



FINAL RESETTLEMENT ACTION PLAN

**FOR BHAUPUR - KHURJA SECTION
OF PROPOSED EASTERN DEDICATED FREIGHT CORRIDOR**

DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA LIMITED

March, 2011

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ABBREVIATIONS

APM	Assistant Project Manager
BPL	Below Poverty Line
BSR	Basic Schedule of Rates
CPM	Chief Project Manager
CPR	Common Property Resources
CRO	Chief Resettlement Officer
CVC	Central Vigilance Commission
CVO	Chief Vigilance Officer
DFCCIL	Dedicated Freight Corridor Corp. of India Ltd
EA	Executing Agency
EDFC	Eastern Dedicated Freight Corridor
EIA	Environmental Impact Assessment
EM	Entitlement Matrix
FLC	Field Level Committee
GRC	Grievance Redress Committee
HH	House Hold
HLC	Headquarter Level Committee
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
R&R	Resettlement and Rehabilitation

RAA	Railway Amendment Act
RAP	Resettlement Action Plan
ROW	Right Of Way
SEMU	Social and Environmental Management Unit
SIA	Social Impact Assessment
SMF	Social Management Framework
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 has planned Implementation of Dedicated Freight Corridors connecting Delhi with Mumbai on the Western side and Delhi with Kolkata on the Eastern side. DFCCIL has sought World Bank Loan assistance for Implementation of part of Eastern Dedicated Freight Corridor (EDFC) including the section Bhaupur-Khurja. As part of the project preparation, a Resettlement Action Plan (RAP) has been prepared to address the resettlement issues of the project.

Total length of the Bhaupur-Khurja Corridor is 343 Kms (Double line); out of which 149 Kms are in detour section & balance 194 Kms are in parallel to the existing North Central Railway track. There are 4 junction stations and 6 crossing stations in this section. The proposed Freight Corridor section traverses through 8 district and 291 villages of the state of Uttar Pradesh. ROW width is around 40 m in the parallel section and 60 m in detour.

Out of 149 km of detour portion, Tundla detour is about 71 km. The alignment of Tundla detour is being reviewed, therefore information of the Tundla detour has not been included in this report. Hence this report pertains to resettlement planning of total 272 km in the following three packages.

Package I-From Bhaupur to Bhartana-Total length- 135 km

Package II-From Kaist to Birauni-Total length-30km (excluding Tundla detour, 72 Kms)

Package III-From Jamalnagar-Khurja- Total length-107 km

However a Resettlement Policy Framework of the Tundla detour alignment has been prepared. Alignment of Tundla detour (72 Kms section) is being reviewed and separate RAP shall be prepared before inviting of the bid document for this section.

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, the Entitlement Matrix approved by Railway Board, Ministry of Railways. The objectives are as follows:

- To prepare an action plan for the project affected people for improving or at least retaining the living standards in the post resettlement period.
- 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 expeditious 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 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 as approved by Railway Board. 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 aims at providing additional assistance to take special care for weaker sections like SC/ST/Vulnerable groups.

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

Table E 1: Key Impacts in Bhaupur – Khurja Section

Package	Land Acquisition in Ha.	No. of PAFs	Landless	Marginal	Small	Affected PAPs due to Structures						BPL		Vul. PAPs	CPRs
						TH		NTH				Land	Structure		
						Resi	Comm.	Resi	Comm.	Kiosks	Tenants				
I (135 Km)	570	3566	30	1998	712	48	20	30	14	18	0	2335	57	6829	6
II (30 Km)	93	1841	4	1087	408	3	13	20	6	26	0	1191	7	4341	1
II (Tundla Detour)	<i>Resettlement Policy Framework/SIA underway</i>														
III (107 Km)	519	2719	4	1127	586	122	20	73	6	19	31	1600	98	4323	15
Total	1182	8126	38	4212	1706	173	53	123	26	63	31	5126	162	15493	22

Table E.1 presents categories of PAFs and their detailed entitlements are described in EM.(See chapter 3)

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 1182 ha of land of which approximately 86% is under private acquisition. However, the project will require very less (approximately 2.25 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 18 meters which has resulted in reducing impact on residential as well as commercial structures

E.7 Due to the project, total 8595 families are affected by the Project. Out of this, agriculture land of 8126 families is going to be affected, while 212 structures of 469 families are going to be affected. Of these, major impact will be on 6342 families, and minor impact will be on 2253 PAFs. 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 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 1182 ha of land, of which approximately 999 ha. (85%) of private land and 183 ha (15%) of government land.

E.9 Loss of structures: The project affects 469 PAFs private built-up properties of which 226 PAFs are Title Holders (TH) and 243 PAFs are Non-Title Holders (NTH). The area of the structure affected is 2.25 ha. Furthermore, about 386 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 a large majority of the affected people live below poverty line of Rs. 25,000 per annum (66%) and more than half of the affected people are marginal land owners owning less than one hectare of land. About one-fourth are illiterates and only about 10 % are graduates. ***The social impact assessment study indicated that there are no tribal habitats in the proposed corridor.*** The number of tribal families affected by the project is only 8 families who are spread out in the corridor of impact. The demographic profile, income, marital and occupation status of these families are no different from the mainstream population and these families are a part of the mainstream population. Consultation and socio-economic survey indicates that none of these ST families can be classified as 'indigenous people' in the strict sense. Para 2 of the World Bank's OP 4.10 states that "the identities and cultures of Indigenous Peoples are inextricably linked to the lands on which they live and the natural resources on which they depend". Therefore, given that the 8 affected households in this case are a part of the mainstream and they do not have specific institutions and traditions separate from the mainstream and unique to their location, a separate Tribal Development Plan (TDP) has not been prepared. However, the Entitlement Matrix contains special provisions (para E 2-9) to safeguard their rights. Para E 2-9 provides that 'Each ST affected family shall get an additional one time financial assistance equivalent to five hundred days minimum agricultural wages for loss of customary right or usage of forest produce (para 7.21.5 NRRP 2007). 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 land (para 7.21.4 of the NRRP 2007)".

E.11 Loss of community resources: 22 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 350 meetings were held with the local community. District level public consultations were held in each of 8 districts where PAFs, PAPs, NGOs and Government agencies were involved. The outputs obtained from these meetings helped in formulating strategies for minimizing impacts. First stage consultation is completed and second stage consultations are in progress and expected to be complete by August 2010.

E.13 Follow-up consultations: Stakeholders workshops as follow-up consultation with the stakeholder's including the PAFs & PAPs were 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. 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 Kanpur and Allahabad. 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 shall be the member. Arbitrators will be appointed to hear grievance cases relating to payment of compensation for land to be acquired under RAA, 2008 who have already been appointed. An Ombudsman will be appointed by March' 2011 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 will be constituted as per provisions of NRRP 2007, comprising the Director, Project and Planning, General Manager, Social and Environment Management Unit (SEMU) and Additional General Manager (SEMU), assisted by the Social Specialist with Environmental Specialists. The Committee will be chaired by Director/ Project & Planning. The R&R committee will oversee the work done by CPM office. The committee will also redress grievances not resolved at CPM office level.

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: Common Properties Recourses (CPRs) have been identified 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 267 Crores**.

E-20: Resettlement Policy Framework: There shall be a Resettlement Policy Framework providing guidelines for identifying and managing social impacts. The Legal and R&R Policy with the Entitlement Matrix and the Implementation Arrangements described in this RAP will be a part of the RPF, which will apply to mitigation of any additional impacts identified during the implementation, that may be assessed in advance of undertaking civil work for that activity as

per the terms of reference adopted for carrying out social impact assessment for preparing this RAP. This procedure will also be applicable for any new or associated activities linked to this project.

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 ministry. 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 Bhaupur - Khurja as phase I and Mughal Sarai - Bhaupur as phase II of the project proposed to be funded by World Bank. Total length of the Bhaupur-Khurja Corridor is 343 Kms (Double line); out of which 194 Kms are in parallel and 149 Kms are in detour section. Out of 149 km of detour portion, Tundrla detour is about 71 km. The alignment of Tundrla detour is being reviewed, therefore information of the Tundrla detour has not been included in this report. Hence this report pertains to resettlement planning of total 272 km in the following three packages.

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Package III-From Jamalnagar-Khurja- Total length-107 km

However a Resettlement Policy Framework of the Tundla detour alignment has been prepared. Alignment of Tundla detour (72 Kms section) is being reviewed and separate RAP shall be prepared before launching of the bid document for this section.

MOR has approached World Bank for funding Khurja-Ludhiana section of EDFC as well.

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 project includes construction of a double line railway track 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

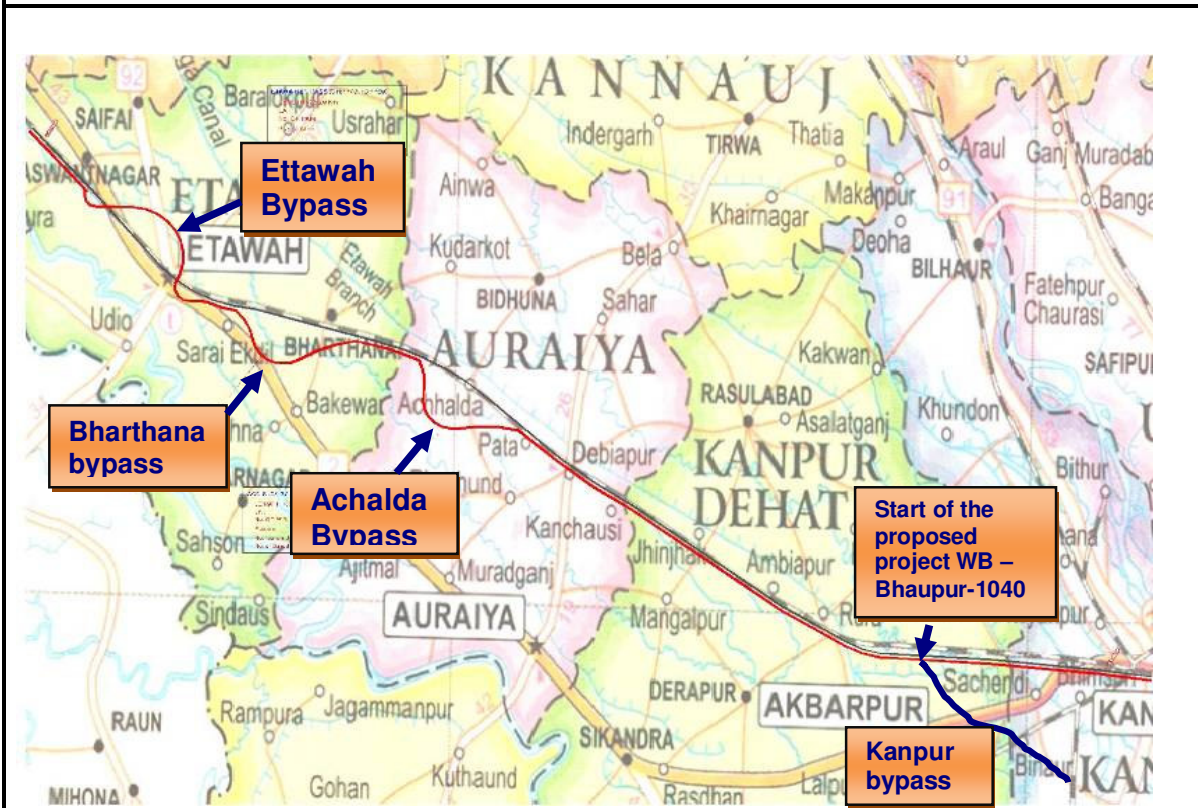
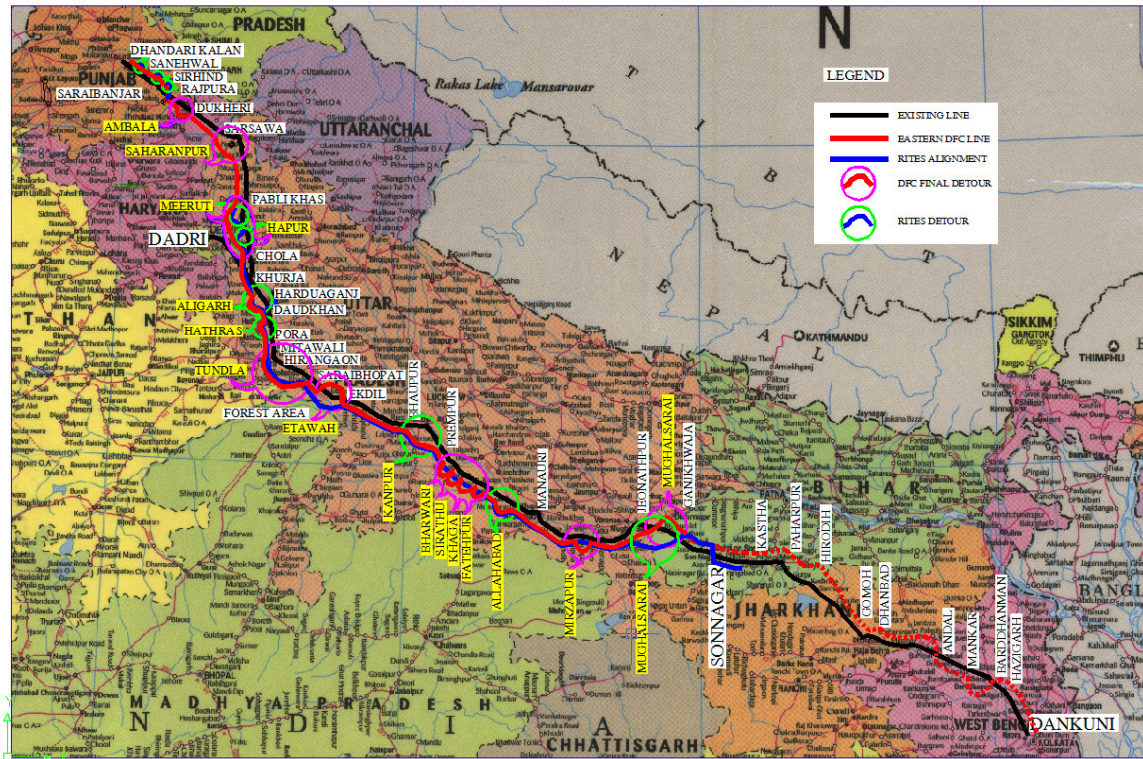
1.7 The project will entail multitude benefits for both, the railways and the local residents of the area it traverses through. Besides overall development of infrastructure, free flow of goods on the Eastern Dedicated Freight Corridor (EDFC) and passenger traffic on IR network, the project will ensure 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
- Establishment of SEZ, IT park because of development of economic corridor 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 Bhaupur and Khurja section (Phase-I) is shown in Figure 1.1. The length of existing route from Bhaupur to Khurja is 343 Kms and falls in 8 districts of Uttar Pradesh. Out of 343 Kms of existing route length, this report pertains to resettlement planning of 272 km. The SIA for realignment stretch of 72 kilometers along Agra and Firozabad districts (Tundla detour) shall be undertaken according to the same ToR adopted for carrying out the SIA for preparing this RAP. Based on this additional SIA, a supplementary RAP shall be prepared and implemented prior to commencement of civil work for the applicable milestones for the realigned stretch. The alignment for the altered stretch shall be finalized and the additional SIA commissioned before Project Appraisal.

DEDICATED FREIGHT CORRIDOR (EASTERN)



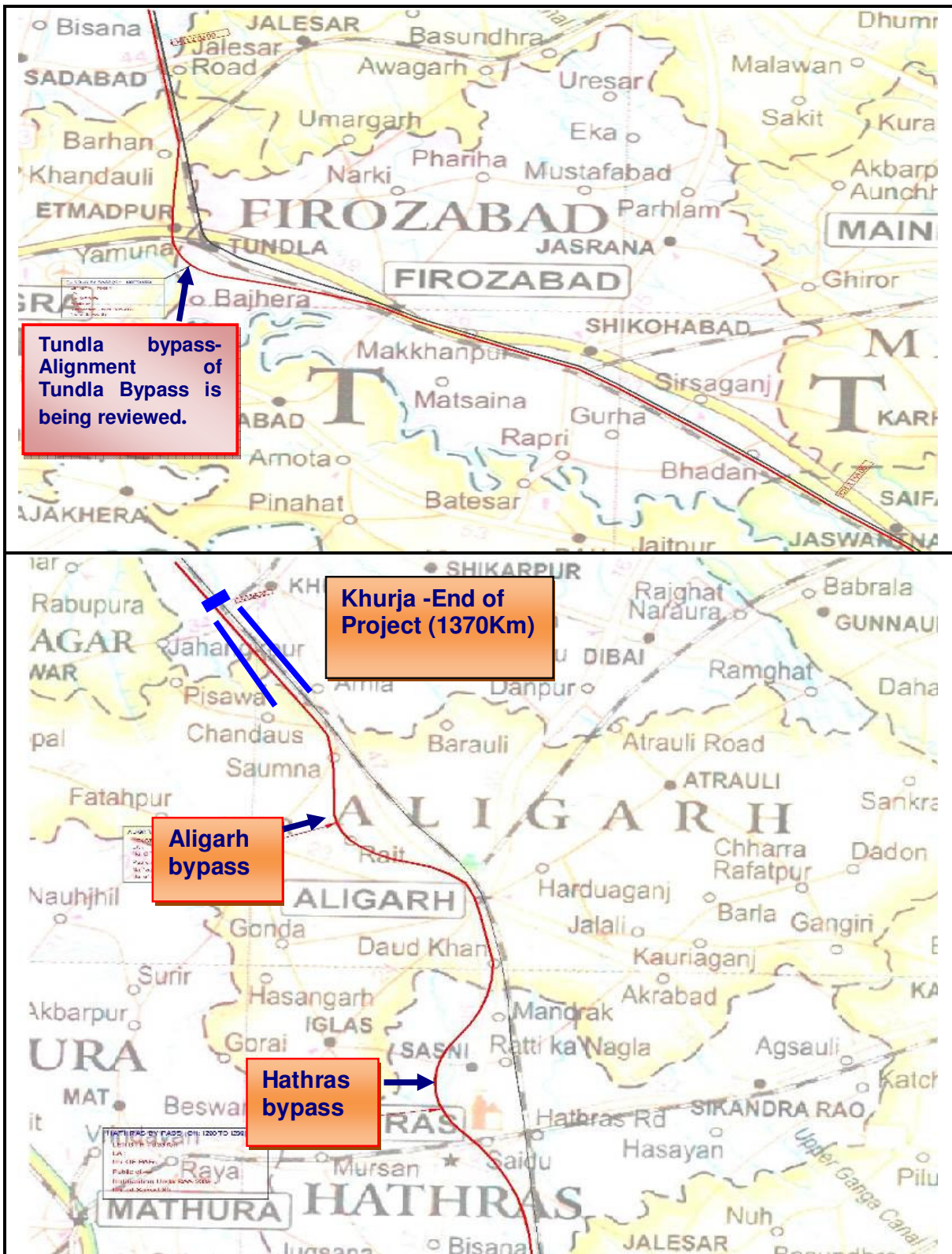


Fig. 1.1: Project Location Map

The existing route (from Bhaupur Km 1040 to Khurja Km 1370) comprises of double rail tracks and loop line at important stations. General land width (existing ROW) along the tracks is about

40 meters (20 meter either side from up track center) in open areas and about 60 meters near small stations. At certain locations, the land width is 150 meters, especially near stations and in yards. Average land width available for laying DFC tracks is about 12-16 meters. Generally, the terrain is flat with little vertical gradients. Existing horizontal curves are within acceptable limits. The existing Rail network passes through the congested areas of Maitha, Rura, Phaphoond, Achalada, Bharthana, Etawah, Tundla, Hathras and Aligarh. The proposed dedicated freight corridor network is a double track freight corridor dedicated to goods trains along with a road for maintenance of the corridor and other utility services. The proposed land width (proposed RoW or Corridor of Impact) is about 40 meters for parallel portions and 60 meters for bypass locations. The distance between existing IR tracks and proposed DFCC tracks has been generally kept at 13-15 meters. Crossing stations, dumping yards, TSS, SSP and SP and junctions have been proposed at appropriate intervals as per IR works manual. The new tracks, for most part, 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. Bypasses/detours have been proposed at such critical locations. To avoid displacement of people, DFCC has undertaken certain technical efforts like minimizing track distances at selected locations and reducing embankment heights and slopes.

SOCIAL IMPACT ASSESSMENT

1.9 The social assessment of the project has been carried out to assess the potential adverse impacts associated with this Project. This assessment is also in line with the National Rehabilitation and Resettlement Policy (NRRP) 2007 and the World Bank operational policies relating to social safeguards. 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 February-May 2009. Census survey has established using the **CUT-OFF-DATE** of February 2009. SIA for 21 villages, left out during initial census, was subsequently completed in July 2010.
- (ii) Stakeholders Consultation: The SIA involved extensive Stakeholder** Consultations (over 283) at individual and village levels. Additional consultations were carried out at the Tahsil level (about 54 consultations); and Focus Groups Discussions (FGDs) were carried out at some 25 critical locations. Follow-up consultations were also carried out in July 2010 to understand opinion and preferences of the PAPs on R&R entitlement, disbursement procedure and implementation arrangement. The objective of these consultations was to inform the affected people about the project, discuss project alternatives to minimize impact, identify and address critical issues and concerns of the affected people.
- (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 alignment, 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 of 6 meters, these locations are Maitha, Phaphoond, Mahrara, Kheria, and Durauchandpur. (Details are mentioned in SIA report),
- b) Ruling out service roads in the built-up stretches,

- c) Providing retaining wall/fencing of DFC at 4 meters 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.
- e) 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 5 locations namely 1.Achalda, 2.Bharthana, 3.Etawah, 4.Hathras and 5.Aligarh.

(v) Analyses of Alternative Alignments: Alternative analysis of the proposed 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 of displacement of people. Analysis of these alternative alignments indicates that displacement and resettlement issues have been minimized under the project. Despite these measures, the alignment defined during SIA for the Tundla detour has been decided to be realigned in view of stiff farmers' opposition, for which additional SIA shall be carried out. As per the quick reconnaissance carried out, the realignment will involve lesser impact on fertile agricultural lands with some increase in impacts on structures.

SALIENT FEATURE OF THE PROJECT

1.10 In order to assess the Project level resettlement impacts, a detailed census was undertaken from Bhaupur to Khurja from February 2009 to June 2009. Some villages which were left out were covered in July 2010. During the survey, it is estimated that a total of 8601 families would 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 contract package wise.

Table 1.1: Project Area: Salient Feature

Package	Title Holders				Non-Title Holders				Total (PAFs) (3 to 8)	G. Total (Land + Structure) (1+9)
	Land		Structures		Structures					
	Total	S/M/L*	Resi	Comm	Resi	Comm	Tenant	Kiosks		
	1	2	3	4	5	6	7	8	9	10
I	3566	2740	48	20	30	14	0	18	130	3696
II	1841	1499	3	13	20	6	0	26	68	1909
III	2719	1717	122	20	73	6	31	19	271	2990
G. Total	8126	5956	173	53	123	26	31	63	469	8595

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

OBJECTIVES OF RESETTLEMENT ACTION PLAN

1.11 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 prepare an action plan for the project affected people for improving or at least retaining the living standards in the post resettlement period.

- 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 expeditious implementation of R&R

1.12 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	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 NRRP 2007 and 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 mechanism, implementation arrangement & schedule and budget.

CHAPTER - 2: 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 229 villages of 8 districts in Uttar Pradesh. These Districts are Kanpur Nagar, Kanpur Dehat, Auraiya, Etawah, Firozabad, Agra, Mahamaya Nagar, Aligarh and Bulandshahar. The project area is located in the country's Central plains and South Western Semi-Arid agro-climatic zones of Uttar Pradesh. The average annual rainfall varies between 662 mm to 863 mm. The rivers and streams of the 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, mooring, lentil, groundnut, rapeseed and mustard and sugarcane. Out of 343 km of total project length about 194 km is in parallel and about 149 km is in bypass stretch. Out of 149 kilometer, alignment of Tundla bypass (about 72 kilometer) is being reviewed and upon finalization of the alignment, SIA shall be carried for this stretch and a supplementary RAP prepared as per the Resettlement Policy Framework (RPF).

This chapter provides data collected for the whole stretch with modifications suitably made to reflect the impact data only for 272 kilometers, for which the alignment has been finalized. The impact data for the rest 72 kilometers in the Tundla stretch in Agra and Firozabad districts shall be collected as part of additional SIA for preparing a supplementary RAP as per the RPF.

Table 2.1: Project Area: Salient Features

Project Stretch (From-To)	Package No	Chainage km (From-To)	Distribution of length (km)		Total length	No. of Distr icts	No. of Villa ges	LA (Ha)
			Parallel	Bypass				
Bhaupur-Bhatuara	I	1040-1170	95	40	135	3	104	570
Kaist - Biruni	II	1170-1266	30	0*	30	2	27	93
Jamal Nagar – Khurja	III	1266-1370	69	38	107	3	98	519
Total (Bhaupur-Khurja Phase-I)		1040-1370	194	78	272	8	229	1182

* This table does not include data for the 72 km in Firozabad and Agra districts (Tundla detour), where the alignment is under review.

FINDINGS OF THE CENSUS AND BASELINE SURVEY

2.3 The findings reflect impact data for 227 villages in the 272 kilometer stretch and does not include villages in the Tundla detour. The census identified a total of 8,595 project affected families comprising of 46,646 persons (excluding the data to be collected for the Tundla detour). The census data reveal of the affected 8,595 PAFs, 94.5 percent families will incur impact on agricultural land, and the rest 5.5 percent families suffer impact on their structures.

The following section analyzes the key findings of the census survey.

PROJECT IMPACTS

2.4 The 272 kilometer stretch of the proposed project stretch will involve acquisition of some 1182 ha of land of which approximately 85 percent is private land. However, the project will require very less (approximately 2.25 ha) built-up area which includes residential (79.7%), commercial or residence-cum commercial (15.9 %) and community properties (4.3 percent). 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 been significant in package III. The impact on residential structures may also go up in the Package II where the detour stretch will be reduced.

Table 2.2 A: Project Area: Loss of Land Agriculture

Package	Land(in ha)		TOTAL
	Private	Government	In ha
I	473(83%)	97(17%)	570(100%)
II	83.92(90%)	9.08(10%)	93(100%)
III	442(85%)	77(15%)	519(100%)
Total	999(85%)	183(15%)	1182(100%)

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni (UNDER REVIEW) and Package-III is between Jamal Nagar-Khurja.

Table 2.2 B: Project Area: Loss of Land Residential and Commercial (in Sqm.)

Package	Category	TH				NTH				G. Total			
		No.	Total Area	Affected Area	%	No.	Total Area	Affected Area	%	No.	Total Area	Affected Area	%
I	Resi.	48	6722	2163	32%	30	4228	1692	40%	78	10950	3855	35%
	Comm.	20	1746	744	43%	14	1095	716	65%	34	2841	1460	51%
II	Resi.	3	432	305	71%	20	1607	1085	68%	23	2039	1390	68%
	Comm.	13	1746	379	22%	6	553	440	80%	19	2299	819	36%
III	Resi.	122	9407	6942	74%	73	6916	5727	83%	195	16323	12669	78%
	Comm.	20	1488	974	65%	6	441	246	56%	26	1929	1220	63%
Total	Resi.	173	16561	9410	57%	123	12751	8504	67%	296	29312	17914	61%
	Comm.	53	4980	2097	42%	26	2089	1402	67%	79	7069	3499	49%
G. Total		226	21541	11507	53%	149	14840	9906	67%	375	36381	21413	59%

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni (UNDER REVIEW) and Package-III is between Jamal Nagar-Khurja

EXTENT OF LOSS:

Agricultural land –

2.5 Table 2.3 shows impact on agricultural land of each PAF. Package wise analysis of the census data indicates that out of the total 8,126 PAFs losing their agricultural land, about 51% PAFs will lose less than 0.15 Ha. of land, 33% will lose between 0.15 Ha. and 0.50 Ha., 12% will lose between 0.50 Ha. or 0.5 ha to 1 ha of land and about 4% will lose over 1 ha of land. As per the provisions of NRRP, all Khatehdars (title holders) would receive the same (Rs. 20,000) ex-gratia irrespective of their extent of loss. The ex-gratia of Rs 20,000 will help the 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. It is important to highlight that the revised Entitlement Matrix also provides that the compensation shall be calculated considering the highest rates of Ind compensation given by the state government at the location of land acquisition.

Table 2.3: Parcel of Plot Affected of each PAFs

Package	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	
I	2036(57%)	1169(33%)	266(7%)	95(3%)	3566(100%)
II	707(38%)	719(39%)	303(16%)	112(6%)	1841(100%)
III	1420(52%)	808(30%)	407(15%)	84(3%)	2719(100%)
Total	4163(51%)	2696(33%)	976(12%)	291(4%)	8126(100%)

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni and Package-III is between Jamal Nagar-Khurja

Structures –

2.6 Table 2.4 presents the physical impact on the structures which are being acquired. Out of 206 structures under various categories about 78% 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

Name of District	0-25%	25-50%	50-75%	75-100%	Total
Kanpur Dehat	19	15	9	11	54
Auraiya	20	6	4	1	31
Etawah	7	2	3	8	20
Firozabad	0	0	0	13	13
Agra	0	2	2	1	5
Mahamaya Nagar	0	0	0	49	49
Aligarh	0	0	0	16	16
Buland Shahar	0	0	0	18	18
Total	46	25	18	117	206

Identification of Small, Marginal and Landless farmers

2.7 Census and baseline survey has ascertained that about 5956 landowners are landless, marginal or small (as defined in Annexure -2.1) Out of 8126 agricultural PAFs about 0.47% are landless, 51.83% Marginal and 20.99% 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 (based on the relevant provision of NRRP 2007).

Table 2.5: Identification of Small and marginal farmers

Package	Total Land owners	General	Landless (l)	Small (s)	Marginal (m)	Total (s/m/l)*
I	3566(43.88%)	826(10.16%)	30(0.37%)	712(8.76%)	1998(24.59%)	2740(33.72%)
II	1841(22.65%)	342(4.21%)	4(0.05%)	408(5.02%)	1087(13.38%)	1499(18.45%)
III	2719(33.46%)	1002(12.33%)	4(0.05%)	586(7.21%)	1127(13.87%)	1717(21.13%)
Total	8126(100%)	2170(26.70%)	38(0.47%)	1706(20.99%)	4212(51.83%)	5956(73.30%)

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni and Package-III is between Jamal Nagar-Khurja

Impact on 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 families affected due to loss of structure higher in package III because a third line is already under construction by Indian Railways (IR) and there is no open land left with railway in built-up area for laying DFC tracks. Thus, in these congested stretches, displacement is inevitable. SIA, while comparing land ownership with land plan and type, has established that many of the displaced families are currently settled on Government land ('Abadi', or 'Usar', etc) and classified as squatters (38%).

Table 2.6: Project Affected Families (PAFs)

Package Wise	Titleholders		Non-Titleholders (Squatters, Tenant & Kiosks)				Total
	Resi	Comm	Resi	Comm	Tenants	Kiosks	
I	48	20	30	14	0	18	130
II	3	13	20	6	0	26	68
III	122	20	73	6	31	19	271
Total	173	53	123	26	31	63	469

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni and Package-III is between Jamal Nagar-Khurja

Displacement due to the Project

2.9 Information given in Table 2.7 indicates the families that will be displaced because of this project. Again the displacement is higher in package III because of construction of a third line by Railways which consumes the available Railway land.

Table 2.7: Project Displaced Families

Package Wise	Titleholders			Squatters			Commercial		Total
	Resi	Comm	R&C	Resi	Comm	R&C	Tenants	Kiosks	
I	20	0	13	23	1	13	0	18	88
II	3	0	3	20	0	6	0	26	58
III	99	9	6	70	3	3	31	19	240
Total	122	9	22	113	4	22	31	63	386

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni and Package-III is between Jamal Nagar-Khurja

Impact on Community structures

2.10 Apart from individual assets, SIA had identified 485 CPRs within the proposed ROW. Efforts were made to minimize the impact on these CPRs by reducing Corridor of impact (COI) to a minimum (about 17 m). As a result, number of CPRs need relocation is reduced to 22 (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. Remaining 463 CPRs will be within RoW however will not be affected directly. Enhancement of these CPRs (463) along with environmental measures such as plantation of trees is being planned. 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. The relocation of the affected community structures shall be done in consultation with the affected custodians and communities in a manner acceptable to the beneficiaries of the CPRs. The affected facilities and the structures will be reconstructed/replaced as a part of the project.

Table 2.8: Affected Community Properties Resources (CPRs)

Package	Temple	Mosque	Hospital	School	Hand pump	Others	Total
I	4	-	-	-	-	2	6
II	1	-	-	-	-	-	1

Package	Temple	Mosque	Hospital	School	Hand pump	Others	Total
III	8	-	-	-	2	5	15
Total	13	0	0	0	2	7	22

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni and Package-III is between Jamal Nagar-Khurja

SOCIO-ECONOMIC ANALYSIS OF THE PAFS AND PAPS

Age-Sex Composition

2.11 In the families loosing agricultural land in the project, there are 25,976 males (55.69%) and 27,365 females (44.31%). Of the total 44510 agricultural PAFs, 19781 are females. It is noticed from Table 2.9 that the sex ratio for this stretch is 795.

Table 2.9 A: 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	476	354	2015	1427	2568	1843	14150	11597	2835	2437	2685	2153	24729	19811
Structure	80	71	213	130	110	82	604	414	149	90	91	72	1247	859
Total	556	425	2228	1557	2678	1925	14754	12011	2984	2527	2776	2225	25976	20670

Source: Census Survey, 2009

Table 2.9 B: Age-Sex Composition in percentage (n=46646)

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
Land	1.02	0.76	4.32	3.06	5.51	3.95	30.33	24.80	6.08	5.22	5.76	4.62	53.01	42.41
Structure	0.17	0.15	0.46	0.28	0.24	0.18	1.29	0.95	0.32	0.19	0.20	0.15	2.67	1.91
Total	1.19	0.91	4.78	3.34	5.74	4.13	31.63	25.75	6.40	5.42	5.95	4.77	55.69	44.31

Annual Income Patterns of the PAFs

2.12 Information collected during Census survey on income level of each PAF indicates that PAFs are economically weak. It can be seen from Table 2.10 that out of total 8601 PAFs, about 84% 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 63% of total PAFs.

Table 2.10: Total Annual Income

Package	Income Group (Rs.)				Total
	0 - 25000	25000 - 50000	50000 - 1 Lakh	above 1 Lakh	
I	2483 (67%)	776(21%)	268(7%)	169(5%)	3696(100%)
II	1199(63%)	349(18%)	242(13%)	119(6%)	1909(100%)
III	1767(59%)	761(25%)	261(9%)	201(7%)	2990(100%)
Total	5449(63%)	1886(22%)	771(9%)	489(6%)	8595(100%)

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni and Package-III is between Jamal Nagar-Khurja

Vulnerability Status

2.13 Table 2.11(a) presents number of PAFs under vulnerable categories as per NRRP 2007. Among the PAFs, there are 15,493 vulnerable persons. Out of these, 75.56% are people above the age of 50 years. Other significant categories are widows (11.94%) and unmarried girls above the age of 18 years (7.5%). This would become significant while planning for the women's income generation and restoration strategies. These vulnerable categories of PAFs will be supported by the project but within the purview of NRRP 2007.

2.14 From the Table 2.11(b), it is ascertained that about 5288 PAFs are below the poverty line. Under the project (as per EM), BPL families are also considered as vulnerable. Table

2.11(b) present BPL families considered as vulnerable. These families will be assisted to regain their living standard

Table 2.11 (a) Vulnerability Status of the PAPs

Package	Project Affected Persons					Total
	Disabled / Orphan	Widow	Un Married Girls above 18 years	Abandoned Women	Women above 50 years	
I	362	792	572	0	5103	6829
II	301	531	400	0	3109	4341
III	109	528	190	0	3496	4323
Total	772	1851	1162	0	11708	15493

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni and Package-III is between Jamal Nagar-Khurja

Table 2.11 (b) Vulnerability Status of the PAFs

Package	Project Affected Families BPL		
	Land	Structure	Total
I	2335	57	2392
II	1191	7	1198
III	1600	98	1698
Total	5126	162	5288

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni and Package-III is between Jamal Nagar-Khurja

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 NRRP 2007 defines vulnerable persons as 'disabled, destitute, orphans, widows, unmarried girls, abandoned women, persons above 50 yrs of age, who are not provided or cannot immediately be provided with alternate livelihood, and who are not otherwise covered as a part of family. The information provided in the above table shall be reconfirmed and beneficiaries will be identified for provision of R&R assistance through NGOs.

2.16 Impact on Schedule Tribe Families (Requirement of IPDP): There are 8 Scheduled Tribes PAFs (5 affected due to land loss and 3 affected due to structure loss) in the project influence area. The SIA established that this 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. SIA has indicated that demographic profile, income, marital and occupation status of these 8 ST families are not different from mainstream population. In other words SIA has ascertained that these ST families are part of mainstream population. Consultation and socio-economic survey indicates that none of these ST families can be classified as 'indigenous people' in the strict sense. 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)**. Para 2 of the World Bank's OP 4.10 states that "the identities and cultures of Indigenous Peoples are inextricably linked to the lands on which they live and the natural resources on which they depend". Therefore, given that the 8 affected households in this case are a part of the mainstream and they do not have specific institutions and traditions separate from the mainstream and unique to their location, a separate Tribal Development Plan (TDP) has not been prepared. However, the Entitlement Matrix contains special provisions (para E 2-9) to safeguard their rights. Para E 2-9 provides that 'Each ST affected family shall get an additional one time financial assistance equivalent to five hundred days minimum agricultural wages for loss of customary right or usage of forest produce (para 7.21.5 NRRP 2007). 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 land (para 7.21.4 of the NRRP 2007".

Education Status

2.17 Amongst the PAPs, there is a high degree of illiteracy in the project area. About one-fourth (26 %) PAPs are illiterate. Another 17 % of the PAPs are basic literates. About 21% of the total PAPs have studied up to the 8th standard school level (Table 2.12). Amongst PAPs, there are only 4693 (10%) graduates in the area. Less number of professionally educated PAPs points to the lower level of opportunities in the project area. Since about 25% of the PAPs are illiterate, special efforts and attention would be made for communicating awareness about resettlement and rehabilitation issues including compensation and project related decisions. NGOs will be hired to undertake activities including generating awareness, establishing linkage with government income restoration schemes, and grievance redressal.

Table 2.12: Education Status of PAPs

Package	Education level						Total
	Un Educated	Educated	8 th	10 th	Intermediate	Graduate	
I	5060(11%)	3848(8%)	5710(12%)	3620(8%)	2800(6%)	2489(5%)	23527(50%)
II	1647(4%)	1296(3%)	1580(3%)	1201(3%)	951(2%)	676(1%)	7351(16%)
III	5236(8%)	2734(4%)	2387(4%)	2154(3%)	1729(3%)	1528(2%)	15768(34%)
Total	11943(26%)	7878(17%)	9677(21%)	6975(15%)	5480(12%)	4693(10%)	46646(100%)

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni and Package-III is between Jamal Nagar-Khurja

Occupational Background

2.18 In the families losing agricultural land, about 34% PAPs are housewives, a certain percent of whom are engaged in economic activities on mostly an informal basis, within and outside the household. Another, 20% are students, 12.1% PAPs are labourers in the agricultural sector or otherwise. About 2% 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 2.13: Occupation Profile of PAPs

Package	Occupation profile(PAPs)								Total PAPs
	Service	Business	cultivator	Students	House Wife	Labour	Un-Employed	Workers	
I	1142	355	5340	4350	7939	2453	1705	243	23527
II	236	107	1320	1725	2441	910	465	147	7351
III	825	298	2977	3030	5661	2304	559	114	15768
Total	2203(5%)	760(2%)	9637(21%)	9105(20%)	16041(34%)	5667(12%)	2729(6%)	504(1%)	46646(100%)

Package-I is between Bhaupur-Bhataura, Package-II is between Kaist-Biruni and Package-III is between Jamal Nagar-Khurja

IMPORTANT FINDINGS AND CONCLUSIONS OF THE PROJECT ARE:

2.19

- Census survey identifies approximately 8595 PAFs and 46646 PAPs. Total of 51.83 % of the total agricultural PAFs are classified as marginal 0.47 % as landless and approximately 21 % as small. Even though these numbers appear to be high, the actual impact in terms of displacement and loss of livelihood is low. About 1182 ha (999 ha of private land and 183 ha govt. land) is required for the construction of the project. Average acquisition per family works out to be 1374 Sqm (0.13 Ha).
- Number of displaced families is approximately 386. Approximately one family per kilometer is getting displaced for this project, which is fairly low.

- Some squatters have been occupying government land (mainly 'Usar') for many years, however they do not possess patta land,
- DFCCIL has further reduced land width from 40 meter to 20 meter in some built-up stretches resulting in minimizing displacement.
- The alignment design has been finalized and all identifiable temporary, construction and associated impacts at this stage have been included. If any temporary / construction/ associated impacts arise during construction of the project, same will be taken care by DFCCIL. Based on the recommendations of SESMRC, suitable mitigation measures shall be adopted.
- Grazing and Forestry uses have already been covered during baseline census survey.

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 2.14 Socio-economic data on affected people

Status on Indebtedness

Amount of debt	0 – 10000	10000-25000	25000-50000	50000-above	reported cases
Percentage of cases	20.62%	28.02%	26.46%	24.90%	257

Status on Income Level

Income per year in Rs.	0-25000	25000-50000	50000-100000	above 100000	Nos. of families
Percentage	63%	22%	9%	6%	8595

Education Status

Education level	Un Educated	Educated	8th	10 th	Intermediate	Graduate	Total PAPs
Percentage	26%	17%	21%	15%	12%	10%	46646

Occupation Profile

Occupation	Service	Business	cultivator	Students	House Wife	Labour	Un-Employed	Workers	Total PAPs
Percentage	5%	2%	21%	20%	34%	12%	6%	1%	46646

Status of Project affected houses

Category	Pakka	Semi - Pakka	Kacha	Total
TH	93.97%	1.29%	4.74%	226
NTH	97.32%	2.01%	0.67%	149
TH and NTH taken together	95.28%	1.57%	3.15%	375
No of household having separate kitchen	207			
No of households having separate Bathroom	205			

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 2.14: Project Affected Households by Impact Categories

Sl. No	Impact Category	No. of PAHs	Entitlements	Remarks
(a) Title Holders: Loss of Land				
1	Land owners loosing less than 1500 Sq.mts and	4071	• Compensation as replacement value as	Reimbursement should be

Sl. No	Impact Category	No. of PAHs	Entitlements	Remarks
	remain in the same land holding category		per EM <ul style="list-style-type: none"> Ex-gratia of Rs. 20,000 Reimbursement of stamp duty charges 	claimed within one year of receipt of compensation
2	Land owners losing less than 1500 Sq.mts and becoming Land less/Marginal/Small land owners	3032	<ul style="list-style-type: none"> Compensation as replacement value as per EM Ex-gratia of Rs. 20,000 Reimbursement of stamp duty charges Rehabilitation grant of Rs. 75,000 	
3	Land owners losing more than 1500 Sq.mts and remain in the same land holding category	4176	<ul style="list-style-type: none"> Compensation as replacement value as per EM <i>Ex-gratia of Rs. 20,000 and Rs. 15 per Sq.mt for land above 1500 sq.mts in order to offset impact on livelihoods in case of significant land loss.</i> Reimbursement of stamp duty charges 	
4	Land owners losing more than 1500 Sq.mts and becoming Land less/Marginal/Small land owners	3185	<ul style="list-style-type: none"> Compensation as replacement value as per EM Ex-gratia of Rs. 20,000 and Rs. 15 per Sq.mt for land above 1500 sq.mts Rehabilitation grant of Rs. 75,000 	
(b) Loss of Structures				
1	Those losing less than 25% of structures	46	<ul style="list-style-type: none"> Replacement cost of affected structure evaluated by Independent Valuer 	
2	Those losing more than 25% of structures	160	<ul style="list-style-type: none"> Replacement cost of affected structures evaluated by Independent Valuer Reimbursement of stamp duty charges Transition allowance Rs. 4,000 Shifting allowance of Rs. 10,000 Subsistence allowance of Rs. 30,000 for those living BPL 	

Sl. No	Impact Category	No. of PAHs	Entitlements	Remarks
			<ul style="list-style-type: none"> House construction assistance in case of BPL Rs 25,000 in case of business/ artisan/ self employed 	
3	Affected Tenants/Lease holders	31	<ul style="list-style-type: none"> Eligible portion of the compensation payable for the unexpired lease period 3 months written notice Shifting allowance of Rs. 10,000 	Rental allowance as per EM in case of advance notice cannot be served
4	Kiosks	63	<ul style="list-style-type: none"> 3 months written notice Shifting allowance of Rs. 10,000 	
(c) Non-Title Holders				
1	Those loosing residential structures	123	<ul style="list-style-type: none"> Compensation for structure loss based on Independent valuer's assessment Transitional allowance Rs. 4,000 Shifting allowance of Rs. 10,000 Subsistence allowance of Rs. 30,000 for those living BPL House construction assistance in case of BPL Rs 25,000 for business, self-employed, artisans 	
(d) Additional /Other Assistance				
1	Loss of livelihood (Agricultural Laborers / Employees)	-To be identified	<ul style="list-style-type: none"> Rehabilitation Grant of Rs. 75,000 Training assistance of Rs. 4,000 Employment with contractors to BPL persons as per EM 	
2	Vulnerable People	-To be identified	<ul style="list-style-type: none"> Cash grant of Rs. 30,000 	300 days minimum wages
3	Tribal Households	8	<ul style="list-style-type: none"> Additional assistance of Rs. 50,000 	If lost customary rights/ access to forest produce
TOTAL				

(The 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	The Provisions Of The NRRP, 2007 for the project affected families, notified by the Government Of India in

	Sections	Description
	and resettlement Policy (NRRP), 2007 to persons affected due to land acquisition	the Ministry Of Rural Development vide number F.26011/4/2007-LRD, dated the 31 st 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.

3.5 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 policy provides specific measures for vulnerable and poor groups. As of now there is no law on rehabilitation and resettlement in the country. The Rehabilitation and Resettlement Bill 2007 (Bill No. 98 of 2007) has been introduced in Lok Sabha (parliament of Indian government).

3.6 *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.

WORLD BANK GUIDELINES FOR INVOLUNTARY RESETTLEMENT

3.7 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

3.8 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.

RESETTLEMENT POLICY FOR DFC PROJECT AND ENTITLEMENT MATRIX

3.9 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.

3.10 To minimize the gap between National and International Policy, DFCCIL /MOR have formulated the Resettlement and Rehabilitation Policy including entitlements.

3.11 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.

3.12 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. In a recent

ELIGIBILITY FOR COMPENSATION/ASSISTANCE / REHABILITATION

3.13 Eligibility for compensation, assistance, and rehabilitation is shown below.

Table 3.1: Eligibility for Compensation, Assistance, and Rehabilitation

Sl. No.	Eligibility
1	The cut-off date for entitlement is the date on which notification is issued as per the notification prescribed under the Section 20A of the RAA 2008 for legal owners and non-titleholders in affected zone.
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	Titleholder PAFs will be eligible for compensation as well as assistance.

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.
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.

ENTITLEMENT MATRIX

3.14 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.

3.15 As per the NRRP, 2007, the benefit amounts offered in the EM will be periodically updated and disclosed. The Entitlement Matrix will be later 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
A. Loss of Private Agricultural, Homestead & Commercial Land				
1	Land on the Project Right of Way	Legal Title holders and Affected Parties with traditional land rights	1. Compensation at replacement cost 2. Resettlement and Rehabilitation	(i) Cash compensation for the land at market value, which will be determined as mentioned in note (A) (section 20 G of RAA 2008) (ii) 60% solatium on the compensation determined in (i) above (section 20F (9) of RAA 2008). (iii) In case where a State Government through any act or Gazette Notification or as approved by any authority of State Government (duly authorized for the purpose) as

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				<p>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) & (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 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>
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'

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				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 sharecroppers, compensation shall be in the ratio as mutually agreed by the sharecroppers and land owners.
B. Loss of Private Structures (Residential/Commercial)				
4	Structure on the Project Right of Way	Title Holder/Owner	Compensation at replacement rate Resettlement & Rehabilitation Assistance	<p>(i) Cash compensation for the structure at replacement cost which would be determined as per note D.</p> <p>(ii) Right to salvage material from the demolished structures.</p> <p>(iii) Three months' notice to vacate structures.</p> <p>(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. 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 & 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/-</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				<p>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 and cost of house construction under JNURM for Urban Areas</p>
5	Structure on the Project Right of Way	Tenants/Lease Holders	Resettlement & Rehabilitation Assistance	<p>(ii) Registered lessees will be entitled to an apportionment of the compensation payable to structure owner as per applicable local laws.</p> <p>(iii) In case of tenants, three months written notice will be provided along with Rs 10,000 towards shifting allowance (NRRP 7.11).</p> <p>(iv) 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>
C. Loss of Trees & Crops				
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>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				(d) Cash assistance to title holders and non-title holders including informal settlers/ squatters for loss of trees, crops and perennials at market value
D. Loss of Residential/Commercial Structures to Non-Title Holders				
7	Structures on the Project ROW	Owners of structures identified as on date of notification (20A).	Compensation at replacement cost Resettlement & Rehabilitation Assistance	<p>(i) Encroachers (as defined in Note F) shall be given three 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 & 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>
E. Loss of Livelihood				
8	Households living on Right of way	Title Holders/ Non-Title holders/shar	Rehabilitation Assistance	(i) Rehabilitation grant equivalent to 750 days of minimum agricultural wages to those families losing livelihood

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
		e-croppers, agricultural labourers and employees		(NRRP para 7.14) (land title holders availing assistance of 750 days minimum wages under section 1(v) above would not be eligible for this assistance) (ii) Training Assistance of Rs 4,000/- for income generation per household (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
E1 Additional support to Vulnerable Group (as defined in Note E) & those Below Poverty Line				
9	Households affected by ROW	Households affected by ROW	Resettlement & Rehabilitation Assistance	One time additional financial assistance equivalent to 300 days of minimum wages
E2 Additional assistance to Scheduled Tribe affected families				
10	Affected Scheduled Tribes	Households affected by ROW	Rehabilitation Assistance	(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) (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 land (para 7.21.4 NRRP 2007)
F. Loss of Community Infrastructure/Common Property Resources				
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

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
G. Temporary impact during Construction				
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.

3.16 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. This EM shall be applicable for all awards declared after 18th January 2011.

3.17 In case 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 Chapter-6.

3.18 This Entitlement Matrix is also applicable for Tundla bypass where alignment is under review or any other section under the projects.

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 (283 consultations), Tahsil level (54 consultations) and District level (18). 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. Details of consultations have been presented in SIA report Volume II.

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
Kanpur Dehat		33	15-45	12	5-10	3	7-10
Auraiya		24	15-25	9	10-12	2	2-3
Etawah		47	20-30	11	12-15	3	3-5
Firozabad		15	15-20	6	5-7	6	3-7
Agra		6	12-18	3	2-3	--	--
Mahamayanagar		41	15-20	6	5-7	2	5-7
Aligarh		37	20-35	5	3-5	--	--
Bulandsahar		24	12-14	2	4-5	2	3-4

4.4 As mentioned above, opinion and preference gathered during SIA were analyzed during RAP preparation stage. Technical team (CPM Office) and social 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"> • Cracks in houses because of high speed loaded goods train because of vibration, • Project officials should provide correct information, • Loss of source of livelihood because of loss of fertile agricultural land, • Loss of access to the agriculture field especially in bypasses, • Loss of religious and other common properties, • Division of habitation and cultural properties because of DFC tracks, • Increase in accidents and suicide because of construction of tracks. 	<ul style="list-style-type: none"> • Vibration will be minimized using plantation, and constructions of boundary wall as agreed in EMP. • Communication will be done with the help of NGOs and community based organizations, • Loss of livelihood is addressed in RAP, • 86 nos. of underpasses/RUB are proposed in a stretch of 272 Kms. • Religious properties will be replaced in consultation with communities. • This type of community properties have been connected through underpass, • Accidents hotspots will be identified and remedial measures taken.
Expectations from the Project	<ul style="list-style-type: none"> • Provision of Job in lieu of compensation, • Compensation as the replacement value of lost assets, • Gramsabha land should be given as resettlement site, • Job to landless families, • Compensation on the norms of <i>Taj expressway</i>, 	<ul style="list-style-type: none"> • Provision of job has not been decided upon as yet. • Compensation at replacement value under revised EM. • Since Land Acquisition for DFC project is a linear acquisition, there is no mass displacement. 388 people have been displaced in a stretch of 272 km. Moreover, the surplus land is not available with Ministry of Railways. Therefore, resettlement site has not been planned for DFC project. • Entitlement Matrix has been revised. To offer latest rates for Compensation as per the new EM,
Design and Alternatives	<ul style="list-style-type: none"> • Pipeline and underground pipe should be constructed, • Width of land for DFCC Track should be reduced to minimize land acquisition, • Underpasses should be constructed near important crossing especially near school, • Foot over bridges should be given at important locations • Remodeling of yard and platform to minimize ROW 	<ul style="list-style-type: none"> • Lost pipeline will be replaced, • Width of Land is reduced to 17 meters at many locations to minimize the impact, • About 86 underpasses/RUB are planned (mainly in bypasses) to compensate loss of connectivity, • 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. • Re-modeling of yard and platforms has been done at Maitha, and Phafond station.

FOLLOW UP CONSULTATIONS

4.5 As a part of project preparation, provisions of the Resettlement Action Plan were required to be disclosed with the project affected persons (PAPs). For this purpose, Public Consultation meetings were carried out in the field. These consultations have helped in providing inputs for grievance redress mechanism and implementation arrangement for the finalization of Resettlement Action Plan (RAP). Summary of important issues, key findings and suggestions have been presented in Table (4.3) below.

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

Location	Date of PCM	Suggestion of PAPs	Key Action
Shekhpur Jakhauli, Tahsil Etawah District Etawah	10/07/2010	<ul style="list-style-type: none"> • Compensation for bore-well should be given, • Is there any deduction in total amount (check) at the time of disbursement? • There is persistent problem in getting land record updated from village revenue officers (Lekhpals) 	<ul style="list-style-type: none"> • Compensation for bore-well will be given at replacement value as given in EM. • There will not be any deduction in amount of check at the time of disbursement • Land record all land owners losing their land will be updated before the disbursement of compensation
Village Palikhurd, Tahsil-Bharthana, Etawah	10/07/2010	<ul style="list-style-type: none"> • There is a problem in getting certificates of self-declaration, distribution of share from Tahsil, • Provision of refund of stamp duty is a good step, • Compensation given (calculated hypothetically during consultation) is sufficient to purchase similar land 	<ul style="list-style-type: none"> • The facilitating NGOs will assist PAP in getting certificates of self-declaration, distribution of share from Tahsil.
Village Balrai, Tahsil Jaswant Nagar, District Etawah	12/07/2010	<ul style="list-style-type: none"> • Extra Compensation and assistance be given to handicapped • Compensation for loss of livelihood to all because loss of fertile land affects livelihood 	<ul style="list-style-type: none"> • Extra Compensation and assistance will be given to handicapped because they are considered as vulnerable as per EM. • Compensation for loss of livelihood is per EM
Bithauli, Sikohabad, Ferozabad	16/07/2010	<ul style="list-style-type: none"> • People wanted to know what will happen to about 20% residual land, if 80% land is acquired, • People wanted to know if there was any deduction by Bank in the compensation amount, • Compensation proposed to be given as per 	<ul style="list-style-type: none"> • DFCCIL has prepared very specific policy about Residual land after LA. As per EM, residual land will be purchased from PAFs, and 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 as per EM.

Location	Date of PCM	Suggestion of PAPs	Key Action
		entitlement matrix is good and acceptable	•
Village Nawali, Tahsil Etawah, District Etawah	12/07/2010	<ul style="list-style-type: none"> • Compensation of land if it is near to road should be at increased rate, • There should be no deduction in amount of compensation, 	<ul style="list-style-type: none"> • Compensation for land near the road will be decided as per procedure under RAA 2008 and as per EM, • There will not be any deduction in amount of check at the time of disbursement
Village-Rajpur, Tahsil-Hathras, District- Mahamayanagar	13/07/2010	<ul style="list-style-type: none"> • Entire land has been acquired by Yamuna Development Authority and remaining land being acquired by Railways • People wanted that if there was an alternative, acquisition of land from their village should be avoided. • Rate of land should be given at par with Yamuna Development Authority 	<ul style="list-style-type: none"> • Since the proposed corridor is the only alternative, land acquisition is inevitable.. • Rate of land will be given at par with state government policy/Government order as modified in EM.
Village-Kheria, Etmadpur Agra	13/07/2010	<ul style="list-style-type: none"> • Land is not available for resettlement in the villages, • At least 6 month's time is required for relocation, • Land acquired by railway is very fertile, • People prefer resettlement of displaced families at compact location near the village because of robbery problem 	<ul style="list-style-type: none"> • Only 3 month's notice will be given, because six months period is too long • The facilitating NGOs will assist PAPs in finding their preferences and option of resettlement
Village-Mahrara, Sadabad Mahamayanagar	13/07/2010	<ul style="list-style-type: none"> • At least 6 months' time should be given to resettle PAPs three month's notice is not sufficient, • Compensation given by Railways as per EM is less and not acceptable 	<ul style="list-style-type: none"> • Only 3 month's notice will be given, because six months period is too long • Compensation given by Railways as per EM which offer latest rates for compensation.

Location	Date of PCM	Suggestion of PAPs	Key Action
Dyorau Chandpur, Bulandsahar	14/07/2010	<ul style="list-style-type: none"> • Compensation given under the project is very less, • We will not accept this compensation, • Railway should construct new colony for us, • We are not happy with this EM 	<ul style="list-style-type: none"> • Explained as above. Ex-gratia, rehabilitation grant and will also be given as per EM • Colony is not planned because displacement is scattered, • EM has been revised, to offer latest compensation rates.
Parhawali, Aligarh	15/07/2010	<ul style="list-style-type: none"> • People wanted to know the exact alignment since notification has been done 2 times. • When compensation will be given 	<ul style="list-style-type: none"> • Key Alignment will be advertized in newspapers and the facilitating NGOs will conduct information dissemination session, where realignment will also be discussed wherever necessary • Compensation will be given before taking possession of land as mentioned in Time schedule
Ekghara, Kanpur,	20/06/2010	<ul style="list-style-type: none"> • People were very happy about the amount compensation received, • People wanted to know if anything else like job etc. would be given. 	<ul style="list-style-type: none"> • The provision for offering jobs has not been decided as yet.

4.6 Follow-up Consultation: Consultations were held in 227 locations covering all 229 and 8 districts. Schedule of PCM is attached as annexure 4.2. These consultations focused on information disseminations, provisions of RAA 2008 and NRRP 2007. Follow-up consultations were held to explain about provisions of EM and implementation framework under the project. Altogether 12 follow-up consultations were held. However more consultations on EM and RAP will be done the implementation stage for strengthening participation.

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 -

- In general, PAPs are happy about the compensation to be given as per EM in Package-I (Kanpur Dehat, Auraiya and Etawah District), However PAPs are apprehensive about their land to be acquired, compensation and R&R assistance given in Package-II and III (Ferozabad, Agra, Mahamaynagr, Aligarh and Bulandsahr District). This is because price of land (replacement value) is much higher than the circle rate. (Almost twice of circle rate) in these districts and in recent acquisition, the compensation given by another requiring body (Yamuna expressway etc) is in line with the market rate and is generally acceptable to the villagers. This concern has been addressed by revising the Entitlement Matrix which now offers the latest higher rates for land acquisition prevailing at that location.

- Proportionate ex-gratia as per EM (PAFs losing more than 1500sqm) has helped to meet equivalent replacement value of land in package I for Kanpur Dehat, Auraiya and Etawah Districts,
- Few PAPs are facing difficulties in getting their land record (hissakashi 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 discusses with PAPs and also disclosed
- There was a demand from PAPs for 6 month's notice for displaced families against present provision of 3 months, However after detailed discussion in DFCCIL, it is decided that 3 month's notice is sufficient because it is equivalent to one crop season,
- 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 conduct more such consultations during the implementation process so as 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

ACTION PLAN

4.9 DFCCIL will take following action

- 1) In response to the Consultations, the Entitlement Matrix has 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:

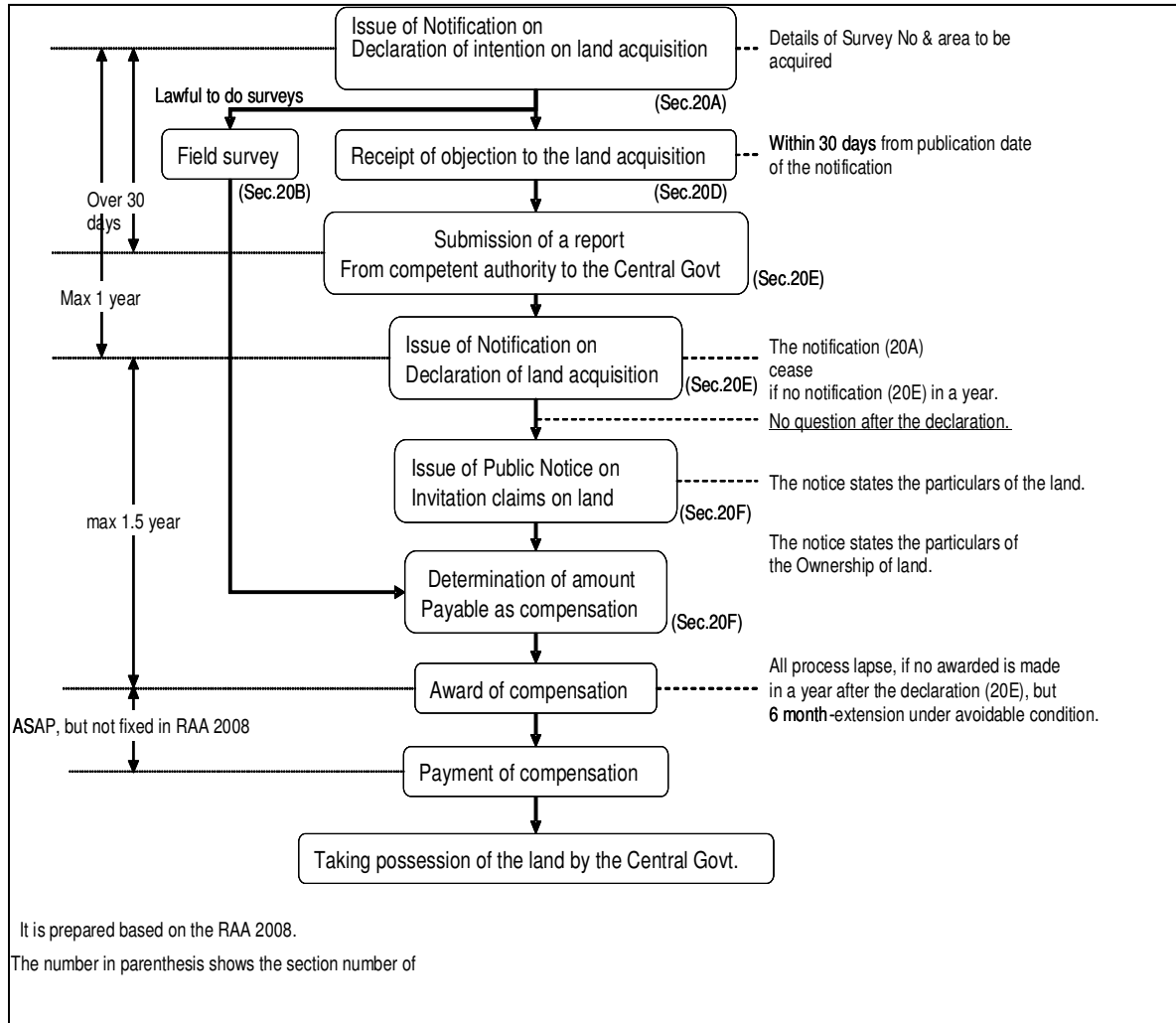


Fig. 5.1: Flowchart of the Land Acquisition Process under Railways (Amendment) Act, 2008

EXTENT OF LAND ACQUISITION

5.2 The proposed EDFC track has been proposed parallel to the existing IR tracks. Average land width available for laying the EDFC tracks (Exiting ROW) ranges from 12 -16 meter. The proposed cross sections indicate that about 40 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 is 60 meters. Table 5.1 presents the extent and purpose of proposed land acquisition.

Table 5.1: Land Required for Various Purposes

Package	Parallel		Bypass		Crossing Station		Dumping Location		Junction		Total	
	Length	Area	Length	Area	No.	Area	No.	Area	No.	Area	Length	Area
I	95	203	40	304	3	33	3	18	1	12	135	570
II	30	93	0	0	0	0	0	0	0	0	30	93
III	69	215	38	245	1	17	2	10	2	31	107	519
Total	194	511	78	549	4	50	5	28	3	43	272	1182

Source: Detailed LAP, CPM Office Kanpur, July 2009

5.3 As can be seen from Table 5.1, out of 272 km of the total length, approximately 194 Km (71%) is in parallel and 78 Km (29%) is in bypass. There are 3 Jn Stations, 4 crossing stations and 5 dumping locations. The project stretch passes through patches of infertile land, and an effort has been made to locate the dumping locations in these stretches as far as possible.

Type of Land

5.4 Table 5.2 presents type of land required for proposed project. These land categories are taken from records of the Revenue Department. Out of 1182 ha total land required, approximately 999 ha is private land and 183 ha is government land. Table 5.2 indicates that about 6 ha forest land, 5 ha land from schools, and approximately 5 ha from Khalihan are required. 27 ha of water bodies are also to be acquired. This land is mainly dry water courses of rivulets, pond, pokhar. Approximately 32 ha barren land is acquired under the project. About 55 ha of chakmarg and Rasta (mainly for rural connectivity) are also being acquired. Private land will be acquired under RAA, 2008 and Government land will be transferred through resumption proposals.

Table 5.2: Type of Land under Acquisition

Package	Water bodies*	Barren land	Abadi /Aagar	Rasta-Chakmarg	Naveen parti Bihad	Samshan	School	Forest land	Khalihan	Other community land	Government land	Private land	Total
I	18.68	21.52	10.72	24.43	4.12	0.56	2.58	3.66	3.47	6.83	96.57	473.23	569.8
II	0.39	0.72	0.42	4.5	0.68	0.1	0.28	2.11	0.05	0.33	9.58	83.92	93.5
III	7.82	10.02	2.89	25.8	3.47	1.17	2.36	0.67	1.5	21.35	77.05	441.55	518.6
Total	26.89	32.26	14.03	54.73	8.27	1.83	5.22	6.44	5.02	28.51	183.2	998.7	1182

Source: Detailed LAP, 20E, CPM Office Kanpur, July 2009. *Water bodies include river pond, bamba nahar, Pokhar, Nali,

Present Status of Land Acquisition of Eastern Corridor

5.5 DFCCIL has maintained close coordination with revenue authorities for quick acquisition of land under RAA 2008. On date, 20A and 20E notices have been issued for the entire length. Declaration of award u/s 20F has been declared for 331 Ha. The present status of land acquisition has been brought out in Annexure 5.1.

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 Bulandshahar is ADM I Bulandshahar. Competent Authority for districts Aligarh and Mahamayanagar is SLAO Aligarh. Competent Authority for the districts Agra is ADM (Land Acquisition) Agra. Competent Authority

for the district Firozabad is Nagar Magistrate, Firozabad. Competent Authority for the districts of Etawah, Auraiya and Kanpur Dehat is AGM/LA posted at the DFCCIL.

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 Meerut, Agra and Kanpur Revenue Divisions have been appointed as Arbitrators for the districts of Bulandshahar (Meerut), Aligarh, Mahamayanagar, Agra and Firozabad (Agra), Etawah and Kanpur Dehat (Kanpur) vide Gazette dated July 15 2010.

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 1:3,000 ~ 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. Out of 183 ha government land, costing letter of 52 ha of government land has been received which indicates that the state government has no objection in transferring the land to DFC project.

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

- (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.

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

- 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 Bhaupur – Khurja 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 Bhaupur-Khurja section, SIA has identified 31 residential tenants who are residing or running shops on rent (unregistered). These tenants will be assisted as per EM.

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.

5.23 Land Acquisition Progress: The land acquisition progress till 24th January, 2011 is summarized in the following table for both Private and Government lands. The progress will be updated periodically to ensure that it is completed in line with the civil works timetable. The expected dates for acquisition have been brought out in Annexure 5.1.

Table 5.3 Status of Land Acquisition

PRESENT STATUS OF PRIVATE LAND ACQUISITION (as on 31st March, 2011)									
Package	Total LA in Ha.	20A¹		20E²		20F³		20H⁴	
I	473	473	100%	473	100%	270	57%	270	57%
II	84	84	100%	84	100%	49	58%	49	58%
III	442	442	100%	442	100%	219	50%	219	50%
Total	999	999	100%	999	100%	538	54%	538	54%

PRESENT STATUS OF GOVT. LAND ACQUISITION (as on 31st March, 2011)						
Package	Total LA in Ha.	20 A	20 E	Resumption proposal submitted	Demand letter received	Money Deposited
I	97	97	97	97(100%)	59(60%)	-
II	9	9	9	9(100%)	3(33%)	-
III	77	77	77	77(100%)	30(39%)	-
Total	183	183	183	183(100%)	92(50%)	-

Receiving demand letter request for deposition of money by state government indicates NOC in transferring government land to DFCC Project. Lengthwise availability of land is currently being worked out in field. The following is the time line for completing the LA process:

1. Upto 80 percent of LA: Award by Dec' 2011 and disbursement by Feb' 2012
2. 100 percent LA: Award by April 2012 and Disbursement by June 2012
3. Government Land Transfer: December 2011

¹ 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.

² 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

³ 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.

⁴ Amount to be deposited in the account of CA and further disbursement of such amount to entitled persons

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 Field Level. CPM Office at Kanpur is headed by an officer of the rank of General Manager. At the Head Office, Social & Environmental Management Unit (SEMU) has been created headed by an officer of the rank of General Manager to look after Land Acquisition and Rehabilitation and Resettlement process. 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 all land acquisition activities;
- (b) Liaison with respective CPM offices 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 a 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 offices, 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 offices,
- 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 One Consultant (Social) will look after the resettlement and rehabilitation components of the Project and ensure that all rehabilitation and resettlement issues are complied as per the policy. He will be assisted by Asst 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

Personnel	Administrative Roles and Responsibility
General Manager (SEMU)	<ul style="list-style-type: none"> • Responsible for all work related to Environmental and Social Considerations of the project. • Responsible for coordinating with World Bank for all environmental and social consideration of the Project. • Responsible for monitoring the Process of Land acquisition and RAP implementation. Assistance given by AGM/land acquisition. • 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. • Ensure budgetary provision for resettlement and rehabilitation of PAPs and relocation, rehabilitation and reconstruction of common property resources (CPR). • Ensure timely release of budget for implementation of RAP.
AGM/SEMU	<ul style="list-style-type: none"> • Assisting GM SEMU in all social and environmental issues and reports to GM (SEMU), • Assisting in finalisation of Environmental and Social reports prepared

Personnel	Administrative Roles and Responsibility
	<p>by the consultants,</p> <ul style="list-style-type: none"> • Public disclosure of EIA, EMP, SIA, SMF, RAP etc. • To provide assistance for devising suitable institutional mechanism to monitor and supervise effective implementation of EMP and RAP, • To provide information for any parliament questions / RTI query on environmental aspects of the project, • To furnish information to PR/Adm department of DFCCIL for any environment impact related News item appearing in the print or electronic media.
AGM/LA	<ul style="list-style-type: none"> • Processing of proposals for land acquisition for notification of 20 A and 20E at Corporate Office, • Coordinating the land acquisition cases in Ministry of Railways, Ministry of law, Official language section and publication department for notification of 20A and 20E.
DGM/Grievance	<ul style="list-style-type: none"> • In charge of complaint receipt section, • To process for redressing any complaint or grievance received directly in DFCCIL corporate office, • To assist GM/SEMU in getting remarks on complaints/grievances on R&R issues from concerned officers. To give replies to the complaints based on decision taken in corporate office, • To maintain data base of complaint received and replies given to the complainants, • To assist GM/SEMU in monitoring the grievance redress process pertaining to R&R issues, • To process any RTI case / query related to land acquisition.
Social Safeguards Specialist	<ul style="list-style-type: none"> • Assist CPM office in the implementation RAP, • Provide on an on-going basis technical assistance to facilitating NGOs, build their capacities and ensure R&R program is implemented, • To prepare, manage and retrieve the database of LA and R&R of EDFC, • Prepare reporting formats for NGOs, • Coordinate with NGOs towards implementation of RAP, • Review and prepare progress report on LA and R&R, • Report to GM (SEMU) about the progress, • 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, • Monitor the implementation of RAP and to prepare required monitoring reports,

Personnel	Administrative Roles and Responsibility
	<ul style="list-style-type: none"> • Interact with Monitoring and Evaluation (M&E) agencies in developing monitoring formats, • Organize training and capacity building modules for officials of DFCCIL, LAFC and RRFC.

Organizational Structures for Head Office is given Fig 6.1

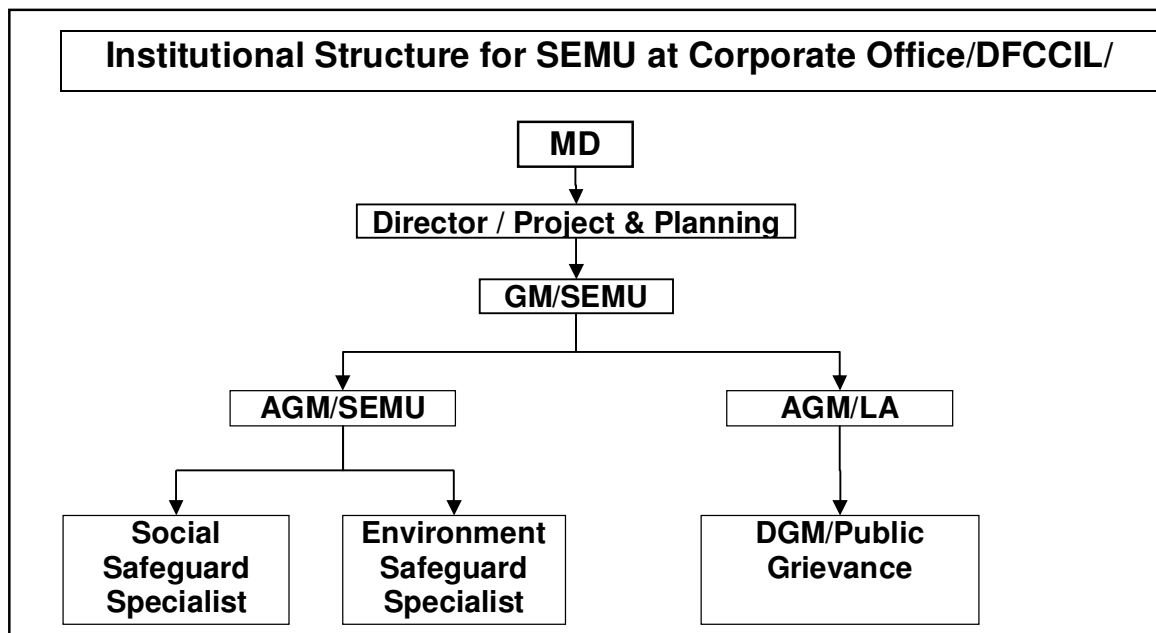


Fig. 6.1: Organizational Structures for Corporate Office

R&R INSTITUTIONS AT THE FIELD LEVEL

6.6 Presently, in the field, the Chief Project Manager (CPM) is looking after the overall land acquisition work. He is assisted by a Deputy Chief Project Manager (Dy.CPM), and four Assistant Project Managers (APMs). The CPM is assisted by Land Acquisition Facilitation Consultant (LAFC). Roles and responsibilities are presented in Table 6.2. Furthermore, one retired revenue officer and one data operator has 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 has been assigned as Chief Resettlement Officer (CRO), whose role is to cater to the affected people's need for rehabilitation and resettlement. 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 (100 km). 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-imburement 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 unit would 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

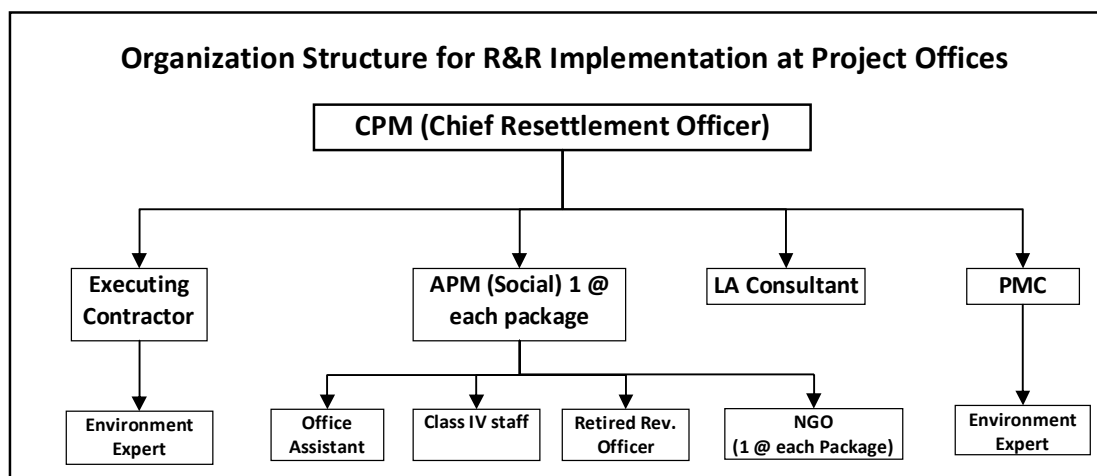


Fig. 6.2: Organizational Structures for Field Office

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
CPM	<ul style="list-style-type: none"> ➤ Overall in charge of LA and R&R. ➤ Participate in State and District level meetings to facilitate LA and R&R activities. ➤ Responsible for executing the work from NGOs and M&E consultants. ➤ Periodic appraisal of progress and reporting to the World Bank and the DFCCIL HQ on monthly basis
Administration for R&R /Competent Authority	<ul style="list-style-type: none"> ➤ Award for compensation of land and structures as per RAA 2008 and EM. ➤ Award for R&R benefits as per Entitlement Matrix.
APM (Social)	<ul style="list-style-type: none"> ➤ Responsible for R&R Implementation and Land Acquisition in the field and in charge of day to day activities, ➤ Prepare progress report on physical and financial monitoring of R&R and submit to CPM, ➤ Oversee the process of land acquisition, shifting of CPRs and other assets in the field, ➤ Scrutinise and certify the structures valuation report submitted by the Evaluators, ➤ Conduct periodic review with staff, ➤ Submit monthly progress reports to CPM on R&R activities. ➤ Directly interact with PAFs and record their views and grievances and transmit the same to the CPM/RR Committees ➤ Monitor the community level activities of the NGOs
NGO	<ul style="list-style-type: none"> ➤ Develop rapport with PAPs, ➤ Constitute Project beneficiary Groups (PBGs)/SHGs ➤ Develop communication strategies (on regular basis through formal information centres)) to address grievances of PAPs, ➤ Assist PAPs in updating land record (Distribution of shareowner

Personnel	Administrative Roles and Responsibility
	etc.) ➤ Assists PAPs in addressing their grievances through established procedures as per RAP. ➤ Liaison with Revenue Department, ➤ Coordinate with LAFC to facilitate DFCCIL in the implementation and management of LA&R&R. ➤ Put into practice the innovative implementation strategies developed by the SEMU (HQ). ➤ 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. ➤ Develop innovative mechanism/methodologies to ensure active involvement of various project stakeholders in the 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,
LAFC	➤ 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.
PMC	➤ Assist in internal monitoring and supervision of the LA/R&R ➤ Assist in coordinating the LA R&R and the civil work process
Social and Environment Safeguard Monitoring and Review Consultant (SESMRC)	➤ 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 Gol 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 in a bar chart 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 office 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

Safegurad 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 Safegurad 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 Safegurad 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 R&R Committees 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, as per Section 8.1 of

the NRRP, 2007. 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.

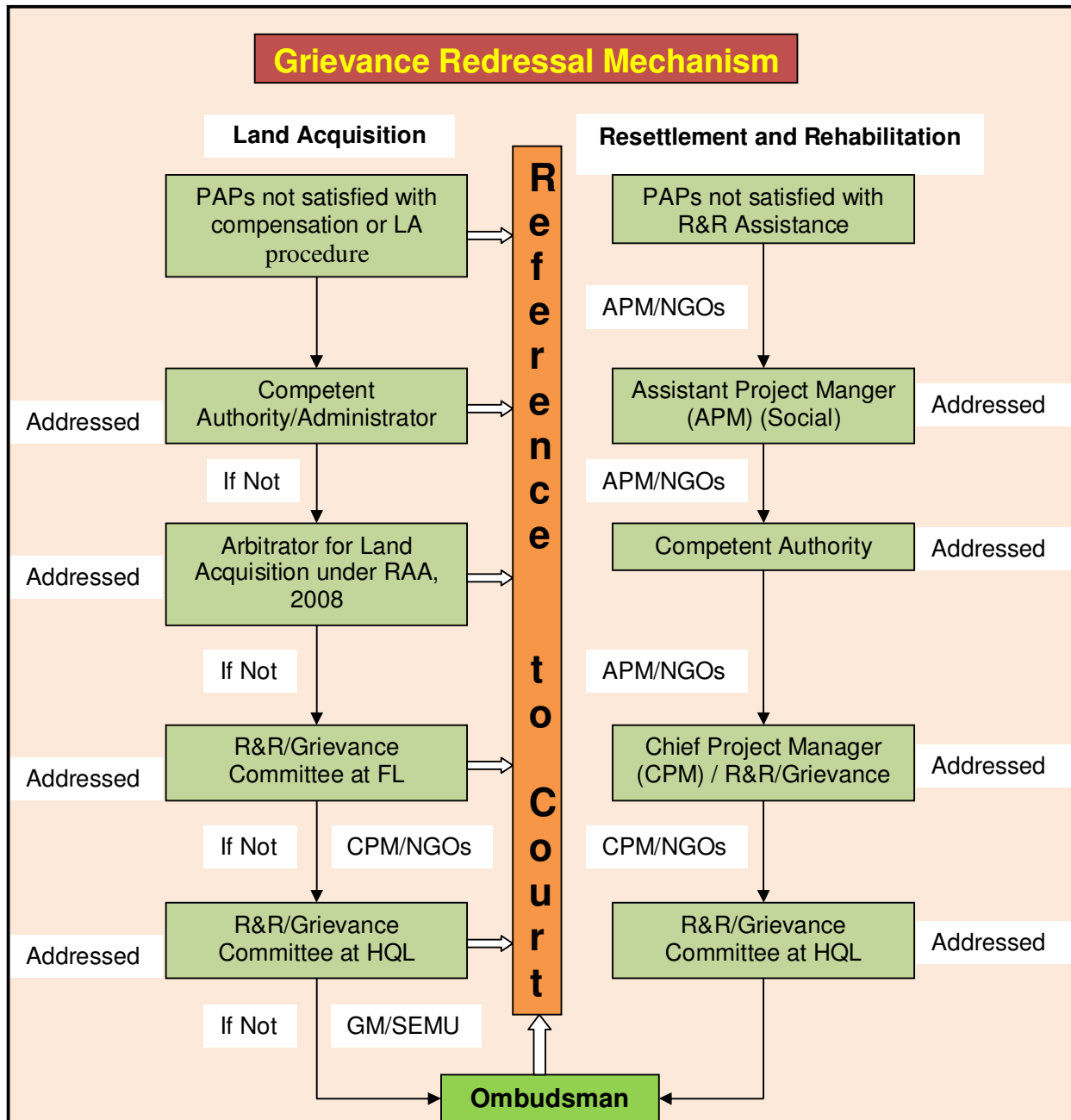


Fig. 6.3: Grievance Mechanism

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. 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.dfccil.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,
- (iii) Transitional allowance to PAFs,
- (iv) One time financial assistance to rural artisans, traders and self employed,
- (v) Subsistence allowance to the affected BPL households,
- (vi) Rehabilitation assistance (750 days of wage) to those losing livelihood,
- (vii) Training assistance for income generation through NGOs and
- (viii) Temporary employment in construction (if available for civil work and opted by the PAPs).

Other than provisions in EM, support available for Income Generation Scheme (IGS) includes training and dovetailing on-going government schemes. 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 PAFs.

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, 388 people have been displaced in a stretch of 272 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 is being prepared by SIA Consultants. All data collected during baseline socioeconomic survey and land acquisition process will be fed in the database software by July, 2011 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. 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 8 districts of the project; and major stations. The RAP document will also be available at the World Bank Info Shop at Washington DC and New Delhi as per the Disclosure

Requirements of BP 17.50 of the WB. 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 2011. 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 Act, NRR policy 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 -6.4.

➤ Implementation process

6.52 The RAP will be implemented by CPM office 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 contracts for Bhaupur-Khurja section is expected by July 2011 and after minimum 80% of the land taken over by DFCCIL. Fig 6.1 presents availability of encumbrance free stretches in each package. 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 package I, 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 July 2011 (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 in the page below:

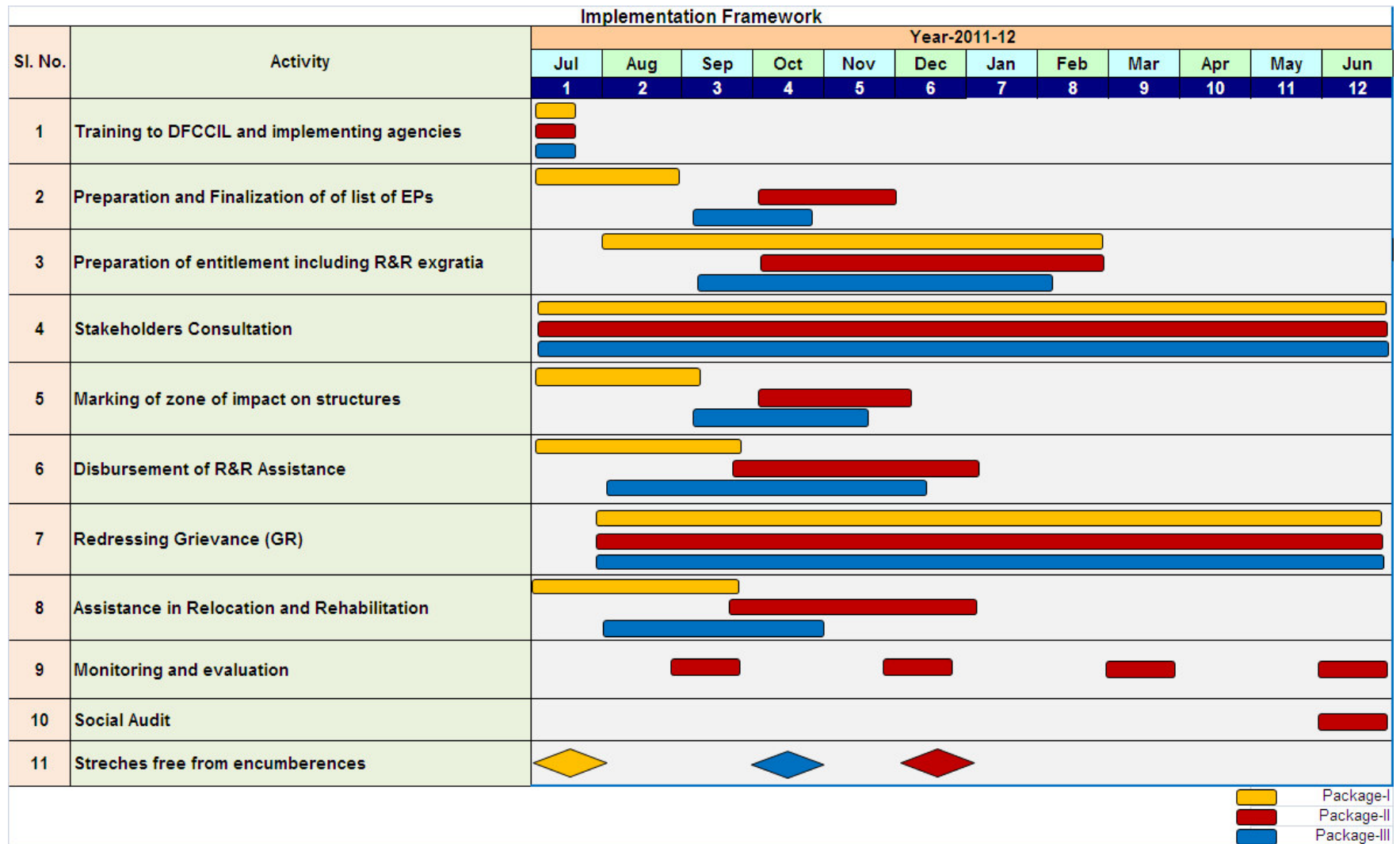


Fig. 6.4: Implementation Framework

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. 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 upgradation 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

(A Table listing various encumbrances (chainage-wise) is also included in the RAP as Annexure 6.4 in order to ensure smooth coordination of LA and R&R with civil work. Out of three civil work contracts, two are expected to be awarded by July 2011.)

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. 267 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. Details of Budget are presented in Annexure - 6.5.

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 and is calculated at the 2009-2010 price indexes. 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 1182 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 in annexure 6.5.

Table 6.3: Cost of Land and R&R Assistance in Crores (INR)

Sl. No.	Item	Total Amount	Ref. – Annexure 6.1
1	Cost of Land (Agricultural)	135.36	Table 1
2	Cost of Land (Residential)	1.65	Table 2
3	Cost of Land (Commercial)	0.37	Table 3
4	Cost of Structure (Titleholder)	7.90	Table 4
5	Cost of Structure (Non-Titleholder)	6.88	Table 5
6	R&R Assistance	72.70	Table 6
7	Relocation cost of CPR	1.07	Table 7
	Total	225.93	
8	Implementation Charges i/c Training, Administration, Management, Capacity building, Monitoring, NGOs etc.@10%	22.59	
9	Contingency @8%	18.07	
	G. Total	266.60	
	Say Rs.	267 Crores	

Budgets for Tundla detour will be provided separately in RAP which will be prepared for this section. If additional budget for implementation of RAP, approval of supplementary budget will be taken as necessary

IMPLEMENTATION SCHEDULE:

Table 6.4: RAP Implementation for Key Activities Target Dates

Sl. No.	Name of Action	Responsibility	Target date
1.	Disclosure of Eligibility List	DFCCIL (CPM)	30 th June, 11
2.	List of chainage-wise encumbrances	DFCCIL (CPM)	Done;
3.	Notification of RR/Grievance Committees and Ombudsman	DFCCIL/IR	30 th April, 11
4.	Appointment of NGOs	DFCCIL	31 st May, 11
5.	Appointment of SESMRC	DFCCIL (PMU)	30 th June, 11
6.	Functioning Database	DFCCIL, SEMU/CPM)	30 th April, 11
7.	Appointment of all staff for implementation of RAP	DFCCIL/IR	30 th April, 11
8.	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	31 st Aug, 11
9	Issuance of Identity Card	CPM/NGO	31 st Aug, 11
10	Preparation of Action Plan to Address concern of PAPs expressed during consultation	CPM/NGO	30 th June, 11

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 Sonnagar-Khurja as phase II 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 Bhaupur 1040-Khurja-1370) comprised of two rail tracks interspersed with loop line at important Stations. General land width (existing RoW) along the tracks is about 40 meters in open areas and about 60 meters near loop line and sometimes it is 150 meter near stations and at yard. Average additional land width (available land for laying DFC tracks) is about 12-16 meter either side. Generally terrain is flat with little vertical gradients. Horizontal curves are within acceptable limits. There existing Rail network is passing through congested areas like Maitha, Rura, Fafond, Achalada, Bharthna, Etawah Tundla, hathras and Aligarh.

The proposed Corridor

The proposed freight corridor network (Bhaupur 1042-Khurja 1369) is part of EDFC from Sonnagar-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 40 meters for parallel portion and 60 meters for crossing stations. 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 1780 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 Policies⁵ (safeguard instruments) of the World Bank and NPRR 2007. These objectives are

1. Avoid, if not, minimize involuntary resettlement, exploring all viable project alternatives;

⁵ Applicable Operational Policies (safeguards instruments) are Involuntary Resettlement (O.P.4.10) and Indigenous Peoples (O.P. 4.12), environmental assessment (4.01)

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(IPDP) will be ascertained after assessment of impacts on Scheduled Tribe. To fulfill above mentioned objectives following methodologies have been developed.

Methodologies

(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	<ul style="list-style-type: none"> (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.
Identifying zones of major economic and social impact	<ul style="list-style-type: none"> (i) Identification of zones of major economic and social impact will be done by classifying degree of impact segment wise. For this purpose (ii) kilometer/ village wise land acquisition will be estimated, (iii) critical segments will be identified based on type of land(agricultural, built-up, market, eco-sensitive land) proposed for acquisition, (iv) Number and Type of structures being acquired at particular location(km/village), (v) Categorization of stretches in terms of degree of impacts (a) low, (b) medium and (c) high
Understanding socio-economic profile of the people	<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 families⁶. For this purpose following steps will be taken.</p> <ul style="list-style-type: none"> (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 properties⁷) 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

⁶ 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.

⁷ 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>NPRR 2007.</p> <p>(ii) Training to enumerators: Enumerators will be selected from sociological research background from Kanpur Etawah and Aligarh 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 questionnaires, methods of getting information 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. (It is pertinent to inform that all project affected families are project affected families but all project affected families need not be project displaced families.) Similarly for loss of land(impacts) will be categorized into:</p> <p>a. Impact on affected plots will be done by measuring severity of impact (10%, 20%.50% or 75%)</p> <p>b. Based on severity of impact the plots will be classified as economically viable or not.</p> <p>c. 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.</p> <p>Census and Baseline Socio-Economic Survey: To conduct the census survey an exhaustive interview schedule has been prepared and tested in the field</p>
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	<p>(Annexure 1). The format will be approved from the DFCCIL and World Bank. Census and baseline survey⁸ 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 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 style="text-align: center;">Outcome: Socio-economic profile of the PAFs, type of losses.</p>
<p>Identifying differential impacts on different categories of the people</p>	<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>
<p>Socio-political analysis of local power relations and institution available for participation, grievance redress and conflict resolution</p>	<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>
<p>Participation of people to minimize displacement</p>	<p style="text-align: center;">Stakeholders Consultation</p> <p style="text-align: center;">Methodologies for Stakeholders Consultation</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>(i) Identification of key stakeholders and level of Consultation: 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>(ii) Information dissemination: Information dissemination will be done through pamphlet distribution (in Hindi), informal meeting with the people, village level</p>

⁸ Since time assigned to complete the social impact assessment is less, therefore it is proposed to assimilate information of census survey into baseline survey. Further the survey will be limited to those families who are eligible for assistance under the provision of NPRR 2007. These families are small and marginal farmers, BPL, SC,ST.

	<p>meeting etc.</p> <p>(iii) Consultation with Key Stakeholders: 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>(iv) Strategies for Structured and Focused Consultation: 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>(v) Opening of Field Offices: Field offices will be opened at three locations (Kanpur, Etawah, Aligarh), 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>(vi) Strategies for Future course of Communication 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&R assistance have been finalized. The R&R entitlements will be displayed in billboards along the project corridor in local language. Participation of PAPs in implementation will also be ensured through their involvements in various local meeting with line department. Further strategies will be developed to involve local people in implementation.</p>
Assessment of construction Phase impacts	<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"> (a) community conflict to access their cultural properties (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. (c) Dust and other pollutant (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. <p>These effects of construction may largely be gathered from consultation in the villages, with DFCC official involved in construction earlier.</p>
Suggesting broad strategies for mitigation of adverse impacts	<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 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, General Manager Engg. III is assisted by a Additional General Manager (LA). These officers are also responsible for other assignments including engg., LA for entire DFCC corridor. Initial institutional assessment indicates that DFCCIL has very low capability of addressing issues related to LA and R&R. 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 (IPDP) 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

Public Consultation Meetings Schedule during Preparation of SIA

Sl. No.	From	To	District	Tehsil/ Block	Village	Location	Meeting Date	No of participants
1	41.834	44.486	Kanpur Dehat	Akbarpur	Aat	Rural	21.03.2009	34
2	44.486	46.793	Kanpur Dehat	Akbarpur	Raipalpur	Rural	22.03.2009	52
3	46.793	47.069	Kanpur Dehat	Akbarpur	Bhatuama u	Rural	23.03.2009	48
4	47.069	47.609 1048.65	Kanpur Dehat	Akbarpur	Aliyapur	Rural	23.03.2009	36
5	1039.240	1040.200	Kanpur Dehat	Akbarpur	Bhaupur	Rural	21.03.2009	68
6	1040.2/00	0.750	Kanpur Dehat	Akbarpur	Singhpur Derni	Rural	21.03.2009	39
7	0.750	1.360	Kanpur Dehat	Akbarpur	Bhikhar	Rural	23.03.2009	42
8	1.360	2.400	Kanpur Dehat	Akbarpur	Sabalpur Bithur	Rural	23.03.2009	37
9	2.400	2.700	Kanpur Dehat	Akbarpur	Raipalpur	Rural	21.03.2009	54
10	1047.000	1051.220	Kanpur Dehat	Akbarpur	Sunbarsa/ Maith	Rural	24.03.2009	87
11			Kanpur Dehat	Akbarpur	Behta	Rural	25.03.2009	54
12	1051.200	1051.450	Kanpur Dehat	Akbarpur	Chandwal Kishanpur	Rural	25.03.2009	45
13	1051.450	1052.100	Kanpur Dehat	Akbarpur	Kairani	Rural	25.03.2009	53
14	1052.100	1057.580	Kanpur Dehat	Akbarpur	Roshan Mau	Rural	18.03.2009	56
15	1057.580	1056.160	Kanpur Dehat	Akbarpur	Gaiju Mau	Rural	18.08.2009	32
16	1056.160	1063.200	Kanpur Dehat	Akbarpur	Rura	Sami Urban	18.03.2009	63
17	1063.200	1064.320	Kanpur	Akbarpur	Jagdishpur	Rural	20.04.2009	35

			Dehat					
18	1064.320	1067.800	Kanpur Dehat	Akbarpur	Saraya	Rural		42
19	1067.800	1068.110	Kanpur Dehat	Derapur	Injuwarampur	Rural	19.03.2009	48
20	1068.110	1070.120	Kanpur Dehat	Derapur	Ambiyapur	Rural	19.03.2009	52
21	1070.120	1074.050	Kanpur Dehat	Derapur	Kamalpur	Rural	22.03.2009	28
22	1074.050	1075.650	Kanpur Dehat	Derapur	Khanpur Chain	Rural	22.03.2009	35
23	1075.650	1079.690	Kanpur Dehat	Derapur	Khamaila	Rural	22.03.2009	16
24	1079.690	1080.150	Kanpur Dehat	Derapur	Nasir Kheda	Rural	22.03.2009	28
25	1080.150	1081.600	Kanpur Dehat	Derapur	Jhinhak	Sami Urban	20.03.2009	70
26	1082.950	1085.260	Kanpur Dehat	Derapur	Shahpur Derapur	Rural	19.02.2009	76
27	1085.260	1086.900	Kanpur Dehat	Derapur	Parjani	Rural	19.03.2009	19
28	1088.920	1090.510	Kanpur Dehat	Derapur	Ranipur Rasulabad	Rural	20.03.2009	57
29	1091.520	1094.080	Auraiya	Bidhuna	Naugawan	Sami Urban	21.03.2009	46
30	1091.440	1093.430	Auraiya	Bidhuna	Dhekiyapur	Rural	21.03.2009	28
31	1098.000	1100.700	Auraiya	Bidhuna	Umari	Rural	22.03.2009	26
32	1099.230	1100.380	Auraiya	Bidhuna	Kakarahi	Sami Urban	22.03.2013	30
33	1100.700	1101.700	Auraiya	Auraiya	Lakhanapur	Rural	23.03.2009	38
34	1101.300	1101.550	Auraiya	Auraiya	Jamuha	Rural	23.03.2009	52
35	1106.550	1108.760	Auraiya	Bidhuna	Pata	Rural	24.03.2009	42
36	1108.760	1109.760	Auraiya	Bidhuna	Kamara	Rural	24.03.2009	48
37	1109.760	1110.150	Auraiya	Bidhuna	Purwasa	Rural	25.03.2009	43
38	1110.150	1111.160	Auraiya	Bidhuna	Chandrua Phaphood	Rural	25.03.2009	27

39	1119.720	1119.730	Auraiya	Bidhuna	Chhachhu d	Rural	26.03.2009	29
40	1119.730	1124.080	Auraiya	Bidhuna	Ghasara	Rural	26.03.2009	31
41	1124.080	1127.150	Etawah	Bharthana	Samho	Rural	20.03.2009	85
42	1127.150	1128.150	Etawah	Bharthana	Kathamau	Rural	22.04.2009	30
43	1128.150	1130.700	Etawah	Bharthana	Thari	Rural	19.03.2009	35
44	1130.700	1131.750	Etawah	Bharthana	Pali Khurad	Rural	20.03.2009	35
45	1131.750/ 00.000	3.330	Etawah	Bharthana	Pali Kala	Rural	22.03.2009	155
46	3.330	4.300	Etawah	Bharthana	Sujipur	Rural	23.03.2009	28
47	5.250	6.190	Etawah	Bharthana	Modhi	Rural	24.03.2009	18
48	6.190	7.690	Etawah	Bharthana	Turkpur Piparipur Pachhar	Rural	26.06.2009	16
49	7.690	8.220	Etawah	Bharthana	Asafpur	Rural	26.06.2009	15
50	8.220	8.980/ 1139.980	Etawah	Bharthana	Kandhesi Pachar	Rural	25.06.2009	55
51	1139.980	1140.650	Etawah	Bharthana	Singhpura	Rural	24.03.2009	47
52	1140.650	1143.500	Etawah	Bharthana	Ikarapur	Rural	25.03.2009	117
53	1143.500	1144.100	Etawah	Bharthana	Medhi Dudhi	Rural	26.03.2009	70
54	1144.100	1144.760	Etawah	Bharthana	Nigoha Ikarapur	Rural	26.03.2009	58
55	1144.760	1146.140	Etawah	Bharthana	Buapur	Rural	26.03.2009	45
56	1146.140 000.000	1147.850 000.308	Etawah	Bharthana	Ritaur	Rural	26.03.2009	62
57	1147.850 000.308	1.994	Etawah	Etawah	Shekhupur Jakhauli	Rural	27.03.2009	55

58	1.994	3.530	Etawah	Etawah	Chandanpur	Rural	27.03.2009	59
59	3.530	4.570	Etawah	Etawah	Nauli	Rural	27.03.2009	46
60	4.570	6.430	Etawah	Etawah	Chitbhawan	Rural	29.03.2009	70
61	6.430	7.854	Etawah	Etawah	Lakhapur	Rural	28.03.2009	65
62	7.854	9.254	Etawah	Etawah	Hariharpur	Rural	29.03.2009	50
63	9.254	10.670	Etawah	Etawah	Ahladpur	Rural	28.03.2009	42
64	10.670	12.670	Etawah	Etawah	Etgaon	Rural	29.03.2009	35
65	12.690	13.230	Etawah	Safai	Umrai	Rural	30.03.2009	45
66	14.920	15.300	Etawah	Safai	Chakooopur	Rural	30.03.2009	38
67	12.670	12.690	Etawah	Jaswant Nagar	Hazaratpur	Rural	30.03.2008	55
68	13.230	14.920	Etawah	Jaswant Nagar	Jaitia	Rural	30.03.2009	68
69	15.300	15.950	Etawah	Jaswant Nagar	Sonai	Rural	30.03.2010	45
70	15.950	17.568	Etawah	Jaswant Nagar	Bhainsrai	Rural	31.03.2009	48
71	17.568	18.250	Etawah	Jaswant Nagar	Adhiyapur	Rural	31.03.2009	39
72	18.250	19.080	Etawah	Jaswant Nagar	Nidarpur	Rural	01.04.2009	40
73	19.080	20.490	Etawah	Jaswant Nagar	Siyapur Etgaon	Rural	31.03.2009	58
74	19.920	20.300	Etawah	Jaswant Nagar	Malhupur	Rural	31.03.2009	111
75	20.870	23.314	Etawah	Jaswant Nagar	Bhataura	Rural	01.04.32009	64
76	20.490	24.000 1169.600	Etawah	Jaswant Nagar	Malahjani	Rural	01.04.2009	74
77	1169.600	1171.780	Etawah	Jaswant Nagar	Kaist	Rural	03.04.2009	46
78	1171.780	1172.780	Etawah	Jaswant Nagar	Ludhpura	Rural	02.04.2009	28

79	1172.780	1175.050	Etawah	Jaswant Nagar	Sisahat	Rural	04.04.2009	51
80	1175.050	1176.150	Etawah	Jaswant Nagar	Tamera	Rural	04.04.2009	15
81	1176.150	1176.530	Etawah	Jaswant Nagar	Rajpur Tameri	Rural	05.04.2009	65
82	1176.530	1177.450	Etawah	Jaswant Nagar	Tamheri	Rural	05.04.2009	45
83	1177.450	1179.950	Etawah	Jaswant Nagar	Gharwar	Rural	04.04.2009	52
84	1179.950	1181.740	Etawah	Jaswant Nagar	Balrai	Rural	05.04.2009	38
85	1181.740	1183.350	Etawah	Jaswant Nagar	Dondua Gopalpur	Rural	06.04.2009	36
86	1183.350	1183.700	Etawah	Jaswant Nagar	Rautai	Rural	06.04.2009	34
87	1183.700	1185.100	Etawah	Jaswant Nagar	Bibamau	Rural	06.04.2009	43
88	1185.100	1185.452	Etawah	Jaswant Nagar	Manikpur Bibamau	Rural	06.04.2009	18
89	1185.452	1185.972	Etawah	Jaswant Nagar	Bauth	Rural	06.04.2009	35
90	1185.972	1187.320	Fiozabad	Shikohabad	Korari	Rural	07.04.2009	45
91	1187.320	1188.130	Fiozabad	Shikohabad	Mai Gadhokhar	Rural	07.04.2009	40
92	1188.130	1188.950	Fiozabad	Shikohabad	Khorai Azanaura	Rural	07.04.2009	47
93	1188.950	1192.500	Fiozabad	Shikohabad	Bhadan	Rural	09.04.2009	95
94	1192.500	1193.900	Fiozabad	Shikohabad	Alampur Jhapata	Rural	07.04.2009	25
95	1193.900	1194.500	Fiozabad	Shikohabad	Lahatai	Rural	08.04.2009	26
96	1194.500	1195.900	Fiozabad	Shikohabad	Bachemai	Rural	08.04.2009	27
97	1195.900	1196.680	Fiozabad	Shikohabad	Jayamai	Rural	07.04.2009	18
98	1196.680	1197.900	Fiozabad	Shikohabad	Bithauli	Rural	09.04.2009	10

				d				
99	1197.900	1199.210	Fiozabad	Shikohabad	Ujarai	Rural	08.04.2009	46
100	1199.210	1200.00 1/140	Fiozabad	Shikohabad	Korara Khurd	Rural	09.04.2009	61
101	001/140	002/240	Fiozabad	Shikohabad	Tilyani	Rural	11.04.2009	65
102	002/240	003/668	Fiozabad	Shikohabad	Madanpur	Rural	11.04.2009	80
103	003/668	004/844	Fiozabad	Shikohabad	Kutubpur Sherpur	Rural	12.04.2009	75
104	004/844	006/264	Fiozabad	Shikohabad	Rajaura	Rural	12.04.2009	45
105	006/264	007/464	Fiozabad	Shikohabad	Lakhnai	Rural	11.04.2009	56
106	007/464	008/436	Fiozabad	Shikohabad	Katauri	Rural	13.04.2009	15
107	008/436	008/596	Fiozabad	Shikohabad	Kataura Bujurg	Rural	14.04.2009	13
108	008/596	10/388	Fiozabad	Shikohabad	Dadiyamai	Rural	14.04.2009	50
109	10/388	10/876	Fiozabad	Shikohabad	Vakalpur	Rural	16.04.2009	18
110	10/876	11/796	Fiozabad	Shikohabad	Dahini	Rural	16.04.2009	22
111	11/796	12/212	Fiozabad	Shikohabad	Mohamadpur Jhum Jhum	Rural	14.04.2009	25
112	12/212	13/180	Fiozabad	Shikohabad	Aawari	Rural	16.04.2009	27
113	13/180	13/580	Fiozabad	Shikohabad	Nagla Umar	Rural	15.04.2009	18
114	13/580	14/240	Fiozabad	Shikohabad	Jahangirpur Gilrai	Rural	15.04.2009	55
115	14/240	16/064	Fiozabad	Shikohabad	Armara Jath	Rural	15.04.2009	16
116	16/064	16/412	Fiozabad	Shikohabad	Nagla Baajdaar	Rural	16.04.2009	18

117	16/940	17/932	Fiozabad	Shikohabad	Chamroli	Rural	17.04.2009	21
118	17/932	19/616	Fiozabad	Shikohabad	Jevra	Rural	13.04.2009	48
119	19/616	19/956	Fiozabad	Shikohabad	Aslampur Veeraana	Rural	08.04.2009	27
120	19/956	20/096	Fiozabad	Shikohabad	Ranuakhera	Rural	17.04.2009	29
121	21/136	22/640	Fiozabad	Shikohabad	Baramai	Rural	13.04.2009	65
122	20/096	21/136	Fiozabad	Ferozabad Sadar	Saramai	Rural	14.04.2009	42
123	22/640	24/688	Fiozabad	Ferozabad Sadar	Sargaon	Rural	17.04.2009	54
124	24/688	26/216	Fiozabad	Ferozabad Sadar	Dokeli	Rural	14.04.2009	34
125	26/216	26/752	Fiozabad	Ferozabad Sadar	Rashidpur Keneta	Rural	20.04.2009	45
126	26/752	27/532	Fiozabad	Ferozabad Sadar	Jamalpur	Rural	21.04.2009	25
127	27/532	28/812	Fiozabad	Ferozabad Sadar	Gajipur	Rural	21.04.2009	20
128	28/812	29/716	Fiozabad	Ferozabad Sadar	Barkatpur	Rural	21.04.2009	42
129	29/716	30/856	Fiozabad	Ferozabad Sadar	Prempura Repura	Rural	21.04.2009	26
130	30/856	32/360	Fiozabad	Ferozabad Sadar	Sufipur	Rural	22.04.2009	94
131	32/360	34/148	Fiozabad	Ferozabad Sadar	Datauji	Rural	22.04.2010	41
132	34/148	35/332	Fiozabad	Ferozabad Sadar	Bajidpur Kutubpur	Rural	23.04.2009	46
133	35/332	35/992	Fiozabad	Ferozabad Sadar	Rupashpur	Rural	23.04.2009	45
134	37/588	38/276	Fiozabad	Ferozabad Sadar	Daragpur	Rural	23.04.2009	28
135	38/972	39/604	Fiozabad	Ferozabad Sadar	Khemkaranpur	Rural	25.04.2009	27

136	38/276	38/972	Fiozabad	Tundla	Jarauli Khurd	Rural	24.04.2009	30
137	39/604	39/644	Fiozabad	Tundla	Laturaa	Rural	24.04.2009	25
138	39/644	40/264	Fiozabad	Tundla	Dhirpura	Rural	24.04.2009	16
139	40/664	41/520	Fiozabad	Tundla	Ula	Rural	25.04.2009	19
140	41/520	42/868	Fiozabad	Tundla	Latifpur	Rural	25.04.2009	40
141	42/868	43/468	Fiozabad	Tundla	Rampur	Rural	26.04.2009	14
142	43/468	43/964	Fiozabad	Tundla	Tikari	Rural	27.04.2009	36
143	43/964	45/276	Fiozabad	Tundla	Bankat	Rural	27.04.2009	25
144	45/276	46/648	Fiozabad	Tundla	Chulahwali	Rural	26.04.2009	27
145	46/648	47/308	Fiozabad	Tundla	Nagla Valiya	Rural	26.04.2009	19
146	47/308	48/964	Fiozabad	Tundla	Anwara	Rural	28.04.2009	35
147	48/964	51/344	Fiozabad	Tundla	Rudau	Rural	28.04.2009	46
148	51/344	52/424	Agra	Etmadpur	Bhikhanpur Bakalpur	Rural	28.04.2009	52
149	52/424	54/628	Agra	Etmadpur	Suraira	Rural	11.05.2009	21
150	54/628	56/624	Agra	Etmadpur	Dharaira	Rural	09.05.2009	35
151	56/984	57/052	Agra	Etmadpur	Garhi Pirthi	Rural	10.05.2009	57
152	56/624	57/664	Agra	Etmadpur	Kherani	Rural	09.05.2009	64
153	57/664	59/792	Agra	Etmadpur	Lakhsamai	Rural	09.05.2009	74
154	59/792	61/076	Agra	Etmadpur	Chawali	Rural	09.05.2009	54
155	61/076	64/436	Agra	Etmadpur	Mukhwar	Rural	10.05.2009	26
156	64/436	64/892	Agra	Etmadpur	Murlidharpur	Rural	11.05.2009	28
157	64/892	65/964	Agra	Etmadpur	Nagla Pachauri	Rural	11.05.2009	44
158	65/964	68/780	Agra	Etmadpur	Barhan	Rural	12.05.2009	65
159	66/334	67/986	Agra	Etmadpur	Nagla Vail	Rural	11.05.2005	30
160	68/780	69/032 1267/628	Agra	Etmadpur	Biruni	Rural	12.05.2009	58
161	1267.628	1270.068	Agra	Etmadpur	Jamal Nagar Bhais	Rural	12.05.2009	35
162	1270.068	1271.08	Agra	Etmadpur	Jampur	Rural	12.05.2009	85
163	1271.220	1272.000	Mahamaya Nagar	Sadabad	Maharara	Rural	13.03.2009	75
164	1274.440	1275.169	Mahamaya	Sadabad	Sedhariya	Rural	09.03.2009	38

			Nagar					
165	1275.169	1276.765	Mahamaya Nagar	Sadabad	Manikpur	Rural	19.03.2009	36
166	1276.765	1277.726	Mahamaya Nagar	Sadabad	Makanpur	Rural	16.03.2009	60
167	1277.730	1278.923	Mahamaya Nagar	Sadabad	Ishonda	Rural	16.03.2009	32
168	1278.923	1279.900	Mahamaya Nagar	Sadabad	Kokna Khurd	Rural	16.03.2009	92
169	1279.900	1280.875	Mahamaya Nagar	Sadabad	Khreya	Rural	18.03.2009	87
170	1281.240	1283.124	Mahamaya Nagar	Sadabad	Bhakulara	Rural	18.03.2009	51
171	1283.894	1284.294	Mahamaya Nagar	Hathras	Pura Khurd	Rural	19.03.2009	16
172	1284.620	1285.400	Mahamaya Nagar	Hathras	Pura kala	Rural	24.03.2009	38
173	1286.934	1287.889	Mahamaya Nagar	Hathras	Veer Nagar	Rural	25.04.2009	34
174	1289.317	1290.500	Mahamaya Nagar	Hathras	Sikandarpu r	Rural	14.04.2009	34
175	000.419	1.211	Mahamaya Nagar	Hathras	Sithrauli	Rural	14.04.2009	62
176	1.211	2.103	Mahamaya Nagar	Hathras	Jalalpur	Rural	11.04.2009	49
177	1285.400	1286.56 '000.419	Mahamaya Nagar	Hathras	Rajpur	Rural	09.04.2009	30
178	002.953	003.997	Mahamaya Nagar	Hathras	Suratpur	Rural	06.04.2009	39
179	003.997	005.900	Mahamaya Nagar	Hathras	Mendu	Rural	06.04.2009	60
180	007.042	008.000	Mahamaya Nagar	Hathras	Bhopatpur	Rural	05.04.2009	46
181	008.000	11.949/ 1299.838	Mahamaya Nagar	Hathras	Dariyapur	Rural	03.04.2009	46
182	1299.838	1301.143	Mahamaya Nagar	Hathras	Lutsan	Rural	26.03.2009	50
183	1301.143	1302.842	Mahamaya Nagar	Sasani	Sitahari	Rural	26.03.2009	38

184	1302.842	1304.302	Mahamaya Nagar	Hathras	Harauli	Rural	27.03.2009	18
185	1305.448	1306.160	Mahamaya Nagar	Hathras	Jalalpur sasni	Rural	27.03.2009	35
186	1307.232	1308.834	Mahamaya Nagar	Hathras	Gohana	Rural	30.03.2009	19
187	1311.280	1312.496	Mahamaya Nagar	Sasani	Mahmauta Khurd	Rural	02.03.2009	54
188	1312/496	1313/741	Aligarh	Kaul	Pali Rajapur	Rural	17.04.2009	67
189	1313/741	1315/195	Aligarh	Kaul	Alipur	Rural	17.04.2009	56
190	1315/195	1316/925	Aligarh	Kaul	Mandrak	Rural	16.04.2009	33
191	1317/428	1318/369	Aligarh	Kaul	Ghasipur	Rural	16.04.2009	14
192	1318/369	000/410	Aligarh	Kaul	Hazipur Fateh Khan	Rural	18.-4.2009	35
193	000/410	001/631	Aligarh	Kaul	Chirauli Daud Khan	Rural	18.04.2009	19
194	001/631	003/215	Aligarh	Kaul	Parhawali	Rural	20.04.2009	54
195	004/451	004/615	Aligarh	Kaul	Kasba Kol	Rural	19.04.2009	21
196	004/615	005/120	Aligarh	Kaul	Daultabad	Rural	19.09.2009	20
197	005/120	006/552	Aligarh	Kaul	Mulla para Bhujpura	Rural	21.04.2009	30
198	006/552	007/224	Aligarh	Kaul	Talaspur Khurd	Rural	20.04.2009	26
199	007/224	007/632	Aligarh	Kaul	Chamrola	Rural	21.04.2009	28
200	007/632	008/232	Aligarh	Kaul	Shahpur Kutub	Rural	21.04.2009	55
201	008/232	009/391	Aligarh	Kaul	Ibrahimpur	Rural	22.04.2009	57
202	009/391	010/230	Aligarh	Kaul	Salempur Mafi	Rural	22.04.2009	40
203	010/230	011/393	Aligarh	Kaul	Keshopur Jofari	Rural	24.04.2009	112
204	011/393	013/028	Aligarh	Kaul	Lahausra Visawan	Rural	23.04.2009	42
205	013/028	013/419	Aligarh	Kaul	Rustampur Ankhan	Rural	25.04.2009	61
206	013/419	014/823	Aligarh	Kaul	Jatanpur Chikavati	Rural	26.04.2009	22

207	014/823	015/881	Aligarh	Kaul	Lekhrajpur	Rural	27.04.2009	34
208	017/534	018/997	Aligarh	Kaul	Bhakari Khas	Rural	10.05.2009	14
209	018/997	020/175	Aligarh	Kaul	Hayatpur Bajhera	Rural	10.05.2009	85
210	026/046	027/500 1344/980	Aligarh	Gabhana	Ogar Nagla Raju	Rural	11.-5.2009	32
211	8.9644	1344.980	Aligarh	Gabhana	Kanoi	Rural	11.05.2009	23
212	5.3956	1346.960	Aligarh	Gabhana	Rampur	Rural	15.05.2009	36
213	8.6320	1348.376	Aligarh	Gabhana	Somana	Rural	15.05.2009	71
214	5.6898	1350.776	Aligarh	Gabhana	Dyorau Chandpur	Rural	16.05.2009	78
215	2.3894	1352.890	Aligarh	Gabhana	Nurullapur	Rural	17.05.2009	45
216	2.0308	1353.450	Aligarh	Gabhana	Pahawati	Rural	17.05.2009	39
217	7.2900	1354.990	Aligarh	Gabhana	Kinhua	Rural	16.05.2009	45
218	5.9841	1358.640	Bulandshah ar	Khurja	Dabour	Rural	13.05.2009	56
219	2.9522	1360.440	Bulandshah ar	Khurja	Naglacut	Rural	20.06.2009	70
220	2.2024	1361.400	Bulandshah ar	Khurja	Tahagora	Rural	11.05.2009	23
221	7.3737	1362.08 - 1363.82	Bulandshah ar	Khurja	Nayawas Naysar	Rural	12.05.2009	25
222	3.8610	1363.820	Bulandshah ar	Khurja	Sahapur Mevgadi	Rural	12.05.2009	26
223	9.2402	1365.440 1365.930	Bulandshah ar	Khurja	Keyuli Kala	Rural	12.05.2009	27
224	8.7096	1366.180	Bulandshah ar	Khurja	Doshpur Dadupur	Rural	12.05.2009	30
225	0.6040	1366.936	Bulandshah ar	Khurja	Sarawan Dadupur	Rural	12.05.2009	22
226	2.4797	1367.640	Bulandshah ar	Khurja	Arnia Mansurpur	Rural	11.05.2009	25
227	7.9399	1368.14 ,1368.57	Bulandshah ar	Khurja	Maina Maujpur	Rural	13.05.2009	79

Annexure 5.1

		Time Schedule for Land Acquisition in Phase - I																																		
Sl. No.	Package	I						II						III																						
	District	Kanpur Dehat			Auraiya	Etawah		Etawah	Firozabad			Agra	Agra	Mahamaya Nagar	Aligarh		Buland Shahar																			
	Chainage	1050.00	1060.00	1070.00	1080.00	1090.00	1100.00	1110.00	1120.00	1130.00	1140.00	1150.00	1160.00	1170.00	1180.00	1190.00	1200.00	1210.00	1220.00	1230.00	1240.00	1250.00	1260.00	1266.00	1270.00	1280.00	1290.00	1300.00	1310.00	1320.00	1330.00	1340.00	1350.00	1360.00	1370.00	
	Activity	1039.93	1050.00	1060.00	1070.00	1080.00	1090.00	1100.00	1110.00	1120.00	1130.00	1140.00	1150.00	1160.00	1170.00	1180.00	1190.00	1200.00	1210.00	1220.00	1230.00	1240.00	1250.00	1260.00	1266.00	1270.00	1280.00	1290.00	1300.00	1310.00	1320.00	1330.00	1340.00	1350.00	1360.00	1370.00
1	Notifications u/s 20 (A)	Completed						changed alignment approved. 20A under publication for parallel						Completed																						
2	Notifications u/s 20 (E)	Completed						under preparation						Completed																						
3	Notifications u/s 20 (F)	Done: 76 Ha. Tgt for Bal.: June' 11			D: 55 Ha.	Done: 151 Ha. Tgt for Bal.: June' 11		D: 49 Ha.	May, 2011			D: 49 Ha.	May-11	Done: 116 Ha.		Aug-11																				
4	20 (H)	Completed												Completed	May-11	Completed		Aug-11																		

Annexure: 6.1

Draft Terms of Reference for the NGOs
For the Implementation of Resettlement Action Plan under
Dedicated Freight Corridor Corporation of India Ltd (DFCCIL)

Background

Dedicated Freight Corridor Corporation of India Ltd. (DFCCIL), a Special Purpose Vehicle (SPV) of the Ministry of Railways, Government of India has been entrusted the responsibilities of the Planning, Implementation and operation of Dedicated Freight Corridors connecting Delhi with Mumbai on the Western side and Delhi with Kolkata on the Eastern side.

The Ministry of Railways, through the Department of Economic Affairs, Govt of India has requested the assistance of the World Bank for the construction of Eastern Dedicated Freight Corridors (EDFC) in Phases. DFCCIL in consultation with the World Bank has identified Bhaupur-Khurja section (about 343 km) as phase I, Mughalsarai-Bhaupur (about 450 km) as phase II. The detailed engineering studies of these corridors have been carried out. As per the detailed design studies, about 15-20 meters of additional land is required to construct DFC corridor. DFCCIL has also proposed bypasses for congested stretch like Achada, Bharthana, Etawah, Hathras and Aligarh. As per provisions of NRRP 2007 and World Bank Operational Policies, a Resettlement Action Plan (RAP) has been prepared to compensate about 12000 land losers in the phase-I stretch. The RAP has provisions to relocate displaced families, rehabilitate those PAPs whose income is adversely affected and develop good communication with PAPs so that psychological trauma of land acquisition (i.e losing agricultural land and source of income) is brought to minimal. For this purpose, RAP has provision of hiring professional services of experienced people to assist DFCCIL in above mentioned R&R process.

DFCCIL, therefore, has decided to hire services of consulting firm/NGOs (registered under Indian Societies Act, 1860) to assist in R&R process.

The Project and its impacts

Total length of the Bhaupur-Khurja Corridor is 343 Kms (Double line); out of which 149 Kms are in detour section (likely to change) & balance 194 Kms are in parallel to the existing North Central Railway track. There are 4 junction stations and 6 crossing stations in this section. The proposed Freight Corridor section traverses through 8 district and 291 villages of the state of Uttar Pradesh. The project area passes through the following eight districts of Uttar Pradesh - Kanpur Dehat, Auraiya, Etawah, Firozabad, Agra, Mahamaya Nagar, Aligarh and Bulandshahr. Proposed RoW width is around 40 m in the parallel section and 60 m in detour section. Land acquisition of the proposed project is being carried out through Railways Amendment Act 2008.

The RAP has identified 8595 PAFs in the project corridor, out of which 3696 in package I, 1909 in package II and 2990 in package III.

Table 1.1: Project Area: Salient Feature

Package	Title Holders				Non-Title Holders				Total (PAFs) (3 to 8)	G. Total (Land + Structure) (1+9)
	Land		Structures		Structures					
	Total	S/M/L*	Resi	Comm	Resi	Comm	Tenant	Kiosks		
	1	2	3	4	5	6	7	8		
I	3566	2740	48	20	30	14	0	18	130	3696
II	1841	1499	3	13	20	6	0	26	68	1909
III	2719	1717	122	20	73	6	31	19	271	2990
G. Total	8126	5956	173	53	123	26	31	63	468	8595

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

As a result of change in alignment for package II, DFCCIL now requests for the services of NGOs for package I and package III only. NGOs services for package II will be hired soon after completion of alignment studies.

Status of the Land Acquisition

DFCCIL through its CPM office at Kanpur has been engaged in land acquisition under the provisions of RAA 2008. DFCCIL has already published 20 A and 20 E notifications for the entire stretch of package I and package III. Declaration of award for package I is also complete. Preparation of award under section 20 F is also in advance stage for package II. Disbursement of compensation for package I is also in advance stage. It is expected that about 60% of disbursement will be complete by March 2011. The disbursement of compensation and R&R assistance under various provisions of Entitlement Framework-EM (approved by Railway Board) has not been paid to land losers.

Furthermore, DFCCIL has been assisted by Land Acquisition Facilitating Consultant (LAFC) in land acquisition processes. However, their job is restricted to physical progress of land acquisition. Important responsibilities of LAFC are (i) Distribution of Notice to Khatedar after notifications (ii) Collection of Sale deeds (Registry Rate) of each Villages (iii) Preparation of entitlement matrix & compensation package (iv) Survey & Valuation of structure tube wells & other properties (v) Preparation of reply of objection against notification for compensation claims and coordinating with C.A (vi) Preparation approval & agreement over distribution of compensation (vii) Joint measurement with revenue staff & and DFCCIL (viii) Making proposal for acquisition of Govt. land & other follow up with revenue official. Consultation with CPM office has revealed that performance of the LAFC is not consistent with the work assigned to them. Thus, it is expected that some of the responsibilities of LAFC may require further assistance from NGOs.

In the context of above mentioned background, DFCCIL has proposed to implement the RAP with the assistance of NGOs/consultants. The scope of services of NGOs will include (but not limited to).

Need of NGOs

Resettlement Action Plan (RAP) envisages compensating and assisting the project-affected persons (PAPs) and the project-displaced persons (PDPs) at the replacement cost of the lost properties and assets as well as to restore their livelihood before the award of civil works. Therefore, implementation of the RAP in time bound manner has become an important component of the overall project implementation. The overall responsibility of implementing and managing RAP lies with DFCCIL and its CPM office. In order to facilitate DFCCIL in the implementation of RAP, the DFCCIL intended to seek assistance from experience NGOs. The NGOs will be working at the CPM office under the supervision and guidance of SEMU at HQ office. While SEMU will provide only policy and training input to NGOs actual execution will be done at the CPM office in close coordination with the Administrator (Competent Authority) of R&R under the project. Since quantum of work related to LA is complete, the NGO will be engaged primarily to develop good communication, provide R&R support (other than compensation as per provision of RAA 2008), assistance in relocation and rehabilitation. Therefore, the present Terms of Reference (ToR) is designed for the facilitating NGO, which highlights the roles and responsibilities, specific tasks and scope of services; the selected NGOs are expected to perform.

Role and Responsibilities

Roles and Responsibilities of the NGO are as follows:

1. To work closely with the community/local particularly the project affected community, and vulnerable groups, and to have regular interaction with the people to develop good linkages with the community
2. To coordinate with different District level agencies and other development organization for the successful implementation of SMP.

3. To facilitate implementation of innovative implementation strategies developed by SEMU unit and other CPM offices in achieving the overall objectives of different components of RAP. This essentially involves close collaboration and working with CPM, District Revenue Department, line agencies, District Health Department and other relevant agencies and ensures SMP is successfully implemented.
4. Liaise with the District Administration and other development agencies to dovetail their development program for the socio-economic development of affected communities, displaced families and vulnerable groups.
5. To develop innovative mechanism/methodologies to ensure active involvement of various project stakeholders in the implementation of RAP.

Specific role of NGOs (but not limited to):

- To educate PAPs on their rights as per R&R entitlements matrix of DFCCIL.
- To ensure that PAFs are compensated at replacement value, their livelihood is restored and displaced families are resettled. In other words, the PAFs are given their full R&R entitlements before they are dispossessed of their assets or are displaced (physically/economically).
- To counsel and assist the PAPs in their livelihood restoration and accordingly coordinate with the local authorities.
- Assist the PAPs in Redressal of their grievances (through the grievance Redressal cells set up by the project)
- To assist the CPM office in ensuring social responsibilities of the Project, such as, compliance with the labor laws, prohibition of child labour, gender issues, wage parity, employment to local communities etc.
- To submit progress reports on a monthly basis as well as quarterly basis for SEMU unit to monitor the progress of the RAP implementation.
- To reduce the risk of the spread of HIV/AIDS in the project area especially at the construction camps through facilitating the contractors to implement workplace intervention programs.
- To educate local communities construction camp workers about safety measures during construction and maintenance of DFC Corridors. In this regard, NGO will impart awareness and training to the construction workers.
- Ensure that the gender issues are duly and addressed in the implementation process, including strengthening's women's participation in livelihood activities and in implementation fo the RAP.
- Strengthen transparency and accountability of the LA and RR process by institutionalizing social accountability mechanisms during implementation

Scope of Work

As mentioned above, the facilitating NGOs will play an important role in implementation of 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

Communication with the PAPs

- (i) Information Dissemination: The facilitating NGO will organise information dissemination session at strategic location within the project area. SMU/nodal NGOs will provide the modules of information dissemination campaign about the project. The NGO can also use other tested methodologies from their experiences. The NGO will establish close rapport with PAPs; provide them information about the respective entitlements as proposed under the RAP.

- (ii) Educating PAPs: The facilitating NGO will discuss about the project its benefits and potential impacts of proposed improvement. In this connection the NGO will explain to the PAPs the need for land acquisition, need for the eviction of informal dwellers the provisions of the R&R policy and the entitlements under the RAP. The NGO will detail out the livelihood opportunities available within the project Districts and also under the project.
- (iii) Communication strategies with PAPs: The NGO will facilitate in developing good working relationship between the PAPs, their representative and the staffs of CPM, particularly with the APMs and representatives of PRIs. This will be achieved through regular meetings (formal and informal) including meeting related to grievance with the APM, representatives of PRIs and the PAPs. Formal meetings (fixed at prior location and date) with the APM, PRIs representatives will be held at least fortnightly in each affected Tahsil, and meetings with the PAPs will be held as and when required basis but at least once in a month in the project village during the entire duration of the assignment. All decisions taken during these meetings will be documented by the NGO and will be submitted to APM as part of submission of Monthly Progress Report.
- (iv) Performance indicators of Consultation: Consultation conducted, its reporting mechanism and successful operationalisation of outcome of consultation will be an indicator of performance of package level NGOs. *In all of these consultations, the NGO will consider women and other vulnerable groups for attention and deal with them with care and sympathy.*

Furthermore, after first round of consultation, the facilitating NGO will identify and educate groups of PAPs in each Tahsil/Village who are being benefitted by the project. These groups will be groomed further as Project Beneficiary Groups (PBGs) to combat negative information/misinformation about the project.

Identification and Verification (I&V)

- (i) Preparation of list of eligible PAFs: As mentioned earlier also, LAFC in consultation with Competent Authority has identified all land losers including those losing structures. Based on the records Competent Authority has issued Land acquisition notifications (20 A and 20 E notifications). These notifications have become basis for Declaration of awards (20 F), compensation sheet and disbursement. Furthermore, other than these PAFs, Resettlement Action Plan has also identified some informal dwellers like squatters/kiosks/Tenants. These informal dwellers are not included in the detailed compensation sheet prepared by LAFC. In this context, the NGO in close coordination with LAFC will (i) undertake a Census survey within the proposed Corridor of Impact (Col) of establish actual PAFs as per EM, (ii) Prepare a detailed compensation sheet(based on EM prepared by DFCCI Land data available with CPM office)(iii) compare the data of CPM office and data collected during census survey(iv) verify the information already contained in the RAP, provided by LAFC(including actual detailed measurement exercise to determine extent of loss/damage, and valuation of the loss/damage/affected and(v)based on census survey and verification the facilitating NGO will update the list of the eligible PAPs and project-affected families (PAFs) as per EM.
Furthermore, NGO will prepare a list of the project-affected persons/families (PAPs/PAFs) which will include list of PAPs for relocation, list of families who are adversely affected by land acquisition such as those losing entire land or shops and have no other source of livelihood. The NGO will also compute the losses of other assets of PDFs.
- (ii) Basis of Verification: Before initiating verification exercise, the facilitating NGOs in consultation CPM office and SEMU will formulate basis of verification such as (a)proof of caste (SC,ST),(b)income level, (c)other vulnerability criteria in conformity with the guidelines of District Administration/Administrator of the project.
- (iii) Disclosure of the list: The NGO in consultation with Competent Authority and CPM office will display the list of verified PAPs in District offices, Tahsil office, Panchayat

- Offices, Bill board and prominent public places.(iv) Performance indicator of I&V: After publishing list of eligible PAPs, the facilitating NGO will conduct a formal consultation with the PAPs and their representatives, PRIs representatives, 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.
- (v) Finalization and issuance of ID card: The NGO will prepare final list of PAPs by adding left out cases and will prepare identity cards of eligible PAPs. An identity card would include a photograph of the PAP, the extent of loss suffered due to the project, and the choice of the PAP for relocation. The NGOs will distribute identity cards to the eligible PAPs.

Disbursement of R&R Assistance and Compensation

As stated before. The LAFC has prepared compensation sheet and already engaged in disbursement of compensation. The facilitating NGOs in consultation with LAFC prepare list of PAFs and their compensation in proper format, which will include:

- (i) PAFs who has received compensation as per RAA 2008
- (ii) PAFs who has received R&R assistance as per entitlement matrix
- (iii) List of PAFs who has neither received compensation nor R&R assistance and are form the part of final I&V list.

Thus, the facilitating NGO will prepare a final compensation sheet including those PAFs who has received compensation and R&R assistance or both and other eligible PAFs as per final I&V eligible for benefits.

These final compensation sheet (duly approved by CPM and concern Competent Authority) will be sent to DFCCIL for formal approval of the GM (SEMU) and concern LA Department at HQ level. However, those award/compensation sheets is already approved by HQ need not required further approval. The approved amount will be deposited to CPM in the manner as decided by DFCCIL.

The facilitating NGOs will prepare individual entitlement from the detailed compensation sheet. The NGO will produce relevant document (proofs of eligibility) of individual beneficiary and recommend for issuance of cheque (in writing) to CPM.

(Number of recommended cases rejected by CPM or has not been endorsed within time frame will be the basis to assess performance of NGOs and CPM office)

The individual cheques (in the joint name of husband and wife) will be distributed to eligible PAFs in the manner as decided by DFCCIL. However, the facilitating NGO will ensure that adequate evidences are available (video or photo) of disbursement of compensation.

Relocation

Though developing Resettlement site is not obligatory to DFCCIL. However the facilitating NGO will assist the project displaced families in ensuring a smooth transition (during the part or full relocation of the PAPs/PAFs), helping the PAPs to take salvaged materials and shift with proper notices. In close consultation with the PAPs, the NGO will inform the APM about the shifting dates agreed with the PAPs in writing and the arrangements desired by the PAPs with respect to their entitlements.

Utilization of Resources Available with PAPs and and Rehabilitation

The NGO will assist the PAPs in opening bank accounts explaining the implications, the rules and the obligations of a joint account, and how s/he can access the resources available with District administration, under the project s/he is entitled to. The NGO will ensure proper utilisation of the R&R budget available to each PAPs. The NGOs will ensure that the PAPs have become aware about/found economic investment options and are able to restore their previous economic status against the loss of land and other productive assets. For this purpose, the NGO will identify means and advise the APM to disburse the entitlements to the

eligible persons/families in a manner that is economic gainful and is the best of timing of giving the R&R assistance (for example peak cropping seasons, some kind of employment opportunities). The facilitating NGOs will also ensure that the process adopted has adequate level of transparency achieved. 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.

Other than the facts mentioned above, the facilitating NGOs can adopt innovative strategies for gainful employment which may include (but not limited)

- Co-ordinate (and impart wherever required) the training and capacity building of the PAPs, for upgrading their skills for income restoration. This will include the training to be given by the NGO to women self-help-group members in accounting, record maintenance, skill acquisition in the chosen enterprise, and marketing, etc.
- Help the PAPs (especially women) in realizing and optimizing the indigenous technology knowledge (ITK) through use of local resources.
- Define, evolve and explore alternative methods of livelihood using the local skill and resources.
- 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.

Facilitating PAPs' Access to the Grievance Committee Meetings

In relation to redressing grievances NGO will perform following activities.

- (i). The NGO will make the PAPs aware of the functioning of District level Resettlement and Rehabilitation Committee (DRRC), Grievance Redressal mechanism and steps to follow resolve it.
- (ii). The NGO will train the PAPs on the procedure to file a grievance application and to confirm that a statement of claim from the concerned PAP accompanies each grievance application.
- (iii). The NGO will help the PAPs in filling up the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC.
- (iv). The NGO will record the grievance and bring the same to the notice of the GRCs within 7 (seven) days of receipt of the grievance from the PAPs. It will submit a draft resolution with respect to the particular grievance of the PAP, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting through the NGO representative in the GRC.
- (v). To accompany the PAPs to the GRC meeting on the decided date, help the PAP to express his/her grievance in a formal manner if requested by the GRC and again inform the PAPs of the decisions taken by the GRC within 3 days of receiving a decision from the GRC. (The time frame for the GRC to take a decision is 15 days). In this connection facilitating NGO will ensure that maximum grievances have been resolved at the village/Tahsil level. Number of grievance placed in DRRC and resolved will be an indicator of performance of NGO.
- (vi). The responsibilities of NGOs towards grievance Redressal will be deemed to complete if the case is forwarded to HQ/Ombudsman

Assisting the CPM office in ensuring the Social Responsibilities

The facilitating NGO will assist the CPM to monitor regulations under different acts towards the fulfillment of social responsibility of the project and disseminate the information written in manual at the construction camps, work place and other concern places along the project road. The NGO will provide the information about the concern clauses in their monthly progress

report. The NGOs assist 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.

The regulation will include (but not limited to)

- 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.

All documents created, generated or collected during the period of contract, in carrying out the services under this assignment will be the property of the DFCCIL. No information gathered or generated during and in carrying out this assignment will be disclosed by the NGO without explicit permission of the CPM (DFCCIL).

Time frame for Services

The NGOs will be contracted for a period of 36 months from the date of commencement, with a withdrawal methodology in built into the proposals of the NGO.

Key Persons Required

The NGO will depute a team of professional to the site. The consultation of the team and the qualification for the team members for each package is given below:

Sl. No.	Position	No. of positions	Man Months	Qualification
1.	Project Coordinator	1	30	The Project Coordinator should be a Post Graduate preferably in Management or social sciences. S/he should have at least 10 years of experience in communication or exclusively land acquisition project. Having experience of working in civil engineering/linear projects is an added advantage. Should have experience in managing large scale project on similar position and supervision of a team. S/he should have held responsible position in the previous assignments should possess participatory management skills and should have good knowledge of the region and the local languages.
2.	Program Officer-R&R	1	30	The Program officer should be a Graduate preferably in social sciences. S/he should have at least 5 years of experience in land acquisition and implementation of R&R and community development works. Having experience of working in civil engineering/linear projects is an added advantage. Should have experience in managing project and supervision of a team. Additional qualification on computer based data management is an added qualification. S/he should have held responsible position in the previous assignments should possess participatory management skills and should have good knowledge of the region and the local languages.

2.	Program Officer Communication	1	30	Should be at least a graduate in social sciences preferably in social work, medical anthropology or sociology. S/he should have at least 15 years of working experience of which at least 10 years in people participation, information and education projects. S/he should have experience of developing and implementing programs and experience in participatory management. <i>Working in funded projects is an added advantage. Knowledge of local language is a necessary qualification.</i>
3	Field Coordinator/ Community mobilizer	1	30	The Field Coordinator/ Community mobilizer should be a graduate, and should have experience of working in civil engineering/linear projects. S/he should have at least 5 years experience in implementation of R&R and community development works. S/he should have held responsible position in the previous assignments should possess participatory management skills and should have good knowledge of the region and the local languages.
4.	Outreach Workers - Community Educators	3	30	Matriculates preferably with experience of working in NGOs or other civil society organization as outreach workers. Ability to communicate well work at grass roots and to reach out to the different audiences with messages, to conduct in field 1-1, group sessions and to identify and refer people for services.

Annexure 6.2

Draft Terms of Reference**for****Social and Environment Safeguard Monitoring and Review Consultant (SESMRC)****Indicative Scope of Work**

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 will 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 contactors. 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

- (i) Randomly verify the process followed in determining the compensation in line with the provisions of RAA including the inputs from the independent valuer;
- (ii) 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;
- (iii) 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;
- (iv) Verify the process followed for dealing with those cases where severance of lands are involved ;
- (v) Ascertain how the various provisions including payment of additional compensation in case of delay in completing the land acquisition process are administered under RAA;
- (vi) Follow up on the status for dealing with grievances related to compensation rates; and
- (vii) 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 contact provisions;
- (viii) 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;
- (ix) Any others tasks that are appropriate for dealing with land acquisition and compensation payment.
- (x) Resettlement and Rehabilitation
- (xi) Verify and ascertain that the Entitlements as available in the Entitlement Matrix are administered to the various category of PAPs;
- (xii) Ascertain that the various proposals made in RAP to mitigate the impacts are implemented in the manner it was described in the RAP;
- (xiii) Ascertain how various suggestion and concerns raised by the local people during consultations are incorporated or addressed during the project implementation;
- (xiv) Report on the Status of completion of reconstruction of affected community assets prior to handing over of the land to the contractor;

- (xv) Report on the functioning of grievance redress mechanism to deal with the complainants grievances related to RAP implementation;
- (xvi) Review the functioning of Data Base Management to track the implementation progress;
- (xvii) Review the periodical internal monitoring reports and identify any gaps in reporting or delay in implementation progress;
- (xviii) Verify the coordination between civil work contracts and RAP implementation to ensure that encumbrance free stretches are handing over to the contractors;
- (xix) Monitor the role of consultants and NGOs in RAP implementation and identify any improvements required and suggestion for their services;
- (xx) Monitor the progress in providing unskilled jobs to the PAPs and local people;
- (xxi) 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;
- (xxii) 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;
- (xxiii) Any others tasks that are appropriate to deal with resettlement impacts and PAPs/local villagers concerns
- (xxiv) 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

Chainage-Wise Encumbrances

S. No	District Name	Tahsil	Village Name	Chainage Name		Approx. Length (km)	Approx Area (ha)	No of Structure			Award Date	Date/Tentative Date of Disbursement of Compensation	Tentative Date of Substantial completion of R&R disbursement	Tentative Date of Relocation	Encumbrance Free Stretches	Remarks
				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1	Kanpur Dehat	Akbarpur	Bhaupur	1039.240	1040.200	1.5	0.18					06.08.10	June, 2011	October 2011	Feb 2012	Repeated
2	Kanpur Dehat	Akbarpur	Singhpur Derni	1040.2/00	0.750	0.9	3.46				31.08.10	06.08.10	June, 2011	October 2011	Feb 2012	Repeated
3	Kanpur Dehat	Akbarpur	Bhikhar	0.750	1.360	1.4	3.20				31.08.10	06.08.10	June, 2011	October 2011	Feb 2012	Repeated
4	Kanpur Dehat	Akbarpur	Aat	1.360	2.400	3.3	17.50				31.08.10	06.08.10	June, 2011	October 2011	Feb 2012	
5	Kanpur Dehat	Akbarpur	Sabalpur Bithur	2.400	2.700	1.7	1.63				31.08.10	06.08.10	June, 2011	October 2011	Feb 2012	
6	Kanpur Dehat	Akbarpur	Raipalpur	2.700	5.700	3.7	34.76				31.08.10	06.08.10	June, 2011	October 2011	Feb 2012	
7	Kanpur Dehat	Akbarpur	Bhatuama u	5.74	6.4	1.2	4.80				31.08.10	06.08.10	June, 2011	October 2011	Feb 2012	
8	Kanpur Dehat	Akbarpur	Pitrapur	38.814	40.434	2.2	8.90				July 2011	Oct 2011	December 2011	April 2012	Feb 2012	No Acquisition
9	Kanpur Dehat	Akbarpur	Kharagpur Bithur	40.434	41.834	1.9	6.80				July 2011	Oct 2011	December 2011	April 2012	Feb 2012	
10	Kanpur Dehat	Akbarpur	Aliyapur	1046.85	1047	2.2	4.90				31.08.10	06.08.10	May, 2011	Nov 2011	Feb 2012	
11	Kanpur Dehat	Akbarpur	Behata	1048.65	1049.400	0.8	1.10				02.06.10	06.08.10	May, 2011	Nov 2011	Feb 2012	
12	Kanpur Dehat	Akbarpur	Sunbarsa	1049.400	1051.220	1.3	1.40	15	19		02.06.10	06.08.10	May, 2011	Nov 2011	Feb 2012	
13	Kanpur Dehat	Akbarpur	Chandwal Kishanpur	1051.220	1051.450	0.2	0.30				02.06.10	06.08.10	May, 2011	Nov 2011	Feb 2012	
14	Kanpur Dehat	Akbarpur	Kairani	1051.450	1052.100	0.7	0.90				02.06.10	06.08.10	May, 2011	Nov 2011	Feb 2012	Repeated
15	Kanpur Dehat	Akbarpur	Mandouli	1052.100	1054.550	2.1	0.80				02.06.10	06.08.10	May, 2011	Nov 2011	Feb 2012	
16	Kanpur Dehat	Akbarpur	Asaini	1054.550	1055.800	2.5	0.61				08.02.10	23.03.10	May, 2011	Nov 2011	Feb 2012	

S. No	District Name	Tahsil	Village Name	Chainage Name		Approx. Length (km)	Approx Area (ha)	No of Structure			Award Date	Date/Tentative Date of Disbursement of Compensation	Tentative Date of Substantial completion of R&R disbursement	Tentative Date of Relocation	Encumbrance Free Stretches	Remarks
				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
17	Kanpur Dehat	Akbarpur	Patra tipa	1055.800	1056.160	1.0					Rly.Land	23.03.10	May, 2011	Nov 2011	Feb 2012	Rly Land
18	Kanpur Dehat	Akbarpur	Roshan Mau	1056.160	1057.580	1.8	0.60				08.02.10	23.03.10	May, 2011	Nov 2011	Feb 2012	
19	Kanpur Dehat	Akbarpur	Ekghara	1057.580	1058.820	1.2	3.90				08.02.10	01.04.10	May, 2011	Nov 2011	Feb 2012	
20	Kanpur Dehat	Akbarpur	Gaiju Mau	1058.820	1060.720	1.9	1.90				08.02.10	01.04.10	May, 2011	Nov 2011	Feb 2012	
21	Kanpur Dehat	Akbarpur	Rura	1060.720	1063.200	2.5	1.50	1	6		08.02.10	01.04.10	May, 2011	Nov 2011	Feb 2012	
22	Kanpur Dehat	Akbarpur	Jagdishpur	1063.200	1064.320	1.3	2.00				08.02.10	01.04.10	May, 2011	Nov 2011	Feb 2012	
23	Kanpur Dehat	Akbarpur	Saraya I	1064.320	1067.800	3.3	6.00				08.02.10	01.04.10	May, 2011	Nov 2011	Feb 2012	
24	Kanpur Dehat	Derapur	Injuwarampur	1067.800	1068.110	0.3	3.20				08.02.10	03.04.10	May, 2011	Nov 2011	Feb 2012	
25	Kanpur Dehat	Derapur	Mamoripur	1068.110	1068.750	0.6	0.10				08.02.10	03.04.10	May, 2011	Nov 2011	Feb 2012	
26	Kanpur Dehat	Derapur	Ambiyapur	1068.750	1070.120	1.4	3.40	17			08.02.10	03.04.10	May, 2011	Nov 2011	Feb 2012	
27	Kanpur Dehat	Derapur	Alawalpur	1070.120	1071.120	1.0	0.70				08.02.10	03.04.10	May, 2011	Nov 2011	Feb 2012	
28	Kanpur Dehat	Derapur	Sarkauda	1071.120	1071.280	0.2	0.40				08.02.10	03.04.10	May, 2011	Nov 2011	Feb 2012	
29	Kanpur Dehat	Derapur	Amauli Thakurana	1071.280	1072.540	1.3	7.50				08.02.10	03.04.10	May, 2011	Nov 2011	Feb 2012	
30	Kanpur Dehat	Derapur	MuderaVikramSingh	1072.540	1073.410	0.9	1.70				08.02.10	05.05.10	May, 2011	Nov 2011	Feb 2012	
31	Kanpur Dehat	Derapur	Kamalpur	1073.410	1074.050	0.6	1.40				08.02.10	05.05.10	May, 2011	Nov 2011	Feb 2012	
32	Kanpur Dehat	Derapur	Khanpur Chain	1074.050	1075.650	1.6	11.60				08.02.10	05.05.10	May, 2011	Nov 2011	Feb 2012	
33	Kanpur Dehat	Derapur	Khamaila	1075.650	1079.690	3.8	13.10				08.02.10	05.05.10	May, 2011	Nov 2011	Feb 2012	
34	Kanpur Dehat	Derapur	Nasir Kheda	1079.690	1080.150	0.5	2.30				08.02.10	05.05.10	May, 2011	Nov 2011	Feb 2012	

S. No	District Name	Tahsil	Village Name	Chainage Name		Approx. Length (km)	Approx Area (ha)	No of Structure			Award Date	Date/Tentative Date of Disbursement of Compensation	Tentative Date of Substantial completion of R&R disbursement	Tentative Date of Relocation	Encumbrance Free Stretches	Remarks
				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
35	Kanpur Dehat	Derapur	Turna	1080.150	1080.900	0.8	0.20				08.02.10	05.05.10	May, 2011	Nov 2011	Feb 2012	
36	Kanpur Dehat	Derapur	Jhinhak	1080.900	1081.600	0.7	0.20	1	2		08.02.10	06.05.10	May, 2011	Nov 2011	Feb 2012	
37	Kanpur Dehat	Derapur	Badgawan	1081.600	1082.950	1.4	2.80				08.02.10	06.05.10	May, 2011	Nov 2011	Feb 2012	
38	Kanpur Dehat	Derapur	Shahpur Derapur	1082.950	1085.260	2.1	5.10	10			08.02.10	06.05.10	May, 2011	Nov 2011	Feb 2012	
39	Kanpur Dehat	Derapur	Parjani	1085.260	1088.920	1.6	3.60				08.02.10	06.05.10	May, 2011	Nov 2011	Feb 2012	
40	Kanpur Dehat	Derapur	Ranipur Rasulabad	1088.920	1090.510	1.6	4.10				08.02.10	06.05.10	May, 2011	Nov 2011	Feb 2012	
41	Kanpur Dehat	Derapur	Bankhas	1090.510	1091.520	2.0	7.50				08.02.10	06.05.10	May, 2011	Nov 2011	Feb 2012	
42	Auraiya	Bidhuna	Naugawan	1091.520	1094.080	2.4	1.70		1		08.02.10	20.04.10	May, 2011	Nov 2011	Feb 2012	
43	Auraiya	Bidhuna	Dhekiyapur	1091.440	1093.430	1.4	5.70	7			08.02.10	20.04.10	May, 2011	Nov 2011	Feb 2012	
44	Auraiya	Bidhuna	Sukhampur	1094.080	1095.270	1.1	3.70				08.02.10	20.04.10	May, 2011	Nov 2011	Feb 2012	
45	Auraiya	Bidhuna	Hartauli	1095.270	1096.180	0.9	2.10				08.02.10	20.04.10	May, 2011	Nov 2011	Feb 2012	
46	Auraiya	Bidhuna	Bijhai-I	1096.180	1096.740	1.6	4.30	4	1	1 Temple	08.02.10	20.04.10	May, 2011	Nov 2011	Feb 2012	
47	Auraiya	Auraiya Sadar	Umari	1098	1100.7	2.45	4.6				08.02.10	20.04.10	May, 2011	Nov 2011	Feb 2012	
48	Auraiya	Auraiya Sadar	Kakarahi	1099.230	1100.380	1.2	2.30				08.02.10	24.04.10	May, 2011	Nov 2011	Feb 2012	
49	Auraiya	Auraiya Sadar	Lakhanapur	1100.700	1101.700	1.0	1.80	5			08.02.10	24.04.10	May, 2011	Nov 2011	Feb 2012	
50	Auraiya	Auraiya Sadar	Jamuha	1101.3	1101.55	0.25	0.3				08.02.10	20.04.10	May, 2011	Nov 2011	Feb 2012	Repeated
51	Auraiya	Auraiya Sadar	Kanjari	1101.700	1103.700	1.7	6.30				08.02.10	24.04.10	May, 2011	Nov 2011	Feb 2012	

S. No	District Name	Tahsil	Village Name	Chainage Name		Approx. Length (km)	Approx Area (ha)	No of Structure			Award Date	Date/Tentative Date of Disbursement of Compensation	Tentative Date of Substantial completion of R&R disbursement	Tentative Date of Relocation	Encumbrance Free Stretches	Remarks
				Starting	End			Residential	Commercial	CPRS						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
52	Auraiya	Auraiya Sadar	Siganpur	1103.700	1104.520	0.8	2.20				08.02.10	24.04.10	May, 2011	Nov 2011	Feb 2012	Repeated
53	Auraiya	Bidhuna	Kanho	1104.520	1106.550	1.8	5.00		1		08.02.10	21.04.10	May, 2011	Nov 2011	Feb 2012	
54	Auraiya	Bidhuna	Pata	1106.550	1108.760	2.0	5.10				08.02.10	21.04.10	May, 2011	Nov 2011	Feb 2012	Repeated
55	Auraiya	Bidhuna	Kamara	1108.760	1109.760	1.0	2.70				08.02.10	21.04.10	May, 2011	Nov 2011	Feb 2012	
56	Auraiya	Bidhuna	Purwasa	1109.760	1110.150	0.4	2.00				08.02.10	21.04.10	May, 2011	Nov 2011	Feb 2012	
57	Auraiya	Bidhuna	Chandrua Phaphood	1110.150	1111.160	0.8	2.50				08.02.10	21.04.10	May, 2011	Nov 2011	Feb 2012	
58	Auraiya	Bidhuna	Dashehara	1111.160	1112.120	1.0	2.10				08.02.10	12.04.10	May, 2011	Nov 2011	Feb 2012	
59	Auraiya	Bidhuna	Veerpurl	1112.120	1113.300	2.3	18.50				08.02.10	12.04.10	May, 2011	Nov 2011	Feb 2012	
60	Auraiya	Bidhuna	Banshi	1113.700	1114.140	0.4	2.30				08.02.10	12.04.10	May, 2011	Nov 2011	Feb 2012	
61	Auraiya	Bidhuna	Bajhera	1115.450	1115.562	0.1	0.50				08.02.10	12.04.10	May, 2011	Nov 2011	Feb 2012	
64	Auraiya	Bidhuna	Gunauli	1115.620/00.00	1.010	1.2	5.50				15.06.10	12.04.10	June, 2011	Nov 2011	Feb 2012	
65	Auraiya	Bidhuna	Nagaria	1.010	1.821	1.1	4.40				15.06.10	12.04.10	June, 2011	Nov 2011	Feb 2012	
66	Auraiya	Bidhuna	Baisoli Dehat	1.821	4.100/1119.720	2.5	15.90				15.06.10	12.04.10	June, 2011	Nov 2011	Feb 2012	
62	Auraiya	Bidhuna	Chhachhud	1119.720	1119.730	0.0	0.01				08.02.10	12.04.10	May, 2011	Nov 2011	Feb 2012	Not Affected
63	Auraiya	Bidhuna	Ghasara	1119.730	1124.080	3.9	9.60	2			08.02.10	12.04.10	May, 2011	Nov 2011	Feb 2012	
67	Etawah	Bharthana	Samhon	1124.080	1127.150	2.6	15.3	1			08.02.10	13.04.10	May, 2011	Nov 2011	Feb 2012	
68	Etawah	Bharthana	Kathamau	1127.150	1128.150	0.9	0.6				08.02.10	13.04.10	May, 2011	Nov 2011	Feb 2012	

S. No	District Name	Tahsil	Village Name	Chainage Name		Approx. Length (km)	Approx Area (ha)	No of Structure			Award Date	Date/Tentative Date of Disbursement of Compensation	Tentative Date of Substantial completion of R&R disbursement	Tentative Date of Relocation	Encumbrance Free Stretches	Remarks
				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
69	Etawah	Bharthana	Thari	1128.150	1130.700	2.1	8			2 Temple	08.02.10	13.04.10	May, 2011	Nov 2011	Feb 2012	
70	Etawah	Bharthana	Pali Khurad	1130.700	1131.750	0.8	3.4				08.02.10	13.04.10	May, 2011	Nov 2011	Feb 2012	
71	Etawah	Bharthana	Pali Kala	1131.750/00.000	3.330	3.4	18.6				15.06.10	June 2011	June, 2011	Dec 2012	Feb 2012	
72	Etawah	Bharthana	Sujipur	3.330	4.300	1.2	5.6				15.06.10	June 2011	June, 2011	Dec 2012	Feb 2012	
73	Etawah	Bharthana	Sahajpur Gyanpur	4.300	5.250	1.3	6.4				15.06.10	June 2011	June, 2011	Dec 2012	Feb 2012	
74	Etawah	Bharthana	Modhi	5.250	6.190	1.2	6.7				15.06.10	June 2011	June, 2011	Dec 2012	Feb 2012	
75	Etawah	Bharthana	Turkpur PP	6.190	7.690	1.8	9.2				15.06.10	June 2011	June, 2011	Dec 2012	Feb 2012	
76	Etawah	Bharthana	Asafpur	7.690	8.220	0.7	3.1				15.06.10	June 2011	June, 2011	Dec 2012	Feb 2012	
77	Etawah	Bharthana	Kandhesi Pachar	8.220	8.980/1139.980	1.0	7.5	3		1 Temple	15.06.10	June 2011	June, 2011	Dec 2012	Feb 2012	
78	Etawah	Bharthana	Singhpura	1139.980	1140.650	0.6	2.5				08.02.10	13.04.10	May, 2011	Dec 2012	Feb 2012	
79	Etawah	Bharthana	Ikarapur	1140.650	1143.500	2.5	3.3	1			08.02.10	28.04.10	May, 2011	Dec 2012	Feb 2012	
80	Etawah	Bharthana	Medhi Dudhi	1143.500	1144.100	1.7	13.50	8	4		08.02.10	28.04.10	May, 2011	Dec 2012	Feb 2012	
81	Etawah	Bharthana	Nigoha Ikarapur	1144.100	1144.760	2.0	4.60				08.02.10	28.04.10	May, 2011	Dec 2012	Feb 2012	
82	Etawah	Bharthana	Buapur	1144.760	1146.140	2.7	15.80				08.02.10	28.04.10	May, 2011	Dec 2012	Feb 2012	
83	Etawah	Bharthana	Ritaur	1146.140000.000	1147.850000.308	2.5	6.80				08.02.10	28.04.10	May, 2011	Dec 2012	Feb 2012	

S. No	District Name	Tahsil	Village Name	Chainage Name		Approx. Length (km)	Approx Area (ha)	No of Structure			Award Date	Date/Tentative Date of Disbursement of Compensation	Tentative Date of Substantial completion of R&R disbursement	Tentative Date of Relocation	Encumbrance Free Stretches	Remarks
				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
84	Etawah	Etawah	Shekhpur Jakhauli	1147.850 000.308	1.994	1.3	15.3				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
85	Etawah	Etawah	Chandanpur	1.994	3.530	1.2	9.9				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
86	Etawah	Etawah	Nauli	3.530	4.570	1.0	24.7				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
87	Etawah	Etawah	Chitbhawan	4.570	6.430	1.3	12.3				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
88	Etawah	Etawah	Lakhapur	6.430	7.854	1.2	10.4				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
89	Etawah	Etawah	Hariharpur	7.854	9.254	1.2	8.4				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
90	Etawah	Etawah	Ahladpur	9.254	10.670	1.4	8.9				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
91	Etawah	Etawah	Etgaon	10.670	12.670	1.7	12.7				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
92	Etawah	Safai	Umrai	12.690	13.230	0.5	3.4				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
93	Etawah	Safai	Chakoopur	14.920	15.300	0.4	2.6				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
94	Etawah	Jaswant Nagar	Hazaratpur	12.670	12.690	0.1	0.3				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
95	Etawah	Jaswant Nagar	Jaitia	13.230	14.920	1.2	11.5				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
96	Etawah	Jaswant Nagar	Sonai	15.300	15.950	0.7	6.7				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
97	Etawah	Jaswant Nagar	Bhainsrai	15.950	17.568	1.3	13.3				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
98	Etawah	Jaswant Nagar	Adhiyapur	17.568	18.250	0.7	5.7				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
99	Etawah	Jaswant Nagar	Nidarpur	18.250	19.080	0.8	5.5				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
100	Etawah	Jaswant Nagar	Siyapur Etgaon	19.080	20.490	1.4	2.9				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
101	Etawah	Jaswant Nagar	Malhupur	19.920	20.300	0.4	9.6				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	

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				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
102	Etawah	Jaswant Nagar	Malahjani	20.490	20.870	1.9	16.95				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
103	Etawah	Jaswant Nagar	Bhataura	20.870	23.314	2.7	19.07				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
104	Etawah	Jaswant Nagar	Kaist	1169.600	1171.780	1.7	13.2				09.09.10	June 2011	June , 2011	Dec 2012	Feb 2012	
105	Etawah	Jaswant Nagar	Ludhpura	1171.780	1172.780	0.7	1.41				17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
106	Etawah	Jaswant Nagar	Sisahat	1172.780	1175.050	1.5	5.88	1			17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	Repeated
107	Etawah	Jaswant Nagar	Tamera	1175.050	1176.150	0.9	3.69				17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
108	Etawah	Jaswant Nagar	Rajpur	1176.150	1176.530	0.4	1.13				17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
109	Etawah	Jaswant Nagar	Tamheri	1176.530	1177.450	0.9	2.33	6	1		17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
110	Etawah	Jaswant Nagar	Gharwar	1177.450	1179.950	2.2	6.23				17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
111	Etawah	Jaswant Nagar	Balrai	1179.950	1181.740	1.3	4.05				17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
112	Etawah	Jaswant Nagar	D Gopalpur	1181.740	1183.350	1.3	4.53			2 Sa ma dhi	17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
113	Etawah	Jaswant Nagar	Rautai	1183.350	1183.700	0.4	1.16				17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
114	Etawah	Jaswant Nagar	Bibamau	1183.700	1185.100	1.1	10.28				17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
115	Etawah	Jaswant Nagar	Manikpur B	1185.100	1185.452	0.4	1.75				17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
116	Etawah	Jaswant Nagar	Bauth	1185.452	1185.972	0.5	1.19				17.08.10	June 2011	June , 2011	Dec 2012	Feb 2012	
117	Firozabad	Shikohabad	Korari	1185.972	1187.320	1.3	4.24		5		17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	
118	Firozabad	Shikohabad	Mai Gadhokha	1187.320	1188.130	1.0	2.54				17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	

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				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
119	Firozabad	Shikohabad	Khorai Azanaura	1188.130	1188.950	0.8	3.58				17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	
120	Firozabad	Shikohabad	Bhadan	1188.950	1192.500	3.6	29.56	2	1	1 Temple	17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	
121	Firozabad	Shikohabad	Alampur Jhapata	1192.500	1193.900	1.7	2.59				17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	
122	Firozabad	Shikohabad	Lahatai	1193.900	1194.500	0.8	1.48				17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	
123	Firozabad	Shikohabad	Bachemai	1194.500	1195.900	1.4	2.74				17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	
124	Firozabad	Shikohabad	Jayamai	1195.900	1196.680	0.8	1.81				17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	
125	Firozabad	Shikohabad	Bithauli	1196.680	1197.900	1.5	2.48				17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	
126	Firozabad	Shikohabad	Ujarai	1197.900	1199.210	1.4	4.27				17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	
127	Firozabad	Shikohabad	Korara Khurd	1199.210	1200.000	1.9	10.49				17.08.10	April 2011	June , 2011	Dec 2012	Feb 2012	
128	Agra	Etmadpur	Nagla Pachauri	64/892	65/964	1.7	4.15		12		May 2011	July, 2011	July, 2011	Dec 2012	Feb 2012	
129	Agra	Etmadpur	Jamal Nagar Bhais	1267.628	1270.068	2.4	9.04				May 2011	July, 2011	July, 2011	Dec 2012	Feb 2012	
130	Agra	Etmadpur	Jampur	1270.068	1271.08	1.0	2.78	16			May 2011	July, 2011	July, 2011	Dec 2012	Feb 2012	
131	Mahamay anagar	Sadabad	Maharara	1271.220	1272.000	3.3	7.30	22	3	1 Temple	02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	Repeated
132	Mahamay anagar	Sadabad	Sedhariya	1274.440	1275.169	0.9	0.86				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
133	Mahamay anagar	Sadabad	Manikpur	1275.169	1276.765	1.7	2.80	11	4		02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	

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				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
134	Mahamay anagar	Sadabad	Makanpur	1276.765	1277.726	1.1	2.50				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
135	Mahamay anagar	Sadabad	Ishonda	1277.730	1278.923	1.2	2.70				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
136	Mahamay anagar	Sadabad	Kokna Khurd	1278.923	1279.900	1.2	8.50				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
137	Mahamay anagar	Sadabad	Khreya	1279.900	1280.875	1.0	2.50	22	1	1 Temple 1 Dharmshala	02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
138	Mahamay anagar	Sadabad	Salehpur Candwara	1280.875	1281.240	0.4	1.00				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
139	Mahamay anagar	Sadabad	Bhakulara	1281.240	1283.124	2.2	5.60				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
140	Mahamay anagar	Hathras	Aihan	1283.124	1283.894	0.9	1.90				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
141	Mahamay anagar	Hathras	Pura Khurd	1283.894	1284.294	0.6	0.90				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
142	Mahamay anagar	Hathras	Gadhi Khurti	1284.294	1284.620	0.2	0.70				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
143	Mahamay anagar	Hathras	Pura kala	1284.620	1285.400	1.8	7.60				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
144	Mahamay anagar	Hathras	Kharwa	1285.274	1285.400	0.1	0.40				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
145	Mahamay anagar	Hathras	Ber gaun	1286.560	1286.934	0.4	1.60				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
146	Mahamay anagar	Hathras	Veer Nagar	1286.934	1287.889	1.3	10.90				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	Repeated
147	Mahamay anagar	Hathras	Gaugauli	1287.889	1289.317	1.2	10.30				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	
148	Mahamay anagar	Hathras	Sikandarpur	1289.317	1290.500	0.5	7.70				02.02.11	May 2011	July, 2011	Dec 2012	Feb 2012	

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				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
149	Mahamay anagar	Hathras	Sithrauli	000.419	1.211	0.9	3.80				May 2011	July 2011	July, 2011	Dec 2012	Feb 2012	
150	Mahamay anagar	Hathras	Jalalpur	1.211	2.103	0.1	3.90				May 2011	July 2011	July, 2011	Dec 2012	Feb 2012	
151	Mahamay anagar	Hathras	Rajpur	002.103	002.953	0.7	4.60				May 2011	July 2011	July, 2011	Dec 2012	Feb 2012	
152	Mahamay anagar	Hathras	Suratpur	002.953	003.997	0.9	5.90				May 2011	July 2011	July, 2011	Dec 2012	Feb 2012	Repeated
153	Mahamay anagar	Hathras	Mendu	003.997	005.900	1.7	15.30				May 2011	July 2011	July, 2011	Dec 2012	Feb 2012	
154	Mahamay anagar	Hathras	Nagla Kharag	004.929	005.179	0.2	1.30				May 2011	July 2011	July, 2011	Dec 2012	Feb 2012	
155	Mahamay anagar	Hathras	Rampur	005.900	007.042	0.8	4.04				May 2011	July 2011	July, 2011	Dec 2012	Feb 2012	
156	Mahamay anagar	Hathras	Bhopatpur	007.042	008.000	0.6	4.40				May 2011	July 2011	July, 2011	Dec 2012	Feb 2012	
157	Mahamay anagar	Hathras	Ajitpur	7.0600	7.1600	0.1	0.66				May 2011	July 2011	July, 2011	Dec 2012	Feb 2012	
158	Mahamay anagar	Hathras	Dariyapur	008.000	11.949/ 1299.838	1.3	7.04				May 2011	July 2011	July, 2011	Dec 2012	Feb 2012	
159	Mahamay anagar	Sasani	Lutsan	1299.838	1301.143	2.6	12.30				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
160	Mahamay anagar	Sasani	Sitahari	1301.143	1302.842	0.8	11.00				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
161	Mahamay anagar	Sasani	Harauli	1302.842	1304.302	1.0	2.20				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
162	Mahamay anagar	Sasani	Nagla Kehariya	1304.302	1304.688	1.0	2.90				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
163	Mahamay anagar	Sasani	Bandhnu Sikohabad	1304.688	1305.188	0.6	2.70				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
164	Mahamay anagar	Sasani	Virra	1305.188	1305.448	0.5	3.70				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
165	Mahamay anagar	Sasani	Jalalpur sasni	1305.448	1306.160	0.5	1.50	7		1 Post offi	02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	

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				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11 ce	12	13	14	15	16	17
166	Mahamay anagar	Sasani	Nagla Singh	1306.160	1306.760	0.7	1.30				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
167	Mahamay anagar	Sasani	Nagla Sewa	1306.760	1306.976	0.3	1.30				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
168	Mahamay anagar	Sasani	Patti Fateli	1306.976	1307.232	0.4	1.60				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
169	Mahamay anagar	Sasani	Gohana	1307.232	1308.834	1.4	11.68				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
170	Mahamay anagar	Sasani	Khera Firozpur	1308.268	1308.834	0.4	1.02				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
171	Mahamay anagar	Sasani	Nagla Fatela	1308.834	1309.112	0.5	3.51				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
172	Mahamay anagar	Sasani	Nagla Jaheru	1309.112	1309.972	0.8	7.08				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
173	Mahamay anagar	Sasani	Tatarpur Mauhariya	1309.972	1310.575	0.9	5.53				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
174	Mahamay anagar	Sasani	Naujarpur	1310.575	1311.280	0.8	2.20				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
175	Mahamay anagar	Sasani	Mahmauta Khurd	1311.280	1312.496	1.2	6.80	18	1		02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
176	Aligarh	Kaul	Pali Rajapur	1312/496	1313/741	1.3	3.30				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
177	Aligarh	Kaul	Alipur	1313/741	1315/195	1.5	3.50				02.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
178	Aligarh	Kaul	Mandrak	1315/195	1316/925	1.7	5.60				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
179	Aligarh	Kaul	Musepur Jalal	1316/925	1317/428	0.5	1.40				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
180	Aligarh	Kaul	Ghasipur	1317/428	1318/369	1.0	3.30				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
181	Aligarh	Kaul	Hazipur Fateh Khan	1318/369	000/410	0.4	4.20				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
182	Aligarh	Kaul	Chirauli Daud	000/410	001/631	1.2	7.20				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	

S. No	District Name	Tahsil	Village Name	Chainage Name		Approx. Length (km)	Approx Area (ha)	No of Structure			Award Date	Date/Tentative Date of Disbursement of Compensation	Tentative Date of Substantial completion of R&R disbursement	Tentative Date of Relocation	Encumbrance Free Stretches	Remarks
				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
			Khan													
183	Aligarh	Kaul	Parhawali	001/631	003/215	1.4	9.30	7			10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
184	Aligarh	Kaul	Rustampur Sakt Khan	003/215	003/971	0.8	5.20				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
185	Aligarh	Kaul	Hazipur Chauhta	003/971	004/451	0.5	2.90				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
186	Aligarh	Kaul	Kasba Kol	004/451	004/615	0.2	1.00				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
187	Aligarh	Kaul	Daultabad	004/615	005/120	0.5	3.30				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
188	Aligarh	Kaul	Mulla para Bhujpura	005/120	006/552	1.3	7.60				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
189	Aligarh	Kaul	Talaspur Khurd	006/552	007/224	0.7	5.50	4			10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
190	Aligarh	Kaul	Chamrola	007/224	007/632	0.4	2.70				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
191	Aligarh	Kaul	Shahpur Kutub	007/632	008/232	0.6	3.10				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
192	Aligarh	Kaul	Ibrahimpur	008/232	009/391	1.1	8.40				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
193	Aligarh	Kaul	Salempur Mafi	009/391	010/230	0.8	5.00				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
194	Aligarh	Kaul	Keshopur Jofari	010/230	011/393	1.1	7.90				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
195	Aligarh	Kaul	Lahausra Visawan	011/393	013/028	1.5	9.70				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
196	Aligarh	Kaul	Rustampur Ankhan	013/028	013/419	0.4	2.40				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
197	Aligarh	Kaul	Jatanpur Chikavati	013/419	014/823	1.3	8.50				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
198	Aligarh	Kaul	Lekhrampur	014/823	015/881	1.1	6.80				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
199	Aligarh	Kaul	Khera KhushKha	015/881	017/534	1.8	9.20				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	

S. No	District Name	Tahsil	Village Name	Chainage Name		Approx. Length (km)	Approx Area (ha)	No of Structure			Award Date	Date/Tentative Date of Disbursement of Compensation	Tentative Date of Substantial completion of R&R disbursement	Tentative Date of Relocation	Encumbrance Free Stretches	Remarks
				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
			bar													
200	Aligarh	Kaul	Bhakari Khas	017/534	018/997	1.4	9.10				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
201	Aligarh	Kaul	Hayatpur Bajhera	018/997	020/175	1.2	7.10				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
202	Aligarh	Gabhana	Barauth Chhajmal	020/175	021/243	1.1	6.30				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
203	Aligarh	Gabhana	Kaurah Rustampur	021/243	022/812	1.6	9.10				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
204	Aligarh	Gabhana	Pala Sallu	022/812	024/621	1.6	10.70	12			10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
205	Aligarh	Gabhana	Chuharpur	024/621	026/046	1.6	8.50				10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
206	Aligarh	Gabhana	Ogar Nagla Raju	026/046	027/500 1344/980	1.5	8.20			1 Sa ma dhi	10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
207	Aligarh	Gabhana	Kanoh	8.964	1344.980			5	1	1 Sa ma dhi 1 Ash ram	10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
208	Aligarh	Gabhana	Rampur	5.396	1346.960						10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
209	Aligarh	Gabhana	Somana	8.632	1348.376					2 Te mpl e	10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
210	Aligarh	Gabhana	Dyorau Chandpur	5.690	1350.776			57	1	4 Te mpl e 2	10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	

S. No	District Name	Tahsil	Village Name	Chainage Name		Approx. Length (km)	Approx Area (ha)	No of Structure			Award Date	Date/Tentative Date of Disbursement of Compensation	Tentative Date of Substantial completion of R&R disbursement	Tentative Date of Relocation	Encumbrance Free Stretches	Remarks
				Starting	End			Residential	Commercial	CPRs						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
										Handump						
211	Aligarh	Gabhana	Nurullapur	2.389	1352.890						10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
212	Aligarh	Gabhana	Pahawati	2.031	1353.450						10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
213	Aligarh	Gabhana	Baghwanpur	1.893	1353.770						10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
214	Aligarh	Gabhana	Kinhua	7.290	1354.990						10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
215	Aligarh	Gabhana	Bhogpur	2.002	1356.600						10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
216	Aligarh	Gabhana	Dilawar Pur	0.217	1365.12 - 1365.69						10.02.11	July 2011	July, 2011	Dec 2012	Feb 2012	
217	Bulandshahar	Khurja	Bagpura	5.088	1357.032						November, 2010	January, 2011	July, 2011	Dec 2012	July, 11	
218	Bulandshahar	Khurja	Dabour	5.984	1358.64/1365				12		November, 2010	January, 2011	July, 2011	Dec 2012	July, 11	
219	Bulandshahar	Khurja	Naglacut	2.952	1369.000			30	3		November, 2010	January, 2011	July, 2011	Dec 2012	July, 11	
220	Bulandshahar	Khurja	Tahagora	2.202	1361.400						November, 2010	January, 2011	July, 2011	Dec 2012	July, 11	
221	Bulandshahar	Khurja	Nayawas Naysar	7.374	1362.080						November, 2010	January, 2011	July, 2011	Dec 2012	July, 11	
222	Bulandshahar	Khurja	Sahapur Mevgadi	3.861	1363.820						November, 2010	January, 2011	July, 2011	Dec 2012	July, 11	
223	Bulandshahar	Khurja	Kamarpur Majra Naysar	9.240	1364.872						November, 2010	January, 2011	July, 2011	Dec 2012	July, 11	
224	Bulandshahar	Khurja	Keyuli Kala	9.240	1365.440/1365.930						November, 2010	January, 2011	July, 2011	Dec 2012	July, 11	
225	Bulandshahar	Khurja	Doshpur Dadupur	8.710	1366.180			1			November, 2010	January, 2011	July, 2011	Dec 2012	July, 11	

S. No	District Name	Tahsil	Village Name	Chainage Name		Approx. Length (km)	Approx. Area (ha)	No of Structure			Award Date	Date/Tentative Disbursement of Compensation	Tentative Date of Substantial completion of R&R disbursement	Tentative Date of Relocation	Encumbrance Free Stretches	Remarks
				Starting	End			Residential	Commercial	CPRS						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
226	Bulandshahar	Khurja	Sarawan Dadupur	0.604	1366.936						November, 2010	January, 2011	July, 2011	Dec 2012	July, 11	
227	Bulandshahar	Khurja	Arnia Mansurpur	2.480	1367.640						November, 2010	January, 2011	July, 2011		July, 11	
228	Bulandshahar	Khurja	Maina Maujpur	7.940	1368.141						November, 2010	January, 2011	July, 2011		July, 11	
229	Bulandshahar	Khurja	Ibrahimpur Junaidpur Alias Maujpur	0.859	1370.784						November, 2010	January, 2011	July, 2011		July, 11	

Annexure 6.4

BUDGET FOR LA AND RESTTLEMENT & REHABILITATION

Table no. 1: Compensation for Agricultural Land

Package	Agricultural land (in ha)	Rate including 60% solatium	Total compensation	Refund of stamp duty @ (10%)	Additional ex-gratia @ 15 per Sqm	Total Amount (in Lacs)
I	570	8	4559	285	280	4839
II	93	12	1116	70	60	1176
II	519	14	7261	454	260	7521
Total	1182	34	12936	808	600	13536

Table No. 2: Compensation for Residential and Commercial Land

Package	Cost for Residential Land (Rs)					Cost for Commercial Land (Rs)					Total Amount (in Lacs)
	Resi area (sqm)	Rate (+ 60% solatium)	Total cost of land	Refund of stamp duty @ 10%	Total Amount	Com area (sqm)	Rate (+ 60% solatium)	Total cost of land	Refund of stamp duty @ (10%)	Total Amount (in	
I	2163	0.02	34.61	3.46	38.07	744	0.02	11.90	1.19	13.09	51.16
II	305	0.02	4.88	0.49	5.37	379	0.02	6.06	0.61	6.67	12.04
III	6942	0.02	111.07	11.11	122.18	974	0.02	15.58	1.56	17.14	139.32
Total	9410		150.56	15.06	165.62	2097		33.55	3.36	36.91	202.52

Table No 3: Compensation for Structure – Title Holders

Package	Pakka			Semi-Pakka			Kacha			Total
	Area (Sq.m)	Rate (/Sq.m)	Total in lacs	Area (Sq.m)	Rate (/Sq.m)	Total in lacs	Area (Sq.m)	Rate (/Sq.m)	Total in lacs	Total Amount (in Lacs)
I	2609	0.07	182.63	61	0.05	3.05	237	0.03	7.11	192.79
II	684	0.07	47.88	0	0.05	0	0	0.03	0	47.88
III	7786	0.07	545.02	0	0.05	0	130	0.03	3.9	548.92
Total	11079		776	61		3	367		11	790

- a) Pakka: the compensation norm has been calculated @ Rs. 7000/Sqm,
b) Semi-Pakka: the compensation norm has been calculated @ Rs. 5000/Sqm, and
c) Temporary structures: @ Rs.3000/Sq.m

Table No. 4: Compensation for Structures – NTH (Squatters)

Package	Pakka			Semi-Pakka			Kacha			Total
	Area (Sq.m)	Rate (per Sq.m)	Total in lacs	Area (Sq.m)	Rate (per Sq.m)	Total in lacs	Area (Sq.m)	Rate (per Sq.m)	Total in lacs	Total Amount (in Lacs)
I	2385	0.07	166.94	24	0.05	1.18	0	0.03	0.00	168.12
II	1525	0.07	106.78	0	0.05	0.00	0	0.03	0.00	106.78
III	5859	0.07	410.10	17	0.05	0.86	98	0.03	2.93	413.89
Total	9769		683.82	41		2.04	98		2.93	688.79

Table 5: R&R Assistance for loss of Land & Structures (in Rs)

Categories of Loss	Type of Assistance	Package I		Package II		Package III		Total	
		Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount
Loss of Land	Additional ex-gratia amount @Rs 20,000	3566	71320000	1841	36820000	2719	54380000	8126	162520000
	Rehabilitation Assistance to Small, marginal and landless @ Rs 75,000	2740	205500000	1499	112425000	1717	128775000	5956	446700000
Loss of Private Structure	Transitional allowance @ Rs 4000	33	92000	6	32000	114	456000	153	580000
	Shifting Assistance @Rs 10,000	23	230000	6	80000	114	1140000	143	1450000
	Financial assistance to commercial @ Rs 25,000	13	325000	3	75000	15	375000	31	775000
R&R Assistance to Non-Titleholders	Transitional allowance @ Rs 4000	37	148000	26	104000	76	304000	139	556000
	Shifting Assistance @Rs 10,000 to squatters and kiosks	55	550000	52	520000	95	950000	202	2020000
	Shifting Assistance @Rs 10,000 to Tenants	0	0	0	0	31	310000	31	310000
	Financial assistance to commercial @ Rs 25,000	14	350000	6	150000	6	150000	26	650000
R&R Assistance to BPL	Subsistence allowance to BPL@30,000	32	1710000	4	210000	89	2940000	125	4860000
	Cost eq. to IAY@ Rs 45,000 to BPL	32	2565000	4	315000	89	4410000	125	7290000
Loss of Livelihood	Rehabilitation Grant to commercial @Rs 75,000	27	2025000	9	675000	21	1575000	57	4275000
	Training Assistance to commercial @Rs 4000	27	108000	9	36000	21	84000	57	228000
	Total		284923000		151442000		195849000		632214000
	Contingency @15%		42738450		22716300		29377350		94832100
	G. Total		327661450		174158300		225226350		727046100

Table 6: Affected/Displaced Community Property Resource (CPR) in Phase - I

Sl. No.	Package	Chainage	District	Tahsil	Village	Measurement		Area (Sq m.)	Type	ID No	Name of CPRs	Cost of CPR	Cost of Enhancement*	Total Budget	Reconstruction Agency
						Length	Breadth								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	I	1096/21-22	Aauriya	Bidhuna	Bijhai	1.40	1.40	1.96	Pakka	9	Temple Shankar Ji	10780	10780	21560	DFCC
2	I		Etawa	Bharatana	Thari	3.17	2.80	8.88	Pakka	1	Temple	48818	48818	97636	DFCC
3	I		Etawa	Bharatana	Thari	2.35	2.35	5.52	Pakka	7	Temple	30374	30374	60748	DFCC
4	I	1139/3	Etawa	Bharatana	Kanchusi Pachar	3.50	4.75	16.63	Pakka	3	Santoshi Mata	91438	91438	182875	DFCC
5	I	1181	Etawa	Jasvant Nagar	Etawa	1.85	2.00	3.70	Pakka	1	Samadhi	20350	20350	40700	DFCC
6	I	1181	Etawa	Jasvant Nagar	Etawa	2.50	1.75	4.38	Pakka	1	Samadhi	24063	24063	48125	DFCC
7	II		Firozabad	Shikohabad	Bhadan	2.00	2.00	4.00	Pakka	1	Hanuman Mandir	22000	22000	44000	DFCC
8	III	1351/11	Aligarh	Gabhana	Dorau Chandpur	5.35	4.60	24.61	Pakka	1	Hanuman Mandir	135355	135355	270710	DFCC
9	III	1351/13	Aligarh	Gabhana	Dorau Chandpur					7	Govt. Hand Pump	10000	10000	20000	DFCC
10	III	1351/19	Aligarh	Gabhana	Dorau Chandpur	4.50	2.00	9.00	Pakka	42	Temple	49500	49500	99000	DFCC
11	III	1351/19	Aligarh	Gabhana	Dorau Chandpur	1.60	1.75	2.80	Pakka	2	Temple	15400	15400	30800	DFCC
12	III	1351/19	Aligarh	Gabhana	Dorau Chandpur					55	Govt. Hand Pump	10000	10000	20000	DFCC
13	III	1351/19	Aligarh	Gabhana	Dorau Chandpur	1.20	1.00	1.20	Pakka	56	Temple	6600	6600	13200	DFCC
14	III		Aligarh	Gabhana	Somana	3.50	7.50	26.25	Pakka	3	Daramshala / Temple	144375	144375	288750	DFCC

Sl. No.	Package	Chainage	District	Tahsil	Village	Measurement		Area (Sq m.)	Type	ID No	Name of CPRs	Cost of CPR	Cost of Enhancement*	Total Budget	Reconstruction Agency
						Length	Breadth								
15	III		Aligarh	Gabhana	Somana	2.50	3.50	8.75	Temple	11	Temple of Bala Ji	48125	48125	96250	DFCC
16	III	1344/5	Aligarh	Gabhana	Nagala Raju	3.60	3.60	12.96	Pakka	1	Samadhi	71280	71280	142560	DFCC
17	III	1445/27	Aligarh	Gabhana	Kanohi	1.80	1.25	2.25	Pakka	1	Samadhi	12375	12375	24750	DFCC
18	III	1345/27-29	Aligarh	Gabhana	Kanohi	9.60	43.65	419.04	Semi Pakka	1	Sidhnath Muniya Baba Asharam	2304720	2304720	4609440	DFCC
19	III	1272/29	Mahamaya Nagar	Saadabad	Mahrara	3.70	3.80	14.06	Pakaa	1	Temple	77330	77330	154660	DFCC
20	III		Mahamaya Nagar	Saadabad	Kadiya	4.50	7.60	34.20	Pakka	1	Shiv Temple	188100	188100	376200	DFCC
21	III		Mahamaya Nagar	Saadabad	Kadiya	20.70	12.90	267.03	Pakka	2	Dharamshala	1468665	1468665	2937330	DFCC
22	III	1305/21	Mahamaya Nagar	Saaski	Jalalpur	9.80	10.50	102.90	Pakka	1	Post Office	565950	565950	1131900	DFCC
											Total	5355597	5355597	10711194	
											Say			1.07 Crores	

*100% of actual cost.



FINAL RESETTLEMENT POLICY FRAMEWORK

DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA LIMITED

March, 2011

DRAFT
RESETTLEMENT POLICY FRAMEWORK
Dedicated Freight Corridor Corporation of India Limited (DFCCIL)
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Acronym

APM	Assistant Project Manager
BPL	Below Poverty Line
BSR	Basic Schedule of Rates
CPM	Chief Project Manager
CPR	Common Property Resources
CRO	Chief Resettlement Officer
CVC	Central Vigilance Commission
CVO	Chief Vigilance Officer
DFCCIL	Dedicated Freight Corridor Corp. of India Ltd
EA	Executing Agency
EDFC	Eastern Dedicated Freight Corridor
EIA	Environmental Impact Assessment
EM	Entitlement Matrix
FLC	Field Level Committee
GRC	Grievance Redress Committee
HH	House Hold
HLC	Headquarter Level Committee
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 & Environmental Safeguard Monitoring and Review Consultants
R&R	Resettlement and Rehabilitation
RAA	Railway Amendment Act

RAP	Resettlement Action Plan
ROW	Right Of Way
SEMU	Social and Environmental Management Unit
SIA	Social Impact Assessment
SMF	Social Management Framework
SQM	Square meter
ST	Scheduled Tribe
TH	Title Holder
TOR	Terms of Reference

CHAPTER – 1: INTRODUCTION

BACKGROUND

1.1 This Resettlement Policy Framework is prepared to mitigate social impact in alternative alignment in lieu of Tundla bypass. This policy framework will be the basis for undertaking SIA and RAP for Tundla detour or any other section where further alignment change. Initially, RAP was prepared for entire length of 343 kilometers. Since alignment of Tundla Bypass is being reviewed, the RAP of only 272 kilometers is prepared, which excludes Tundla bypass. Following sections, discuss about preliminary evaluation of impacts of proposed alternative alignment, methodologies for conducting SIA and RAP, broad R&R principles adopted for the project, institutional arrangement for implementation of RAP.

PRELIMINARY EVALUATION OF IMPACTS

1.2 Alignment of Tundla detour including Center Line pegging and FLS to identify RoW is in the process of finalization. From the various field visit observations preliminary evaluation of impacts is done by analyzing alternative alignments of Tundla bypass. The revised alignment of Tundla bypass indicates that the alignment will be parallel for 44 kilometers and detour is about 28 Kms. In which Firozabad detour is about 12 kilometers, Tundla Detour is about 13 kilometers and a small detour at Barhan of about 3 kilometers. Preliminary report indicates that proposed alignment will affect about 29 private structures, 4 temples and about 29 Railways structures. Besides this, there will be 295 ha of acquisition of land (private and Government). However detail impact shall be ascertained only after conducting Census and Baseline Socio-Economic Survey.

THE OBJECTIVES OF RPF ARE:

- To avoid and to minimize adverse social impacts/risks due to projects
- To ensure that adverse social impacts/risks are well-mitigated to achieve applicable social objectives
- To ensure that project-affected persons benefit from the proposed projects to the extent possible, and that they are consulted about the project throughout the life of a project.
- To comply with applicable GOI state laws and regulations, compensation, relocation, and resettlement
- To provide guidance to its own staff in preparing projects for appraisal at DFCCIL and in conducting subsequent monitoring, reporting, and in undertaking corrective actions and
- To develop and exercise mechanisms for effective supervision during implementation.
- This RPF has been prepared as part of DFCCIL's commitment to comply with the GOI's policies, law and regulations, as well as to follow the safeguard policies of World Bank.
- The RPF provides guidelines for the Social and Environment Management Unit (SEMU)

To achieve its objectives, the RPF focuses on 4 key functions, listed below, that define operations procedures for social due diligence on projects, allocate responsibilities among DFCCIL, provide a system of checks and balances towards continual improvement, define institutional structure to operate the RPF

- Resettlement Policy Framework (RPF)
- Allocation of responsibility towards implementation of RPF among stakeholders
- Annual Social Audit for compliance, learning and improvement
- Institutional Structure for effective operations and

PURPOSE OF THE RPF

The Resettlement Policy Framework (RPF) defines and outlines policies, procedures, roles, and responsibilities for managing involuntary resettlement impacts and risks, and effects on indigenous (schedule tribal) peoples.

PREPARATION OF SIA AND RAP

1.3 Detailed Social Impact Assessment and preparation of Resettlement Action Plan of selected alternative alignment for Tundla Bypass will be done after finalization of alignment. This SIA and RAP will follow similar methodologies of SIA and RAP as followed in the case of Bhaupur-Khurja section. The indicative ToR providing methodology for preparation of SIA and RAP is given as annexure 1.1. Following activities have been planned for preparation of SIA and RAP.

- Study of Land Acquisition Plan to identify the plots.
- Public Consultation Meetings finalization of alignment
- Census and Base-line survey
- Stakeholder's Consultations
- Assessment of social impacts and its mitigation measures
- Preparation of RAP

R&R ENTITLEMENT FRAMEWORK

1.4 The DFCCIL will follow similar entitlement framework for Tundla Detour as for Bhaupur-Khurja in this project. This EM has been prepared based on provisions of NRRP 2007 and RAA 2008. The broad principles of EM are:

- ❖ 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;
- ❖ Provision of rehabilitation assistance for loss of livelihood/income;
- ❖ Establishment of institutional arrangements such as grievance redress mechanism, NGO, SESMRC etc.

1.5 Based on the above mentioned principle, an Entitlement Framework was prepared. The EM has provisions of payment of compensation at replacement value, R&R assistance to PAFs including non-titleholder's, for income restoration. Brief feature of EM is presented in below:

- Compensation will be given at replacement value of lost land and structures. The replacement value will be computed either through the provisions of RAA 2008 or through any other award declared by the Competent Authority in the District, duly approved by State Government.
- The R&R assistance given includes ex-gratia as per provisions of NRRP 2007, Rehabilitation grants to small and marginal farmers, proportionate ex-gratia @Rs 15 per sqm for losing more than 1500 sqm of land, refund of stamp duty, and rehabilitation grant of loss of livelihood.
- The EM has provisions to assist tenants and sharecroppers. Squatters and other PAFs.
- Community Properties Resources will be replaced in consultation with the community.

1.6 This Entitlement Framework is applicable to other sections of the project. Unidentified/unforeseen impacts will be evaluated and suitably compensated as per Entitlement Matrix which is given in chapter 2.

CHAPTER - 2: LEGAL FRAMEWORK

APPLICABLE LAWS

2.1 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

2.2 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.

2.3 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	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 st October, 2007, shall

Sections		Description
	to persons affected due to land acquisition	apply with regard to land acquisition by the Central Government under this Act.

NATIONAL REHABILITATION AND RESETTLEMENT POLICY, 2007

2.4 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.

2.5 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.

2.6 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 policy provides specific measures for vulnerable and poor groups. As of now there is no law on rehabilitation and resettlement in the country. The Rehabilitation and Resettlement Bill 2007 (Bill No. 98 of 2007) has been introduced in Lok Sabha (parliament of Indian government).

2.7 *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.

WORLD BANK GUIDELINES FOR INVOLUNTARY RESETTLEMENT

2.8 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) 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;
- (k) 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;
- (l) 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

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

2.9 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.

OBJECTIVES OF MANAGING PROJECT IMPACTS ON TRIBAL PEOPLES ARE:

- i) To reduce poverty and vulnerability among affected indigenous (scheduled tribal) peoples.
- ii) To minimize negative impacts, if they are unavoidable.
- iii) To ensure transparency and accountability of any mechanism applied as part of project intervention.
- iv) To deliver culturally and communally appropriate programs and benefits.
- v) To ensure meaningful consultations with them regarding the scope and delivery of compensatory mechanisms and benefits, and if necessary, to obtain their consent for project interventions.

RESETTLEMENT POLICY FOR DFC PROJECT AND ENTITLEMENT MATRIX

2.10 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.

2.11 To minimize the gap between National and International Policy, DFCCIL /MOR have formulated the Resettlement and Rehabilitation Policy including entitlements.

2.12 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, and hiring of NGOs.

2.13 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. In a recent

ELIGIBILITY FOR COMPENSATION/ASSISTANCE / REHABILITATION

2.14 Eligibility for compensation, assistance, and rehabilitation is shown below.

Table 2.1: Eligibility for Compensation, Assistance, and Rehabilitation

Sl. No.	Eligibility
1	The cut-off date for entitlement is the date on which notification is issued as per the notification prescribed under the Section 20A of the RAA 2008 for legal owners and non-titleholders in affected zone.
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	Titleholder PAFs will be eligible for compensation as well as assistance.
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

Sl. No.	Eligibility
	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.
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.

ENTITLEMENT MATRIX

2.15 Entitlement Matrix is presented in Table 2.2. 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.

2.16 As per the NRRP, 2007, the benefit amounts offered in the EM will be periodically updated and disclosed. The Entitlement Matrix will be later 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 2.2: Entitlement Matrix (As revised on 18th January 2011)

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
A. Loss of Private Agricultural, Homestead & Commercial Land				
1	Land on the Project Right of Way	Legal Title holders and Affected Parties with traditional land rights	1. Compensation at replacement cost 2. Resettlement and Rehabilitation	(i) Cash compensation for the land at market value, which will be determined as mentioned in note (A) (section 20 G of RAA 2008) (ii) 60% solatium on the compensation determined in (i) above (section 20F (9) of RAA 2008). (iii) In case where a 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, the same may be adopted by the Competent Authority in determining the compensation for land in lieu of (i) & (ii) above. (iv) Additional ex-gratia amount of Rs 20,000/- for those

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				<p>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 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>
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,	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

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
		leaseholders, sharecroppers		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. Loss of Private Structures (Residential/Commercial)				
4	Structure on the Project Right of Way	Title Holder/Owner	Compensation at replacement rate Resettlement & Rehabilitation Assistance	<p>(i) Cash compensation for the structure at replacement cost which would be determined as per note D.</p> <p>(ii) Right to salvage material from the demolished structures.</p> <p>(iii) Three months' notice to vacate structures.</p> <p>(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. 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 & 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</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				<p>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 and cost of house construction under JNURM for Urban Areas</p>
5	Structure on the Project Right of Way	Tenants/Lease Holders	Resettlement Rehabilitation Assistance &	<p>(ii) Registered lessees will be entitled to an apportionment of the compensation payable to structure owner as per applicable local laws.</p> <p>(iii) In case of tenants, three months written notice will be provided along with Rs 10,000 towards shifting allowance (NRRP 7.11).</p> <p>(iv) 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>
C. Loss of Trees & Crops				
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>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				(d) Cash assistance to title holders and non-title holders including informal settlers/ squatters for loss of trees, crops and perennials at market value
D. Loss of Residential/Commercial Structures to Non-Title Holders				
7	Structures on the Project ROW	Owners of structures identified as on date of notification (20A).	Compensation at replacement cost Resettlement & Rehabilitation Assistance	<p>(i) Encroachers (as defined in Note F) shall be given three 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 & 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>
E. Loss of Livelihood				

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
8	Households living on Right of way	Title Holders/ Non-Title holders/share-croppers, agricultural labourers and employees	Rehabilitation Assistance	<p>(i) Rehabilitation grant equivalent to 750 days of minimum agricultural wages to those families losing livelihood (NRRP para 7.14) <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>
E1 Additional support to Vulnerable Group (as defined in Note E) & those Below Poverty Line				
9	Households affected by ROW	Households affected by ROW	Resettlement & Rehabilitation Assistance	One time additional financial assistance equivalent to 300 days of minimum wages
E2	Additional assistance to Scheduled Tribe affected families			
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 land (para 7.21.4 NRRP 2007)</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
F. Loss of Community Infrastructure/Common Property Resources				
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
G. Temporary impact during Construction				
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.

2.17 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 shall available in CPM office. This EM shall be applicable for all awards declared after 18th January 2011.

2.18 In case where award is already declared by CA and there is difference in compensation, in such cases PAPs can approach to Arbitrator.

2.19 This Entitlement Matrix is applicable for the whole of the DFC corridor including the Tundla stretch.

CHAPTER – 3: LAND ACQUISITION REQUIREMENTS AND COMPENSATION PAYMENT PROCESS

LAND ACQUISITION PROCESS IN EDFC PROJECT

3.1 The proposed DFC track shall run parallel to the existing railway tracks. Average land width available for laying the DFC tracks will range from 12 -16 meters. The proposed cross sections indicate that about 40 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 may be a maximum of 60 meters. The exact land required for the Tundla stretch is not known but may be about 150 ha including small detours. 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. 3.1 :

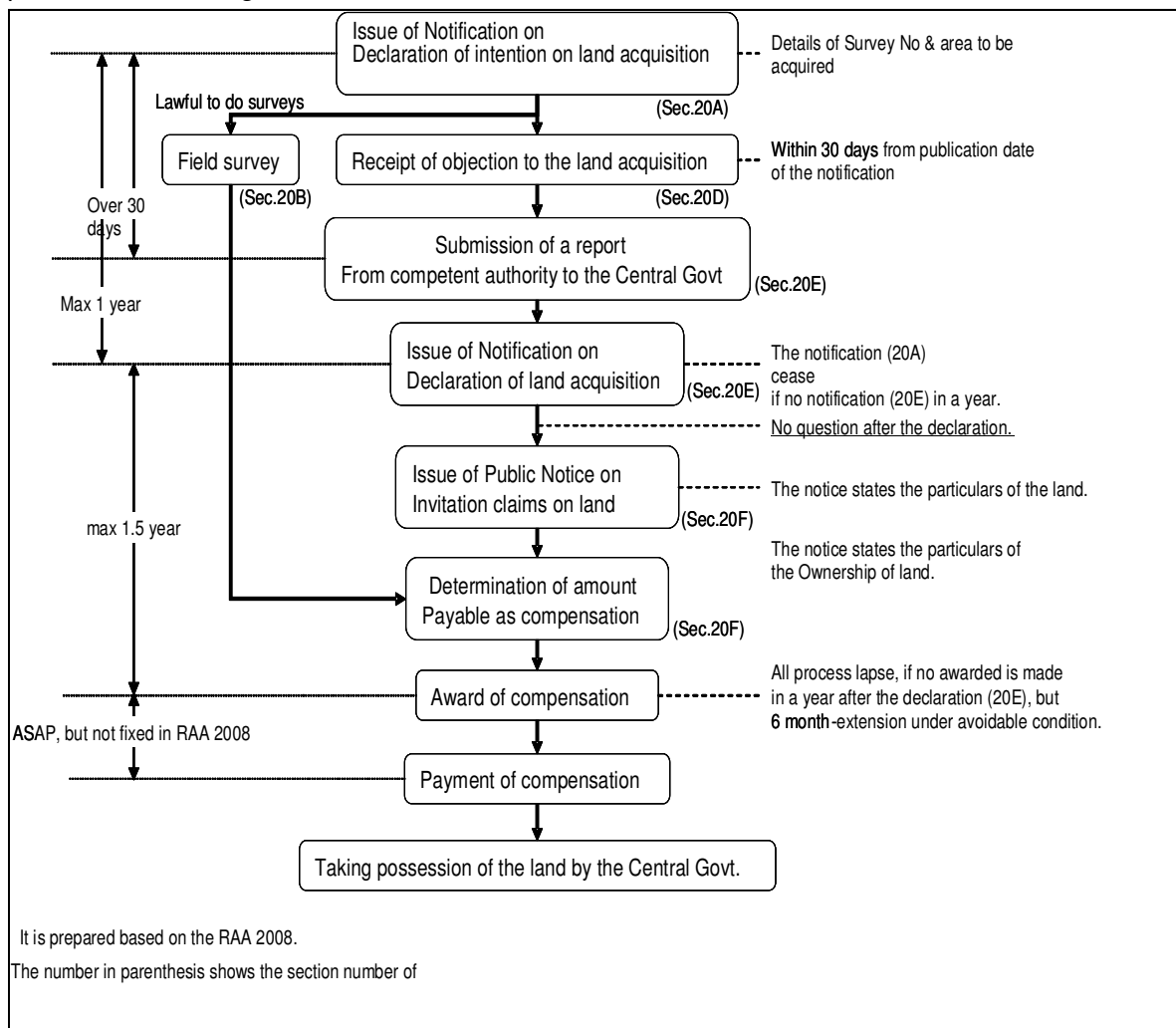


Fig. 3.1: Flowchart of the Land Acquisition Process under Railways (Amendment) Act, 2008

Appointment of Competent Authority

3.2 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.

3.3 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

3.4 As per Clause 20F(6) of RAA 2008, the Commissioners of Meerut, Agra and Kanpur Revenue Divisions have been appointed as Arbitrators for the districts of Bulandshahar (Meerut), Aligarh, Mahamayanagar, Agra and Firozabad (Agra), Etawah and Kanpur Dehat (Kanpur) vide Gazette dated July 15 2010.

Preparation of Land Plans

3.5 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 1:3,000 ~ 4,000. It identifies village names/Sub district (Block) names together with their boundaries traversed /bisected by ROW on both sides.

3.6 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.

3.7 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

3.8 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 Tahsil 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

3.9 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.

3.10 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

3.11 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:

3.12 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 -2).

Replacement Cost of Land

3.13

- (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.

Valuation of Fixed Assets

3.14 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

3.15

- 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.

Facilitating the Computation and Disbursement of compensation for Land Acquisition

3.16 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

3.17 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

3.18 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.

CHAPTER – 4: INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENT

4.1 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 Field Level. CPM Office at Kanpur is headed by an officer of the rank of General Manager. At the Head Office, Social & Environmental Management Unit (SEMU) has been created headed by an officer of the rank of General Manager to look after Land Acquisition and Rehabilitation and Resettlement process. 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 all land acquisition activities;
- (b) Liaison with respective CPM offices 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

4.2 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 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 offices, 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 offices,
- 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

4.3 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.

4.4 One Consultant (Social) will look after the resettlement and rehabilitation components of the Project and ensure that all rehabilitation and resettlement issues are complied as per the policy. He will be assisted by Asst Project Manager (Social) in the CPM office.

Role and Responsibility of Head Quarter Officials for RAP Implementation

4.5 The administrative roles and responsibilities are given below in Table 4.1.

Table 4.1: Administrative and Financial Responsibilities of SEMU Unit for RAP Implementation

Personnel	Administrative Roles and Responsibility
General Manager (SEMU)	<ul style="list-style-type: none"> • Responsible for all work related to Environmental and Social Considerations of the project. • Responsible for coordinating with World Bank for all environmental and social consideration of the Project. • Responsible for monitoring the Process of Land acquisition and RAP implementation. Assistance given by AGM/Land acquisition. • 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. • Ensure budgetary provision for resettlement and rehabilitation of PAPs and relocation, rehabilitation and reconstruction of common property resources (CPR). • Ensure timely release of budget for implementation of RAP.
AGM/SEMU	<ul style="list-style-type: none"> • Assisting GM SEMU in all social and environmental issues and reports to GM (SEMU), • Assisting in finalisation of Environmental and Social reports prepared by the consultants, • Public disclosure of EIA, EMP, SIA, SMF, RAP etc. • To provide assistance for devising suitable institutional mechanism to monitor and supervise effective implementation of EMP and RAP, • To provide information for any parliament questions / RTI query on environmental aspects of the project, • To furnish information to PR/Adm department of DFCCIL for any environment impact related News item appearing in the print or

Personnel	Administrative Roles and Responsibility
	electronic media.
AGM/LA	<ul style="list-style-type: none"> • Processing of proposals for land acquisition for notification of 20 A and 20E at Corporate Office, • Coordinating the land acquisition cases in Ministry of Railways, Ministry of law, Official language section and publication department for notification of 20A and 20E.
DGM/Grievance	<ul style="list-style-type: none"> • In charge of complaint receipt section, • To process for redressing any complaint or grievance received directly in DFCCIL corporate office, • To assist GM SEMU in getting remarks on complaints/grievances on R&R issues from concerned officers. To give replies to the complaints based on decision taken in corporate office, • To maintain data base of complaint received and replies given to the complainants, • To assist GM SEMU in monitoring the grievance redress process pertaining to R&R issues, • To process any RTI case / query related to land acquisition.
Social Safeguard Specialist	<ul style="list-style-type: none"> • Assist CPM office in the implementation RAP, • Provide on an on-going basis technical assistance to facilitating NGOs, build their capacities and ensure R&R program is implemented, • To prepare, manage and retrieve the database of LA and R&R of EDFC, • Prepare reporting formats for NGOs, • Coordinate with NGOs towards implementation of RAP, • Review and prepare progress report on LA and R&R, • Report to GM (SEMU) about the progress, • 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, • Monitor the implementation of RAP and to prepare required monitoring reports, • Interact with Monitoring and Evaluation (M&E) agencies in developing monitoring formats, • Organize training and capacity building modules for officials of DFCCIL, LAFC and RRFC.

Organizational Structures for Head Office is given Fig 4.1

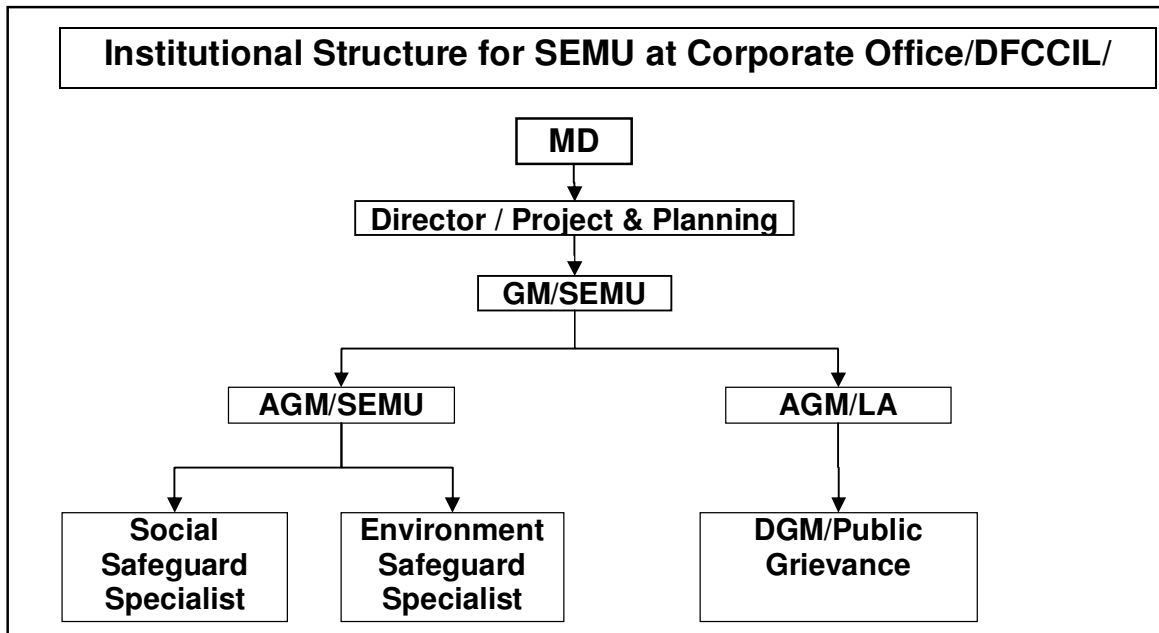


Fig. 4.1: Organizational Structures for Corporate Office

R&R INSTITUTIONS AT THE FIELD LEVEL

4.6 Presently, in the field, the Chief Project Manager (CPM) is looking after the overall land acquisition work. He is 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, one retired revenue officer and one data operator has 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.

4.7 Chief Project Manager has been assigned as Chief Resettlement Officer (CRO), whose role is to cater to the affected people's need for rehabilitation and resettlement. The CRO will be assisted by Assistant Project Manager (APM/Social) one for each package and Assistant Project Manager (APM/Environment). Land Acquisition Consultant appointed in each of the CPM offices to facilitate the RAP. The CPM will take guidance and directions from GM /SEMU at HQ, in policy matters related to resettlement and rehabilitation. One retired revenue officer, one office assistant cum computer Operator and NGOs will be to look after of RAP implementation and social issues. For every contract package (approx 100 km), 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.

4.8 The Organizational Structures for Field Office is given Fig 4.2

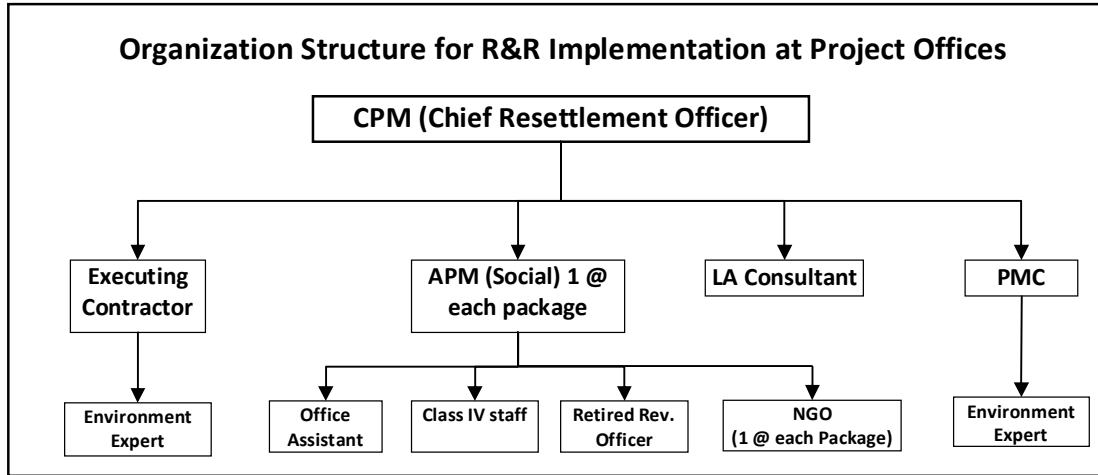


Fig. 4.2: Organizational Structures for Field Office

4.9 Broad roles and responsibilities of field unit would 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.

ADMINISTRATIVE ROLES, RESPONSIBILITIES & FINANCIAL POWERS

4.10 The administrative roles and responsibilities are given below in Table 4.2 and financial powers are as mentioned in Schedule of Powers (SOP) of DFCCIL.

Table 4.2: Main Administrative and Financial Responsibilities of Field Unit for RAP Implementation

Personnel	Administrative Roles and Responsibility
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Personnel	Administrative Roles and Responsibility
CPM	<ul style="list-style-type: none"> ➤ Overall in charge of LA and R&R. ➤ Participate in State and District level meetings to facilitate LA and R&R activities. ➤ Responsible for executing the work from NGOs and M&E consultants. ➤ Periodic appraisal of progress and reporting to the World Bank and the DFCCIL HQ on monthly basis
Administration for R&R /Competent Authority	<ul style="list-style-type: none"> ➤ Award for compensation of land and structures as per RAA 2008 and EM. ➤ Award for R&R benefits as per Entitlement Matrix.
APM (Social)	<ul style="list-style-type: none"> ➤ Responsible for R&R Implementation and Land Acquisition in the field and in charge of day to day activities, ➤ Prepare progress report on physical and financial monitoring of R&R and submit to CPM, ➤ Oversee the process of land acquisition, shifting of CPRs and other assets in the field, ➤ Scrutinise and certify the structures valuation report submitted by the Evaluators, ➤ Conduct periodic review with staff, ➤ Submit monthly progress reports to CPM on R&R activities. ➤ Directly interact with PAFs and record their views and grievances and transmit the same to the CPM/RR Committees ➤ Monitor the community level activities of the NGOs
NGO	<ul style="list-style-type: none"> ➤ Develop rapport with PAPs, ➤ Constitute Project beneficiary Groups (PBGs)/SHGs ➤ Develop communication strategies (on regular basis through formal information centres)) to address grievances of PAPs, ➤ Assist PAPs in updating land record (Distribution of shareowner etc.) ➤ Assists PAPs in addressing their grievances though established procedures as per RAP. ➤ Liaison with Revenue Department, ➤ Coordinate with LAFC to facilitate DFCCIL in the implementation and management of LA&R&R. ➤ Put into practice the innovative implementation strategies developed by the SEMU (HQ). ➤ 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. ➤ Develop innovative mechanism/methodologies to ensure active involvement of various project stakeholders in the implementation of RAP like Formation of project beneficiary group (PBG)/SHGs for rehabilitation of PAPs, ➤ Help in the monitoring and evaluation of RAP,

Personnel	Administrative Roles and Responsibility
	<ul style="list-style-type: none"> ➤ Attend to any other relevant responsibilities assigned by the CPM,
<p style="text-align: center;">L AFC</p>	<ul style="list-style-type: none"> ➤ 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.
<p style="text-align: center;">Social and Environmental Safeguard Monitoring and Review Consultant (SESMRC)</p>	<ul style="list-style-type: none"> ➤ 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. ➤ Assist in internal monitoring and supervision of the LA/R&R ➤ Assist in coordinating the LA R&R and the civil work process

CORPORATE SOCIAL RESPONSIBILITY

4.11 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 Gol guidelines to plan and carry out CSR.

Environmental Protection

4.12 Environmental Assessment is also required to be conducted and environmental impacts are observed and subsequently EMP shall be formulated. This project falls under 'A' category as per World Bank classification. All possible mitigation measures shall have to be 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 labor 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

4.13 Monitoring & Evaluation 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

4.14 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 (Performance for performance monitoring is given as annexure 4.2). 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

4.15 The SEMU will be responsible for performance monitoring at the project level and the CPM office 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 APM-Social and the facilitating NGOs. This process of performance monitoring will be supported by the Social and Environmental Safeguards Monitoring and Review Consultants (SESMRC), appointed by DFCCIL, who will prepare monitoring reports and suggest operational remedies in the LA&RR implementation process as required.

4.16 Process and Impact Monitoring: The Social and Environment Safeguards 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 4.3.

4.17 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

4.18 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 R&R Committees 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, as per Section 8.1 of the NRRP, 2007.

4.19 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.

4.20 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

4.21 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.

4.22 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.

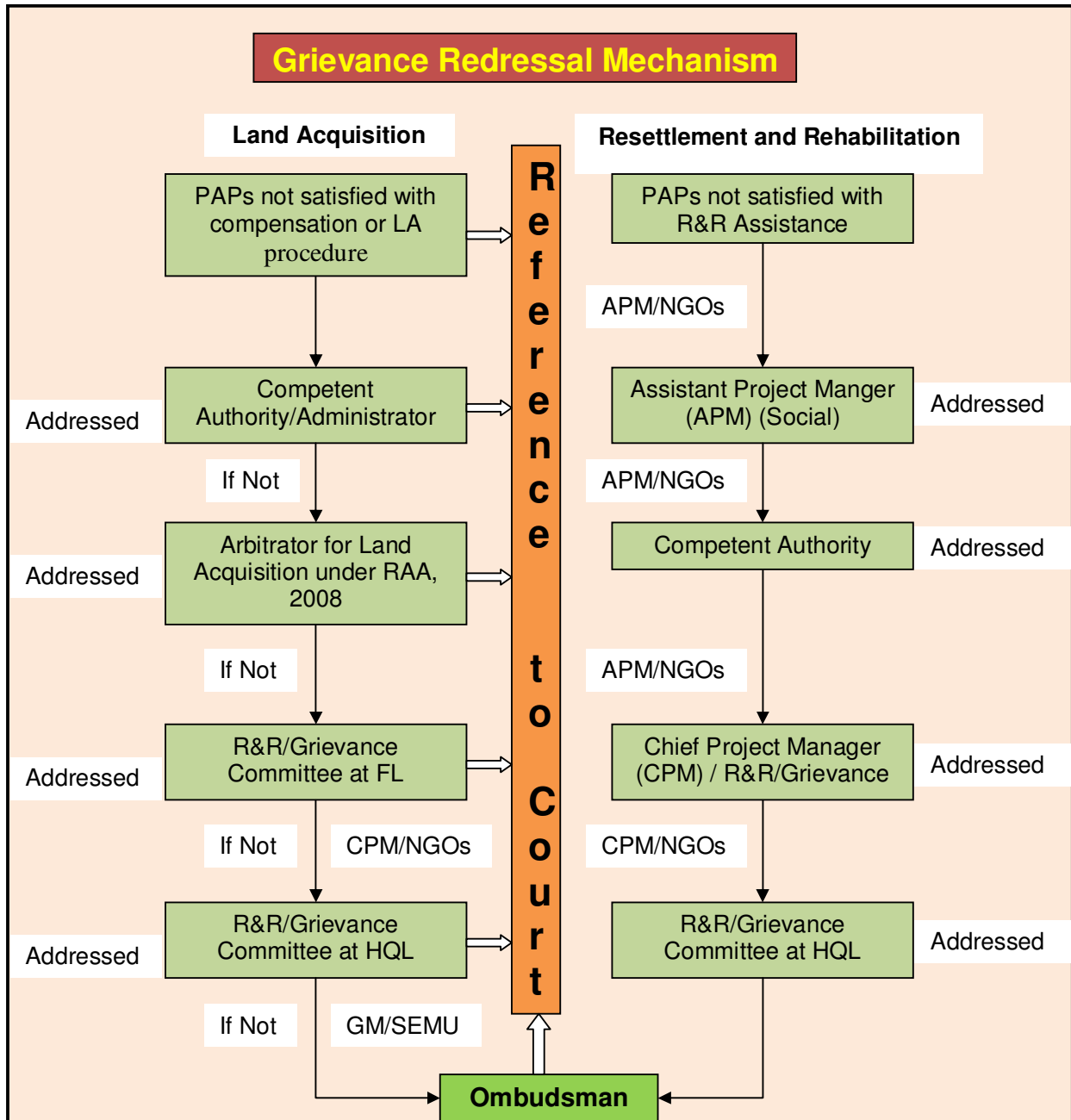


Fig. 4.3: Grievance Mechanism

Meeting and Decision Making Process of the Committee

4.23 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.

4.24 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. 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.

4.25 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

4.26 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

4.27 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.

4.28 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.

4.29 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.

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

4.31 tracking of the status of investigations and measures taken will be reported in monthly reports to management.

4.32 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.

INCOME RESTORATION

4.33 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 assists 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,

- (iii) Transitional allowance to PAFs,
- (iv) One time financial assistance to rural artisans, traders and self employed,
- (v) Subsistence allowance to the affected BPL households,
- (vi) Rehabilitation assistance (750 days of wage) to those losing livelihood,
- (vii) Training assistance for income generation through NGOs and
- (viii) Temporary employment in construction (if available for civil work and opted by the PAPs).

Other than provisions in EM, support available for Income Generation Scheme (IGS) includes training and dovetailing on-going government schemes. 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 PAFs.

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 as annexure 4.1).

4.34 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.

Data base Management

4.35 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.

4.36 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.

4.37 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.

4.38 The database for R&R is being prepared by SIA Consultants. All data collected during baseline socioeconomic survey and land acquisition process will be fed in the database software by Sept, 2010 and the database will be maintained by APM/Social in CPM's office in the field. In the HQ office, Consultant/ Social will be responsible for maintaining R&R data. Data will be updated based on the information sent by the CPM office 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. SESMRC will also submit independent quarterly report to SEMU.

Public Disclosure

4.39 In order to make the RAP implementation process transparent, a series of PCMs with all stakeholders will be 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 shall be translated in Vernacular languages (Hindi) and disclosed. 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 project; and major stations. The RAP document will also be available at the World Bank Info Shop at Washington DC and New Delhi as per the Disclosure Requirements of BP 17.50 of the WB. 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

4.40 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 2012. The civil works contract 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.

4.41 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.

4.42 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. Training and orientation of concerned officials on social safeguards and various aspects of LA and R&R will be undertaken 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 Act, NRR policy 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

4.43 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

4.44 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

4.45 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

4.46 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 (Annexure 4.2). 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

4.47 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 will be made available to the contractors for the contract package as annexure 4.3. 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.

Implementation process

4.48 The RAP will be implemented by CPM office 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:**

4.49 Annual Social Audit will be done by SESMRC 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.

4.50 The RAP activities will be 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 will be considered during implementation. However, sometimes sequence may change or delays witnessed due to circumstances beyond the control of the Project.

COORDINATION WITH CIVIL WORK AND CERTIFICATION

4.51 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 will be provided as in fig. 4.4 (sample). This will provides the key benchmarks of implementing the RAP. All other activities related to implementation and land acquisition will be undertaken simultaneously.

ACTIONS TO BE COMPLETED PRIOR TO AWARD OF CONTRACT INCLUDE:

4.52

- (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 data 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.

Sl. No.	Activity	Implementation Framework												
		Year-2011-12												
		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
		1	2	3	4	5	6	7	8	9	10	11	12	
1	Training to DFCCIL and implementing agencies													
2	Preparation and Finalization of of list of EPs													
3	Preparation of entitlement including R&R exgratia													
4	Stakeholders Consultation													
5	Marking of zone of impact on structures													
6	Disbursement of R&R Assistance													
7	Redressing Grievance (GR)													
8	Assistance in Relocation and Rehabilitation													
9	Monitoring and evaluation													
10	Social Audit													
11	Streches free from encumberences													

Fig. 4.4: Implementation Framework (Sample)

4.53 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 upgradation 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

4.54 Statement of Financial Responsibility and Authority and Source of Funds and the Flow of Funds

- The money for the compensation will 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 will be released out of such account.
- Any amount, if likely undisbursed 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

4.55 Item wise provision of budget by cost, for all Land, including resettlement costs planning and implementation, management and administration, monitoring and evaluation and contingencies shall be kept. The budget will be indicative of outlays for the different expenditure categories.

Sources of Funding

4.56 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

4.57 A consolidated overview of the budget and cost estimates shall be as per table 4.3. The budget will cater for the different expenditure categories and will be calculated at the 2011-2012 price indexes. These costs will be updated and adjusted to the inflation rate. 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.

Table 4.3: Cost of Land and R&R Assistance in Crores (INR)

Sl. No.	Item	Total Amount	
1	Cost of Land (Agricultural)		
2	Cost of Land (Residential)		
3	Cost of Land (Commercial)		
4	Cost of Structure (Titleholder)		
5	Cost of Structure (Non-Titleholder)		
6	R&R Assistance		
7	Relocation cost of CPR		
	Total		
8	Implementation Charges i/c Administration, Management, Monitoring, NGOs etc.@10%		
9	Contingency @8%		
	G. Total		
	Say Rs.		

Annexure 1.1

INDICATIVE TERMS OF REFERENCE FOR PREPARING SIA AND RAP

Background

1. The Government of India, Ministry of Railways has set up a public sector company named Dedicated Freight Corridor Corporation of India Limited (DFCCIL) under the Indian Companies Act 1956 to implement the Dedicated Freight Corridor (DFC) Project. The DFC project will be funded by the Government of India partly through equity contribution, and partly through loans obtained by Government of India from external funding agencies. DFCCIL proposes to construct a Dedicated Freight Corridor covering about 2,762 route kms on two corridors: Eastern Corridor from Ludhiana to Sonenagar/ Dankuni and Western Corridor from Jawaharlal Nehru Port, Mumbai to Tughlakabad/ Dadri near Delhi along with inter-linking of the two corridors at Khurja. The objective of project is to ease pressure on high density eastern and western railway networks by developing dedicated freight corridors in east and west. These DFCs are expected to facilitate movement of much higher level of freight traffic to support the nation's growing economy.
2. Eastern DFC: The eastern DFC project covers total route length of 1279 Kms (Sonenagar-Mugalsarai-Allahabad-Kanpur-Tondla-Aligarh-Khurja-Meerut-Saharanpur. The IR is seeking support from the World Bank for the 710 kms stretch from Khurja to Mugalsarai, out of which work will be undertaken for the 343 km stretch in the first phase.
3. The eastern corridor alignments have been finalized for the 272 kilometer stretch from **Bhaupur to Khurja** with detailed land survey, SIA and RAP for which also been prepared. The alignment in the Tundla stretch of 72 kilometers is being reviewed for which SIA will have to be carried out and RAP prepared as per this RPF.
4. **Preparatory Social Management Activities:** In fulfillment of the above, DFCCIL needs to realistically assess, plan and implement measures to mitigate adverse social impacts associated the eastern corridor. In the preparatory stage, this will involve the following steps:

Task-1

Social impact assessment (SIA) as part of Environment Impact Assessment (EIA);

Census survey of all affected families recording their assets (land, structures, and facilities), incomes, and social category (Scheduled Castes/Scheduled Tribes);

Base line socio-economic survey of the affected families suffering major impacts and needing rehabilitation assistance in addition to compensation for their losses;

Task-II

Resettlement Action Plan (RAP) to mitigate adverse impacts and Tribal Action Plans (if tribal people are affected) to positively benefit ST populations, if affected.

5. These activities will be undertaken to identify social safeguard risks upfront and appropriately integrate social management aspects in the implementation process. A professional agency will be hired to carry out the above preparatory activities for social management for the initial 300 kms stretch of the Eastern Corridor and subsequently for the other stretches.

Task 1: Social Impact Assessment (SIA)

6. Social impact assessment is a critical step taken to incorporate social analyses and participatory processes into project design and implementation for optimizing development outcomes. SIA helps to enhance benefits to the poor and the vulnerable while minimizing and mitigating adverse impacts on the local communities. This involves analyzing social issues and impacts on the affected populations in order for designing social management plans to mitigate adverse impacts and improve people's lives through participatory implementation. SIA for the eastern corridor will be undertaken as part of the Environmental Impact Assessment (EIA).

7. The initial Environmental and Social Consideration Studies (ESCS) for the Eastern and Western Corridors were carried out by the Japan International Cooperation Agency (JICA) on behalf of Japan Bank for International Cooperation, (JBIC) that the DFCCIL is in discussion

with for resource support. This ESCS involved survey of affected structures, assessment of land requirements, preliminary stakeholder consultations and analysis, and socio-economic survey of 10% sample of the affected families. DFCCIL subsequently altered the alignment for the Eastern Corridor in order to further minimize adverse impacts on human settlements. DFCCIL has prepared surveyed the structures and land parcels affected the final alignment. As per DFCCIL's land survey, about 220 structures will be affected in 16 habitations located alongside the existing Railway lines. These habitations have been listed with kilometer points for reference. The SIA will involve a review of information provided in the JICA study (ESCS) and land surveys made by DFCCIL along with field assessments in a selective and strategic manner in order to reconfirm key social issues and risks involved, and identify drivers for optimizing development outcomes through risk mitigation and social value added measures. The focus of this exercise will also include adverse construction phase impacts of the project on communities and necessary mitigation measure.

8. SIA (EIA) will specifically involve: (i) reconfirming zone of impact through review of available data in land surveys, alignment maps/ satellite maps, JICA study (ESCS); (ii) identifying zones of major economic and social impacts; (iii) understanding socio-economic profile of people; (iv) analyzing differential impacts on different categories of people (land owners, residential households, small/landless/marginal farmers, labourers, businesses, SCs/STs, and women), and impacts on communities (common facilities such as roads, schools, community centres, cultural properties, etc.); (v) socio-political analysis of local power relations and institutions available for participation, grievance redress, and conflict resolution; (vi) studying people's perceptions of project impacts and minimum acceptable mitigation measures that will enable them to cope with economic losses and displacement; (vii) assessment of construction phase impacts on communities; and (viii) suggesting broad strategies for adverse impact mitigation and social value addition in order to optimize development outcomes.

9. Census and Baseline Socio-Economic Surveys of the Affected Families: The objective of census survey is to broadly enumerate all the project affected families (PAF) recording lands and assets possessed and likely to be lost as a result of LA; income streams affected, their and demographic characteristics and social categories they belong to. This will help to categorize families requiring compensation and those in need of additional rehabilitation assistance as per the NPRR, 2007. Census survey will also include listing of community assets and common facilities affected by the project, which need to be replaced. These may include cultural properties, roads, community forests/plantations, schools, community centres, etc. The census survey will be supplemented by a baseline socio-economic survey (BSES) of the PAFs identified in the census survey that may suffer major impacts and are eligible for rehabilitation assistance as per the NPRR (2007). They may include groups such as small/marginal farmers, landless agricultural labourers, structure owners/occupiers, and others losing livelihoods. Census Survey and BSES will entail the following steps including those listed in the Chapter-II of NPRR (2007).

10 Census Survey will specifically provide data about affected land parcels and structures with names of owners/occupiers, land use, structure/land area and type; structure usage (residential/ commercial), occupations and affected income streams and demographic characteristics of the project affected families (PAF). The census survey is aimed at collecting identification data, likely losses and other information that is sufficient in order to distinguish between minor and major impacts and to categorize PAFs for administering R&R entitlements. The census survey will include photography and Video recording of the affected structures.

11 Baseline Socio-Economic Survey is aimed at collecting baseline socio-economic data about PAFs identified in the census survey suffering major impacts and requiring rehabilitation assistance as per the NPRR (2007) in order for monitoring R&R outcomes and impacts. The PAF categories to be covered by BSES will include families rendered marginal/landless farmers as a result of land acquisition; landless agricultural labourers; businesses; owner/ occupant of the affected residential/ commercial structures, squatters and others below poverty line whose livelihoods are adversely affected. The strategy for socio-

economic survey will be drawn up based on the findings of the census survey and SIA. (an indicative list of information that needs to be gathered is provided in **attachment 1**)

Task II: Resettlement Action Plan

12 The RAP will be prepared by consolidating Census and BSES findings, with the SMF providing the basis for R&R measures for different PAF categories. The RAP will be prepared as prescribed in the NPRR (2007) and will be finalized after review and endorsement by the DFCCIL in accord with the World Bank. The RAP will include:

- Project impacts and affected populations;
- Legal framework for LA;
- Compensation package for permanent/temporary loss of land, assets, incomes;
- Description of R&R assistance; livelihood restoration measures,
- Relocation and post-relocation support strategy,
- Implementation mechanisms;
- Framework for participation, consultation, information disclosure; grievance redress;
- Time schedule and budget,
- Framework for monitoring, evaluation and reporting.

A stand alone **Tribal Action Plan** will be prepared based on a review of SIA and Census findings in case the eastern corridor project impacts the tribal communities, in line with the Operational Policy 4.10 of the World Bank.

13. Outputs: The following are the key outputs expected from the consultants

- (a) **Inception Report** outlining the approach, methodology, timeframe for surveys, consultations and different outputs should be submitted within one month of the assignment;
- (b) **SIA, Ground-truthing of Census Survey and Baseline Socio-Economic Survey** of the affected families focussing on people's private/ public assets and livelihoods. The report is expected at the end of 3 months;
- (c) **The Social Safeguard Framework** outlining procedures, legal framework, operational guidelines, institutional arrangements, entitlement framework for different impacts types, disclosure principles should be submitted. This is expected at the end of 4 months; the deliverable at this stage will also include necessary inputs for preparing the bid document for Design and Build Contract;
- (d) **The Resettlement Action Plan** for the first 347 Km outlining R&R measures to be taken along the corridor of impact is expected at the end of 6 months. At this stage, deliverables will also include specific inputs for the Design and Build Contract and Sub-Contracts.
- (e) **Tribal Action Plan**, if applicable, will also be prepared by end of 8 months.
- (f) **Database Management System for LA and R&R:** Deliverable at the end of 11 months.
- (g) All the draft reports will be reviewed by DFCC and the World Bank and wherever appropriate consultation workshops will be held.

14. Consultant Qualifications:

i. The proposals should be invited from the professional agencies having combined experience in Social Assessment, Resettlement and land acquisition, GIS and computerization. The consultant team should have specialists leading the team with appropriate local support staff for socio-economic survey and community consultations.

- (i) Team Leader
- (ii) Resettlement expert with experience in large infrastructure projects.
- (iii) Sociologist / anthropologist.

- (iv) IT/ Database/ MIS Expert
- (v) Field Staff with required number of surveyors

15. **Indicative Data Requirements for Census and Baseline Socio-Economic Surveys**

Baseline Socio-economic survey is meant to convert information gathered during initial consultative SIA exercises into measurable data, required for providing R&R assistance for different categories of PAPs, and for monitoring changes in people's conditions beyond the project period. The BSES should provide information including but not limited to the following. The information gathered during the census and socio-economic surveys will form the basis for designing the Social Management Plan.

- Socio-Economic Profile: SC/ST / gender category of families; occupation and monthly income levels, structures and assets owned or occupied;
- Residential families: nature and quantity of likely loss-homestead area, residential structure, agricultural land, cattle shed; types of RR assistance preferred
- Commercial Units: nature of land and structure affected, title, business type, legal status of business, monthly incomes; number of employees;
- List of landless wage labourers, workers, education and skills; age, incomes.
- Common properties affected (village roads, grazing/community lands, cultural structures, etc)
- List of vulnerable persons/families: (poor, SC/ST, women headed, aged/infirm, physically or mentally challenged) with socio-economic profile;
- Other information: access to basic services; health status; participation in development schemes of the government; level of mainstream linkage;
- Any other information considered important in the local context.
- The outcome of the census and baseline survey should be in the form of a report and a computerized database, which should include but not be limited to:
 - i. lists of affected PAPs according to their socio-economic and impact category (residential-legal and squatters; commercial-legal and squatter category; and encroachers-residential and commercial);
 - ii. Data on occupations, income streams, household demographic and income data;
 - iii. Data on access to basic services, ST/SCs/vulnerable families; common properties;
 - iv. R&R impact cadastral maps showing impacted lands and structures (type, quantity) across specific sections in line with the finalized alignment maps.

16. **Key Social Safeguard Policy Issues**

Cut-off Date and Entitlement of Squatters to R&R Benefits: DFCCIL will adopt the Railway Amendment Act (RAA), 2008 for acquiring land and follow the National Policy on Resettlement and Rehabilitation (NPRR), 2007 for providing R&R benefits to the project affected families (PAFs). According to the NPRR, 2007 non-title holder PAFs (squatters) residing in the project area for over three years prior to the cut-off date are entitled to specific rehabilitation assistance. DFCCIL has decided to treat the date of public notification for land acquisition (in local and national print media) coinciding with the date of baseline socio-economic survey as the cut-off date. Which means, DFCCIL will offer R&R assistance to non-titleholder PAFs (squatters) residing for three years prior to the cut-off date in the project area, as per the NPRR, 2007. This will deprive non-titleholder PAFs settled in the project area during three years preceding the cut-off date from any R&R assistance. It has been agreed that DFCCIL will establish principles and procedure to enable these category of non-titleholders to re-establish their shelter and livelihoods affected by the Eastern DFC project in the social management framework and the Resettlement Action Plan.

Institutional Capacity for Managing Social Safeguards: DFCCIL has appointed a general manager to handle tasks relating to preparatory activities including feasibility studies, alignment finalization minimizing social and environmental risks, field surveys for land acquisition, and

R&R activities. It has also hired an experienced revenue officer from the Uttar Pradesh administrative services as the Competent Authority for carrying out land acquisition under the Railway Amendment Act (RAA), 2008. DFCCIL has hired local consultants for carrying out land surveys. The initial environment and social consideration studies for DFC Eastern and Western corridors were carried out by JICA. These steps have so far enabled DFCCIL to manage the preliminary social management activities. DFCCIL plans to hire an owner's engineer who will assist in monitoring R&R activities carried out at different stages through external consultants. However, in order to coordinate various R&R measures for the DFC project in the short term, and grow in the long term with capacity to identify and manage social safeguard risks, DFCCIL should establish a special unit with adequate managerial and technical skills to address social and environment issues.

Payment Schedule

Payments shall be made according to the following schedule on submission and acceptance of reports:

Sl. No	Payment milestone	Payment %
1	Inception report	15%
2	Social Impact Assessment, Ground - truthing of Census survey and Baseline Socio-Economic Survey	50%
4	Resettlement Action Plan	25%
5.	Database Management System for LA & R & R at the end of 11 Months	10%

Draft Terms of Reference for the NGOs
For the Implementation of Resettlement Action Plan under
Dedicated Freight Corridor Corporation of India Ltd (DFCCIL)

Need of NGOs

Resettlement Action Plan (RAP) envisages compensating and assisting the project-affected persons (PAPs) and the project-displaced persons (PDPs) at the replacement cost of the lost properties and assets as well as to restore their livelihood before the award of civil works. Therefore, implementation of the RAP in time bound manner has become an important component of the overall project implementation. The overall responsibility of implementing and managing RAP lies with DFCCIL and its CPM office. In order to facilitate DFCCIL in the implementation of RAP, the DFCCIL intended to seek assistance from experience NGOs. The NGOs will be working at the CPM office under the supervision and guidance of SEMU at HQ office. While SEMU will provide only policy and training input to NGOs actual execution will be done at the CPM office in close coordination with the Administrator (Competent Authority) of R&R under the project. Since quantum of work related to LA is complete, the NGO will be engaged primarily to develop good communication, provide R&R support (other than compensation as per provision of RAA 2008), assistance in relocation and rehabilitation. Therefore, the present Terms of Reference (ToR) is designed for the facilitating NGO, which highlights the roles and responsibilities, specific tasks and scope of services; the selected NGOs are expected to perform.

Role and Responsibilities

Roles and Responsibilities of the NGO are as follows:

1. To work closely with the community/local particularly the project affected community, and vulnerable groups, and to have regular interaction with the people to develop good linkages with the community
2. To coordinate with different District level agencies and other development organization for the successful implementation of SMP.
3. To facilitate implementation of innovative implementation strategies developed by SEMU unit and other CPM offices in achieving the overall objectives of different components of RAP. This essentially involves close collaboration and working with CPM, District Revenue Department, line agencies, District Health Department and other relevant agencies and ensures SMP is successfully implemented.
4. Liaise with the District Administration and other development agencies to dovetail their development program for the socio-economic development of affected communities, displaced families and vulnerable groups.
5. To develop innovative mechanism/methodologies to ensure active involvement of various project stakeholders in the implementation of RAP.

Specific role of NGOs (but not limited to):

- To educate PAPs on their rights as per R&R entitlements matrix of DFCCIL.
- To ensure that PAPs are compensated at replacement value, their livelihood is restored and displaced families are resettled. In other words, the PAPs are given their full R&R entitlements before they are dispossessed of their assets or are displaced (physically/economically).
- To counsel and assist the PAPs in their livelihood restoration and accordingly coordinate with the local authorities.
- Assist the PAPs in Redressal of their grievances (through the grievance Redressal cells set up by the project)

- To assist the CPM office in ensuring social responsibilities of the Project, such as, compliance with the labor laws, prohibition of child labour, gender issues, wage parity, employment to local communities etc.
- To submit progress reports on a monthly basis as well as quarterly basis for SEMU unit to monitor the progress of the RAP implementation.
- To reduce the risk of the spread of HIV/AIDS in the project area especially at the construction camps through facilitating the contractors to implement workplace intervention programs.
- To educate local communities construction camp workers about safety measures during construction and maintenance of DFC Corridors. In this regard, NGO will impart awareness and training to the construction workers.
- Ensure that the gender issues are duly and addressed in the implementation process, including strengthening's women's participation in livelihood activities and in implementation fo the RAP.
- Strengthen transparency and accountability of the LA and RR process by institutionalizing social accountability mechanisms during implementation

Scope of Work

As mentioned above, the facilitating NGOs will play an important role in implementation of 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

Communication with the PAPs

- (i) Information Dissemination: The facilitating NGO will organise information dissemination session at strategic location within the project area. SMU/nodal NGOs will provide the modules of information dissemination campaign about the project. The NGO can also use other tested methodologies from their experiences. The NGO will establish close rapport with PAPs; provide them information about the respective entitlements as proposed under the RAP.
- (ii) Educating PAPs: The facilitating NGO will discuss about the project its benefits and potential impacts of proposed improvement. In this connection the NGO will explain to the PAPs the need for land acquisition, need for the eviction of informal dwellers the provisions of the R&R policy and the entitlements under the RAP. The NGO will detail out the livelihood opportunities available within the project Districts and also under the project.
- (iii) Communication strategies with PAPs: The NGO will facilitate in developing good working relationship between the PAPs, their representative and the staffs of CPM, particularly with the APMs and representatives of PRIs. This will be achieved through regular meetings (formal and informal) including meeting related to grievance with the APM, representatives of PRIs and the PAPs. Formal meetings (fixed at prior location and date) with the APM, PRIs representatives will be held at least fortnightly in each affected Tahsil, and meetings with the PAPs will be held as and when required basis but at least once in a month in the project village during the entire duration of the assignment. All decisions taken during these meetings will be documented by the NGO and will be submitted to APM as part of submission of Monthly Progress Report.
- (iv) Performance indicators of Consultation: Consultation conducted, its reporting mechanism and successful operationalisation of outcome of consultation will be an indicator of performance of package level NGOs. *In all of these consultations, the NGO will consider women and other vulnerable groups for attention and deal with them with care and sympathy.*

Furthermore, after first round of consultation, the facilitating NGO will identify and educate groups of PAPs in each Tahsil/Village who are being benefitted by the project. These groups will be groomed further as Project Beneficiary Groups (PBGs) to combat negative information/misinformation about the project.

Identification and Verification (I&V)

- (i) Preparation of list of eligible PAFs: As mentioned earlier also, LAFC in consultation with Competent Authority has identified all land losers including those losing structures. Based on the records Competent Authority has issued Land acquisition notifications (20 A and 20 E notifications). These notifications have become basis for Declaration of awards (20 F), compensation sheet and disbursement. Furthermore, other than these PAFs, Resettlement Action Plan has also identified some informal dwellers like squatters/kiosks/Tenants. These informal dwellers are not included in the detailed compensation sheet prepared by LAFC. In this context, the NGO in close coordination with LAFC will (i) undertake a Census survey within the proposed Corridor of Impact (CoI) to establish actual PAFs as per EM, (ii) Prepare a detailed compensation sheet (based on EM prepared by DFCCI Land data available with CPM office) (iii) compare the data of CPM office and data collected during census survey (iv) verify the information already contained in the RAP, provided by LAFC (including actual detailed measurement exercise to determine extent of loss/damage, and valuation of the loss/damage/affected and (v) based on census survey and verification the facilitating NGO will update the list of the eligible PAPs and project-affected families (PAFs) as per EM.

Furthermore, NGO will prepare a list of the project-affected persons/families (PAPs/PAFs) which will include list of PAPs for relocation, list of families who are adversely affected by land acquisition such as those losing entire land or shops and have no other source of livelihood. The NGO will also compute the losses of other assets of PAFs.

- (ii) Basis of Verification: Before initiating verification exercise, the facilitating NGOs in consultation CPM office and SEMU will formulate basis of verification such as (a) proof of caste (SC,ST), (b) income level, (c) other vulnerability criteria in conformity with the guidelines of District Administration/Administrator of the project.
- (iii) Disclosure of the list: The NGO in consultation with Competent Authority and CPM office will display the list of verified PAPs in District offices, Tahsil office, Panchayat Offices, Bill board and prominent public places. (iv) Performance indicator of I&V: After publishing list of eligible PAPs, the facilitating NGO will conduct a formal consultation with the PAPs and their representatives, PRIs representatives, 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.
- (v) Finalization and issuance of ID card: The NGO will prepare final list of PAPs by adding left out cases and will prepare identity cards of eligible PAPs. An identity card would include a photograph of the PAP, the extent of loss suffered due to the project, and the choice of the PAP for relocation. The NGOs will distribute identity cards to the eligible PAPs.

Disbursement of R&R Assistance and Compensation

As stated before. The LAFC has prepared compensation sheet and already engaged in disbursement of compensation. The facilitating NGOs in consultation with LAFC prepare list of PAFs and their compensation in proper format, which will include:

- (i) PAFs who has received compensation as per RAA 2008

- (ii) PAFs who has received R&R assistance as per entitlement matrix
- (iii) List of PAFs who has neither received compensation nor R&R assistance and are form the part of final I&V list.

Thus, the facilitating NGO will prepare a final compensation sheet including those PAFs who has received compensation and R&R assistance or both and other eligible PAFs as per final I&V eligible for benefits.

These final compensation sheet (duly approved by CPM and concern Competent Authority) will be sent to DFCCIL for formal approval of the GM (SEMU) and concern LA Department at HQ level. However, those award/compensation sheets is already approved by HQ need not required further approval. The approved amount will be deposited to CPM in the manner as decided by DFCCIL.

The facilitating NGOs will prepare individual entitlement from the detailed compensation sheet. The NGO will produce relevant document (proofs of eligibility) of individual beneficiary and recommend for issuance of cheque (in writing) to CPM.

(Number of recommended cases rejected by CPM or has not been endorsed within time frame will be the basis to assess performance of NGOs and CPM office)

The individual cheques (in the joint name of husband and wife) will be distributed to eligible PAFs in the manner as decided by DFCCIL. However, the facilitating NGO will ensure that adequate evidences are available (video or photo) of disbursement of compensation.

Relocation

Though developing Resettlement site is not obligatory to DFCCIL. However the facilitating NGO will assist the project displaced families in ensuring a smooth transition (during the part or full relocation of the PAPs/PAFs), helping the PAPs to take salvaged materials and shift with proper notices. In close consultation with the PAPs, the NGO will inform the APM about the shifting dates agreed with the PAPs in writing and the arrangements desired by the PAPs with respect to their entitlements.

Utilization of Resources Available with PAPs and and Rehabilitation

The NGO will assist the PAPs in opening bank accounts explaining the implications, the rules and the obligations of a joint account, and how s/he can access the resources available with District administration, under the project s/he is entitled to. The NGO will ensure proper utilisation of the R&R budget available to each PAPs. The NGOs will ensure that the PAPs have become aware about/found economic investment options and are able to restore their previous economic status against the loss of land and other productive assets. For this purpose, the NGO will identify means and advise the APM to disburse the entitlements to the eligible persons/families in a manner that is economic gainful and is the best of timing of giving the R&R assistance(for example peak cropping seasons, some kind of employment opportunities. The facilitating NGOs will also ensure that the process adopted has adequate level of transparency achieved. 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.

Other than the facts mentioned above, the facilitating NGOs can adopt innovative strategies for gainful employment which may include (but not limited)

- Co-ordinate (and impart wherever required) the training and capacity building of the PAPs, for upgrading their skills for income restoration. This will include the training to be given by the NGO to women self-help-group members in accounting, record maintenance, skill acquisition in the chosen enterprise, and marketing, etc.
- Help the PAPs (especially women) in realizing and optimizing the indigenous technology knowledge (ITK) through use of local resources.
- Define, evolve and explore alternative methods of livelihood using the local skill and resources.

- 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.

Facilitating PAPs Access to the Grievance Committee Meetings

In relation to redressing grievances NGO will perform following activities.

- (i). The NGO will make the PAPs aware of the functioning of District level Resettlement and Rehabilitation Committee (DRRC), Grievance Redressal mechanism and steps to follow resolve it.
- (ii). The NGO will train the PAPs on the procedure to file a grievance application and to confirm that a statement of claim from the concerned PAP accompanies each grievance application.
- (iii). The NGO will help the PAPs in filling up the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC.
- (iv). The NGO will record the grievance and bring the same to the notice of the GRCs within 7 (seven) days of receipt of the grievance from the PAPs. It will submit a draft resolution with respect to the particular grievance of the PAP, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting through the NGO representative in the GRC.
- (v). To accompany the PAPs to the GRC meeting on the decided date, help the PAP to express his/her grievance in a formal manner if requested by the GRC and again inform the PAPs of the decisions taken by the GRC within 3 days of receiving a decision from the GRC. (The time frame for the GRC to take a decision is 15 days). In this connection facilitating NGO will ensure that maximum grievances have been resolved at the village/Tahsil level. Number of grievance placed in DRRC and resolved will be an indicator of performance of NGO.
- (vi). The responsibilities of NGOs towards grievance Redressal will deemed to complete if the case is forwarded to HQ/Ombudsman

Assisting the CPM office in ensuring the Social Responsibilities

The facilitating NGO will assist the CPM to monitor regulations under different acts towards the fulfillment of social responsibility of the project and disseminate the information written in manual at the construction camps, work place and other concern places along the project road. The NGO will provide the information about the concern clauses in their monthly progress report. The NGOs assist 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.

The regulation will include (but not limited to)

- 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.

All documents created, generated or collected during the period of contract, in carrying out the services under this assignment will be the property of the DFCCIL. No information gathered or generated during and in carrying out this assignment will be disclosed by the NGO without explicit permission of the CPM (DFCCIL).

Time frame for Services

The NGOs will be contracted for a period of 36 months from the date of commencement, with a withdrawal methodology in built into the proposals of the NGO.

Key Persons Required

The NGO will depute a team of professional to the site. The consultation of the team and the qualification for the team members for each package is given below:

Sl. No.	Position	No. of positions	Man Months	Qualification
1.	Project Coordinator			<p>The Project Coordinator should be a Post Graduate preferably in Management or social sciences. S/he should have at least 10 years of experience in communication or exclusively land acquisition project. Having experience of working in civil engineering/linear projects is an added advantage. Should have experience in managing large scale project on similar position and supervision of a team.</p> <p>S/he should have held responsible position in the previous assignments should possess participatory management skills and should have good knowledge of the region and the local languages.</p>
2.	Program Officer-R&R			<p>The Program officer should be a Graduate preferably in social sciences. S/he should have at least 5 years of experience in land acquisition and implementation of R&R and community development works. Having experience of working in civil engineering/linear projects is an added advantage. Should have experience in managing project and supervision of a team. Additional qualification on computer based data management is an added qualification.</p> <p>S/he should have held responsible position in the previous assignments should possess participatory management skills and should have good knowledge of the region and the local languages.</p>

2.	Program Officer Communication			<p>Should be at least a graduate in social sciences preferably in social work, medical anthropology or sociology. S/he should have at least 15 years of working experience of which at least 10 years in people participation, information and education projects. S/he should have experience of developing and implementing programs and experience in participatory management.</p> <p><i>Working in funded projects is an added advantage. Knowledge of local language is a necessary qualification.</i></p>
3	Field Coordinator/ Community mobilizer			<p>The Field Coordinator/ Community mobilizer should be a graduate, and should have experience of working in civil engineering/linear projects. S/he should have at least 5 years experience in implementation of R&R and community development works.</p> <p>S/he should have held responsible position in the previous assignments should possess participatory management skills and should have good knowledge of the region and the local languages.</p>
4.	Outreach Workers - Community Educators			<p>Matriculates preferably with experience of working in NGOs or other civil society organization as outreach workers. Ability to communicate well work at grass roots and to reach out to the different audiences with messages, to conduct in field 1-1, group sessions and to identify and refer people for services.</p>

DRAFT TERMS OF REFERENCE FOR
SOCIAL AND ENVIRONMENT SAFEGUARDS MONITORING AND REVIEW CONSULTANT
(SESMRC)

Indicative Scope of Work

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 will 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 contactors. 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

- (i) Randomly verify the process followed in determining the compensation in line with the provisions of RAA including the inputs from the independent valuer;
- (ii) 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;
- (iii) 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;
- (iv) Verify the process followed for dealing with those cases where severance of lands are involved ;
- (v) Ascertain how the various provisions including payment of additional compensation in case of delay in completing the land acquisition process are administered under RAA;
- (vi) Follow up on the status for dealing with grievances related to compensation rates; and
- (vii) 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 contact provisions;
- (viii) 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;
- (ix) Any others tasks that are appropriate for dealing with land acquisition and compensation payment.
- (x) Resettlement and Rehabilitation
- (xi) Verify and ascertain that the Entitlements as available in the Entitlement Matrix are administered to the various category of PAPs;
- (xii) Ascertain that the various proposals made in RAP to mitigate the impacts are implemented in the manner it was described n the RAP;
- (xiii) Ascertain how various suggestion and concerns raised by the local people during consultations are incorporated or addressed during the project implementation;

- (xiv) Report on the Status of completion of reconstruction of affected community assets prior to handing over of the land to the contractor;
- (xv) Report on the functioning of grievance redress mechanism to deal with the complainants grievances related to RAP implementation;
- (xvi) Review the functioning of Data Base Management to track the implementation progress;
- (xvii) Review the periodical internal monitoring reports and identify any gaps in reporting or delay in implementation progress;
- (xviii) Verify the coordination between civil work contracts and RAP implementation to ensure that encumbrance free stretches are handing over to the contractors;
- (xix) Monitor the role of consultants and NGOs in RAP implementation and identify any improvements required and suggestion for their services;
- (xx) Monitor the progress in providing unskilled jobs to the PAPs and local people;
- (xxi) 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;
- (xxii) 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;
- (xxiii) Any others tasks that are appropriate to deal with resettlement impacts and PAPs/local villagers concerns
- (xxiv) Report other social safeguard issues such incidence of child labor, unequal wages, unhealthy work camps posing health or security hazards to the workers, etc.



FINAL RESETTLEMENT POLICY FRAMEWORK

DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA LIMITED

March, 2011

FINAL RESETTLEMENT POLICY FRAMEWORK
Dedicated Freight Corridor Corporation of India Limited (DFCCIL)
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Acronym

APM	Assistant Project Manager
BPL	Below Poverty Line
BSR	Basic Schedule of Rates
CPM	Chief Project Manager
CPR	Common Property Resources
CRO	Chief Resettlement Officer
CVC	Central Vigilance Commission
CVO	Chief Vigilance Officer
DFCCIL	Dedicated Freight Corridor Corp. of India Ltd
EA	Executing Agency
EDFC	Eastern Dedicated Freight Corridor
EIA	Environmental Impact Assessment
EM	Entitlement Matrix
FLC	Field Level Committee
GRC	Grievance Redress Committee
HH	House Hold
HLC	Headquarter Level Committee
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 & Environmental Safeguard Monitoring and Review Consultants
R&R	Resettlement and Rehabilitation
RAA	Railway Amendment Act

RAP	Resettlement Action Plan
ROW	Right Of Way
SEMU	Social and Environmental Management Unit
SIA	Social Impact Assessment
SMF	Social Management Framework
SQM	Square meter
ST	Scheduled Tribe
TH	Title Holder
TOR	Terms of Reference

CHAPTER – 1: INTRODUCTION

BACKGROUND

1.1 This Resettlement Policy Framework is prepared to mitigate social impact in alternative alignment in lieu of Tundla bypass. This policy framework will be the basis for undertaking SIA and RAP for Tundla detour or any other section where further alignment change. Initially, RAP was prepared for entire length of 343 kilometers. Since alignment of Tundla Bypass is being reviewed, the RAP of only 272 kilometers is prepared, which excludes Tundla bypass. Following sections, discuss about preliminary evaluation of impacts of proposed alternative alignment, methodologies for conducting SIA and RAP, broad R&R principles adopted for the project, institutional arrangement for implementation of RAP.

PRELIMINARY EVALUATION OF IMPACTS

1.2 Alignment of Tundla detour including Center Line pegging and FLS to identify RoW is in the process of finalization. From the various field visit observations preliminary evaluation of impacts is done by analyzing alternative alignments of Tundla bypass. The revised alignment of Tundla bypass indicates that the alignment will be parallel for 44 kilometers and detour is about 28 Kms. In which Firozabad detour is about 12 kilometers, Tundla Detour is about 13 kilometers and a small detour at Barhan of about 3 kilometers. Preliminary report indicates that proposed alignment will affect about 29 private structures, 4 temples and about 29 Railways structures. Besides this, there will be 295 ha of acquisition of land (private and Government). However detail impact shall be ascertained only after conducting Census and Baseline Socio-Economic Survey.

THE OBJECTIVES OF RPF ARE:

- To avoid and to minimize adverse social impacts/risks due to projects
- To ensure that adverse social impacts/risks are well-mitigated to achieve applicable social objectives
- To ensure that project-affected persons benefit from the proposed projects to the extent possible, and that they are consulted about the project throughout the life of a project.
- To comply with applicable GOI state laws and regulations, compensation, relocation, and resettlement
- To provide guidance to its own staff in preparing projects for appraisal at DFCCIL and in conducting subsequent monitoring, reporting, and in undertaking corrective actions and
- To develop and exercise mechanisms for effective supervision during implementation.
- This RPF has been prepared as part of DFCCIL's commitment to comply with the GOI's policies, law and regulations, as well as to follow the safeguard policies of World Bank.
- The RPF provides guidelines for the Social and Environment Management Unit (SEMU)

To achieve its objectives, the RPF focuses on 4 key functions, listed below, that define operations procedures for social due diligence on projects, allocate responsibilities among DFCCIL, provide a system of checks and balances towards continual improvement, define institutional structure to operate the RPF

- Resettlement Policy Framework (RPF)
- Allocation of responsibility towards implementation of RPF among stakeholders
- Annual Social Audit for compliance, learning and improvement
- Institutional Structure for effective operations and

PURPOSE OF THE RPF

The Resettlement Policy Framework (RPF) defines and outlines policies, procedures, roles, and responsibilities for managing involuntary resettlement impacts and risks, and effects on indigenous (schedule tribal) peoples.

PREPARATION OF SIA AND RAP

1.3 Detailed Social Impact Assessment and preparation of Resettlement Action Plan of selected alternative alignment for Tundla Bypass will be done after finalization of alignment. This SIA and RAP will follow similar methodologies of SIA and RAP as followed in the case of Bhaupur-Khurja section. The indicative ToR providing methodology for preparation of SIA and RAP is given as annexure 1.1. Following activities have been planned for preparation of SIA and RAP.

- Study of Land Acquisition Plan to identify the plots.
- Public Consultation Meetings finalization of alignment
- Census and Base-line survey
- Stakeholder's Consultations
- Assessment of social impacts and its mitigation measures
- Preparation of RAP

R&R ENTITLEMENT FRAMEWORK

1.4 The DFCCIL will follow similar entitlement framework for Tundla Detour as for Bhaupur-Khurja in this project. This EM has been prepared based on provisions of NRRP 2007 and RAA 2008. The broad principles of EM are:

- ❖ 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;
- ❖ Provision of rehabilitation assistance for loss of livelihood/income;
- ❖ Establishment of institutional arrangements such as grievance redress mechanism, NGO, SESMRC etc.

1.5 Based on the above mentioned principle, an Entitlement Framework was prepared. The EM has provisions of payment of compensation at replacement value, R&R assistance to PAFs including non-titleholder's, for income restoration. Brief feature of EM is presented in below:

- Compensation will be given at replacement value of lost land and structures. The replacement value will be computed either through the provisions of RAA 2008 or through any other award declared by the Competent Authority in the District, duly approved by State Government.
- The R&R assistance given includes ex-gratia as per provisions of NRRP 2007, Rehabilitation grants to small and marginal farmers, proportionate ex-gratia @Rs 15 per sqm for losing more than 1500 sqm of land, refund of stamp duty, and rehabilitation grant of loss of livelihood.
- The EM has provisions to assist tenants and sharecroppers. Squatters and other PAFs.
- Community Properties Resources will be replaced in consultation with the community.

1.6 This Entitlement Framework is applicable to other sections of the project. Unidentified/unforeseen impacts will be evaluated and suitably compensated as per Entitlement Matrix which is given in chapter 2.

CHAPTER - 2: LEGAL FRAMEWORK

APPLICABLE LAWS

2.1 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

2.2 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.

2.3 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	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 st October, 2007, shall

Sections		Description
	to persons affected due to land acquisition	apply with regard to land acquisition by the Central Government under this Act.

NATIONAL REHABILITATION AND RESETTLEMENT POLICY, 2007

2.4 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.

2.5 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.

2.6 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 policy provides specific measures for vulnerable and poor groups. As of now there is no law on rehabilitation and resettlement in the country. The Rehabilitation and Resettlement Bill 2007 (Bill No. 98 of 2007) has been introduced in Lok Sabha (parliament of Indian government).

2.7 *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.

WORLD BANK GUIDELINES FOR INVOLUNTARY RESETTLEMENT

2.8 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) 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;
- (k) 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;
- (l) 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

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

2.9 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.

OBJECTIVES OF MANAGING PROJECT IMPACTS ON TRIBAL PEOPLES ARE:

- i) To reduce poverty and vulnerability among affected indigenous (scheduled tribal) peoples.
- ii) To minimize negative impacts, if they are unavoidable.
- iii) To ensure transparency and accountability of any mechanism applied as part of project intervention.
- iv) To deliver culturally and communally appropriate programs and benefits.
- v) To ensure meaningful consultations with them regarding the scope and delivery of compensatory mechanisms and benefits, and if necessary, to obtain their consent for project interventions.

RESETTLEMENT POLICY FOR DFC PROJECT AND ENTITLEMENT MATRIX

2.10 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.

2.11 To minimize the gap between National and International Policy, DFCCIL /MOR have formulated the Resettlement and Rehabilitation Policy including entitlements.

2.12 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, and hiring of NGOs.

2.13 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. In a recent

ELIGIBILITY FOR COMPENSATION/ASSISTANCE / REHABILITATION

2.14 Eligibility for compensation, assistance, and rehabilitation is shown below.

Table 2.1: Eligibility for Compensation, Assistance, and Rehabilitation

Sl. No.	Eligibility
1	The cut-off date for entitlement is the date on which notification is issued as per the notification prescribed under the Section 20A of the RAA 2008 for legal owners and non-titleholders in affected zone.
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	Titleholder PAFs will be eligible for compensation as well as assistance.
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

Sl. No.	Eligibility
	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.
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.

ENTITLEMENT MATRIX

2.15 Entitlement Matrix is presented in Table 2.2. 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.

2.16 As per the NRRP, 2007, the benefit amounts offered in the EM will be periodically updated and disclosed. The Entitlement Matrix will be later 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 2.2: Entitlement Matrix (As revised on 18th January 2011)

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
A. Loss of Private Agricultural, Homestead & Commercial Land				
1	Land on the Project Right of Way	Legal Title holders and Affected Parties with traditional land rights	1. Compensation at replacement cost 2. Resettlement and Rehabilitation	(i) Cash compensation for the land at market value, which will be determined as mentioned in note (A) (section 20 G of RAA 2008) (ii) 60% solatium on the compensation determined in (i) above (section 20F (9) of RAA 2008). (iii) In case where a 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, the same may be adopted by the Competent Authority in determining the compensation for land in lieu of (i) & (ii) above. (iv) Additional ex-gratia amount of Rs 20,000/- for those

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				<p>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 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>
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,	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

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
		leaseholders, sharecroppers		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. Loss of Private Structures (Residential/Commercial)				
4	Structure on the Project Right of Way	Title Holder/Owner	Compensation at replacement rate Resettlement & Rehabilitation Assistance	<p>(i) Cash compensation for the structure at replacement cost which would be determined as per note D.</p> <p>(ii) Right to salvage material from the demolished structures.</p> <p>(iii) Three months' notice to vacate structures.</p> <p>(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. 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 & 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</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				<p>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 and cost of house construction under JNURM for Urban Areas</p>
5	Structure on the Project Right of Way	Tenants/Lease Holders	Resettlement Rehabilitation Assistance &	<p>(ii) Registered lessees will be entitled to an apportionment of the compensation payable to structure owner as per applicable local laws.</p> <p>(iii) In case of tenants, three months written notice will be provided along with Rs 10,000 towards shifting allowance (NRRP 7.11).</p> <p>(iv) 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>
C. Loss of Trees & Crops				
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>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				(d) Cash assistance to title holders and non-title holders including informal settlers/ squatters for loss of trees, crops and perennials at market value
D. Loss of Residential/Commercial Structures to Non-Title Holders				
7	Structures on the Project ROW	Owners of structures identified as on date of notification (20A).	Compensation at replacement cost Resettlement & Rehabilitation Assistance	<p>(i) Encroachers (as defined in Note F) shall be given three 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 & 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>
E. Loss of Livelihood				

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
8	Households living on Right of way	Title Holders/ Non-Title holders/share-croppers, agricultural labourers and employees	Rehabilitation Assistance	<p>(i) Rehabilitation grant equivalent to 750 days of minimum agricultural wages to those families losing livelihood (NRRP para 7.14) <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>
E1 Additional support to Vulnerable Group (as defined in Note E) & those Below Poverty Line				
9	Households affected by ROW	Households affected by ROW	Resettlement & Rehabilitation Assistance	One time additional financial assistance equivalent to 300 days of minimum wages
E2	Additional assistance to Scheduled Tribe affected families			
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 land (para 7.21.4 NRRP 2007)</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
F. Loss of Community Infrastructure/Common Property Resources				
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
G. Temporary impact during Construction				
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.

2.17 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 shall available in CPM office. This EM shall be applicable for all awards declared after 18th January 2011.

2.18 In case where award is already declared by CA and there is difference in compensation, in such cases PAPs can approach to Arbitrator.

2.19 This Entitlement Matrix is applicable for the whole of the DFC corridor including the Tundla stretch.

CHAPTER – 3: LAND ACQUISITION REQUIREMENTS AND COMPENSATION PAYMENT PROCESS

LAND ACQUISITION PROCESS IN EDFC PROJECT

3.1 The proposed DFC track shall run parallel to the existing railway tracks. Average land width available for laying the DFC tracks will range from 12 -16 meters. The proposed cross sections indicate that about 40 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 may be a maximum of 60 meters. The exact land required for the Tundla stretch is not known but may be about 150 ha including small detours. 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. 3.1 :

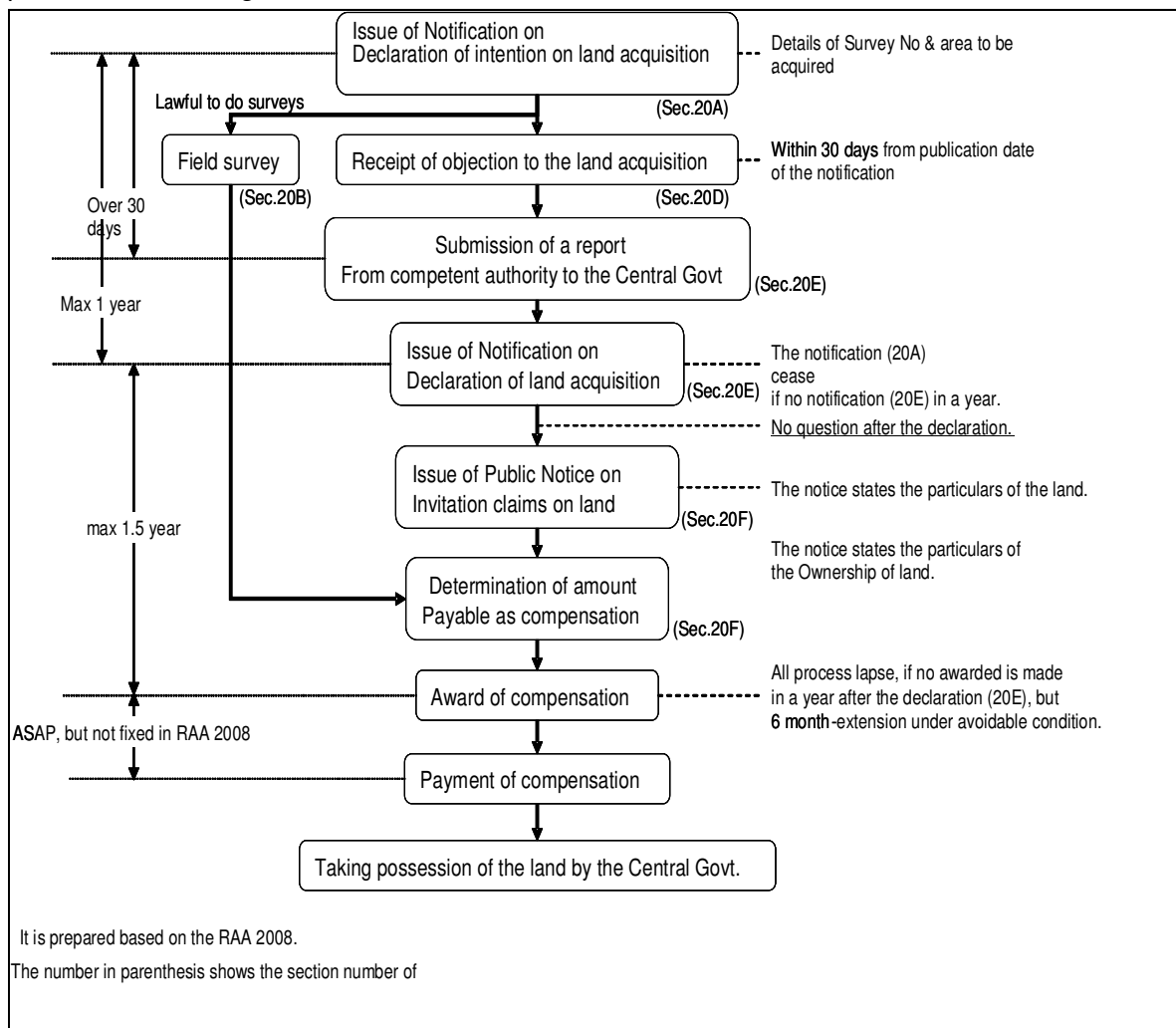


Fig. 3.1: Flowchart of the Land Acquisition Process under Railways (Amendment) Act, 2008

Appointment of Competent Authority

3.2 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.

3.3 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

3.4 As per Clause 20F(6) of RAA 2008, the Commissioners of Meerut, Agra and Kanpur Revenue Divisions have been appointed as Arbitrators for the districts of Bulandshahar (Meerut), Aligarh, Mahamayanagar, Agra and Firozabad (Agra), Etawah and Kanpur Dehat (Kanpur) vide Gazette dated July 15 2010.

Preparation of Land Plans

3.5 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 1:3,000 ~ 4,000. It identifies village names/Sub district (Block) names together with their boundaries traversed /bisected by ROW on both sides.

3.6 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.

3.7 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

3.8 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 Tahsil 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

3.9 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.

3.10 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

3.11 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:

3.12 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 -2).

Replacement Cost of Land

3.13

- (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.

Valuation of Fixed Assets

3.14 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

3.15

- 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.

Facilitating the Computation and Disbursement of compensation for Land Acquisition

3.16 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

3.17 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

3.18 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.

CHAPTER – 4: INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENT

4.1 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 Field Level. CPM Office at Kanpur is headed by an officer of the rank of General Manager. At the Head Office, Social & Environmental Management Unit (SEMU) has been created headed by an officer of the rank of General Manager to look after Land Acquisition and Rehabilitation and Resettlement process. 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 all land acquisition activities;
- (b) Liaison with respective CPM offices 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

4.2 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 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 offices, 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 offices,
- 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

4.3 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.

4.4 One Consultant (Social) will look after the resettlement and rehabilitation components of the Project and ensure that all rehabilitation and resettlement issues are complied as per the policy. He will be assisted by Asst Project Manager (Social) in the CPM office.

Role and Responsibility of Head Quarter Officials for RAP Implementation

4.5 The administrative roles and responsibilities are given below in Table 4.1.

Table 4.1: Administrative and Financial Responsibilities of SEMU Unit for RAP Implementation

Personnel	Administrative Roles and Responsibility
General Manager (SEMU)	<ul style="list-style-type: none"> • Responsible for all work related to Environmental and Social Considerations of the project. • Responsible for coordinating with World Bank for all environmental and social consideration of the Project. • Responsible for monitoring the Process of Land acquisition and RAP implementation. Assistance given by AGM/Land acquisition. • 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. • Ensure budgetary provision for resettlement and rehabilitation of PAPs and relocation, rehabilitation and reconstruction of common property resources (CPR). • Ensure timely release of budget for implementation of RAP.
AGM/SEMU	<ul style="list-style-type: none"> • Assisting GM SEMU in all social and environmental issues and reports to GM (SEMU), • Assisting in finalisation of Environmental and Social reports prepared by the consultants, • Public disclosure of EIA, EMP, SIA, SMF, RAP etc. • To provide assistance for devising suitable institutional mechanism to monitor and supervise effective implementation of EMP and RAP, • To provide information for any parliament questions / RTI query on environmental aspects of the project, • To furnish information to PR/Adm department of DFCCIL for any environment impact related News item appearing in the print or

Personnel	Administrative Roles and Responsibility
	electronic media.
AGM/LA	<ul style="list-style-type: none"> • Processing of proposals for land acquisition for notification of 20 A and 20E at Corporate Office, • Coordinating the land acquisition cases in Ministry of Railways, Ministry of law, Official language section and publication department for notification of 20A and 20E.
DGM/Grievance	<ul style="list-style-type: none"> • In charge of complaint receipt section, • To process for redressing any complaint or grievance received directly in DFCCIL corporate office, • To assist GM SEMU in getting remarks on complaints/grievances on R&R issues from concerned officers. To give replies to the complaints based on decision taken in corporate office, • To maintain data base of complaint received and replies given to the complainants, • To assist GM SEMU in monitoring the grievance redress process pertaining to R&R issues, • To process any RTI case / query related to land acquisition.
Social Safeguard Specialist	<ul style="list-style-type: none"> • Assist CPM office in the implementation RAP, • Provide on an on-going basis technical assistance to facilitating NGOs, build their capacities and ensure R&R program is implemented, • To prepare, manage and retrieve the database of LA and R&R of EDFC, • Prepare reporting formats for NGOs, • Coordinate with NGOs towards implementation of RAP, • Review and prepare progress report on LA and R&R, • Report to GM (SEMU) about the progress, • 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, • Monitor the implementation of RAP and to prepare required monitoring reports, • Interact with Monitoring and Evaluation (M&E) agencies in developing monitoring formats, • Organize training and capacity building modules for officials of DFCCIL, LAFC and RRFC.

Organizational Structures for Head Office is given Fig 4.1

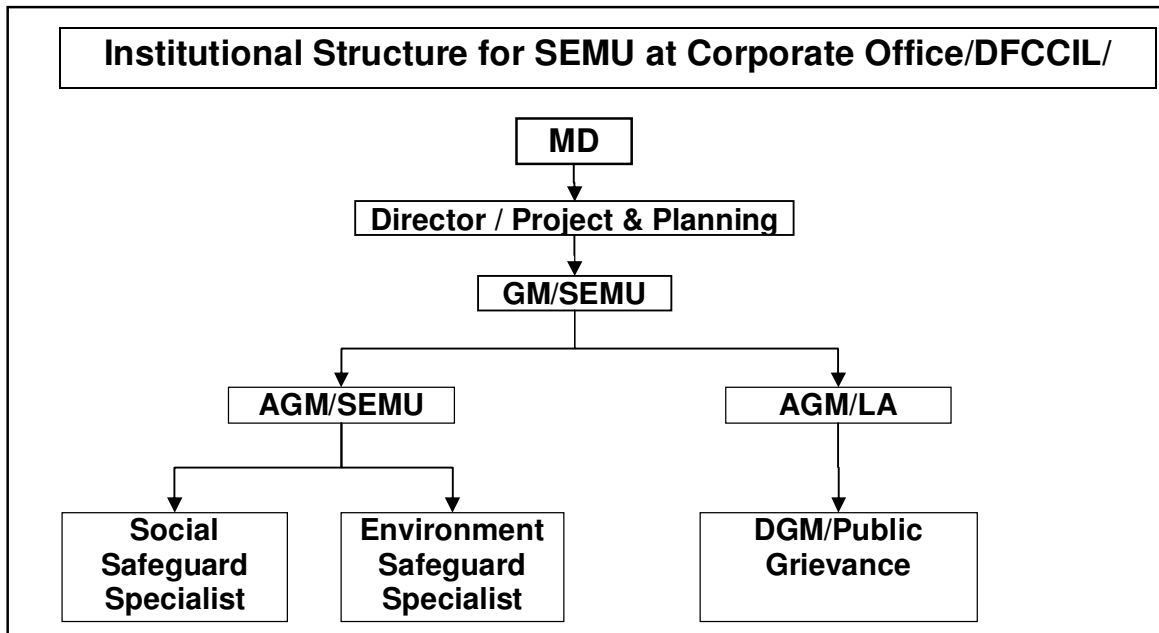


Fig. 4.1: Organizational Structures for Corporate Office

R&R INSTITUTIONS AT THE FIELD LEVEL

4.6 Presently, in the field, the Chief Project Manager (CPM) is looking after the overall land acquisition work. He is 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, one retired revenue officer and one data operator has 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.

4.7 Chief Project Manager has been assigned as Chief Resettlement Officer (CRO), whose role is to cater to the affected people's need for rehabilitation and resettlement. The CRO will be assisted by Assistant Project Manager (APM/Social) one for each package and Assistant Project Manager (APM/Environment). Land Acquisition Consultant appointed in each of the CPM offices to facilitate the RAP. The CPM will take guidance and directions from GM /SEMU at HQ, in policy matters related to resettlement and rehabilitation. One retired revenue officer, one office assistant cum computer Operator and NGOs will be to look after of RAP implementation and social issues. For every contract package (approx 100 km), 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-imburement of stamp duty etc.

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

4.8 The Organizational Structures for Field Office is given Fig 4.2

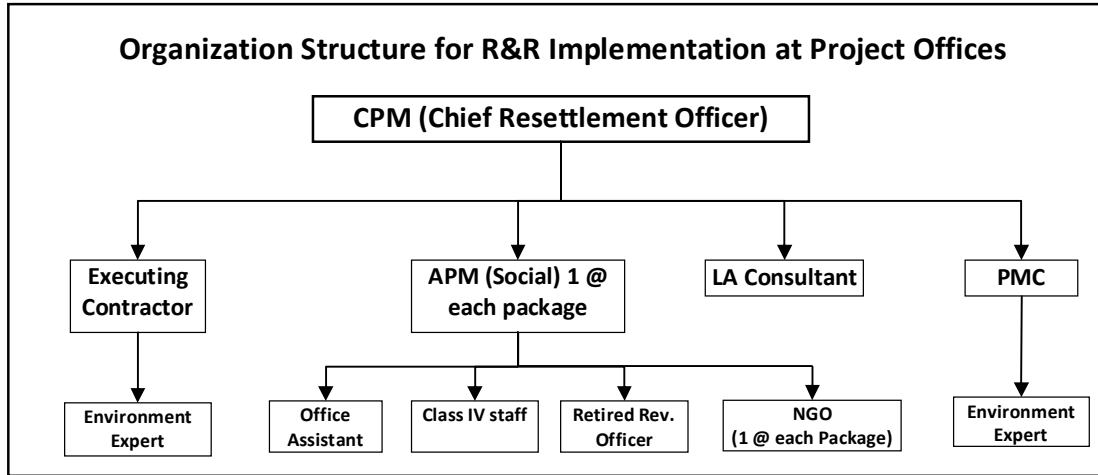


Fig. 4.2: Organizational Structures for Field Office

4.9 Broad roles and responsibilities of field unit would 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.

ADMINISTRATIVE ROLES, RESPONSIBILITIES & FINANCIAL POWERS

4.10 The administrative roles and responsibilities are given below in Table 4.2 and financial powers are as mentioned in Schedule of Powers (SOP) of DFCCIL.

Table 4.2: Main Administrative and Financial Responsibilities of Field Unit for RAP Implementation

Personnel	Administrative Roles and Responsibility
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Personnel	Administrative Roles and Responsibility
CPM	<ul style="list-style-type: none"> ➤ Overall in charge of LA and R&R. ➤ Participate in State and District level meetings to facilitate LA and R&R activities. ➤ Responsible for executing the work from NGOs and M&E consultants. ➤ Periodic appraisal of progress and reporting to the World Bank and the DFCCIL HQ on monthly basis
Administration for R&R /Competent Authority	<ul style="list-style-type: none"> ➤ Award for compensation of land and structures as per RAA 2008 and EM. ➤ Award for R&R benefits as per Entitlement Matrix.
APM (Social)	<ul style="list-style-type: none"> ➤ Responsible for R&R Implementation and Land Acquisition in the field and in charge of day to day activities, ➤ Prepare progress report on physical and financial monitoring of R&R and submit to CPM, ➤ Oversee the process of land acquisition, shifting of CPRs and other assets in the field, ➤ Scrutinise and certify the structures valuation report submitted by the Evaluators, ➤ Conduct periodic review with staff, ➤ Submit monthly progress reports to CPM on R&R activities. ➤ Directly interact with PAFs and record their views and grievances and transmit the same to the CPM/RR Committees ➤ Monitor the community level activities of the NGOs
NGO	<ul style="list-style-type: none"> ➤ Develop rapport with PAPs, ➤ Constitute Project beneficiary Groups (PBGs)/SHGs ➤ Develop communication strategies (on regular basis through formal information centres)) to address grievances of PAPs, ➤ Assist PAPs in updating land record (Distribution of shareowner etc.) ➤ Assists PAPs in addressing their grievances though established procedures as per RAP. ➤ Liaison with Revenue Department, ➤ Coordinate with LAFC to facilitate DFCCIL in the implementation and management of LA&R&R. ➤ Put into practice the innovative implementation strategies developed by the SEMU (HQ). ➤ 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. ➤ Develop innovative mechanism/methodologies to ensure active involvement of various project stakeholders in the implementation of RAP like Formation of project beneficiary group (PBG)/SHGs for rehabilitation of PAPs, ➤ Help in the monitoring and evaluation of RAP,

Personnel	Administrative Roles and Responsibility
	<ul style="list-style-type: none"> ➤ Attend to any other relevant responsibilities assigned by the CPM,
<p style="text-align: center;">L AFC</p>	<ul style="list-style-type: none"> ➤ 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.
<p style="text-align: center;">Social and Environmental Safeguard Monitoring and Review Consultant (SESMRC)</p>	<ul style="list-style-type: none"> ➤ 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. ➤ Assist in internal monitoring and supervision of the LA/R&R ➤ Assist in coordinating the LA R&R and the civil work process

CORPORATE SOCIAL RESPONSIBILITY

4.11 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 Gol guidelines to plan and carry out CSR.

Environmental Protection

4.12 Environmental Assessment is also required to be conducted and environmental impacts are observed and subsequently EMP shall be formulated. This project falls under 'A' category as per World Bank classification. All possible mitigation measures shall have to be 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 labor 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

4.13 Monitoring & Evaluation 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

4.14 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 (Performance for performance monitoring is given as annexure 4.2). 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

4.15 The SEMU will be responsible for performance monitoring at the project level and the CPM office 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 APM-Social and the facilitating NGOs. This process of performance monitoring will be supported by the Social and Environmental Safeguards Monitoring and Review Consultants (SESMRC), appointed by DFCCIL, who will prepare monitoring reports and suggest operational remedies in the LA&RR implementation process as required.

4.16 Process and Impact Monitoring: The Social and Environment Safeguards 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 4.3.

4.17 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

4.18 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 R&R Committees 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, as per Section 8.1 of the NRRP, 2007.

4.19 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.

4.20 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

4.21 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.

4.22 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.

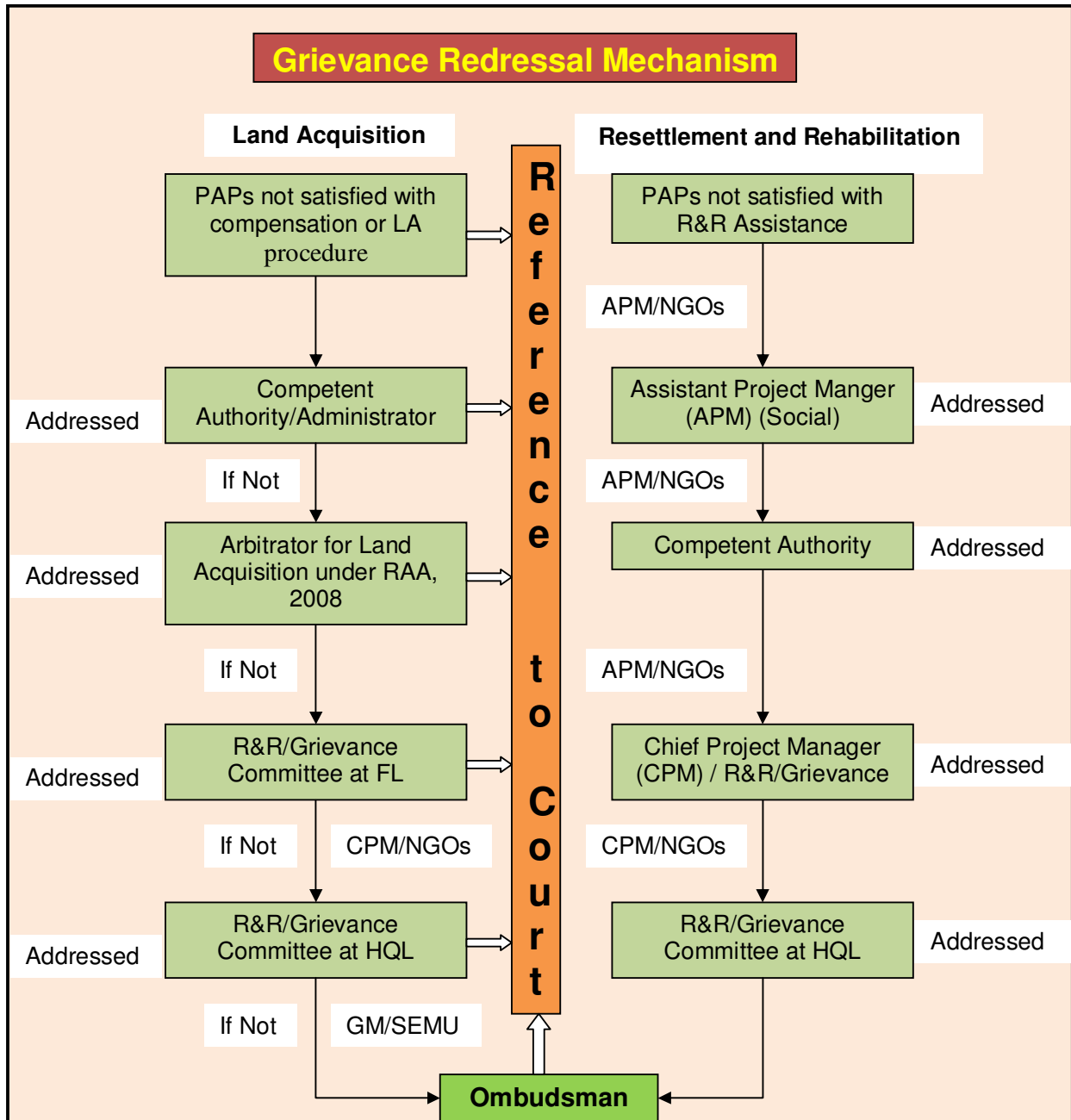


Fig. 4.3: Grievance Mechanism

Meeting and Decision Making Process of the Committee

4.23 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.

4.24 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. 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.

4.25 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

4.26 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

4.27 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.

4.28 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.

4.29 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.

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

4.31 tracking of the status of investigations and measures taken will be reported in monthly reports to management.

4.32 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.

INCOME RESTORATION

4.33 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 assists 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,

- (iii) Transitional allowance to PAFs,
- (iv) One time financial assistance to rural artisans, traders and self employed,
- (v) Subsistence allowance to the affected BPL households,
- (vi) Rehabilitation assistance (750 days of wage) to those losing livelihood,
- (vii) Training assistance for income generation through NGOs and
- (viii) Temporary employment in construction (if available for civil work and opted by the PAPs).

Other than provisions in EM, support available for Income Generation Scheme (IGS) includes training and dovetailing on-going government schemes. 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 PAFs.

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 as annexure 4.1).

4.34 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.

Data base Management

4.35 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.

4.36 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.

4.37 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.

4.38 The database for R&R is being prepared by SIA Consultants. All data collected during baseline socioeconomic survey and land acquisition process will be fed in the database software by Sept, 2010 and the database will be maintained by APM/Social in CPM's office in the field. In the HQ office, Consultant/ Social will be responsible for maintaining R&R data. Data will be updated based on the information sent by the CPM office 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 (SEMUR) to avoid fraudulent practice. SESMRC will also submit independent quarterly report to SEMUR.

Public Disclosure

4.39 In order to make the RAP implementation process transparent, a series of PCMs with all stakeholders will be 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 shall be translated in Vernacular languages (Hindi) and disclosed. 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 project; and major stations. The RAP document will also be available at the World Bank Info Shop at Washington DC and New Delhi as per the Disclosure Requirements of BP 17.50 of the WB. 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

4.40 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 2012. The civil works contract 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.

4.41 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.

4.42 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. Training and orientation of concerned officials on social safeguards and various aspects of LA and R&R will be undertaken 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 Act, NRR policy 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

4.43 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

4.44 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

4.45 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

4.46 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 (Annexure 4.2). 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

4.47 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 will be made available to the contractors for the contract package as annexure 4.3. 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.

Implementation process

4.48 The RAP will be implemented by CPM office 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:**

4.49 Annual Social Audit will be done by SESMRC 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.

4.50 The RAP activities will be 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 will be considered during implementation. However, sometimes sequence may change or delays witnessed due to circumstances beyond the control of the Project.

COORDINATION WITH CIVIL WORK AND CERTIFICATION

4.51 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 will be provided as in fig. 4.4 (sample). This will provides the key benchmarks of implementing the RAP. All other activities related to implementation and land acquisition will be undertaken simultaneously.

ACTIONS TO BE COMPLETED PRIOR TO AWARD OF CONTRACT INCLUDE:

4.52

- (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 data 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.

Sl. No.	Activity	Implementation Framework											
		Year-2011-12											
		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
		1	2	3	4	5	6	7	8	9	10	11	12
1	Training to DFCCIL and implementing agencies												
2	Preparation and Finalization of of list of EPs												
3	Preparation of entitlement including R&R exgratia												
4	Stakeholders Consultation												
5	Marking of zone of impact on structures												
6	Disbursement of R&R Assistance												
7	Redressing Grievance (GR)												
8	Assistance in Relocation and Rehabilitation												
9	Monitoring and evaluation												
10	Social Audit												
11	Streches free from encumberences												

Fig. 4.4: Implementation Framework (Sample)

4.53 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 upgradation 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

4.54 Statement of Financial Responsibility and Authority and Source of Funds and the Flow of Funds

- The money for the compensation will 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 will be released out of such account.
- Any amount, if likely undisbursed 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

4.55 Item wise provision of budget by cost, for all Land, including resettlement costs planning and implementation, management and administration, monitoring and evaluation and contingencies shall be kept. The budget will be indicative of outlays for the different expenditure categories.

Sources of Funding

4.56 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

4.57 A consolidated overview of the budget and cost estimates shall be as per table 4.3. The budget will cater for the different expenditure categories and will be calculated at the 2011-2012 price indexes. These costs will be updated and adjusted to the inflation rate. 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.

Table 4.3: Cost of Land and R&R Assistance in Crores (INR)

Sl. No.	Item	Total Amount	
1	Cost of Land (Agricultural)		
2	Cost of Land (Residential)		
3	Cost of Land (Commercial)		
4	Cost of Structure (Titleholder)		
5	Cost of Structure (Non-Titleholder)		
6	R&R Assistance		
7	Relocation cost of CPR		
	Total		
8	Implementation Charges i/c Administration, Management, Monitoring, NGOs etc.@10%		
9	Contingency @8%		
	G. Total		
	Say Rs.		

Annexure 1.1

INDICATIVE TERMS OF REFERENCE FOR PREPARING SIA AND RAP

Background

1. The Government of India, Ministry of Railways has set up a public sector company named Dedicated Freight Corridor Corporation of India Limited (DFCCIL) under the Indian Companies Act 1956 to implement the Dedicated Freight Corridor (DFC) Project. The DFC project will be funded by the Government of India partly through equity contribution, and partly through loans obtained by Government of India from external funding agencies. DFCCIL proposes to construct a Dedicated Freight Corridor covering about 2,762 route kms on two corridors: Eastern Corridor from Ludhiana to Sonenagar/ Dankuni and Western Corridor from Jawaharlal Nehru Port, Mumbai to Tughlakabad/ Dadri near Delhi along with inter-linking of the two corridors at Khurja. The objective of project is to ease pressure on high density eastern and western railway networks by developing dedicated freight corridors in east and west. These DFCs are expected to facilitate movement of much higher level of freight traffic to support the nation's growing economy.
2. Eastern DFC: The eastern DFC project covers total route length of 1279 Kms (Sonenagar-Mugalsarai-Allahabad-Kanpur-Tondla-Aligarh-Khurja-Meerut-Saharanpur. The IR is seeking support from the World Bank for the 710 kms stretch from Khurja to Mugalsarai, out of which work will be undertaken for the 343 km stretch in the first phase.
3. The eastern corridor alignments have been finalized for the 272 kilometer stretch from **Bhaupur to Khurja** with detailed land survey, SIA and RAP for which also been prepared. The alignment in the Tundla stretch of 72 kilometers is being reviewed for which SIA will have to be carried out and RAP prepared as per this RPF.
4. **Preparatory Social Management Activities:** In fulfillment of the above, DFCCIL needs to realistically assess, plan and implement measures to mitigate adverse social impacts associated the eastern corridor. In the preparatory stage, this will involve the following steps:

Task-1

Social impact assessment (SIA) as part of Environment Impact Assessment (EIA);

Census survey of all affected families recording their assets (land, structures, and facilities), incomes, and social category (Scheduled Castes/Scheduled Tribes);

Base line socio-economic survey of the affected families suffering major impacts and needing rehabilitation assistance in addition to compensation for their losses;

Task-II

Resettlement Action Plan (RAP) to mitigate adverse impacts and Tribal Action Plans (if tribal people are affected) to positively benefit ST populations, if affected.

5. These activities will be undertaken to identify social safeguard risks upfront and appropriately integrate social management aspects in the implementation process. A professional agency will be hired to carry out the above preparatory activities for social management for the initial 300 kms stretch of the Eastern Corridor and subsequently for the other stretches.

Task 1: Social Impact Assessment (SIA)

6. Social impact assessment is a critical step taken to incorporate social analyses and participatory processes into project design and implementation for optimizing development outcomes. SIA helps to enhance benefits to the poor and the vulnerable while minimizing and mitigating adverse impacts on the local communities. This involves analyzing social issues and impacts on the affected populations in order for designing social management plans to mitigate adverse impacts and improve people's lives through participatory implementation. SIA for the eastern corridor will be undertaken as part of the Environmental Impact Assessment (EIA).

7. The initial Environmental and Social Consideration Studies (ESCS) for the Eastern and Western Corridors were carried out by the Japan International Cooperation Agency (JICA) on behalf of Japan Bank for International Cooperation, (JBIC) that the DFCCIL is in discussion

with for resource support. This ESCS involved survey of affected structures, assessment of land requirements, preliminary stakeholder consultations and analysis, and socio-economic survey of 10% sample of the affected families. DFCCIL subsequently altered the alignment for the Eastern Corridor in order to further minimize adverse impacts on human settlements. DFCCIL has prepared surveyed the structures and land parcels affected the final alignment. As per DFCCIL's land survey, about 220 structures will be affected in 16 habitations located alongside the existing Railway lines. These habitations have been listed with kilometer points for reference. The SIA will involve a review of information provided in the JICA study (ESCS) and land surveys made by DFCCIL along with field assessments in a selective and strategic manner in order to reconfirm key social issues and risks involved, and identify drivers for optimizing development outcomes through risk mitigation and social value added measures. The focus of this exercise will also include adverse construction phase impacts of the project on communities and necessary mitigation measure.

8. SIA (EIA) will specifically involve: (i) reconfirming zone of impact through review of available data in land surveys, alignment maps/ satellite maps, JICA study (ESCS); (ii) identifying zones of major economic and social impacts; (iii) understanding socio-economic profile of people; (iv) analyzing differential impacts on different categories of people (land owners, residential households, small/landless/marginal farmers, labourers, businesses, SCs/STs, and women), and impacts on communities (common facilities such as roads, schools, community centres, cultural properties, etc.); (v) socio-political analysis of local power relations and institutions available for participation, grievance redress, and conflict resolution; (vi) studying people's perceptions of project impacts and minimum acceptable mitigation measures that will enable them to cope with economic losses and displacement; (vii) assessment of construction phase impacts on communities; and (viii) suggesting broad strategies for adverse impact mitigation and social value addition in order to optimize development outcomes.

9. Census and Baseline Socio-Economic Surveys of the Affected Families: The objective of census survey is to broadly enumerate all the project affected families (PAF) recording lands and assets possessed and likely to be lost as a result of LA; income streams affected, their and demographic characteristics and social categories they belong to. This will help to categorize families requiring compensation and those in need of additional rehabilitation assistance as per the NPRR, 2007. Census survey will also include listing of community assets and common facilities affected by the project, which need to be replaced. These may include cultural properties, roads, community forests/plantations, schools, community centres, etc. The census survey will be supplemented by a baseline socio-economic survey (BSES) of the PAFs identified in the census survey that may suffer major impacts and are eligible for rehabilitation assistance as per the NPRR (2007). They may include groups such as small/marginal farmers, landless agricultural labourers, structure owners/occupiers, and others losing livelihoods. Census Survey and BSES will entail the following steps including those listed in the Chapter-II of NPRR (2007).

10 Census Survey will specifically provide data about affected land parcels and structures with names of owners/occupiers, land use, structure/land area and type; structure usage (residential/ commercial), occupations and affected income streams and demographic characteristics of the project affected families (PAF). The census survey is aimed at collecting identification data, likely losses and other information that is sufficient in order to distinguish between minor and major impacts and to categorize PAFs for administering R&R entitlements. The census survey will include photography and Video recording of the affected structures.

11 Baseline Socio-Economic Survey is aimed at collecting baseline socio-economic data about PAFs identified in the census survey suffering major impacts and requiring rehabilitation assistance as per the NPRR (2007) in order for monitoring R&R outcomes and impacts. The PAF categories to be covered by BSES will include families rendered marginal/landless farmers as a result of land acquisition; landless agricultural labourers; businesses; owner/ occupant of the affected residential/ commercial structures, squatters and others below poverty line whose livelihoods are adversely affected. The strategy for socio-

economic survey will be drawn up based on the findings of the census survey and SIA. (an indicative list of information that needs to be gathered is provided in **attachment 1**)

Task II: Resettlement Action Plan

12 The RAP will be prepared by consolidating Census and BSES findings, with the SMF providing the basis for R&R measures for different PAF categories. The RAP will be prepared as prescribed in the NPRR (2007) and will be finalized after review and endorsement by the DFCCIL in accord with the World Bank. The RAP will include:

- Project impacts and affected populations;
- Legal framework for LA;
- Compensation package for permanent/temporary loss of land, assets, incomes;
- Description of R&R assistance; livelihood restoration measures,
- Relocation and post-relocation support strategy,
- Implementation mechanisms;
- Framework for participation, consultation, information disclosure; grievance redress;
- Time schedule and budget,
- Framework for monitoring, evaluation and reporting.

A stand alone **Tribal Action Plan** will be prepared based on a review of SIA and Census findings in case the eastern corridor project impacts the tribal communities, in line with the Operational Policy 4.10 of the World Bank.

13. Outputs: The following are the key outputs expected from the consultants

- (a) **Inception Report** outlining the approach, methodology, timeframe for surveys, consultations and different outputs should be submitted within one month of the assignment;
- (b) **SIA, Ground-truthing of Census Survey and Baseline Socio-Economic Survey** of the affected families focussing on people's private/ public assets and livelihoods. The report is expected at the end of 3 months;
- (c) **The Social Safeguard Framework** outlining procedures, legal framework, operational guidelines, institutional arrangements, entitlement framework for different impacts types, disclosure principles should be submitted. This is expected at the end of 4 months; the deliverable at this stage will also include necessary inputs for preparing the bid document for Design and Build Contract;
- (d) **The Resettlement Action Plan** for the first 347 Km outlining R&R measures to be taken along the corridor of impact is expected at the end of 6 months. At this stage, deliverables will also include specific inputs for the Design and Build Contract and Sub-Contracts.
- (e) **Tribal Action Plan**, if applicable, will also be prepared by end of 8 months.
- (f) **Database Management System for LA and R&R:** Deliverable at the end of 11 months.
- (g) All the draft reports will be reviewed by DFCC and the World Bank and wherever appropriate consultation workshops will be held.

14. Consultant Qualifications:

i. The proposals should be invited from the professional agencies having combined experience in Social Assessment, Resettlement and land acquisition, GIS and computerization. The consultant team should have specialists leading the team with appropriate local support staff for socio-economic survey and community consultations.

- (i) Team Leader
- (ii) Resettlement expert with experience in large infrastructure projects.
- (iii) Sociologist / anthropologist.

- (iv) IT/ Database/ MIS Expert
- (v) Field Staff with required number of surveyors

15. **Indicative Data Requirements for Census and Baseline Socio-Economic Surveys**

Baseline Socio-economic survey is meant to convert information gathered during initial consultative SIA exercises into measurable data, required for providing R&R assistance for different categories of PAPs, and for monitoring changes in people's conditions beyond the project period. The BSES should provide information including but not limited to the following. The information gathered during the census and socio-economic surveys will form the basis for designing the Social Management Plan.

- Socio-Economic Profile: SC/ST / gender category of families; occupation and monthly income levels, structures and assets owned or occupied;
- Residential families: nature and quantity of likely loss-homestead area, residential structure, agricultural land, cattle shed; types of RR assistance preferred
- Commercial Units: nature of land and structure affected, title, business type, legal status of business, monthly incomes; number of employees;
- List of landless wage labourers, workers, education and skills; age, incomes.
- Common properties affected (village roads, grazing/community lands, cultural structures, etc)
- List of vulnerable persons/families: (poor, SC/ST, women headed, aged/infirm, physically or mentally challenged) with socio-economic profile;
- Other information: access to basic services; health status; participation in development schemes of the government; level of mainstream linkage;
- Any other information considered important in the local context.
- The outcome of the census and baseline survey should be in the form of a report and a computerized database, which should include but not be limited to:
 - i. lists of affected PAPs according to their socio-economic and impact category (residential-legal and squatters; commercial-legal and squatter category; and encroachers-residential and commercial);
 - ii. Data on occupations, income streams, household demographic and income data;
 - iii. Data on access to basic services, ST/SCs/vulnerable families; common properties;
 - iv. R&R impact cadastral maps showing impacted lands and structures (type, quantity) across specific sections in line with the finalized alignment maps.

16. **Key Social Safeguard Policy Issues**

Cut-off Date and Entitlement of Squatters to R&R Benefits: DFCCIL will adopt the Railway Amendment Act (RAA), 2008 for acquiring land and follow the National Policy on Resettlement and Rehabilitation (NPRR), 2007 for providing R&R benefits to the project affected families (PAFs). According to the NPRR, 2007 non-title holder PAFs (squatters) residing in the project area for over three years prior to the cut-off date are entitled to specific rehabilitation assistance. DFCCIL has decided to treat the date of public notification for land acquisition (in local and national print media) coinciding with the date of baseline socio-economic survey as the cut-off date. Which means, DFCCIL will offer R&R assistance to non-titleholder PAFs (squatters) residing for three years prior to the cut-off date in the project area, as per the NPRR, 2007. This will deprive non-titleholder PAFs settled in the project area during three years preceding the cut-off date from any R&R assistance. It has been agreed that DFCCIL will establish principles and procedure to enable these category of non-titleholders to re-establish their shelter and livelihoods affected by the Eastern DFC project in the social management framework and the Resettlement Action Plan.

Institutional Capacity for Managing Social Safeguards: DFCCIL has appointed a general manager to handle tasks relating to preparatory activities including feasibility studies, alignment finalization minimizing social and environmental risks, field surveys for land acquisition, and

R&R activities. It has also hired an experienced revenue officer from the Uttar Pradesh administrative services as the Competent Authority for carrying out land acquisition under the Railway Amendment Act (RAA), 2008. DFCCIL has hired local consultants for carrying out land surveys. The initial environment and social consideration studies for DFC Eastern and Western corridors were carried out by JICA. These steps have so far enabled DFCCIL to manage the preliminary social management activities. DFCCIL plans to hire an owner's engineer who will assist in monitoring R&R activities carried out at different stages through external consultants. However, in order to coordinate various R&R measures for the DFC project in the short term, and grow in the long term with capacity to identify and manage social safeguard risks, DFCCIL should establish a special unit with adequate managerial and technical skills to address social and environment issues.

Payment Schedule

Payments shall be made according to the following schedule on submission and acceptance of reports:

Sl. No	Payment milestone	Payment %
1	Inception report	15%
2	Social Impact Assessment, Ground - truthing of Census survey and Baseline Socio-Economic Survey	50%
4	Resettlement Action Plan	25%
5.	Database Management System for LA & R & R at the end of 11 Months	10%

Draft Terms of Reference for the NGOs
For the Implementation of Resettlement Action Plan under
Dedicated Freight Corridor Corporation of India Ltd (DFCCIL)

Need of NGOs

Resettlement Action Plan (RAP) envisages compensating and assisting the project-affected persons (PAPs) and the project-displaced persons (PDPs) at the replacement cost of the lost properties and assets as well as to restore their livelihood before the award of civil works. Therefore, implementation of the RAP in time bound manner has become an important component of the overall project implementation. The overall responsibility of implementing and managing RAP lies with DFCCIL and its CPM office. In order to facilitate DFCCIL in the implementation of RAP, the DFCCIL intended to seek assistance from experience NGOs. The NGOs will be working at the CPM office under the supervision and guidance of SEMU at HQ office. While SEMU will provide only policy and training input to NGOs actual execution will be done at the CPM office in close coordination with the Administrator (Competent Authority) of R&R under the project. Since quantum of work related to LA is complete, the NGO will be engaged primarily to develop good communication, provide R&R support (other than compensation as per provision of RAA 2008), assistance in relocation and rehabilitation. Therefore, the present Terms of Reference (ToR) is designed for the facilitating NGO, which highlights the roles and responsibilities, specific tasks and scope of services; the selected NGOs are expected to perform.

Role and Responsibilities

Roles and Responsibilities of the NGO are as follows:

1. To work closely with the community/local particularly the project affected community, and vulnerable groups, and to have regular interaction with the people to develop good linkages with the community
2. To coordinate with different District level agencies and other development organization for the successful implementation of SMP.
3. To facilitate implementation of innovative implementation strategies developed by SEMU unit and other CPM offices in achieving the overall objectives of different components of RAP. This essentially involves close collaboration and working with CPM, District Revenue Department, line agencies, District Health Department and other relevant agencies and ensures SMP is successfully implemented.
4. Liaise with the District Administration and other development agencies to dovetail their development program for the socio-economic development of affected communities, displaced families and vulnerable groups.
5. To develop innovative mechanism/methodologies to ensure active involvement of various project stakeholders in the implementation of RAP.

Specific role of NGOs (but not limited to):

- To educate PAPs on their rights as per R&R entitlements matrix of DFCCIL.
- To ensure that PAPs are compensated at replacement value, their livelihood is restored and displaced families are resettled. In other words, the PAPs are given their full R&R entitlements before they are dispossessed of their assets or are displaced (physically/economically).
- To counsel and assist the PAPs in their livelihood restoration and accordingly coordinate with the local authorities.
- Assist the PAPs in Redressal of their grievances (through the grievance Redressal cells set up by the project)

- To assist the CPM office in ensuring social responsibilities of the Project, such as, compliance with the labor laws, prohibition of child labour, gender issues, wage parity, employment to local communities etc.
- To submit progress reports on a monthly basis as well as quarterly basis for SEMU unit to monitor the progress of the RAP implementation.
- To reduce the risk of the spread of HIV/AIDS in the project area especially at the construction camps through facilitating the contractors to implement workplace intervention programs.
- To educate local communities construction camp workers about safety measures during construction and maintenance of DFC Corridors. In this regard, NGO will impart awareness and training to the construction workers.
- Ensure that the gender issues are duly and addressed in the implementation process, including strengthening's women's participation in livelihood activities and in implementation fo the RAP.
- Strengthen transparency and accountability of the LA and RR process by institutionalizing social accountability mechanisms during implementation

Scope of Work

As mentioned above, the facilitating NGOs will play an important role in implementation of 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

Communication with the PAPs

- (i) Information Dissemination: The facilitating NGO will organise information dissemination session at strategic location within the project area. SMU/nodal NGOs will provide the modules of information dissemination campaign about the project. The NGO can also use other tested methodologies from their experiences. The NGO will establish close rapport with PAPs; provide them information about the respective entitlements as proposed under the RAP.
- (ii) Educating PAPs: The facilitating NGO will discuss about the project its benefits and potential impacts of proposed improvement. In this connection the NGO will explain to the PAPs the need for land acquisition, need for the eviction of informal dwellers the provisions of the R&R policy and the entitlements under the RAP. The NGO will detail out the livelihood opportunities available within the project Districts and also under the project.
- (iii) Communication strategies with PAPs: The NGO will facilitate in developing good working relationship between the PAPs, their representative and the staffs of CPM, particularly with the APMs and representatives of PRIs. This will be achieved through regular meetings (formal and informal) including meeting related to grievance with the APM, representatives of PRIs and the PAPs. Formal meetings (fixed at prior location and date) with the APM, PRIs representatives will be held at least fortnightly in each affected Tahsil, and meetings with the PAPs will be held as and when required basis but at least once in a month in the project village during the entire duration of the assignment. All decisions taken during these meetings will be documented by the NGO and will be submitted to APM as part of submission of Monthly Progress Report.
- (iv) Performance indicators of Consultation: Consultation conducted, its reporting mechanism and successful operationalisation of outcome of consultation will be an indicator of performance of package level NGOs. *In all of these consultations, the NGO will consider women and other vulnerable groups for attention and deal with them with care and sympathy.*

Furthermore, after first round of consultation, the facilitating NGO will identify and educate groups of PAPs in each Tahsil/Village who are being benefitted by the project. These groups will be groomed further as Project Beneficiary Groups (PBGs) to combat negative information/misinformation about the project.

Identification and Verification (I&V)

- (i) Preparation of list of eligible PAFs: As mentioned earlier also, LAFC in consultation with Competent Authority has identified all land losers including those losing structures. Based on the records Competent Authority has issued Land acquisition notifications (20 A and 20 E notifications). These notifications have become basis for Declaration of awards (20 F), compensation sheet and disbursement. Furthermore, other than these PAFs, Resettlement Action Plan has also identified some informal dwellers like squatters/kiosks/Tenants. These informal dwellers are not included in the detailed compensation sheet prepared by LAFC. In this context, the NGO in close coordination with LAFC will (i) undertake a Census survey within the proposed Corridor of Impact (CoI) to establish actual PAFs as per EM, (ii) Prepare a detailed compensation sheet (based on EM prepared by DFCCI Land data available with CPM office) (iii) compare the data of CPM office and data collected during census survey (iv) verify the information already contained in the RAP, provided by LAFC (including actual detailed measurement exercise to determine extent of loss/damage, and valuation of the loss/damage/affected and (v) based on census survey and verification the facilitating NGO will update the list of the eligible PAPs and project-affected families (PAFs) as per EM.

Furthermore, NGO will prepare a list of the project-affected persons/families (PAPs/PAFs) which will include list of PAPs for relocation, list of families who are adversely affected by land acquisition such as those losing entire land or shops and have no other source of livelihood. The NGO will also compute the losses of other assets of PAFs.

- (ii) Basis of Verification: Before initiating verification exercise, the facilitating NGOs in consultation CPM office and SEMU will formulate basis of verification such as (a) proof of caste (SC,ST), (b) income level, (c) other vulnerability criteria in conformity with the guidelines of District Administration/Administrator of the project.
- (iii) Disclosure of the list: The NGO in consultation with Competent Authority and CPM office will display the list of verified PAPs in District offices, Tahsil office, Panchayat Offices, Bill board and prominent public places. (iv) Performance indicator of I&V: After publishing list of eligible PAPs, the facilitating NGO will conduct a formal consultation with the PAPs and their representatives, PRIs representatives, 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.
- (v) Finalization and issuance of ID card: The NGO will prepare final list of PAPs by adding left out cases and will prepare identity cards of eligible PAPs. An identity card would include a photograph of the PAP, the extent of loss suffered due to the project, and the choice of the PAP for relocation. The NGOs will distribute identity cards to the eligible PAPs.

Disbursement of R&R Assistance and Compensation

As stated before. The LAFC has prepared compensation sheet and already engaged in disbursement of compensation. The facilitating NGOs in consultation with LAFC prepare list of PAFs and their compensation in proper format, which will include:

- (i) PAFs who has received compensation as per RAA 2008

- (ii) PAFs who has received R&R assistance as per entitlement matrix
- (iii) List of PAFs who has neither received compensation nor R&R assistance and are form the part of final I&V list.

Thus, the facilitating NGO will prepare a final compensation sheet including those PAFs who has received compensation and R&R assistance or both and other eligible PAFs as per final I&V eligible for benefits.

These final compensation sheet (duly approved by CPM and concern Competent Authority) will be sent to DFCCIL for formal approval of the GM (SEMU) and concern LA Department at HQ level. However, those award/compensation sheets is already approved by HQ need not required further approval. The approved amount will be deposited to CPM in the manner as decided by DFCCIL.

The facilitating NGOs will prepare individual entitlement from the detailed compensation sheet. The NGO will produce relevant document (proofs of eligibility) of individual beneficiary and recommend for issuance of cheque (in writing) to CPM.

(Number of recommended cases rejected by CPM or has not been endorsed within time frame will be the basis to assess performance of NGOs and CPM office)

The individual cheques (in the joint name of husband and wife) will be distributed to eligible PAFs in the manner as decided by DFCCIL. However, the facilitating NGO will ensure that adequate evidences are available (video or photo) of disbursement of compensation.

Relocation

Though developing Resettlement site is not obligatory to DFCCIL. However the facilitating NGO will assist the project displaced families in ensuring a smooth transition (during the part or full relocation of the PAPs/PAFs), helping the PAPs to take salvaged materials and shift with proper notices. In close consultation with the PAPs, the NGO will inform the APM about the shifting dates agreed with the PAPs in writing and the arrangements desired by the PAPs with respect to their entitlements.

Utilization of Resources Available with PAPs and and Rehabilitation

The NGO will assist the PAPs in opening bank accounts explaining the implications, the rules and the obligations of a joint account, and how s/he can access the resources available with District administration, under the project s/he is entitled to. The NGO will ensure proper utilisation of the R&R budget available to each PAPs. The NGOs will ensure that the PAPs have become aware about/found economic investment options and are able to restore their previous economic status against the loss of land and other productive assets. For this purpose, the NGO will identify means and advise the APM to disburse the entitlements to the eligible persons/families in a manner that is economic gainful and is the best of timing of giving the R&R assistance(for example peak cropping seasons, some kind of employment opportunities. The facilitating NGOs will also ensure that the process adopted has adequate level of transparency achieved. 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.

Other than the facts mentioned above, the facilitating NGOs can adopt innovative strategies for gainful employment which may include (but not limited)

- Co-ordinate (and impart wherever required) the training and capacity building of the PAPs, for upgrading their skills for income restoration. This will include the training to be given by the NGO to women self-help-group members in accounting, record maintenance, skill acquisition in the chosen enterprise, and marketing, etc.
- Help the PAPs (especially women) in realizing and optimizing the indigenous technology knowledge (ITK) through use of local resources.
- Define, evolve and explore alternative methods of livelihood using the local skill and resources.

- 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.

Facilitating PAPs Access to the Grievance Committee Meetings

In relation to redressing grievances NGO will perform following activities.

- (i). The NGO will make the PAPs aware of the functioning of District level Resettlement and Rehabilitation Committee (DRRC), Grievance Redressal mechanism and steps to follow resolve it.
- (ii). The NGO will train the PAPs on the procedure to file a grievance application and to confirm that a statement of claim from the concerned PAP accompanies each grievance application.
- (iii). The NGO will help the PAPs in filling up the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC.
- (iv). The NGO will record the grievance and bring the same to the notice of the GRCs within 7 (seven) days of receipt of the grievance from the PAPs. It will submit a draft resolution with respect to the particular grievance of the PAP, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting through the NGO representative in the GRC.
- (v). To accompany the PAPs to the GRC meeting on the decided date, help the PAP to express his/her grievance in a formal manner if requested by the GRC and again inform the PAPs of the decisions taken by the GRC within 3 days of receiving a decision from the GRC. (The time frame for the GRC to take a decision is 15 days). In this connection facilitating NGO will ensure that maximum grievances have been resolved at the village/Tahsil level. Number of grievance placed in DRRC and resolved will be an indicator of performance of NGO.
- (vi). The responsibilities of NGOs towards grievance Redressal will deemed to complete if the case is forwarded to HQ/Ombudsman

Assisting the CPM office in ensuring the Social Responsibilities

The facilitating NGO will assist the CPM to monitor regulations under different acts towards the fulfillment of social responsibility of the project and disseminate the information written in manual at the construction camps, work place and other concern places along the project road. The NGO will provide the information about the concern clauses in their monthly progress report. The NGOs assist 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.

The regulation will include (but not limited to)

- 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.

All documents created, generated or collected during the period of contract, in carrying out the services under this assignment will be the property of the DFCCIL. No information gathered or generated during and in carrying out this assignment will be disclosed by the NGO without explicit permission of the CPM (DFCCIL).

Time frame for Services

The NGOs will be contracted for a period of 36 months from the date of commencement, with a withdrawal methodology in built into the proposals of the NGO.

Key Persons Required

The NGO will depute a team of professional to the site. The consultation of the team and the qualification for the team members for each package is given below:

Sl. No.	Position	No. of positions	Man Months	Qualification
1.	Project Coordinator			<p>The Project Coordinator should be a Post Graduate preferably in Management or social sciences. S/he should have at least 10 years of experience in communication or exclusively land acquisition project. Having experience of working in civil engineering/linear projects is an added advantage. Should have experience in managing large scale project on similar position and supervision of a team.</p> <p>S/he should have held responsible position in the previous assignments should possess participatory management skills and should have good knowledge of the region and the local languages.</p>
2.	Program Officer-R&R			<p>The Program officer should be a Graduate preferably in social sciences. S/he should have at least 5 years of experience in land acquisition and implementation of R&R and community development works. Having experience of working in civil engineering/linear projects is an added advantage. Should have experience in managing project and supervision of a team. Additional qualification on computer based data management is an added qualification.</p> <p>S/he should have held responsible position in the previous assignments should possess participatory management skills and should have good knowledge of the region and the local languages.</p>

2.	Program Officer Communication			<p>Should be at least a graduate in social sciences preferably in social work, medical anthropology or sociology. S/he should have at least 15 years of working experience of which at least 10 years in people participation, information and education projects. S/he should have experience of developing and implementing programs and experience in participatory management.</p> <p><i>Working in funded projects is an added advantage. Knowledge of local language is a necessary qualification.</i></p>
3	Field Coordinator/ Community mobilizer			<p>The Field Coordinator/ Community mobilizer should be a graduate, and should have experience of working in civil engineering/linear projects. S/he should have at least 5 years experience in implementation of R&R and community development works.</p> <p>S/he should have held responsible position in the previous assignments should possess participatory management skills and should have good knowledge of the region and the local languages.</p>
4.	Outreach Workers - Community Educators			<p>Matriculates preferably with experience of working in NGOs or other civil society organization as outreach workers. Ability to communicate well work at grass roots and to reach out to the different audiences with messages, to conduct in field 1-1, group sessions and to identify and refer people for services.</p>

DRAFT TERMS OF REFERENCE FOR
SOCIAL AND ENVIRONMENT SAFEGUARDS MONITORING AND REVIEW CONSULTANT
(SESMRC)

Indicative Scope of Work

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 will 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 contactors. 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

- (i) Randomly verify the process followed in determining the compensation in line with the provisions of RAA including the inputs from the independent valuer;
- (ii) 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;
- (iii) 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;
- (iv) Verify the process followed for dealing with those cases where severance of lands are involved ;
- (v) Ascertain how the various provisions including payment of additional compensation in case of delay in completing the land acquisition process are administered under RAA;
- (vi) Follow up on the status for dealing with grievances related to compensation rates; and
- (vii) 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 contact provisions;
- (viii) 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;
- (ix) Any others tasks that are appropriate for dealing with land acquisition and compensation payment.
- (x) Resettlement and Rehabilitation
- (xi) Verify and ascertain that the Entitlements as available in the Entitlement Matrix are administered to the various category of PAPs;
- (xii) Ascertain that the various proposals made in RAP to mitigate the impacts are implemented in the manner it was described n the RAP;
- (xiii) Ascertain how various suggestion and concerns raised by the local people during consultations are incorporated or addressed during the project implementation;

- (xiv) Report on the Status of completion of reconstruction of affected community assets prior to handing over of the land to the contractor;
- (xv) Report on the functioning of grievance redress mechanism to deal with the complainants grievances related to RAP implementation;
- (xvi) Review the functioning of Data Base Management to track the implementation progress;
- (xvii) Review the periodical internal monitoring reports and identify any gaps in reporting or delay in implementation progress;
- (xviii) Verify the coordination between civil work contracts and RAP implementation to ensure that encumbrance free stretches are handing over to the contractors;
- (xix) Monitor the role of consultants and NGOs in RAP implementation and identify any improvements required and suggestion for their services;
- (xx) Monitor the progress in providing unskilled jobs to the PAPs and local people;
- (xxi) 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;
- (xxii) 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;
- (xxiii) Any others tasks that are appropriate to deal with resettlement impacts and PAPs/local villagers concerns
- (xxiv) Report other social safeguard issues such incidence of child labor, unequal wages, unhealthy work camps posing health or security hazards to the workers, etc.

