

Resettlement Framework

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India: Visakhapatnam-Chennai Industrial Corridor Development Program

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CURRENCY EQUIVALENTS

(As of November 2022)

Currency unit	-	Indian rupee (₹)
₹1.00	=	\$ 0.0125
\$1.00	=	₹81.90

ABBREVIATIONS

ADB	-	Asian Development Bank
APIIC	-	Andhra Pradesh Industrial Infrastructure Corporation
APRDC	-	Andhra Pradesh Road Development Corporation
APTransco	-	Andhra Pradesh Power Transmission Company
BPL	-	below poverty line
DDR	-	Due diligence report
DoI	-	Department of Industries
ECS	-	Electronic Clearing Service
GESI	-	Gender Equity and Social Inclusion
GoI	-	Government of India
GRC	-	Grievance Redressal Committee
GVMC	-	Greater Visakhapatnam Municipal Corporation
IAY	-	Indira Awaas Yojana
IPP	-	Indigenous Peoples Plan
LPS	-	Land Plan Schedule
RFCTLARR	-	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement
MFF	-	Multitranches financing facility
NGO	-	Nongovernment organization
PMSC	-	project management and construction supervision consultants
PMU	-	Program Management Unit
PIU	-	Project implementation Unit
RDO	-	Revenue Divisional Officer
R&B	-	Roads and Building
R&R	-	Resettlement and Rehabilitation
SIA	-	Social Impact Assessment
SPS	-	Safeguard Policy Statement
SSGO	-	social safeguards and gender officer
VCIC	-	Visakhapatnam-Chennai Industrial Corridor
VCICDP	-	Visakhapatnam-Chennai Industrial Corridor Development Program

WEIGHTS AND MEASURES

km	-	kilometer
kV	-	kilovolt
m ²	-	square meter

NOTE

In this report, "\$" refers to United States dollar.

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CONTENTS

	Page
I. INTRODUCTION	1
A. Overview of the Project	1
B. Resettlement Framework	1
C. Subproject Description	2
II. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS	4
A. Policy and Legal Framework	4
B. Comparison of Government and ADB Policies	9
C. Involuntary Resettlement Safeguard Principles for the Project	10
D. Eligibility Criteria	11
E. Entitlement Matrix	12
F. Schedule for Compensation Payment and Resettlement Assistance	19
G. Screening Criteria of Subprojects	20
H. Negotiated Settlement	20
I. Voluntary Land Donation	21
III. SOCIO-ECONOMIC INFORMATION	21
A. Surveys	21
B. Resettlement Plan	22
C. Gender Impacts and Mitigation Measures	23
IV. COMPENSATION, INCOME RESTORATION AND RELOCATION	23
A. Valuation of Affected Land and Assets	23
B. Income Restoration and Relocation	25
V. CONSULTATION, PARTICIPATION AND DISCLOSURE	27
A. Meaningful Consultations	27
B. Information Dissemination and Resettlement Plan Disclosure	28
VI. GRIEVANCE REDRESSAL MECHANISM	30
A. Grievance Redress Mechanism (GRM)	30
B. Grievance Redressal Committee (GRC)	31
VII. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION	33
A. Project Management Unit (PMU)	35
B. Roles of PIUs in Project 1 implementation	36
C. Roles of PIUs in Project 2 implementation	40
D. Project Management and Supervision Consultant	41
E. Resettlement Plan Implementation Support Agencies/Nongovernment Organizations	41
F. Contractors	42
G. External Monitoring Agency	42
H. Implementation Schedule	43
VIII. MONITORING AND EVALUATION	44
A. Internal Monitoring	44
B. External Monitoring	45
C. Impact Evaluation	45
IX. BUDGET AND FINANCING	46

APPENDICES

Appendix 1: Government Order on Guidelines for Payment of Compensation Towards Damages in regard to right-of-way for Transmission Lines	47
Appendix 2: Comparison Between ADB Involuntary Resettlement Policy Requirements and RFCTLARR ACT 2013 with GAP Filling Measures in VCICDP Resettlement Framework	50
Appendix 3: Involuntary Resettlement Impact Categorization Checklist	55
Appendix 4: Terms of Reference for Independent Third-Party for Negotiated Purchase or Voluntary Land Donation	57
Appendix 5: Outline of a Resettlement Plan	58
Appendix 6: Terms of Reference of the Support Agencies/NGOs to assist APIIC / APRDC in Resettlement Plan Implementation	61
Appendix 7: Outline of Social Safeguards Monitoring Report	70
Appendix 8: Indicative Terms of Reference for Engaging an External Monitoring Agency/Expert	73
Appendix 9: Sample Certification Formats	81

TABLES

Table 1: Subprojects under Implementation - Tranche 1	2
Table 2: Subprojects Proposed under Tranche 2	3
Table 3: Entitlement Matrix	13
Table 4: Public Consultation and Disclosure Plan	29
Table 5: Impact Indicators for Evaluation	43

FIGURES

Figure 1: Grievance Redress Mechanism	31
Figure 2: Project Organization Structure	34
Figure 3: Safeguards and Gender Organogram	35

I. INTRODUCTION

A. Overview of the Project

1. The proposed Visakhapatnam-Chennai Industrial Corridor Development Program (VCICDP) will complement ongoing efforts of the Government of Andhra Pradesh (GoAP) to enhance manufacturing sector growth and create high quality jobs in the state of Andhra Pradesh. The VCICDP comprises: (i) a policy-based loan to support policy reforms, and institutional development in the state's industrial sector; and (ii) a multi-tranche financing facility (MFF) for priority infrastructure projects within the Visakhapatnam-Chennai Industrial Corridor (VCIC). The program was approved by ADB on 20 September 2016 that comprise of multitranche financing facility (MFF 0093-IND) of \$500 million, policy-based loan (PBL, Loan 3424-IND) of \$125 million, and capacity building TA (TA 9173-IND) of \$1.0 million. The report and recommendation for MFF approval anticipated two tranches. Accordingly, ADB on 26 September 2016 approved Project 1 of the MFF that comprised a loan (Loan 3430-IND) of \$245 million, and a grant from the Urban Climate Change Resilience Trust Fund (UCCRFT) (Grant 0495-IND) of \$5 million. Subprojects under first tranche are currently under implementation. Further, the subprojects under second Tranche (Project 2) have also been finalized and are being proposed for ADB approval.

2. The envisaged outputs of VCICDP include: (i) ease of doing business improved; (ii) Visakhapatnam-Chennai Industrial Corridor (VCIC) infrastructure strengthened; and (iii) institutional capacities and program management strengthened. The Program will support output 1; and the MFF will support outputs 2 and 3. Tranche 1 subprojects aims to (i) develop internal infrastructure in industrial clusters, (ii) strengthen electric power distribution capacity to meet industry demand, (iii) widen a section of a state highway to improve connectivity from the national highway to a port, and (iv) improve the water distribution network in Visakhapatnam for 24/7 supply. The second MFF tranche for project 2 will enhance VCIC infrastructure, with a focus on prioritized industrial nodes in Visakhapatnam and the Srikalahasti–Chittoor. The stated outputs for Project 2 are (i) Visakhapatnam industrial node infrastructure strengthened and made environmentally sustainable (ii) Srikalahasti–Chittoor industrial node infrastructure strengthened and made environmentally sustainable and (iii) Sustainable and green industrial development enhanced.

3. The State of Andhra Pradesh acting through its Department of Industries (DoI) will be the executing agency. The Directorate of Industries within the DoI is responsible for the daily coordination and execution of both the Program as well as the MFF. A program management unit (PMU), established in the DOI, is responsible for planning, implementation, monitoring and supervision, and coordination of all activities under the Program and the MFF. Project implementation units (PIUs) are established in Andhra Pradesh Industrial Infrastructure Corporation (APIIC), Andhra Pradesh Road Development Corporation (APRDC), Andhra Pradesh Power Transmission Company (APTransco), and Greater Visakhapatnam Municipal Corporation (GVMC), and are responsible for implementing the MFF for Project 1 while APIIC and APRDC will continue this role for Project 2. The respective PIUs will be responsible for screening subprojects, categorization based on involuntary resettlement and indigenous peoples impacts, conducting the social assessment, preparation and implementation of Resettlement Plans and Indigenous Peoples Plan as required, and as outlined in this Resettlement Framework.

B. Resettlement Framework

4. This updated¹ Resettlement Framework has been prepared conforming to the National laws, the State laws and the Asian Development Bank's (ADB's) Safeguard Policy Statement (SPS), 2009. The policy framework describes the principles and approach in avoiding, minimizing and mitigating adverse social impacts that may arise in implementing subprojects proposed under VCICDP.

5. The Resettlement Framework also describes the process for: (i) screening subprojects; (ii) assessment of involuntary resettlement impacts; (iii) categorisation of subject based on significance of involuntary resettlement impact; (iv) structure and process for consultations; (v) approach and methodology in undertaking census and socio-economic surveys; and (vi) preparation and implementation of resettlement plans.

6. All sub-projects proposed under Tranche-I and Tranche-II of VCICDP have been screened for social impacts and are in compliance with this framework. Any subsequent subproject included under VCICDP will have to comply with this framework to be eligible for financing. This Resettlement Framework will be reviewed and updated from time to time to reflect the changes in applicable State and/or National laws.

C. Subproject Description

7. The list of subprojects (under Tranche 1 and Tranche 2), their description and associated involuntary resettlement impact categorization is provided in the table below.

Table 1: Subprojects under Implementation - Tranche 1

S. No.	Package No	Name of Subproject	Location	Involuntary Resettlement Categorization
1.	APIIC/01	Construction of Common Effluent Treatment plant at Naidupeta Industrial cluster	Naidupeta, Nellore District	C
2.	APIIC/03	Augmenting utility services for Naidupeta Industrial cluster. [SWD, power, internal road and one stop centre]	Naidupeta, Nellore District	C
3.	APIIC/04	Providing bulk water facility and summer storage in Naidupeta Industrial cluster	Naidupeta, Nellore District	B
4.	APIIC/05	Providing water supply to Industrial Clusters/NIMZs in southern region (Krishnapatnam node and Sri city)	Chittoor District and Nellore District	B
5.	GVMC/02	Distribution Network improvements for NRW reduction and 24x7 water supply in GVMC area	Visakhapatnam, Visakhapatnam District	B
6.	APTransco/01	Augmenting power distribution capacity for meeting Industry demand at Kapuleppada,	Kapuluppada, Visakhapatnam District	B

¹ The resettlement framework prepared during the Project 1 approval stage (2016) has been updated (this document) in view of Tranche 2 subproject (Project 2) and reflects changes in applicable national and state laws.

S. No.	Package No	Name of Subproject	Location	Involuntary Resettlement Categorization
		Nakkapalle/ Chandanada and Atchutapuram locations	Nakkapalle and Atchutapuram, Visakhapatnam District	
7.	APTransco/03	Augmenting power distribution capacity for meeting Industry demand at Rachagunneri, Naidupeta and Yerpedu locations	Rachagunneri and Yerpedu, Chittoor District Naidupeta, Nellore District	B
8.	APRDC/01	Upgrading and Rehabilitation of 'Samarlakota to Rajanagaram' Section of 'Kakinada – Rajanagaram' Road to '2 Lane Dual Carriageway Standard	East Godavari District	A
9.	UCCRTF/04	"Design, Procurement, Supply, erection, testing, commissioning and maintenance for Five years of 3 MWp grid connected Floating Type Solar PV Power Project on Meghadrigedda Reservoir in Visakhapatnam District along with grid connecting equipment including associated Electrical & Civil Works".	Visakhapatnam District	C
10.	UCCRTF/05	Watershed management Mudasarlova Watershed and rejuvenation of Mudasarlova Lake	Visakhapatnam District	C
11.	UCCRTF/06	Non-motorized traffic zones and introduction of E- Vehicles in Visakhapatnam city	Visakhapatnam District	C

Table 2: Subprojects Proposed under Tranche 2

S. No.	Package No	Name of Subproject	Location	Involuntary Resettlement Categorization
A. APIIC				
1.	VCICDPT2-APIIC/06A	Development of Internal Infrastructure in the Start-up Area of Chittoor-South Industrial Cluster	Chittoor District	A
2.	VCICDPT2-APIIC/08A	Development of Internal Infrastructure in the Start-Up Area of Rambilli Industrial Cluster	Rambilli Mandal, Visakhapatnam District	A/B*
3.	VCICDPT2-APIIC/09A	Development of Internal Infrastructure in the Start-up Area of Nakkapalli Industrial Cluster	Nakapalli Mandal, Visakhapatnam District	A
B. APRDC				

S. No.	Package No	Name of Subproject	Location	Involuntary Resettlement Categorization
4.	VCICDPT2-APRDC/04	Development of Road for External Connectivity to Naidupeta Industrial Cluster Road Subproject	Chittoor District	A
5.	VCICDPT2-APRDC/05	Development of Road for External Connectivity to Routhusuramala Cluster	Chittoor District	B
6.	VCICDPT2-APRDC/06	Development of Road for External Connectivity to Nakkapalli Industrial Cluster Road	Visakhapatnam District	B
7.	VCICDPT2-APRDC/07	Widening of Anakapalli to Atchutapuram Road	Visakhapatnam District	A

* Categorization of package APIIC/08A will be confirmed based on the method of land acquisition ultimately adopted by the project. Only Category A subprojects will be monitored by the external monitoring agency.

II. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS

8. The Resettlement Framework has been prepared for the MFF of VCICDP. Resettlement Plans for Tranche-1 subprojects (currently under implementation) and Tranche-2 have been prepared in accordance with this Resettlement Framework.

9. The Resettlement Framework describes the principles and approach in avoiding, minimising and mitigating adverse social impacts that may arise in implementing the subprojects proposed under VCICDP. The Resettlement Framework outlines the objectives, policy principles and procedures for land acquisition, compensation and other assistance measures for displaced persons. It includes guidance on screening and categorisation, assessment, eligibility and entitlement, planning, institutional arrangements, consultation and disclosure and processes to be followed for all subprojects.

10. For subprojects proposed under VCICDP MFF, the PIUs viz. APRDC, APIIC, APTransco, and GVMC, will be responsible for conducting the social assessment and preparing and implementing Resettlement Plans as per the procedures outlined in this Resettlement Framework. The draft Resettlement Plans will be disclosed to the displaced persons and submitted to ADB for review and approval prior to award of contract. Compensation and other assistances will have to be paid to displaced persons prior to any physical or economic displacement of displaced households and prior to commencement of any civil works.

A. Policy and Legal Framework

11. The policy framework and entitlements for the program are based on national laws: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, The Indian Telegraph Act, 1885, The Indian Electricity Act, 2003, Rehabilitation and Resettlement (R&R) Policy of GoAP, 2005, State laws and regulations and ADB's SPS, 2009.

1. RFCTLARR Act, 2013

12. The RFCTLARR Act, 2013, provides for a transparent process and just and fair compensation to the affected families whose land is acquired or proposed to be acquired or are affected by such acquisition and provides for rehabilitation and resettlement of the affected families. The basic principle of the RFCTLARR Act is to ensure that the cumulative outcome of compulsory land acquisition should be such that, the affected persons become partners in development, leading to an improvement in the standard of living after acquisition. This act came into effect on 1 January 2014 and the Land Acquisition Act, 1894 stands repealed. The salient provisions of RFCTLARR Act are discussed below.

13. The RFCTLARR Act applies to acquisition of land for a public purpose, as defined in the act. The act provides for consultation with and involvement of local self-government in undertaking a Social Impact Assessment (SIA).² The SIA is reviewed by an Expert Group to assess if the potential benefits of the project outweigh the social cost and adverse social impacts. The expert group can recommend either for or against proceeding with the project. The appropriate government is not bound by the decision of the expert group and can decide otherwise.

14. The act prohibits acquisition of multi crop land for any project, however on exceptional cases allows acquisition of multi crop land, wherein the State specific threshold of acquiring such land is not exceeded and equivalent waste land is developed for agricultural purpose.

15. The competent authority while determining the market value of the land has to consider the higher value of the land arrived at by 3-methods of valuation vis: (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid for PPPs or private companies. In case of rural areas, the market value of land so determined is multiplied by a factor, to be decided by the appropriate government. A solatium of 100% is payable on the market value of land multiplied by the factor and all immovable properties or assets, trees and plants.

16. A Resettlement and Rehabilitation award detailing the entitlements to be provided as per the Second Schedule of Act is passed by the competent authority. Possession of land can be taken only after payment of compensation and rehabilitation and resettlement entitlements as detailed in Second Schedule and Third Schedule. The details of amenities to be provided in a resettlement site are detailed in the Third Schedule.

2. The Indian Telegraph Act, 1885 (Central Act 13 of 1885)

17. The act provides for erection of transmission towers and draw transmission lines in or upon any immovable property and the maintenance of the same.

- (i) Sec 10 of the act defines powers of the telegraph authority³ to erect and maintain telegraph lines and posts.
- (ii) Sec 10 (b) vests the telegraph authority no right on the land other than that of user only in the property under, over, along, across in or upon which the telegraph

² The state legislature through the Act No. 22 of 2018, called as "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Andhra Pradesh Amendment) Act, 2018. Andhra Pradesh", has exempted application of provisions under chapter 2 (on requirements of conduct of SIA) and chapter 3 of the principal Act to certain categories of projects that include industrial corridor and infrastructure projects (where land ownership continues to vest with the government). Refer link [ACT No.22 of 2018.pdf \(indiacode.nic.in\)](#)

³ To be read along with Section 164 of India Electricity Act, 2003.

authority places any telegraph line or post on the land in which telegraph lines and posts are laid.

- (iii) Sec 10 (c) bars use property vested in or under the control or management of any local authority, without the permission of the local authority.
- (iv) Sec 10 (d) provides for efforts to be taken to minimise damage to the property and payment of full compensation to all persons interested in any damage sustained while erecting and maintaining telegraph lines and posts. This provision does not apply to property belonging to local body and it is governed by Sec 12 of the act.
- (v) Sec 16 (1) provides for intervention by District Collector / Magistrate empowering the telegraph authority to exercise his right to erect and maintain telegraph lines and posts when there is resistance from the property owner.
- (vi) Sec 16 (3) empowers the District Judge to determine the compensation paid for damages if any dispute arises on the same.
- (vii) Sec 16 (4) provides for remitting the compensation for damages in the Court of District Judge, when there is a dispute on person entitled to receive the compensation and / or apportionment.

3. The Indian Electricity Act, 2003 (Central Act 36 of 2003)

18. The act consolidates the laws relating to generation, transmission, distribution, trading and use of electricity and for matters connected therewith or incidental thereto:

- (i) Sec 164 empowers the appropriate Government to confer on any Authority or person engaged in the business of supplying electricity under the Act, any of the powers which the Telegraph Authority possesses under the Telegraph Act with respect to the placing of telephonic lines or posts for the purpose of a telephone established or maintained by the Government or to be so established or maintained

4. APTransco Memo on Payment of Diminution Value for Tower Area, 2015⁴

19. The Chief Engineer, Construction, APTransco, through an office memo has directed payment of diminution of land value to the land owner on whose land the transmission tower is erected along with compensation for trees and crops affected. Prior to this office memo, no payment was made for erecting the tower other than the compensation for trees and crops damaged as per the provisions of The Indian Telegraph Act, 1885.

5. Energy Infrastructure and Investment Department Order, G.O.RT. No. 83, dated 20.06.2017

20. The department has issued guidelines for payment of compensation towards damages in regard to Right of Way for transmission lines. These specifically relate to impacts to land due to installation of towers/pylon structure and diminution of land value in the width of Right of Way of transmission lines. **Refer Appendix 1** for order copy.

⁴ On October 2015 specific order and guidelines for payment of compensation toward damages in regards to right of way of transmission line was issued by Ministry of Power, Government of India. In those guidelines the landowner on whose land the tower is erected is entitled for 85 percent of the guideline value as per the Stamp Act towards the tower base area as compensation and for the corridor through which the transmission line passes through, a 15 percent of the guideline value as per the Stamp Act towards the width of the right-of-way corridor of the transmission line as diminution of land value. During the processing of this project no decision is made by the GoAP/ APTranco on this guideline. As and when the Gol guidelines are adopted by GoAP, the same will become payable and this Resettlement Framework and subproject related Resettlement Plans will be updated and the APTranco Memo on the payment of diminution value for transmission tower will be replaced.

6. Government of Andhra Pradesh Rehabilitation and Resettlement Policy, 2005

21. The GoAP vide its order G.O. Ms. No.68 of Irrigation and CAD (Project Wing-LA-IV--R&R) Department, dated 8 April 2005 approved a comprehensive and uniform R&R policy applicable to projects implemented by all departments of GoAP.

22. The objective of the policy are: to minimise displacement and to identify non- displacing or least displacing alternatives; to plan the resettlement and rehabilitation of project affected families and project displaced families, including special needs of scheduled tribe and vulnerable sections; to provide better standard of living to project affected families and project displaced families; and to facilitate harmonious relationship between the requiring body and project affected families through mutual cooperation.

23. The policy applies to projects that are notified under this R&R policy and that displaces 100 or more families en-mass in plain areas or 25 or more families en- mass in Tribal areas or in areas mentioned in Schedule V of the Constitution of India from their lands and or houses.

24. The definition of a family under this policy is contentious; it defines a family as one that includes a person, his or her spouse, minor sons, minor daughters, minor brothers or minor sisters and other members residing with him and dependent on him for their livelihood. Further each major son and major daughter residing with such person has been treated as a separate family. This is contrary to the definition of a family by Registrar General and Census Commissioner of India which states that 'a household is usually a group of persons who normally live together and take their meals from a common kitchen unless the exigencies of work prevent any of them from doing so'.

25. In defining the project affected family, the policy recognises both title and non-title holders whose livelihood is substantially affected, but only if such have been there for not less than 3-years preceding the date of declaration of the affected zone. Further, it includes families who lose more than 50 percent of land due to acquisition and left-over land after acquisition is below 5 acre of dry or 2.5 acre of wet or a combination of both, in other words land owners losing more than 50 percent of their land and reduced to small farmer category are defined as project affected family. A project displaced family and any tenure holder, tenant, lessee or owner of other property, who on account of acquisition of land (including plot in the abadi or other property) in the affected area or otherwise, has been involuntarily displaced from such land or other property are also included as project affected family.

26. The Administrator for R&R is stipulated as an officer not below the rank of Joint Collector of the State and an officer of the rank of Commissioner or Secretary is stipulated to be the Commissioner for Resettlement and Rehabilitation, who will be in overall charge for Resettlement and Rehabilitation.

27. The policy provides for free house site for loss of house and house construction grant to the below poverty line (BPL) amongst them. Land for land is an option available to those who loss of agricultural land and become landless or marginal or small farmer and the policy recommends issue of title in the joint names of wife and husband. Grant for cattle shed, grant for transportation, grant for re-establishing shop/trade, assistance for loss of livelihood commensurate to the extent of land lost, assistance to labourers and employees for loss of livelihood and subsistence allowance to displaced families are the R&R benefits provided in the policy.

28. The policy also lists the basic amenities and infrastructure facilities that are required to be provided in the resettlement sites and include drinking water, internal roads, drainage, electricity, primary school building, playground, community centre and access road.

7. Modification to Government of Andhra Pradesh Rehabilitation and Resettlement Policy, 2005 in 2010 for Road Sector Projects

29. Modification to the R&R policy was made for road sector projects, at the behest of APRDC, vide G.O. Rt. No. 1059 of Transport, Roads and Buildings (R.IV) Department dated 20.11.2010.

30. The applicability of the policy in projects where 100 or more families en-mass are displaced in plain areas is widened to include projects that result in partial losses and/or displacement and covers scattered displacement.

31. Families without legal titles are defined as persons occupying government/other land for cultivation to earn their living and those residing or carrying out economic activity in structures built within the affected zone and/or corridor of impact.

32. The definition of the displaced family is modified to include those losing more than 25 percent of land or 25 percent of their residential or commercial structure. Further, the concept of cut-off-date is introduced and is defined as the date of land acquisition notification for the legal owners and the date of social survey for squatters and encroachers to be eligible to receive R&R entitlements.

33. The provision of free house site to legal owners is extended to squatters losing dwelling/shops/workplace. While the extent of site allotted for dwelling remains unchanged, the extent of site for shop is stipulated as 30 m² in rural areas and 25 m² in urban areas.

34. The house site grant assistance is extended to BPL amongst the squatters and to those losing shops are provided with grant to reconstruct the shop.

8. Andhra Pradesh Government Order on Resumption of Assigned Lands

35. The GoAP vide its order G.O. Ms. No. 1307 of Revenue (Assignment. I) Department, dated 23 December 1993 has stipulated that compensation for assigned lands, that are resumed for public purpose, are paid the market value for land on par with similar *pattadhar* land and with an additional 30 percent as solatium. The assignee is also entitled for compensation for any structure or well erected in the land. The order further explains that this payment is an ex-gratia payment and that the assignee will not have right to seek enhanced compensation through the court.

36. Since the RFCTLARR Act, 2013 provides for an enhanced solatium of 100 percent, the same would apply to assignees too.

9. ADB's Safeguards Policy Statement, 2009

37. ADB's SPS, 2009 describes the policy objective, its scope and triggers and principles of (i) environmental safeguards; (ii) involuntary resettlement safeguards; and (iii) indigenous people's safeguards. The objectives of involuntary resettlement safeguards are: (i) avoid involuntary resettlement where possible; (ii) if avoidance is not possible, minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance, or at least restore, the

livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

38. The involuntary resettlement safeguards policy covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of; (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

39. The three important elements of involuntary resettlement safeguards are: (i) compensation at replacement cost for lost assets, livelihood, and income prior to displacement; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to enhance, or at least restore, the livelihoods of all displaced persons relative to pre-project levels and to improve the standard of living of displaced poor and other vulnerable groups.

B. Comparison of Government and ADB Policies

40. A comparison between Government Statutes and ADB's involuntary resettlement safeguards policy that provides gap-filling measures reflected in the entitlement matrix is presented as **Appendix 2**. The RFCTLARR Act, 2013', which has integrated provisions of National Rehabilitation and Resettlement Policy with that of Land Acquisition Act 1894, recognises titleholders and non-titleholders affected by land acquisition. Wherein, the squatters, encroachers and those present in right of way and other government lands are excluded from the purview of the Act.

41. The key difference between the Government and ADB's involuntary resettlement safeguards policy is with regard to the cut-off date for determining the eligibility for compensation and R&R assistance to all those who are affected by the project irrespective of the ownership title to the land. As per the provisions of RFCTLARR Act, the cut-off-date for title holders is the date of SIA notification [Sec 4(2)] and for non-titleholders affected by the acquisition of such land; they should have been living/working three years or more prior to the acquisition of the land. To bring this Resettlement Framework in line with ADB's requirements, this Resettlement Framework mandates that in the case of land acquisition, the date of issue of notification will be treated as the cut-off date for title holders, and for non-titleholders such as squatters and encroachers, whom the act does not recognise, the cut-off date will be the start date of the subproject census survey. For assigned landholders, the start date of the 'enjoyment survey', confirming extent, boundary, and enjoyment/use/occupation status of the affected assigned land parcels, will be the cut-off date. In case of all affected non-title holders, suitable compensation (ex-gratia payments) for loss of assets and R&R assistance is proposed in the entitlement matrix.

42. A significant development in Government statute is the notification of 'The RFCTLARR Act, 2013', which has repealed the Land Acquisition Act of 1894 (as amended in 1984). This Act would both complement the revision of the National Rehabilitation and Resettlement Policy (2007) and decrease significantly the gaps between the Land Acquisition Act 1894 and ADB's SPS. In particular, the Act would require social impact assessments for projects involving land acquisition. The Act also expands compensation coverage of the principal act by requiring that the value of structure, trees, plants, or standing crops damaged must also be included and the solatium being 100 percent of all amounts inclusive. The Act furthermore meets ADB requirement of all

compensation to be paid prior to project taking possession of any land and provision of R&R support including subsistence grant and transportation cost.

C. Involuntary Resettlement Safeguard Principles for the Project

43. Based on the above analysis of government provisions and ADB policy, the following resettlement principles are adopted for this Project:

- (i) Screen the project early, to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socio-economic survey of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Adopt measures to avoid and minimize involuntary resettlement impacts by taking the following measures: (i) explore siting the subproject components in government land or locations which are less impacting; (ii) ensure use of appropriate technology to reduce land requirement; and (iii) modify the designs of subproject components to minimize land requirement and ensure involuntary resettlement is avoided or minimized.
- (iii) Where displacement is unavoidable, improve, or at least restore, the livelihoods of all displaced persons through: (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods; (ii) prompt replacement of assets with access to assets of equal or higher value; and (iii) prompt compensation at full replacement cost for assets that cannot be restored.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets at replacement value.
- (vi) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to national minimum standards or standard before displacement whichever is higher.
- (vii) Carry out meaningful consultations with displaced persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations.
- (viii) Prepare a resettlement plan elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.

- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
- (x) Pay compensation and provide all resettlement entitlements before physical or economic displacement and before commencement of civil works. Implement the resettlement plan under close supervision throughout project implementation.
- (xi) Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of displaced persons.
- (xii) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement⁵ to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (xiii) Monitor and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

D. Eligibility Criteria

44. The displaced persons falling in any of the following three categories will be eligible for compensation and resettlement assistance in accordance with the principles of this Resettlement Framework:

- (i) those who have formal legal rights to land lost in its entirety or in part;
- (ii) those who lost the land they occupy in its entirety or in part and have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national/state laws; and
- (iii) those who lost the land they occupy in its entirety or in part and have neither formal legal rights nor recognized or recognizable claims to such land.

45. **Cut-off Date:** For title holders, the date of SIA notification [Sec 4 (1) and 4(2)] of intended acquisition as per the provisions of RFCTLARR Act will be treated as the cut-off date, and for non-titleholders the start date of census survey for that subproject will be the cut-off date. For assigned landholders, the date of enjoyment survey confirming extent, boundary, and enjoyment/use/occupation status of the affected assigned land parcels, will be the cut-off date. In case of village/settlement/locality where survey of non-titleholders or assigned landholders could not be completed, the start date of the census or enjoyment survey, as applicable, will be treated as the cut-off date. There will be adequate notification of cut-off date and measures will be taken to prevent encroachments/squatting after the cut-off date is established.

⁵ ADB SPS 2009 (Safeguards Requirements 2) does not apply to negotiated settlements. The policy encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with affected persons, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. Also, an independent external party will be engaged to document the negotiation and settlement processes. In cases where the failure of negotiations would result in expropriation through eminent domain or the buyer could acquire the property regardless of its owner's decision to sell it or not, will trigger ADB's involuntary resettlement policy. The Safeguard Requirements 2 will apply in such cases, including preparing a resettlement plan.

E. Entitlement Matrix

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

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

47. An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/State Laws and ADB SPS. The following entitlement matrix presents the entitlements corresponding to the tenure of the displaced persons.

Table 3: Entitlement Matrix

Impact Category	S. No.	Entitlements	Implementation Guidelines
Section I. TITLE HOLDERS - Loss of Private Property			
Loss of Land (agricultural, homestead, commercial or otherwise)	1.1	Compensation for land at Replacement Cost or Land for land, where feasible.	<p>Land will be acquired by the competent authority in accordance with the provisions of RFCTLARR Act, 2013.</p> <p>Replacement cost for land will be the higher of the following: (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land situated in the nearest village or nearest vicinity, ascertained from the highest 50% of sale deeds of the preceding 3 years ; or (iii) consented amount paid for PPP projects or private companies.</p> <p>In addition to the above, 100% solatium and 12% interest from date of notification⁶ to award.</p> <p>The multiplier or factor adopted by GoAP⁷ for land in rural area, based on the distance from urban area to the affected area, will be applied.</p> <p>In case of severance of land, the landowner will have the option of offering the unviable severed portion of the land for acquisition.</p>
	1.2	One-time payment of Rs.500,000 for each affected household or, annuity policy that shall pay Rs.2000 per month for 20 years with appropriate indexation to CPIAL	
Loss of residential structure	2.1	<p>In addition to compensation for land and assistance listed above under S.No.1</p> <p>Cash compensation at scheduled rates for structure without depreciation and with 100% solatium</p>	<p>The value of houses, buildings and other immovable properties will be determined by R&B Department on the basis of relevant R&B (Buildings) SoR as on date, without depreciation.</p> <p>For partially affected structures, the affected person will have the option of claiming compensation for the entire structure, if the remaining portion is unviable.</p>
	2.2	Right to salvage materials from affected structure	
	2.3	One time assistance of Rs.25,000 to those who lose a cattle shed	

⁶ For the purpose computing the 12% interest on the market value, the competent authority will take the period from SIA notification [Sec 4 (2)] to award or, from preliminary notification [Sec 11(1)] to award, as the case may be

⁷ Vide G.O.Ms. No. 389 of Revenue (Land Acquisition) Department, dated 20.11.2014.

Impact Category	S. No.	Entitlements	Implementation Guidelines
	2.4	An alternative house as per IAY ⁸ specifications for those in rural areas who have to relocate; and a constructed house/flat of minimum 50 m ² for those in urban areas, or, cash in lieu of house if opted for (the cash in lieu of house will be RS.100, 000 ⁹ in rural areas in line with Gol IAY standards, and RS.150,000 ¹⁰ in case of urban areas.	Stamp duty and registration charges will be borne by the project in case of new houses or sites.
	2.5	One-time assistance of RS.25,000 for affected family ¹¹ of an artisan or self-employed person who has to relocate.	
	2.6	One-time subsistence allowance of Rs.36,000 for affected households who are required to relocate due to the project.	
	2.7	Shifting assistance ¹² of Rs.50,000 for affected households who require to relocate due to the project	
	2.8	One time Resettlement Allowance of Rs.50,000 for affected households who have to relocate	
	2.9	Additional one-time assistance of Rs.50,000 to scheduled caste and scheduled tribe families displaced from Scheduled areas and who are required to relocate due to project.	
	2.10	Registration cost and taxes associated with new house, if any, will be borne by the project.	
Loss of Commercial structure	3.1	In addition to compensation for land and assistances listed above under S. No.1 Cash compensation for structure at scheduled rates without depreciation, with 100% solatium.	The value of commercial structures and other immovable properties will be determined by R&B Department on the basis of relevant R&B (Buildings) SOR as on date, without depreciation. For partially affected structures, the affected person will have the option of claiming compensation for the entire structure, if the remaining portion is not viable for continuing business.

⁸ IAY is now renamed as Pradhan Mantri Awaas Yojana (PMAY) and the cash in lieu of house will be paid as per the latest revised amount under the scheme, including the State contribution.

⁹ Beneficiary assistance currently under Pradhan Mantri Awaas Yojana-Grameen (PMAY-G) is ₹ 120,000, of which Gol contribution is ₹.72,000 and State (GoAP) contribution is ₹ 48,000. Additional assistance of ₹ 80,000 that includes GoAP loan facility (₹18,740), MGRENGS employment (₹58,260) and Individual Household Latrine construction assistance (₹3,000) is further provided by the state.

¹⁰ As per G.O.R.T. No. 86 (dated 14.07.2016), Housing (R&UH.A2) department, Government of Andhra Pradesh, assistance of ₹ 250,000 (GoAP- ₹ 100,000 and Gol- ₹ 150,000) is provisioned under PMAY-Urban. Further, loan assistance up to ₹ 75,000 is also provided under the scheme

¹¹ The term 'family' is used in the RFCTLARR Act, 2013. In this entitlement matrix, the term 'household' and 'family' denote 'affected family'.

¹² To cover the cost of transportation of household articles and salvaged material from the structure.

Impact Category	S. No.	Entitlements	Implementation Guidelines
	3.2	Right to salvage affected materials	
	3.3	Shifting assistance ¹³ of Rs.50,000 for affected households who require to relocate the business due to the project	
	3.4	One time Resettlement Allowance of Rs.50,000 for affected households who have to relocate the business	
	3.5	Additional onetime assistance of Rs.50,000 to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who are required to relocate the business due to the project.	
Impact to tenants / leaseholders (residential / commercial / agricultural) / sharecroppers	4.1	Residential	
	4.1.1	Two months' notice to vacate the rented premises	
	4.1.2	For tenants who have to relocate, rental allowance for two months	
	4.1.3	Shifting assistance ¹⁴ of Rs.10,000	
	4.2	Commercial	
	4.2.1	Two months' notice to vacate the rental premises	
	4.2.2	For tenants who have to relocate, rental allowance for two months	
	4.2.3	Shifting assistance ¹⁵ of Rs.10,000	
	4.3	Agricultural Tenants	
	4.3.1	In case of agricultural tenants, advance notice to harvest crops, or, compensation for lost crop at market value of the yield determined by the Agricultural Department	
	4.4	For all the above categories (residential/commercial/agriculture) of tenants/leaseholders/ sharecroppers	
	4.4.1	In addition to the above, reimbursement for unexpired lease/advance rent paid. Even if informal.	
	4.4.2	Assistance to find new land/place for affected tenants/leaseholders.	
	4.4.3	All the above provisions will apply to tenants/ leaseholders/ sharecroppers of negotiated land settlements as well as those affected by land acquisition.	

¹³ To cover the cost of transportation of household articles and salvaged material from the structure

¹⁴ To cover the cost of transportation of household articles and salvaged material from the structure

¹⁵ To cover the cost of transportation of household articles and salvaged material from the structure

Impact Category	S. No.	Entitlements	Implementation Guidelines
Impact to trees, standing crops, other properties, perennial and non-perennial crops:	5.1	Three months (90 days) advance notification for the harvesting of standing crops, or, lump sum equal to the market value of the yield of the standing crop lost determined by the Agricultural Department	
	5.2	Compensation for trees based on timber value at market price to be determined by the Forest Department for timber trees and by the Horticulture / Agriculture Department for other trees (perennial trees), with 100% solatium.	
	5.3	Loss of other associated properties such as irrigation wells will be compensated at scheduled rates of R&B Department (Buildings) Department, with 100% solatium.	
Section II. NON-TITLE HOLDERS¹⁶ - Impact to squatters / encroachers			
Impact to Squatters	6.1	Loss of Residential House	Only directly affected squatters who live there will be eligible for all assistance. Structure owners in RoW/government lands who do not live there and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances.
	6.1.1	Compensation for structure at scheduled rates without depreciation, with two months' notice to demolish the affected structure	
	6.1.2	Right to salvage materials from the affected house.	
	6.1.3	An alternative house for those who have to relocate, as per IAY ¹⁷ specifications in rural areas and a constructed house/flat of minimum 50 m ² . in urban areas, or, cash in lieu of house, if opted for (the cash in lieu of house will be Rs.100,000 ¹⁸ in line with GoI IAY standards in rural areas and Rs.150,000 ¹⁹ in case of urban areas), for those who do not have any homestead land and who have been residing in the affected area as per subproject cut-off date.	
	6.1.4	One-time subsistence allowance of Rs.18,000	
	6.1.5	Shifting assistance ²⁰ of Rs.10,000.	
	6.2	Loss of Commercial shop	Only directly affected squatters, who do business at the location, will be eligible for all assistance. Structure owners in RoW/government land who do not run the business and have rented out the structure will be eligible for compensation for structure and no other
	6.2.1	Compensation at scheduled rates without depreciation for structure with one-month notice to demolish affected structure	
6.2.2	Right to salvage materials from affected structure		

¹⁶ affected person who has no legal right over the acquired land

¹⁷ (Footnote 8)

¹⁸ (Footnote 9)

¹⁹ (Footnote 10)

²⁰ To cover the cost of transportation of household articles and salvaged material from the structure

Impact Category	S. No.	Entitlements	Implementation Guidelines
	6.2.3	One time rehabilitation grant of Rs. 20,000 for reconstruction of affected shop	assistance will be provided them. The occupier (squatter-tenant) will be eligible for one time subsistence allowance and shifting/relocation assistances.
	6.2.4	One time subsistence allowance of Rs.18,000	
	6.2.5	Shifting assistance ²¹ of Rs.10,000	
	6.3 6.3.1	Street Vendors One month's advance notice to relocate to nearby place for continuance of economic activity.	The PIU and the implementation support NGO/agency will consult such displaced persons and assess the requirement of rehabilitation grant.
	6.3.2	One-time financial assistance of Rs.5,000	
	6.4 6.4.1	Cultivation Two months' notice to harvest standing crops, or market value as compensation for standing crops, if such notice is not given.	
Impact to Encroachers	7.1 7.1.1	Cultivation Two months' notice to harvest standing crops, or market value as compensation for standing crops, if such notice is not given.	Market value for the loss of standing crops will be decided by the PIU, in consultation with the Agriculture or Horticulture Department.
	7.2 7.2.1	Structure Two months' notice to demolish the encroached structure	
	7.2.2	Compensation at scheduled rates without depreciation for the affected portion of the structure	The value of commercial structures and other immovable properties will be determined by R&B Department on the basis of relevant SoR as on date without depreciation.
Section III. Loss of Livelihood Opportunities			
Loss of income from commercial shop / business to titleholders	8.1	Subsistence allowance of Rs.36,000 to affected business owner who is required to relocate the business due to the project	If the business owner is different from the structure owner, the subsistence allowance and one-time grant for loss of livelihood will be paid to the business owner.
	8.2	One time grant of Rs.25,000 for affected business owners who are required to relocate the business due to the project	
	8.3	Displaced families in scheduled area belonging to Scheduled Caste and Scheduled Tribe will received additional one-time Rs.50,000 as subsistence allowance	
Loss of employment in non-agricultural activities or daily agricultural wages or other wage workers	8.4	Subsistence allowance equivalent to applicable prevalent minimum wage for 6 months.	Only agricultural labourers, who are in full-time / permanent employment of the land owner, or, full-time employees of affected businesses will be eligible for this assistance. Seasonal agricultural labourers will not be entitled to this assistance.
Section IV. Temporary Impacts			

²¹ To cover the cost of transportation of household articles and salvaged material from the structure

Impact Category	S. No.	Entitlements	Implementation Guidelines
Temporary loss of land and damage to crops during erection of towers and drawing transmission / distribution lines	9.1	Titleholders will be entitled for one-time grant ²² of Rs.190,000 for a 400 kV, Rs.99,500 for a 220 kV and Rs. 55,000 for a 132 kV tower erected in their land as compensation for diminution of land value to the land owner.	The landowner will have the right to use the land after civil works are completed, without causing damage to the tower or lines.
	9.2	For trees and crops, the landowner will be compensated at four times the rate fixed by Revenue Department vide their GO 357 of Revenue (LA) dated 23.03.2006 for loss of crops/trees, and land will be restored back to its original condition.	
	9.3	Non-titleholders will be given three months' notice to harvest standing crops.	
Temporary disruption to residences and shops during laying of transmission/distribution lines	10.1	<u>Residential</u> Temporary access to residences with adequate safety measures	The project will provide alternate space in cases not involving permanent displacement. In the event that temporary displacement exceeds three months, monthly assistance will be payable at minimum wage rate for the duration of disruption.
	10.2	<u>Commercial shops/vendors/kiosks</u> All temporarily disrupted commercial activities will be provided with alternative temporary space to enable continuity of the economic activities	
	10.3	Compensation at the average net income/loss reported by similar types of affected businesses in the area for the period of disruption, or, three months of minimum wages whichever is more	
Section V. Impact to Vulnerable Displaced Persons			
Vulnerable ²³ Households (affected by all type of impacts)	11.1	Training for skill development. This includes cost of training and financial assistance for travel/conveyance, food, and loss of wages for earning members for the duration of training.	One adult member of the affected household, whose livelihood is affected, will be entitled for skill development.

²²The unit rate will be revised as and when the Chief Engineer, Construction, Transmission Corporation of Andhra Pradesh Limited (APTransco) revises the rate. As per the G.O. RT. No. 83 of Energy, Infrastructure and Investment (Pr.II.A2) Department, Government of Andhra Pradesh dated 20.06.2017 (Appendix-1), the compensation is revised to (i) 100% of land value as determined by District Magistrate or any other authority based on circle rate/ Guidelines value/Stamp Act rates for tower base area (between four legs) impacted severely due to installation of tower/ pylon structures and when there is revision by state authority; and (ii) compensation towards diminution of land value in the width of Right of Way (RoW) corridor due to laying of transmission line and as per categorization/ type of land, subject to a maximum of 10% of land value as determined based on Circle rate/ Guideline value / Stamp Act rates.

²³Women Headed Households (WHH), elderly headed households, children (orphans and/or working children, if any) households with physical/mentally disabled members, Antyodaya Anna Yojana (AAY) and Annapurna Scheme (AP) card holder households (i.e.) who come under BPL households, scheduled caste households, scheduled tribe households, landless households and those without legal title.

Impact Category	S. No.	Entitlements	Implementation Guidelines
	11.2	One time assistance of Rs.25,000 to AHs who have to relocate	The PIU, with the support of the NGO appointed for Resettlement Plan implementation, will identify the number of eligible vulnerable displaced persons during joint verification and updating of the Resettlement Plan. The PIU will conduct training needs assessment in consultation with the affected persons so as to develop appropriate training programmes suitable to the skill and the region. Suitable trainers or local resource persons will be identified by PIU and NGO in consultation with local training institutes. Assistance to be provided by PIU and NGO to vulnerable households to find suitable jobs.
	11.3	Preference in employment in project construction activities, and project-related permanent employment and industries in GVMC/APIIC areas	
Section VI. Impact During Civil Works			
Impact to structure / assets / tree / crops	12.1	The contractor is liable to pay damages to assets/trees/crops in private/public land, caused due to civil works	The PIU will ensure compliance
Use of private land	12.2	The contractor should obtain prior written consent from the landowner and pay mutually agreed rental for use of private land for storage of material or movement of vehicles and machinery or diversion of traffic during civil works	The land will be restored to the original condition
Section VII. Common Property Resources			
Impact to common property resources such as places of worship, community buildings, schools, etc.	13.1	Relocation or restoration, if feasible, or cash compensation at replacement cost.	The PIU will ensure that utilities are relocated prior to commencement of civil works in accordance with the civil works schedule.
Utilities such as water supply, electricity, etc.	13.2	Will be relocated and services restored prior to commencement of civil works.	
Section VIII. Unforeseen Impacts			
Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of ADB SPS 2009.			

APIIC = Andhra Pradesh Industrial Infrastructure Corporation; DM= District Magistrate; GoAP = Government of Andhra Pradesh; Gol = Government of India; PMAY = Pradhan Mantri Awaas Yojana; kV = kilovolt; NGO = nongovernment organization; PIU = project implementation unit; R&B = Roads and Buildings; RFCTLARR = Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement; RoW = right of way; SoR = Schedule of Rates

F. Schedule for Compensation Payment and Resettlement Assistance

48. Compensation for land, structure and loss of income/livelihood, in accordance with the eligibility and entitlement, will be paid prior to physical or economic displacement. One-time rehabilitation assistances and shifting assistances paid as cash will also be disbursed prior to civil

works. However, any long-term rehabilitation measures like training for skill development and annuity for life will continue for a longer period and such rehabilitation measures will not be a bar to commence civil works.

49. For displaced persons require relocation physical displacement and houses demolition can only be done after the relocation sites are ready for occupations, completed with the necessary household facilities (i.e., water, electricity) and access to markets, employments, school and health posts. Additional assistances for relocation and transports should also be provided prior to the relocation activity.

G. Screening Criteria of Subprojects

50. The respective PIUs viz. APTransco, APIIC, GVMC and APRDC, will be responsible for involuntary resettlement planning and implementation. The PIU will use the checklist given in **Appendix 3** to screen subprojects to identify the resettlement impacts of the subprojects and involuntary resettlement impact categorisation. The PIU will submit the involuntary resettlement impact categorisation checklist to ADB through PMU for each subproject along with the subproject appraisal note.

51. Based on the screening, the Project will be assigned to one of the following categories depending on the significance of probable involuntary resettlement impacts.

- (i) **Category A** – A proposed project is classified as Category A if it is likely to have significant involuntary resettlement impacts. A resettlement plan, including an assessment of social impacts, is required.
- (ii) **Category B** – A proposed project is classified as category B if it includes involuntary resettlement impacts that are not deemed significant. A resettlement plan, including assessment of social impacts, is required.
- (iii) **Category C** – A proposed project is classified as Category C if it has no involuntary resettlement impacts. A due diligence confirming no involuntary resettlement impacts will be conducted for infrastructure components and a report prepared. No further action is required.

52. The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as; (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating). The level of detail and comprehensiveness of the resettlement plan will be commensurate with the significance of the potential impacts and risks.

H. Negotiated Settlement

53. The ADB SPS encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation²⁴ with displaced persons, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. Also, in case of negotiated settlement, an independent external

²⁴ A process that (i) begins early in the Project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

party²⁵ will be engaged by the PIU to document the negotiation and settlement processes. The principles of this Resettlement Framework with regard to meaningful consultation processes, mechanisms for calculating the replacement costs of land and other assets affected and record-keeping requirements, will be followed while handling Negotiated Settlement. If negotiation fails, the PIU will acquire land following the provisions of RFCTLARR Act and this Resettlement Framework.

54. The process of Negotiation involves the following steps: (i) negotiation will take place when there is a willing buyer – willing seller; (ii) consultation with the affected person has to be carried out and documented; (iii) the minimum negotiated price to start negotiations will be not below the valuation of land based on the market value of land; (iv) all the safeguards as mentioned in the Resettlement Framework has to be followed (v) all negotiations has to be carried out in a transparent manner and validated by a Third Party (eminent citizen / any party without any interest in the process, appointed by the PMU);(vi) in case of failure of negotiations compensation will be paid as outlined in the Entitlement Matrix of the Resettlement Framework and (viii) the entire process has to be documented.²⁶ The third party will have to submit reports during and on conclusion of negotiations; costs related to third party certification will be borne by the project proponent. The land transfer and updated records of the purchased lands will have to be completed prior to the start of civil works. No negotiated purchase from vulnerable households shall be undertaken for the project.

I. Voluntary Land Donation²⁷

55. In many cases ADB funded projects are based on the concept of land donation. In the case of land donation which the community or affected person agrees to donate a part of their land for the project an independent external party will have to be engaged to ensure and validate these requirements: (i) The donation will not cause significant impacts on the livelihood of the donor(s) and the donor is fully understood on the value of their donated land(s); (ii) the donation does not come from the land owner categorized as poor or vulnerable family; (iii) the donation will not cause any economical or physical displacement (legal or illegal) of the current land users; (iv) the land donor(s) will get direct benefits from the proposed project activities; (v) meaningful consultations are conducted with the land owner(s); and (vi) the land donation(s) does not come from coercion or asymmetrical power relation between the land owner(s) and the government. The above information has to be included in a due diligence report (DDR) to be prepared by the external party, preferably from reputed and qualified nongovernmental organization (NGO), for ADB review and approval. The land transfer and updated records of the donated lands will have to be completed prior to the start of civil works. No land donation by vulnerable households shall be undertaken for the project.²⁸

III. SOCIO-ECONOMIC INFORMATION

A. Surveys

56. On completion of the detailed engineering designs, a social impact assessment report and resettlement plan shall be prepared based on a census of the displaced persons and socio-economic survey of significantly impacted displaced persons. Social Impact Assessment (SIA) of

²⁵ An independent external party is a person not involved in the day-to-day implementation of the project and can include, for example, a local university professor, local NGO representative, etc.

²⁶ The sample TOR of third independent external party is in the Appendix 4 of this document.

²⁷ This includes donation of other type of assets attached to the land.

²⁸ The sample TOR of third independent external party is in the Appendix 4 of this document.

the displaced persons will be undertaken in each subproject so as to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain costs of resettlement, and prepare a resettlement and rehabilitation program for implementation.

57. The PIU either directly or through the Detailed Project Report (DPR) consultants or Turnkey Contractors will carry out the census and socio-economic surveys based on the final design of the subproject.

58. **Census Survey:** The census survey will cover 100 percent of the displaced persons and shall be carried out using a structured questionnaire to record the details of the present occupants within the subproject area, the area required for siting all the components of the subproject. The census survey is undertaken to: (i) identify the displaced persons; (ii) prevent further influx of persons within the subproject area; (iii) to assess the magnitude of impact to private assets; and (iv) to assess the extent of physical and/or economic displacement.

59. **Socio Economic Survey:** The purpose of the baseline socioeconomic survey of significantly impacted displaced persons is to establish monitoring and evaluation parameters. It will be used as a benchmark for monitoring the socio-economic status of displaced persons. The survey shall cover all significantly impacted displaced persons and the survey shall also collect gender-disaggregated data to address gender issues in resettlement. The socio-economic survey shall be carried out using a structured questionnaire, that would capture details of standard of living, inventory of assets, sources of income, level of indebtedness, profile of household members, health and sanitation, access to services and facilities, perceived benefits and impacts of the project and resettlement preferences of all major impacted households likely to be displaced. This information along with the census survey data would facilitate the preparation of a resettlement plan to mitigate adverse impact.

60. As part of socio-economic survey, wide range of consultations with different impacted groups as well as other stakeholders will be conducted to ascertain their views and preferences. Based on the outcome of these consultations the designs changes, if required and if feasible, and mitigation measures will be incorporated. Consultations will include women and their concerns and reactions to the project will be addressed through appropriate mitigation plan.

61. Subprojects involving acquisition of private land and causes impact to non-titleholders who had been affected by the acquisition of such land and who have been living/working three years or more prior to the acquisition of the land, the scope of SIA provisions of RFCTLARR Act will apply. In such cases, the census and socio-economic survey will be carried out in accordance with the provisions of the RFCTLARR Act.

62. **Land Plan Schedule (LPS):** LPS to establish the ownership of land shall be prepared based on village maps, field measurement books (FMB) and Adangal (ownership details). Subproject components sited in government land will also require to establish that the ownership is vested with the government through preparation of the LPS. Wherever additional land is required, these LPS would provide the details of land owners and the extent of land being acquired as a percentage total land holding.

B. Resettlement Plan

63. The Resettlement Plan will be prepared and updated/ finalized based on the findings of the census and socio-economic survey and consultations. It will include the findings of the census of displaced persons, and their entitlements to restore losses, socio economic characteristics of

the displaced persons, institutional mechanisms and implementation schedules, budgets, assessment of feasible income restoration mechanisms, development of resettlement sites and relocation, grievance redressal mechanism, coordination of implementation in conjunction with civil works procurement and construction schedules and internal and external monitoring mechanisms. The resettlement plan should be structured as per the outline in **Appendix 5** and will be detailed as needed depending upon the magnitude and nature of impacts. The impacts and mitigation measures will be presented subproject component wise so to coordinate with the procurement and construction schedules of the respective components.

64. The resettlement plans will comply with the principles outlined in this Resettlement Framework and the final Resettlement Plan for subprojects under VCICDP will be reviewed and endorsed by the Asian Development Bank and approved by competent authority in the PIU prior to invitation of bids for civil works. Disbursement of compensation payments and resettlement and rehabilitation assistances will be made prior to displacement and prior to handing over of the land parcels to contractors for civil works.

C. Gender Impacts and Mitigation Measures

65. Women Headed Households have been categorised as vulnerable group in this Resettlement Framework. Any adverse impact of a subproject on women headed households will be addressed in accordance with the provisions of this Resettlement Framework. The resettlement plan will formulate measures to ensure that socio-economic conditions, needs and priorities of women are identified and the process of land acquisition and resettlement does not disadvantage women. It should be ensured that gender impacts are adequately addressed and mitigated. Women's focus groups discussions should be conducted to address specific women's issues.

IV. COMPENSATION, INCOME RESTORATION AND RELOCATION

A. Valuation of Affected Land and Assets

66. **Compensation for land and assets attached to the land:** Land will be acquired in accordance with provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and while determining the compensation for land, the competent authority will be guided by the provisions of Sec 26, Sec 27, Sec 28, Sec 29 and Sec 30 of RFCTLARR Act, 2013. The compensation includes a multiplying factor²⁹ of 1-2 times of the compensation determined as the higher of guideline value or average of higher 50% of sale dead rates for last 3 years or any rates consented for PPP or private project's. In addition 100% solatium for involuntary acquisition of land will be added. There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act.

67. If the residual land, remaining after acquisition, is unviable, the owner of such land/property will have the right to seek acquisition of his entire contiguous holding/property. The competent authority will be guided by the opinion of the concerned authority on the viability of the residual land.

68. **Compensation for structures:** The replacement value of houses, buildings and other immovable properties will be determined on the basis of latest Roads and Buildings (R&B) (Buildings) Schedule of Rates (SoR) as on date without depreciation. While considering the SoR,

²⁹ Prescribed Vide G.O.Ms. No 389 of Revenue (Land Acquisition) Department, dated 20 November 2014.

the PIU will ensure that it uses the latest rates for the structures. Wherever the SoR for current financial year is not available, the PIU will update the SR to current prices based on approved previous year escalations. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies like Village Panchayat/Village council in accordance with the modalities determined by such bodies to ensure correct use of the amount of compensation.

69. Further, all compensation and assistance will be paid to displaced persons at least 1 month prior to displacement or dispossession of assets. There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act.

70. **Compensation for trees:** Compensation for trees will be based on their market value. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops, fruit bearing trees will be decided by the PIU in consultation with the Departments of Forest, Agriculture and Horticulture. In line with the provision of RFCTLARR Act 2013, 100% solatium will be added to the assessed value of the trees. Prior to taking possession of the land or properties, the compensation will be fully paid and displaced persons will have the opportunity to harvest crops/trees within 30 days from the date of payment of compensation.

71. **Right to salvage material:** After payment of compensation, displaced persons would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that displaced persons can take away the materials so salvaged within 30 days from the date of disbursement; otherwise, the same will be disposed by the project authority without giving any further notice. Trees standing on the land owned by the government will be disposed of through open auction by the concerned Revenue Department/ Forest Department.

72. **Updating unit costs of entitlement:** The values/rates/unit costs contained in the entitlement matrix of this Resettlement Framework represent assessment of replacement costs until 31 March 2017. The review and updating (refer formula provided below), as required to meet replacement cost requirement³⁰, will be undertaken by PMU, based on Consumer Price Index for Agricultural Labourers (CPIAL). The updating will be done annually in the month of March and will become effective from the 1st day of April of the ensuing financial year. All unit costs of entitlements and assistances will be reviewed by PMU, based on the replacement cost requirement as per ADB SPS 2009. Respective resettlement budgets for the subprojects will be based on such updated unit costs, as applicable. All unit costs will also be reviewed at the time of the finalization of awards and revised unit costs, as applicable, will be reflected in respective updated resettlement plans.

³⁰ As per ADB SPS 2009, calculation of full replacement cost is based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. Where market conditions are absent or in a formative stage, the borrower/client will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information. For any delays in compensation payment, applicable interest as per law will be paid.

Adequacy of unit costs of entitlements and assistances to meet replacement cost requirements were assessed during updating of this resettlement framework in November 2022. All entitlements except for assistances to non-titleholders (that include shifting allowance, subsistence allowance, resettlement allowance), shifting allowance to tenants and one-time assistance to vulnerable households facing relocation, were assessed to be meeting the replacement cost requirement. All unit costs of entitlements and assistances will be reviewed by the PMU at the time of finalization of award as well and changes reflected accordingly in the updated resettlement plan.

Formula is $x_i = x_j \times (y_i/y_j)$

Where x is the unit of entitlement

i is the updating month and year

j is February 2016

y is the Consumer Price Index for Agricultural Labourers (CPIAL)

73. **Rehabilitation and Resettlement Award:** The PIU will conduct R&R award enquiry and pass a separate Rehabilitation and Resettlement Award in accordance with the provisions [Sec 31(2)] of RFCTLARR Act, listing the names of displaced persons and their entitlements as per the provisions of this Resettlement Framework. The same will be displayed in prominent places such as the office of the local body concerned and office of the PIU. Wherever, the subproject involves non-titleholders, the R&R award enquiry for non-titleholders will be held separately without clubbing it with the R&R award enquiry of titleholders, to avoid misgivings as to the entitlements.

B. Income Restoration and Relocation

74. **Income Restoration:** Each displaced person whose income or livelihood is affected by a subproject including employees if any, will be assisted to improve or at least restore it to pre-project level. For vulnerable households, their living standards will be improved to national/state minimum standards or pre-project levels, whichever is higher. Displaced persons access to basic utilities and public services will be ensured. The entitlement matrix also includes provisions under row items 10.2 and 10.3 (Table 3) for assistances to be provided to affected shops and businesses facing temporary income loss or disruptions by the project. The provisions under row items 10.2 and 10.3 of the entitlement matrix are applicable to the business owners as well as their employees. The results of the census and socioeconomic survey will be used as baseline to develop appropriate income restoration schemes in consultation with displaced persons and considering their resource base, existing skills and availability of market/demand for the same. During the joint verification, the PIU with support from the implementation support NGO/agency will identify the number of eligible economically displaced persons and vulnerable displaced persons requiring assistance for income restoration and skill development. The census and socio-economic survey undertaken during DPR stage and updated subsequently, as required, will form the baseline data for joint verification and conducting a training need assessment in consultations with the displaced persons so as to develop appropriate income restoration schemes. The PIU with support of the implementation support NGO/agency or project management and construction supervision consultants (PMSC) experts, will examine local employment opportunities and produce a list of possible income restoration options. Suitable trainers or local resources will be identified by PIU and implementation support NGO/agency in consultation with local training institutes. The PIU and implementation support NGO/agency will also facilitate displaced persons to access Government schemes that could help them to restore income and livelihood. Access to specific schemes for vulnerable persons/families (persons with disabilities, elderly, below poverty line, women, widows, scheduled caste and scheduled tribe, etc.) will be facilitated by the PIU and project NGO.³¹ The PIU will closely monitor and ensure the vulnerable displaced persons to have long term job employment in any Government institutions as appropriate with their residential locations.

³¹The implementation support NGO/agency will coordinate with village level volunteers (deployed for implementation of government welfare schemes) to ensure access to such schemes by project affected persons and particularly by the vulnerable households among the affected population. List of existing government welfare schemes may be accessed at: <http://www.aproms.ap.gov.in/Navaratanlu/index.html#AP-sdq>

75. Further, the entitlement matrix contained in this Resettlement Framework provides for subsistence allowance as a short-term measure to support the displaced persons during the intervening period from displacement to reestablishing the income generating activity.

76. **Relocation:** Affected persons facing loss of residential structures, including encroachers and squatters will be entitled to a minimum of 60 days advance notice to remove their assets, meant to minimize damage / loss and ensure that they incur none or minimal livelihood disruption. Affected persons will be provided compensation and other resettlement and rehabilitation benefits as per the entitlement matrix which shall be paid prior to their relocation. Vulnerable families will be provided additional benefits as prescribed in the entitlement matrix. Project shall consult with affected families/persons facing relocation in selection of relocation sites and consider their preferences in site selection, as applicable. In case relocated families are provided with house or house site as resettlement assistance, project shall ensure secure tenure of these assets to the assisted families, which shall be prior to their physical displacement.

77. The project (PIU, contractor and implementing NGO) shall facilitate affected families/persons facing relocation in finding suitable rental/temporary accommodation (if desired) in the vicinity and also facilitate in availing government schemes in housing and other such benefits.

78. PIU, PMSC and Implementing NGO personnel will be responsible for maintaining contact with each displaced poor/vulnerable household, throughout the project implementation period, to ensure that their socio-economic and housing status is monitored, and they are enabled to attain the anticipated rehabilitation outcome of improved standard of living.

79. **Development of Resettlement Sites:** While selecting the resettlement site the suitability for housing purpose, land ownership and use will be verified. Only those sites which are suitable for housing and amenable for issue of titles will be selected. If Government lands are not available, then private land acquisition will be initiated. The suitability of sites for housing will be confirmed from the District Administration and title will be issued to the displaced persons prior to the commencement of construction of houses. In case of resettlement sites, the minimum facilities described in Third Schedule of the RFCTLARR Act, 2013 will be provided. Consultations will be held with host community and specifically with the displaced families to ascertain their acceptance. The resettlement sites will be developed if more than 20 families are displaced in a continuous stretch of 5 Kms. In other cases, individual sites will be offered, which may be within nearby developed resettlement colonies. Displaced families will be given the option of getting a house or cash in lieu of house and based on options exercised by the affected people, resettlement sites or house sites will be developed.

80. The PIU and implementation support NGO/agency involved in the Resettlement Plan implementation, during the joint verification stage, will consult host community and all displaced persons eligible for alternate housing, and seek their preference on whether they would like to move into a resettlement site, developed in accordance with the provisions of the Third Schedule of the RFCTLARR Act (on infrastructure facilities and basic minimum facilities), or would prefer to relocate themselves to their place of choice. Upon obtaining the choice from the eligible displaced persons and if adequate number of displaced persons have opted for moving into a resettlement site, the requirement for resettlement site will be submitted to the jurisdictional Joint Collector for identification of suitable site. If no government land is identified within 1-month, the PIU will initiate steps to acquire suitable land for the same through the jurisdictional Joint Collector.

81. The land obtained/acquired for resettlement site will be provided with all amenities and facilities as stipulated in the Third Schedule of the RFCTLARR Act and plots will be allotted to the displaced persons through public draw of lots and title will be issued to the displaced persons. The displaced persons will be provided with built house in accordance with the provisions of the RFCTLARR Act and this Resettlement Framework. The stamp duty and registration charges for the house site and built house will be borne by the project. In case of resettlement sites that are situated close to existing villages or urban areas, appropriate measures will be taken to integrate the host population and enhance the various common facilities for smooth integration of host population with re-settlers. Wherever houses or house sites are provided to the displaced persons, the same may be registered jointly in the name of the wife and husband and title will be issued in the name of the wife/women and the husband.

V. CONSULTATION, PARTICIPATION AND DISCLOSURE

A. Meaningful Consultations

82. ADB's SPS defines meaningful consultation as a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

83. Consultations will be undertaken with the displaced persons, their host communities and civil society for every subproject identified as having involuntary resettlement impacts. Consultation will be undertaken from design stage and continue throughout the resettlement plan implementation. The consultation process established for the project will employ a range of formal and informal consultative methods. Different techniques of consultation with stakeholders are proposed during project preparation, such as in-depth interviews, public meetings, and group discussions.

84. Particular attention will be paid to the need of the disadvantaged or vulnerable groups, especially those BPL, the landless, the elderly, female headed households, women and children, Indigenous People/ Scheduled Tribes (if any), and those without legal title to land. The key informants to be consulted, during the project preparation phase and during the Resettlement Plan updating and implementation, shall include the following stakeholders:

- (i) Heads and members of households likely to be displaced
- (ii) Physically and economically displaced households belonging to the vulnerable groups
- (iii) Host communities
- (iv) Women in the displaced as well as host communities
- (v) Local self-government leaders, and,
- (vi) Government line departments.

85. Each subproject resettlement plan will be prepared and implemented in close consultation with the key stakeholders that includes affected persons and the host community. Women's participation will be ensured by involving them in public consultation at various level and stages of project preparation, which would enhance their ability to attend such meetings. The PIU will ensure that views of the displaced persons, particularly those vulnerable and women, related to

the resettlement process are looked into and addressed. The PIU will ensure that groups and individuals consulted are informed about the outcome of the decision-making process and confirm how their views were incorporated or not incorporated with reasons thereof. PIU will ensure that resettlement assistance and income rehabilitation program will be designed in close consultations with the physically and economically displaced people and monitor the result of such program to ensure none of them will be worse off due to the project activities.

B. Information Dissemination and Resettlement Plan Disclosure

86. Information will be disseminated to displaced persons at various stages. In the subproject initiation phase, the PIU will be responsible for issue of public notice to acquire particular land/property for the subproject components along with project information/details. The notice will be published once in local newspapers. The PIU along with local self-government leaders/revenue officials will also conduct meetings with displaced persons in addition to the public notification to ensure that the information is given to all of them.

87. For the benefit of the community in general and displaced persons in particular, a summary of the Resettlement Framework will be made available in local language during public meetings at the community level and be disclosed in public places both as draft and final version after it is approved by Government and ADB. During project 1 planning and implementation, disclosure of key elements of the resettlement framework such as entitlements, GRM provisions, institutional arrangements, timelines for compensation payments and procedures for payment were disclosed to affected persons and communities that are documented in respective resettlement plans (such as APTransco/01, APTransco/03, APRDC/01 and other GVMC and APIIC subprojects) and periodic safeguard monitoring reports submitted to ADB.

88. Each subproject resettlement plan will be disclosed to the displaced community detailing information including measurement of losses, detailed asset valuations, entitlements, grievance procedures, timing of payments and displacement schedule by the PIU, with assistance from the NGO/agency hired for assisting in Resettlement Plan implementation. This will be done through public consultation and made available as brochures, leaflets, or booklets, using local languages.

89. Gist of each Resettlement Plan will be translated and made available to the displaced persons. Hard copies of the resettlement plan will also be made available at: (i) Offices of the PIU; (ii) Office of the District Collectors; (iii) Taluk Office; and (iv) Office of the Panchayat / Union / Municipality / Corporation, as soon as the plans are available and certainly before land is acquired for the project. A report of disclosure, giving detail of date and location, will be shared with ADB along with the Quarterly Progress Report (QPR). The basic information in the resettlement plan including subproject components, locations, magnitude of impact, entitlements, implementation schedule etc. will be presented in the form of a brochure that will be circulated among the displaced persons.

90. The draft/updated Resettlement Framework as well as the draft/updated Resettlement Plans, and their translated versions, will be disclosed on the websites of the PMU, PIU and ADB. In addition, all safeguard documents including the quarterly progress reports and concurrent monitoring reports, impact evaluation reports, list of eligible displaced persons will be disclosed. The Resettlement Framework and Resettlement Plans will be maintained throughout the life of the project. A public consultation and disclosure plan will be finalised by PIU for the subproject as per the tentative schedule given in the following table.

Table 4: Public Consultation and Disclosure Plan

Activity	Task	Responsible Agencies	Communication Method
Screening of subproject and stakeholder Identification	Identifying subproject components involving IR impacts and assessment of likely impact	PIU	-
Census and Socio-economic survey	Identifying final displaced persons and collection of socioeconomic information from each displaced person. Carrying out meaningful consultations to capture issues and concerns of people and incorporate in the design.	PIU / DPR Consultants/ Turnkey contractors/ PMSC experts	Individual interviews, FGDs and public consultation meetings
Notification for LA	Publish list of affected lands/sites in a local Newspaper	PIU / Competent authority	Newspaper advertisements and issue of individual notice
Web disclosure of the draft/updated Resettlement Framework /Resettlement Plan	Resettlement Framework and final Resettlement Plans posted on PIU website	PIU	Website of PIU
Resettlement Plan disclosure meetings	Carryout consultations with displaced persons on magnitude of impact, entitlement, implementation arrangement and GRC	PIU / NGO/ Turnkey contractors/PMSC experts	FGDs and public consultation meetings
Hearing of objections on LA	Hearing of displaced persons objections / concerns of acquisition, ownership, apportionment, valuation, etc., pertaining to LA	Jurisdictional RDO	Individual hearing
Consultative meetings on resettlement mitigation measures outline in the Resettlement Framework / Resettlement Plan	Discuss entitlements, compensation rates, and grievance redress mechanisms.	PIU / NGO/ Turnkey contractors/PMSC experts	FGDs and public consultation meetings
Resettlement Framework / Resettlement Plan information Dissemination	Distribution of information leaflets containing gist of the Resettlement Framework and Resettlement Plan in Telugu language to displaced persons	PIU / / Turnkey contractors/PMSC experts/ NGO	Individual meetings
Project information dissemination	Project commencement details and scheduling of civil works	PIU / NGO/ Turnkey contractors/PMSC experts	Hand-outs and Individual meetings
Consultation with displaced persons	Throughout during Resettlement Plan implementation and formal consultation meetings to be held at least once in every quarter	PIU / NGO/ Turnkey contractors/PMSC experts	FGDs, individual meetings and public consultation meetings

Activity	Task	Responsible Agencies	Communication Method
Dissemination of monitoring reports	Internal and external monitoring reports will be uploaded in the website of PIU along with corrective actions taken, if any.	PIU	Website of PIU
Dissemination of GRC actions	Summary of complaints received and action taken will be uploaded in the website of PIU	PIU	Website of PIU

DPR = detailed project report; FGD = focused group discussion; NGO = nongovernment organization; PIU = project implementation unit; PMSC = project management and construction supervision consultants; RDO = Revenue Divisional Officer

VI. GRIEVANCE REDRESSAL MECHANISM

A. Grievance Redress Mechanism (GRM)

91. A project-specific, three-tier GRM covers both environment and social issues. The GRM has been established to receive, evaluate, and facilitate the resolution of affected persons' concerns, complaints, and grievances about the social and environmental performance at project level. The GRM aims to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns related to the project. Assessment of the GRM designed and implemented for Project 1 shows that the system was effective in timely resolution of grievances in a transparent manner.³² The proposed architecture for the project 2 of VCICDP GRM remains similar, with some refinement and strengthening for the industrial start-up areas, through (a) provision of help desks at each start-up area which would serve as accessible platforms for grievance registration for local communities and (b) ensuring indigenous peoples' representation in the GRM structure at district level, for Chittoor South start-up area.

92. The GRM will be disclosed to the affected communities and households prior to the mobilization of contractors in any subproject areas. The project GRC, supported by the PMSC consultants as well as the PMU and PIU safeguard officers will be responsible for timely grievance redress on environmental and social safeguards issues and responsible for registration of grievances, related disclosure, and communication with the aggrieved party. A complaint register will be maintained at field unit, PIU, and PMU levels with details of complaint lodged, date of personal hearing, action taken and date of communication sent to complainant. Contact details, procedures and complaint mechanism will be disclosed to the project affected communities at accessible locations and through various media (i.e., leaflets, newspapers, etc.). Samples of draft project leaflets, grievance registration forms and monitoring templates are in the resettlement framework.

- (i) **1st Level grievance.** The phone number of the PIU office should be made available at the construction site signboards. The contractors and field unit staff can immediately resolve onsite, seek the advice of the PIU safeguard manager (social safeguards and communications/environment safeguards) as required, within seven days of receipt of a complaint/grievance.
- (ii) **2nd level grievance.** All grievances that cannot be redressed within 7 days at field/ward level will be reviewed by the GRC at district level headed by Joint

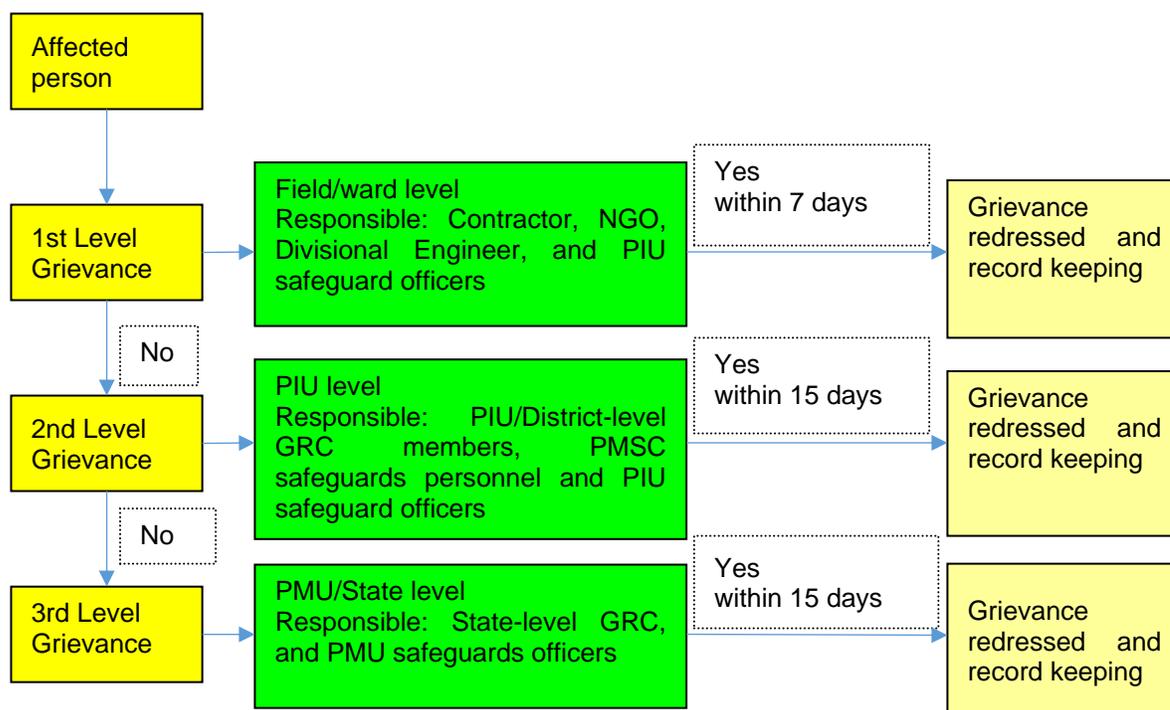
³² Regular recording and resolution of grievances at field level indicates that the GRM structure is working effectively. No major grievance was received for project 1 and the GRM helped smoothen the process of project implementation.

Collector. GRC will attempt to resolve them within 15 days. The PIU safeguard manager (social safeguards and communications/ environment safeguards) will be responsible to see through the process of redressal of each grievance.

- (iii) **3rd Level Grievance.** All grievances that cannot be redressed within 15 days at district level will be reviewed by the GRC at state level headed by the project director, PMU with support from district GRC, PMU officer - social safeguard and communications/officer-environmental safeguards, and PMC environment and social safeguards specialists. GRC will attempt to resolve them within 15 days. The PMU officer - social safeguard and communications will be responsible to see through the process of redressal of each grievance pertaining to social safeguards

93. The multi-tier GRM for the project is outlined below (Figure 1), each tier having time-bound schedules and with responsible persons identified to address grievances and seek appropriate persons' advice at each stage, as required. The GRM will continue to function throughout the project duration.

Figure 1: Grievance Redress Mechanism–Visakhapatnam–Chennai Industrial Corridor Development Program



GRC = grievance redressal committee, PIU = project implementation unit, PMU = project management unit, PMSC = project management and supervision consultant.

B. Grievance Redressal Committee (GRC)

94. GRC consists of two-levels, one at district level and another at state/PMU level, to receive, evaluate and facilitate the resolution of displaced persons concerns, complaints and grievances. GRC at district level will receive, evaluate, and facilitate the resolution of displaced persons

concerns, complaints, and grievances. The GRC will provide an opportunity to the affected persons to have their grievances redressed prior to approaching the State level LARR Authority³³, constituted by GOAP in accordance with Section 51(1) of the RFCTLARR Act, 2013. The GRC is aimed to provide a trusted way to voice and resolve concerns linked to the project, and to be an effective way to address displaced person's concerns without allowing it to escalate resulting in delays in project implementation. In case of any indigenous peoples impacts in subprojects, the GRC (at district level) must have representation of the affected indigenous people community, the chief of the tribe or a member of the tribal council as traditional arbitrator (to ensure that traditional grievance redress systems are integrated) or an independent indigenous peoples expert or an NGO working with indigenous people groups. GRC will also ensure that grievance mechanism established is gender inclusive in receiving and facilitating resolution of the IPs' concerns.

95. The GRC will continue to function, for the benefit of the displaced persons, during the entire life of the project including the defects liability period. The entire resettlement component of the project has to be completed before the construction starts, and pending grievances resolved. Other than disputes relating to ownership rights and apportionment issues on which the LARR Authority has jurisdiction, GRC will review grievances involving all resettlement benefits, relocation, and payment of assistances. The GRCs will function out of each district where the subprojects are being implemented. The existing setup for coordination, monitoring, and grievance redress at district level which meets once a month, will be used for Project 2 of VCICDP. The GRC chaired by Joint Collector, will comprise of the Divisional/Project Engineer acting as its member secretary and the following members: (i) Revenue Divisional Officer/Sub-Collector of the division; (ii) project director, District Rural Development Agency; (iii) Chief Executive Officer, Zilla Parishad; (iv) District Panchayat Officer; (v) District Education Officer; (vi) District Medical and Health Officer; (vii) District Level representative of power distribution companies; and (viii) Superintendent, Rural Water Supply Panchayat Raj Department, three members from affected persons (with at least one being a woman affected person), team leader of the implementing consulting agency/NGO. The contact details of the GRC, PIUs safeguards manager, and the resettlement plan implementation NGO/agency will be included in the brochures to be circulated among all affected people as a first step in resettlement plan implementation.

96. The project director, PMU will be the appellate authority who will be supported by the PMSC and Safeguard Officer (social safeguards and communications/ environment safeguards) of PMU and concerned PIUs to make final decisions on the unresolved issues. Despite the project GRM, an aggrieved person shall have access to the country's legal system at any stage and accessing the country's legal system can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.

97. **Accountability Mechanism.** In the event that the established GRM is not in a position to resolve the issue, the affected person also can use the ADB Accountability Mechanism through directly contacting (in writing) the Complaint Receiving Officer at ADB headquarters or the ADB India Resident Mission. People who are, or may in the future be, adversely affected by the project may submit complaints to ADB's Accountability Mechanism. The Accountability Mechanism provides an independent forum and process whereby people adversely affected by ADB-assisted

³³ A state level LARR Authority is established to address and ensure speedy disposal of grievances/disputes related to land acquisition, compensation, rehabilitation, and resettlement for the acquisitions carried out under the RFCTLARRA, 2013. As per section 64 of the Act, any person interested who has not accepted award may approach the LARR Authority through written application to the District Collector on matters related to measurement of land, compensation amount, about person to whom compensation is payable, rights related to resettlement and rehabilitation, apportionment of compensation amount among persons interested etc.

projects can voice, and seek a resolution of their problems, as well as report alleged violations of ADB's operational policies and procedures. Before submitting a complaint to the Accountability Mechanism, affected people should make an effort in good faith to solve their problems by working with the concerned ADB operations department. Only after doing that, and if they are still dissatisfied, should they approach the Accountability Mechanism.³⁴

98. **Record keeping.** Records of all grievances received, including contact details of complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected and final outcome will be kept by PMU. The number of grievances recorded and resolved and the outcomes will be displayed/disclosed in the PMU office, and on the web, as well as reported in the semi-annual social and environmental monitoring reports to be submitted to ADB.

99. **Periodic review and documentation of lessons learned.** The PMU Officer (social safeguard and communications/environmental safeguards) will periodically review the functioning of the GRM in each nodes and record information on the effectiveness of the mechanism, especially on the project's ability to prevent and address grievances.

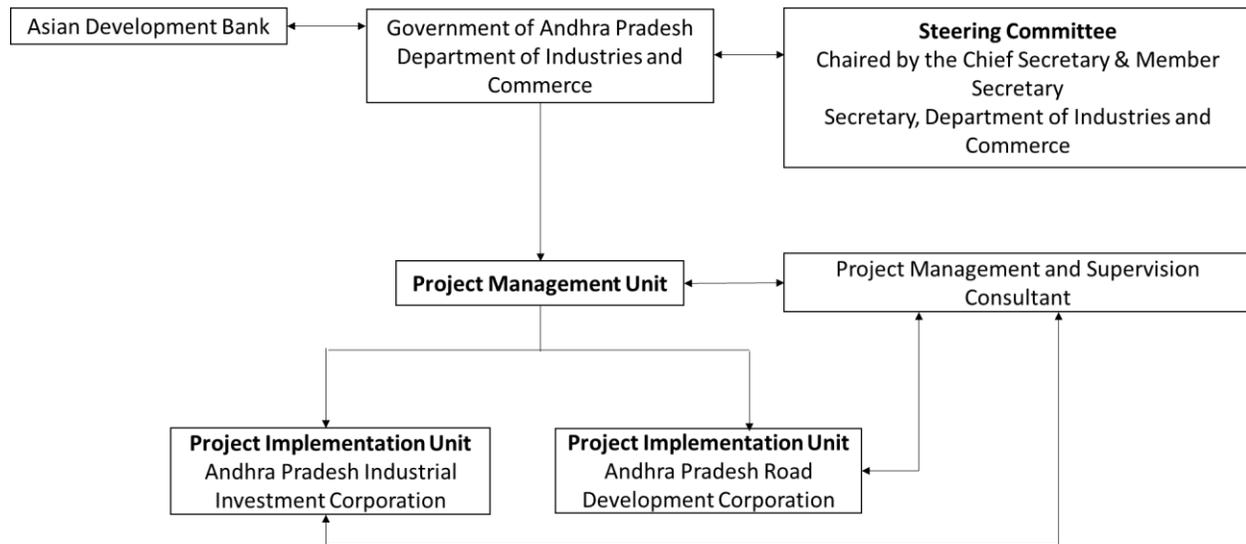
100. **Costs.** All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) will be borne by the respective PIUs; while costs related to escalated grievances will be met by the PMU. Cost estimates for grievance redress are included in resettlement cost estimates.

VII. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

101. The GOAP will ensure that all the requirements prescribed in the framework financing agreement and the VCICDP safeguard frameworks i.e. (i) environmental assessment and review framework (EARF), (ii) resettlement framework, and (iii) indigenous peoples planning framework (IPPF) will be complied with during processing and implementation of VCICDP. The project organization structure³⁵ is provided below in Figure 2.

³⁴ ADB. [Accountability Mechanism](#).

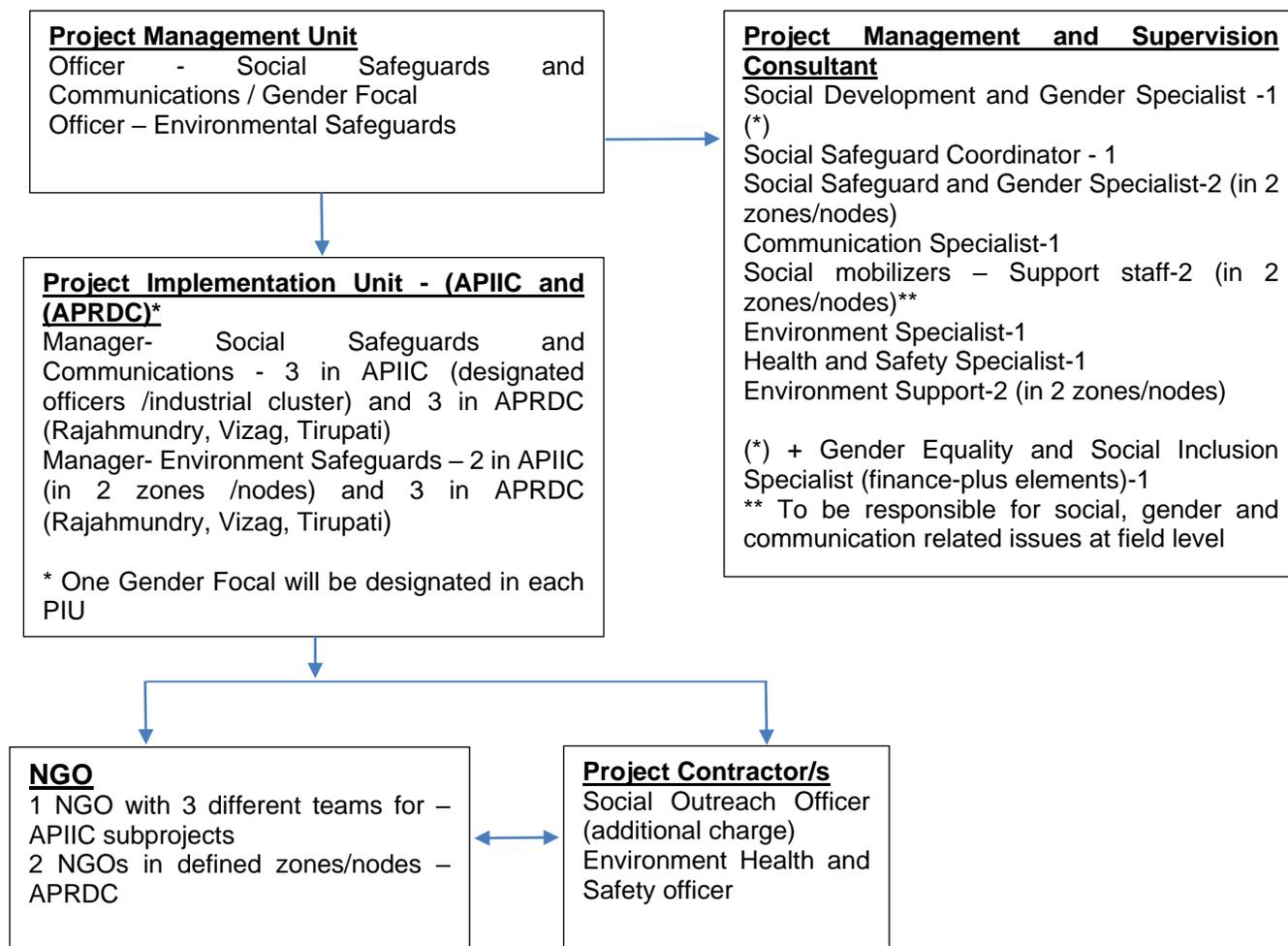
³⁵ Organization structure during implementation of Project 1 had APTransco and GVMC as additional PIUs. In Project 2 only APIIC and APRDC are the PIUs.

Figure 2: Project Organization Structure

102. Safeguard framework for VCICDP cover the institutional arrangements (including budget and capacity requirements) and government's and ADB's responsibilities and authorities for the preparation, review and clearance of safeguard documents. The requirements have been reviewed and updated in view of learning from Project 1 implementation and resource deployment needs assessed for Project 2 implementation. Updated institutional arrangements applicable to VCICDP for safeguards compliance is provided in Figure 3.

103. As per the arrangement, safeguards will be the responsibility of the PMU and the respective PIUs. The PMU and PIUs will be supported by experts as part of the PMSC and resettlement plan implementation nongovernment organizations (NGOs). All executing and implementing agencies will ensure that VCICDP is implemented with active participation of all stakeholders, using participatory practices, and consultation will continue throughout implementation of the Investment Program. Disclosure of relevant information to these stakeholders will continue throughout implementation of the Investment Program. Roles and responsibilities of PMU, PIU and other implementation support agencies is elaborated later in this chapter.

Figure 3: Safeguards and Gender Organogram



A. Project Management Unit (PMU)

104. The State of Andhra Pradesh through the DoI will be the Executing Agency for the project and the Project Director, Directorate of Industries will head the PMU and will be in charge of overall coordination between the various PIUs and in prioritising subprojects for subsequent tranches based on social safeguards compliance. A Project Steering Committee will be established to advise the PMU on policy, monitor the implementation of the Investment Program, and coordinate with PIUs on cross-cutting issues.

105. The officer - social safeguard and communications in the PMU with assistance from PMSC social safeguards coordinator will:

- (i) review the updated resettlement plans/RIPP, prepared by the PIUs in accordance with VCICDP resettlement framework, ADB's Safeguard Policy Statement, 2009 based on final detailed designs and submit to ADB for review, final approval, and disclosure prior to award of contract;
- (ii) ensure payment of compensation and resettlement assistances prior to commencement of civil works;

- (iii) monitor resettlement plan/RIPP implementation and rehabilitation of displaced persons prior to and during construction;
- (iv) conduct internal monitoring and assist the external monitor in external monitoring of the resettlement process to ensure smooth implementation;
- (v) monitor work of NGOs or agency as required;
- (vi) review quarterly resettlement monitoring reports prepared by resettlement agency or NGOs and take required corrective actions, if any and consolidate the reports of all subprojects;
- (vii) prepare and submit semi-annual safeguard monitoring report to ADB based on the quarterly resettlement reports;
- (viii) address and record grievances through the GRM in a timely manner, and taking quick corrective actions where necessary to facilitate the redressal of grievances in coordination with contractors, NGO, and displaced persons;
- (ix) engage in ongoing meaningful consultations with stakeholders and affected persons;
- (x) implement project GRM and maintain the records;
- (xi) recruit independent external monitoring agency for all Category A subprojects, with endorsement from ADB;
- (xii) ensure project compliance to resettlement framework of VCICDP and ADB Safeguard Policy Statement, including safeguards requirement on indigenous people and Indigenous Peoples Development Framework;
- (xiii) monitor the implementation of corrective action plans, if any, consistent with the safeguard frameworks;
- (xiv) Coordinate database management for social safeguards implementation and monitoring;
- (xv) Coordinate public awareness campaigns by the PIUs including resettlement provisions;
- (xvi) Serve as Gender Focal Point at PMU, which would involve overseeing – with the support of PMSC, the implementation, monitoring and reporting on the gender equality and social inclusion action plan (GESI AP);
- (xvii) ensure implementation of the specific action plan proposed in the RIPP; and
- (xviii) Ensure skills training for vulnerable and economically weak people including project affected persons, scheduled tribe and women.

B. Roles of PIUs in Project 1 implementation

106. PIUs will be set up in each of the implementing agencies. The road subprojects will be implemented by APRDC PIU; the energy subprojects will be implemented by APTransco PIU; the infrastructure subcomponents proposed in the industrial estates and special economic zones will be implemented by APIIC PIU; and urban infrastructure subprojects in GVMC area will be implemented by GVMC PIU. The respective PIUs will be responsible for screening subprojects, categorization based on involuntary resettlement and/or indigenous peoples impacts, conducting the social assessment, preparation and implementation of Resettlement Plans and/or Indigenous Peoples Plan as required, and as outlined in this Resettlement Framework. Roles of PIUs during Project 1 and Project 2 implementation is discussed below.

107. **APRDC:** The road subprojects will be implemented by APRDC and the Social Management Unit comprising of the Sociologist (R&B) and Deputy Collector (R&B), at the head office of APRDC in Hyderabad, will be responsible for subproject compliance to social safeguards and concurrent internal monitoring of Resettlement Plan /Indigenous Peoples Plan (IPP)

implementation.³⁶ The role is to implement the policies and operational procedures of Resettlement Framework and IPP, and requirements under the Gender Equity and Social Inclusion (GESI) Plan.

108. The following are the envisaged responsibilities of the sociologist:
- (i) Update the draft Resettlement Plans³⁷ and preparation of Resettlement Plans implementation plan in consultation with affected people and the project manager;
 - (ii) Recruit and oversee the performance of implementation NGO;
 - (iii) Mobilize community and initiate public consultations in coordination with the PMU including public dissemination of project GRM ;
 - (iv) Ascertain the extent of private land to be acquired and extent of government to be transferred and liaison with the jurisdictional RDO and concerned government departments in getting possession of the same.
 - (v) Initiate engagement of a Resettlement Plan implementation support NGO/agency to assist the field units in Resettlement Plan implementation.
 - (vi) Review and approve micro plans, containing the list of displaced persons and their entitlements, prepared by field units.
 - (vii) Translate and disclose the final Resettlement Plans and/or micro plans into language and forms that are appropriate and understood by the affected people;
 - (viii) Obtain necessary approval for the micro plans and make necessary funds available for disbursement and for development of resettlement sites.
 - (ix) Coordinate with Joint Collector and field units in identifying suitable land for resettlement sites and monitor the progress of development of site and relocation of displaced persons.
 - (x) Prepare, review, certify progress and compliance of Resettlement Plan implementation to the project manager and/or Superintending engineer;
 - (xi) Closely monitor and evaluate the status of socio economic of the affected people in each subproject as reported in the monthly progress report from PIU, especially vulnerable/poor people that will experience permanent physical/economical displacements from road subprojects. If the affected households are becoming economically worse off due to the subproject activities corrective action plan will have to be prepared and implemented to bring back the economic status of the affected households into pre project level;
 - (xii) Ensure that disbursement decision takes into account the successful completion of the Resettlement Plan, GESI, and IPP implementation.
 - (xiii) Ensure complete payment, readiness of relocation sites and the required resettlement assistance provided to the identified affected persons **prior to** economic and physical displacement and starts of civil works/awards of contracts in the affected areas;
 - (xiv) Prepare and submit monthly social safeguard implementation and progress reports to PMU;
 - (xv) Undertake internal monitoring of the progress made in Resettlement Plan implementation through the NGO and take necessary corrective actions, if required;
 - (xvi) Participate, facilitate on the implementation of project GRM and problem solving;
 - (xvii) Maintain Resettlement Plans and GRM data base; and

³⁶ The GOAP has proposed to continue services of the existing PMSC (for Project 1) through contract variations to address changes made in resource deployment requirements for Project 2.

³⁷ The GOAP has proposed to continue services of the existing PMSC (for Project 1) through contract variations to address changes made in resource deployment requirements for Project 2.

- (xviii) Ensure submission of final Resettlement Plans to PMU for ADB review, approval and disclosure.

109. **APTransco:** The energy subprojects will be implemented by APTransco. The subprojects of APTransco involve construction of substations, transmission towers and drawing/laying of transmission and distribution cables. The jurisdictional Assistant Divisional Engineer (ADE) will be designated Safeguard Manager, Social and Gender and will be responsible for social safeguards compliance. The Safeguard Manager, Social and Gender at APTransco PIU will be responsible for subproject compliance to social safeguards and concurrent internal monitoring of Resettlement Plan implementation. The PIU will use the services of safeguards personnel from PMU and PMSC for support, as APTransco will be developing infrastructure on land transferred by agencies such as APIIC/ Government. The role of APTransco PIU related to social safeguards is to implement the policies and operational procedures of Resettlement Framework and IPP, and requirements under the GESI Plan.

110. The following are the specific responsibilities of the Safeguards Manager (Social and Gender):

- (i) Update the prepared draft Resettlement Plans³⁸ and preparation of Resettlement Plans implementation plan in consultation with the project manager;
- (ii) Monitor and initiate public consultations in coordination with the PMSC experts/Turnkey contractors and PMU including public dissemination of project GRM ;
- (iii) Conduct meaningful consultation with the vulnerable groups for the design and implementation of livelihood rehabilitation/income restoration program;
- (iv) Prepare, review, certify progress and compliance of Resettlement Plans implementation to the project manager and/or Superintending engineer;
- (v) Ensure that disbursement decision takes into account the successful completion of the Resettlement Plan, GESI and IPP implementation;
- (vi) Ensure complete payment and the required resettlement assistance provided to the identified affected persons prior to economic and physical displacement and starts of civil works/awards of contracts in the affected areas;
- (vii) Monitor the socio-economic status of the vulnerable people losing their access to assigned lands or diminution of land value due the constructions of substations and transmission towers. If negative impacts are identified prepare the necessary corrective action plan to bring back their socio economic status to the pre project level;
- (viii) Prepare and submit monthly social safeguard implementation and progress reports to PMU;
- (ix) Participate, facilitate on the implementation of project GRM and problem solving;
- (x) Maintain Resettlement Plans and GRM data base; and
- (xi) Ensure submission of final Resettlement Plans to PMU for ADB review, approval and disclosure.

111. **APIIC:** The infrastructure subcomponents proposed in the industrial estates/special economic zones will be implemented by APIIC. The Deputy Zonal Manager (Electrical) at head office of APIIC at Vijayawada will be designated as the Safeguard Manager, Social and Gender and will be responsible for social safeguards compliance. The role of the Safeguard Manager is

³⁸ The GOAP has proposed to continue services of the existing PMSC (for Project 1) through contract variations to address changes made in resource deployment requirements for Project 2.

to implement the policies and operational procedures of Resettlement Framework, IPP, and requirements under the GESI Plan.

112. The following are the specific responsibilities of the Safeguard Manager:
- (i) Update/confirm the prepared draft Resettlement Plans and/or DDRs³⁹ based on detailed design and reflecting any design changes and/or site changes; and preparation of Resettlement Plans implementation plan in consultation with the project manager;
 - (ii) Mobilize community and initiate public consultations in coordination with the PMU including public dissemination of project GRM ;
 - (iii) Prepare, review, certify progress and compliance of Resettlement Plans implementation to the project manager/ Superintending engineer;
 - (iv) Ensure that disbursement decision takes into account the successful completion of the Resettlement Plan, GESI and IPP implementation;
 - (v) Ensure complete payment and the required resettlement assistance provided to the identified affected persons **prior to** economic and physical displacement and starts of civil works/awards of contracts in the affected areas;
 - (vi) Prepare and submit monthly social safeguard implementation and progress reports to PMU;
 - (vii) Participate, facilitate on the implementation of project GRM and problem solving;
 - (viii) Maintain Resettlement Plans and GRM data base; and
 - (ix) Ensure submission of final Resettlement Plans to PMU for ADB review, approval and disclosure.

113. The Land Acquisition Officer in APIIC, a retired officer of joint collector cadre, will be responsible for land acquisition involved in subprojects, if any. The Land Acquisition Officer will ascertain the extent of private land to be acquired and extent of government to be transferred and liaison with the jurisdictional RDO and concerned government departments in getting possession of the same.

114. **GVMC:** The urban infrastructure subprojects in GVMC area will be implemented by GVMC. A PIU will be established in GVMC. The Executive Engineer (Projects) at head office of GVMC at Vishakhapatnam will be designated as the Safeguard Manager, Social and Gender and will be responsible for social safeguards compliance. The role of the Safeguard Manager is to implement the policies and operational procedures of Resettlement Framework and IPP, and requirements under the GESI Plan. The following are the responsibilities of the Safeguard Manager related to Resettlement Plan implementation:

- (i) update resettlement plans in accordance with VCICDP Resettlement Framework, ADB's SPS, 2009 based on final detailed designs with supports from PMSC and/or turnkey contractors;
- (ii) submit the final Resettlement Plans to PMU to be submitted to ADB for review, final approval, and disclosure prior to award of contract;
- (iii) the implementation of R&R activities in coordination with line departments and revenue officials;
- (iv) prepare and review of individual entitlement plans and/or micro plans or implementing Resettlement Plan and submit for approval;

³⁹ The GOAP has proposed to continue services of the existing PMSC (for Project 1) through contract variations to address changes made in resource deployment requirements for Project 2.

- (v) identify suitable land for the resettlement and/or relocation area in coordination with District administration and initiate transfer and/or acquisition process, after receiving endorsement for the physically displaced persons;
- (vi) supervise the contractor in Resettlement Plan implementation, in particular, implementation of impact avoidance and mitigation measures;
- (vii) assisting in disbursement of compensation and resettlement assistances;
- (viii) holding periodical and meaningful consultations with the affected people on implementation of Land Acquisition and R&R activities;
- (ix) Closely monitor and evaluate the status of socio-economic of the affected people in each subproject as reported in the monthly progress report from PIU, especially vulnerable/poor people that will experience permanent physical/economical displacements. If the affected households are becoming economically worse off due to the subproject activities corrective action plan will have to be prepared and implemented to bring back the economic status of the affected households into pre project level;
- (x) preparing monthly Resettlement Plan implementation and physical and financial progress reports;
- (xi) lead the GRM implementation and record keeping at the project/district/PIU level;
- (xii) updating payment of compensation, disbursement of resettlement assistances, displaced persons socio-economic data in the database; and
- (xiii) verification of claims for inclusion as displaced persons and submit report to PMU for decision.
- (xiv) Prepare and implement any corrective action plan, when required, consistent with the frameworks requirements.
- (xv) Ensure submission of final Resettlement Plan to PMU for ADB review, approval and disclosure

C. Roles of PIUs in Project 2 implementation

115. The PIUs, 3 in APIIC (at Rambilli, Nakkapalli, and Chittoor–South) and 3 in APRDC (at Rajahmundry, Vizag, Tirupati), each to be staffed with a manager-social safeguards and communications and assisted by the PMSC specialists, will be responsible for:

- (i) updating resettlement plans/RIPP in accordance with VCICDP resettlement framework, ADB's Safeguard Policy Statement, 2009 based on final detailed designs with supports from PMSC and/or turnkey contractors;
- (ii) supervising NGOs and in coordination with PMSC conducting census and socio-economic surveys, detailed measurement surveys, and verification surveys of affected persons, consultations with affected persons, finalizing the list of affected persons, preparing and/or updating the resettlement plan, RIPP with the assistance of PMSC and submit to PMU for review and approval and submission to ADB;
- (iii) submitting the final resettlement plans/RIPP to PMU to be submitted to ADB for review, final approval, and disclosure prior to award of contract;
- (iv) implementing resettlement activities through resettlement plan implementation support agency (NGO), line departments, and revenue officials;
- (v) assisting the external monitor in external monitoring of the resettlement process to ensure smooth implementation;
- (vi) preparing and reviewing individual entitlement plans/micro plans or implementing resettlement plans and submit for approval;
- (vii) identifying suitable land for the resettlement/relocation area in coordination with district administration and initiate transfer/acquisition process, after receiving endorsement for the physically displaced persons;

- (viii) supervising the resettlement plan implementation support NGO/agency involved in implementation;
- (ix) assisting in disbursement of compensation and resettlement assistances;
- (x) holding periodical and meaningful consultations with the affected people on implementation of land acquisition and resettlement activities;
- (xi) preparing monthly resettlement plan implementation and physical and financial progress reports;
- (xii) leading the GRM implementation and record keeping at the project/district/PIU level;
- (xiii) updating payment of compensation, disbursement of resettlement assistances, displaced persons socioeconomic data in the database;
- (xiv) verifying claims for inclusion as displaced persons and submit report to PMU for decision;
- (xiv) preparing and implementing any corrective action plan, when required, consistent with the frameworks requirements;
- (xv) assisting in the implementation, monitoring, and reporting progress of gender equality and social inclusion action plan;
- (xvi) ensure implementation of the specific action plan for Chittoor – South startup area;
- (xvii) ensuring skills training for vulnerable and economically weak people including project affected persons, scheduled tribe, and women

D. Project Management and Supervision Consultant

116. The PMSC,⁴⁰ reporting to the PMU will work under the overall guidance, technical control, and direction of the project director at PMU.⁴¹ The PMSC will assist PMU to review and ensure resettlement plans/RIPPs are prepared, updated based on detailed design and as per agreed resettlement framework/IPPF and submit to ADB for approval. The PMSC will also assist PMU in implementation and monitoring of overall resettlement plan/RIPP activities, recommend corrective action measures for non-compliance, if any. PMSC will assist in preparation of monitoring reports, continued public consultations and grievance redressal. Adequate training of project staff on social and indigenous peoples safeguards will be PMSC responsibility. PMSC will assist PMU to ensure that the project complies with loan covenants and assurances related to social safeguards. Assisting PMU in implementation of GESI AP and community awareness and participation plan (CAPP) will be PMSC's responsibility. PMSC is expected to extend all support to external monitor in external monitoring of the resettlement process to ensure smooth implementation. PMSC will have a Social Safeguards Coordinator stationed at PMU. The Social Safeguards Coordinator will be supported by two Social Safeguards Specialists stationed at the two zones/nodes and will support the coordinator in all social safeguards activities including resettlement plan/RIPP updating and implementation. Two social mobilizers (one in each zone/node) in the PMSC will provide field level support for social safeguards, gender mainstreaming and communication activities.

E. Resettlement Plan Implementation Support Agencies/Nongovernment Organizations

117. The Support Agencies/NGOs financed by the government will assist the respective PIUs in carrying out rehabilitation and resettlement activities at the grass root level as per the approved

⁴⁰ The GOAP has proposed to continue services of the existing PMSC (for Project 1) through contract variations to address changes made in resource deployment requirements for Project 2.

⁴¹ The GOAP proposed these services to be provided by the existing PMSC through contract variations.

resettlement plan/RIPP of respective subprojects. The project NGOs will support the project in (i) collecting data and managing and maintaining records related to affected persons, their entitlements, and compensation; (ii) educating the displaced persons on their eligibility, entitlements and obligations; (iii) translating the summary of resettlement plan/RIPP in local language for disclosure and disseminate to displaced persons; (iv) conducting meaningful consultations and ensuring that the displaced persons receive their entitlements as per their eligibility in accordance with the resettlement plan; (v) support PIU in implementation of the specific action plan included in the RIPP (for Chittoor–South startup area; (vi) providing support and information to displaced persons for income restoration, skill training opportunities; (vii) assisting the displaced persons in redressing their grievances through the GRM established for the project, and maintaining records of the status of grievance registration, resolution, and feedback to affected persons; (viii) assisting displaced persons in compiling all documents and papers required for receipt of compensation; and (ix) and maintaining records of consultations with affected persons including meeting minutes, photographs, and signature sheets. Vulnerable households including non-titleholders will be supported and facilitated by the implementing NGOs (and PIUs) to access various programs of the state or central government on housing and livelihood enhancement measures, among others. The NGOs will work in close coordination with the project contractors to ensure smooth implementation of the resettlement plans and RIPP. The detailed TORs are provided in Appendix 6.

F. Contractors

118. **Contractors.** The contractor will execute the work as per the final design and in compliance with the approved resettlement plan for the subproject. The contractor will designate one person as social outreach officer who will engage with the PIU, NGO, and PMSC on social safeguards, grievance redressal, health and safety, and core labor standards related issues. The contractor's social outreach officer will support project consultants in updating the draft resettlement plan/RIPP for submission to PIU/PMU and ADB for review and approval; (ii) ensure strict adherence to agreed impact avoidance and mitigation measures in the resettlement plan/RIPP; (iii) assist with grievance redressal and ensure recording, reporting, and follow-up for resolution of all grievances received; and (iv) submit monthly progress reports including social safeguards, health and safety, and gender-disaggregated data as required for monitoring.

G. External Monitoring Agency

119. External monitoring will be needed for subprojects under Category A for involuntary resettlement impacts. In the event such impacts are identified during project implementation in any subprojects of this investment, qualified and reputable external Monitoring agency will be engaged for monitoring. The draft sample Terms of Reference for External Monitoring Agency attached in this Resettlement Framework will be finalized by PMU safeguard officer supported by PIU safeguard manager/PMSC experts.

120. After the implementation of the subprojects, the agency will carry out an end-term evaluation to assess the effectiveness of the implementation of the R&R provisions. The external impact evaluation will emphasize on assessment of achievements of Program targets and the change in quality of life of affected persons. For carrying out the evaluation assignment, the agency/consultant will develop the necessary evaluation indicators. All evaluations are expected to be done on the basis of selective indicators.

121. The external impact evaluation will be made on the issues as:
 (i) Restoration of income levels of affected persons;

- (ii) Changes and shifts in occupational pattern;
- (iii) Changes in asset ownership;
- (iv) Changes in types of housing of affected person; and
- (v) Assessing affected persons' access to amenities, such as water, electricity, transportation, etc.

122. The following **Table 5** tentatively lists the impact indicators to be studied to evaluate impacts after the Program is completed.

Table 5: Impact Indicators for Evaluation

Items	Impact Indicators	Frequency
Better Economic Conditions	<ul style="list-style-type: none"> • Income: Program related and Independent means but assisted by the Program • Housing: Changes in quality over a period of time • Food Security • Changes in occupation • Skill portfolio • Migration profile 	<ul style="list-style-type: none"> • Implementation stage through monitoring. • Implementation and post implementation stage through mid-term and end-term impact evaluation study
Better Social Conditions	<ul style="list-style-type: none"> • Representation in Community Based Institutions • Indicators of participation • Empowerment • School enrolment • Health and morbidity • Better available infrastructure: potable water, living space, sanitation, proper road and drainage facilities, etc. 	<ul style="list-style-type: none"> • Implementation stage through monitoring. • Implementation and post implementation stage through impact evaluation study

123. Evaluation study reports, one mid-term and one end-term will be generated based on the findings of the mid-term and end-term evaluation studies. The reports will have to be generated within one month after the studies are conducted. The mid-term evaluation report should highlight program achievements as per set targets for the period and specify whether any problem exists in the implementation of the final Resettlement Plans. If such problems are encountered, then the reports should provide rectification measures for achieving targets in the next phase.

124. The end-term evaluation will reveal the actual target achievements of Resettlement Plans' implementation by the PMU. This report should take into account whether the Program has improved the quality of life of the targeted beneficiaries of the subprojects, especially affected persons. Any lacunae in the process of Resettlement Plan implementation should also be stated with future strategies to overcome such situations so that project benefits can be utilized by the affected persons to the furthest extent.

H. Implementation Schedule

125. The implementation schedule for land acquisition and Resettlement Plan implementation will depend on the extent of land to be acquired and the magnitude of involuntary resettlement impacts. The subproject Resettlement Plans will describe the various activities involved in land acquisition and Resettlement Plan implementation and the time frame for each activity. The key implementation activities are: (i) approval of Resettlement Plan and disclosure of Resettlement

Plan; (ii) appointment of NGOs and external monitoring consultant; (iii) constitution of GRC and disclosure of GRM details to displaced persons; (iv) verification of displaced persons and disclosure of micro plan; (v) issue of identity cards; (vi) MIS operational for tracking land acquisition and R&R implementation progress; (vii) valuation of structure and other immovable assets; (viii) R&R award enquiry; (ix) R&R award; (x) land acquisition award enquiry; (xi) land acquisition award; (xii) relocation of CPRs; (xiii) disbursement of land acquisition compensation and R&R assistances; (xiv) development of resettlement site; (xv) relocation of displaced persons to alternate resettlement site; (xvi) certification of payment of land acquisition compensation and R&R assistance; and (xviii) impact evaluation.

126. **Coordination with Civil Works:** The land acquisition and resettlement implementation will be co-coordinated with the timing of procurement and commencement of civil works. The required coordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of encumbrance free land to the contractors. Some of the subprojects may involve sectional approach of land handover to the contractor. Resettlement plans included with bid documents will provide clear information related to land acquisition status and land handover approach to the contractor. Sectional handover of land to the contractor will be undertaken after compensation and assistances have been paid to the affected persons. No civil works will be taken up in sections until compensation and assistances have been fully paid, and such completion of payment of compensation and assistances is confirmed by the concerned PIU prior to handover. The project will provide adequate notification, counselling and assistance to displaced persons 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 and R&R assistances. Project will ensure that clear and advance communication is made to displaced persons in subprojects involving sectional handover of land, providing them information about boundaries of sections/land parcels, handover schedule and related details.

127. The construction of resettlement sites should commence well in advance, as it would take about 12-months to complete the construction and relocation of the physically displaced. The land acquisition and corresponding payment of compensation and R&R assistance with encumbrance free certification will be available prior to award of contract. The relocation of common property resources will be linked to handing over of encumbrance free land to the contractors.

VIII. MONITORING AND EVALUATION

A. Internal Monitoring

128. Internal monitoring will be undertaken by PMU Safeguard Officer and PIUs' Safeguard managers with assistance from the resettlement NGO, when recruited, PMSC experts and other field staff. Internal monitoring will ensure all land acquisition and resettlement activities are implemented according to the approved Resettlement Plans in accordance with this Resettlement Framework.

129. The PIUs' safeguard managers will prepare monthly progress reports and submit to PMU's SSGO of VCICDP. The SSGO will prepare semi-annual monitoring reports and submit to ADB until a project completion report is issued. The semi-annual social monitoring reports will be reviewed by ADB and disclosed on ADB and PMU websites. The reports will describe the progress of the implementation of resettlement activities, GRM status, any compliance issues and corrective actions. These reports will closely follow the involuntary resettlement monitoring indicators agreed at the time of resettlement plan approval. Outline of semi-annual monitoring report is in **Appendix 7**.

130. In order to supervise the implementing of land acquisition and R&R and oversee the recruited NGO/agency performance and provide guidance, the respective PIU will undertake internal monitoring of physical and financial progress. The monthly internal monitoring reports based on the outcome of consultations and feedback with displaced people who have received assistance and compensation and review of progress of other implementation activities including complains/concerns/issues raised by the displaced persons, will be submitted to PMU by the end of 1st week of the subsequent calendar month. The Design and Supervision Consultants at PIU level for civil works will have some limited monitoring responsibilities related to certification of encumbrance free stretches to be handed over to the contractors based on the Land Acquisition, Rehabilitation and Resettlement completion certificate issued by the concerned project engineer.

B. External Monitoring

131. The external monitoring will include but not limited to: (i) review and verify the monitoring reports prepared by PIU; (ii) monitor the work carried out by NGO/agency and provide training and guidance on implementation; (iii) review the implementation of the subprojects grievance redressal mechanism and whether its working properly; (iv) impact assessment through sample surveys amongst displaced persons for midterm corrective action; (v) consultation with displaced persons, officials, community leaders for preparing review report; (vi) assess the resettlement efficiency, effectiveness and efficiency of PIU, impact and sustainability, and drawing lessons for future resettlement policy formulation and planning. Some of the important task of external monitoring is the feedback of the displaced persons who receives compensation and assistance and also alerts on the risks, non-compliances and early warnings in implementation.

132. The indicative monitoring indicators for physical monitoring will be: land acquired (ha) - private; land transferred (ha) - government; issue of ID cards; number of displaced persons received full R&R assistance (titleholders); number of displaced persons received full R&R assistance (non-titleholders); number of families provided alternative resettlement house; number of vulnerable people received additional support; number of CPRs relocated; and number of grievance received and resolved. The indicative monitoring indicators for financial monitoring will be: amount paid as land compensation; amount paid as structure compensation; amount paid as R&R assistances; and amount spent on common property resources.

133. The indicators should be revisited prior to Resettlement Plan implementation and revised in accordance with the final approved Resettlement Framework and prepared for each subproject. Terms of reference for the recruitment of an External Monitoring Agency/Expert is given in **Appendix 8**.

134. In addition to the above, the following will also be tracked to judge social inclusion and gender mainstreaming in Resettlement Plan implementation. Proportion of women land owners who received compensation; number of women headed households who received R&R assistances; local female and scheduled caste labour force participation in unskilled jobs under contractors; number of vulnerable people who received R&R assistances; proportion of women as beneficiaries of house sites/houses offered in the resettlement site under R&R assistance; and proportion of women participation in consultation meetings during implementation.

C. Impact Evaluation

135. An independent agency will be engaged to undertake impact evaluation of the implementation of land acquisition and resettlement to assess the changes in the living standards and impact of compensation and R&R assistance provided to them. The impact evaluation will be

based on the key socio-economic indicators developed during Resettlement Plan preparation through the census and socio-economic surveys.

IX. BUDGET AND FINANCING

136. Government will provide adequate budget for all land acquisition compensation and R&R assistance from the counterpart funding. The budget estimates and its sources will be reflected in each Resettlement Plan. The resettlement budget shall include: (i) detailed costs of land acquisition and livelihood and income restoration and improvement; (ii) source of funding; (iii) administrative and staff training; (iv) cost for GRM and consultation/disclosure; (iv) monitoring costs; and (v) costs related to strengthening of the Social Management Unit. All land acquisition and resettlement costs will be borne by the government and provided in a timely manner to ensure payment of all entitlements prior to physical and economic displacement.

137. In order to ensure that: (i) the displaced person need not make frequent visits to his/her bank for depositing the physical paper instruments; (ii) s/he need not apprehend loss of instrument and fraudulent encashment; and (iii) the delay in realisation of proceeds after receipt of paper instrument is obviated, all disbursement of compensation for land and structure and R&R assistances shall be done only through Electronic Clearing Service (ECS) mechanism and charges for ECS, if any, will be borne by the respective PIUs. If the displaced persons destination branch does not have the facility to receive ECS (Credit), then the disbursement shall be done through respective lead banks' Indian Financial System Code. Payment through account payee cheques will be made wherever required and no cash payment will be made.

138. The NGO/agency and PIU, while collecting bank particulars from the displaced persons, will also check with the respective bank branches if the branch has ECS (Credit) mechanism, and if not, details of lead bank offering the facility will be collected to facilitate ECS transfer. Wherever new accounts are to be opened, preference will be given to bank's having ECS (Credit) facility.

Appendix 1: Government Order on Guidelines for Payment of Compensation Towards Damages in regard to right-of-way for Transmission Lines

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Energy, I&I Department – Guidelines for payment of compensation towards damages in regard to Right of Way for transmission lines - Orders- Issued.

ENERGY,INFRASTRUCTURE&INVESTMENT(Pr.II.A2) DEPARTMENT

G.O.RT.No. 83

Dated: 20-06-2017

Read:

The Ministry of Power, GoI, guidelines, vide Ref No.3/7/2015-Trans, dated:15.10.2015.

-oOo-

ORDER:-

During the power Ministers Conference held on April 9-10, 2015 at Guwahati with States/UTs, it has inter alia, been decided to constitute a Committee under the chairmanship of Special Secretary, Ministry of Power to analyse the issues related to Right of Way for laying of transmission lines in the Country and to suggest a uniform methodology for payment of compensation on this count.

The Recommendations made by the Committee are hereby formulated in the form of following guidelines for determining the compensation towards "damages" as stipulated in section 67 and 68 of the Electricity Act, 2003 read with Section 10 and 16 of Indian Telegraph Act, 1885 which will be in addition to the compensation towards normal crop and tree damages. This amount will be payable only for transmission lines supported by a tower base of 66 KV and above, and not for sub transmission and distribution lines below 66 KV:-

- (i) Compensation @ 100% of land value as determined by District Magistrate or any other authority based on circle rate/ Guidelines value/Stamp Act rates for tower base area (between four legs) impacted severely due to installation of tower/ pylon structure.

- (ii) Compensation towards diminution of land value in the width of Right of Way (RoW) Corridor due to laying of transmission line and imposing certain restriction would be decided by the States as per categorization/type of land in different places of States, subject to a maximum of 10% of land value as determined based on Circle rate/ Guideline value/ Stamp Act rates;
- (iii) In areas where land owner/owners have been offered/ accepted alternate mode of compensation by concerned corporation/ Municipality under Transfer Development Rights (TDR) policy of State, the licensee /Utility shall deposit compensation amount as per (i) & (ii) above with the concerned Corporation/ Municipality/ Local Body or the State Government.
- iv) For this purpose, the width of RoW corridor shall not be more than that prescribed here under and shall not be less than the width directly below the conductors.

Transmission Voltage	Width of Right of way (in Meters)
132 KV	27
220 KV	35
400 KV S/c	46
400 KV D/c	46
+/- 500 KV HVDC	52
765 KV S/c with delta configuration	64
765 KV D/c	67
+/- 800 KV HVDC	69
1200 KV	89

:: 2 ::

These orders will be effected from the date of issuance of this G.O.

The Officials mentioned in the address entry shall take further necessary action accordingly.

(BY ORDER IN AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**AJAY JAIN
PRINCIPAL SECRETARY TO GOVERNMENT**

To:

All District Collectors of State of Andhra Pradesh.
The Executive Director, Power Grid Corporation of India Ltd., Secunderabad.
The Chairman & Managing Director, APTRANSCO, Vijayawada.
The Managing Director, APGENCO, Hyderabad.
The Chairman & Managing Director, APSPDCL, Tirupati.
The Chairman & Managing Director, APEPDCL, Visakhapatnam.
The Secretary, Andhra Pradesh Electricity Regulatory Commission (APEREC), Hyderabad.

Copy to:

The P.S., to Prl., Secy., to C.M.,
The P.S., to Minister (Energy) Department.
The P.S., to Principal Secretary, Energy, I&I Department.
SF/SC (C.No.644/Pr.II.A2/2017)

// FORWARDED BY :: ORDER //

SECTION OFFICER

Appendix 2: Comparison Between ADB Involuntary Resettlement Policy Requirements and RFCTLARR ACT 2013 with GAP Filling Measures in VCICDP Resettlement Framework

S. No	Asian Development Bank's Involuntary Resettlement Policy Requirement	AP R&R Policy 2005	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Framework of VCICDP
Policy Objectives					
1	Avoid involuntary resettlement wherever feasible	✓	✓	SIA should include: (i) whether the extent of land proposed for acquisition is the absolute bare minimum extent needed for the project; (ii) whether land acquisition at an alternate place has been considered and found not feasible [Ref: Section 4 sub-section 4(d) and 4(e)]	
2	If involuntary resettlement is unavoidable, minimise involuntary resettlement by exploring viable alternate project design	✓	x		In Para 36(ii), the principles of Resettlement Framework address this requirement.
3	Displaced persons should be assisted in their efforts to enhance or at least restore the livelihoods of all displaced persons in real terms to pre-project levels	✓	✓	The cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto [Ref: Preamble of the RFCTLARR ACT]	-
Scope of Application					
4	Involuntary acquisition of land	✓	✓	In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired' [Ref: Section 3 sub-section c (i)]	
5	Involuntary restriction of land use or on access to legally designated parks and protected areas.	x	✓	In the definition of affected family in includes 'family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen and such livelihood is affected due to acquisition of land' [Ref: Section 3 sub-section c (vi)]	
Eligibility Criteria					
6	Those who have formal legal rights to land lost in its entirety or in part	✓	✓	In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired' [Ref: Section 3 sub-section c (i)]	

S. No	Asian Development Bank's Involuntary Resettlement Policy Requirement	AP R&R Policy 2005	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Framework of VCICDP
7	Those who do not have formal legal rights to land lost but who have a claim to such land that are recognized or recognizable under national laws	✓	✓	In the definition of affected family, it includes 'the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognised under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land'; and also includes 'a member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition'. [Ref: Section 3 sub-section c(iii) and (v)]	
8	Those who have neither formal legal rights nor recognised or recognizable claim to land lost	✓	x		In para 37(iii) of the Resettlement Framework, under eligibility criteria, this is addressed.
9	Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.	✓	x		In para 38 of the Resettlement Framework, the cut-off date has been defined.
Policy Principles					
10	Carry out meaningful consultations with affected persons, host communities and concerned non-government organizations	✓	✓	Whenever a SIA is required, the appropriate Government shall ensure that a public hearing is held at the affected area, after giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families to be recorded and included in the SIA Report. [Ref: Section 5]	
11	Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.	✓	✓	For the purpose of providing speedy disposal of disputes relating to land acquisition, compensation, rehabilitation and resettlement, establish, by notification, one or more Authorities to be known as "the LARR Authority" [Ref: Section 51 sub-section 1]	The Resettlement Framework provides for a District level GRC to resolve grievances in the First Level and the appellate authority at the Second Level of grievance resolution mechanism, prior to referring/approaching the LARR authority
12	Preference to land-based resettlement strategies for displaced persons whose livelihoods are land-based.	✓	✓	Land for land is recommended in irrigation projects and in projects where scheduled caste/scheduled tribe is involved equivalent land. [Ref: Second Schedule S.No.2]	Land for land option, if feasible, is provided in the Entitlement Matrix. If not feasible, then cash compensation at replacement cost has been provided

S. No	Asian Development Bank's Involuntary Resettlement Policy Requirement	AP R&R Policy 2005	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Framework of VICDP
13	Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.	✓	✓	The Rehabilitation and Resettlement Award shall include all of the following: (c) particulars of house site and house to be allotted, in case of displaced families; (d) particulars of land allotted to the displaced families; (e) particulars of one time subsistence allowance and transportation allowance in case of displaced families; [Ref: Section 31 sub-section 2(c), (d) and (e)]	
14	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	✓	✓ (partly)	<p>The act provides for special provisions and assistance for scheduled caste and scheduled tribe in scheduled area. [Ref: Section 41]</p> <p>Further the act recognizes widows, divorcees and women deserted by families as separate families [Ref: Section sub-section (m)]</p> <p>The act does not recognize other vulnerable category and also scheduled caste/scheduled tribe from non-scheduled areas.</p>	Special provision for vulnerable have been provided in Entitlement matrix.
15	Develop procedures in a transparent, consistent, and equitable manner if actuation is through negotiated settlement.	x	x	Not explicitly stated	Provided for in para 44 in the Resettlement Framework
16	Prepare a resettlement plan elaborating on displaced persons entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time-bound implementation schedule	✓	✓	The Act provides for the preparation of Rehabilitation and Resettlement Scheme including timeline for implementation [Ref: Section 16 - sub-section 2]	

S. No	Asian Development Bank's Involuntary Resettlement Policy Requirement	AP R&R Policy 2005	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Framework of VCICDP
17	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders	✓	✓	<p>The appropriate Government shall ensure that the Social Impact Assessment study report and the Social Impact Management Plan, are prepared and made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government. [Ref: Section 6 sub-section 1]</p> <p>Further the commissioner shall cause the approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation. As the case may be, and the offices of the district collector, the Sub-Divisional Magistrate and Teshil, and shall be published in affected areas, in such manner as may be prescribed and uploaded on the website of the appropriate Government [Ref: Section 18]</p>	
18	Pay commission and provide other resettlement entitle before physical or economic displacement. Implant the resettlement plan under close supervision throughout project implementation	✓	✓	<p>The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid or tendered to the entitled persons within a period of three months for the compensation and a period of six months for monetary part of rehabilitation and resettlement entitlements listed in the Second Schedule commencing from the date of the award made under section 30. [Ref: Section 38 - sub-section 1]</p>	Para 58 of Resettlement Framework stipulated that all compensation and assistance will be paid to displaced persons at least 1 month prior to displacement or dispossession of assets
19	Monitoring and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and	ü	✓	The Central Government may, whenever necessary for national or inter-state projects, constitute a National Monitoring	The Resettlement Framework provides for internal and external monitoring of LARR

S. No	Asian Development Bank's Involuntary Resettlement Policy Requirement	AP R&R Policy 2005	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Framework of VCICDP
	whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.			Committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act. [Ref: Section 48 - sub-section 1]	

GAP = Gender Action Plan; GRC = Grievance Redress Committee; LARR = Land Acquisition, Rehabilitation and Resettlement; RFCTLARR = Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement; SIA = Social Impact assessment; VCICDP = Visakhapatnam-Chennai Industrial Corridor Development Program.

Appendix 3: Involuntary Resettlement Impact Categorization Checklist

Date:

Project Data	
Country/Project No./Project Title :	_____
Subproject title	_____
Project Executing Agency :	_____
Project Implementing Agency :	_____
Modality	
<input type="checkbox"/> Project Loan	<input type="checkbox"/> Program Loan
<input type="checkbox"/> Sector Loan	<input type="checkbox"/> MFF
<input type="checkbox"/> Other financing modalities:	<input type="checkbox"/> Financial Intermediary
	<input type="checkbox"/> General Corporate Finance
	<input type="checkbox"/> Emergency Assistance
	<input type="checkbox"/> Grant
IR Impact categorization <input type="checkbox"/> New <input type="checkbox"/> Recategorization — Previous Category <input type="checkbox"/>	
<input type="checkbox"/> Category A: Significant IR impact	(200+ persons (not households!) are physically displaced from residence or lose more than 10% of productive (income generating) assets)
<input type="checkbox"/> Category B: Non-significant IR impact	
<input type="checkbox"/> Category C: No IR impact	
Prepared by:	
Social Development Specialist (Name, title, signature) :	
Date:	
For Project Implementing Agency (Name, title, signature)	
Date:	
For Project Executing Agency (Name, title, signature)	
Date:	

Please attach subproject details, such SAR, DPR or a brief summary of subproject activities proposed

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land to be acquired known?				
4. Will easement be utilized within an existing Right of Way (ROW)?				
5. Will there be loss of shelter and residential land due to land acquisition?				
6. Will there be loss of agricultural and other productive assets due to land acquisition?				
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?				
8. Will there be loss of businesses or enterprises due to land acquisition?				
9. Will there be loss of income sources and means of livelihoods due to land acquisition?				
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?				
11. If land use is changed, will it have an adverse impact on social and economic activities?				
12. Will access to land and resources owned communally or by the state be restricted?				
Information on Displaced Persons:				
Any estimate of the likely number of persons that will be displaced by the Project? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, approximately how many? _____				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? <input type="checkbox"/> No <input type="checkbox"/> Yes				
Are any displaced persons from indigenous or ethnic minority groups? <input type="checkbox"/> No <input type="checkbox"/> Yes				

Note: The project team may attach additional information on the project, as necessary

Appendix 4: Terms of Reference for Independent Third-Party for Negotiated Purchase or Voluntary Land Donation

For any voluntary donation of land, an external independent entity will supervise and document the consultation process and validate the negotiated purchase / land donation process as per legal requirement.

TOR for Independent Third-Party Witness

An independent third party is sought to be appointed to oversee and certify the process of negotiated purchase / land donation. The third party shall be briefed about his/her expected role and deliverables by the concerned PIU.

Eligibility: The third party shall be a representative of the community (for example, a leader of the community with formal/legal standing, a representative of a local NGO/CBO with formal and legal standing), without any direct interest in the negotiation process or subproject activity, who is acceptable to each of the concerned parties (PIU and concerned land owner/donor).

Scope of work: The role of the third party shall be to ensure a fair and transparent process of negotiation/donation. The envisaged scope: of work shall entail the following:

- (i) witness and keep a record of meetings held with the concerned parties,
- (ii) ensure there is no coercion involved in the process of negotiated purchase / land donation,
- (iii) ensure that the donor(s) are not coming from vulnerable groups/poor families
- (iv) ensure that the preferences and concerns of the land owner / donor related to access, selection of site within lands held, etc. are recorded and any stipulated conditions met,
- (v) ensure that the negotiated purchase / land donation agreement is drafted in a fair and transparent manner,
- (vi) confirm that the offered/agreed price is fair and meet the market price of the land with similar value and condition in the area,
- (vii) ensure the negotiated purchase/donation does not result any negative impacts to the third party associated with the purchase/donation activity,
- (viii) identify and recommend mitigation measures to land owner / donor/ affected third party, if required,
- (ix) ensure that taxes, stamp duties and registration fees for purchased / donated land are borne by government, and
- (x) submit a certificate as witness to the purchase / donation and transfer process.

Deliverables: The details of the meetings, and a certificate/reports as witness to the purchase / donation process and mitigation measures to owner / donor, if any, shall be submitted by the third party to PMU, PIU and owner/donor in the local language.

Appendix 5: Outline of a Resettlement Plan

This outline is part of the ADB SPS Safeguard Requirements 2. A resettlement plan is required for all projects with involuntary resettlement impacts. Its level of detail and comprehensiveness is commensurate with the significance of potential involuntary resettlement impacts and risks. The substantive aspects of the outline will guide the preparation of the resettlement plans, although not necessarily in the order shown.

- A. Executive Summary.** This section provides a concise statement of project scope, key survey findings, entitlements and recommended actions.
- B. Introduction and Project Description.** This section:
- (i) provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both and identify the project area;
 - (ii) describes the objectives of the Resettlement Plan; and
 - (iii) describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.
- C. Scope of Land Acquisition and Resettlement.** This section:
- (i) discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities;
 - (ii) describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project;
 - (iii) summarizes the key effects in terms of assets acquired and displaced persons; and
 - (iv) provides details of any common property resources that will be acquired.
- D. Socioeconomic Information and Profile.** This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including:
- (i) define, identify, and enumerate the people and communities to be displaced;
 - (ii) describe the likely impacts of land and asset acquisition on the people and communities displaced taking social, cultural, and economic parameters into account;
 - (iii) discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
 - (iv) identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.
- E. Information Disclosure, Consultation, and Participation.** This section:
- (i) identifies project stakeholders, especially primary stakeholders;
 - (ii) describes the consultation and participation mechanisms to be used during the different stages of the project cycle;
 - (iii) describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;
 - (iv) summarizes the results of consultations with displaced persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan;
 - (v) confirms disclosure of the draft resettlement plan to displaced persons and includes arrangements to disclose any subsequent plans; and

- (vi) describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with displaced persons during project implementation.
- F. Grievance Redress Mechanisms.** This section describes mechanisms to receive and facilitate the resolution of displaced persons' concerns and grievances. It explains how the procedures are accessible to displaced persons and gender sensitive.
- G. Legal Framework.** This section:
- (i) describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB's policy requirements; and discuss how any gaps will be addressed.
 - (ii) describes the legal and policy commitments from the executing agency for all types of displaced persons;
 - (iii) outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided.
 - (iv) describes the land acquisition process and prepare a schedule for meeting key procedural requirements.
- H. Entitlements, Assistance and Benefits.** This section:
- (i) defines entitlements and eligibility of displaced persons, and describes all resettlement assistance measures (includes an entitlement matrix);
 - (ii) specifies all assistance to vulnerable groups, including women, and other special groups; and.
 - (iii) outlines opportunities for displaced persons to derive appropriate development benefits from the project.
- I. Relocation of Housing and Settlements.** This section:
- (i) describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);
 - (ii) describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs;
 - (iii) provides timetables for site preparation and transfer;
 - (iv) describes the legal arrangements to regularize tenure and transfer titles to resettled persons;
 - (v) outlines measures to assist displaced persons with their transfer and establishment at new sites;
 - (vi) describes plans to provide civic infrastructure; and
 - (vii) explains how integration with host populations will be carried out.
- J. Income Restoration and Rehabilitation.** This section:
- (i) identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources;
 - (ii) describes income restoration programs, including multiple options for restoring all types of livelihoods (e.g., project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets);

- (iii) outlines measures to provide social safety net through social insurance and/or project special funds;
- (iv) describes special measures to support vulnerable groups;
- (v) explains gender considerations; and
- (vi) describes training programs.

K. Resettlement Budget and Financing Plan. This section:

- (i) provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of resettlement plans during loan implementation;
- (ii) describes the flow of funds (the annual resettlement budget should show the budget-scheduled expenditure for key items);
- (iii) includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs; and
- (iv) includes information about the source of funding for the resettlement plan budget.

L. Institutional Arrangements. This section:

- (i) describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan;
- (ii) includes institutional capacity building program, including technical assistance, if required;
- (iii) describes role of NGOs, if involved, and organizations of displaced persons in resettlement planning and management; and
- (iv) describes how women's groups will be involved in resettlement planning and management,

M. Implementation Schedule. This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction and provide land acquisition process and timeline.

N. Monitoring and Reporting. This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of displaced persons in the monitoring process. This section will also describe reporting procedures.

Appendix 6: Terms of Reference of the Support Agencies/NGOs to assist APIIC / APRDC in Resettlement Plan Implementation

A. Project Background

1. Government of Andhra Pradesh (GOAP) has taken up the implementation of the Visakhapatnam to Chennai Industrial Corridor Development Program (VCICDP) and has availed a loan from the Asian Development Bank (ADB) towards the same. The project involves infrastructure development and policy and institutional reforms to stimulate economic growth and employment generation. The subprojects covering transport, water supply, energy and infrastructure in industrial estate/SEZ, have been proposed in identified project towns and industrial clusters.
2. The project is being executed by the Department of Industries (DoI) who will be the Project Management Unit (PMU). The subprojects are being implemented by four Project Implementation Units (PIUs), namely, Andhra Pradesh Industrial Investment Corporation (APIIC), Andhra Pradesh Road Development Corporation (APRDC), Transmission Corporation of Andhra Pradesh (APTransco) and Greater Visakhapatnam Municipal Corporation (GVMC).
3. Subprojects identified for funding under Tranche 1 of the MFF are under implementation and those of Tranche 2 will be taken up for implementation.
4. Resettlement Plan/Resettlement and Indigenous Peoples Plan (RIPP) have been prepared for all subprojects under VCICDP depending on the significance of impact and the corresponding involuntary resettlement and indigenous peoples categorization. Resettlement Plans/RIPP are prepared for subprojects that have involuntary resettlement and indigenous peoples impacts.
5. The resettlement plan/RIPP describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements, mechanism for resolving grievances and monitoring and list of affected persons.
6. The PMU has decided to call in for the services of Resettlement Plan/RIPP Implementation Support Agencies/non-government organization (NGO) (financed by the GOAP) experienced in carrying out such rehabilitation and resettlement activities at the grass root level to assist the APIIC/APRDC in RP implementation. The subprojects being implemented by APIIC/APRDC that trigger involuntary resettlement and require the services of RP Implementation Support Agencies/NGOS to assist APIIC/APRDC in RP implementation/ RIPP implementation (applicable for Chittoor–South start-up area). The list of the subprojects to be handled by the concerned NGO is given as Annexure 1 (to be inserted prior to bidding).

B. Objectives of the Assignment

7. The NGO shall be responsible for the following:
 - (i) data collection, management and maintenance of records related to affected persons, their entitlements and compensation;
 - (ii) educating the displaced persons on their eligibility, entitlements and obligations;
 - (iii) to ensure that the displaced persons receive their entitlements, project supported skill training as per their eligibility in accordance with the Resettlement Plan/RIPP;

- (iv) assist PIU in implementation of specific action plan as provided in RIPP (applicable for NGO appointed for Chittoor South start-up area under Project 2)
- (v) assist displaced persons in compiling all documents and papers required for receipt of compensation;
- (vi) to provide support and information to displaced persons for income restoration, skill training opportunities;
- (vii) assist the displaced persons in relocation to resettlement site and rehabilitation, including counselling, and coordination with local authorities/line departments;
- (viii) to assist the displaced persons in redressing their grievances through the grievance redress mechanism (GRM) established for the project, and maintain records of the status of grievance registration, resolution and duly provide feedback to affected persons;
- (ix) to conduct meaningful consultations and maintain records of consultations with affected persons including meeting minutes, photographs and signature sheets;
- (x) assist to translate the summary of resettlement plan/RIPP in local language for disclosure and disseminate to displaced persons;
- (xi) to assist APIIC/APRDC with contractual responsibilities of the subproject, such as compliance with labour laws, prohibition of child labour, and gender issues;
- (xii) to extend support to PMSC and external monitor with required data and consultation details;
- (xiii) to collect data and submit monthly status note and quarterly progress reports to APIIC/APRDC for effective monitoring of the progress of Resettlement Plan/RIPP implementation.

C. Detailed Scope of Work

- (i) Overall Responsibilities of the NGO:
 - (a) shall assist the manager-social safeguards and communications in respective PIUs (in APIIC/APRDC) in carrying out the implementation of the Resettlement Plan;
 - (b) conduct census and socio-economic survey of the displaced persons based on final subproject scope and design;
 - (c) data collection, management and maintenance of records related to affected persons based on the census and socio-economic survey, their entitlements and compensation. Maintain raw and clean survey data and records in editable softcopies. The record and database maintenance should be adequate to generate quick data-based reports, and information that APIIC/APRDC will require from time to time. The Project Management and Supervision Consultant (PMSC) to develop standard format of such database.
 - (d) shall ensure that the displaced persons receive their entitlements, project supported skill training as per their eligibility in accordance with the Resettlement Plan/RIPP;
 - (e) assist displaced persons in compiling all documents and papers required for receipt of compensation and other entitlements;
 - (f) conduct consultation with the affected persons including timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people. Ensure adequate participation of women and other vulnerable persons in consultation. Maintain the consultation records like minutes of meeting, photographs and signature sheets.
 - (g) assist PIU in implementation of specific action plan as provided in RIPP

(applicable for NGO appointed for Chittoor South start-up area under Project 2)

- (h) Support agency / NGO is expected to capture audio-visual documentation of important gatherings and consultation meetings in coordination with relevant expert from PMSC;
 - (i) Provide assistance to displaced persons in compiling all documents like land ownership records, identification proof, legal heir certificates, bank account details required for ease of receipt of compensation;
 - (j) shall assist the displaced persons in redressing their grievances through the project GRM. The NGO is expected
 - (k) shall assist the manager-social safeguards and Communications in disclosure, conducting public meetings, information campaigns during the Resettlement Plan/RIPP implementation and give full information to the affected community;
 - (l) shall assist APIIC/APRDC to translate the summary of resettlement plan/RIPP in local language for disclosure and disseminate to displaced persons;
 - (m) shall assist manager-social safeguards in translating the summary of Resettlement Plan in local language for disclosure and disseminate to displaced persons;
 - (n) shall assist APIIC /APRDC in ensuring that the Contractors comply with the applicable labour laws (including prohibition of child labour, bonded labour and gender requirements) as contained in the contract document;
 - (o) shall assist APIIC / APRDC in providing skill training to displaced persons, wherever required in the implementation of resettlement plan and skill training opportunities generated through the project;
 - (p) shall extend support to PMSC and external monitor during field visits and data requirements; shall work in close coordination with the Contractor in grievance redresses and public outreach and communication;
 - (q) shall submit monthly progress note and quarterly progress report to the PIUs covering both physical and financial progress of Resettlement Plan / RIPP implementation. The report should also cover implementation issues, summary of grievances and summary of consultations.
- (ii) Responsibilities for Implementation of the Resettlement Plan/RIPP:
- (a) shall verify the information already contained in the resettlement plan and the individual losses of the displaced persons. They should validate the data provided in the resettlement plan and report to APIIC /APRDC on changes required, if any, along with documentary evidence;
 - (b) shall establish rapport with displaced persons, consult and provide information to them about the respective entitlements as proposed under the resettlement plan, and distribute entitlement cum identity cards to the eligible displaced persons. The identity card should include a photograph of the displaced person, the extent of loss suffered, the entitlement and contact details of the APIIC, NGO and a brief of the GRM with contact details;
 - (c) shall update the census and socio-economic survey carried out during project preparatory stage, as required and wherever additional impacts are identified, carryout fresh surveys;

- (d) shall keep survey data updated, in editable soft copies to as to generate quick reports and information. The PMSC to develop standard format of such database;
- (e) shall provide the survey data as soft copy in the specified format that APIIC / APRDC will require in the management of the data base of the displaced persons and if APIIC / APRDC has a web-based database, update and enter the survey data in the desired format;
- (f) shall assist PMSC with survey database of displaced persons and consultation details during updating of Resettlement Plan/RIPP;
- (g) shall assist in the joint verification of affected persons and prepare micro plan detailing the type of impact and entitlements for each displaced person and display the list of eligible displaced persons in prominent public places like villages, Panchayat offices, Block/Mandal headquarters, and the District Headquarters;
- (h) assist PIU in implementation of specific action plan as provided in RIPP (applicable for NGO appointed for Chittoor South start-up area under Project 2)
- (i) during the verification of the eligible displaced persons, ensure that each of the displaced persons are contacted and consulted either in groups or individually. Ensure consultation with women and other vulnerable groups from the displaced persons families, especially women headed households;
- (j) shall develop rapport between the displaced persons and the project authority, particularly manager-social safeguards and communications. This will be achieved through regular interactions with both the manager-social safeguards and communications and the displaced persons. Meetings with the manager-social safeguards and communications will be held at least fortnightly, and meetings with the displaced persons will be held monthly, during the entire duration of the assignment. All meetings and decisions taken shall be documented;
- (k) shall prepare monthly action plans with targets in consultation with the manager-social safeguards and communications;
- (l) participatory methods should be adopted in assessing the needs of the displaced persons, especially with regard to the vulnerable groups of displaced persons. The methods of contact may include village level meetings, gender participation through group's interactions (focus group discussions), and individual meetings and interactions;
- (m) shall explain to the displaced persons the provisions of the policy and the entitlements under the Resettlement Plan. This shall include communication to the roadside squatters and encroaches about the need for the timely shifting/relocation to resettlement site, the timeframe for disbursement of their entitlement;
- (n) shall disseminate information to the displaced persons on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant;
- (o) shall monitor the civil construction work in each package to ensure there is no bonded/child labour; that equal wages for equal work is paid irrespective of gender (male female should be paid equally for equal work);
- (p) in all of these, consider women as a special focus group, and deal with them with care and sympathy;

- (q) shall assist the project authorities in ensuring a smooth transition (during the part or full relocation of the displaced persons), helping the displaced persons to take salvaged materials and shift. In close consultation with the displaced persons, inform the manager-social safeguards and communications about the shifting dates agreed with the displaced persons in writing and the arrangements desired by the displaced persons with respect to their entitlements;
 - (r) shall assist the displaced persons in opening bank accounts explaining the implications, the rules and the obligations of a joint account and how s/he can access the resources s/he is entitled to;
 - (s) shall assist displaced person to identify and select the relocation sites;
 - (t) shall assist displaced person to rehabilitate/ reconstruct their livelihood at the new relocation areas; and
 - (u) shall support APIIC / APRDC and PMSC in the resettlement plan monitoring.
 - (v) shall extend support to external monitor in external monitoring activities for smooth implementation of Resettlement Plan. Shall work in close coordination with the Contractor in grievance redresses and public outreach and communication.
- (iii) Accompanying and representing the displaced persons at the Grievance Redressal Committee (GRC) Meetings
- (a) shall nominate a suitable person (from the staff of the NGO) to assist the displaced persons in the GRC;
 - (b) shall make the displaced persons aware of the existence of GRM structure and grievance redressal committees (GRCs);
 - (c) shall help the displaced persons in filling the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC award;
 - (d) shall record the grievance and bring it to the notice of the GRCs within seven days of receipt of the grievance from the displaced persons. It shall submit a draft note with respect to the particular grievance of the displaced person, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting through the NGO representative in the GRC; and
 - (e) shall accompany the displaced persons to the GRC meeting on the decided date, help the displaced person to express his/her grievance in a formal manner if requested by the GRC and again inform the displaced persons of the decisions taken by the GRC within 3 days of receiving a decision from the GRC.
- (iv) Carry out Public Consultation
- (a) in addition to counselling and providing information to displaced persons, shall carry out periodic consultation with displaced persons and other stakeholders throughout the duration of this contract;
 - (b) should organize meetings and appraise the communities about the schedule/progress of civil works; and
 - (c) all the consultations should be documented and if possible, photographs and attendance sheets should be compiled. The list of participants and a summary of the consultations and outcome should be submitted to

APIIC/APRDC. In case of large or important meetings, audio-visual recording may be explored in consultation with PMSC and PIU.

- (v) **Assisting APIIC/APRDC with the Project's Social Responsibilities**
 - (a) shall assist APIIC/APRDC to ensure that the contractors are abiding by the various provisions of the contract and applicable laws pertaining to labour standards;
 - (b) shall assist APIIC in conducting the Resettlement and Rehabilitation award enquiry.
- (vi) **Monitoring and Reporting**
 - (a) The Resettlement Plans includes provision for internal monitoring by APIIC/APRDC and PMU. Similarly, external monitoring is also proposed to be conducted by an external monitor. Submission of monitoring reports quarterly, mid-term (semi-annual), and post-project monitoring and evaluation separately by PMU and external agency will be required. The Agency/NGO involved in the implementation of the Resettlement Plan will be required to supply all information, documents to the PIU/PMU and external monitoring consultants.
- (vii) **Safeguard Compliance Role related to land acquisition issues**
 - (a) The Support Agency/NGO on behalf of PIU will be responsible to take additional safeguard compliance measures related to land acquisition issues (including those related to land acquisitions carried out in the past, prior to the subproject). This would include conduct of due diligence related to payment of compensation and other entitlements to affected persons, documentation of plot-wise compensation payment status and reasons for delay in payments, facilitate affected person in grievance redress and access to available GRM for past land acquisitions related complaints, hold consultation with affected community/persons.

D. Documentation and Reporting by NGO

8. The Support Agency/NGO selected for the assignments shall be responsible to:
 - (a) submit an inception report within four weeks; on signing up of the contract including a work plan for the whole contract period, staffing and personnel deployment plan, and a withdrawal plan at the end of the period of contract. The withdrawal plan shall be detailed and reflect how the displaced persons will maintain the assets created and transferred to the displaced persons;
 - (b) prepare monthly progress notes to be submitted to the PIU, with weekly progress and work charts as against the scheduled timeframe of resettlement plan implementation;
 - (c) prepare and submit quarterly reports on a regular basis, to be submitted to the PMU;
 - (d) submit a completion report at the end of the contract period summarizing the actions taken during the project, the methods and personnel used to carry out the assignment, and a summary of support/assistance given to the displaced persons;
 - (e) all other reports/documentation as described in these terms of reference;
 - (f) record minutes of all meetings; and

- (g) four copies of each report shall be submitted to APIIC/APRDC together with one soft copy of each report in the CD

F. Data, Services and Facilities to be provided by the Client

9. APIIC/APRDC will provide to the Support Agency/NGO the copies of the resettlement plan/ displaced persons' census, the strip plan of final design and any other relevant reports/data prepared by the DPR consultants. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for staff of, etc., shall be arranged by the agency/NGO.

E. Timeframe for Services

10. It is estimated that the services will be required for about 24 months to undertake the assignment of facilitating the implementation of the resettlement plan. The time schedule for completion of key tasks is given below

S. No	Task Description	Time for completion
1.	Inception Report	At the end of the 4 th week after commencement of services
2.	a. Joint verification, issue of identity card and submission of corrected data, if any, including proposal for replacement and upgradation of community assets b. Additional and /or missing census survey records of displaced persons (to be collected only after due approval of such cases by manager-social safeguards and communications in writing) including profiles of displaced person in such survey	At the end of the 2 nd month after commencement of services At the end of the 3 rd month after commencement of services
3.	Monthly Progress Note /Quarterly Progress Report covering the activities in the scope of works and corresponding deliverables	In 10 days from the end of each month /quarter
4.	Facilitating disbursement of the entitlements for 25% of total affected persons coinciding with the handing over of land for civil works	At the end of the 5 th month after commencement of services
5.	Disbursement of the entitlements for another 25% of total affected persons	At the end of the 7 th month after commencement of services

S. No	Task Description	Time for completion
6.	Disbursement of the entitlements for another 25% of total affected persons	At the end of the 9 th month after commencement of services
7.	a. Disbursement of the entitlements for remaining 25% of total affected persons b. Facilitating resettlement of displaced persons to the resettlement site(s)	At the end of the 12 th month after commencement of services
8.	Draft Final Report summarizing the action taken and other resettlement works to be fulfilled by the Support Agency/NGO	One month before the service / 23 rd month after commencement of services
9.	Final report summarizing the action taken and other resettlement works to be fulfilled by the Support Agency/NGO	At the end of the service / 24 th month after commencement of services incorporating suggestions of APIIC/APRDC on the draft report.

G. Team for the Assignment

11. The Agency/NGO shall assign a team of professionals for assisting APIIC/APRDC in Resettlement Plan implementation. The Agency/NGO team should consist of the following five core professionals, four support staff and one skilled data entry operator. The core team should have a combined professional experience in the areas of land acquisition, rehabilitation and resettlement, social mobilization, community development, census and socio-economic surveys and participatory planning and consultations.

12. One R&R expert, one-field coordinator and two-field staff each should be base out of South Node and Vizag Node. The team leader will be responsible for overall coordination.

	Key Professional	No. of Persons	Experience
Key Professionals			
	Team Leader (Intermittent input)	1	Postgraduate in Social Science with a minimum of 10 years' experience in R&R and proficient in Telugu and English
	R&R Expert (Intermittent input)	2	Postgraduate in Social Science with 5 years' experience in R&R and proficient in Telugu and English
	Field Coordinator (Full time input)	2	Graduate in Social Science with knowledge and experience in census and socio-economic surveys, PRA Technique and fluent in Telugu and English.
Non-Key Staff			

	Key Professional	No. of Persons	Experience
Key Professionals			
		4	Graduate in any discipline and social work experience is desirable
	Data Entry Operator	1	Graduate with knowledge in database management

Appendix 7: Outline of Social Safeguards Monitoring Report during Project Implementation Period

Following requirements of the ADB Safeguard Policy Statement (2009) and the *Operations Manual* section on safeguard policy (OM F1), borrowers/clients are required to establish and maintain procedures to monitor the status of implementation of safeguard plans and ensure progress is made toward the desired outcomes. For projects categorized as A or B in Involuntary Resettlement and/or Indigenous People, the Borrowers/clients are required to submit semi-annual monitoring reports for ADB review. The level of detail and comprehensiveness of a monitoring report is commensurate with the complexity and significance of social safeguards impacts (IR and IP) and with the current status of project implementation phase.

This outline can be used for periodic monitoring report (semi-annual) and Resettlement Plan /IPP completion report to start the civil works in the impacted areas. A safeguard monitoring report may include the following elements:

- A. Executive Summary.** This section provides a concise statement of project scope and impacts, key findings and recommended actions.
- B. Background of the Report and Project Description.** This section provides a general description of the project, including:
 - Background/context of the monitoring report which includes the information on the project, project components, safeguards categorizations and general scope of the social safeguards impacts.
 - Information on the implementation progress of the project activities, scope of monitoring report and requirements, reporting period, including frequency of submission and changes in project scope and adjusted safeguard measures, if applicable
 - Summary table of identified impacts and the mitigation actions.
- C. Scope of Impacts.** This section outlines the detail of
 - Scale and scopes of the project's safeguards impacts,
 - Vulnerability status of the affected people/communities,
 - Entitlements matrix and other rehabilitation measures, as applicable, as described in the approved final Resettlement Plans /IPP(s).
- D. Compensation and Rehabilitation.**⁴² This section describes the process and progress of the implementation of the safeguards plan and other required activities as determined in the plan. This includes:
 - Payment of the affected assets compensation, allowances, loss of incomes, etc. to the entitled persons;
 - Provisions of other types of entitlement as described in the matrix and implementation of livelihood rehabilitation activities as determined in the plan.
 - Quantitative as well as qualitative results of the monitoring parameters, as agreed in the plan, should be provided.
- E. Public participation and consultation.** This section describes public participation and consultations activities during the project implementation as agreed in the plan. This

⁴² Depending on the status of the final detail design during the submission of the report this activity might not yet started. Provide the information on the expected date the activity to be conducted instead.

includes final consultations with affected persons during Resettlement Plan finalization after the completion of detail design; the numbers of activities conducted; issues raised during consultations and responses provided by the project team, implementing NGOs, project supervision consultants, contractors, etc.

- F. Grievance Redress Mechanism (GRM).** This section described the implementation of project GRM as design in the approved Resettlement Plan /IPP. This includes evaluations of its effectiveness, procedures, complaints receive, timeliness to resolve issues/ complaints and resources provided to solve the complaints. Special attentions should be given if there are complaints received from the affected people or communities.
- G. Institutional Arrangement.** This section describes the actual implementation, or any adjustment made to the institutional arrangement for managing the social safeguards issues in the projects. This includes the establishment of safeguards unit/ team and appointment of staff in the EA/IA; implementation of the GRM and its committee; supervision and coordination between institutions involved in the management and monitoring of safeguards issues, the roles of NGO and women's groups in the monitoring and implementation of the plan, if any.
- H. Monitoring Results – Findings.** This section describes the summary and key findings of the monitoring activities. The results are compared against previously established benchmarks and compliance status (e.g., adequacy of IR compensation rates and timeliness of payments, adequacy and timeliness of IR rehabilitation measures including serviced housing sites, house reconstruction, livelihood support measures, and training; budget for implementing EMP, Resettlement Plan, or IPP, timeliness and adequacy of capacity building, etc.). It also compared against the objectives of safeguards or desired outcomes documented (e.g., IR impacts avoided or minimized; livelihood restored or enhanced; IP's identity, human right, livelihood systems and cultural uniqueness fully respected; IP not suffer adverse impacts, environmental impacts avoided or minimized, etc.). For FI projects this includes the effectiveness of the Environmental and Social Management System (ESMS) managed by the FI and its participating institutions.⁴³ If noncompliance or any major gaps identified, include the recommendation of corrective action plan.
- I. Compliance Status.** This section will summarize the compliance status of the project activities with the loan covenants, ADB SPS (2009) on SR 2 and the approved final Resettlement Plans.
- J. Follow up Actions, Recommendation and Disclosure.** This section describes recommendations and further actions or items to focus on for the remaining monitoring period. It also includes lesson learned for improvement for future safeguards monitoring activities. Disclosure dates of the monitoring report to the affected communities should also be included. A time-bound summary table for required actions should be included.

Appendix 1

- (i) List of Affected Persons and Entitlements
- (ii) Summary of Resettlement Plan /IPP with entitlement matrix

Appendix 2

⁴³ Specific for the FI projects, external agency may be required to conduct an audit of the project ESMS.

- (i) Copies of AP's certification of payment (signed by the affected persons)
- (ii) Summary of minutes of meetings during public consultations
- (iii) Summary of complaints received and solution status

Appendix 8: Indicative Terms of Reference for Engaging an External Monitoring Agency/Expert Terms of Reference (ToR)

I. Project Description

Government of Andhra Pradesh (GoAP) has taken up the implementation of the Visakhapatnam to Chennai Industrial Corridor Development Program (VCICDP) and has availed a loan from the Asian Development Bank (ADB) towards the same. The project involves infrastructure development and policy and institutional reforms to stimulate economic growth and employment generation. The subprojects covering transport, water supply, energy and infrastructure in industrial estate/SEZ, have been proposed in identified project towns and industrial clusters.

The project is being executed by the Department of Industries (DOI), which functions as the Project Management Unit (PMU). The subprojects are being implemented by four Project Implementation Units (PIUs), namely, Andhra Pradesh Industrial Investment Corporation (APIIC), Andhra Pradesh Road Development Corporation (APRDC), Transmission Corporation of Andhra Pradesh (APTransco) and Greater Visakhapatnam Municipal Corporation (GVMC).

Subprojects identified for funding under Tranche 1 of the MFF and being implemented are given in Table 1.

Table A8-1: Subprojects under Implementation - Tranche 1

S. No.	Package No	Name of Subproject	Location	Involuntary Resettlement Categorization
1.	APIIC/01	Construction of Common Effluent Treatment plant at Naidupeta Industrial cluster	Naidupeta, Nellore District	C
2.	APIIC/03	Augmenting utility services for Naidupeta Industrial cluster. [SWD, power, internal road and one stop centre]	Naidupeta, Nellore District	C
3.	APIIC/04	Providing bulk water facility and summer storage in Naidupeta Industrial cluster	Naidupeta, Nellore District	B
4.	APIIC/05	Providing water supply to Industrial Clusters/NIMZs in southern region (Krishnapatnam node and Sri city)	Chittoor District and Nellore District	B
5.	GVMC/02	Distribution Network improvements for NRW reduction and 24x7 water supply in GVMC area	Visakhapatnam, Visakhapatnam District	B
6.	APTransco/01	Augmenting power distribution capacity for meeting Industry demand at Kapuleppada, Nakkapalle/ Chandanada and Atchutapuram locations	Kapuluppada, Visakhapatnam District Nakkapalle and Atchutapuram, Visakhapatnam District	B

S. No.	Package No	Name of Subproject	Location	Involuntary Resettlement Categorization
7.	APTransco/03	Augmenting power distribution capacity for meeting Industry demand at Rachagunneri, Naidupeta and Yerpedu locations	Rachagunneri and Yerpedu, Chittoor District Naidupeta, Nellore District	B
8.	APRDC/01	Upgrading and Rehabilitation of 'Samarlakota to Rajanagaram' Section of 'Kakinada – Rajanagaram' Road to '2 Lane Dual Carriageway Standard	East Godavari District	A
9.	UCCRTF/04	"Design, Procurement, Supply, erection, testing, commissioning and maintenance for Five years of 3 MWp grid connected Floating Type Solar PV Power Project on Meghadrigedda Reservoir in Visakhapatnam District along with grid connecting equipment including associated Electrical & Civil Works".	Visakhapatnam District	C
10.	UCCRTF/05	Watershed management Mudasarlova Watershed and rejuvenation of Mudasarlova Lake	Visakhapatnam District	C
11.	UCCRTF/06	Non-motorized traffic zones and introduction of E- Vehicles in Visakhapatnam city	Visakhapatnam District	C

Note: Tranche-1 works are in progress. Only Category A subproject (APRDC/01) requires external monitoring.

The proposed subprojects identified for funding under Tranche 2 of the MFF include:

Table A8-2: Subprojects Proposed under Tranche 2

S. No.	Package No	Name of Subproject	Location	Involuntary Resettlement Categorization
A. APIIC				
1.	VCICDPT2-APIIC/06A	Development of Internal Infrastructure in the Start-up Area of Chittoor-South Industrial Cluster	Chittoor District	A
2.	VCICDPT2-APIIC/08A	Development of Internal Infrastructure in the Start-Up Area of Rambilli Industrial Cluster	Rambilli Mandal, Visakhapatnam District	A/B*
3.	VCICDPT2-APIIC/09A	Development of Internal Infrastructure in the Start-up Area of Nakkapalli Industrial Cluster	Nakapalli Mandal, Visakhapatnam District	A
B. APRDC				
4.	VCICDPT2-APRDC/04	Development of Road for External Connectivity to Naidupeta Industrial Cluster Road Subproject	Chittoor District	A
5.	VCICDPT2-APRDC/05	Development of Road for External Connectivity to Routhusuramala Cluster	Chittoor District	B

S. No.	Package No	Name of Subproject	Location	Involuntary Resettlement Categorization
6.	VCICDPT2-APRDC/06	Development of Road for External Connectivity to Nakkapalli Industrial Cluster Road	Visakhapatnam District	B
7.	VCICDPT2-APRDC/07	Widening of Anakapalli to Atchutapuram Road	Visakhapatnam District	A

Note: Tranche 2 under process

* Categorization of package APIIC/08A will be confirmed based on the method of land acquisition ultimately adopted by the project. Only Category A subprojects will be monitored by the external monitoring agency.

Resettlement Plan (RP)/ Resettlement and Indigenous Peoples Plan (RIPP) have been prepared for all subprojects under VCICDP depending on the significance of impact and the corresponding Involuntary Resettlement (IR) categorisation. Resettlement Plans (RPs) are prepared for subprojects that have IR impacts and RIPPs are prepared for the subprojects with impacts on indigenous peoples and/or scheduled tribes (RIPP prepared for only 1 subproject i.e. APIIC/06A Chittoor South) and Due Diligence Report (DDR) are prepared for subprojects where there are no IR impacts. The RP describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring. The DDR provide detail of subproject components and documents to establish that the subproject does not involve any involuntary resettlement (IR) impact.

The project management unit (PMU) and project implementation unit (PIU) have appointed agencies/NGO's to support the PIUs in RP implementation for subprojects that are categorised as Category-A and Category-B for involuntary resettlement impacts.

The monitoring and evaluation of the RP implementation of Category-A subprojects should be undertaken by an external monitor. Therefore, the project management unit (PMU) requires the services of an external monitor for undertaking monitoring and evaluation of RP implementation of subprojects that are Category-A for involuntary resettlement (please refer Table 1 and Table 2 above).

II. Scope of work

The scope of this assignment includes but not limited to the following tasks.

1. Generic

- a) Review and verify the progress in resettlement implementation as outlined in the Category-A RPs;
- b) Monitor the effectiveness and efficiency of PIUs, and NGOs in RP implementation;
- c) Assess whether resettlement objectives, particularly livelihoods and living standards of the Displaced Persons (DPs) have been restored or enhanced;
- d) Assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary; and
- e) Review the project impacts on vulnerable groups, indigenous people and groups and assess the effectiveness of the mitigative actions taken.

2. Concurrent Monitoring

- a) Undertake supervision of Category-A subprojects RP/RIPP implementation to ascertain delivery of compensation and entitlements to APs in accordance with the provisions and procedures of RF and subproject RP/RIPP;
- b) Advise and guide the NGOs who are supporting respective PIUs in the implementation of RP in accordance with their Terms of Reference;
- c) Assist the field units of PIU to oversee the implementation of RP/RIPP;
- d) Participate in periodical meetings held between PMU, PIU and NGOs to assist PMU for successful outcomes of the meetings;
- e) Verify whether the land acquisition, compensation and other related land acquisition tasks are proceeding as per applicable laws and RF and assist the implementing agencies for any additional support is needed to address the land acquisition related aspect of project implementation;
- f) Verify if compensation for land and non-land assets and rehabilitation and resettlement assistances / allowances have been provided to APs
- g) Verify if payment as per micro plan prepared by NGO is disbursed in a timely manner and if payment has been made fully before dispossession of assets
- h) Verify receipt of payment acknowledged by APs and confirm the same through random field checks with APs and through consultation meetings
- i) Verify implementation of the specific action plan as provided in RIPP (RIPP prepared for only 1 subproject i.e. APIIC/06A Chittoor South);
- j) Undertake reviews on behalf of PMU of all documents and reports related to land acquisition and resettlement received from PIU/NGOs/ consultants and advise the PMU for taking appropriate decisions on such reports;
- k) Assist the PMU to respond to ADB on any matters related to the implementation of RP and related matters and also coordinate the ADB Mission visits to the subprojects and facilitate discussions with NGOs, AP, officials and other stakeholders;
- l) Verify to report compliance with the certification issued by concerned officer prior to handing over of the respective subproject land to the contractors, confirming the completion of land acquisition, payment of compensation and R&R assistances, mitigation of resettlement impacts and reconstruction of community properties in the respective subprojects;
- m) Ensure synchronization of R&R implementation with civil works timetable to avoid time and cost over runs. This should be done in close co-ordination with the Project Management Supervision Consultants (PMSC);
- n) One of the key task is to ascertain how the physically displaced families have made the alternative arrangements for their relocation and provide support as needed for addressing this challenge in the project;
- o) Wherever resettlement sites are developed, ensure that required amenities and facilities have been provided and the houses comply with the local building rules;
- p) Review and assess the adequacy of income restoration programs and wherever required advise PIU/PMU in improving the implementation of income restoration programs
- q) Review the progress in unskilled jobs provided by the contractors to the local people;
- r) Organization of periodical training in the implementation of RP and delivering of entitlements, consultations etc. to PIU staff and NGOs/consultants as necessary;
- s) Monitor the schedules and the achievement of target described in the resettlement plans;
- t) Provide periodical suggestion and recommendations for mid-stream alternation based on the implementation progress;
- u) Report on the working of GRC and analyses on the outcome of complaints dealt by GRCs;
- v) Undertake filed visits to interact with the APs and other beneficiaries, at least twice in a quarter in the first year and once a quarter in the subsequent years, to report their

feedback on receipt of compensation and assistance received by them. Document the good practices and lessons learned during the course of implementation of RP;

- w) During field visits meet PIU officials and NGO and assess the physical and financial progress made in RP implementation,
- x) Verify the quality and suitability of replaced community assets affected by the project, and
- y) Any other tasks that is necessary in realizing the objectives of the assignments.

3. Mid-term Impact Evaluation

This assignment also includes carrying out a midterm impact evaluation during the last quarter of the contract period to evaluate the following outcomes of RP implementation through a sample survey amongst APs.

- a) Verify whether the objectives of resettlements have been realized, particularly the changes in the in the living standards of APs;
- b) impact assessment is to be compared with the baseline values for key socioeconomic as given in the RP. If such information is not available information has to be collected on recall basis at the time of survey. A small sample of control population should also be included for comparison purpose;
- c) to assess whether the compensation is adequate to replace the lost assets;
- d) to assess how the compensation has been utilized;
- e) to assess implementation of the specific action plan of APIIC/06A Chittoor South;
- f) assess the perceived benefits and losses of resettlement and perception of the implementation in their living standards; and
- g) Assess the level of satisfaction of the various assets provided as part of R&R implementation;

Based on the impact assessment, suitable remedial measure is to be proposed for any shortcomings. In monitoring and impact evaluation, gender disaggregated assessment and analysis will be factored in reporting especially on: Proportion of women land owners who received compensation, Number of women headed households and other vulnerable groups received R&R assistances; and local female and Scheduled Caste labor force participation in unskilled jobs under contractors, Proportion of women as beneficiaries of house sites/houses offered under R&R assistance; and Proportion of women participation in consultation meetings during implementation.

III. Methodology

The consultant should use rapid assessments, sample surveys, consultations, discussions, meetings, interviews, etc. At least 2-visits to each subproject sites should be undertaken in each quarter in the 1st year and 1-visit to each subproject from the 2nd year onwards. Quarterly Progress Reports (QPRs) should be submitted within 15 days of end of each calendar quarter and semi-annual report summarizing the progress made and corrective actions, if any. Whenever semi-annual reports are submitted, there is no need for a QPR.

For the mid-term impact evaluation, the consultant should carry out a sample survey of not less than 400 affected households spread across all the Category-A subprojects proportion to the magnitude of impact and type of loss. A control sample of 100 households will also have to be carried out for comparison purpose.

For the final closure report, the monitoring consultant will also carry out a sample survey in the last quarter to capture the socio-economic status of the APs and include the findings in the report,

with recommendations for further support, if required. This sample survey for final closure report should cover not less than 400 affected households spread across all the Category-A subprojects proportion to the magnitude of impact and type of loss.

IV. Reporting

The Consultant shall submit the following reports:

- a. Inception Report outlining the methodology, approach and deployment of resources, etc.;
- b. Two semi-annual reports per annum – within 1 month of each SSMR submission;
- c. Mid Term Evaluation report at end of 1st year
- d. Final closure report outlining the experience, lesson learned, outcome of survey findings on socio-economic status of the APs, etc.

V. Time Frame and Composition of consultant

This assignment will be carried out by a firm of consultants over the period of 24 months. Staffing input of the firm will be 64 person-months (inclusive of support staff) with the breakdown of person-months and assignment of tasks shown in Table 1. Qualification requirements as mentioned below.

Table A9- 3: Indicative Breakdown of Consultant's Input

Key Expert -			Months
No.	Position	Tasks	Input
1	Monitoring Consultant (Team Leader)	I-V	10
2	Resettlement Expert - 3 Nos	I-V	30
Non-Key- Staff -			
1	Minimum Support Staff	Assistance Experts @ for data collection	24
2	Data Entry Operator	To Assist Project Team	24

Qualifications Requirements

The qualification requirements in this Annex are “preferred” qualifications, and not pass/fail.

1. Team Leader Cum Social Development Expert

The Monitoring Consultant should be a Post-graduate / Doctorate in Social science /Sociology/Anthropology/ Economics/ MSW or equivalent with minimum of **15 years of** experience in the field of social development after post-graduation. He should have experience as Social Development specialist having experience in resettlement issues, consultations, and Community development. (Note: PG and PHD in other subjects shall not be considered for evaluation)

He should have monitoring and evaluation experience of minimum 5 projects and should have held responsible positions in the previous assignments including as Team leader. Experience in similar assignments for any external aided projects such as WB /ADB /JBIC or other bilateral /multi-lateral funding agencies will be an added advantage & weightage given accordingly. He

should have adequate managerial skill and should be conversant with the region and the local language.

The input of consultant will be required on intermittent basis and while submitting the proposal, a detailed workplan should be submitted with proposed input of the monitoring consultant.

2. Resettlement Expert - 3 Nos

The Monitoring Consultant (Resettlement expert) (should have minimum 3 support staff), who would assist the monitoring consultant in data collection, data collation and field support. The expert should possess a degree in social science /Sociology or related degree courses with **minimum 5 years' experience** in socio-economic surveys/ consultations /RP Implementation at field levels etc. in last 5 years, with 2 years' experience in monitoring for similar assignments in He must be fluent and conversant with the regional and the local language and having minimum reporting skills and should be conversant with MS office.

3. Non-Key (Support Staff- 1 No)

Any Computer literate with Degree in Science or Commerce with minimum 3- years of experience in Data entry works and documentation with experience in MS office. He must be fluent and conversant with the region and the local language.

VI. Data, Services and Facilities to be provided by the Client

The PMU will provide to the Consultant the copies of the RP/APs Census, the DPR, plan of final design and any other relevant reports/ data prepared by the DPR consultants & NGO's. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for the Consultant, shall be arranged by the Consultant. The Consultant should have one office in the approved location to have better co-ordination, preferably where the PMU -HO is located.

The consultant shall submit the following reports. All reports should be submitted in hard copy and soft copy in MS Word for easy transmission. All the draft reports will be reviewed by the Report Evaluation Committee of PMU within a week of submission of the reports and the comments need to be incorporated in the final version. The reports, especially the Final reports will also be reviewed by the Asian Development Bank (ADB). The consultants will devise the reporting formats as desired and may be reflected in the Inception report.

- Inception report with mobilization details;
- Semi-annual Monitoring Reports; and
- Final Completion Report containing implementation experience, lessons learnt and socio-economic status of APs.

VII. Payment Schedule

The payment will be made on successful completion of key tasks is given below.

S. No	Task Description	Cumulative
1	Inception Report (within 30 days)	15%

2	Semi-annual Monitoring Reports (10% upon clearance of each report)	40%
3	Midterm Impact Evaluation Report – end of 12 th month (Annual)	70%
4	Draft Final Report - 24 th month	85%
5	Final Report after acceptance of Draft report by Client with any changes	100%
	Total	100%

VIII. Time Frame and Reporting

The independent monitoring expert will be responsible for overall monitoring of the RP implementation and will submit quarterly and semi-annual monitoring report directly to PMU for onward transmission to ADB with PMU's comments within 10 days of the preceding reporting month.

The monitoring expert will commence with the task of monitoring the RP implementation in the Category-A subprojects under Tranche-1 and II immediately after signing of the contract.

IX. Budget and Logistics

Copies of the proposal - both technical and financial - should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring including surveys.

Appendix 9: Sample Certification Formats

This is to certify that Mr./Mrs. XXXXXXXXXXXXXXXXXXXX, (profession, designation, address) is appointed as independent third party to certify the process of negotiated purchase/donation of plot no.....area.....owned / donated by XXXXXXXXXXXX (names of owner), who is a signatory to this certificate. It is also placed on record that none of the signatories to this certificate have any objection to appointment of xxx as third-party witness.

Date

Officers Concerned PIU and land donor
(Names and Signatures)

I, _____ of _____ (address) certify that I was witness to the process of negotiated purchase / land donation (details of plot _____ from XXXXXXXXXXX land owners names).

I certify that:

1. The process of purchase / donation of the said land was transparent; the landowner(s) was/were happy to sell/donate the land/assets for the welfare of the community/subproject activities.
2. No coercion was used in the purchase/donation process.
3. No (formal/informal) third party (associated with the purchase/donation) is negatively affected⁴⁴ by the purchase/donation activity
4. Land transfer costs (registration fee and stamp duty) were borne by the government and not by the owner/donor.
5. All concerns expressed by the owner/donor as agreed, were addressed and no pending issues remain.
6. The following mitigation measures were identified and implemented / provided to the land owner/donor.
7. Attached are the minutes of meetings held between project proponents and the land owner/donor, and the agreed price/value of the donated land, which I was witness to.
8. Attached are the pictures of the land purchased/donated and pictures of the original land owner(s) of the purchased/donated land.
9. Attached are the information of the socio-economic background of the land owner(s)/ donor(s)

Signed/

Name

XXXXXXXXXXXXXXXXXXXXXXXXX

Date: _____ Place: _____

Enclosed: Minutes of meetings held between land owner/donor and project proponents

⁴⁴ Negatively affected defines as permanent loss of/ access to shelter or livelihood support which could cause impoverishment to the affected third party.