

# Resettlement Planning Document

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## India: Kerala Sustainable Urban Development Project

Prepared by Local Self Government (Urban) Department, Government of Kerala for the Asian Development Bank (ADB).

The resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

## SHORT RESETTLEMENT PLAN FOR KOLLAM

### Executive Summary

1. The Kerala Sustainable Urban Development Project (the Project) involves investment in the sectors of (i) water supply; (ii) sewerage and sanitation; (iii) urban drainage; (iv) solid waste management; (v) roads and transportation; and (vi) poverty alleviation.
2. The Roads (Underpass) Subproject in Kollam is a subproject of the Roads Sector. It will be constructed on the land owned by the Government and Kollam Corporation. The number of affected persons is 31. The type of loss is commercial. The affected persons are tenants who leased in the land from the Corporation for small-scale businesses, and their employees. The Corporation will identify alternative commercial space in the adjoining bus stand complex, which belongs to the Corporation, to relocate the commercial establishments affected by the Road (Underpass Subproject. No private land will be acquired for the Subproject. No encroachment or informal settlement (squatting) has been identified in the proposed subproject area.
3. Each tenant and his employees will be compensated as per the Entitlement Matrix given in the Short Resettlement Plan. The tenants will receive replacement value of structures calculated at Basic Schedule of Rates and the conditions of the Consent Award. In addition, they will get a sifting allowance and are entitled to salvage materials from existing structures. Until they re-establish their livelihoods, they are entitled to a subsistence allowance. The employees are entitled to receive relief assistance to be decided on case-to-case basis with the minimum of three month lost income. In addition, BPL and vulnerable APs are entitled to economic rehabilitation assistance.
4. Information dissemination and consultation has already begun and will continue. The Project Implementing Unit (PIU) and the implementing Nongovernment Organization (NGO) are responsible for this process. More information regarding resettlement will be provided through newspapers and resettlement booklets. The Resettlement Framework and the Short Resettlement Plan will be translated into Malayalam, and will be made available at public offices in Kollam for public reference. The Subproject will not have any negative gender impacts.
5. The PIU of the Kollam Corporation will constitute a Grievance Redressal Committee (GRC). The Project Manager of PIU will be the head of GRC. The GRC will meet at least once a month. The District Collector will hear appeals against the decisions of GRC. Decisions of the District Collector could only be contested in the courts of law.
6. For the implementation of RPs including the short RP of the Roads (Underpass) subproject, a Deputy Collector will assist the Project Management Office (PMO). The Deputy Collector will coordinate all land acquisition and resettlement issues related to the Project. At PIU, a Tahsildar (revenue officer) will co-ordinate all land acquisition and resettlement and rehabilitation issues with a Social and Community Development Officer.
7. The PIU will engage the services of NGOs with experience in social/gender development and with a track record in resettlement and rehabilitation for RP implementation.
8. Compensation and resettlement costs of the subproject have been worked out by the Corporation. The costs include subsistence allowance, shifting allowance, relief assistance and economic rehabilitation grant. Rental allowance is determined on a case-to-case basis.

The total budget for resettlement and Rehabilitation for Kollam Corporation is Rs.16.57 million. For the Roads (Underpass) Subproject the budget is Rs.0.282 million.

9. All land required for the Subproject will be available free of any encumbrances before the award of civil work contracts. All land acquisition and resettlement of APs will therefore be completed before the award of civil work contracts.

10. Monitoring and evaluation will include internal and external monitoring. Monitoring and evaluation of the RP implementation at the Subproject will be a component of the Project's activities in the Kollam Corporation area. Internal monitoring will be carried out by PIU with the assistance of the Tahsildar. The PIU will submit internal monitoring reports to the PMO on a quarterly basis during the RP implementation. An external agency will be appointed to evaluate the resettlement and rehabilitation program. The agency/consultant will submit its reports half yearly directly to the Project Management Office. Both internal and external monitoring reports and evaluations will be sent to ADB Headquarters through India Resident Mission (INRM) for review.

## 1. Short Resettlement Plan – Kollam Roads (Underpass) Subproject

### 1.1 Introduction

11. The overall development goal of Kerala Sustainable Urban Development Project (the Project) is to promote sustainable growth and good urban governance, develop and expand urban infrastructure, and to reduce vulnerability to environmental degradation and urban poverty in five municipal corporations in the State of Kerala.

12. The Project involves investment in the sectors of (i) water supply; (ii) sewerage and sanitation; (iii) urban drainage; (iv) solid waste management; (v) roads and transportation; and (vi) poverty alleviation. The Project Preparatory Technical Assistance (PPTA) has identified sub-projects in the above-mentioned sectors in the five municipal corporations of Thiruvananthapuram, Kollam, Thrissur, Kochi and Kozhikode.

### 1.2 Scope of Land Acquisition and Resettlement

13. In Kollam Corporation, the subproject for which this Resettlement Plan is prepared is in the road sector for the construction of the underpass at Chinnakada.

14. The subproject will not require any acquisition of private land, as the Kollam Corporation and the Railway Department and the Government of Kerala (GoK) own the required land for the subproject. However, some commercial establishments located on the Kollam Corporation land will be displaced because of the proposed subproject. The estimated number of affected persons (APs) by the proposed Kollam underpass subproject is 31.

#### 1.2.1 Socio-economic Information

15. A socio economic census survey was conducted in the identified area for the underpass in Kollam on 3<sup>rd</sup> March 2005. The detailed design showing the area that will be affected by the underpass construction is given in **Annex A**. The socio-economic database of the affected persons is given in **Annex B**

#### Type of loss and Ownership

16. There are 6 commercial structures that will be affected by the subproject. These are temporary structures put up by the tenants on the land owned by the Kollam Corporation. The tenants running their commercial establishments pay rent to the Corporation and have licence to run the establishment. Only one establishment is yet to get a licence and it has deposited Rs.20,000 with the Corporation for this purpose. The survey covered all the tenants, and employees working in these commercial establishments. All the 6 structures will be completely removed from their present locations. The Corporation owns land in the same area to reallocate to the affected persons to continue their businesses.

17. The rentals paid to the Corporation varied from Rs.250 to Rs.600 per month. The tenants have been using the premises between 10 months to as long as 24 years.

#### Type of structure

18. Five of the structures are kutchra (walls, roof and floor made of wood/sheets/canvas) structures, and only one structure is a semi-pucca (concrete) structure. All five structures are along the wall of the flyover through which the underpass will go through. The average area of a structure is around 7 sqm.

### **Income and occupational pattern**

19. The income of the tenants varied from Rs.3,000 to Rs.9,000 per month. All the tenants were above the poverty line, based on income cut-off of Rs.24,000 per year. The type of commercial activities carried out included a telephone booth, a flower shop, a juice shop, a fruit shop, milk/ coffee/tea outlet and a travel agency.

### **Social structure**

20. Two tenants are Muslims while the other four are Hindus. Amongst the Hindus, 3 tenants are from the Nair community, while one tenant is from the Other Backward Castes belonging to the Viswakarma community.

### **Household details**

21. The average family size is 4. Each AP had studied at least up to the middle school level. Five tenants have at home televisions and refrigerators. Two tenants own two-wheelers.

### **Consultations**

22. Consultations with APs indicated that they are willing to shift within the same bus stand area.

### **Migration**

23. All APs are original residents in Kollam and therefore want to continue with their small businesses in Kollam.

### **Employees**

24. Nine persons have been identified during the survey as persons working in the affected establishments. Because of the removal of the establishments each will lose his income and livelihood. Monthly income of APs ranges from Rs.1,500 to Rs.3,000. Seven out of 9 employees currently earning Rs.18,000 a year which places them below the official poverty line. One tenant did not reveal the names of his three employees. (This information can be verified by the Nongovernment Organization (NGO) and PIU during RP implementation).

#### **1.2.2 Cut-Off Date**

25. The cut –off date for the Chinnakada are is the 3<sup>rd</sup> of March 2005. Any person who was not enumerated but can show documentation or evidence that he/she is rightfully an entitled person will be included in the list of APs. The Project Implementation Unit (PIU) is responsible for such verification and adjustment.

### **1.3 Objectives, Framework and Entitlements**

26. The Project Draft Resettlement Framework<sup>1</sup> outlines the objectives, principles and procedures for land acquisition, compensation and other assistance measures for Affected Persons. For the formulation of this short Resettlement Plan, the resettlement principles outlined in the Resettlement Framework (RF) are adopted:

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<sup>1</sup> Draft Resettlement Framework to be approved by the EA before implementation

- Resettlement impact on persons affected by the sub-project should be avoided or minimized, exploring all viable alternative sub-project designs;
- Where the resettlement impacts are unavoidable, the Affected Persons should be assisted in improving or regaining their standard of living;
- People's participation and consultation should be undertaken in the planning and implementation of the sub-project; resettlement information and plans will be disclosed to all APs;
- Positive impacts will be enhanced as far as possible;
- All APs will be provided with compensation and rehabilitation, based on the replacement value, if their land is reduced, income source adversely affected, houses partially or fully demolished, and other properties such as crops, trees and other facilities or access to these properties reduced or damaged due to project implementation;
- Lack of legal documents of customary rights of occupancy/titles shall not affect APs' eligibility for compensation; and  
During the sub-project implementation, any changes in the design are introduced thereby adversely affecting the land, livelihood or other assets of the people, the same shall be compensated as per these principles.

27. **Entitlements.** The entitlement matrix provides guidance for compensation and resettlement assistance to all persons affected by the sub-project. The Entitlement Matrix lists various types of losses, identification/eligibility and entitlements and provides basic parameters for providing compensation and resettlement benefits.

**Table 1-1: Entitlement Matrix**

SI No	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues
1	Loss of commercial structures.	Commercial structure within the project area or Impact Zone.	Tenants occupying affected structures.	<ol style="list-style-type: none"> <li>1. Replacement Value of structure based on Consent Award. Replacement Value to be calculated at Basic Schedule of Rates without deducting depreciation to be paid;</li> <li>2. Assistance for purchase of income generating assets under economic rehabilitation (Rs.30,000);</li> <li>3. Subsistence allowance for BPL Households (Rs.3,500 per month for a period of six months);</li> <li>4. Shifting assistance (Rs.2,000 one time payment);</li> <li>5. Right to salvage material from existing structure;</li> <li>6. 3 months rental value is to given, based on mutually agreed rental value; and</li> <li>7. BPL tenants will be given economic rehabilitation assistance (Rs.30,000) .</li> </ol>	<ul style="list-style-type: none"> <li>▪ BPL Households need to be identified.</li> <li>▪ Rental value has to be agreed upon by the LSG.</li> </ul>
2	Loss of illegal commercial structures.	Illegal commercial structures built on government/c orporation land – to identified, if any, during detailed design survey.	Squatter (s) without legal title to land on which structures were built.	<ol style="list-style-type: none"> <li>1. Assistance for loss of business to be calculated for three months.;</li> <li>2. Assistance for the replacing the cost of affected structure to be determined by Competent Authority/LSG;</li> <li>3. All APs will be given an advance intimation of 60 days to shift from the public land;</li> <li>4. Transitional allowance provided at minimum wages for 6 months; shifting and rental allowance for 6 months; and</li> <li>5. Right to salvage material form existing structure.</li> </ol>	<ul style="list-style-type: none"> <li>▪ Assistance for loss of business to be determined by LSG after survey.</li> <li>▪ Assistance for replacing the cost of affected structures to be determined by LSG.</li> <li>▪ Advance intimation to be given.</li> </ul>

SI No	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues
3	Loss of encroached Residential or Commercial Structure.	Encroachments on government land identified for projects.	Encroachers extending property or using government land.	<ol style="list-style-type: none"> <li>1. Replacement cost of structure affected will be given.</li> <li>2. All households will be given an advance intimation of 60 days to shift from the public land;</li> <li>3. Shifting allowance (Rs.1,000 one time payment); and</li> <li>4. Right to salvage material from existing structure.</li> </ol>	<ul style="list-style-type: none"> <li>▪ Advance intimation to shift from the public land, has to be given.</li> <li>▪ The replacement cost of structure has to be calculated.</li> </ul>
4	Loss of livelihood	For employees of establishments getting affected.	Employees working in establishments getting affected as identified by survey.	<ol style="list-style-type: none"> <li>1. Relief assistance for persons indirectly affected due to employer being displaced, based on wages for three months, to be decided on a case-by-case basis, with a minimum of three months lost income.</li> <li>2. Economic rehabilitation assistance for BPL and vulnerable persons (Rs.30,000).</li> <li>3. Training for up-gradation of skills for BPL and vulnerable persons linked to employment opportunities.</li> </ol>	<ul style="list-style-type: none"> <li>▪ Relief assistance for employees to be calculated by LSG on a case-by-case basis.</li> <li>▪ Training option has to be identified by the LSG, and will be carried out on a case-to-case basis.</li> </ul>
5	Temporary disruption of livelihood.	Temporary commercial activity within the project area or Impact Zone.	Hawkers, vendors, squatters temporarily getting affected during construction activities.	<ol style="list-style-type: none"> <li>1. All temporarily disrupted commercial activities will be provided with alternative temporary space to enable continuity in economic activities, especially in the case of road sector, without permanent displacement; and</li> <li>2. Assistance at minimum wages for three months.</li> </ol>	<ul style="list-style-type: none"> <li>▪ During construction activity the LSG will identify an alternative temporary site for the vendors and hawkers to carry out their economic activities.</li> </ul>

<b>SI No</b>	<b>Type of Loss</b>	<b>Application</b>	<b>Definition of Entitled Person</b>	<b>Compensation Policy</b>	<b>Implementation Issues</b>
6	Additional support to vulnerable groups	Vulnerable Groups		1. Economic rehabilitation grant calculated at one year's poverty line as determined by the State BPL survey.	
7	Any other loss not identified.			1. Unanticipated involuntary impacts shall be documented and mitigated based on the principles provided in the ADB IR Policy.	

## **1.4 Gender Impacts**

28. The Project is designed to have a positive impact on women, resulting from better service delivery systems in water supply; sewerage and sanitation facilities; and solid waste management, at the city level and in low income/below poverty line households. The socio-economic survey revealed no direct negative impact of the sub-project in Kollam, on women.

## **1.5 Information Dissemination, Consultation, Participatory Approaches and Disclosure Requirement**

29. The consultation program conducted with all APs. The NGOs who will assist project implementation will ensure each AP is consulted further to inform about the outcome of the decision-making process, and confirm how their views were incorporated.

30. Copies of the Project Resettlement Framework and RP will be made available both in English and Malayalam at the Corporation Offices for reference. The RP shall be brought to the notice of all APs with the help of the NGOs. The EA will prepare a resettlement booklet elaborating AP entitlements and subproject timetable.

## **1.6 Grievance Redressal Mechanisms**

31. The PIU of each Corporation will be the Grievance Redressal Committee (GRC) for the subproject. The Project Manager of the respective PIUs will head the GRC. This Committee will include the Mayor, the Corporation Secretary, the Tahsildar (deputed from the Revenue Department), a member from the NGO and AP representative.

32. The GRC will meet at least once a month, during the implementation of RP. The Committee will suggest corrective measures at the field-level itself and fix responsibilities for implementation of its decisions. The GRC will deliver their decision within a month of case registration.

33. The District Collector will hear appeals against the decisions of the Grievance Redressal Committee. Decisions of the District Collector will be final and not contested in any other forum except in the courts of law. However, the NGOs will form the first level of intervention in resolving AP related grievances and attempt to motivate the AP to facilitate implementation of the resettlement and rehabilitation program.

## **1.7 Compensation, Relocation and Income Restoration**

### **1.7.1 Compensation**

34. The PIU along with the NGO will undertake valuation of all structures and assets getting affected. Resettlement assistance such as shifting allowance, subsistence allowance; economic rehabilitation grant and the replacement value of assets over and above the compensation will be disbursed by PIU. The economic rehabilitation assistance money will be deposited in bank accounts to be released only for the purchase of income generating assets. Only cheque payments will be made to ensure transparent disbursement process.

### **1.7.2 Income Restoration**

35. The basic objective of income restoration activities is to ensure that each AP will at least have the same or improved income and livelihood after the subproject. Income restoration activities are of two types (i) short-term; and (ii) long-term. Short-term income

restoration activities are intended to restore APs' income in the periods immediately after displacement by providing allowances such as (i) subsistence allowance; (ii) shifting assistance; and (iii) promoting AP access to project-related employment opportunities such as work under the Project construction and maintenance contractors.

36. Long-term options depend on the degree of disruption of the economic activity. The Kollam Corporation will provide appropriate land close to the existing commercial establishments to re start the businesses. APs with licenses to run commercial spaces will be allowed to transfer the same licenses to re-establish their commercial space elsewhere without making an extra payment. The transition could disrupt income sources of the employees of the establishment and especially those who are below poverty line. However, as the commercial establishment will be re-establish without disruption, PIU will decide on a case-to-case basis the income sources of the employees of the establishment. If the establishments do not re-employ their current employees, PIU will formulate a strategy for their economic recovery which includes skill up gradation through training. Project officials will also ensure that all tenants and their employees will have access to the Government schemes. In addition, the implementing NGO will have to frame a list of possible income restoration options in consultation with APs and in light of local conditions and opportunities.

### **1.7.3 Relocation**

37. Each AP will get an alternative commercial space within the bus stand complex to rebuild the commercial establishment affected by the construction of the underpass free of cost in addition to the entitlements outlined above.

## **1.8 Institutional Framework**

38. For the implementation of the RP of the underpass subproject as well as other subprojects in Kollam, a Deputy Collector will be appointed to assist the Project Management Office. The Deputy Collector will coordinate all land acquisition and resettlement issues related to the subproject.

39. At PIU, a Tahsildar (preference to be given to women) will be appointed to coordinate all land acquisition and resettlement and rehabilitation issues. The Tahsildar will be assisted by a Social and Community Development Officer depending on Project requirements. The Tahsildar will coordinate land acquisition and compensation, relocation and resettlement, distribution of most project-provided assistance, and AP's access to most government programs in the entitlement package.

### **1.8.1 NGO Partnerships**

40. The PIU will engage the services of NGOs with experience in social/gender development and with a track record in resettlement and rehabilitation for RP implementation in the Corporation. The Tahsildar will ensure effective internal coordination and maximize transfer of skills. The services of the NGO will be extended to the underpass subproject in Kollam.

41. NGO activities would include AP counselling, encouraging productive utilization of compensation and rehabilitation grants, facilitate AP access to financial assistance under various subsidy-related development programs, and increase the social acceptability and effectiveness of training programs organized for APs. NGO services will be required for about 12 months and provided for in the resettlement and rehabilitation component of the Project budget. The Terms of Reference for NGO's is given in **Annex C**.

## 1.9 Resettlement Budget and Financing

42. The unit costs for compensation and assistance have been broadly estimated. These include subsistence allowance, shifting allowance, relief assistance and economic rehabilitation grant. Rental allowance is determined on a case-to-case basis. The total budget for resettlement and Rehabilitation for Kollam Corporation is Rs.16.57 million. For the subproject the budget is Rs.0.282 million.

## 1.10 Implementation Schedule

43. All land has to be provided free of any encumbrances before the start of civil work. All land acquisition and resettlement of APs is to be completed before the commencement of civil works. The implementation process will cover (i) identification of cut-off date and notification; (ii) verification of properties of APs and estimation of their type and level of losses and distribution of identity cards; (iii) preparation of APs for relocation through consultation, however, the process of consultation will continue throughout the Project; and (iv) relocation and resettlement of the APs.

### 1.10.1 Timing of Resettlement

44. The number of APs in the subproject is 31 and the process of resettlement and rehabilitation is expected to be completed in 12 months from the date of notification. APs will have to be given three-month notice to vacate their property before civil works begin. The implementation schedule for resettlement and rehabilitation is given in **Table 1-2**.

**Table 1-2: Implementation Schedule**

Sl. No	Land Acquisition and Resettlement Activities	Start Date	Completion Date	Duration (days)
1	Recruitment of NGO	1 <sup>st</sup> of Month 1	15 <sup>th</sup> of Month 1	15
2	Information sharing and consultations	All through the RP implementation period		
3	Design and development of RP implementation tools and formation of RP implementation committees	15 <sup>th</sup> of Month 1	15 <sup>th</sup> of Month 2	30
4	Surveys and Verifications	15 <sup>st</sup> of Month 2	15 <sup>th</sup> of Month 3	30
5	Identification of Entitled Persons	15 <sup>st</sup> of Month 3	15 <sup>th</sup> of Month 4	30
6	Training of vulnerable persons	15 month 4 to	15 <sup>th</sup> of Month 7	
7	Payment of compensation and assistances for relocation	15 <sup>st</sup> of Month 4	30 <sup>h</sup> of Month 5	45
8	Relocation and resettlement of affected persons	1 <sup>t</sup> of Month 6	15 <sup>h</sup> of Month 7	45
9	Monitoring and Evaluation	15 of Month 7	30 <sup>th</sup> of Month 12	165

### 1.10.2 Land Acquisition

45. Civil works are linked with the completion of land acquisition. In this case all the land transfers from the Government have to be completed. Depending on the ownership, PIU would need to negotiate with the relevant department.

### 1.10.3 Affected Persons' Identity Card

46. All eligible affected persons will be issued identity cards, giving details of the type of losses and type of entitlements. This card will be verified by PIU, NGO and the AP and signed by each of them. Each AP will be given a copy. The PIU should issue identity cards to all Affected Persons, at the earliest possible; it is also to ensure that opportunistic squatters and encroachers are not encouraged.

### 1.11 Monitoring and Evaluation

47. The monitoring and evaluation of resettlement implementation of the underpass subproject in Kollam will be a part of the project activities in Kollam Town. Monitoring and evaluation will include internal and external monitoring. Internal monitoring will be carried out by PIU. The PIU is responsible for the management and maintenance of the extensive AP's database documenting results of the AP census, asset verification information, and socio-economic survey data, which will be employed as the baseline for assessing impacts of RP implementation. Internal monitoring will track indicators such as the number of affected persons resettled, assistance extended, infrastructure facilities provided, financial aspects, such as compensation paid grant extended, etc.

48. The PIU will supervise and monitor the implementation of the RP through Tahsildar. The PIU will submit internal monitoring reports to the Project Management Office on quarterly basis during RP implementation period.

49. An external agency will be appointed to evaluate the resettlement and rehabilitation program. The Terms of Reference for the Monitoring Consultants is given in **Annex D**. The agency will submit evaluations on the following indicators (i) restoration of income levels; (ii) changes and shifts in occupation pattern; (iii) changes in type of housing of affected households; and (iv) assessing affected households access to amenities, such as water, electricity, transportation etc. The agency/consultant will submit its reports half yearly directly to the Project Management Office, which will be sent to ADB Headquarters through India Resident Mission (INRM) for review.





## **Annex C                      Outline TOR for NGO for RP Implementation**

### **C.1      Objectives**

The objectives of the Nongovernment Organization (NGO) appointed for the implementation of the Resettlement Plan is:

- a) To provide the Project Implementation Unit with grass-root skills and capacity for field activity in the implementation of the Resettlement Plan;
- b) Identify through survey project beneficiaries and distribute Identification Cards to the Project beneficiaries and educate the Affected Persons on their rights, entitlements and obligations under the Resettlement Plan;
- c) Ensure that Affected Persons obtain their full entitlements under the Resettlement Plan. Where options are available, the NGO shall provide advice to Affected Persons on the relative benefits of each option and link the affected persons to the respective employment and housing program;
- d) Assist the Affected Persons in the redressal of grievances through the system implemented as part of the Resettlement Plan; and
- e) Monitor and evaluate the implementation of the RP on the Affected Persons.

### **Tasks of the NGO**

The NGO will work as a link between the Project Implementation Unit (PIU), the APs representatives and the affected community. The NGO will be responsible for assisting the APs during the resettlement and rehabilitation process and shall ensure that all of the provisions of the Resettlement Framework and the RP with regard to the well being of the APs, are implemented appropriately and effectively. The NGO will:

- a) Develop rapport between the APs and the project authorities. This will be achieved through regular meeting with both the PIU representatives and the APs. Meetings with the PIU will be held at least fortnightly and meetings with APs will be held at least monthly. All meetings and decisions taken are to be documented.
- b) Assist PIU to undertake public information campaign in Malayalam, at the commencement of the project to inform the affected communities of:
  - The Resettlement Framework and entitlement packages;
  - The need for LA;
  - The need for shifting of squatters and encroachers; and
  - The likely consequences of the project on the communities/persons economic livelihood.
- c) Identify and verify project beneficiaries through survey and distribute identity cards to beneficiaries only.
- d) Assist APs in getting the compensation for their land and properties acquired for the project.
- e) Ensure benefits due to the APs under the Resettlement Framework are provided to the APs. The NGO will determine the entitlements of each AP and compare it to the offer being made by the project. If there is a discrepancy, between the two, the NGO will be responsible for assisting the AP in coming to some agreement with the PIU and, if necessary, pursuing the matter through the grievance redressal mechanism.
- f) Assist APs identify suitable land for relocation, wherever necessary. Where suitable government land is not available, the NGO will assist the AP to locate a landowner willing to sell his land and will assist in the negotiation of the purchase price.

- g) Assist project authorities in making arrangements for the smooth relocation of the APs and their business. This will involve close consultation with the APs to ensure that the arrangements are acceptable to them.
- h) Ensure proper utilization by the APs of various grants available under the Resettlement Framework. The NGO will be responsible for advising the APs on how best to use any cash that may be provided.
- i) Assist APs in getting benefits from various government development programs particularly for house construction. There are a number of government housing and training programs for livelihood programs that can be used by APs of the opportunities that exist and their relative merits. The NGO will co-ordinate the training programs for sustainable livelihood and assist in developing the required skills for livelihood rehabilitation. The NGO shall coordinate with other government departments and other NGOs working in the area to ensure that all the options available to the AP are known and can be communicated to them.
- j) Assist APs in the redressal of their grievances. The NGO shall make APs aware of the grievance mechanism set out in the RP and shall assist APs who have grievances to pursue a suitable remedy.
- k) Develop micro level plans for resettlement and rehabilitation in consultation with the APs and the PIU where relevant. A plan shall be prepared and agreed for each AP and will include :
  - List of options open to and the choices made by the AP. The NGOs will explain to the APs the options available for their R&R and assist them in making their choices;
  - List of benefits due to the AP;
  - Arrangements for shifting;
  - Proposed utilisation of any grant moneys due to the AP;
  - Involvement of AP in existing government development programs;
  - Update information available on APs and collect information on APs coming in the project due to any changes. PIU will be monitoring the implementation of the RP and will require data from the NGO to monitor input, output and impact indicators; and
  - Any other responsibility as may be assigned for the welfare of the affected community.
- l) Assist in the identification of sites for the relocation of cultural properties and community assets. This is to be done in consultation with the affected community and the PIU.

## **C.2 Reporting**

The NGO shall submit an inception report-detailing plan of action, manpower deployment, time schedule, and detailed methodology within 30 days of the commencement of the assignment. The NGO should also submit quarterly progress reports on the activities carried out and proposed activities for the coming month. The quarterly progress reports will include data on indicators as required by the PIU.

- a) Updated data on APs and data on additional APs coming due to changes will be submitted within two months of the commencement of the assignment;
- b) Data on APs for monitoring of impact indicators will be submitted to the PIU as required;
- c) Micro level plans for each AP on the project will be submitted to the PIU for information within 3 months of the commencement of the services. Where changes occur during the project requiring changes to the micro level plans, the NGO will update the relevant plans and resubmit them to the PIU; and
- d) On completion of the assignment the NGO shall submit a final report summarizing the actions taken during the project, the methodology and manpower used to carry out the work, and a summary of assistance given to each AP on the project.

## **Annex D                      Outline TOR for Monitoring RP Implementation**

### **D.1            Background of the Project**

The Kerala Sustainable Urban Development Project (the Project) involves investment in the sectors of (i) water supply; (ii) sewerage and sanitation; (iii) urban drainage; (iv) solid waste management; (v) roads and transportation and (vi) poverty alleviation. The technical assistance (TA) has identified sub-projects in the above-mentioned sectors in the five Municipal Corporations of Thiruvananthapuram, Kollam, Thrissur, Kochi and Kozhikode.

The Project, PIU with the assistance of Nongovernment Originations (NGOs) has implemented the Resettlement Plan (RP) for the Project. For monitoring the RP implementation activities and evaluating the outcome of the resettlement process, the PIU will engage the services of an independent monitoring consultant.

### **D.2            Objective**

The objectives of the monitoring consultants are:

- a) To review and verify the progress in resettlement implementation as outlined in the RP;
- b) To assess whether resettlement objectives, particularly compensation payment and resettlement assistance, livelihoods and living standards of the Affected Persons (APs) have been restored; and
- c) To assess resettlement effectiveness, impact and sustainability, drawing on policies and practices and to suggest any corrective measures if necessary.

### **D.3            Specific Tasks and Methodology**

- a) Review pre-project baseline data of the APs for the different sub-project components, which would include (i) income and expenditure; (ii) occupational and livelihood patterns; (iii) arrangements for use of common property; and (iv) community organizations.
- b) Identify an appropriate set of indicators for collecting and analyzing information on resettlement impacts; the indicators shall include but not limited to (i) budget and timeframe regarding land acquisition, relocation of APs, delivery of entitlement packages; (ii) restoration of income and living standards of the affected persons.
- c) Review results of internal monitoring and verify claims through random checking at field level to assess whether RP objectives have been met. Involve the APs and community groups in assessing the impact of resettlement for monitoring and evaluation purposes.
- d) Conduct both individual and community level impact analyses through formal and informal surveys, key informant interviews and focus group discussions to assess the impact of resettlement.
- e) Identify the strengths and weakness of basic resettlement objective and approaches, implementation strategies, including institutional issues and provide suggestion for improvement in resettlement framework making and planning.

### **D.4            Qualification**

An external consulting agency or research institution can be appointed to evaluate and monitor the Resettlement Implementation Programme of the sub-projects. The organization must have relevant experience in monitoring resettlement implementation activities.

**D.5 Implementation Schedule and Inputs**

The implementation of the Project's RP is expected to start in mid 2005 and be completed by end 2006. The Monitoring Consultants will be hired end of 2006 for a period of three years with intermittent inputs. The agency is expected to conduct at least three monitoring missions in the first year and bi-annually for the remainder period. The time required for each monitoring mission will depend on the number of affected persons.

**D.6 Reporting Requirements**

The monitoring agency will review the status of RP implementation with reference to targets, budget and duration as outlined in the RPs for each of the sub-components. The organisation will submit reports to the PIU every three months to determine the implementation status and resettlement operations. The monitoring consultants will assess whether resettlement goals have been achieved; whether livelihood and living standards have been restored/enhanced and suggest suitable recommendations for improvements.

The monitoring consultant will prepare a Final Report on the project monitoring work at the end of the contract period indicating project performance and lessons learned.