



MUMBAI RAIL VIKAS CORPORATION LTD.

MUMBAI, INDIA

**SOCIAL IMPACT ASSESSMENT (SIA) &
RESETTLEMENT ACTION PLAN (RAP)**

FOR

**DOUBLE LINE CORRIDOR OF
PANVEL-KARJAT**

UNDER MUMBAI URBAN TRANSPORT PROJECT – III (MUTP-III)



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ABBREVIATIONS

AIIB	Asian Infrastructure Investment Bank
BPL	Below Poverty Line
BSR	Basic Schedule of Rates
CA	Competent Authority
CE	Chief Engineer
CMD	Chief Managing Director
CPM	Chief Project Manager
CPR	Common Property Resources
EM	Entitlement Matrix
FGD	Focus Group Discussion
GO	Governmental Order
GOM	Government of Maharashtra
GR	Government Resolution
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
Ha	Hectare
HH	Households
IPDP	Indigenous Peoples Development Plan
IPPF	Indigenous Peoples Policy Framework
KM	Kilometer
M & E	Monitoring and Evaluation
MMRDA	Mumbai Metropolitan Region Development Authority
MOR	Ministry of Railways
MRVCL	Mumbai Railway Vikas Corporation Limited
MUTP	Mumbai Urban Transport Project
NGO	Non-Government Organization
NTH	Non-Title Holder
NTLO	Non-Titled Lease Occupier



PAF	Project Affected Family
PAH	Project Affected Household
PAP	Project Affected Persons
PIU	Project Implementation Unit
R & R	Resettlement and Rehabilitation
RAP	Resettlement Action Plan
RFCTLARR	Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
RKM	Rail kilometer
ROW	Right of Way
RPF	Resettlement Policy Framework
RRO	Resettlement & Rehabilitation Officer
SC	Scheduled Caste
SDC	Social Development Cell
SIA	Social Impact Assessment
SRD	Slum Redevelopment
ST	Scheduled Tribe
TDP	Tribal Development Plan
TDR	Transfer of Development Right



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EXECUTIVE SUMMARY

The Asian Infrastructure Investment Bank (AIIB) is considering providing loan assistance for double line suburban corridor between Panvel and Karjat section of 30 Rkm on Central Railway under the MUTP-III Project. In accordance to the requirement of a Category A project, a Social Impact Assessment (SIA) including a Resettlement Action Plan (RAP) is prepared. The RAP is prepared to provide mitigation measures of the impact identified in the Social Impact Assessment (SIA). The RAP complies with the guidelines outlined in Resettlement Policy Framework (RPF) adopted for the project.

The date of publication of the preliminary notification for Direct Purchase of private land will be treated as the cut-off date for titleholders, as per Govt. Decision No. SANKIRNA-03/2015 dated 12/05/2015. For non-titleholders the cut-off date will be 1st January 2018, as per Govt. Decision Champa-2017/Pra.Kra.23/Navi-26 dated 13th June 2018.

The project is assigned as Category A. As per AIIB's ESF, Environmental and Social Standard (ESS) 1: Environmental and Social Assessment and Management and ESS 2: Involuntary Resettlement will be triggered.

Modification of design and minimizing the Corridor of Impact, but not compromising with the safety precautions, has saved 33 private structures. The minimum required land for the project is 65.5219 Ha. 4.9077 Ha is Forest Land, 3.4665 Ha is govt. land and 57.1477 Ha is private land requirement.

There are 417 land-owner families, 45 government entities, 84 private residential structures, 9 government structures and 3 Community Structures, which are affected by the project. No squatter or encroacher families are being affected. There are only 96 vulnerable affected families of Scheduled Caste (40 families), WHH (15 families) and Elderly old aged (22 families) category. Only 19 ST families have been affected. All the affected ST families follow the mainstream lifestyle and are not categorized as Indigenous People.

A total of 12 public consultations have been held in the project, including 2 consultations with women exclusively. A special consultation at Chouk Village was conducted as the villagers are facing multiple resettlements. A total of 265 persons attended and expressed their views and suggestions for the project. Four consultation meetings with religious and local leaders have also been conducted. The majority of the people are in favour of implementation of the project but concerned about the rate of compensation and timely implementation of the project.



The Grievance Redress Mechanism¹ includes Grievance Redress Committee (GRC) at the field and headquarter levels for redressing grievance of people in issues related to land acquisition, R&R and other issues. The affected persons may approach the AIIB if they are not satisfied with the decision of the GRC. The affected person will also have the option of taking recourse to Court of Law if the person is not satisfied with the GRC decisions.

The Resettlement Policy Framework (RPF) for the MUTP-III has been finalized based on the provisions of National and State laws, State Government decisions and guidelines of Environmental and Social Framework (ESF) and Project Affected Peoples' Mechanism of Asian Infrastructure Investment Bank (AIIB).

An Entitlement Matrix (EM) has been formulated with all possible types of losses and the corresponding nature and eligibility for entitlements of the project affected families.

The Project will undertake land acquisition by Direct Purchase through negotiations with the land owners as per Govt. of Maharashtra's Decision No. SANKIRNA-03/2015 dated 12/05/2015. In case the Direct Purchase fails, the land will be acquired under Railway (Amendment) Act 2008 and the compensation will be calculated as per the Schedule I and Schedule II of the RFCTLARRA 2013.

The compensation in direct purchase method will have 25% additional amount on the compensation calculated as per Section 26 to 30 of RFCTLARR Act 2013. The Rehabilitation and Resettlement Budget for the project has been estimated at Rs. 692.03 crore including estimated cost of direct purchase of Rs. 587.55 crore.

Mumbai Railway Vikas Corporation (MRVC) will be the Implementing Agency, responsible for execution of the Project. MRVC will be supported in implementation activities by Mumbai Metropolitan Regional Development Authority (MMRDA).

The implementation schedule for RAP will be linked to the overall project implementation programme. Upon the approval of RAP, the payment of compensation and allowances R & R benefits will be disbursed as per the approved RAP. The project will provide adequate notification, counseling and assistance to affected people so that they are able to move or give up their assets without undue hardship before commencement of civil works only after receiving the compensation. The implementation of land acquisition and resettlement will be in line with procurement and civil work time table, which will commence from October 2019 and will take about 5 years to complete.

¹ The GRM has been structured in accordance to the PPM Policy (Project Affected Peoples' Mechanism) of AIIB.



An Independent External Agency, hired by MRVC for a one-time engagement, will evaluate the process of land acquisition in the project, while the land acquisition process is under progress.

The effectiveness of the RAP implementation will be monitored by the MRVC. The MRVC will also have assistance of Independent Evaluation Agency for mid-term and end-term evaluation of RAP implementation.

The RPF and the SIA /RAP will be disclosed on the website of MRVC and the copies of the same will be made available in suitable locations along the alignment. The summary of the documents in Marathi will be made available for disclosure. The documents will also be available on the website of AIIB.



1 INTRODUCTION

1.1 Background

Mumbai Metropolitan Region (MMR), contributing about 8 percent of India's GDP, is home for about 22 million people. The Mumbai Metropolitan Regional Development Authority (MMRDA) anticipates the population in MMR to grow by about 42 percent to 28.4 million in 2025 and by 54 percent to 30.87 million in 2036. The Mumbai suburban railway, the main lifeline of the commuters' flow from the suburban to the Central Business District (CBD) currently carries around three quarters of all passenger travel in the MMR (78 percent of passenger km). Mumbai's suburban railways consist of 376 route-kms with 119 stations in three main routes. As many as 2,900 trains operate each day carrying around 8 million passengers.

1.2 Project Description

Since 2002, the World Bank has been providing loan assistance to improve the Mumbai suburban railway system. Mumbai Urban Transport Project-I and Mumbai Urban Transport Project-II is being implemented through loan assistance from World Bank.

The Asian Infrastructure Investment Bank (AIIB) has agreed to finance a loan for implementation of Panvel and Karjat Double Line Suburban Corridor (30 Rkm) on Central Railways under MUTP-III project. **Figure 1.1** presents the map of the Panvel-Karjat.

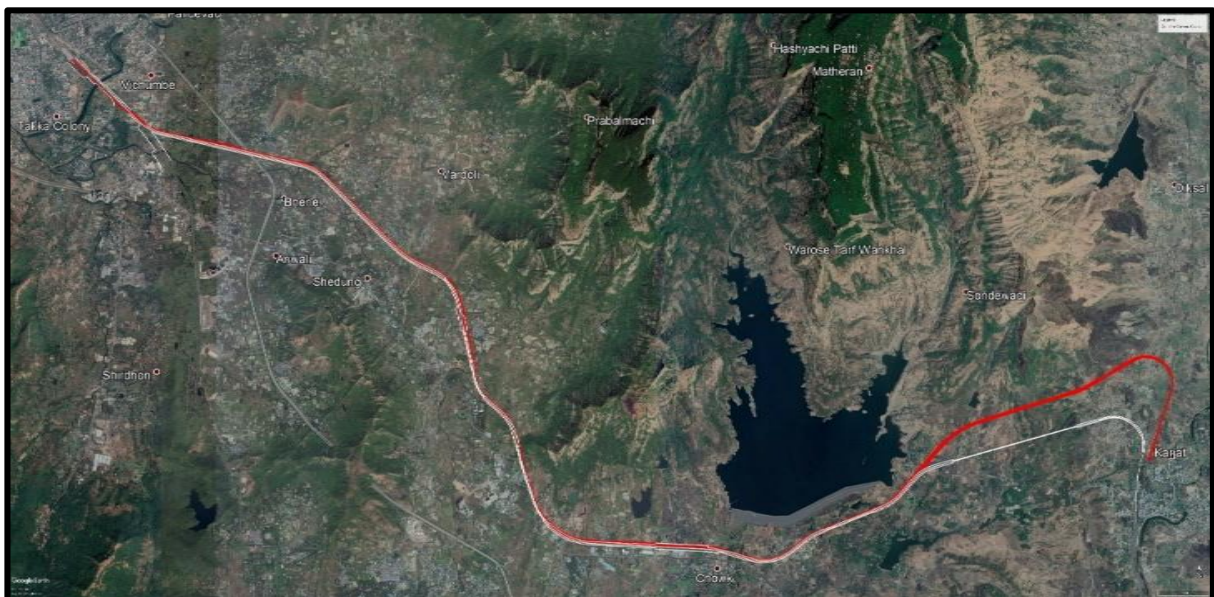


Figure 1.1: Panvel-Karjat Project Map



1.3 Project Components

The double line is proposed on the left of the existing line from Panvel to Karjat. A new Suburban terminal has been proposed on East side of existing Kalyan - Karjat Railway line at Karjat. A new station building has been proposed in Chikhale. A new station is proposed at Morbe. Two new tunnels are proposed between Morbe station and Karjat station. **Figure 1.2** presents the different components of the project in schematic diagram, not to scale, and **Annexure 1.1** presents the detailed drawings of the project components.

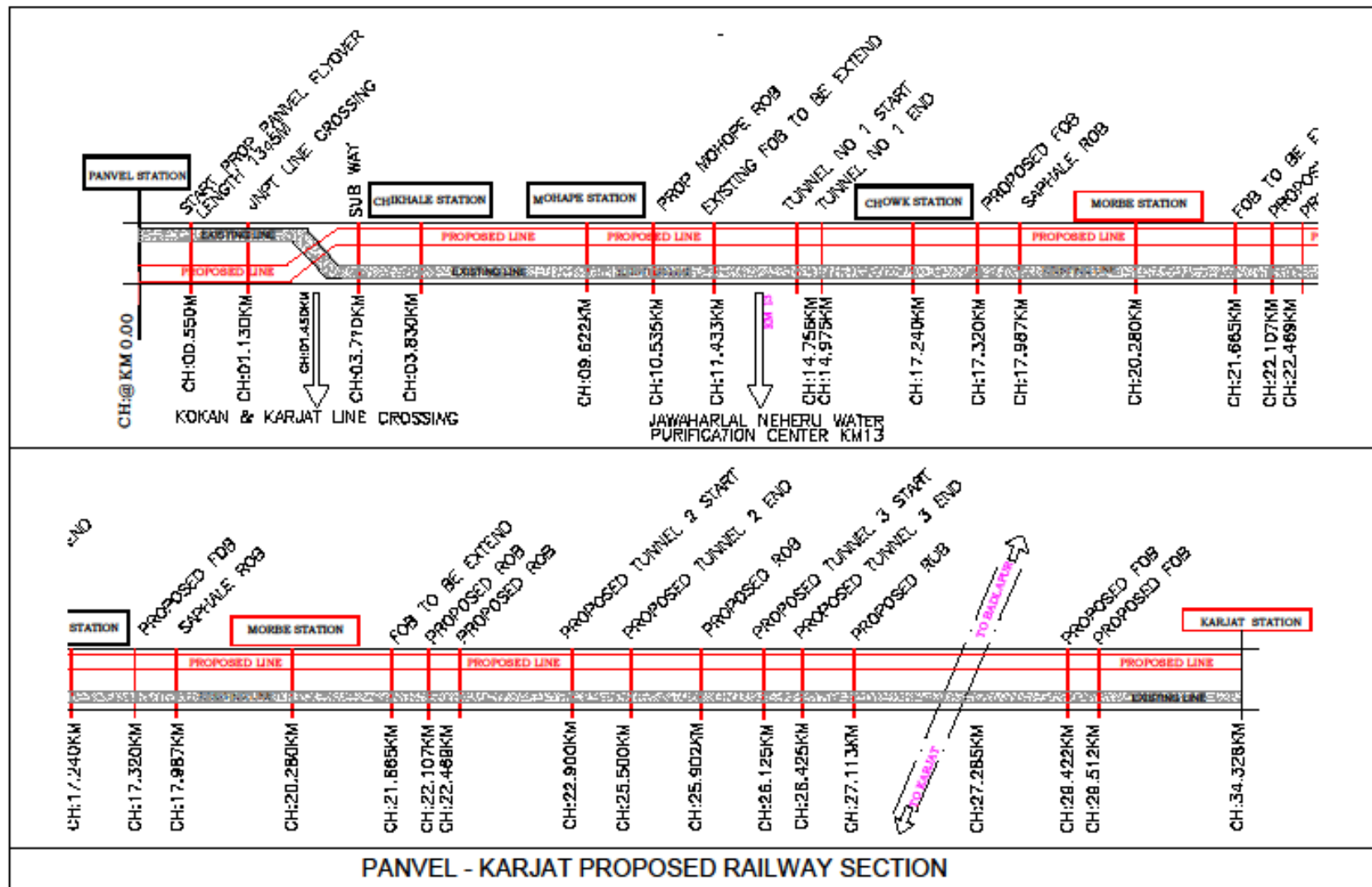


Figure 1.2: Schematic Diagram of Project Components (Not to scale)



1.4 Social Impact Assessment (SIA)

The Social Impact Assessment (SIA) for the double line corridor between Panvel and Karjat includes a Census of all affected structures, and sample Socio-economic Survey of project affected households. It also includes information on public consultations and Focused Group Discussions (FGDs) with the affected people, and Grievance Redress Mechanism². The SIA identifies and measures impacts on land, residential and commercial structures, the impact of the project on title holders, tenants, encroachers, non-title lease occupiers³, squatters, kiosks, wage earners/ operators residing/ operating on existing public/ government land and loss of livelihood due to acquisition of land.

SIA has been carried out with the following broad objectives:

- Assess adversely affected land and structures;
- Benchmark affected land, structures, affected families and socio-economic status of the affected people;
- Identifying potential impacts of the project affected families and
- Identifying impacts on the Community Property Resources.

1.5 Objective of the RAP

The Resettlement Action Plan (RAP) is prepared to provide mitigation measures of the impact identified in the Social Impact Assessment (SIA). The RAP complies with the guidelines outlined in Resettlement Policy Framework (RPF) adopted for the project.

The RAP also includes entitlements for different types of impacts, institutional mechanisms, implementation schedules, land acquisition and R&R budgets, assessment of income restoration mechanisms, grievance redress mechanism, and internal and external monitoring mechanisms.

This RAP is project specific resettlement plan with the overall objective to assess the adverse impacts of the project on people, their properties, livelihood, common property resources and develop mitigation measures to assist the project affected persons (PAPs) in getting their entitlements (compensation - for affected land, structure and other properties and assets and R&R assistances) to enable them in improving their socio-economic levels to at least the pre-project standards and income earning capacity. The RAP is based on the findings of the

² The GRM has been structured in accordance to the PPM Policy (Project Affected Peoples' Mechanism) of AIIB.

³ Non-titled Lease Occupiers are the family/ households occupying the affected structures on such a land, which are under some financial or non-financial lease arrangements with the legal land owner and the occupier on or before 3 years from the cut-off date, but the lease was not documented legally or properly.



Social impact assessment through census and socio-economic survey, field visits and meetings with various project-affected people in the project area. The specific objectives of the study are:

- To minimize displacement and to promote least displacing alternatives;
- Assess the extent of loss of properties (land, structure, and others) of individual as well as that of community and loss of livelihood;
- Establish a baseline profile of the population, social structure, employment, sources of income, access to social services and facilities along the alignment.
- To ensure adequate rehabilitation package and implementation of rehabilitation process with active participation
- To provide better living conditions and making concerted effort for providing sustainable income to affected families
- Develop harmonious relationship between acquiring body and affected families

1.6 Methodology for minimizing impacts

Designing and aligning suburban railway projects in a congested city of Mumbai faces a major dilemma of serving maximum population and at the same time minimizing impacts. Attempts have been made during the designing of the project to minimize the land acquisition, resettlement and adverse impacts on people in the project area through suitable alignment and engineering design.

MRVC is constantly trying to reduce the impact of the project by minimizing the Corridor of Impact, through better design practices but not compromising with the safety precautions.

1.7 Cut-off Date

The date of publication of the preliminary notification for Direct Purchase of private land will be treated as the cut-off date for titleholders, as per Govt. Decision No. SANKIRNA-03/2015 dated 12/05/2015. For non-titleholders the cut-off date will be 1st January 2018, as per Govt. Decision Champa-2017/Pra.Kra.23/Navi-26 dated 13th June 2018.

1.8 Screening and Categorization

The project will involve resettlement, due to land acquisition of 65.52 Ha and physical displacement of 417 families and 45 Government entities. The project is assigned as Category A for involuntary resettlement impacts. As per AIIB's ESF, Environmental and Social



Standard (ESS) 1: Environmental and Social Assessment and Management and ESS 2: Involuntary Resettlement will be triggered.

1.9 Definitions and Concepts

The definitions of concepts and terms, used in this report of SIA & RAP, are provided below:

- **Agricultural Land:** Land used in agriculture and other related activities is known as agricultural land. This includes land used in agricultural operations, dairy farming, poultry farming, pisciculture, sericulture, seed farming, breeding of live stocks, nurseries growing medicinal herbs, garden produce, grazing of cattle etc.
- **Assistance:** All supporting mechanisms viz. monetary help, extension of services, training of staffs and assets given to PAFs constitute assistance in this project.
- **BPL:** The Poverty Level is estimated as monthly per capita expenditure of Rs. 1,407 in urban areas and Rs. 972 in rural areas as per the Rangarajan Committee⁴, 2014.
- **Commissioner:** It refers to Commissioner for Rehabilitation and Resettlement appointed under sub-section (l) of section 44 of RFCTLARR Act 2013.
- **Compensation:** Compensation refers to damages paid to property owners either under:
 - i. GoM order for the direct purchase Method in which compensation is determined as per Section 26-30 and Schedule 1 of 'RFCTLARR Act 2013' with an additional compensation of 25% over and above compensation amount determined for land;
OR
 - ii. As per provisions laid down in RFCTLARR Act 2013 for land acquisition.
- **Corridor of Impact (CoI):** The Corridor of Impact (CoI) is the width required for the actual construction of the rail line or other area around stations, foot over bridges for trespass location including the carriageway, shoulder, embankment, longitudinal drainage, wayside amenities like bus stops, bus shelters, etc. and necessary safety zones.

⁴ The 5 member Expert Committee under the Chairmanship of Dr. C. Rangarajan (former Chairperson of the Prime Ministers Economic Advisory Council) was constituted by the Planning Commission of India in June 2012 to review the methodology for measurement of Poverty. The Report of Rangarajan Committee was accepted by the Ministry of Planning, Statistics and Programme Implementation on 7th August 2014.



- **Cut-off Date:** For title holders, the date of notification through Form No. 1 of intended acquisition under Direct Purchase method will be treated as the cut-off date and for non-titleholders, 1st January 2018, will be the cut-off date.
- **Daily Structure:** Any daily or seasonal commercial structure, which is erected daily within an hour and generally made of very temporary materials like, plastic, tarpaulin, bamboo etc. Daily structures are used mainly used by vegetable vendors or vendors of daily market.
- **Displaced Household (DH):** Any household living, cultivating land or carrying on business or trade or any other occupation within the Corridor of Impact (CoI) and are impacted by the project and displaced either physically or economically, is called a displaced household.
- **Displaced Person (DP):** Any individual or part of the displaced household living, cultivating land or carrying on business, trade or any other occupation within the Corridor of Impact (CoI) who have been impacted by the project and displaced either physically or economically, is called a displaced person (DP)
- **Elderly Old age:** All the persons of a family, having age of at least 60 years or more.
- **Encroacher:** Any person illegally occupying public property by extending their land boundary or a portion of their building onto the existing government land or RoW is an encroacher.
- **Entitled Person (EP):** Entitled Person includes all those who qualify for, or are entitled to, compensation/ assistance since being impacted by the project.
- **Household** means family, as defined in the FRCTLARR Act, 2013.
- **Kiosk:** Kiosk is a small, separated garden pavilion or small booths open on some or all sides offering goods and services.
- **Land Owner:** Land Owners are as per recorded in revenue records, or Land occupiers with claims/ rights recognized under State/ Central laws, including who is entitled to granted Patta rights on the land under any laws of the State including assigned Land
- **Marginal Farmer:** A cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to one-half hectare is known as marginal farmer.;
- **Non-Perennial Crop:** Plants that have grown naturally or through cultivation do not last for more than two growing seasons is known as non-perennial crop. Examples: paddy, sugarcane, groundnut, etc.
- **Non-Titled Lease Occupier:** The Family/ Household, who are occupying the affected structure with some financial or non-financial lease arrangements with the land owner, but the arrangements are not documented properly or legally.



- **Patta:** Patta is a land revenue record which establishes the title/ ownership of land. The Patta Register is maintained at Taluka office and contains ownership details of all Land holdings.
- **Perennial Crop:** Any plant species that live for years and yields its products after a certain age of maturity is known as perennial crop. Generally, trees, either grown naturally or horticulturally and yield fruits or timber are considered as perennial crops. in the project. For example, tamarind, coconut, mango, teak, neem etc. are perennial crops.
- **Persons losing their Livelihood:** Individual members of affected households who are at least 18 years of age and have been impacted by loss of primary occupation or source of income is known as ‘Person Losing their Livelihood ‘.
- **Private Property Owners:** Private property owners are persons who have legal title to structures, land or other assets other than Government structures, land or other assets. The property owners are entitled to compensation under: i) Direct Purchase as per the relevant Government Resolutions or ii) RFCTLARR Act 2013.
- **Project Affected Family:** A family whose land or other immovable property has been acquired; (ii) a family which does not own any land but a member or members of such family may be agricultural labourers, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans or who may be working in the affected area for three years prior to the acquisition of the land, whose primary source of livelihood stand affected by the acquisition of land.
- **Project Affected Person:** Project Affected Person includes households, business units including their worker and owners of assets like land and buildings affected by MUTP shall be considered as PAPs and may include; non-resident land owners (including farmers and horticulturist); non-resident lessees; resident landlords (including farmers and horticulturist); resident lesser, resident lessees, tenants or sub-tenants of buildings; squatters (non-resident structure owners, resident structure owners, tenants); pavement dwellers. Household for this purpose means all the males/females, their family members and relatives staying in a house/tenements/hut.
- **Replacement Cost:** Replacement cost is the amount of money to be required by an affected person to replace the existing asset with an equally valued or similar asset at the current market price. It includes the transaction costs and taxes, if any.
- **Resettlement Area** refers to an area where the affected families who have been displaced from their place of living because of land acquisition are relocated by the appropriate authority.



- **Residual Land:** Residual land can be defined as the remaining portion of a land parcel left with the owner after the involuntary acquisition of land by the project authority.
- **Severance of Land:** Severance of land can be defined as division of a land parcel into two or more pieces. Each severed parcel of land becomes a separate plot with new owners. Severance of Land can take place due to acquisition of land for laying new project alignments, such as bypass or re-alignment of roads or railway tracks
- **Squatter:** A person who unlawfully occupies an uninhabited building or unused land is called a squatter. The person may occupy the parcel of land or built-up structure for residential or business purposes. The families, who have built their own structures on the land of the landlords with some financial arrangements, which are not properly documented or legalized, are also considered as squatters.
- **Tenant:** A tenant is someone who pays rent for the place where they reside in in, or for land or buildings that they use. The family residing/ occupying in the structures with some financial arrangements with the landlords, which may not be properly documented or legalized, are also considered as tenants.
- **Wheeler Vendor:** A Vendor operating in a cart like structure on three or more wheels. Wheelers are used mainly by mobile hawkers.
- **Women Headed Household (WHH):** A household that is headed by a woman is called a Woman Headed Household. The aforesaid woman may be a spinster or a widow or separated or deserted by her husband.
- **Vulnerable Group/ Persons:** Vulnerable group/ persons are those with challenges that make them at higher risk of falling into poverty compared to others in the projects area. The Vulnerable Group/ Persons the following categories: (i) PAFs falling under 'Below Poverty Line' (BPL) category; (ii) persons who belong to Scheduled Castes (SC) and Scheduled Tribes (ST); (iii) Women Headed Households; (iv) Elderly people living alone; and (v) Physically and mentally challenged / disabled people.



2 SCOPE OF LAND ACQUISITION AND RESETTLEMENT

2.1 Potential Impacts

The proposed project will facilitate suburban services between Panvel and Karjat and to extend their services from CSMT to Karjat via Panvel. It will ensure faster and smooth movement of trains, track safety and increased connectivity with the interior areas of Raigad district. The project will also open the opportunity of newest commercial hub in Panvel and also expected to boost tourism in the area.

The anticipated negative impacts will include loss of land and structure. Three (3) Common Property Resources will be affected by the project.

2.2 Scope of Land Acquisition

The proposal of required land (in addition to the RoW) for the double line corridor between Panvel and Karjat has been kept to minimal land requirement from the private land holders. The Joint Measurement Survey (JMS) with Revenue Officials confirms of 65.5219 Ha of private (57.1477 Ha) as well as government land (8.3742 Ha) will be required for the project.

The required government land will be transferred from the respective departments. The private land will be purchased through negotiations with the concerned land owner and the compensation will be fixed as per state government directions, which is at 25% higher than the compensation calculated through Section 26 to 30 of the RFCTLARR Act, 2013.

2.3 Minimizing Impacts

Modification of design and minimizing the Corridor of Impact, but not compromising with the safety precautions, has saved 33 private structures. **Table 2.1** provides the structures saved by good design practices.

Table 2.1: Structures saved by Design Modification

Sl.	Type of Structure	Number of Structure saved by Design Modification					Total
		Residential	Res-Com.	Commercial	Other	Temple	
1	Titleholder	30		1	2		33
	Total	30		1	2		33

Source: Census Survey, Mar '17 to Dec '18 & Design Modification by MRVC



2.4 Affected structures

The final impacts on structural properties on the both sides of the Panvel-Karjat stretch have been estimated through Census survey of all likely affected structures at site along with the proposed Corridor of Impact. There are 84 Private structures, 4 government structures and 3 CPRs that will be affected due to acquisition of land for the project. Only 1 Commercial structure is affected by the project.

2.5 Affected families

A total of 417 nos. of land owner families will be affected due to land acquisition, as per the outcome of Joint Measurement Survey. No non-titleholder families are affected in this project.

2.6 Affected CPRs

Only 3 Nos. of Religious and Community structures are affected by the project.



3 SOCIAL IMPACT ASSESSMENT

3.1 Project Impact Area

The double line corridor between Panvel and Karjat falls under Raigad district of the State of Maharashtra. The Primary Project Impact Area (PIA) is identified as the vicinity on both sides of the project specifically of the project affected families. The project may also have some influence in Raigad District (secondary PIA) and Maharashtra state (tertiary PIA).

The socio-economic profiles of the tertiary and secondary project influence area are based on Census 2011 and other secondary official sources of information. The primary data collection through Census and Socio-economic surveys of the likely project affected households forms the socio-economic profile of the primary PIA.

3.2 Tertiary Project Impact Area: The State of Maharashtra

The State of Maharashtra is in the western and central part of the country and has a long coastline stretching 720 kilometers along the Arabian Sea. Maharashtra is the third-largest state in India, spread over 307,713 sq.km. According to the Census 2011, it is the second most populous state in India with a population of 112,374,333 (9.28% of India's population) of which male and female are 58,243,056 and 54,131,277 respectively. The population growth rate in 2011 is 15.99%. 55% of the state population is rural with 45% are urban based. The scheduled castes and scheduled tribes accounts for 11.8% and 8.9% of the population respectively.

Maharashtra is the wealthiest state by all major economic parameters and also the most industrialized state in India. The state continues to be the single largest contributor to the national economy with a share of 15% in the country's gross domestic product (GDP). Maharashtra accounts for 17% of the industrial output of the country and 16% of the country's service sector output. The economy of Maharashtra is the largest state economy in India with Rs. 27.96 lakh crore in GDP and a per capita GDP of Rs. 1,80,000.

Mumbai, the capital of state and the financial capital of India, has a population around 18 million making it the most populous urban area in India. Mumbai houses the headquarters of most of the major corporate and financial institutions.



3.3 Secondary Project Impact Area: Raigad District

Raigad is one of the districts in Konkan Division of Maharashtra and Arabian Sea coast forms the western boundary of the district. The Sahyadri mountain range is found in this District. Raigad is also known for its historical places, pristine beaches, picturesque landscapes and diverse flora and fauna.

Raigad Fort, the former capital of the Maratha Empire founder and leader Chhatrapati Shivaji Maharaj, is located in the interior regions of the district. The Kolaba Fort, Murud-Janjira Fort, Sudhagad Fort etc., religious places like Ashtavinayak Temples, Elephanta caves etc. are sole testimonies to its rich cultural past. Dr. Babasaheb Ambedkar Technological University in Raigad, is the only Technological University in the State of Maharashtra.

According to the Census 2011, Raigad district has an area of 7,152 sq.km. The total population is 26,34,200 with 51.03% males and 48.97% female populations. The sex ratio is 959 and the literacy rate at 83.14%. The largest city in terms of Population, Industrialization as well as Area is Panvel.

The northern part of the district is included in the planned metropolis of Navi Mumbai, consisting of Kharghar, Ulve node, New Panvel and Khanda Colony, Taloja, Kamothe and Kalamboli nodes as well as Uran City and its port, the JNPT.

3.4 Methodology of Social Impact Assessment

The various steps have been adopted to conduct Social Impact Assessment and prepare the Resettlement Action Plan are described in the **Table 3.1** below:

Table 3.1: Steps taken to prepare SIA & RAP Reports

STEP: 1	Mobilization
	Meeting and discussions with MRVC Meeting and discussions with MMRDA Reconnaissance Survey/ Site visit
STEP: 2	Desk Research
	Review of relevant data and documents Study of alignment drawings, Acts and Policies, Guidelines and other administrative documents after making available from MRVC Collection of data/ information from Secondary Sources Formulation of Data Collection instruments from primary sources



STEP: 3	Field Studies
	Site Visit for verifying the alignments on ground and identify the impact zones/ areas Selection of Enumerators and Supervisors and their field training (It consisted of detail discussions on Questionnaires and Data collection methods, sampling process, identification of project affected structures and listing of structures and households etc.) Discussions with local community and local people about the projects, its benefits and adversities. Identification of affected Structures Conduct of Census Survey of households Conduct of Socio-Economic Survey Conduct of Public/ Community Consultations Focused Group Discussions
STEP: 4	Data Processing & Data Analysis
	Scrutiny of filled-in-Questionnaires Coding, data entry & verification Tabulation of data Generation of trial and final tables and Data analysis to prepare output tables
STEP: 5	Preparation of R&R Estimates
	Study of Resettlement Policy Framework and Entitlement Matrix Estimation of R&R Estimates
STEP: 6	Generation of Reports
	Generation of Draft SIA & RAP report Final SIA & RAP reports after incorporating the comments and clarifications of MRVC, MMRDA and AIIB.

The Questionnaire used for Census Survey and Socio-Economic Survey have been annexed as **Annexure 3.2** and **Annexure 3.3** respectively.

3.4.1 Sampling Method

The sample size for the Socio-economic survey is 25 percent of the project affected families. Stratified sampling design has been adopted to select the samples.

In order to avoid biasness, the sample households have been selected through Systematic Sampling method. This is a statistical method involving selection of elements from an



ordered sampling. In this approach, the progression through the list is treated circularly, with a return to the top, once the end of the list is passed. The process of sampling is initiated by selecting an element from the list frame at random and then every k^{th} element in the frame was elected. The formula adopted to work out the sampling interval is:

$$K = N/n$$

Where, K denotes sampling interval, small n denotes sample size and capital N denotes the size of the population. By using the above procedure each element in the population will have equal probability of selection for the socio-economic survey.

3.5 Primary Project Impact

MRVC is constantly trying to reduce the impact of the project by minimizing the Corridor of Impact, through better design but not compromising with the safety precautions.

The primary project impact presented is based on the primary data collected through the Joint Measurement Survey⁵, Census Survey, projections from sample Socio-economic survey of affected structure users and various consultations with the stakeholders during Mar '17 to Dec '18. The database is annexed as **Annexure 3.1**.

3.5.1 Impact on Land

The proposal of required land (in addition to the RoW) for the double line rail corridor between Panvel and Karjat has been kept to minimal land requirement from the private land holders. A total of 62.5219 Ha of land is required for the project, in which 4.9077 Ha (7.49% to total land requirement) is Forest Land, 3.4665 Ha (5.29%) is Government land and 57.1477 Ha (87.22%) is Private land requirement. The required private lands are only in rural area. The village wise land requirement is presented in **Table 3.2**.

Table 3.2: Village wise requirement of Land (in addition to RoW)

Sl.	Village	Taluka	Govt.	Forest	Private			Total Land Requirement
			Area (Ha)	Area (Ha)	Urban	Rural	Total	Area (Ha)
			Area (Ha)	Area (Ha)	Area (Ha)	Area (Ha)	Area (Ha)	Area (Ha)
1	Chikhale	Panvel	0.033	0	0	4.991	4.991	5.024

⁵ The Joint Measurement Survey (JMS) have been conducted by a team represented by MRVC, Land Owner and District Land Revenue officials of the State Government. The outcome of the JMS will be final list of land owners on which land acquisition will be taken up.



Sl.	Village	Taluka	Govt.	Forest	Private			Total Land Requirement
			Area (Ha)	Area (Ha)	Urban	Rural	Total	Area (Ha)
			Area (Ha)	Area (Ha)	Area (Ha)	Area (Ha)	Area (Ha)	Area (Ha)
2	Sangde	Panvel	0.024	0	0	1.431	1.431	1.455
3	Belavali	Panvel	0	0.1715	0	0.2171	0.2171	0.3886
4	Bhingar	Panvel	0	0.057	0	1.481	1.481	1.538
5	Bhingarwadi	Panvel	0	0	0	0.1652	0.1652	0.1652
6	Bherle	Panvel	0.0078	0.27	0	0.2074	0.2074	0.4852
7	Mohape	Panvel	0	0	0	1.844	1.844	1.844
8	Poyanje	Panvel	0.193	0	0	6.776	6.776	6.969
9	Barwai	Panvel	0	1.2067	0	1.9627	1.9627	3.1694
10	Pali Budruk	Panvel	0	0	0	0.129	0.129	0.129
11	Usarli Khurd	Panvel	0.018	0	0	0.7697	0.7697	0.7877
12	Lodhivali	Khalapur	0.2346	0	0	0.977	0.977	1.2116
13	Nadhali	Khalapur	0.0562	0	0	2.5823	2.5823	2.6385
14	Chouk-Manivali	Khalapur	0.314	0	0	1.63	1.63	1.944
15	Hatnoli	Khalapur	0.089	0	0	1.444	1.444	1.533
16	Bhilavale (Niwade)	Khalapur	0.6448	0	0	0.14	0.14	0.7848
17	Morbe	Khalapur	0	0	0	0.1199	0.1199	0.1199
18	Vavarle	Khalapur	0.5882	0	0	5.551	5.551	6.1392
19	Kiravali	Karjat	0.2688	2.4975	0	2.1673	2.1673	4.9336
20	Brahamnoli	Karjat	0	0	0	1.217	1.217	1.217
21	Vanjhale	Karjat	0.3557	0.705	0	5.3892	5.3892	6.4499
22	Deulwadi	Karjat	0.6394	0	0	12.0629	12.0629	12.7023
23	Mudre Bhudruk	Karjat	0	0	0	3.009	3.009	3.009
24	Halivali	Karjat	0	0	0	0.884	0.884	0.884



Sl.	Village	Taluka	Govt.	Forest	Private			Total Land Requirement
			Area (Ha)	Area (Ha)	Urban	Rural	Total	Area (Ha)
			Area (Ha)	Area (Ha)	Area (Ha)	Area (Ha)	Area (Ha)	Area (Ha)
Total Area (Ha)			3.4665	4.9077	0	57.1477	57.1477	65.5219
<i>Share to Total</i>			<i>5.29%</i>	<i>7.49%</i>			<i>87.22%</i>	<i>100.00%</i>

Source: JMS & MRVC, February 2019

A total of 417 land owner families, 45 Government Plots and 15 Forest land parcels will be affected for the requirement of land.

3.5.2 Impact on Structures

The impact on structures on the both sides of the Panvel-Karjat stretch have been estimated through Census survey of all likely affected structures at site along with the proposed Corridor of Impact. There are 96 affected structures of which 64 entities will be affected by land acquisition by the project.

There are 9 Government structures and 84 Private structures affected for the project. Three (3) Community structures are also affected. No Non-titleholder structures are affected in this stretch. **Table 3.3** presents the summary of affected structures.

Table 3.3: Affected Structures

Sl.	Type of Structure	Structure	Share to total affected structure
		Nos.	%
1	Private Structure	84	87.50%
2	Government Structure	9	9.38%
3	Religious Structure	1	1.04%
4	Community Structure	2	2.08%
Total		96	100.00%

Source: Census Survey, Mar '17 to Dec '18 and JMS, APRIL 2019

3.5.3 Impact on Private Structures

The impacts on Private structures are categorized in a) Residential Houses (76.19%), b) Commercial Structure (1.19%), c) Boundary Walls (20.24%) and d) other structures (2.38%). The affected private structures are presented in **Table 3.4**.

**Table 3.4: Private structures affected**

Sl.	Type of Structure	Affected Structures (Nos.)	Share to total affected pvt. Structures (%)
1	Residential Structure	64	76.19%
2	Commercial Structure	1	1.19%
3	Boundary Wall	17	20.24%
4	Other Structure	2	2.38%
Total		84	100.00%

Source: Census Survey, Mar '17 to Dec '18 and JMS, APRIL 2019

3.5.4 Impacts on CPRs

The CPRs impacted by the project includes a Temple, a Graveyard and a Public Toilet. The graveyard is currently being used by general public and will be shifted to a new place with the consent of local communities. The affected CPRs are presented in **Table 3.5**.

Table 3.5: Affected CPRs

Sl.	CPR	Village	CPR (Nos.)	Area (sqm)	Share to total CPRs (%)
1	Temple	Vavarle	1	27	12.56%
2	Graveyard	Vanjhale	1	80	37.21%
3	Public Toilet	Chouk	1	108	50.23%
Total			3	215	100.00%

Source: Census Survey, Mar '17 to Dec '18 and JMS, APRIL 2019

3.5.5 Affected Families

Total affected families in this project are 417. There are 57 affected titleholder families having project impact on a total of 84 structures. All the affected families are in Titleholder category and there are no Non-titleholders among the affected families.

The Family size of the affected families varies from single person to 12 persons. The mode value is 112 families (27.32%) with Family size of 4.

3.5.6 Demography

A total of 1505 persons will be affected for the project. The Males are 745, females are 760 and the Sex Ratio is 1108. The demography data is presented in **Table 3.6**.

**Table 3.6: Demography of Project Affected Persons**

Sl.	Age Group	Male	Female	PAP (Nos.)	Share to Total PAP (%)
1	Children (0 - 14 Years)	45	164	209	13.89%
2	Boys & Girls (15 - 17 Years)	30	15	45	2.99%
3	Adults (18 - 60 Years)	596	499	1095	72.76%
4	Old age (More than 60 Years)	74	82	156	10.37%
Total		745	760	1505	100.00%

Source: Socio Economic Survey, Mar '17 to Dec '18 & JMS, APRIL 2019

3.5.7 Religious and Social Stratification

The majority of the affected families follow Hinduism (97.60%), 1.68% and 0.72% of the families are followers of Islam and Christianity respectively.

In social stratification, 61.39% of affected families are of General Caste, followed by OBC (24.46%). Scheduled Caste families' accounts for 9.59% and Scheduled Tribe families are of 4.56%.

3.5.8 Vulnerability

There are 96 vulnerable affected families including Scheduled Caste (40 families), Women headed Household (15 families), elderly old age (22 families) and Scheduled Tribe (19 families). Neither any affected family falls under BPL, nor any Differently Abled person.

During field survey no Indigenous people, with any distinct dialect or livelihood pattern were identified in the Panvel-Karjat Road Corridor. All the affected ST families follow the mainstream lifestyle and speak in Marathi. The affected ST families cannot be categorized as Indigenous People. Hence the Indigenous Peoples Development Plan is not required in this project.

3.5.9 Educational Profile

The Educational profiles have been considered for 1392 PAPs, who have more than 6 years of age. The majority of the population (52.95%) has their education till Middle level (Up to Class VIII). Those with primary education account for 22.99% and only literates' accounts for 17.67%. The educated females are 610 whereas educated males are 700 with the higher share of educated females up to primary level. The education status of PAPs, in share of total population, is presented in **Table 3.7**.

**Table 3.7: Educational Status of PAP (More than 6 yrs. age)**

Sl.	Education	Male (Nos.)	Female (Nos.)	Total PAP (Nos.)	Share to Total PAPs
1	Illiterate	30	52	82	5.89%
2	Literate	112	134	246	17.67%
3	Primary (Up to Class IV)	149	171	320	22.99%
4	Middle (Class V to VIII)	432	305	737	52.95%
5	Secondary (Class IX & X)	0	0	0	0.00%
6	High Secondary (Class XI & XII)	7	0	7	0.50%
7	Graduation	0	0	0	0.00%
Total		730	662	1392	100.00%

Source: Socio Economic Survey, Mar '17 to Dec '18 & JMS, APRIL 2019

3.5.10 Occupational Profile

The Occupational profiles are considered for PAPs within working age group (18 – 60 years of age). The unemployed has the lion's share of 30.62% among the working population. The PAPs in Service sectors accounts for 24.50%, while PAPs in business are 19.01% among the working age group. The female participation in the work force is merely low than the male participation. The Occupation profile of the PAPs, disaggregated by gender, is presented in **Table 3.8**.

Table 3.8: Occupational Profile of PAPs (Age group 18 – 60 yrs.)

Sl.	Occupation	Male (Nos.)	Female (Nos.)	Nos. of PAP	Share to Total PAPs (%)
1	Service	179	89	268	24.50%
2	Business	171	37	208	19.01%
3	Agriculture	0	0	0	0.00%
4	Student	0	22	22	2.01%
5	Housewife	0	201	201	18.37%
6	Labour	60	0	60	5.48%
7	Unemployed	186	149	335	30.62%
Total		596	498	1094	100.00%

Source: Socio Economic Survey, Mar '17 to Dec '18 & JMS, APRIL 2019



3.5.11 Expenditure Profile

1. The expenditure profile is more a reliable tool for drawing the economic status of the project affected families, as families are generally not forthcoming with their income profile. The annual expenditure up to Rs. 60,000 is the highest (26.84%) followed by families in the levels duration between Rs. 1,00,001 – Rs. 1,50,000 (21.43%) among the PAFs. The Expenditure profile of the PAFs is presented in **Table 3.9**.

Table 3.9: Annual Expenditure of the Project Affected Families

Sl.	Annual Family Expenditure	Share to Total (%)
1	Up to Rs. 60,000	26.84%
2	Rs. 60,001 - 1,00,000	17.97%
3	Rs. 1,00,001 - 1,50,000	21.43%
4	Rs. 1,50,001 - 2,00,000	16.02%
5	More than Rs. 2,00,000	17.75%
Total		100.00%

Source: Socio Economic Survey, Mar '17 to Dec '18 & JMS, APRIL 2019

The Education profile and Occupation profile of the PAPs indicates that the area is lacking in communication, accessibility, educational facilities and employment opportunities. The rail connectivity project will help the people in the project area to access to better facilities and it will act as incentive to economic development along the proposed corridor.

3.6 Census Survey Updating

The Baseline data will be reviewed and updated if the process of implementation of RAP is not initiated/ completed within a period of two years. The baseline data will be verified on RAP implementation phase.



4 INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

4.1 Consultation and Participation Mechanism

2. Consultation and stakeholder engagement is an integral part of social assessment process of a project. It is a two-way process, making people aware of the up-coming sub- project under MUTP-III and at the same time enables them to express their views and suggestions in order to make it more meaningful and beneficial to all.
3. Stakeholder engagement is a continuous process throughout the project period, during project preparation, implementation, and monitoring stages. Involuntary resettlement generally causes numerous problems for the affected population. These problems can be reduced to a great extent if people are properly informed and consulted about the project and are allowed to make meaningful choices or preferences. The objective of the consultation and participation mechanism is to minimize negative impact in the project corridors and to make people aware of the project. The mechanism is presented in **Table 4.1**.

Table 4.1: Consultation Mechanism

Sl.	Project Stage	Stakeholders	Process
1.	Preparation – After basic features of the project are decided but social surveys and impacts are yet to be assessed	General Public, Local Leaders, Other stakeholders	<ul style="list-style-type: none"> • Declaration of project, including alignment map, and intention to carry out SIA and hold pre-informed public consultation meeting for obtaining views and suggestions. • The overall project details, technical details of the project, likely impacts, policy framework for mitigation measures and social safeguards and contact details for further information are presented. • The queries made by participants are clarified and information is provided on how various issues raised by them will be dealt. • Public Consultation meeting is held with all facilities and proceedings are documented.
2.	During Social Surveys	Project Affected Persons and Community	<ul style="list-style-type: none"> • Introduction Letter is provided to the Consultants engaged for survey and SIA. • Project officials accompany Consultants and hold meetings in the Community to provide necessary information, if so necessary.



Sl.	Project Stage	Stakeholders	Process
			<ul style="list-style-type: none"> • Discussions by Consultant’s social personnel with affected community about extents of impacts, social risks, safety, common property resources, occupations and work places, vulnerable population, awareness, opinions and preferences about project etc. • Focus Group Discussion with community groups such as community leaders, land owners, occupants of commercial establishments, women, local CBOs and key informants. • In-depth interviews with individuals and sharing of basic information on eligibility and entitlement, grievance redress etc. with the PAPs
3.	Implementation – During Resettlement Action Plan Implementation	Various Categories and Individual PAPs	<ul style="list-style-type: none"> • Pre-informed notices to PAPs identified to contact officers of LA & R&R Unit for initiating the process of LA & R&R and submit any suggestions objections on the same. • Consultations and, as required, negotiations are held in series of meetings with groups such as land owners, residential PAPs, commercial PAPs, PAPs whose structures are partly affected, Persons interested in Community Structures and also individual PAPs to discuss and finalize compensation and resettlement options. • Specific consultations and negotiations are held with groups such as vulnerable households, aged, handicapped PAPs etc. to ascertain and meet their special needs, as may be necessary. • Consultation process are recorded and documented.

4.2 Public Consultation

The Public Consultations held with prior information. The team, carrying out Social Impact Assessment survey, met the project affected persons as well as village/ panchayat heads and informed them about of the date, time and venue and its objectives. The villagers, project affected families and other members of the society attended the public consultations as per scheduled plan and shared their views about the project.

Eleven (11) public consultations have been held at locations of Usarli Khurd (3 times), Chikhale, Bhingar (2 times), Mohape, Chouk (2 times) and Vanjale in the project area of Panvel-Karjat section, including the three (3) consultations exclusively with the women.



Table 4.2 presents the persons participated in each type of public consultations. The attendance sheets of the Public Consultations are annexed as **Annexure 4.1** and photographs of various site activities and public consultations have been presented in **Annexure 4.2**.

Table 4.2: Public Consultations

Sl.	Type	Public Consultations	Participants
		Nos.	Nos.
1	Public Consultation	8	114
2	Consultation with Women	3	28
3	Special Consultation at Chouk Village	1	123
Total		12	265

Source: Public Consultations, 2017-18

In the Public Consultations, the following information about the project was disseminated to the participants:

- Details regarding proposed project and its various components;
- Design of the project corridor and its proposed ROW in various chainages;
- Purpose of door to door household surveys;
- Purpose of public consultations;
- Impact of the project on the livelihood of local people;

The participants were also provided with the following information:

- All improvements will be attempted within existing ROW. The land acquisition will be kept at minimum possible, with feasible options of realignment with appropriate safety measures.
- Shifting of religious and cultural properties will be avoided to the maximum extent. However, if unavoidable they will be relocated in nearby locations.
- Acquisition of land may be carried out through direct purchase method
- Resettlement and rehabilitation measures and adequate compensation, as per the laws, will be provided to the project affected people;

A large number of potentially affected persons (PAPs) expressed their views about the proposed sub project. The stakeholders demanded interaction with the individual property owners and MRVC. Hence, all the participating land owners were divided into small groups for interactive discussions. The local authorities were also consulted.



4.3 Issues raised and outcomes

The issues raised by the participants in the public consultations held at Panvel-Karjat Section are presented below:

- 1) Payment of compensation should be made prior to acquisition of land and property.
- 2) There should be clarity in payment structure and guidelines for paying compensation should be announced by MRVC/ MMRDA well in advance.
- 3) Basic facilities like roads, FOB, retaining wall, drainage and footpath should be constructed prior to implementation of the project.
- 4) Women members and children of the project affected households should be provided with employment opportunities in the Indian Railways and other Government Departments to compensate the loss accrued due to acquisition of land and other properties.
- 5) Government of India must strive for minimization of PRow to avoid adverse impact on the livelihood of the people deprived of land and other tangible assets.
- 6) Alternate land for resettlement for the villagers of Chouk village, which are facing multiple resettlements, must be explored.
- 7) Government must release pending compensation (s) for land acquired earlier without further delay.
- 8) Use of Government land may be allowed to the project affected people for opening of shops and small trading units.

The issues raised by the participants in the public consultations are summarized in **Table 4.3**.

Table 4.3: Issues rose in Public Consultation

Sl.	Location & Date	Participants	Issues Raised by Participant	Replies from Project Authority
1.	Chikhale 19 th Jun '17	15	<ul style="list-style-type: none">• People were in favour of project and they wanted to complete the project as early as possible• People wanted basic amenities like roads, safety wall, drainage, electricity, drinking water etc. during	<ul style="list-style-type: none">• The Project will be completed as per the targeted timeline.• Basic amenities will be available to the people during the implementation of the project



Sl.	Location & Date	Participants	Issues Raised by Participant	Replies from Project Authority
			implementation of the project	
2.	Mohape 19 th Jun '17	15	<ul style="list-style-type: none">• People of the settlement area are in favour of project and they wanted that the completion of the project should be at the earliest.• People want basic amenities like road, safety wall, drainage etc. during the implementation of the project.	<ul style="list-style-type: none">• Completion of the project will be as per the target date.• Suggestions for basic amenities will be considered during implementation of the project.
3.	Chouk 30 th Jun '17	15 (Women)	<ul style="list-style-type: none">• Women members in Chouk wanted to implement the project within the ROW to minimize the impact on their living structures.• Women members who attended the focus group discussion demanded government sponsored training programs for women for self-employment.	<ul style="list-style-type: none">• Minimization of adverse impact will be the first priority of the project implementation authority.• No structure and/or land will be acquired without providing alternate living arrangements/ appropriate compensation to the project affected households.• Employment generation will be encouraged for the women members adversely affected by the proposed project.
4.	Chouk 30 th Jun '17	13	<ul style="list-style-type: none">• People of the settlement area want rehabilitation in state government land within the village boundary because few of them will be resettled thrice in case of implementation of the project.• Compensation against loss of properties should	<ul style="list-style-type: none">• Suggestion on rehabilitation of PAPs in government land within the village boundary will be considered in case of any displacement during the implementation of the project.• Compensation against loss of properties will be



Sl.	Location & Date	Participants	Issues Raised by Participant	Replies from Project Authority
			<p>be four times the existing government rate.</p> <ul style="list-style-type: none">• People should be informed six months prior to the civil construction of the project.• The participants wanted project affected family certificate for further documentation.	<p>decided by the competent authority.</p> <ul style="list-style-type: none">• People will be informed well in advance regarding the final design of the project and commencement of civil work in advance so that they can relocate themselves.• The suggestion was noted for consideration.
5.	Vanjale 30 th Jun '17	15	<ul style="list-style-type: none">• Civil work should be executed within the existing ROW.• Proper care of safety of people should be considered during execution of civil work.• Compensation for the loss of structure and land should be paid more than market rate.	<ul style="list-style-type: none">• Suggestions noted.• All types of safety measures will be adopted during the execution of the project.• Adequate compensation will be provided to the affected people for the loss of structures and land.
6.	Usarli Khurd 24 th Jul '17	8 (Women)	<ul style="list-style-type: none">• The women members expressed their worries if their houses and lands are acquired for the railway projects. They demanded that alternative lands should be provided to them for agriculture and for building their houses to live in.• The women members wanted to be engaged in government funded activities to run their livelihood.	<ul style="list-style-type: none">• The project authority is well aware of the worries of the women. They were assured with alternate land/ appropriate compensation as and when their land and living areas are acquired for the above projects.• Proper care will be taken by the government to re-establish their livelihood during the implementation of the project.
7.	Usarli Khurd 24 th Jul '17	16	<ul style="list-style-type: none">• The participants wanted to know the policy and	<ul style="list-style-type: none">• The Compensation will be paid judiciously as per the



Sl.	Location & Date	Participants	Issues Raised by Participant	Replies from Project Authority
			<p>guidelines to be adopted for disbursement of compensation when the owners of land and structures are different.</p> <ul style="list-style-type: none"> • The participants wanted to know the actual rate of compensation against acquisition of land and loss of structures. • They asked about other facilities to be provided along with compensation against the loss of properties. • PAPs would allow the construction work to start only when assurance of adequate compensation as per local rate against loss of land and properties are provided. • PAPs must be provided with better rehabilitation facilities, prior to implementation of the project. • PAPs wanted assurances on jobs prior to implementation of the project. 	<p>prevailing government rules. .</p> <ul style="list-style-type: none"> • Policy for disbursement of compensation against acquisition of land and loss of structure will be finalized by the competent authority and as per rules. • The provision of other facilities, if any, will be announced by the competent authority in due course of time. • The suggestion of the participants has been noted and every effort will be made to recruit local people during the construction of the project.
8.	Usarli Khurd 26 th Jul '17	10	<ul style="list-style-type: none"> • They demanded that their children be given jobs in railways or government department. • There is no more Joint Measurement in the area of the railway administration and the district administration 	<ul style="list-style-type: none"> • The request for jobs in Railways and government department for the children has been noted and the same will be placed before the concerned Department for their decision in the matter. However, they are to cooperate with the



Sl.	Location & Date	Participants	Issues Raised by Participant	Replies from Project Authority
			<ul style="list-style-type: none">• They demanded to give prior and immediate notice of impact and resettlement.	<p>Government for the execution of the project, which is beneficial to all.</p> <ul style="list-style-type: none">• Joint measurement of land has already been initiated and the same is in progress. The survey team will reach every affected house one by one. All are requested to cooperate with them.
9.	Bhingar 7 th Sep '17	15	<ul style="list-style-type: none">• People wanted to know the policy and guidelines to be applied for disbursement of compensation.• People want proper compensation at market rate and rehabilitation against the loss of structure and land.• Implementation of the project should be started only after gratification of project affected people by way of compensation as they have not yet received the compensation against the loss in previous projects.• The participants wanted basic amenities like road, safety wall, drainage etc. during implementation of the project	<ul style="list-style-type: none">• Policy decision will be taken in such cases by the appropriate authority.• Feasibility for market complex will be explored during the implementation stage in order to restore the livelihood of the people.• Adequate compensation for the loss of structure and land will be provided to the affected families.• The implementing authority will take care of basic facilities and safety of the people.
10.	Bhingar 20 th Sep '17	5 (Women)	<ul style="list-style-type: none">• Business oriented training programs for women should be considered and arranged during	<ul style="list-style-type: none">• The suggestion for business oriented training for women was welcomed and noted.



Sl.	Location & Date	Participants	Issues Raised by Participant	Replies from Project Authority
			implementation of the project.	<ul style="list-style-type: none">• The implementing agency will consider the suggestion for participation of women in business activities after providing necessary training.
11.	Vanjale 20 th Sep '17	15	<ul style="list-style-type: none">• Civil work should be executed within the existing ROW.• Proper care of safety of people should be considered during execution of civil work.• Compensation for the loss of structure and land should be paid more than market rate.	<ul style="list-style-type: none">• Suggestion noted.• All types of safety measures will be adopted during the execution of the project.• Adequate compensation will be provided to the affected people for the loss of structures and land.

Source: Public Consultations, 2017-18

4.4 Special Consultation at Chouk Village

A special Public Consultation, chaired by Deputy CPM of MRVC, was held at Chouk village on 21st November 2017. The majority of the villagers was resettled previously from other projects and was provided with land by the Government for their settlement purpose. Most of the queries raised by the participants were related to acquisition of land and compensation to be provided to the project affected people.

It was decided that the project will minimize the impact to avoid the land acquisition in every feasible option. But if land is required in the village, the option of alternate land from Government Authority will be explored for their resettlement along with the other compensations. If alternate land is not available in nearby area, then direct purchase method, according to the law, will be applicable for land acquisition.

4.5 Consultation with local authorities

Four (4) meetings were held with the local authorities in Bhingar, Usarli Khurd, Chouk and Vavarle. Discussions held with them and outcome of the discussions are presented in **Table 4.4.**

**Table 4.4: Discussion with Local Authorities**

Sl.	Name & Designation	Issues discussed	Outcome of discussion
1.	Mr. Nivrutti Shendre Sarpanch Bhingar	<ul style="list-style-type: none">• Road connectivity during construction period.• Drainage system in settlement area.	<ul style="list-style-type: none">• During construction period there will be proper road connectivity for the people.• Proper care will be taken for the safety of the people during implementation period.• Improvement of drainage system will be considered on priority basis during implementation period.
2.	Mr. Prasad Bhagat Deputy Sarpanch Usarli Khurd	<ul style="list-style-type: none">• Information on benefits of the project.• Compensation against loss of property and land.	<ul style="list-style-type: none">• Benefits of the project will be easy and comfortable rail transport services for the general public, flourishing of trade & commerce in the region and improvement in quality of life of the local people.• Compensation against loss of structure and land will be decided prior to implementation of the project.
3.	Mr. Raju Kondelkar Sarpanch Chouk	<ul style="list-style-type: none">• Information on the project components.• Connectivity from village to Morbe Dam.• Alternate Resettlement	<ul style="list-style-type: none">• All the sub-projects of MUTP-III were explained to the Sarpanch in detail.• Proposal for connectivity between village Chouk and Morbe Dam will be considered during implementation of the project.• Alternate land to be arranged in nearby locations. The Sarpanch will also try to locate alternate land.• If the alternate land is not available in nearby location,



Sl.	Name & Designation	Issues discussed	Outcome of discussion
			the direct purchase method will be applied.
4.	Mr. Suresh Joshi Retd. Deputy Collector Vavarle	Revision of alignment plan to minimize the impact.	The alignment plan was finalized after giving due importance on reduction of adverse impact on the people living in the proximity of the alignments. Mitigation measures will be considered to minimize the adverse impact.

Source: Public Consultations, 2017-18

4.6 Outcome of Public Consultations

The majority of the people living in the Panvel and Karjat Double Line Suburban Corridor are in favor of implementation of the project. They were of the opinion that it was true that many people will be adversely affected due to loss of land and other properties but the gain due to proposed development interventions will be much greater as millions of people will be benefitted directly by having frequent, comfortable commutation facilities and possible socioeconomic development of the area. Most of the issues raised during public consultations were related to compensation for land and other properties and employment opportunities.

Specially, for Chouk village, the option of alternate land will be explored for those who have faced multiple displacements along with additional compensation as per the law. If the alternate land is not available in nearby area, Direct Purchase method through negotiations with the people will be adopted.

4.7 Disclosure

In order to make the RAP preparation and implementation process transparent, a series of public consultation meetings with all stakeholders will be carried out in the field for dissemination of information regarding rehabilitation process and entitlement framework. The salient features of RAP and the R&R policy shall be translated in Marathi and will be disclosed through the MRVC and prominent places in the project. The documents available in public domain will include: Entitlement Matrix and RAP (summary in Marathi). All documents will be kept in the offices of MRVC. As per PPM Policy of AIIB all safeguard documents will also be available at the AIIB Portal. The MRVC will assist in community



level disclosure and information dissemination work, which will include community display, meetings and consultations.

Further, consultations will be held amongst all stakeholders. Summary of the RAP translated in Marathi will be distributed to the stakeholders and their views and suggestions will be considered depending on their applicability.



5 GRIEVANCE REDRESS MECHANISM

Grievance Redress Mechanism (GRM) is an arrangement for receiving, evaluating and facilitating the resolution of affected people's concerns, complaints, and grievances about the borrower/ client's social and environmental performance on a project.

The Grievance Redress Committees (GRC) will have representatives from the community, local NGOs and the implementing agency. The Complaints received by the GRCs will be handled according to the existing procedures, which are in tandem with the Bank's requirements.

The Project-affected People's Mechanism (PPM) has been established by the AIIB to provide an opportunity for an independent and impartial review of submissions from Project-affected people who believe they have been or are likely to be adversely affected by AIIB's failure to implement its ESF in situations when their concerns cannot be addressed satisfactorily through Project-level GRM or AIIB Management's processes. It has been advised that a multi-tier GRM will be constituted for the Project in line with the prescriptions of the PPM Policy of the Bank, building on the existing complaint mechanisms.

MRVC will develop a Grievances Redress Cell to receive and respond to the concerns, complaints, and grievances received from the stakeholders. The phone numbers and communication addresses for grievances will be displayed at various locations near construction site. The grievances will be received by following ways:

- Letter to Grievances Redress Cell or by email.
- Telephonic grievances on the phone number linked to Grievances Redress Cell. The grievances received telephonically will be noted in the telephonic grievances register.
- Grievances communicated to the field staff of MRVC/ PMC/ Contractor will have to be in writing and recorded by the field staff in a register, which will be given to the Grievances Redress Cell.

The grievances related to environment shall include but not limited to:

- Noise pollution due to vehicular traffic, machinery etc.
- Air pollution due to construction activities
- Contamination of water bodies due to disposal of any type of waste such as solid waste from labour camps, construction and demolition waste, oil spills etc.
- Use of productive land for material transportation or storage or labour camps without necessary permissions from concerned authority



- Issues related to compensation for land acquired
- Damage to any cultural or physical resources outside the project area
- Misbehaviors of labour with the local community
- Improper construction site management, improper storage or disposal of waste / debris material, inadequate safety practices, damage to cultural or public properties and issues between the labour force and the local community.

Grievances related to land acquisition, compensation and resettlement will include issues such as computation of compensation, land measurement, eligibility, non-inclusion in the list of PAPs, valuation of structures, trees etc.

5.1 Grievance Redress Committee (GRC)

There will be Grievance Redress Committee to hear and redress the grievances, if any, of the project affected families and PAPs at local level as well as in the Head Quarter level in Mumbai. The Grievance Redress Mechanism will be at two levels. Tier 1 will consist of the Contactors and PMC. Tier 2 will be officers of MRVC. The working mechanism of Tier 1 and Tier 2 shall be as follows:

5.1.1 Tier 1 of GRC

This will be the first level of grievance redress at field level and will consist of the Project affected persons representatives, Contactors and PMC. The Contractor at the field level to the extent possible will address the problem and try and resolve the complaint. The PMC will ensure the successful redress of the compliant and report to the Grievance Redress Cell. PMC will also monitor the implemented action in the field. The time taken at the field level to address grievances will be 14 days.

The field level PMC and Contractors will consider any grievance of PAFs, give its decision in writing within a stipulated time of 2 weeks, and keep record of such decisions. If the aggrieved party is not satisfied with the decision, appeal could be made to Grievance Redress Committee at Head Quarter level.

5.1.2 Tier 2 of GRC

This will include officers from MRVC. The members will include CPMs and Deputy CPMs, Social Expert (1 staff), and environment expert (1 staff). The Grievance Redress Committee (GRC) at Head Quarter level (HQGRC) shall be chaired by the respective CPM and FA & CAO officials from MRVC and nominated officer from MMRDA shall be the members of the



committee. The time taken to redress grievances will be 2 weeks at this level. The GRC at Head Quarter level is presented in **Table 5.1**.

Table 5.1: Headquarter level Grievance Redress Committee

Sl.	Officials	GRC Designation
I	CPM, MRVC	Chairman
II	FA & CAO, MRVC	Member
III	Deputy CPMs	Member
IV	Nominated Officer from MMRDA	Member
V	Environment Experts (1)	Member
VI	Social Expert (1)	Member

Grievance Redress Committee at the HQ will comprise of separate line of redress for Land Acquisition matters and Resettlement matters. For land acquisition the aggrieved person will first approach the concerned SDO, followed by the Deputy CPM and finally the CPM. Alternately, the concerned SDO can also route the unresolved grievances through the Collector and then the concerned Additional Divisional Commissioner.

For resettlement related matters, for non-title holders, the affected person will first approach the concerned Project Implementation Unit of MMRDA, then the Chief, Social Development Cell of MMRDA

PRO will be a nodal person who will transmit the letter/telephonic grievances register to the respective departments e.g. Social, Environment, Civil, Mechanical, Electrical etc. within MRVC. Based on the response received from the technical team, PRO will respond back to the respective stakeholders via letter/email/telephonic communication regarding the complaints. PRO will also pass on the response of concerns, complaints, and grievances to the contactor and PMC for implementation of the actions suggested by MRVC on the grievances.

The PRO shall disseminate the roles and responsibilities of its members and encourage the public to approach it in case they have any concern related to project implementation.

The complainant may take recourse to the Court of law, if dissatisfied with the verdict of the GRM. PAFs are expected to approach the court of law after exhausting the remedy of GRC mechanism. However, establishment of grievance redress mechanism does not bar any one from approaching Court of Law.



6 LEGAL FRAMEWORK

6.1 Applicable Laws

4. The Legal Framework for the MUTP-III projects has been prepared and discussed in Resettlement Policy Framework (RPF). The laws applicable for the project are:

- The Railways (Amendment) Act, 2008.
- The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR).
- The RFCTLARR (Maharashtra) Rules 2014 and Amendment Rules 2016
- The State Government Resolution: MRD-3318/C.R. 06 (Part 2)/ UD-7 of the Urban Development Department dated 5th December 2018
- The State Government Resolution: MRD-3317/S.N. 15/ UD-7 of the Urban Development Department dated 20th August 2018
- The R&R Policy for MUTP-III, 2018 (GR: MRD-3317/Pra.Ka.15/Navi-7 dated 20th August 2018).
- Government Decisions No. SANKIRNA-03/2015/Para. Kra.34/A-2/dated 12th May 2015 and SANKIRNA-03/2015/Para. Kra.34/A-2/dated 30th Sep. 2015 of Revenue & Forest Department, Govt. of Maharashtra
- The Environmental and Social Framework (ESF), February 2016 and Project Affected Peoples' Mechanism (PPM) Policy of AIIB.

5. The other acts and policies, which may be relevant are:

- Minimum Wages Act, 1948
- Contract Labour Act, 1970
- The Bonded Labour System (Abolition) Act, 1976
- Child Labour (Prohibition and Regulation) Act 1996 along with Rules, 1988
- Children (Pledging of Labour) Act, 1933 (as amended in 2002)
- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995
- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996
- Untouchability Offences Act, 1955



- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995
- Right to Information Act, 2005
- Forest Rights Act, 2006

6.2 National Acts and Policies⁶

6.2.1 Railways (Amendment) Act, 2008

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

The RAA 2008 may not be applicable for MUTP-III. But, if the MUTP-III project is declared as special railway project by respective authority, then the RAA 2008 will be applicable in MUTP-III.

The main elements of the RAA 2008 act are provided in the **Table 6.1**

Table 6.1: Main elements of the Railways (Amendment) Act 2008

Sections		Descriptions
20A	Power to acquire land	Declaration of intention to acquire land required for execution of a special railway project. This is the first notification and empowers the competent authority to trigger the substance of the notification
20D	Hearing of objections etc.	Objections are to be made by the interested persons within 30 days from the date of publication of the notification under sub-section (1) of section 20A.
20E	Declaration of acquisition	After the publication of the declaration under sub-section (1), the land shall vest absolutely with the Central Government free from all encumbrances.

⁶ Brief of these acts and policies are given in this Section. Please refer original documents of these policies for more details. If, there is any discrepancies in details given herein under and original document, content in original document will prevail.



Sections		Descriptions
20F	Determination of amount payable as compensation	Amount to be paid as compensation shall be declared by an order of the competent authority. The competent authority shall make an award under this section within a period of one year from the date of publication of the declaration.
20F (6)	Arbitrations	If the amount determined is not acceptable to either of the parties they can ask for arbitration and an arbitrator shall be appointed for this purpose.
20G	Criterion for determination of market value of land	(i) The minimum land value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated; or (ii) the average of the sale price for similar type of land situated in the village or vicinity, ascertained from not less than 50% of the sale deeds registered during three years, where higher price has been paid, whichever is higher
20I	Power to take possession	To surrender or deliver possession thereof to the competent authority or any person duly authorized by it in this behalf within a period of 60 days of the service of the notice
20N	Land Acquisition Act 1 of 1894 not to apply	Nothing in the LA Act, 1894 shall apply to an acquisition under this Act.
20O	Application of the National Rehabilitation and resettlement Policy (NRRP), to persons affected due to land acquisition	The Provisions of the NRRP, 2007 for the project affected families, notified by the Government of India in the Ministry of Rural Development vide number F.26011/4/2007-LRD, dated 31st October, 2007

6.2.2 RFCTLARR Act 2013

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 provides for land acquisition as well as rehabilitation and resettlement. It replaces the Land Acquisition Act, 1894 and National Rehabilitation and Resettlement Policy, 2007 and the effective date is 1st January 2014.

The RFCTLARR Act 2013 has four schedules for minimum applicable norms for compensation based on market value, multiplier and solatium; resettlement and rehabilitation (R&R) entitlements to land owners and livelihood losers; and facilities at resettlement sites for displaced persons, besides providing flexibility to states and



implementing agencies to provide higher norms for compensation and R&R. It also provides for the baseline for compensation and has devised a sliding scale which allows States to fix the multiplier (which will determine the final award) depending on distance from urban centers. The aims and objectives of the Act are as follows:

- i. To ensure, gentle, participative, informed and transparent process for land acquisition.
- ii. Provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or already affected by such acquisition.
- iii. Make adequate provisions for affected persons for their rehabilitation and resettlement.
- iv. Ensure that outcome of obligatory acquisition should be such that the affected persons become partners in development activities, which would lead to an improvement in their post-acquisition social and economic status.

6.3 State Acts, Policies and Government Orders

6.3.1 RFCTLARR (Maharashtra) Act 2013

The Revenue and Forest Department of the Maharashtra through Notification No. LQN. 12/2013/C.R. 190/A-2 dated 27th August 2014 on the RFCTLARR Act 2013, and notified the following:

- a) The market value of land to be followed in the State of Maharashtra.
- b) The Multiplication factor to be followed.
- c) Components of the Rehabilitation and Resettlement components.
- d) Increment of 5% per annum on the unit amount of Assistance provided in the RFCTLARR Act 2013

6.3.2 Government Resolution: MRD-3318/C.R. 06 (Part 2)/UD-7 dated 5th Dec 2018

The Urban Development Department of the Government of Maharashtra through Government Resolution No. MRD-3318/CR 06 (Part-2)/UD-7 dated 5th December 2018 issued the decision taken by the Govt. of Maharashtra on the projects under MUTP 3 and MUTP 3A, and decided the following particularly in connection with R&R policy:

- a) The rehabilitation policy for the project affected people as per Government Resolution No. Project-1700/CR-31/Slum-2 dated 12th Dec 2000 (प्रकल्प-१७००/सी



- आर-३१/स्लम-२ दिनांक १२-१२-२०००) issued for rehabilitation of MUTP-I and MUTP-II, is applicable for R&R of PAPs of MUTP 3 & MUTP 3A projects.
- Mumbai Metropolitan Region Development Authority (MMRDA) will rehabilitate the project affected people of MUTP 3.
 - For R&R of PAPs under MUTP 3, if the premises are not available in MMRDA's jurisdiction, then it is allowed to pay the lump sum amount to PAPs (encroachers) as per guidelines of UDD GR No. CMP-2017/CR-23/UD-26 dated 13th June 2018.
 - MUTP rehabilitation policy will be applicable for private land PAPs under MUTP 3 and MUTP3A.

6.3.3 R&R Policy for MUTP-III, 2018 (Government Resolution: MRD-3317/S.N. 15/UD-7 dated 20th Aug 2018)

The Urban Development Department of the Government of Maharashtra issued order that rehabilitation of Project Affected Persons under MUTP 3 will be done by Mumbai Metropolitan Region Development Authority vide Government Resolution No. MRD-3317/SN 15/UD-7 dated 20th August 2018 and decided the following:

- Government Policy for taking possession of encroached Government land required for MUTP-III project by making onetime payment of cost of construction to PAPs issued vide Government Resolution of Urban Development Department of Government of Maharashtra no. Champa-2017/Pra.Kra.23/Navi-26 dated 13th June 2018 (महाराष्ट्र शासन नगर विकास विभाग शासन निर्णय क्रमांक चंमपा-२०१७/प्र.क्र.२३/न.वि.-२६ दिनांक १३ जून २०१८), is applicable for rehabilitation of PAPs whole project area of MUTP-III. It further states all terms and conditions under Para A and General conditions of Urban Development Department of Government of Maharashtra GR no. Champa-2017/Pra.Kra.23/Navi-26 dated 13th June 2018 is applicable for rehabilitation of PAPs of MUTP-III.
- Salient features of GR No. चंमपा-२०१७/प्र.क्र.२३/न.वि.-२६ दिनांक १३ जून २०१८ of Urban Development Department of Government of Maharashtra :-
 - The government land required for Central and State Government vital projects in urban area if encroached upon, encroachers are entitled for protection, while displacing them following guidelines are to be followed by concern agencies:
 - In Municipal Corporation Area, the person encroached on the Government land otherwise who are eligible for regularized should be given flat of 269 sq.ft. area



free of cost in corporation area. In case of non-availability of free of cost house, such eligible encroachers should be compensated by the house price in cash as per the prevailing annual ready reckoner rate.

- In Municipal Council/ Nagar Panchayat Area, the eligible encroacher on the Government land, should be provided flat of 300 sq.ft. area free of cost within the boundaries of Corporation/ Nagar Panchayat or within 5 kms of the boundaries of Corporation/ Nagar Panchayat. In case of non-availability of free of cost flat/house, such encroachers should be compensated in cash by the current price of the house as per the prevailing annual ready reckoner rate.
- If encroacher of their encroachment is not entitling for regularization as per rule in that case, no compensation to be paid.
- The family holding separate ration card on 1st Jan 2018 or before that, should be deemed as separate family.
- In case, if more than one family are living in one hutment on 1st Jan 2018 or before, and they are holding separate ration card, then every such family should be treated as eligible for house/ land/ construction expense or cash compensation.

6.3.4 Maharashtra Government Decision on Direct Purchase

6.3.4.1 The Government Decision No. SANKIRNA-03/2015/Para. Kra. 34/A-2 dated 12th May 2015, Revenue & Forest Department, Govt. of Maharashtra.

Generally, for a different project, the private land required, is acquired as per the prevailing Land Acquisition Act by concerned Land Acquiring Institution. However, if the land required by Land Acquiring Institution is acquired by direct purchase method instead of acquiring as per Land Acquisition Act which is not prohibited through direct purchase method it shall be done considering following directive principles:

- a) Directive Principle – Land required for new projects other than irrigation project. While acquiring land through direct purchase method, land shall be acquired for the entire project.
- b) District level committee for deciding compensation – A committee shall be constituted under the Chairmanship of Collector to decide the rate of land being acquired through direct purchase method. The committee shall comprise the following:
 1. District Collector – Chairman
 2. Superintending Engineer Irrigation – Member



3. Superintending Engineer PWD – Member
4. District Government Pleader – Member
5. Assistant Director of Town Planning – Member
6. Competent Authority of acquiring body – Member
7. Concerned Deputy Collector (Land Acquisition) – Member
 - (i) In addition to this as per requirement for exercising valuation of trees/ fruit trees/ forest trees/ standing crops, construction & other amenities, competent person or specialist of the related subject from Agriculture, Forest, Gardening etc. shall be included as invitee member.
 - (ii) Above mentioned committee, before deciding the compensation of land, will verify the valuation of land as per land acquisition act in force, documentation regarding the original owner of land & legal search report of land through Govt. Pleader.
- c) Procedure for deciding compensation – For projects while acquiring the land through direct purchase method, the amount of compensation shall be calculated as per the provision of Article No. 26 to 30 of Land Acquisition Act 2013 & Schedule I, including other related features, then 25% should be added to the above-calculated compensation.
- d) Options to farmers while accepting the compensation – Following two options shall be offered to farmers while acquiring the land through direct purchase method for a project.
 - 1) Paying complete compensation as calculated vide (c) above at one time.
 - 2) (a) while purchasing land/ taking over land 50% amount will be paid at the first stage out of whole compensation.
 - (b) Remaining 50% amount will be paid as annuity.

6.3.4.2 The Government Decision No. SANKIRNA-03/2015/Para. Kra. 34/A-2 dated 30th Sept. 2015, Revenue & Forest Department, Govt. of Maharashtra

The Govt. Decision No. SANKIRNA-03/2015/Para. Kra. 34/A-2 dated 12 May 2015 was amended on 30th September 2015 in view of difficulties faced in processing the land acquisition of private land for irrigation and other projects.

- a) Directive Principles: Sr. No. 2 was amended “which are related to irrigation projects covering both new projects as well as incomplete projects”.
- b) District level committee for deciding compensation:



In Sr. No. (i) for invitee member – Districts where Superintending Engineer Post of Irrigation/ PWD Dept. is not available, the concerned Chief Engineer shall authorize the Superintending Engineer of adjacent district.

In Sr. No. (ii) “Advocates on a panel of Acquiring Institution” has been added after through Govt. Pleader.

- c) Procedure for deciding compensation – “For Project ... then 25% should be added on the above-calculated compensation” thereafter “while considering market value as per Land Acquisition Act article 26(1), the average of sale deeds for preceding 3 years shall be taken. In the column of purchase and Index-2 shall reflect all the components considered for deciding the compensation package independently (market rate, amount as per notified multiplying factor, compensation against assets connected with the land, solatium, 25% additional compensation due to consent for Direct Purchase Method etc.). While deciding the market value for further purchases the amount of market value included in the compensation package as per Land Acquisition Act 2013 shall only be considered, other components (Amount as per notified multiplying factor, compensation against assets connected with the land, solatium, 25% additional compensation on land valuation due to consent for Direct Purchase) shall not be considered.

6.4 Policies of the Asian Infrastructure Investment Bank (AIIB)

6.4.1 Environmental and Social Framework (ESF), February 2016

The objectives of the Environmental and Social Framework of AIIB (February 2016)⁷ is to ensure the environmental and social soundness and sustainability of Projects and to support the integration of environmental and social considerations into the Project decision-making process and implementation

- i. Provide a mechanism for addressing environmental and social risks and impacts in Project identification, preparation and implementation;
- ii. Provide a framework for public consultation and disclosure of environmental and social information in relation to Projects;
- iii. Improve development effectiveness and impact to increase results on the ground, both short and long term.

⁷ It is available on AIIB web site (www.aiib.org).



The salient features of the AIIB Policy for the preparation of resettlement plan and policy framework are provided in brief:

- i. Social Screening: The Social Screening of the proposed project to determine the nature and level of the required social review, type of information disclosure and stakeholder engagement and also for project categorization in terms of possible social risks and impacts.
- ii. Categorization: The proposed project will be categorized on the possible highest social risk, including direct, indirect, cumulative and induced impact, as relevant, in the project area. The project will also fall in this category if the impacts may affect an area larger than the sites or facilities subject to physical works and may be temporary or permanent in nature. The project may be categorized as: i) Category A, if it is likely to have significant adverse impacts that are irreversible, cumulative, diverse or unprecedented. ii) Category B, if it has limited number of potentially adverse impact limited to the project area, few of them are irreversible or cumulative. iii) Category C, if there are minimal or no adverse impacts. iv) Category FI, if the project financing structure involves the provision of funds to or through a financial intermediary (FI) for the project.
- iii. Due Diligence: The Due Diligence requires the Appraisal, Review process, Application of the policies, guidance to the client, Change of scope of the project and adaptive management process of the project.
- iv. Assessment: Assessment of the project in terms of risks and impacts and design appropriate measures to avoid, minimize, mitigate, offset or compensate the adverse impacts. As required for a category “A” project, SIA (Social Impact Assessment) and EIA (Environment Impact Assessment) will be conducted in accordance to the Environmental and Social Standards of the ESF.
- v. Involuntary Resettlement: The Screening will determine for any Involuntary Resettlement both physical and economic displacement. The involuntary resettlement should be avoided, and if it is not feasible to avoid involuntary resettlement, it has to ensure that the resettlement activities are conceived and executed as sustainable development programmes providing sufficient resources to enable the displaced persons to share in project benefits.
- vi. Resettlement Action Plan (RAP) or Resettlement Planning Framework (RPF): If the project involves involuntary resettlement, the project proponent has to prepare a RAP or RPF, subject to the extent and degree of the impacts. The degree of impacts is determined by the physical and economic displacement and



vulnerability of the affected people. The RAP or RPF will cover of social risks and impacts and provides specialized guidance to address the specific issues associated with involuntary resettlement, including land acquisition, changes in land use rights, displacement and need for livelihood restoration.

- vii. Non-titled affected persons: AIIB requires the Client to ensure that displaced persons without title to land or any recognizable legal rights to land, are eligible for and receive, resettlement assistance and compensation for loss of non-land assets, in accordance with cut-off dates established in the resettlement plan, and that they are included in the resettlement consultation process.
- viii. Indigenous Peoples: AIIB seeks the technical judgement of qualified social scientists for project impacts on indigenous peoples, on customary use or rights of use and access to land and natural resources, socioeconomic status, cultural and communal integrity and heritage, health, education, livelihood systems and social security status and indigenous knowledge and vulnerability of affected indigenous Peoples. If the project would have impacts on Indigenous Peoples, an Indigenous Peoples Plan (IPP) or Indigenous Peoples Policy Framework (IPPF) have to be prepared on the coverage of social risks and impacts on the indigenous peoples and provides specialized guidance to address specific issues associated with the need of the affected Indigenous Peoples.
- ix. Documentation and Instruments: The appropriate documentation and instruments are required subject to the categorization of the project.
- x. Social Management Plan or Social Management Framework to develop the measures to manage and mitigate of the adverse impacts and reflect them, may also be required.
- xi. Information Disclosure: The relevant information about social risks and impacts of the Project have to made available in the Project area in a timely and accessible manner, and in form and language(s) understandable to the project affected people, other stakeholders and the general public, so they can provide meaningful inputs into the design and implementation of the project.
- xii. Consultation: Meaningful consultations with the stakeholders during the Project's preparation and implementation phases, have to be held, which will cover Project design, mitigation and monitoring measures, sharing development benefits and opportunities and implementation issues of the project.



- xiii. Monitoring and Reporting: The project will have complimentary but distinct monitoring responsibilities. The extent of monitoring activities, including their scope and periodicity, is proportional to the Projects risk and impact.
- xiv. Grievance Redress Mechanism: A suitable grievance mechanism, may include formal or informal existing mechanism, will be designed to address affected peoples' concerns and complaints promptly, using an understandable and transparent process that is gender-sensitive, culturally appropriate and readily accessible to all affected people.

Project Affected Peoples' Mechanism (PPM) of AIIB: The policy allows aggrieved PAPs to approach the Bank provided their grievances are not satisfactorily redressed by the GRM. The GRM will set up grassroots level GRCs comprising of local stakeholders. The GRCs will proactively disseminate the roles and responsibilities of the accountability mechanism to the common public.

6.5 Comparison of Government Statutes and AIIB Policy

A comparison between Government Statutes and AIIB policy has been attempted. The gap-filling measures provided in the entitlement matrix are summarized below in **Table 6.2**.

**Table 6.2: Comparison between AIIB Policy, MUTP R&R Policy and RFCTLARR Act 2013**

Sl.	Aspect	AIIB Social Policy Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	MUTP R&R Policy	Remarks
1	Existence of Policy Framework	AIIB prescribes elaborate Social Policy and Standards for Social Assessment and Management, Involuntary Resettlement and Indigenous Peoples	The Govt. of India has passed RTFCTLARR Act, 2013 prescribing procedures, institutional arrangements, eligibility and entitlement framework and Government's obligations in acquisition of private land and R&R of affected people in a fair and transparent manner. The Act also makes special provisions related to consent and entitlements for Scheduled areas and Schedules Tribes. Further, the Govt. of Maharashtra has notified rules and orders on certain aspects of the Act.	The Govt. of Maharashtra formulated and approved the R&R Policy for World Bank assisted Mumbai Urban Transport Project (MUTP), which primarily prescribes the eligibility and entitlement framework for acquisition of land and rehabilitation and resettlement of all categories of Project Affected Persons, including non-titleholders, grievance redress mechanism etc. and this policy is made applicable to MUTP-III.	Legal and policy framework exists for dealing with the social safeguard issues of the project.
2	Project Screening and Categorization	Screening of proposed project using potential social risks and impacts to determine the nature	There is no provision for screening and categorization for deciding depth of social assessment. However, provision exists {Clause 7	There is no provision for screening and categorization for deciding depth of social assessment.	Social screening is conducted at the concept stage while assessing feasibility of the project. Further, policies of



Sl.	Aspect	AIIB Social Policy Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	MUTP R&R Policy	Remarks
		and level of required social review, type of information disclosure and stakeholder engagement. Projects categorized as A, B, C and FI based on potential social risks and impacts	(5)} for post SIA appraisal of SIA Report by Expert Group to ensure public purpose and that potential benefits outweigh the social costs and adverse social impacts.		funding agencies are also to be considered.
3	Assessment of Alternatives	Assessment of alternatives under Social Standard 1: Social Assessment and Management. Examination to avoid or minimize social impacts.	The SIA is expected {Clauses 4 (4) & 8 (2)} to ascertain that land to be acquired is absolute bare minimum and Govt. to ensure minimum displacement of people and minimum adverse impact on affected individuals.	The Policy incorporates the objective of minimization of resettlement by exploring all viable alternative project designs.	The Reports are prepared based on best practices including evaluation of various alternatives against the criteria of technical and financial feasibility as well as avoidance or minimization of social impacts. Chosen option is further fine-tuned to avoid or minimize social impacts.



Sl.	Aspect	AIIB Social Policy Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	MUTP R&R Policy	Remarks
4	Conduct Social Assessment	Client to conduct social assessment relating to the risks and impacts, and design appropriate measures to avoid, minimize, mitigate, offset or compensate for them.	It is obligatory for the Government if it intends to acquire land for a public purpose to carry out a SIA study in consultation with concerned local Govt., at village level or ward level in the affected area{Clause 4 (1)}, which also involves public hearing, publication and appraisal.	A Baseline Socio-Economic Survey (BSES) is to be carried out covering all impacts and PAPs.	Preparation of detailed SIA (including census survey of all affected population and physical assets) for all large and externally aided projects is undertaken in line with the objectives of social safeguard policies with a view to best manage the social risks, if any, by assigning resources for the same.
5	Preparation of Social Management Plan	Client to prepare SMP consisting of measures to manage and mitigate adverse impacts in effective and timely manner and also describing the means (budget, schedule and institutional arrangements) for meeting the requirements and	The Administrator for R&R is required to prepare Rehabilitation and Resettlement Scheme covering details of impacts and R&R entitlements for affected people (Clause 16).	A Resettlement Action Plan, consisting of various aspects, is to be prepared with active participation of eligible PAPs.	Resettlement Implementation / Action Plans consisting of budget, schedule, institutional arrangements, monitoring and evaluation framework is developed, implemented and monitored. MMRDA has been directed to



Sl.	Aspect	AIIB Social Policy Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	MUTP R&R Policy	Remarks
		monitoring of the SMP			rehabilitate the project affected persons.
6	Information Disclosure	Client to ensure that relevant information about social risks and impacts (including SMP) is made available in the project area in a timely and accessible manner, and in a form and language understandable to the PAPs, other stakeholders and general public.	<p>The Act envisages disclosure of information in an appropriate manner at various stages during the entire process of LA & RR.</p> <p>The approved Rehabilitation and Resettlement Scheme is required to be made available in the local language to the local Govt. and in the offices of the District Collector, the Sub-Divisional Magistrate and the <i>Tehsil</i>, and is also required to be published in the affected areas and uploaded on the website of the Government (Clause 18).</p>	<p>Draft RAP is to be shared with the PAPs, NGOs, CBOs and general public in the area through community meetings and other appropriate media. The views of PAPs are to be taken into account in finalizing the RAP</p> <p>In addition, general dissemination of information on R & R policy, specific RAPs and environmental management plan related to Project are also to be undertaken in a planned manner. These activities may include organizing seminars, bringing out the news items in newspapers, TV, radio, technical and academic journals</p>	Information about the project, SIA and Resettlement Plan is shared with various stakeholders including PAPs through public consultation meetings, multi-lingual information brochures and by setting up Public Information Centres equipped with project documents.



Sl.	Aspect	AIIB Social Policy Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	MUTP R&R Policy	Remarks
7	Consultation with stake holders	Client to engage in meaningful consultation with stakeholders during project preparation and implementation in a manner commensurate with risks and impacts for those affected	The Act requires public hearing and publication of SIA study (Clause 5&6), publication of preliminary notification and hearing of objections (Clause 11&15) and publication of R&R Scheme (Clause 18).	Based on the BSES carried out through close participation of NGOs and CBOs, a list of eligible project affected structures, households and, shops and business activities is to be prepared and announced for community endorsement to avoid conflict over subsequent entrants in the project area. RAP preparation is to be undertaken with active participation of eligible PAPs. Draft RAP is to be shared with the PAPs, NGOs, CBOs and general public in the area through community meetings and other appropriate media. The views of PAPs are to be taken into account in finalizing the RAP.	General public consultation for all stakeholders is conducted when technical and social details of project are presented and suggestions are noted and considered.



Sl.	Aspect	AIIB Social Policy Requirement	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	MUTP R&R Policy	Remarks
8	Grievance Redress Mechanism	Client to establish a suitable grievance mechanism to receive and facilitate resolution of the concerns or complaints of people adversely affected by social impacts of project and inform PAPs of availability of mechanism.	The Act envisages establishment of Land Acquisition Rehabilitation and Resettlement Authority in each State by the concerned State Government to hear disputes arising out of projects where land acquisition has been initiated by the State Government or its agencies (Chapter VIII).	Designation of senior officer at the local level to consider any grievances of PAPs in consultation with the concerned NGO and also establishment of Grievance Redress Committee for appeal.	A Grievance Redress Mechanism is put in place to hear and consider grievances of PAPs. The decisions taken by GRCs about eligibility and entitlements are enforced.
9	Monitoring and Reporting	Client to implement project in compliance with Social Management Plan and to furnish AIIB with periodic monitoring reports on Client's performance under the project	The Act provides for National Monitoring Committee for rehabilitation and resettlement and reporting requirements (Chapter VII)	Policy provides for oversight committees and monitoring mechanism as a part of institutional arrangements	MMRDA is chosen for the implementation of the R&R of the project with appropriate monitoring and reporting mechanism from MRVC.



6.6 Process of Land Acquisition

The Doubling/ Quadrupling traffic facilities, passenger amenities work and other works, requires minimal land as most of the land is available with the railways. The requirement of additional minimal land may be done by the method of Direct Purchase through negotiation with the land owner and the Railways. The State Government has formulated policy/ guidelines under section 108 of RFCTLARR Act 2013. (Ref. Railway Board Order No. 2015/W-2/SCR//NL/22 dated 20.10.2016).

The projects, which have been declared as Special Railway Project, by the respective State or Central Government, the land can be acquired through Railways (Amendment) Act 2008.

6.6.1 Direct Purchase through Negotiation

The State Government of Maharashtra opted for Direct Purchase of land through negotiations with the land owner, the route for speedy acquisition of small private land parcels required.

The land will be purchased with the consent of the concerned land owner through negotiations and the compensation will be fixed as per government directions for direct purchase method, which is at 25% higher rate than RFCTLARR Act, 2013

To acquire private land for ongoing and upcoming private projects through direct purchase, the government has formed a district level committee headed by the district collector, and comprising officials of the revenue, irrigation, public works, legal, town planning, and land acquisition departments.

The ready reckoner rates of the land in the particular region, will be considered as a basis for calculating the rate of land. The market value of land to be acquired will be determined by ready reckoner value fixed under the Maharashtra Stamp Act (59 of 1958) and the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995. (Ref. Para 1 of Part 1 of the RFCTLARR (Maharashtra) Act 2013).

Trees, houses, wells and other such assets on the land will also be included in calculating the rate.

The multiplication factor by which market value of the land is multiplied will be from 1.00 (One) to 2.00 (two) based on the distance of the project from urban area, as may be notified by the appropriate Government. (Ref. Clause 2 of Schedule I of the RFCTLARR 2013). The particular multiplier factor will vary for each place and will be defined by the Assistant Director of Town Planning under the Urban Development Department of the Government



of Maharashtra, as per the current practice of the Maharashtra Government and also for the MUTP projects.

While acquiring the land through direct purchase method, the amount of compensation shall be calculated as per the provision of Article 26 to 30 of RFCTLARR 2013 & Schedule I, over and above of which 25% is paid.

The land owner will have a maximum of three months' time to give consent from the date of application of direct purchase from the Government Agency. On lapse of the three months' time, the land will be acquired under compulsory acquisition under the RFCTLARR 2013 Act.

Committees under the district collectors of respective districts will complete the necessary proceedings and finalize the compensation accordingly. The MRVC will then deposit the compensation amount with the respective District Collector for disbursement.

6.6.2 Land Acquisition through RFCTLARR Act 2013

Land acquisition may be done through the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARR Act), 2013. Important sections of the Act are presented in **Table 6.3**.

Table 6.3: Summary of the Applicable sections of the RFCTLARR Act 2013

Sl.	Section	Description of the section
1.	Section 4(1) – SIA notification	<ul style="list-style-type: none">▪ Social Impact Assessment Study▪ Total duration 6 months
2.	Section 5	<ul style="list-style-type: none">▪ Public Hearing for SIA
3.	Section 6 (1)	<ul style="list-style-type: none">▪ Publication of SIA
4.	Section 7(1) – SIA evaluation and approval	<ul style="list-style-type: none">▪ Independent SIA Evaluation by Expert Group▪ 2 non-official social scientist▪ 2 representatives of Panchayat, Gram Sabha, Municipality or Corporation▪ 2 experts on rehabilitation▪ 1 technical expert in subject area▪ Publication of recommendation▪ Total duration 2 months
5.	Section 8	<ul style="list-style-type: none">▪ Examination of proposals for land acquisition and Social Impact Assessment report by appropriate Government



Sl.	Section	Description of the section
6.	Section 11(1) – Notice to acquire land	<ul style="list-style-type: none">▪ Publication of Preliminary Notification for acquisition
7.	Section 11(5) – Land record updation	<ul style="list-style-type: none">▪ Updating Land records▪ Total duration 2 months
8.	Section 14 – SIA lapse period	<ul style="list-style-type: none">▪ If Section 11(1) not published within 12 months (18months from the date of 4(1) notification) after the submission of SIA report under section 7, such report will lapse. Then fresh SIA to be done before acquisition under section 11.▪ Appropriate government shall have the power to extend the period of 12 months
9.	Section 15(1) – Hearing of objections	<ul style="list-style-type: none">▪ Within 60 days from the date of 11(1) notification
10.	Section 16(1) – Preparation of R&R Scheme by Administrator (by state notification not below the rank of Joint Collector or Additional Collector or Dy. Collector or equivalent official of Revenue Department to be the Administrator for R&R)	<ul style="list-style-type: none">▪ After the publication of 11(1) notification by collector, Administrator for R&R shall conduct census survey of affected families.
11.	Section 16(5)	<ul style="list-style-type: none">▪ Public hearing of R&R Scheme
12.	Section 16(6)	<ul style="list-style-type: none">▪ Submission of draft R&R scheme to collector
13.	Section 17(1)	<ul style="list-style-type: none">▪ Review of R&R scheme by Collector with R&R committee
13.	Section 18 – Approval of R&R scheme by commissioner	<ul style="list-style-type: none">▪ Officer off the rank of Commissioner or Secretary of that Government
14.	Section 19(1) – Publication of declaration and summary of R&R	<ul style="list-style-type: none">▪ To be published within a period of 12 months from the notification under section 11(1) excluding stay or court order
15.	Section 19(7) – Lapse of notification under section 11(1)	<ul style="list-style-type: none">▪ If no declaration is made within 12 months from the notification under section 11(1) excluding stay or court order
16.	Section 21(1)	<ul style="list-style-type: none">▪ Notice to person interested for taking possession.
17.	Section 23	<ul style="list-style-type: none">▪ Land Acquisition Award by collector
18.	Section 25 – Lapse of entire proceeding for acquisition	<ul style="list-style-type: none">▪ Award to be made within 12 months from the date of declaration under section 19. (Appropriate



Sl.	Section	Description of the section
		government shall have the power to extend the period with justification).
19.	Section 31(1)	<ul style="list-style-type: none">▪ R&R award by collector▪ Collector shall take possession after ensuring 100% compensation payment and R&R entitlement or▪ Tendered within a period of 3 months for compensation and 6 months for R&R entitlements.
20.	Section 38(1)	<ul style="list-style-type: none">▪ Power to take possession of land to be acquired by Collector
21.	Section 38(2)	<ul style="list-style-type: none">▪ R&R process to be completed in all respect before displacing the AFs
22.	Section 43(3)	<ul style="list-style-type: none">▪ Formulation, Execution and monitoring of R&R scheme shall vest in the Administrator under the direction and control of Government and Commissioner R&R.
23.	Section 44(1)	<ul style="list-style-type: none">▪ Appointment of R&R Commissioner
24.	Section 44(2)	<ul style="list-style-type: none">▪ Commissioner will be responsible for supervising the formulation of R&R schemes or plans and proper implementation of such schemes or plans.
25.	Section 44(3)	<ul style="list-style-type: none">▪ Commissioner shall be responsible for post implementation social audit in consultation with Gram Sabha in Rural areas and municipality in urban areas.
26.	Section 45(1) Composition of R&R committee: (acquisition of equal to or more than 100 acres of land)	<ul style="list-style-type: none">▪ Chairman (Collector)▪ Women representative residing in affected area▪ Representative of ST & SC residing in the affected area▪ Representative of NGO working in the area▪ Representative of Nationalized bank▪ Land Acquisition officer of the project.▪ Chairpersons of the Panchayats or municipalities▪ Located in the affected area or their nominees.▪ Chairperson of the District Planning Committee or his nominee.▪ MP and MLA of the concerned area or their nominees.▪ Representative of the requiring body.▪ Administrator for R&R as member-convener.



Sl.	Section	Description of the section
27.	Section 46	<ul style="list-style-type: none">▪ Purchasing of land through private negotiation considering the relevant State specific factors and circumstances▪ The District collector should be notified by the land Purchaser with a) intent to purchase, b) purpose of purchase and c) particulars of land to be purchased▪ The Collector will refer the matter to the Commissioner for the satisfaction of all relevant provisions under this Act related to rehabilitation and resettlement▪ The Collector shall pass individual awards covering Rehabilitation and Resettlement entitlements approved by the Commissioner as per the provisions of the Act▪ The appropriate Government may provide for rehabilitation and resettlement provisions on sale or purchase of land in its state and shall also fix the limits or ceiling
29.	Section 108	<ul style="list-style-type: none">▪ Where a State law or a policy framed by the Government of a State provides for higher compensation than calculated under this Act for acquisition of land, the affected persons or his family or member of his family may at his option opt to avail such rehabilitation and resettlement provisions under such State law or such policy of the State instead of under this Act.▪ Where a State law or a policy framed by the Government of a State offers more beneficial rehabilitation and resettlement under the Act or policy than under this Act, the affected persons or his family or member of his family may at his option opt to avail such rehabilitation and resettlement provisions under such State law or such policy of the State instead of under this Act



7 ENTITLEMENTS, ASSISTANCE AND BENEFITS

7.1 Entitlement

The affected persons falling in any of the following categories will be eligible for compensation and resettlement assistance in accordance with the principles of this RPF:

- Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country)
- Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets; provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan; and,
- The Non-Titled Lease Occupier, who is being occupying the structures built by them in the land of others with some financial or non-financial agreement with the landlord, which was not documented legally.
- Those who have no recognizable legal right or claim to the public land, other than the Non-Titled Lease Occupier, they are occupying (*squatters and encroachers occupying the RoW or government land*).
- The Project Affected Persons (PAFs) who ever missed in the baseline survey but found genuine during verification survey carried out by MRVC and is confirmed/approved by Grievance Redress Committee (GRC) are also considered as being eligible.
- In case of those houses where land ownership is not transferred, (such as houses occupied on builder's lands where ownership continue to be with builders) the land records must be updated to reflect the actual ownership, before the land acquisition is completed. The RTFCTLARR Act requires that land records must be updated prior to announcement of award.

Specifically,

- All legitimate occupants of land and building affected will be eligible for the benefit of R & R Policy.
- For title holders, the date of notification through Form No. 3 of intended acquisition under Direct Purchase method will be treated as the cut-off date and for non-titleholders, 1st January 2018, will be the cut-off date.
- However, PAFs who are squatters and not the legitimate occupants of land or buildings shall be eligible for R&R only if enumerated during the baseline
- Any new un-authorized structures or additions to existing structures carried out after the cut-off date and their occupants will not be eligible for R & R. Similarly, the occupants of a structure except legal heir who have acquired the



structures after the cut-off date shall not be eligible for the benefits of Resettlement and Rehabilitation. However, members added to the eligible households by way of birth and marriage after the cut-off date will be considered eligible for R&R.

- The PAFs who ever missed in the baseline survey but found genuine during verification survey carried out by MRVC and is confirmed/approved by GRC are also considered as being eligible.

7.2 Assistance

7.2.1 Updated Resettlement unit costs

The project has adopted the unit costs for R&R assistance as available in LARR Act, 2013, which came into effect from 1st January 2015, and presented in **Table 7.1** below. These unit rates are now updated as increment of 5% per annum from January 2015, and calculated as (5% x 4 years =) 20% increment to January 2019, of the basic rate mentioned in the respective Act. (Ref. Para 11 of Part 2 of the RFCTLARR (Maharashtra) Act 2013)

Table 7.1: Unit rates revised as of January 2019

Sl.	Entitlement	Unit rates as of January, 2015 (in INR)	Revised as of January, 2019 (rounded off to nearest INR)
1	Livelihood assistance (Lump sum or Annuity or 50% as onetime payment and 50% in Annuity)	5,00,000	6,00,000
2	Livelihood assistance - Annuity	2,000/per month	2,400/per month
3	One-time assistance for loss of Cattle shed/petty shop	25,000	30,000
4	One-time assistance for displaced artisan/small traders	50,000	60,000
5	Transportation/ Shifting assistance for displaced	50,000	60,000
6	Subsistence allowance for displaced @ INR 3000 per month for 1 year	36,000	43,200 (INR 3,600 per month for one year)
7	One-time Resettlement Allowance for shifting of house	50,000	60,000



Sl.	Entitlement	Unit rates as of January, 2015 (in INR)	Revised as of January, 2019 (rounded off to nearest INR)
8	Additional Assistance for vulnerable families	50,000	60,000

7.3 Entitlement Matrix

In accordance with the principles of this resettlement policy framework, all possible affected, displaced households and persons losing livelihood 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.

An Entitlement Matrix, presented in **Table 7.2**, has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and follows National, State laws and AIIB Policy, and the RFCTLARR (Maharashtra) Act 2013 and R&R Policy of MUTP-III, 2018.



Table 7.2: Entitlement Matrix

SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
1	Titleholder (Land Owners as recorded in revenue records, or Land occupiers with claims/ rights recognized under State/ Central laws, including who is entitled to granted Patta ⁸ , rights on the land under any laws of the State including assigned Land)		
		<u>Through Direct Purchase Method</u>	
1.1	Loss of Land	<p>Direct purchase of Land with negotiation through district level committee headed by the district collector, and comprising officials of the revenue, irrigation, public works, legal, town planning and land acquisition departments.</p> <ul style="list-style-type: none"> • The base rate of land will be determined by highest value among <ol style="list-style-type: none"> i. Ready reckoner value fixed under the Maharashtra Stamp Act (59 of 1958) and the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995. (Ref. Para 1 of Part 1 of the RFCTLARR (Maharashtra) Act 2013). ii. Average Sale price of similar types of land situated in the nearest vicinity area, ascertained from the highest 50% of the sale deeds of the preceding 3 years iii. Consented amounts paid for PPPs or private companies • The multiplication factor by which market value of the land is multiplied will be from 1.00 (One) to 2.00 (two) based on the distance of the project from urban area, as may be notified by the appropriate Government. (Ref. Clause 2 of Schedule I of the RFCTLARR 2013). The multiplier factor will vary for each place and will be defined by the Assistant 	<p>Govt. Decision No. SANKIRNA-03/2015/Para. Kra. 34/A-2 dated 30th Sept. 2015 of Revenue & Forest Department, Govt. of Maharashtra.</p> <p>If B is the base rate/ consented rate of land, M is the applicable Multiplication factor, A is the affected area and 25% being the incentive on giving up of land through direct purchase, then the compensation L will be,</p> $L = 1.25 \times (2 \times B \times M \times A)$ <p>Note: In case of Class-II Land or conditional-ownership Land, necessary amount equivalent to 10% of market value as per Government Resolution No. Adivasi-3109/1180/Pra.</p>

⁸ Patta is land revenue record which establishes the title/ownership of land. The Patta Register is maintained at Taluka office and contains ownership details of all Land holdings.



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
		<p>Director of Town Planning of the respective area, as per the current practice of the Govt. of Maharashtra.</p> <ul style="list-style-type: none">• Solatium will be 100% on the base rate after multiplied with multiplication factor• The land owner will also get an incentive of 25% in addition and on the compensation amount calculated as above• The land owner will have a maximum of three months' time to give consent from the date of application of direct purchase from the Government Agency. On lapse of the three months' time, the land will be acquired under compulsory acquisition under the RFCTLARR 2013 Act.	<p>Kra.106/L-9 dated 15.07.2010 (क्रमांक. आदिवासी – ३१०९ /११८०/प्र. क्र. १०६/ल-९ दिनांक १५ जुलै २०१६ Code No. 20100716142313001) of Revenue & Forest Department, Government of Maharashtra, will be deducted from the total compensation payable to Land owner and said amount will be transfer to Government of Maharashtra.</p>
1.2	Loss of Structure and other immovable assets	<p>a</p> <ul style="list-style-type: none">• Replacement cost of building/ structures or part of building/ structure affected, calculated at the Cash compensation at latest Schedule of Rates of PWD/ ready reckoner rate for similar kind of structure, without depreciation.• The compensation for any other immovable assets attached to the land and/ or buildings will be determined by a competent engineer or any other specialist in the relevant field, as may be considered necessary by the Collector• The Solatium will be 100% on the replacement cost of building/ structure and other immovable assets• The structure compensation value defined above will also attract 12% increment per annum from the cut-off date till the award of the land value to the land owner.	



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
		b Right to salvage materials in favour of the structure owner of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self	
1.3	Loss of Standing Trees/ Crops etc. in affected land	<ul style="list-style-type: none"> Cash compensation for crops, fruits, flowers or product and by-products from the affected trees/ crops etc., if any, will be calculated by <ol style="list-style-type: none"> Concerned Forest Department or similar authority for Timber trees Concerned State Agriculture Extension Department or similar authority for standing crops Concerned Horticulture Department or similar authority for horticulture and/ or perennial trees The Solatium will be 100% on the cash compensation calculated above. 	U/s 29(2) and 29(3) of RFCTLARR Act 2013
1.4	Loss of Livelihood	<p>If the Affected Structure is commercial structure:</p> <ul style="list-style-type: none"> A lump-sum compensation equivalent to one year's income, determined by the proper documents, viz., IT return, or as determined by the respective authority. Or, in lieu of non-availability proper documentation of income, Rs. 30,000 per affected family of livelihood looser, as livelihood assistance. 	<p>First bullet as per MUTP R&R Policy.</p> <p>Second Bullet, as per Sl. 7 of Second Schedule of RFCTLARR 2013</p>
2.	<p>Titleholder (Land Owners as recorded in revenue records, or Land occupiers with claims/ rights recognized under State/ Central laws, including who is entitled to granted Patta⁹ rights on the land under any laws of the State including assigned Land) Through RFCTLARR Act 2013, in lapse of the Direct Purchase method</p>		

⁹ Patta is land revenue record which establishes the title/ownership of land. The Patta Register is maintained at Taluka office and contains ownership details of all Land holdings.



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
2.1	Loss of Land	<p>a Land Acquisition, in lapse of or in lieu of Direct Purchase Method or Acquisition of land on payment of compensation as per RFCTLARR (Maharashtra) Act 2013 and RFCTLARR Act 2013</p> <ul style="list-style-type: none">• The base rate of land will be determined by highest value among<ol style="list-style-type: none">i. Ready reckoner value fixed under the Maharashtra Stamp Act (59 of 1958) and the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995. (Ref. Para 1 of Part 1 of the RFCTLARR (Maharashtra) Act 2013).ii. Average Sale price of similar types of land situated in the nearest vicinity area, ascertained from the highest 50% of the sale deeds of the preceding 3 yearsiii. Consented amounts paid for PPPs or private companies• The multiplication factor by which market value of the land is multiplied will be from 1.00 (One) to 2.00 (two) based on the distance of the project from urban area, as may be notified by the appropriate Government. (Ref. Clause 2 of Schedule I of the RFCTLARR 2013). The particular multiplier factor will vary for each place and will be defined by the Assistant Director of Town Planning of the respective area, as per the current practice of the Govt. of Maharashtra and MUTP projects.• Solatium will be 100% on the base rate after multiplied with multiplication factor• The land value defined above will also attract 12% increment per annum from the cut-off date till the award of the land value to the land owner (Ref. 30(3) of the RFCTLARR Act 2013)	<p>If B is the base rate of land, M is the Multiplication factor & A is the affected area, then the compensation L will be, $L = 2 \times (B \times M \times A)$.</p> <p>If the Award of the compensation is after Y years from the cut-off date, then L will be incremented at 12% per annum to L_y, $L_y = L + (0.12 \times Y \times L)$</p> <p>Note: In case of Class-II Land or conditional-ownership Land, necessary amount equivalent to 10% of market value as per Government Resolution No. Adivasi-3109/1180/Pra. Kra.106/L-9 dated 15.07.2010 (क्रमांक. आदिवासी – ३१०९ /११८०/प्र. क्र. १०६/ल-९ दिनांक १५ जुलै २०१६ code No. 20100716142313001) of Revenue & Forest Department, Government of Maharashtra, will be deducted from the total compensation payable to Land owner and said amount will be</p>



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks								
			transfer to Government of Maharashtra.								
		<p>b If, the land plot is partially acquired and the land owner desires that the whole plot be acquired on the grounds that the plot has been rendered uneconomic, then</p> <ul style="list-style-type: none"> • Either, One-time additional assistance of the Base Compensation amount (base amount is without any solatium, multiplication factor and interest), to the balance land of the affected plot, owner based on the following percentage of the left-over land in the land plot acquired from each partially affected plot. Whereas, the ownership of the residual land shall continue to remain with the land owner. <table border="0"> <tr> <td><u>Area Acquired (% of total plot)</u></td> <td><u>Additional Assistance Ratio (R)</u></td> </tr> <tr> <td>Up to 50%</td> <td>Nil</td> </tr> <tr> <td>More than 50% to 75%</td> <td>15%</td> </tr> <tr> <td>More than 75%</td> <td>25%</td> </tr> </table> <p>In case of severance of land plot (division into two parts or more parts due to acquisition), the left-over plots on either side shall be treated independently as per the above.</p> <ul style="list-style-type: none"> • Or, if the left-over land plot is non-feasible or non-economic or unusable or if the land owner desires that the whole land to be acquired, the MRVC/ competent authority may acquire the total land. 	<u>Area Acquired (% of total plot)</u>	<u>Additional Assistance Ratio (R)</u>	Up to 50%	Nil	More than 50% to 75%	15%	More than 75%	25%	<p>If B is the base rate of land, R is the Additional assistance ratio (0, or 0.15 or 0.25) of left-over land & A is the Balance area of the plot, then the Additional Assistance will be, $AA = (B \times R \times A)$</p> <p>In case of acquisition of total area of land plots, this subsection (c) will not apply.</p>
<u>Area Acquired (% of total plot)</u>	<u>Additional Assistance Ratio (R)</u>										
Up to 50%	Nil										
More than 50% to 75%	15%										
More than 75%	25%										
2.2	Loss of Building/ Structure	<p>a</p> <ul style="list-style-type: none"> • Replacement cost of building/ structures or part of building/ structure affected, calculated at the Cash compensation at latest Schedule of Rates of PWD/ ready reckoner rate for similar kind of structure, without depreciation. 	First Schedule of RFCTLRR Act. 2013								



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
		<ul style="list-style-type: none"> The Solatium will be 100% on the replacement cost of building/ structure The structure compensation value defined above will also attract 12% increment per annum from the cut-off date till the award of the land value to the land owner. 	
		<p>b <u>If, the building/ structure is partially acquired</u></p> <ul style="list-style-type: none"> Either, Entitlement of additional amount of 25% on the compensation calculated as (a) above to be paid on the compensation award for the affected part of structure to enable repair the damage, where the owner/ occupier would have, in their own interest, decide to retain the remaining part of the affected structure, provided that continuous use of such structure is possible without hazards. Or, Full compensation of structure payable in case of partial impact making unimpaired or safe use of structure is difficult 	In case of only a partly affected structures, and If the remaining structure is non-feasible or unusable or its owner desires that the whole structure to be acquired, the competent authority can award compensation for the total structure also.
		<p>c Right to salvage materials in favour of the structure owner of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self</p>	
2.3	Loss of Standing Trees/ Crops etc. in affected land	<ul style="list-style-type: none"> Three months' advance notice to affected parties to harvest crops, fruits, flowers or product and by-products from the affected trees/ crops etc. <u>Or, in lieu of 3 months' advance notice</u>, Cash compensation as estimated u/s 29(3) of RFCTLARR Act 2013 & calculated by: <ul style="list-style-type: none"> iv) Concerned Forest Department or similar authority for Timber trees v) Concerned State Agriculture Extension Department or similar authority for standing crops vi) Concerned Horticulture Department or similar authority for horticulture and/ or perennial trees 	



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
2.4	Other affected immovable assets	The compensation for any other immovable assets attached to the land and/or buildings will be determined as provided u/s 29 of the RFCTLARR 2013	First Schedule of RFCTLRR Act. 2013
2.5	Loss of Cattle Shed	Any affected family losing cattle sheds are entitled for at least Rs. 30,000/- or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed	Second Schedule of RFCTLRR Act. 2013 & Para 11 of Part 2 of the Govt. of Maharashtra Notification no. No. LQN. 12/2013/C.R. 190/A-2 dated 27 th August 2014 under RFCTLARR (Maharashtra) Act 2013
2.6	Loss of Petty Shop	Any affected family losing petty shops are also entitled for at least Rs. 30,000/- or, any amount specified as the appropriate Government, towards reconstruction of the Petty Shop	-do-
2.7	Resettlement Assistance	One-time Resettlement Assistance of Rs. 60,000/- for each affected family	-do-
2.8	Income Assistance	Employment opportunity, where jobs are created through project, after providing the suitable training and skill development in the required field, at a rate not lower than the minimum wages provided in any laws for the time being in force, to at least one member of the affected family in the project or arrange for a job in such other project, as may be required <u>Or,</u> <ul style="list-style-type: none">• One-time payment of Rs. 6,00,000 per affected family• Or, Annuity policies that shall pay not less than Rs. 2,400 per month per family for 20 years, with appropriate indexation to the Consumer Price Index for Agricultural Labourers	-do- Any one choice of options of among (a), or (b) of Income Assistance have to be opted from the affected family The Annuity options are entitled of increment at the inflation rates, as have indexation to the Consumer Price Index



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
2.9	Grant for Artisan, Small Traders, self-employed person and certain others	If the project affected persons falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 60,000/-	-do-
2.10	Subsistence Grant for Displaced Families	Subsistence allowance of Rs. 3,600/- per month for one year, or, Rs. 43,200/- one-time, for each displaced family, require to relocate due to the project	-do-
2.11	Transportation Allowance for Displaced Families	One-time financial assistance of Rs. 60,000/- as transportation cost for shifting of the family, building materials, belongings and cattle, if any	-do-
3	Non-title Lease Occupier (NTLO)		
	The Non-title Lease Occupier are Family/ Household, who are occupying the affected structure with some financial or non-financial lease arrangements with the land owner, but the land ownership arrangements are not documented properly or legally)		
	The Non-title Lease Occupier will be treated as Structure Owners/ Occupiers, if they possess documentary evidence of Building Tax, Trade License or any other documents as may be accepted by the District Collector, on the land which belongs to the legal Land Owner. <u>In case of acquisition of land in Direct Purchase method</u> , the land compensation calculated as Sl. 1.1 of the Entitlement Matrix, will be provided to the Legal Owner of Land and the other compensations calculated as Sl. 1.2 to 1.4 of the Entitlement Matrix will be provided to the Non-titled Legal Occupier.		



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
		<u>In case of acquisition of land through LA Act</u> , the land compensation calculated as Sl. 2.1 of the Entitlement Matrix, will be provided to the Legal Owner of Land and the other compensations calculated as Sl. 2.2 to 2.11 will be provided to the Non-titled Legal Occupier.	
4	Squatter		
4.1	Loss of Structure	<ul style="list-style-type: none">In Rural Areas, provision of a constructed house of 300 sqft area or as per the specifications of the Pradhan Mantri Awas Yojana (Gramin) or similar scheme of State/ Central Governments, or Cash assistance at the ready reckoner rate or as determined by the Government of Maharashtra, but cash assistance shall not less than Rs. 1,65,000/-In Urban Areas, provision of a constructed house of 269 sqft, or Cash assistance at the ready reckoner rate or as determined by the Government of Maharashtra, but cash assistance shall not less than Rs. 5,50,000/-	R&R Policy for MUTP-III vide GR: MRD-3317/Pra.Ka.15/Navi/7 dated 20th August 2018 of Urban Development Department, Govt. of Maharashtra
4.2	Loss of Commercial Structure	Any affected family losing Commercial Structures are entitled for at least Rs. 30,000/- or, any amount specified as the appropriate Government	Second Schedule of RFCTLRR Act. 2013 & Para 11 of Part 2 of the Govt. of Maharashtra Notification no. No. LQN. 12/2013/C.R. 190/A-2 dated 27 th August 2014 under RFCTLRR (Maharashtra) Act 2013
4.3	Subsistence Grant for Displaced Families	Subsistence allowance of Rs. 3,600/- per month for one year, or, Rs. 43,200/- one-time, for each displaced family, require to relocate due to the project	- Do -
4.4	Transportation Allowance	One-time financial assistance of Rs. 60,000/- as transportation cost for shifting of the family, building materials, belongings and cattle, if any	- Do -



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
	for Displaced Families		
4.5	Grant for Artisan, Small Traders, Self-employed person and certain others	<p>If the project affected livelihood looser falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories,</p> <p>One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 60,000/-</p>	- Do -
5	Livelihood losers		
		<ul style="list-style-type: none"> • Tenants of Residential/ Commercial affected Structures • Workers/ Employees of Commercial affected structure 	
5.1	Rental Allowance (Tenants)	<ul style="list-style-type: none"> • Each Residential Tenants are entitled for Rental Allowances for six months for a monthly rent of Rs. 5,000/- per month in rural areas or of Rs. 7,000/- per month in urban areas • <u>Or</u>, Each Commercial Tenants are entitled for Rental Allowances for six months for a monthly rent of Rs. 7,000/- per month in rural areas or of Rs. 10,000/- per month in urban areas 	
5.2	Income Assistance (Workers/ Employees)	<ul style="list-style-type: none"> • A lump-sum compensation equivalent to one year's income, determined by the proper documents, viz., IT return, or as determined by the respective authority. • Or, in lieu of availability proper documentation of income, Rs. 30,000 per affected family of livelihood looser, as livelihood assistance. 	<p>First bullet as per MUTP R&R Policy.</p> <p>Second Bullet, as per Sl. 7 of Second Schedule of RFCTLARR 2013</p>



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
5.3	Grant for Artisan, Small Traders, Self-employed person and certain others	If the project affected livelihood looser falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 60,000/-	Second Schedule of RFCTLRR Act. 2013 & Para 11 of Part 2 of the RFCTLARR (Maharashtra) Act 2013
6	Kiosk/ Shacks/ Easily removable structure operators		
6.1	Kiosk	The Kiosks/ Shacks/ easily removable structure operators are only entitled for Rs. 30,000 as conceptually mentioned for re-construction of petty structure	
7	Special Compensation on Vulnerability, Multiple Displacement, Advance Notice and Livelihood Training		
		<ul style="list-style-type: none"> • Titleholders (For Acquisition under LA Act) • Non-Titled Lease Operators (For Acquisition under LA Act) • Encroachers/ Squatters • Kiosk/ Shacks/ Easily removable structure operators • Tenants of Residential/ Commercial affected Structures • Workers/ Employees of Commercial affected structure 	
7.1	Special Assistance for Vulnerable Categories	If the affected families fall under the vulnerable affected families of i) Scheduled Caste, ii) Scheduled Tribe, iii) Physically challenged Head of Households, iv) Families under Below Poverty Line (BPL), v) Women Headed Households and vi) Old persons living alone (all members of the family having age of more than 60 years)	Second Schedule of RFCTLRR Act. 2013 & Para 11 of Part 2 of the RFCTLARR (Maharashtra) Act 2013



SI	Type of Loss	Entitlement (Compensation and R&R Assistance)	Remarks
		All Vulnerable affected families will receive a one-time vulnerable assistance of Rs. 60,000/-	
7.3	Special Compensation of multiple displacement	<p>If the affected family faced displacement or resettlement from any other project or this project previously,</p> <p>Any family which has already been displaced by appropriate Government for the purpose of acquisition under the provision of <u>RFCTLARR Act 2013 and if so,</u> displaced, is entitled for additional compensation equivalent to that of the compensation determined under <u>RFCTLARR Act 2013</u> for second or successive displacement. (Clause no. 39 of <u>RFCTLARR Act 2013</u>).</p>	
7.4	Skill Development Training	One adult member of all the affected family, whose livelihood is affected, will be entitled for skill training. The skill development training may be provided from any competent training institute under the aegis of the National Skill Development Corporation in their scheduled training modules, or any other Institute/ individual as the Appropriate Government may also decide on the training institutes or training modules, provided the cost of training should be at least Rs. 25,000/- per family	The Training assistance amount will be provided to the training institutes after completion of successful training of the affected person and not to the affected family.
7.5	Advance Notice	All the affected families, irrespective of the categories of eligibility and entitlements, will have to give at least three months' advance notice of the loss and shifting	
8	Any unforeseen Impacts		
8.1	Any other unforeseen impacts	Any other unforeseen impacts, if any, may be incorporated and the Entitlement Matrix will be updated by the MRVC on the occurrence and verification of the unforeseen impact	

**7.3.1 Summary of Eligibility**

The summary of the eligibility specified in the Entitlement Matrix as per the categories of Titleholder, Encroacher, Non-titled Lease Occupier, Squatter, Tenants and Livelihood Losers are presented in **Table 7.3** below.

Table 7.3: Summary of Eligibility of Entitlement as per Entitlement Matrix

Sl.	Category of Affected Family	Eligibility of Entitlement
1	Titleholder	<p><u>Direct Purchase Method</u></p> <ul style="list-style-type: none"> • Compensation at 25% extra of the compensation of loss calculated under sections 26 to 30 of the RFCTLARR Act 2013 through private negotiations with the Land Owner. • Loss of Livelihood for loss of any commercial structure <p><u>Acquisition under LA Act in lapse of Direct Purchase Method</u></p> <ul style="list-style-type: none"> • Compensation for Loss of Land • Compensation for Loss of Structure without depreciation • Compensation for Loss of Trees/ crops • Compensation for Loss of other Removable Assets • Resettlement Assistance • Income Assistance • Occupational Grant for Artisan, Petty Shop keepers etc. • Skill Development Training Provisions • Subsistence Allowance for displaced families • Transportation Allowance for displaced families • Vulnerability Allowance for vulnerable families • Additional compensation for multiple displaced families
2	Non-Titled Lease Occupier	Same as the title holder, as specified above, but the compensation of land is provided to the legal Land Owner and other compensations provided to the Non-titled Lease occupier in either the cases through Direct Purchase or acquisition through LA Act.
3	Affected Families, who were provided with Govt. Land in previous resettlement ¹⁰	The families will be treated as owner of the land and <u>Direct Purchase Method</u>

¹⁰ In case of Class-II Land or conditional-ownership Land, necessary amount as per prevailing rules of Government of Maharashtra will be deducted from the total compensation payable to Land owner and said amount will be transfer to Government of Maharashtra.



Sl.	Category of Affected Family	Eligibility of Entitlement
		<ul style="list-style-type: none"> • Compensation at 25% extra of the compensation of loss calculated under sections 26 to 30 of the RFCTLARR Act 2013 through private negotiations with the Land Owner. • Loss of Livelihood for loss of any commercial structure <p><u>Acquisition under LA Act in lapse of Direct Purchase Method</u></p> <ul style="list-style-type: none"> • Compensation for Loss of Land • Compensation for Loss of Structure without depreciation • Compensation for Loss of Trees/ crops • Compensation for Loss of other Removable Assets • Resettlement Assistance • Income Assistance • Occupational Grant for Artisan, Petty Shop keepers etc. • Skill Development Training Provisions • Subsistence Allowance for displaced families • Transportation Allowance for displaced families • Vulnerability Allowance for vulnerable families • Additional compensation for multiple displaced families, equivalent to the amount of total compensation calculated as above
4	Squatter	<ul style="list-style-type: none"> • Compensation for Loss of Structure without depreciation • Loss of Commercial Structure • Subsistence Allowance for displaced families • Transportation Allowance for displaced families • Vulnerability Allowance for vulnerable families • Occupational Grant for Artisan, Petty Shop keepers etc.
5	Tenant	<ul style="list-style-type: none"> • Rental Allowances • Occupational Grant for Artisan, Petty Shop keepers etc. • Skill Development Training Provisions
6	Wage Earners/ Livelihood Losers	<ul style="list-style-type: none"> • Income Assistance • Skill Development Training Provisions • Occupational Grant for Artisan, Petty Shop keepers etc. • Vulnerability Allowance for vulnerable families
7	Kiosk	<ul style="list-style-type: none"> • Skill Development Training Provisions • Entitled for Transport Allowances
8	Wheeler/ Structures Daily	<ul style="list-style-type: none"> • No Eligibility of Entitlement



There shall be no income tax deductions in line with Sec. 96 of the RFCTLARR Act. In the event any deductions are made toward taxes, such amounts will have reimbursed.

Even after payment of compensation, PAFs 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 PAFs can take away the materials so salvaged within 15 days of their demolition; 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.

Updating Units of Entitlement: All units of entitlement and assistances will be revised by MRVC, based on Consumer Price Index for Agricultural Laborers (CPIAL) and communicated to all District Administration/LA Facilitation Agency for making payment as per the revised rates. The updating will be done annually in the month of March and will become effective from the 1st day of April of that year.

The Mumbai Metropolitan Regional Development Authority (MMRDA) will rehabilitate the Squatters and Encroachers in Government Land (Para 5 of Govt. Resolution MRD-3318/C.R. 06 (part 2)/UD-7 dated 5th Dec 2018 of Urban Development Department, Govt. of Maharashtra)

The MMRDA with assistance of MRVC will verify each of the Affected Squatter and Encroachers PAFs with their personal identification, family details, status of livelihood, the extent of project affection, eligibility on the project onset but before the demolition of structures.



8 COMPENSATION, INCOME RESTORATION AND REHABILITATION

8.1 Process of Direct Purchase

The State Government of Maharashtra opted for Direct Purchase of land through negotiations with the land owner, the route for speedy acquisition of small private land parcels required.

The Project will undertake land acquisition by Direct Purchase through negotiations with the land owners as per Govt. Resolution No. SANKIRNA-03/2015/Para.Kra.34/A-2 of the Revenue and Forest Department of Govt. of Maharashtra dated 12th May 2015.

The process of Direct Purchase Method is presented in **Table 8.1**.

Table 8.1: Process of Direct Purchase Method

Step	Process
Step 1	MRVC will prepare a Proposal showing details of the land to be acquired in each village. MRVC will submit the proposal to the respective District Collector.
Step 2	The District Collector will preliminary scrutinize the proposal and forward it to the concern SDO of the respective Tehsil. The District Collector will nominate the SDO as Land Acquisition Officer (LAO).
Step 3	The LAO will scrutinize the proposals in details and prepare Notice Number 1 with Village name, survey number of the land and area to be acquired from each survey number. It also includes name and address of concern officers of Revenue department associated with land acquisition. The Notice Number 1 will be published in the newspaper for public information.
Step 4	The LAO will also forward one copy of the proposal to Deputy Superintendent of Land Record (Dy. SLR), of respective Tehsil for Joint Measurement Survey (JMS) of Land to be acquired.
Step 5	The Dy. SLR office will scrutinize the proposal and fix a date of JMS. The Dy. SLR will issue notices to all Land owners for Joint Measurement Survey with request to be present at site on the date and time mentioned in the notice.



Step	Process														
Step 6	The Surveyor of Dy. SLR office will conduct Joint Measurement Survey of Land to be acquired, in the presence of Land owners. The officials of MRVC, the Land Acquiring authority, will also be present in the JMS.														
Step 7	The Dy. SLR office will then prepare detailed drawing of the Land, to be acquired, as per JMS and prepare detail statement showing area of the land to be acquired in each survey number. The statement will also include the names of the land owners, as per the land record.														
Step 8	The Dy. SLR will forward the plan and detailed statement to LAO for further processing.														
Step 9	<p>The LAO will forward the copies of the JM sheet and detailed statement to the concerned Agricultural officer, Forest officer, Public Works Department, Panchayat Samiti offices for valuation of Crops and fruit bearing trees, other trees, structures and Well/ bore wells respectively on the land to be acquired.</p> <p>The LAO will collect details of sale deeds executed in last three years, for similar lands in the adjoining areas, from concern Registrar. The LAO will also collect mutation entries from concern Revenue inspector in support of these sale deeds. All these details with JM sheets and detail statements will be shared with respective Town Planning officer for recommending rates of the Land and respective multiplier value.</p>														
Step 10	<p>A District level committee will be formed, by the District Collector, to finalize the rates of the lands. The committee will comprise of:</p> <table><tbody><tr><td>1. District Collector</td><td>- President</td></tr><tr><td>2. Superintending Engineer, Irrigation</td><td>- Member</td></tr><tr><td>3. Superintending Engineer, PWD</td><td>- Member</td></tr><tr><td>4. District Government Pleader</td><td>- Member</td></tr><tr><td>5. Assistant Director, Town Planning</td><td>- Member</td></tr><tr><td>6. Competent Authority of Acquiring Body</td><td>- Member</td></tr><tr><td>7. Concerned Deputy Collector (Land Acquisition)</td><td>- Member</td></tr></tbody></table> <p>The District level committee will finalize the rates of the land, to be acquired, based on the recommendation from the District Town Planning Officer</p>	1. District Collector	- President	2. Superintending Engineer, Irrigation	- Member	3. Superintending Engineer, PWD	- Member	4. District Government Pleader	- Member	5. Assistant Director, Town Planning	- Member	6. Competent Authority of Acquiring Body	- Member	7. Concerned Deputy Collector (Land Acquisition)	- Member
1. District Collector	- President														
2. Superintending Engineer, Irrigation	- Member														
3. Superintending Engineer, PWD	- Member														
4. District Government Pleader	- Member														
5. Assistant Director, Town Planning	- Member														
6. Competent Authority of Acquiring Body	- Member														
7. Concerned Deputy Collector (Land Acquisition)	- Member														



Step	Process
Step 11	<p>The Land rates will be finalized by District committee and valuation of all immovable properties on the land, viz., structures, trees, utilities etc. will be finalized by concerned officials.</p> <p>The LAO will finalize the compensation amount to be paid to the Land owner, by calculating as per the provision of Article no. 26 to 30 of land acquisition act 2013 & Schedule I, including other related features and additional 25% of amount for giving consent for Direct Purchase Method.</p> <p>The compensation payable will be $1.25 \times [2 \times \{(Base\ Rate \times Applicable\ Multiplication\ factor \times Area) + (Valuation\ of\ other\ assets)\}]$</p>
Step 12	<p>Authorized advocate and Government pleader will search for legal ownership of the Land. Ascertaining ownership of the Land, the LAO will publish notice in the local newspapers giving details of Land to be acquired with names of the Land owners.</p>
Step 13	<p>The LAO will conduct Negotiation Meeting with the Land owners and inform them the area of Land to be acquired and amount of compensation being paid.</p> <p>The consent of the Land owner is obtained for the purchase of the Land, if he agrees for the compensation.</p>
Step 14	<p>Once the Land owner gives consent, The LAO will prepare a note on the compensation amount to the MRVC.</p> <p>MRVC will transfer the amount to the LAO.</p> <p>The LAO will execute the Sale deed for purchase of Land by paying compensation through RTGS/ electronic fund transfer to the Land Owner and will take possession of the Land.</p>
Step 15	<p>The LAO will perform the Mutation of Land, i.e., transferring the ownership of the Land, in favour of MRVC, acquiring body. This will complete the process of Direct Purchase.</p>

Source: Data from MRVC



The land owner will have a maximum of three months' time to give consent from the date of application of direct purchase from the Government Agency. On lapse of the three months' time, the land will be acquired under compulsory acquisition.

The Supervision and documentation of the process of Direct Purchase will be done by a Qualified Party on a sample basis¹¹.

¹¹ In case supervision and documentation is done by third party, report will be validated by MMRDA



8.2 Land Acquisition through Railways (Amendment) Act 2008

In lapse of or in lieu of Direct Purchase Method, the land will be acquired through Railways (Amendment) Act 2008, as quadrupling of Panvel-Karjat Rail Corridor has been declared as Special Railway Project by the General Manager of Central Railway. The compensation of the Land Acquisition will then be calculated as per the provisions of RFCTLARR (Maharashtra) Act 2013 and RFCTLARR Act 2013.

8.3 Process of valuation of structures and assets with the land

The Schedule 29 of the RFCTLARR Act 2013 will be followed for the valuation of structures and other assets as specified in the Entitlement Matrix in the Resettlement Policy Framework of MUTP-III.

8.3.1 Valuation of structures

The valuation of the building/ structures or part of building/ structure affected, will be considered as replacement cost. MRVC will obtain the valuation at latest Schedule of Rates of PWD/ ready reckoner rate, without any depreciation, through the concerned division of the PWD.

If the structure is partly affected by the project and is non-feasible or unusable or the owner of the structure desires that the whole structure to be acquired, the authority will have the valuation for the total structure.

If the owner/ occupier would have, in their own interest, decide to retain the remaining part of the affected structure, provided that continuous use of such structure is possible without hazards, the retaining of the remaining structure will be allowed.

The compensation for any other immovable assets attached to the land and/ or buildings will be determined by a competent engineer or any other specialist in the relevant field, as may be considered necessary by the Collector.

Right to salvage materials in favour of the structure owner of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self.

8.3.2 Valuation of Trees, Crops etc.

The valuation of the Trees, standing crops, fruits bearing trees, flowering plants will be evaluated by a) Concerned Forest Department or similar authority for Timber trees, b) Concerned State Agriculture Extension Department or similar authority for standing crops



and c) Concerned Horticulture Department or similar authority for horticulture and/ or perennial trees.

Mumbai Rail Vikas Corporation Limited (MRVC) is the main implementing agency, responsible for all the technical aspects and overall execution of the Project.

MRVC will be supported by MMRDA for Resettlement and Rehabilitation of the Squatters and Encroachers, if any.

8.4 Inclusion of additional/ missed PAF

Any additional/ missed PAF, occurred through any unforeseen impacts caused by change of design or construction activities of construction or whoever missed in the baseline survey, have to prove his tenement in certain forms of: a) Tax Receipt on the affected land/ structure, b) Government issued photo Identity Card with address of the affected structure, c) any relevant license specifying the address of the affected structure and d) any other documentary evidence accepted by MRVC/ MMRDA.

If, missed/ additional PAFs found genuine during verification survey carried out by MRVC/ MMRDA and is confirmed/ approved by Grievance Redress Committee (GRC), the PAFs will also considered as being eligible.

8.5 Micro plan

This project does not have any Squatter or Encroacher affected, due to good design practices and by limiting the Corridor of Impact. But if any Squatter or Encroacher is identified during implementation, Micro plans for each Squatter and Encroacher PAFs, will be prepared by the MMRDA and verified and finalized by the MRVC.

The MMRDA will prepare the Micro Plan for each Squatter and Encroachers PAF, providing the eligibility and all entitlements including the details of Joint account of the Head of the Household with spouse and mention at least one Identification number from their respective Govt. Issued photo identity cards. The Micro plans will be verified and finalized by the MRVC.

The resettlement and rehabilitation award will be electronically remitted to the Joint Bank accounts of the PAF, mentioned in the Micro plan.



9 REHABILITATION AND RESETTLEMENT BUDGET

The Rehabilitation and Resettlement (R&R) budget based on provision of the entitlement defined in the Entitlement Matrix of the Resettlement Policy Framework (RPF) on the impacts identified in the Social Impact Assessment (SIA).

The project is acquiring land through direct purchase and the direct purchase amount will be 25% more of the compensation calculated as per the Section 26 to Section 30 of the RFCTLARR Act 2013. The direct purchase amount is being calculated as $1.25 \times [2 \times \{(\text{Base Rate} \times \text{Applicable Multiplication factor}^{12} \times \text{Req. Area}) + (\text{Valuation of other assets})\}]$

9.1 Estimated Cost of acquisition under direct purchase

6. The outcome of the Joint Measurement Survey (JMS) is the final list of private land owners on which land acquisition through direct purchase will be taken up. The land rates and the multiplication factor on the land have been estimated from respective authorities.
7. The cost of acquisition through direct purchase is estimated as Rs. 587.55 crore and presented in **Table 9.1** and the calculation of the base amount of land required is annexed as **Annexure 9.1**.

Table 9.1: Estimated Cost of Acquisition through Direct Purchase

Sl.	Item	Area/ Nos.	Unit	Rate (Rs./ Unit)	Base Amount	Factor	Amount after Multiplication (Rs.)
A	Pvt. Rural Land	57.148	Ha		2,00,97,32,175.00	1.00	2,00,97,32,175.00
B	Pvt. Urban Land		Ha			1.00	
C	Base Cost of Pvt. Land (A + B)	57.148	Ha				2,00,97,32,175.00
D	Cost of Structure	21,969	sqm	15,000.00	32,95,35,000.00		32,95,35,000.00
E	Cost of Tree	1,722	Nos.	5,000.00	86,10,000.00		86,10,000.00
F	Cost of Bore well	31	Nos.	75,000.00	23,25,000.00		23,25,000.00
G	Total (C + D + E + F)						2,35,02,02,175.00
H	Solatum (100% on G)						2,35,02,02,175.00
I	Cost of Acquisition (G + H)						4,70,04,04,350.00
J	Compensation for consent of Direct Purchase (25% on I)						1,17,51,01,087.50

¹² Applicable Market rate will vary within 1.00 to 2.00 and will be fixed by the respective Assistant Director of Town Planning.



Sl.	Item	Area/ Nos.	Unit	Rate (Rs./ Unit)	Base Amount	Factor	Amount after Multiplication (Rs.)
Cost in Direct Purchase (I + J)							5,87,55,05,437.50

9.1.1 R&R Assistance under direct purchase

The R&R Assistance under direct purchase is the additional compensation for consent of direct purchase, calculated @ 25% on the total compensation amount of affected assets, calculated as per Section 26 to 30 of RFCTLARR Act 2013 (Row I of the above table).

In addition to the amount for consent, the Livelihood Assistance is payable at Rs. 30,000 per household losing commercial structure. **Table 9.2** estimates the Livelihood Assistance for the affected families.

Table 9.2: Estimated Livelihood Assistance

Sl.	R&R Component	Unit	Rate	PAF	Amount (Rs.)
1	Loss of Livelihood	Family with affected Commercial structure	30,000	1	30,000
Total R&R Assistance					30,000

8. The total R&R assistance to the affected families for this project is Rs. 117.51 crore.

9.1.2 Estimated cost for required Government land

9. The outcome of the JMS is, 8.374 Ha of Government land and 9 structures, 129 trees in the land, are required for the project. The calculation of the base cost of Government Land is annexed in **Annexure 9.1**. The cost for transfer of required government land is estimated as Rs. 22.53 crore and presented in **Table 9.3**.

Table 9.3: Estimated Cost of transfer of Government Land

Sl.	Item	Area/ Nos.	Unit	Rate (Rs./ unit)	Amount (Rs.)
A	Govt. Land	8.374	Ha		9,97,26,624.29
B	Cost of Structure	2,048	sqm	15,000.00	3,07,20,000.00
C	Cost of Tree	101	Nos.	5,000.00	6,45,000.00
D	Cost of Well/ Borewell	1	Nos.	75,000.00	75,000.00
Total (A + B + C)					13,11,66,624.29

**9.1.3 Estimated cost for CPR**

There are 3 CPRs affected for the project. The cost for CPR is estimated as Rs. 0.32 crore and presented in **Table 9.4**.

Table 9.4: Estimated Cost of CPR

Sl.	Item	Area/ Nos.	Unit	Rate (Rs./ unit)	Amount (Rs.)
A	Cost of CPR	215	Sqm	15,000	32,25,000
Total (A + B + C)					32,25,000

9.1.4 Cost of Implementation Arrangement

The lump sum budget which includes salary of the key professionals, sub-professionals, office staff, field staff, vehicle cost, vehicle running cost, training and workshop expenses, office equipment expenses, rent of the office, stationery, overhead expenses and miscellaneous expenses etc. is estimated at Rs. 0.78 crore in **Table 9.5**.

Table 9.5: Cost of Implementation Arrangement

Sl.	Component	Unit Rate	Quantity	Amount (Rs)
1	Documentation of Direct Purchase Process	3,00,000.00	1	3,00,000.00
2	RAP Implementation Agency/ Consultant	50,00,000.00	1	50,00,000.00
3	Monitoring and Evaluation consultants	15,00,000.00	1	15,00,000.00
4	Administrative expenses (GRM, field trips)	10,00,000.00	1	10,00,000.00
Total Cost of Implementation				78,00,000.00

9.1.5 Total Rehabilitation & Resettlement Cost

The R&R budget for the project road is estimated to be around Rs. 692.03 crore and the summary of estimated budget is given in **Table 9.6**.

Table 9.6: Total R & R Cost

Sl.	Component	Amount (Rs.)	Reference
1	Estimated cost of Acquisition through Direct Purchase	5,87,55,05,437.50	Table 9.1
2	Estimated cost of Transfer of Government Land	13,11,66,624.29	Table 9.3
3	Estimated cost of CPR	32,25,000.00	Table 9.4
4	Estimated cost of Livelihood Assistance	30,000.00	Table 9.2
5	Estimate cost of Implementation Arrangement	78,00,000.00	Table 9.5
Acquisition and R&R Estimate		6,01,76,52,061.79	



Sl.	Component	Amount (Rs.)	Reference
	Add Contingency @ 15%	90,26,47,809.27	
	Total R&R Cost	6,92,02,99,871.06	

9.2 Resettlement Budget Source

MRVC has made 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 RAP. The cost of the project is shared by Ministry of Railways and Government of Maharashtra in ratio of 50:50.

The cost of social safeguards management including LA and R&R has been budgeted as part of the overall project costs. While the cost of LA and R&R shall be met with Government of India funds, the cost for capacity building, training, technical audit, has been budgeted under AIIB loan funds.



10 INSTITUTIONAL ARRANGEMENTS

10.1 Implementation Arrangements

Mumbai Rail Vikas Corporation Limited the main implementing agency is responsible for the technical aspects and overall execution of the Project. In cases of Direct Purchase, MRVC is the responsible organization. The direct purchase of land and structures will be done through District Administration. In the case of resettlement and rehabilitation of the squatters and encroachers, MRVC will be supported by MMRDA.

10.2 Mumbai Rail Vikas Corporation Limited (MRVC)

The Chairman and Managing Director (CMD) is the highest authority in MRVC for planning and execution of all projects. The CMD will have overall responsibility for policy guidance, coordination and planning, internal monitoring and overall reporting of the Project

The Director Project (DP) is the next hierarchical position, after CMD, in MRVC. The DP is the Chief Executive of the project and is responsible for successful implementation of the various project components including RAP. The responsibilities of DP include:

- Coordination with the Railway Board and relevant state government authorities on land acquisition, R&R entitlements and other social components.
- Report the progress in RAP implementation to CMD, MRVC, Report to Railway Board about progress in LA and R&R, Monitor progress of R&R with CPMs.
- Ensure timely release of money to respective District Collectors offices required for RAP implementation and
- Take up with CMD for issues to be resolved at the Railway Board (MOR).

The Director Project will be assisted by Chief Project Managers (CPM)s. There are two CPM positions under DP, CPM-I is in charge of the Panvel-Karjat stretch in Central Railway and CPM-II is in charge of Virar-Dahanu stretch in Western Railway. The Chief Project Manager (CPM) offices are looking after the overall land acquisition work with support from a Land Acquisition Consultant Agency and Social Consultancy Agency for the Virar-Dahanu and Panvel-Karjat sections respectively.

The Deputy Chief Project Managers will be responsible at field level for the acquisition of land and resettlement and rehabilitation of the affected families.



At the Head Office, Social & Environmental (SE) Cell has been created. The SE Cell will report to both the Deputy CPMs for respective operations. The Social & Environment Cell (SE Cell) has been further divided into, a) Public Relation (PR) Department, b) Social Cell and c) Environment Cell.

The Social Cell is staffed with Social Scientists to look after Land Acquisition and Rehabilitation and Resettlement process for both Virar-Dahanu and Panvel-Karjat sections.

10.2.1 Environmental and Social Cell of MRVC

The Social Cell of MRVC will assist the respective Deputy CPMs in preparation of the Resettlement Plan Framework, Social Impact Assessment and Resettlement Plan. MRVC Social Cell will also ensure that views of the DPs, particularly those vulnerable and women, related to the resettlement process are considered and addressed and further such groups are informed about the outcome of the decision-making process.

Specifically, the Environmental and Social Cell will:

- Coordinate with agency contracted for preparation of Resettlement Plan Framework (RPF), Social Impact Assessment (SIA) and Resettlement Plan (RAP) for different sections of the project.
- Assist Dy. CPM offices in matters related to resettlement and rehabilitation;
- Identify training needs and develop and ensure delivery of training modules for project staff and other functionaries on managing social aspects of the project.
- Prepare project related information brochures, press briefings, and related communication material;
- Report to Dy. CPM about the progress in LA and R&R, and
- Prepare periodic reports on progress on social aspects

10.3 Mumbai Metropolitan Regional Development Authority (MMRDA)

MMRDA shall look into the resettlement and rehabilitation activities for squatters and encroachers. The MMRDA shall work closely with MRVC for better coordination and implementation of R&R activities.

10.4 Third Party Monitoring Agency for Environment and Social

The MRVC will engage a Third Party Monitoring agency for Environment and Social monitoring of the project. This Third Party will submit bi-annual Social and Environment monitoring reports. The Third Party will monitor the R&R Implementation of the SIA/RAP



of the MUTP-III projects of Virar-Dahanu and Panvel-Karjat sections. The Third Party will also perform mid-term and end term evaluation study.

10.5 Independent External Agency

MRVC will engage one Independent agency to conduct the evaluation of the process of land acquisition through negotiated settlement, willing buyer-willing seller process, etc. This is a one-time engagement and will be conducted while the land acquisition process is under progress. The Consultant will essentially document the process.

10.6 Role of Stakeholders

The role of stakeholders for Implementation of RAP is presented **Table 10.1** and the Institutional framework for RAP implementation is presented in **Figure 10.1**.

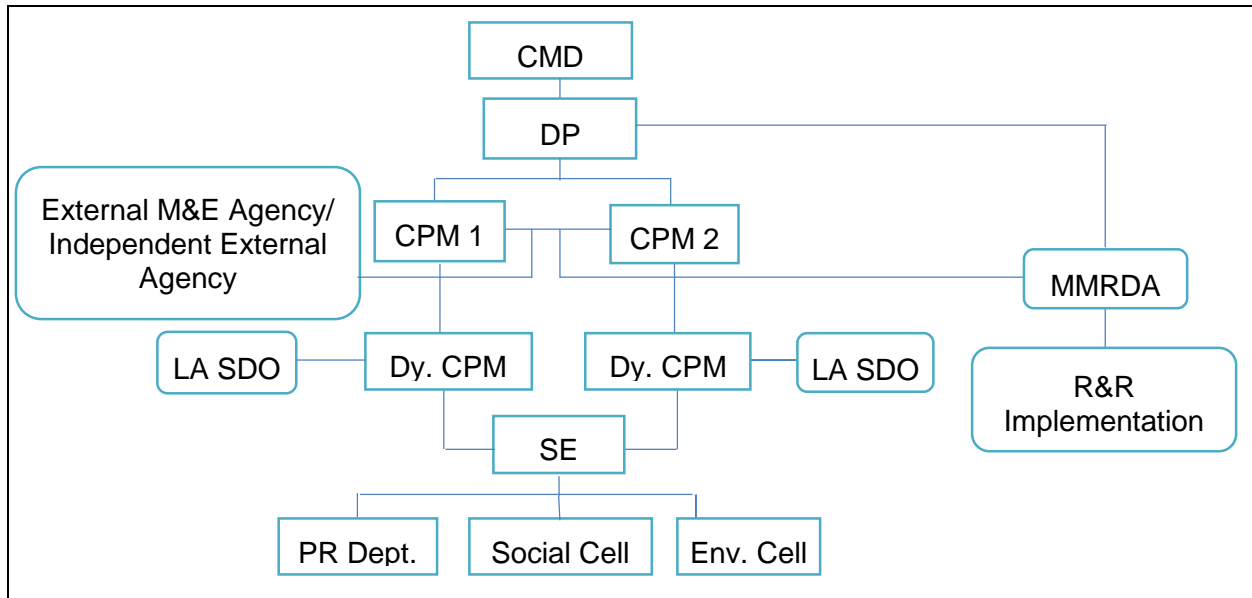


Figure 10.1: Proposed Institutional Arrangement of RAP Implementation

Table 10.1: Role of Stakeholders for Implementation of RAP

Position	Responsibilities
MRVC	<ul style="list-style-type: none"> • Overall planning and supervision of all project activities; • Exercise of administrative approval for finance & execution of related activities; • Acquisition of land through District Administration



Position	Responsibilities
	<ul style="list-style-type: none">• Coordination with AIIB, Govt. of India, Govt. of Maharashtra and other concerned agencies.• Supervision and control over the Managers, Officers and support staff in MRVC;• Prepare and submit all reports and communication;• The responsibility of the Environmental & Social Cell includes:<ul style="list-style-type: none">✓ Review and validate RAP, Micro Plan and any other E&S documentation required by the Project.✓ Prepare Progress Reports✓ Disclosure of information and liaison with external agencies
MMRDA	<ul style="list-style-type: none">• Implementation of the Resettlement Action Plan and Rehabilitation of the project affected families (Encroachers and Squatters on government land)• In case of application of LARRA 2013, R&R activities will be conducted by MMRDA• Supervision and documentation of the process of Direct Purchase on a sample basis¹³
Public Relation Unit, MRVC	<ul style="list-style-type: none">• Coordinate with Social Cell in information sharing on R&R activities of the project;• Ensure availability of information to PAFs and other stakeholders with active support from MMRDA;• Coverage of progress of R&R activities in the print and electronic media.
Grievance Redress Committee (GRC)	<ul style="list-style-type: none">• Field level GRC will address grievances by scrutinizing documents and addressing concern with direct communication.;• Head Quarter Level GRC will review decisions of field level GRC on grievance petitions filed by PAFs
Third Party Monitoring Agency for Social and Environment Monitoring	<ul style="list-style-type: none">• Will carry out Monitoring of the RAP/SIA implementation.• Will carry out mid-term and end term evaluation;• Review the implementation in reference to the targets, budget and duration that had been agreed to as a part of mid and end term review.
Independent External Agency	<ul style="list-style-type: none">• Will conduct the evaluation of the process of land acquisition through negotiated settlement, willing buyer-willing seller process, etc. This will be done while the land acquisition is in progress.

¹³ In case supervision and documentation is done by third party, report will be validated by MMRDA



10.7 District Administration

The primary concern of the district administration is to ensure public safety, the protection of citizens and all their rights. It comprises the maintenance of law and order and the administration of criminal and civil justice.

The foremost task of a District Collector, as the head of the revenue administration of the district, is the assessment and collection of land revenue and distribution of compensations for land.

They shall be responsible to undertake the following:

- Facilitate the acquisition of identified land with the respective CPM offices;
- Negotiate, initiate and finalize the process of the requirement of land through Direct Purchase, if opted from the MRVC;
- Conduct acquisition of land under LARRA 2013, in case assembly of land under Direct Purchase is not successful;
- Provide necessary support in identification of alternate Resettlement sites and layout preparation, if any, are required to resettlement displaced PAFs and other common property resources;
- Provision of necessary clearances and other support as necessary to develop infrastructure at resettlement site;
- Enable conducting of public meetings;
- Support the relocation process as required;
- Provide necessary support to GRM through nomination of officials in the GRC and
- Provide necessary support during project's construction stage.



11 IMPLEMENTATION SCHEDULE

11.1 Implementation Schedule

The Construction of Double line suburban corridor of Panvel-Karjat will commence from October 2019 and will take about 5 years thereafter to complete.

The implementation schedule for RAP will be linked to the overall project implementation programme. All activities related to the land acquisition and resettlement shall be planned to ensure that compensation and R&R component is completed or at advance stages of completion prior to commencement of civil works.

Project preparatory stage involves the draft SIA and final SIA preparation activity. The major activities performed in this period include consultation with the stakeholders, Census and Socio-economic survey, to identify the PAFs and their socio-economic status prior to implementation of project.

The preparation of RAP will include finalization of the entitlements and eligibility of the affected persons identified in the SIA in accordance with the Entitlement Matrix and guidance of the RPF. The RAP will also include Resettlement budget and institutional arrangement for implementation of RAP. The RAP, at this stage, needs to be approved and disclosed to the PAFs. Upon the approval of RAP, the payment of compensation and allowances R & R benefits will be disbursed as per the approved RAP.

The RAP Implementation Schedule is presented in **Table 11.1**.



Table 11.1: Proposed Implementation Schedule

Activities	Year	Yearly & Quarterly Progress																					
		2015-16				2016-2017				2017-2018				2018-2019				2019-2020				2020-2021	
Quarter		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4		
Inception of Project																							
Assessment & feasibility																							
Preparation of DPR																							
Public consultation																							
Baseline survey for SIA & RAP																							
Consultation with PAP's																							
Disclosure of RPF & SIA/RAP																							
RAP Implementation Stage																							
Consultation & negotiation with PAP's																							
Disbursement of compensation to PAP's																							
Delivery of R&R entitlements		NIL																					
Shifting & land clearance																							
Internal M&E																							
External Evaluation																							

Note: As there are no squatters in this corridor there won't be any resettlement and rehabilitation entitlements.



The major activities related to the implementation of the Resettlement Action Plan (RAP) are related to impacts on land, structures, CPRs etc. The project will provide requisite notice two months (for vacating structure) and 3 months (for harvesting standing crops/fruits etc.) or suitable compensation to the project affected persons so that they are able to move or take away their assets without undue hardship before the commencement of civil works. The implementation of RAP consists of the following major activities:

- Deployment of required staffs;
- Information dissemination activities by holding consultations, awareness generation materials (leaflets, flyers, handbills, etc. containing salient features of the project, entitlement matrix, the role of GRC, etc.) in Marathi,
- Verifying list of PAPs identified during survey during the project preparation;
- Confirming the status of PAPs (titleholder, encroacher, squatter, etc.),
- Joint Measurement Survey of affected Land
- Measurement and valuation of structures affected,
- Preparation of Micro Plan,
- Checking and vetting of the Micro Plan by CPM office,
- Disbursement of compensation and R&R assistance to PAPs,
- Relocation and rehabilitation of PAPs,
- Conduct consultations with the local community for rehabilitation and relocation of CPRs

11.2 Consultations and Social Impact Assessment

In order to engage with the community and enhance public understanding on the Project and address the issues pertaining to resettlement, various sections of PAFs and other stakeholders have been consulted, while carrying Social Impact Assessment and Census and Socio-economic surveys. The feedback and suggestions of the impacted and those having interest in the project, are recorded through various consultations. Their suggestions, wherever feasible, have being incorporated in the RAP and designs.

The consultation process established for the project has employed and will continue to employ a range of formal and informal consultative methods. Different techniques of consultation with stakeholders are proposed during project preparation, such as group/community level consultations, in-depth interviews, public meetings, and focus group



discussions. Particular attention will be paid to the need of the disadvantaged or vulnerable groups, especially those below poverty line, the landless, the elderly, female headed households, women and children, and those without legal title to land.

The Social Impact Assessment includes verification of the affected land, affected structures, Census Survey of the affected families, sample socio-economic survey, survey of the affected Common Property Resources and preparation of a Social Impact Assessment Report.

The Scheduled Tribes, being affected for the project, have been consulted and the Social Impact Assessment has verified if they are Indigenous or in the main stream. It is found that the affected ST families are not indigenous and are part of the main stream population. Hence No Indigenous People Development Plan is required for this project.

11.3 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 co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of cleared Corridor of Impact sections to the contractors. The project will provide adequate notification, counseling and assistance to affected people so that they are able to move or give up their assets without undue hardship before commencement of civil works only after receiving the compensation. The bid documents will specify the extent of unencumbered land at the time commencement of works and subsequent milestones and this will be strictly followed to ensure that land is provided on a timely basis to the contractors and also plan implementation of land acquisition and resettlement in line with procurement and civil work time table.



12 MONITORING & EVALUATION

Monitoring and Evaluation are critical activities in involuntary resettlement. Monitoring involves periodic checking to ascertain whether activities are progressing as per schedule while evaluation is essentially to assess the performance of R&R implementation outcome vis-à-vis baseline status based on the key indicators. For this purpose, a monitoring and evaluation (M&E) will be carried out by MRVC through a third party Monitoring agency. The third party Monitoring agency will conduct bi-annual Monitoring and report on the findings. However, the objective of conducting monitoring and evaluation is to assess the efficiency and efficacy in implementation activities, impact and sustainability, drawing lessons as a guide to future resettlement planning.

Monitoring will give particular attention to the project affected vulnerable groups such as scheduled castes, scheduled tribes, BPL families, women headed households, widows, old aged and the disabled. RAP implementation will be monitored internally. MRVC will be responsible for internal monitoring through their field level officers and Social Cell and will prepare quarterly reports on the progress of RAP implementation. An Independent Evaluation Consultant will be hired by MRVC RAP to supervise and document the process of direct purchase of land. A qualified third party monitoring agency will be engaged for review of Environmental and Social safeguards measures for the project.

12.1 Internal Monitoring

The internal monitoring for RAP implementation will be carried out by MRVC. The main objectives of internal monitoring are to:

- Measure and report progress against the RAP schedule;
- Verify that agreed entitlements are delivered in full to affected people;
- Identify any problems, issues or cases of hardship resulting from the resettlement process, and to develop appropriate corrective actions, or where problems are systemic refer them to the management team;
- Monitor the effectiveness of the grievance system
- Periodically measure the satisfaction of project affected people.

Internal monitoring will focus on measuring progress against the schedule of actions defined in the RAP. Activities to be undertaken by the MRVC will include:

- Liaison with the MMRDA, construction contractor and project affected communities



to review and report progress against the RAP

- Verification of land acquisition and compensation entitlements are being delivered in accordance with the RAP;
- Verification of agreed measures to restore or enhance living standards are being implemented;
- Verification of agreed measures to restore or enhance livelihood are being implemented;
- Identification of any problems, issues, or cases of hardship resulting from resettlement process;
- Through household interviews, assess project affected peoples' satisfaction with resettlement outcomes;
- Collection of records of grievances, follow up that appropriate corrective actions have been undertaken and that outcomes are satisfactory;

Monitoring is a continuous process and will be carried out by field level officers of the Social Cell on regular basis to keep track of the RAP implementation progress. The Social Cell will conduct a separate monitoring exercise after 6 months of resettlement of affected persons to evaluate the livelihood recovery of the PAFs, particularly project affected vulnerable groups. If, after the evaluation it is observed that the PAFs need further assistance to reestablish and recover their livelihood or are finding difficulty in the new job and environment, Social Cell will provide necessary support to address this. Indicative RAP implementation monitoring indicators are presented in **Table 12.1**.

Table 12.1: Indicators for Monitoring of RAP Progress

Indicators	Parameters Indicators
Physical	Number Micro Plans prepared and distributed Number of structures dismantled Number of owners paid compensation Number of families affected Number of PAFs receiving assistance/compensation Number of PAFs provided transport facilities/ shifting allowance Number of PAFs whose land is acquired Number of PAFs received developed land, if any
Financial	Amount of compensation paid for land/ structure



Indicators	Parameters Indicators
	Amount of allowances paid to PAFs
Social	PAFs knowledge about their entitlements Benefits to Vulnerable population
Economic	Entitlement of PAFs No. of PAFs provided with skill training No. of PAFs provided with support for income restoration
Grievance	Number of community level meeting Number of GRC meetings Number of cases disposed by GRC to the satisfaction of PAFs Number of grievances referred and addressed by GRC

Socio-economic survey and the land acquisition data provide the necessary benchmark for field level monitoring.

12.1.1 Reporting Requirements

MRVC will be responsible for supervision of implementation of the RAP. The internal monitoring and reporting structure shall be followed as:

- The Social Cell will submit monthly progress report to CPM the first week of each following month.
- Half Yearly progress report prepared by MRVC will be submitted to AIIB.

12.2 Third Party Monitoring Agency for Social and Environment Monitoring

The MRVC will engage a Third Party Monitoring Agency for environment and social monitoring of the project. The Third Party will carry out the following tasks with regard to environmental and social monitoring:

- Observe the functioning of the resettlement operation at all levels in order to assess its effectiveness and compliance with the SIA/RAP;
- Review the adequacy of resettlement planning carried out under the project;
- Review and verify internal monitoring by Implementing Agency;
- Carry out sample interview of Affected Persons to check delivery of compensation and assistance as per eligibility based on project entitlement; and suggest remedial measure
- Carry out public meetings and assess involvement of people in resettlement



implementation process; Observe public consultation for APs; review the documentation of consultations held by implementing NGO;

- Check the type of grievance issues and the functioning of grievance redress mechanisms by reviewing process of appeals at all levels and interviewing aggrieved APs
- Review the functioning of the institutional mechanism and resettlement operation proposed in the SIA/RAP;
- Develop Monitoring Indicators to monitor the implementation of resettlement and social activities planned under the project;
- Identify gaps in implementation and suggest the corrective action plan; advise MRVC regarding possible improvements in implementation of the SIA/RAP
- Certify that the RP implementation activities are completed so that civil works on the project can start; Prepare the semi-annual external monitoring reports
- Monitor implementation of the Environmental Management Plan for all construction works in the project
- Carry out Mid Term and End Term Evaluation study, as necessary
- Conduct bi-annual E&S monitoring and submit bi-annual E&S Monitoring report.

12.3 Independent External Agency

The Independent agency will evaluate the process of land acquisition in the project. This will be a one-time engagement. This evaluation will be conducted while the land acquisition process is under progress.

12.4 Reporting Requirements

MRVC will be responsible for supervision of implementation of the RAP. The internal monitoring and reporting structure shall be followed as:

- The Social Cell will submit monthly progress report to CPM the first week of each following month.
- Half Yearly progress report prepared by MRVC will be submitted to AIIB.

MRVC will also engage an independent agency for Independent Evaluation of RAP implementation in of MUTP-III project. The Consultant will submit two reports to determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored or enhanced and suggest suitable recommendations for



improvement. The first report will be submitted after half way through the RAP implementation and the second report will be submitted six months after the implementation of RAP activities.

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