Hand Side **2. Type of likely loss****A. Land** 1. Irrigated 2. Un-irrigated 3. Fallow 4. Plantation 5. Other (...)**B. Residential Structure** 1. House - Movable/ Immovable 2. Huts, Zhuggi, s - Movable/ Immovable 3. Others (.....) - Movable / Immovable**C. Commercial Structure** 4. Trade commerce 5. Service 6. Manufacturing / Production

**D. Res-cum –Com Structure** 7. Residential cum commercial structure

**E Other Private structure** 8. Boundary wall 9. Only Foundation

10. Abandoned Str. 11. Cattle shed 12. Others .....

### 3. Measurement of the Structure/Property

3.1 Distance from the other side of land in mts.)-----

3.2 Area and Number of the land/structure/assets affected:

Sl. No.	Measurement in Mtrs.	Affected Area		Total Area	
A	Structures				
	Survey No/House No				
B	Land / Individual/ Commercial land				
	Survey No				
C	Tress				
	Sl.No.	Name of the tree /Fruit or Timber	Age (Years)	Number	
	1				
	2				
	3				
D	Assets				
	Sl.No.	Name of the Asset	Age (years)	Number	
	1	Tube Wells/Wells			
	2	Hand Pumps			
	3	Others			

3.3 Continuation viable 1. Yes 2. No

3.4 Since when you are living here.....

3.5 Type of Construction 1. Kutchha 2. Semi-pucca 3. Pucca 4. Relocable

3.6 Does the structure have access to primary infrastructure like drinking water?

1. Yes 2. No.

3.7 Does the structure have access to primary infrastructure like electricity?

1. Yes 2. No.

#### 4. Ownership Status

4.1 Ownership status 1. Titleholder 2. Non Titleholders

4.2 If titleholder then 1. Owner 2. Tenant 3. Disputed 4. Abadi land 5. Lease holder

4.3 If tenant, A. Rent paid per month B. Advance given

4.4 if owner do you possess the following on the given address

A. Ration Card 1. Yes 2. No

B. Voter List 1. Yes 2. No

C. Legal documents of Property 1. Yes 2. No

D. Documentary proof 1. Sale deed 2. Patta 3. Lease agreement 4. Rent agreement

5. ME award under government 6. Others

4.5 Number of persons employed by Owner or Tenant in a commercial structure:-----

Name 1. -----(salary)----- - 2.----- (salary)-----

3.----- -(salary)----- ----- 4.----- ---(salary)-----

4.6 If no-titleholder then:

1. Encroachers 2. Squatters 3. Others (Specify-----)

4.7 Serious Problem of Livelihood due to the project impact

#### 5. Structure/Household Identification

5.1 Name of head of the households:-----

5.2 Address of the households identified:-----



**6. Social Group Particulars****6.1 Religious Group:**

1. Hindu      2. Muslim      3. Sikh      4. Christians  
 5. Buddhist      6. Jain      7. Others (Specify-----)

**6.2 Social Stratification:**

1. SC    2. ST    3. OBC

**6.3 Details of family members:**

Sl. No	Name of the Family Member	Sex	Age	Marital status	Education	Occupation	Income	Any disability
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
							<b>Total Income</b>	

*\* Note insert additional sheets if family members exceeds 10*

**Marital status:** 1. Married 2. Unmarried 3. Widow 4. Widower 5. Others

**Education** 1. Illiterate 2. Literate 3. Middle 4. High school 5. Up to graduate 6. Graduate

**Occupation:** 1. Services 2. Business 3. Agriculture 4. Student 5. Housewife 6. Labour

7. Unemployed 8. Professional

**Sex:-** 1. Male 2. Female

**Disability:-** 1. Visually handicapped 2. Orthopaedic handicapped 3. Serious long ailments 4. Others

**7. Please indicate the annual income of the household from all sources after the project impacts\_\_\_\_\_**

**8. Details of Assets Owned by Household**

Sl. No.	Assets	No of acres/sq Mts	Land under Cultivation (Acres of Construction)
---------	--------	--------------------	--

**LAND PARTICULARS**

- |   |                                  |  |  |
|---|----------------------------------|--|--|
| 1 | Own agriculture irrigated land   |  |  |
| 2 | Own agriculture unirrigated land |  |  |
| 3 | Own garden/plantation land       |  |  |

**STRUCTURES**

- |    |                  |  |  |
|----|------------------|--|--|
| 4  | House            |  |  |
| 5  | Cattle           |  |  |
| 6  | Cattle shed      |  |  |
| 7  | Pump house       |  |  |
| 8  | Storage/go down  |  |  |
| 9  | shop             |  |  |
| 10 | Open Well        |  |  |
| 11 | Bore Well        |  |  |
| 12 | Tube well        |  |  |
| 13 | Others (specify) |  |  |

**9. Possession of Other Assets**

S. No.	Asset Owned	Number
1	LPG Gas stove	
2	Television	
3	Refrigerator	
4	Washing Machine	
5	A/C	

- 6 Computer
- 7 Bed/Sofa set
- 8 Almirah
- 9 Bicycle
- 10 Telephone connection
- 11 Scooter/motor bike
- 12 Four wheeler
- 13 Tractor
- 14 Livestock (name).....
- 15 Others

**10. Cropping pattern**

Sl. No	Name of crop	Total Cultivated land (Acres)	Total yield
1			
2			
3			

**11. Consumption pattern**

Sl. No.	Particulars/ Source	Expenditure (Rs.)	
		Monthly	Annual
A	Food related items		
B	Health related expenses		
C	Education related expenses		
D	Production related expenditure		
E	Transport related expenses		

Kindly indicate major expenditure incurred in last one year

**12. Coverage under Government Development Schemes**

12.1 Have you availed any benefit under any govt. scheme

- 1. Yes
- 2. No

12.2 if 'yes', kindly give us the following details

**Name of the scheme availing / getting benefits    Kind of help in amounts**

1. Loan                      2. Training                      3. Employment

12.3 After availing this scheme did your annual income increase

1. Yes                                      2. No

If yes, how much?    Rs. ....

If No, why?    .....

### 13 Migration

13.1 Do you migrate for work?

1. Yes                                      2. No

13.2 If 'Yes' for how many days/month in a year?

13.3 Where do you migrate?

1. Within the district                      2. Outside the district                      3. Outside the state

13.4 What kind of job do you undertake?

1 Agricultural labour                      2 Non agricultural labour

3 Trade & Business                      4 Others (specify)

13.5 How much do you earn?.....

13.6 Trend of migration

1 Once in a year                      2 Twice in a year                      3 Every alternate year

4 Once in every three years    5 No regular interval/as & when required

13.7 At what time of the year do you migrate

1 Summer                                      2 Winter                                      3 Rainy season

### 14 Indebtedness

Please indicate your borrowings during last year

**Sl. No.    Source                      Amount taken (in Rs.)                      Amount returned (in Rs.)**

**Balance/ Outstanding loan                      Purpose**

1                      Bank (specify which bank)

2 Private money lender

3 Others (specify)

**Total**

## **15 Health Status**

15.1 Is any member of your family hospitalized during last one year?

1. Yes 2. No

15.2 Is any member of your family suffering from chronic disease?

1. TB 2. Cancer 3. AIDS 4. Others .. (specify).....

15.3 Is any member of your family suffered from major disease?

1. Yes 2. No

If yes, name the disease.....

## **16 Resettlement & Rehabilitation**

16.1 Are you aware that Govt. of India has initiated DFC project in which a separate railway line will be laid for transportation of goods between.....

1. Yes 2. No

16.2 In your opinion what kind of economic benefit would take place?

1. Wage employment 2. Business opportunities 3. Industry establishment  
4. Others

16.3 In case you are to be displaced by the project what would be your choice?

1. Self relocation or voluntary relocation 2. Protest displacement 3. Need R&R assistance

16.4 Specifically – Type of R&R assistance preferred?

**Signature of Supervisor**

**(Signature of Surveyors)**

**Annexure 1.1****METHODOLOGY FOR PREPARATION OF SIA AND RAP****Background**

Ministry of Railways (Government of India) has entrusted the job of planning, implementation and management of selected freight corridor network to DFCCIL. Government of India has requested World Bank for loan assistance for the development of Eastern Corridor from Son Nagar to Khurja. To streamline project preparation in synchronized manner, DFCCIL has identified Bhaupur-Khurja as phase I and Khurja-Dadri as phase III stage of the project.

The document in hand deals about objective of the study, methodology, work plan and manning schedule of Phase I stage. As per ToR, the assignment is divided into (i) Social Assessment (ii) Social Management Framework (iii) Resettlement Action Plan.

While social assessment will be carried out to identify impact of construction (especially land acquisition) of the corridor on the people; opinion of people about the project and suggested mitigation measures, the social management framework will outline R&R Policy framework, institutional arrangement as per provision of NPRR 2007 and implementation arrangement in accordance with construction schedule. RAP will be 'the document' to follow management of resettlement issues during implementation.

**The Existing Corridor**

The existing route (From Khurja-Dadri approx 49 km) comprised of two rail tracks interspersed with loop line at important Stations. General land width (existing RoW) along the tracks is about 50 meters in open areas and about 60 meters near loop line. Average additional land width (available land for laying DFC tracks) is about 12-15 meter either side. Generally terrain is flat with little vertical gradients. Horizontal curves are within acceptable limits.

The proposed freight corridor network is part of EDFC from Kolkota-Khurja-Ludhiana. This network is proposed to be developed into double track freight corridor dedicated to goods trains along with a 10 meter BT road for maintenance of the corridor and other utility corridor.

The proposed land width (proposed RoW or Corridor of Impact) is about 50 meters for parallel portion. The distance between existing IR tracks and proposed DFCC tracks have been kept 13-15 meters. Crossing stations, TSS, SSP and SST have been proposed at appropriate interval as per IR works manual.

These tracks have been proposed parallel to the existing tracks for most portions except at locations where laying of tracks will have severe social, environmental or technical constrains. Bypasses have been proposed at these critical locations. DFCC has made technical efforts to avoid displacement of people by minimizing track distances at selected locations, reducing embankment heights and slopes. Despite of these efforts, acquisition of land (about 211.67 ha), structures and other assets could not be avoided. Issues related to displacement and relocation has not been addressed so far. The present study will evolve suitable techniques for the identification of such issues by establishing impact zone, nature, extent and magnitude of impacts by survey and investigation and

opinion, decision and participation of the people through stake holder's consultation. These activities will be carried out by keeping following objectives.

### Objectives

Objectives of assignment are derived from ToR, Operational Policies<sup>2</sup> (safeguard instruments) of the World Bank and NPRR 2007. These objectives are

1. Avoid, if not, minimize involuntary resettlement, exploring all viable project alternatives;
2. Where involuntary resettlement is unavoidable, assess the magnitude of adverse social impacts and propose mitigation measures;
3. Hold consultations with the project stakeholders and ensure that the outcome of these consultations are assimilated in social management framework;
4. Develop institutional mechanism for planning, implementing and monitoring the process and the R&R activities; and
5. Address other social issues (resulting from the proposed project interventions) related to vulnerable groups (including tribal),

Objective one to three will be part of social assessment process; objective four & five deals with preparation of Social Management Framework. Merits of preparation of Tribal development Plan will be ascertained after assessment of impacts on Scheduled Tribe. To fulfill above mentioned objectives following methodologies have been developed.

**Methodologies : The methodology followed for Khurja-Dadri section is similar to methodologies followed in Bhaupur-Khurja section, which are as follow:**

### (I) Methodology for Social Assessment

Social impact assessment is critical step taken to incorporate social analyses and participatory processes into project design and implementation for optimizing development outcomes. Specific tasks for social assessment and methodologies adopted have been summarized in the following Table.

Specific Tasks	Methodologies
Re conforming zone of Impact through review of data	(i) DFCCIL has prepared land acquisition plan for the proposed stretch though its feasibility consultant. The zone of impact will be reconfirmed by (ii) Review of land width data of Railways, (iii) Estimate land acquisition village wise, (iv) Identification of critical segments, (v) Review of efforts made by DFCCIL towards minimizing resettlement, (vi) Review of technical measures adopted for proposed alignments especially in bypasses and congested stretches.

<sup>2</sup> Applicable Operational Policies(safeguards instruments) are Involuntary Resettlement(O.P.4.10) and Indigenous Peoples(O.P. 4.12), environmental assessment(4.01)

<b>Identifying zones of major economic and social impact</b>	<ul style="list-style-type: none"> <li>(i) Identification of zones of major economic and social impact will be done by classifying degree of impact segment wise. For this purpose</li> <li>(ii) kilometer/ village wise land acquisition will be estimated,</li> <li>(iii) critical segments will be identified based on type of land (agricultural, built-up, market, eco-sensitive land) proposed for acquisition,</li> <li>(iv) Number and Type of structures being acquired at particular location (km/village),</li> <li>(v) Categorization of stretches in terms of degree of impacts (a) low, (b) medium and (c) high</li> </ul>
<b>Understanding socio-economic profile of the people</b>	<p>Based on identification of impacts (as mentioned above), a census and baseline socio-economic survey will be carried. While census survey will enumerate all the project affected families recording lands and assets possessed and likely to lose because of proposed DFCC tracks, the baseline survey will emphasize detailed assessment of impacts on vulnerable families<sup>3</sup>. For this purpose following steps will be taken.</p> <ul style="list-style-type: none"> <li>(i) Preparation of list of project Affected Families: As mentioned earlier also, DFCCIL has prepared land acquisition plan as per RAA 2008. The land plan includes affected survey number (zone of direct impact) and owner of the land and properties. However, preliminary reconnaissance survey indicates that there are other family (who lacks title of the properties<sup>4</sup>) has not been part of listing of PAFs by DFCCIL. These PAFs will also be enumerated based on detailed measurement survey as per provision of NPRR 2007.</li> <li>(ii) Training to enumerators: Enumerators will be selected from sociological research background from Gautambudh Nagar and Bulandsahar University. Enumerators will undergo two weeks of intensive training by the resource person of the consultant. The Social Expert of Consultants and Revenue officials (working for the project) will impart training to this social survey team. Explanation of terms, meaning etc in the</li> </ul> <p>questionnaires, methods of getting information</p>

<sup>3</sup> Vulnerable families in the present context will include (but not limited to) small and marginal farmers, socially (SC,ST) and economically disadvantaged (BPL), widow and physically challenged.

<sup>4</sup> Any landless person not having homestead land, agricultural and residing in the zone of impact (proposed DFCCIL corridor) for not less than three years will be included in the list of affected families. (Chapter III. 3.1(b),(iii) NPRR 2007)



	<p>from potential PAPs, mechanism of social behavior, and strategy of communication with respondents etc. will be part of training program. During training sessions, enumerators will be exposed to role play of PAPs, enumerators, public to make them conversant with the approach required for collection of information through questionnaires, understanding and appreciating local situations etc. The survey team will be mobilized in the field after testing of questionnaire in the project area.</p> <p>(iii) Survey of Potential Affected Structures and land: In order to assess impact, structures coming within the proposed land width will be marked, measured and recorded on a strip map. This also included the typology of construction (such as pucca, semi-pucca, and katcha) based on construction materials used and the usage of structure like residential, commercial and others. Extent of loss will be determined by measuring the distance of the structure from the proposed centerline of DFCCIL alignment in the following manner.</p> <p>(a) Measure the distance of each affected structure from the existing up track centre</p> <p>(b) Measure the entire structure including length, breadth and height of the structure. At the same time measure the area affected (i.e., portion of the structure coming within proposed DFCCIL Line) to calculate the degree of loss Examine the construction typology of each structure with respect to walls, roof and floor. Note down number of rooms, verandah (if any), sanitation facility, kitchen, etc.</p> <p>(c) This will help in categorization of loss of plots or buildings: Less than 10% of the total area Between 10 to 25% of the total area Between 25 to 50% of the total area More than 50% of the total area This will help in identifying project displaced families.</p> <p>(It is pertinent to inform that all project displaced families are project affected families but all project</p>
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	<p>affected families need not be project displaced families.)</p> <p>Similarly for loss of land(impacts) will be categorized into:</p> <ol style="list-style-type: none"> <li>Impact on affected plots will be done by measuring severity of impact (10%, 20%.50% or 75%)</li> <li>Based on severity of impact the plots will be classified as economically viable or not.</li> <li>In bypasses people will lose accessibility if residual land (after acquisition) is on the other side of proposed DFC corridor. A study will be conducted about impact on plots. The plot impact analysis will help in formulating policy about minimum left out land area need to be acquired so that land owner will not have adverse impact.</li> </ol> <p>Census and Baseline Socio-Economic Survey: To conduct the census survey an exhaustive interview schedule has been prepared and tested in the field (Annexure 1). The format will be approved from the DFCCIL and World Bank.</p> <p>Census and baseline survey will be conducted for the establishment of impacts on the people. The information collected from census survey are Type of land or structure or both, usage of land and structure, household profile with family structure, literacy level, occupation and marital status of each member of the family.</p> <p>The survey will also provide information on income of the family; debt status and social information to determine whether project affected persons as per categorization of NPRR 2007. Loss of other assets such as boundary wall, public property, and common resources being lost will also be recorded.</p> <p>Enumerators will be directed to make an objective assessment of the loss of property and type of loss based on their field observation.</p> <p>Data Analysis: The interview schedules filled up every day will be scrutinized and verified on the spot (project corridor) and the data-sheets will coded. A coding manual will be prepared for consistency in data entry. The MS-Excel software package will be used for the data feeding and its analysis. Wherever applicable, SPSS</p>
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	<p>package will also be used to generate tables. As a measure of final confirmation about the correctness of the data, random manual calculations and checking will also be done.</p> <p>Outcome: Socio-economic profile of the PAFs, type of losses.</p>
<b>Identifying differential impacts on different categories of the people</b>	<p>As mentioned above, the impacts will be categorized based on severity of impacts. The PAFs will be categorized into displaced and affected. Further these impacts will have differential bearing on different categories of the people. Impacts on categories of people (vulnerable) will be evaluated. Based on evaluation, mitigation measures will be suggested.</p>
<b>Socio-political analysis of local power relations and institution available for participation, grievance redress and conflict resolution</b>	<p>Social assessment will collect information on existing institutions working in the project area for land acquisition, implementation of developmental schemes of Government (DRDA and other line Department), and working style of existing Panchayati Raj Institutions. The assessment process will also be engaged in social networking, coordination with local NGOs, CBOs, Health workers, ORWs. The assessment team will also review existing grievance redress mechanism functioning in the project area.</p> <p>The social team will also understand existing institutions of DFCCIL for the implementation of RAA 2008 and NPRR 2007.</p> <p>Efforts will be made to understand political background of each affected villages and their representatives (Pradhan.MLA.MP).</p> <p>Based on above study, a conflict resolution mechanism will be developed.</p>
<b>Participation of people to minimize displacement</b>	<p style="text-align: center;"><b>Stakeholders Consultation</b></p> <p style="text-align: center;"><b>Methodologies for Stakeholders Consultation</b></p> <p>Consultation is key to understand people's perception and seek their opinion. Consultation is also an important tool to improve quality of planning. Following steps will be followed during consultation</p> <p><b>(i) Identification of key stakeholders and level of Consultation:</b> Important stakeholders of the project will be PAPs (primary), DFCC officials, line department of Districts offices such as LA, Forest, PWD, horticulture department. The consultation will be held at individual (during BSES), groups (at village and Tahsil level), FGDs and District level.</p> <p><b>(ii) Information dissemination:</b> Information</p>

	<p>dissemination will be done through pamphlet distribution (in Hindi), informal meeting with the people, village level meeting etc.</p> <p><b>(iii) Consultation with Key Stakeholders:</b> One of the strategies of proposed consultation will be to involve key stakeholders in the project planning. These stakeholders for the project will be Officials of Revenue, Forest, Rural Development, Social Welfare Department, PRIs representatives, PWD officials. These stakeholders will be involve in developing strategies in the preparation of LA award, plantation strategies during implementation, dovetailing Government schemes, valuation of properties and assets.</p> <p><b>(iv) Strategies for Structured and Focused Consultation:</b> To provide better and qualitative planning options; consultations with specific objectives, agenda will be conducted in structured manner. For this purpose, much advance date and venue of consultation will be fixed in coordination with the PRIs representatives at village level and Tahsildar, Forest officials (range official), women groups. Such planned consultation will bring out issues of proposed DFCCIL improvement in the agenda for discussion and some of the suggestion given by the community may help in project planning. This will also help in generating sense of ownership through community participation.</p> <p><b>(v) Opening of Field Offices:</b> Field offices will be opened at two locations (Gautambudh Nagar &amp; Bulandsahar), which will act as information centre for the project. Besides that. All LA offices, CPM offices, project engineers office will also be centre of information. Exchange of information about the project will be ensured at these field offices.</p> <p><b>(vi) Strategies for Future course of Communication</b> Several additional rounds of consultations with PAPs will be done through active participation of social survey team. These consultations will involve agreements on compensation and assistance options and entitlement package. The next round of consultation will be held when compensation and R&amp;R assistance have been finalized. The R&amp;R entitlements will be displayed in billboards along the project corridor in local language. Participation of PAPs in implementation will also be</p>
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	<p>ensured through their involvements in various local meeting with line department.</p> <p>Further strategies will be developed to involve local people in implementation.</p>
<b>Assessment of construction Phase impacts</b>	<p>Though this is very special case to understand social issues of DFCC project during construction phase. However efforts will be made to categorize these impacts. These impacts will be categorized as</p> <ul style="list-style-type: none"> <li>(a) community conflict to access their cultural properties</li> <li>(b) Loss of access roads to the agricultural field: Presently a service road (BT, earthen) parallel to the IR track, which is used by local people as access to the agricultural field. Some of these service roads are important arteries of the project affect villages.</li> <li>(c) Dust and other pollutant</li> <li>(d) Cutting of trees and afforestation strategies: Many of the implementation issues get resolved by involving local community in the project. For example afforestation by community.</li> </ul> <p>These effects of construction may largely be gathered from consultation in the villages, with DFCC official involved in construction earlier.</p>
<b>Suggesting broad strategies for mitigation of adverse impacts</b>	<p>Based on findings of surveys and consultation, social impacts of the project will be established. Based on operational policies of the World Bank, RAA 2008, NPRR 2007, the social assessment will suggest mitigation measures</p> <p>These mitigation measures will also focus on institutions likely to involve in implementation of managing social issues.</p>

## **(II) Methodologies for the Preparation of Social Management Framework (SMF)**

The SMF will be prepared which will be largely based finding of impacts assessment, consultation results, on RAA 2008, NPRR 2007, and Operational Policies of the World Bank.

The SMF will focus on developing implementation schedule, R&R entitlement under the project, proposed institutions of R&R under the project, methodologies for disclosure of R&R schemes, grievance redress and measures to address impacts on tribal people. These activities can be broadly summarized in:

**(i)Implementation Schedule:** The implementation schedule will be developed in concurrence with construction schedule. Basic objective of the implementation schedule is to develop time frame for each activities related to LA and R&R. One of the prerequisite of construction under the project is to complete all LA and R&R activities before construction started. To prepare a time schedule, the consultant will work in

together with 'General Consultant' (GC) under the project to synchronize each construction and LA activities in phased manner for different stretches.

**(ii) Formulation of R&R entitlement Framework:** An entitlement framework for the PAFs will be prepared. The entitlement framework will be based on compensation package of RAA 2008, R&R scheme of NPRR 2007 and Operational Policies of the World Bank.

**(iii) Institutional Arrangement:** To address social issues related to EDFC, GM (SEMU) is assisted by a Additional General Manager (LA). These officers are also responsible for other assignments including engg., LA for entire DFCC corridor. NPRR 2007 has provision of R&R institutions required for the execution of LA and R&R works. As per the provision of NPRR 2007, the DFCCIL need to strengthen its institutional capacity. The institutional capacity will be assessed largely through consultation with important stakeholders, existing staffing pattern of CPM offices, need for additional services within the purview of NPRR 2007 to implement in time bound manner. Based on assessment, the SMF will develop institutional mechanism, role and responsibility of R&R and other officers of DFCC. Besides DFCC officer, the assessment may identify some other groups like PRIs, CBOs, existing line Department as partner of the project.

Further, the consultant will develop fund flow mechanism under the project, monitoring mechanism under the provision of NPRR 2007.

**(iv) Methodologies for Disclosure:** The consultant will identify important places, public offices for the disclosure of SMF. The objective of disclosure in project area will have mechanism to receive feedback on SMFs from stakeholders. These feedbacks will be an input for the finalization of RAP in due course. The SMF will also be put on website of DFCC and World Bank. The consultant will develop mechanism of such disclosure.

#### **(v) Issues Related to Schedule Tribe in SMFs**

The Social Management Framework(SMFs) will not only focus on the preparation of RAP but other social management plan like tribal development plan(if required), HIV/Action Plan and other safeguard management plan. For this purpose (i) the census survey will establish impacts on STs (ii) consultations result will identify impact on tribe as community. Based on findings the SMF will recommend whether Tribal Development Plan is required or not.

#### **(vi) Resettlement Action Plan**

Based on above mentioned social impact analysis, consultation, R&R policy intervention and Social Management Framework a Resettlement Action Plan will be prepared. This Resettlement Action Plan will be prepared by adopting a social assessment process at different stages. Output of Social impact Assessment Report and agreement reached after feedback of disclosure on SMF will be input for the preparation of Resettlement Action Plan. This will be the document which will be followed during implementation.

## Annexure 2.1

**Definition of Terms**

**"agricultural labourer"** means a person primarily resident in the affected area who does not hold any land in the affected area but who earns his livelihood principally by manual labour on agricultural land therein immediately before such declaration and who has been deprived of his livelihood;

**"agricultural land"** includes lands being used for the purpose of-i) Agriculture or horticulture; ii) Dairy farming, poultry farming, pisciculture, breeding of livestock or nursery growing medicinal herbs; iii) Raising of crops, grass or garden produce; and land used by an agriculturist for the grazing of cattle, but does not include land used for cutting of wood only

**"BPL family"**: The below poverty line (BPL) families shall be those as defined by the Planning Commission of India from time to time and included in a BPL list for the time being in force

**"Competent Authority"**: means any person authorised by the Central Government, by notification, to perform the functions of the Competent Authority for such area as may be specified in the notification.

**"Census"**: is a data collection technique of completing enumeration of all Project Affected Families and their assets through household questionnaire.

**"Compensation"**: means payment in cash or in kind to replace losses of land, housing, income, and other assets caused by a project.

**"Cut-off date"**: This refers to the date prior to which the project affected family was in possession of the immovable or movable property within the affected zone. The cut-off date for land acquisition purpose is the date on which the Notification is issued as per Section 20A of the Railways (Amendment) Act, 2008 to the titleholder and non-titleholder.

**"Encroacher"**- A person/family, who transgresses into the public land (prior to the cut of date), adjacent to his/her own land or other immovable assets and derives his/her additional source of shelter/livelihood.

**"Entitlement"**: is defined as the right of project affected persons (PAPs) to receive various types of compensation, relocation assistance, and support for income restoration in accordance with the policy provisions.

**"Entitlement Matrix"** is a table to define different nature of PAPs losses and compensation packages and other relocation assistance.

**"family"** includes a. person, his' or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother and other relatives residing with him or her and dependent on him or her for their livelihood; and includes *"nuclear family"* consisting of a person, his or her spouse and minor children

**"Independent Evaluator"**: means an evaluator registered with government, hired by DFCCIL, to provide inputs to the competent authority in arriving at the replacement cost of land

**"Holding"** means the total land held by a person as an occupant or tenant or as both

**"khatedar"** means a person whose name is included in the revenue records of the parcel of land under reference

**"Marginal farmer"** means a cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to half hectare

**"non-agricultural labourer"** means a person who is not an agricultural labourer but is primarily residing in the affected area who does not hold any land under the affected area but who earns his livelihood principally by manual labour or as a rural artisan immediately before such declaration and who has been deprived of earning his livelihood principally by manual labour or as such artisan in the affected area;

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

**"Notification"** means a notification published in the Gazette of India or, as the case may be the Gazette of a State

**"Occupiers"** means a member of the Scheduled Tribes in possession of forest land prior to the 13th day of December, 2005

**"Project"**: Refers to the Dedicated Freight Corridor project (DFC project).

**"Project Affected Persons (PAPs)"**: indicates any person being as it may an individual, a household, a firm or a private or public who, on account of the execution of the project, or any of its components or sub-projects or parts thereof would have their right, title or interest in any house, land or any other asset acquired or possessed, in full or in part; or business, occupation, work, place of residence or habitat adversely affected; or standard of living adversely affected, including the follows.

**"Rehabilitation (Income restoration/Livelihood restoration)"**: means the process to restore income earning capacity, production levels and living standards in a longer term.

**"Replacement cost/value"**: Replacement cost is the cost of purchasing comparable assets elsewhere by the affected person in lieu of the acquired land, buildings, structures, and other immovable assets, etc.

**"Socio-economic survey"**: is carried out in order to prepare profile of PAPs and to prepare for Resettlement Action Plan. The survey result is used (i) to assess incomes, identify productive activities, and plan for income restoration, (ii) to develop relocation options, and (iii) to develop social preparation phase for vulnerable groups.

**"Small farmer"** – A cultivator with an un-irrigated land holding up to 2 hectares or with an irrigated land holding up to 1 hectare, but more than a marginal farmer.

**"Squatter"** – A person/family that has settled on the public land without permission or has been occupying public building without authority prior to the cut-off date and is



depending for his or her shelter or livelihood and has no other source of shelter or livelihood.

**"Tenants"**: are those persons having *bonafide* tenancy agreements, written or unwritten, with a private property owner with clear property titles, to occupy a structure or land for residence, business or other purposes. They are eligible for certain compensation or assistance as per the existing norms and practice

**"Titleholder"**: A PAP/PAF who has legal title to land, structures and other assets in the affected zone.

**"Vulnerable Group"**: NRRP 2007 defines Vulnerable Persons as disabled, destitute, orphans, widows, unmarried girls, abandoned women or persons above 50 years of age; who are not provided or cannot immediately be provided with alternative livelihood, and who are not otherwise covered as part of a family (para 6.4 (v) NRRP 2007)

**"Wage Earner"**: Wage earners are those whose livelihood would be affected due to the displacement of the employer.

**Annexure 4.2**

**Census Survey and Public Consultation Meetings Schedule during Preparation of SIA**

Sl. No.	District	Tehsil/	Village	Alignment	Census Survey/Meeting Date	No of participants
1	Bulandsahar	Khurja	Doshpur Dadupur	Parallel	04.01.2012	20
2			Maina Mojpur	Parallel	05.01.2012	16
3			Maina Kaladargadhi	Parallel	04.01.2012	10
4			Kalandar gadhi	Parallel	05.01.2012	13
5			Jahidpur Khurd	Parallel	06.01.2012	14
6			Samaspur	Parallel	02.01.2012	12
7			Sultanpur	Parallel	13.12.2011	20
8			Kamalpur Mazra Bhadaura	Parallel	02.01.2012	16
9			Bhadaura	Parallel	01.01.2012	16
10			Khabra	Parallel	01.01.2012	19
11		Sikandarabad	Khanpur	Parallel	31.12.2011	12
12			Kadarpur	Parallel	31.12.2011	8
13			Gangraul	Parallel	31.12.2011	12
14			Fatehpur Jado	Parallel	09.12.2011	9
15			Aroda	Parallel	08.12.2011	18
16			Salauni Alias Rauni	Parallel	06.12.2011	7
17			Makrandpur alias Fatehpur	Parallel	06.12.2011	7
18			Mukundpur Gadhi / Mahepa jageer	Parallel	06.12.2011	5
19			Wair Badshahpur	Detour	07.12.2011	20
20			Bhaura	Detour	07.12.2011	18
21	Gautam Budh Nagar	Sadar	Astauli	Parallel	01.12.2011	20
22			Devta	Parallel	01.12.2011	20
23			Kherli hafizpur	Parallel	29.11.2011	15

Sl. No.	District	Tehsil/	Village	Alignment	Census Survey/Meeting Date	No of participants
24			Jamalpur	Parallel	29.11.2011	14
25			Raghunathpur	Parallel	30.11.2011	15
26			Chersi	Parallel	30.11.2011	16
27		Dadri	Rithauri	Parallel	02.12.2011	10
28			Ajayabpur	Parallel	02.12.2011	15
29			Kaimrala Chakrasenpur	Parallel	02.12.2011	4
30			Ghodi Bachheda	Parallel	NA	
31			Chamrawali Ramgarh	Detour	03.12.2011	19
32			Hazratpur	Detour	NA	
33			Chamrawali Boraki	Detour	03.12.2011	15
34			Thapkheda	Parallel	NA	
35			Palla	Parallel	05.12.2011	12
36			Pali	Parallel	NA	
37			Mayacha	Parallel	NA	

**Annexure 5.1**

<b>Time Schedule for Land Acquisition of Khurja Dadri Section</b>					
<b>SI No.</b>	<b>District</b>	<b>Buland Sahar</b>		<b>Gautam Budh Nagar</b>	
	<b>Chainage</b> <b>Activities</b>	<b>1369.820 to 1372.124</b>	<b>1372.124 to 1394.112</b>	<b>1394.112 to 1395.700</b>	<b>1395.700 to 1415.690 (Ex Village Hazratpur)</b>
<b>1</b>	<b>Notification u/s 20 (A)</b>	<b>Completed</b>	<b>Completed</b>	<b>Completed</b>	<b>Completed</b>
<b>2</b>	<b>Notification u/s 20 (E)</b>	<b>Completed</b>	<b>Completed</b>	<b>Completed</b>	<b>Completed</b>
<b>3</b>	<b>Notification u/s 20 (F)</b>	<b>Completed</b>	<b>Completed</b>	<b>Completed</b>	<b>Completed</b>

**Annexure: 6.1****Term of Reference****Engaging NGOs in Implementing Resettlement Action Plan**

**Objective:** Dedicated Freight Corridor Corporation of India Ltd. (DFCCIL) is a Special Purpose Vehicle (SPV) of the Ministry of Railways, Government of India entrusted with the responsibility to plan and implement Dedicated Freight Corridor Projects across the country, including the Western DFC connecting Delhi with Mumbai and Eastern DFC connecting Ludhiana with Kolkata. DFC will implement the Eastern DFC project with the assistance of the World Bank in three Phases, the first phase being the Bhaupur-Khurja section of about 343 Kms. The Phase II section between Mughalsarai-Bhaupur 392 Kms (Double line) and Phase-III section Khurja-Dadri 49 kms (Double line) will be executed in three phase. The EDFC-I affects about 10,000 families (56,000 people) more or less evenly distributed across the three packages. These include about 500 families whose structures are affected. About 75% of the affected farmers are small or marginal. The RPF/RAP provides impacts, entitlement matrix, implementation arrangements including grievance mechanism, monitoring and evaluation, and budget. **The RPF/RAP will be disclosed on the DFCCIL website (<http://www.dfccil.org>) for easy reference.**

DFCCIL has hired Land Acquisition Facilitating Consultants (LAFC) to assist in survey work in the land acquisition processes, whose job is focused on physical progress. Key responsibilities of LAFC include (i) Notification to affected landowners; (ii) collection of sale deed (registry rate) for each affected village; (iii) joint measurement survey and valuation of affected lands and properties; (iv) assisting in compensation distribution; (v) assisting in acquisition of government land and other follow ups with revenue officials.

The RPF/RAP have provisions to provide the affected families with compensation as well as necessary rehabilitation support by engaging NGOs for facilitating community consultation, participation and income restoration, and enhance social accountability in the implementation process. This ToR provides the nature and scope of tasks and deliverables to be undertaken by the prospective NGOs to be engaged for this purpose with reporting arrangements and timeframe. Request for proposal from well established NGOs (registered under the Indian Societies Act, 1860/India Trusts Act/Section 25 of the Indian Companies Act) with substantial experience (minimum 15-20 years) in community development, local governance, livelihoods, right to information, and involuntary resettlement to assist in the R&R process.

**Reporting Arrangements:** The NGOs will work at the Chief Project Manager for the EDFC-I and under the supervision of Social and Environment Management Unit (SEMU) established at HQ office at New Delhi. While SEMU will provide overall policy and training support to NGOs while the actual execution will be done at the CPM office in close coordination with the Administrator (Competent Authority) of R&R under the project.

**Roles and Responsibilities of the NGO will be as follows.**

1. Strengthening public consultation and raising people's awareness regarding the project; procedures for getting their rights and entitlements under the RAP,
2. Strengthen participation of PAPs in livelihood and income restoration through capacity building support for family and group based income activities;
3. Strengthen transparency in the LA and RR through social accountability measures such as community display boards, information dissemination, and regular consultation.
4. Assist in identification and verification of the PAPs for provisioning their entitlements;
5. Address gender issues in RAP implementation process including strengthening women's participation in livelihood activities.
6. Pay special attention to and enable the vulnerable families to equitably benefit from the RAP implementation process;
7. Assist in inter-agency coordination, especially with mainstream agencies for RAP implementation;
8. Monitor and report regarding safeguard compliance on associated social and environmental issues;

**Scope of Work:** As mentioned above, the facilitating NGOs will play an important role in implementing the RAP and in mitigating the adverse effects of the project. The NGOs will remain responsible for the development and implementation of comprehensive implementation strategies such as educate stakeholders to access opportunities available under the project and to facilitate the PAPs to take advantages of the options available in the projects. In this context, the scope of work designed for NGO is as follow

**Specific Tasks:** Coordination and Mainstream Linkage: The NGO will coordinate on behalf of the Project with the district administration and development agencies for successful implementation of the RAP. It will coordinate with government/ other mainstream institutions to strengthen socio-economic development of the displaced families and vulnerable groups in order to enhance their access to welfare and income schemes. Address HIV/AIDS related issues at the construction camps in collaboration with State AIDS Prevention Control Societies (SACS).

**Relocation Support:** The NGO will assist the project displaced families in their smooth relocation from the affected site, help the PAPs re-establish their shelter and businesses, and monitor and document the process. It will provide women headed and vulnerable displaced families with need-based relocation support in addition to the standard LA and R&R benefits. It will assist in re-establishing the community property resources with public participation.

**Information, Education and Communication:** The NGO will assist in IEC activities through public meetings and consultations with the project affected people (PAP) and vulnerable groups and their organizations (CBO). It will manage "public information centers (PIC)" in its district level field offices, from where it will supply LA and R&R information to the Panchayat offices. The NGO will establish rapport with PAPs and inform them about their entitlements provisioned in the RAP. It will raise their awareness regarding LA and R&R, and procedures to receive their rights and benefits. The NGO will organize PAP beneficiaries groups (PBGs) and educate them about the program and dispel misinformation. The NGO will facilitate PAP interactions with the Competent

Authority, and project functionaries including the CPM, APMs and elected local representatives. The NGO will organize monthly meetings with PAPs at pre-disclosed time and location involving APM and PRI representatives at Tahsil level. Decisions taken in these meetings will be documented and submitted to CPM as part of Monthly Progress Reports. It will raise awareness on safety issues among workers at the camps as well as work sites and report regarding any hazard risks to the CPM and SEMU.

**PAP Identification and Verification:** The NGO will “cross verify through consultation with community groups and PRIs” the list of eligible PAPs for provisioning R&R benefits. This will help DFCCIL to finalize/update the list of PAPs in the non-title holder category (squatters/ kiosks/ Tenants). The NGO based on the final verification will assist the CPM office to prepare and issue ID cards to the PAPs eligible for R&R benefits. The NGO in consultation with the Competent Authority and the CPM office will display the list of verified PAPs at their field offices and send relevant lists to the Panchayat Offices. After publishing PAP list, the NGO will hold formal consultation with the PAPs and their local representatives, and village revenue officials. These consultations will focus on grievances of PAPs (including left out cases, proposed entitlement of each PAPs etc). The facilitating NGOs will record such grievances of the PAPs and put before the APM for amicable solutions. After receiving such grievances the NGO will inform the concern aggrieved PAPs about status of grievances. Proportion of such grievances resolved at the NGO level will be an indicator of good performance of NGO’s implementation. If the grievance is not resolved at the APM level, the NGO will provide need-based support to the concerned PAP to file the grievance application at the District Resettlement and Rehabilitation Committee (DRRC).

**Disbursement of LA Compensation and R&R Benefits:** The NGO will assist in and monitor the disbursement of LA compensation and R&R benefits; it will monitor the process and prepare status reports on LA and R&R indicating village wise:

- (i) PAFs who have received/are yet to receive compensation as per RAA 2008
- (ii) PAFs who have received/will receive R&R assistance as per entitlement matrix
- (iii) List of PAFs who have neither received compensation nor any R&R assistance.

The NGO will monitor that R&R benefits are disbursed in the joint names of husband and wife, based on SIA list prepared and will undertake video recording of the disbursement process.

**Hand Holding Support for Livelihood/Income Restoration:** The NGO will assist the PAPs in opening bank accounts; counsel them regarding utilisation of the R&R assistance. The NGOs will educate the PAPs about investment options and enable them to restore their economic status against the loss of land and other productive assets. For this purpose, the NGO will advise the Project team to disburse R&R package in a manner that will economically benefit them most. In this connection NGO may involve local SHG groups or any other voluntary organization these group will impart training, help PAPs in skill up gradation and training for self-employment. The NGO will also assess the local capacities, resources and assist the affected people to plan livelihoods and access income opportunities available.

In order to achieve the above, the NGO can adopt innovative strategies for enabling PAPs to find gainful employment which may include (but not limited to)

- Co-ordinate training and skill upgrading for PAPs for income restoration, including micro-credit and enterprise training for women self-help-groups, farmer groups, etc.

- Contact financial institutions like NABARD, SIDBI, and the Lead Bank of the area in accessing the credit required by the individual as well as groups of PAPs and the women's groups from the PAFs. The NGO will maintain a detailed record of such facilitation, and plan for each PAF to repay the loan.
- Establish linkages with the district administration for ensuring that the PAPs are benefited from the schemes (especially NAREGA and IAY) available and those they are entitled to. The focus for this component of the NGO's work will be the vulnerable PAPs for their income restoration. The NGO will maintain a detailed record of such facilitation.

**Monitoring, Documentation, and Reporting:** It will maintain meeting and consultation registers and will document the summary of discussions in all formal and informal consultations with PAPs. It will prepare and submit progress reports along with work programs and man power schedule on a monthly basis to the CPM and the SEMU to monitor the RAP implementation. It will monitor and report to the CPM office/SEMU regarding compliance with application labor laws, prohibition of child labor, gender equality, and local employment. The NGOs will assist the package manager to ensure that the contractors are abiding by the various provisions of the applicable laws, concerning the worker's safety, health and hygiene; women's issues and the child labor issues, such as the following:

- i. The Maternity Benefit Act, 1951;
- ii. The Contract Labor (Regulation and Abolition) Act 1948;
- iii. The Minimum Wagers Act, 1948.
- iv. The Equal Remuneration Act, 1979.
- v. The industrial Employment (Standing Order) Act, 1946;
- vi. The Child Labour (Prohibition and Regulation) Act, 1986;
- vii. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996;
- viii. The Cess Act of 1996 and
- ix. The Factories Act, 1948.

The NGO shall submit the periodical report to CPM. The said report shall be reviewed by CPM and forwarded to SEMU/HQ for approval. Payment will be released by CPM only after approval of the report.

**Schedule of Payment:**

Sl. No.	Period	Payment Milestone	% of Contract Value
1	After 1 <sup>st</sup> month	Deployment of Manpower, opening of field office, submission of methodology of total activities. And Preparation of list of Project Beneficiaries Group, Issue of Identity Cards to PAPs, putting up display board-dissemination, regular consultation regarding LA & R & R, Monthly meeting with PAPs, HIV/AIDS awareness programme, interagency coordination, submission of periodical report on identified activities.	20%



2	After 2 <sup>nd</sup> month	Preparation of list of Project Beneficiaries Group, Issue of Identity Cards to PAPs, putting up display board-dissemination, regular consultation regarding LA & R & R, Monthly meeting with PAPs, HIV/AIDS awareness programme, interagency coordination, submission of periodical report on identified activities.	20%
3	After 3 <sup>rd</sup> month	Completion of assigned activities and submission of final report and Implementation of Social Management Plan for R&R benefits.	25%
4	After 4 <sup>th</sup> month	Implementation of Social Management Plan for R&R benefits.	25%
5	Balance payment will be retained till satisfactory completion of entire activities		10%

**Annexure 6.2****Indicative Scope of Work of Quality and Safeguards Monitoring Team**

The **SESMRC** consultants will have Social and Environment Specialists, and will be responsible for verifying and reporting on the quality and progress of implementation of land acquisition (LA) and R&R process. The key actions the SESMRC Consultants will monitor include: (a) process and outcome of the payment of LA compensation and R&R assistances; (b) reconstruction/ rehabilitation of affected community structures/ assets; (c) registration and resolution of grievances and complaints; (d) Information disclosure, communication, and interaction with affected people; (f) completion of LA process prior to civil work; (g) quality of inter-agency coordination and capacity issues. The SESMRC Consultants will make use of available documents, reports, and its interactions with EDFC staff, other agencies, and affected people in the monitoring process; check compliance with the RAP; and flag any outstanding issues which affect the quality or pace of the implementation process. The Consultants should also try to ascertain their satisfaction with and concerns regarding the RAP implementation. One of the important tasks of the consultants will be to verify whether the pre-determined tasks are completed for the respective contracts prior to the handing over of the encumbrance free stretches to the contractors. The consultants should provide options and advice in accordance with the policy provisions on any additional land acquisition or resettlement impacts encountered during the implementation. The indicative list of tasks will be as follows:

**Land Acquisition**

- Randomly verify the process followed in determining the compensation in line with the provisions of RAA including the inputs from the independent valuer;
- Verify timely payment of compensation to the landowners once the compensation awards are made. Participate in some of the compensation distribution meetings to ascertain the process followed for distribution of compensation cheques;
- Verify the process followed in the dissemination and administration of reimbursement of stamp duty or taxes in case those who buy alternative lands and houses out of compensation money;
- Verify the process followed for dealing with those cases where severance of lands are involved ;
- Ascertain how the various provisions including payment of additional compensation in case of delay in completing the land acquisition process are administered under RAA;
- Follow up on the status for dealing with grievances related to compensation rates; and
- Follow-up on the progress in land acquisition in relation to civil work time table and report any likely delays which will affect the timely handing over of the lands to the contractors in accordance with the contract provisions;
- Report on any additional land acquisition requirements due to changes in route alignment or implementation of any associated facilities that are listed in this TOR;

- Any others tasks that are appropriate for dealing with land acquisition and compensation payment.

**Resettlement and Rehabilitation**

- Verify and ascertain that the Entitlements as available in the Entitlement Matrix are administered to the various category of PAPs;
- Ascertain that the various proposals made in RAP to mitigate the impacts are implemented in the manner it was described in the RAP;
- Ascertain how various suggestion and concerns raised by the local people during consultations are incorporated or addressed during the project implementation;
- Report on the Status of completion of reconstruction of affected community assets prior to handing over of the land to the contractor;
- Report on the functioning of grievance redress mechanism to deal with the complainants grievances related to RAP implementation;
- Review the functioning of Data Base Management to track the implementation progress;
- Review the periodical internal monitoring reports and identify any gaps in reporting or delay in implementation progress;
- Verify the coordination between civil work contracts and RAP implementation to ensure that encumbrance free stretches are handing over to the contractors;
- Monitor the role of consultants and NGOs in RAP implementation and identify any improvements required and suggestion for their services;
- Monitor the progress in providing unskilled jobs to the PAPs and local people;
- Participate in the meetings and consultations carried out by the implementing agency or carry out independent consultations to get first hand feedback from the affected and local people on the project implementation in general and RAP Implementation in particular;
- Report on any additional R&R impacts due to changes in route alignment or implementation of any associated facilities that are listed in this TOR;
- Any others tasks that are appropriate to deal with resettlement impacts and PAPs/local villagers concerns
- Report other social safeguard issues such incidence of child labor, unequal wages, unhealthy work camps posing health or security hazards to the workers, etc.

**Annexure 6.3****List of Urgent Actions for RAP Implementation with Tentative Target Dates**

Sl. No.	Name of Action	Responsibility	Target date
1.	Disclosure of R&R Eligibility List	DFCCIL (CPM)	Oct 2015
2.	List of chainage-wise encumbrances	DFCCIL (CPM)	Prepared, to be updated every month.
3.	Constitution of RR/Grievance Committees	DFCCIL/IR	Done.
4.	Execution of Contract for SESMRC	DFCCIL (PMU)	EOI invited. Hiring to be complete by Oct 2015.
5.	Functioning Database	DFCCIL (SEMU./CPM)	Dec 2015
6.	Appointment of all staff for implementation of RAP	DFCCIL/IR	Additional Field staff by Sept 2015
7.	Confirmation and disclosure of the list of special category of PAFs including: BPL families, vulnerable families, cattle shed owners, share croppers, residual land owners, small, marginal and landless farmers; livelihood losers, squatter and title holder displaced families.	DFCCIL	Oct 2015