

# Resettlement Framework

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## India: Haryana Electric Bus Project

Prepared by Indus Environmental Services Private Limited and Private Limited for the Asian Development Bank (ADB).

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June 2024

# Resettlement Framework

Electric Bus Financing Project

*SUBMITTED TO -*  
**Asian Development Bank**

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## RESETTLEMENT FRAMEWORK

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## A. Introduction

The Asian Development Bank (ADB) is proposing to finance the [REDACTED] Electric Bus Financing Project with two (2) Special Purpose Vehicles (SPV) namely [REDACTED] and [REDACTED] (collectively called the Borrowers / client) are the borrowers. The SPVs are formed to implement a Gross Cost Contract (GCC) concession with the Haryana and Odisha State Transport Undertaking (STU) respectively to supply, operate and maintain 450 electric buses and charging infrastructure in the State of Haryana and 200 electric buses and charging infrastructure in the State of Odisha for the tenure of the concession (or “[REDACTED] Electric Bus Financing Project” or “The Project”). The two (2) SPVs or the borrowers are wholly owned by [REDACTED] which in turn is an 83% subsidiary of [REDACTED] (the Sponsor).

The STUs of the two states shall execute GCC agreement with the Borrowers. Under the GCC Agreement, the Borrowers or the Operators would be paid a fixed annual fee per km and the buses would be operated intracity in the State of Odisha and short route intercity in the State of Haryana. The Concession period is 12 years from commissioning for the State of Haryana and 10 years from commissioning for the State of Odisha. ADB will provide ordinary capital resources senior secured loan which will be used by the borrowers to finance the Project.

This Resettlement Framework (RF) has been prepared for [REDACTED] Electric Bus Financing Project, considering the Borrower i.e., [REDACTED], responsible for implementing the GCC agreement to be executed with *Directorate of State Transport, Haryana (or the Authority)* in the *State of Haryana*. The Agreement is yet to be executed with the Authority. However, the Authority has granted a letter vide memo no 5105/ SPA-1/Tech dated 15<sup>th</sup> November 2023 stating that [REDACTED] has been authorised to execute the Project for the Contracted period for operation and maintenance of 375 units of 12-meter standard floor AC electric buses under the project as per the terms and conditions of RFP dated 20<sup>th</sup> September 2022 and subsequent amendments. The Authority has allocated following depots for allocation of 375 units of electric buses in a phased manner.

- *Depot 1 – Panipat for 50 electric buses (location disclosed as Old Bus Depot GT Road, Panipat, Haryana 132103)*
- *Depot 2 – Yamuna Nagar / Jagadhri for 50 electric buses (location disclosed as Jagadhri Bus Stand Chowk, Jagadhri - Yamuna Nagar Rd, Gandhi Dham Colony, Roop Nagar Colony, Jagadhri, Haryana 135003)*
- Depot 3 – Karnal for 50 electric buses (exact location yet to be disclosed)
- Depot 4 – Horsa for 50 electric buses (exact location yet to be disclosed)
- Depot 5 – Rohtak 50 electric buses (exact location yet to be disclosed)
- *Depot 6 – Panchkula for 50 electric buses (location disclosed as Panchkula Bus Depot, Sector-5, Panchkula-134109, Haryana)*
- Depot 7 – Sonapat for 75 electric buses (exact location yet to be disclosed)
- Depot 8 – Ambala for which electric bus units and location are not disclosed
- Depot 9 – Rewari for which electric bus units and location are not disclosed

The Authority is responsible for the identification and allotment of land for the project. The renovation and or construction of the depot facilities is also part of the Authority’s responsibility. The Authority shall provide a parking space or depot to park the contracted buses for the entire contract period and carry out maintenance and charging activity and office space in accordance with the terms of the GCC

agreement. The parking space or depot shall be handed over to [REDACTED] by executing a separate Parking Space License Agreement and shall be leased on depot rental charge basis. The Ownership of the parking space shall remain vested solely with the Authority at all times and [REDACTED] shall be responsible to maintain the area of the bus depot.

While the locations of the depots are known, these have not been subjected to due diligence as land has not yet been formally allocated and turned over to the project. As such, this RF has been developed to provide a framework to review and assess potential involuntary resettlement impacts of the construction/development and operation of the depots.

## B. Objectives, Policy Framework, and Entitlements

This Resettlement Framework (RF) has been prepared conforming to the Indian National & State specific laws & regulations, and the ADB's Safeguard Policy Statement (SPS), 2009. The resettlement framework describes the principles and approach in avoiding, minimizing, and mitigating adverse social impacts that may arise in the construction/development and operation of the 9 depots in Haryana, which is part of the proposed [REDACTED] Electric Bus Financing Project. This Framework will cover 2 major scenarios: (a) land has already allocated for the depot; and (b) land has yet to be identified, acquired and for allocation to [REDACTED] for the construction/development of the depots.

The RF outlines the objectives, policy principles, and procedures for land acquisition & resettlement, compensation, and other assistance measures in case of involuntary resettlement impacts due to the construction/development and operation of 9 depots, under the project. The framework includes guidance on screening and categorization, assessment, planning, grievance redress mechanism, institutional arrangements, and processes to be followed for the entire investment project.

The involuntary resettlement safeguards objectives governing resettlement planning and implementation under the project are to:

- Avoid involuntary resettlement wherever possible;
- Minimize involuntary resettlement by identifying non-displacing or least displacing subproject and design alternatives;
- Improve, or at least restore, the livelihoods of all displaced persons;
- Improve the standards of living of the displaced persons including vulnerable groups; and
- Ensure all compensation and resettlement assistance is paid prior to displacement.

[REDACTED] will be responsible for (i) conducting the social assessment which includes an audit of the actions taken by the Authority to clear the land of any encroachment prior to handing over to [REDACTED], and (ii) if deemed necessary, the development of Resettlement Plans (RPs) (see Appendix 2 for Outline) and/or Livelihood Restoration Plans (LRPs) (see Appendix 3 for outline) for the two depots, based on the findings of screening, categorization and assessment, as per the procedures outlined in this RF. The draft RPs/LRPs, if required, will be disclosed to the affected persons and submitted to ADB for review and approval prior to commencement of depot construction. Compensation and other assistance will be paid to Project Affected Peoples (PAPs) prior to any physical or economic displacement.

### B.1 Policy and Legal Framework

The policy framework and entitlements for the [REDACTED] Electric Bus Financing Project specific to development/construction and operation of depots or any other project facility in the State of Haryana are based on a combination of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARRA) 2013, The Right to Fair Compensation and

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Transparency in Land Acquisition, Rehabilitation and Resettlement (Haryana Amendment) Act, 2017 and ADB's SPS 2009 requirements. The salient features of legal frameworks are summarized in the following sub-sections.

### **B.1.1 The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARR) Act 2013:**

RFCTLARR 2013 is a comprehensive piece of legislation in India designed to ensure a humane, participative, informed, and transparent process for land acquisition, providing just and fair compensation to the affected families, and ensuring adequate provisions for rehabilitation and resettlement. The Act applies to all land acquisitions by the government for its own use, control, and public-private partnerships, including acquisitions for private companies if a public purpose is involved. The key features of the Act are outlined below. This Act will be applicable in case of any private land is acquired by the [REDACTED] Electric Bus Financing Project.

**Consent Requirement:** For land acquisition for private companies, consent of at least 80% of the affected families is required. For public-private partnership projects, consent of at least 70% of the affected families is required.

**Social Impact Assessment (SIA):** Mandatory SIA study to assess the impact of the proposed project on the social fabric of the area. The SIA report must be made available to the public and discussed in a public hearing.

**Fair Compensation:** Compensation is calculated based on market value, multiplied by a factor of up to 2 in urban areas and up to 4 in rural areas, along with solatium and additional benefits. Compensation includes not only the market value of the land but also the value of structures, trees, crops, and other assets on the land. The Act stipulates that a solatium equal to 100% of the market value of the property, including the value of assets, should also be paid.

**Rehabilitation and Resettlement (R&R):** Comprehensive R&R package for affected families, including housing, employment, subsistence allowance, and transportation costs. Special provisions for Scheduled Castes and Scheduled Tribes, including additional financial benefits and land-for-land compensation where possible.

**Retrospective Application:** Applies retrospectively to cases where no land acquisition award has been made or where the acquired land has not been taken possession of before the commencement of the Act.

**Resettlement Areas:** Development of resettlement areas with adequate infrastructure and amenities such as schools, healthcare facilities, and roads.

**Institutional Mechanisms:** Establishment of a National Monitoring Committee and State Monitoring Committees to ensure compliance with the Act. Appointment of an Administrator for R&R to oversee the implementation of R&R provisions.

**Grievance Redressal:** Formation of Land Acquisition, Rehabilitation and Resettlement Authority at the district level to address grievances and disputes related to land acquisition and R&R. Provision for appeal against decisions of the Authority.

**Special Safeguards for Tribal Communities:** Prohibition of land acquisition in Scheduled Areas without the consent of the Gram Sabha or the Panchayat. Protection against alienation of tribal land.

**Transparency Measures:** Detailed records of land acquisitions, compensations, and R&R packages to be maintained and made available to the public. Mandatory public disclosure of information throughout the land acquisition process.

**Time-bound Processes:** Specific timelines prescribed for various stages of the land acquisition process, including SIA, preliminary notification, and final declaration of award.

### **B.1.2 The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Haryana Amendment) Act, 2017**

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Haryana Amendment) Act, 2017 introduces specific modifications to the central legislation, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, tailored to the context of Haryana. Salient features of the Act are provided below:

- The RFCTLARR Haryana Amendment Act, 2017, retains the core objectives of the central legislation to ensure fair compensation, transparency in the land acquisition process, and adequate rehabilitation and resettlement for affected persons. The amendment introduces key changes to streamline the land acquisition process and address specific local requirements. One significant modification is the reduction of the period for the return of unutilized land. While the central Act mandates that land not utilized within five years should be returned to the original owners, the Haryana amendment reduces this period to three years. This change aims to ensure that land acquired for public purposes is utilized promptly, or else it is returned to the original owners more quickly.
- The amendment also modifies the consent clause for private projects and public-private partnerships (PPPs). Under the central Act, the consent of 80% of affected families is required for private projects and 70% for PPPs. The Haryana Amendment Act, however, exempts certain categories of projects from this consent requirement, particularly those related to national security or defense, rural infrastructure including electrification, affordable housing and housing for the poor, industrial corridors, and infrastructure projects such as those under public-private partnership where the ownership of land continues to vest with the government. This aims to facilitate the implementation of key development projects without significant delays.
- Furthermore, the Haryana amendment introduces changes to the Social Impact Assessment (SIA) process. It provides for a faster completion of the SIA, reducing the time frame from six months to two months. This change is intended to expedite the land acquisition process while still ensuring that social impacts are assessed and addressed. The amendment also simplifies the process for the acquisition of land for urgent projects. It allows for the temporary occupation and use of any waste or arable land for public purposes, bypassing some of the more cumbersome procedural requirements of the central Act. This is designed to ensure that urgent projects can proceed without unnecessary delays.
- In addition, the amendment provides for enhanced compensation and rehabilitation measures specific to Haryana. It ensures that affected families receive compensation that is at least four times the market value of the land in rural areas and twice the market value in urban areas, consistent with the central Act but with specific enhancements and clarifications suitable for the state. The Haryana amendment also includes provisions for setting up a state-level authority to oversee the implementation of the land acquisition, compensation, rehabilitation, and resettlement processes. This authority is tasked with ensuring transparency, efficiency, and compliance with the provisions of the amended Act.

### **B.1.3 ADB's Safeguard Policy Statement, 2009**

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The primary objective of the ADB's SPS is to avoid or if not possible, minimize the impacts of involuntary resettlement and ensure that displaced persons are provided with the necessary assistance to improve or at least restore their living standards. The ADB's SPS recognizes and addresses involuntary resettlement impacts and requires the preparation of a resettlement plan in every instance where involuntary resettlement occurs.

The ADB SPS prioritizes the avoidance or minimization of involuntary resettlement wherever feasible. If displacement is unavoidable, the policy ensures that the affected persons receive assistance to enhance, or at least restore, their livelihoods and standards of living. This assistance is meant to be prompt and fair, focusing on comprehensive support for the displaced populations. The policy covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) because of; (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use. It covers displaced persons whether such losses and involuntary restrictions are full or partial, permanent, or temporary. The three important elements of ADB's SPS (2009) are:

- (i) compensation at replacement cost for lost assets, livelihood, and income prior to displacement;
- (ii) (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and
- (iii) (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. The SPS gives special attention to poor and vulnerable households to ensure their improved well-being because of project interventions.

Affected persons are entitled to compensation and assistance regardless of their legal title to the land. This inclusive approach ensures that all displaced individuals receive support, including those without formal legal rights to the land they occupy. The policy mandates the preparation of a Resettlement Plan, which should be based on a detailed assessment and census of affected persons. This plan should outline the measures to be taken to mitigate resettlement impacts, including compensation, relocation assistance, and livelihood restoration strategies.

Stakeholder consultation and participation are essential components of the resettlement process. The policy emphasizes the need to engage with affected communities, ensure their informed participation in decision-making, and disclose relevant information in a timely manner. Compensation for lost assets should be provided at replacement cost to ensure that affected persons can fully replace their lost assets. Additional support for vulnerable groups, such as the poor, women, children, the elderly, and indigenous peoples, is also stipulated to ensure they are not disproportionately affected by the resettlement process.

Livelihood restoration is a critical aspect of the policy. Measures should be taken to restore, and where possible, improve the livelihoods of displaced persons. This includes providing training, employment opportunities, and access to credit to help affected individuals re-establish their means of income. The policy also requires the establishment of a grievance redress mechanism to address the concerns of displaced persons promptly and effectively. This mechanism should be accessible, transparent, and responsive.

Monitoring and evaluation of the resettlement process are mandated to ensure compliance with the Resettlement Plan and to address any issues that may arise during implementation. Independent monitoring may be required for larger projects to ensure objectivity. In the case of indigenous peoples, the policy includes special provisions to ensure their rights and interests are protected, in alignment with ADB's Indigenous Peoples Policy. Resettlement plans should be designed and implemented in a manner that respects the culture and traditions of indigenous communities.



### **B.1.4 Negotiated Settlement as per ADB's Safeguard Policy Statement**

In line with ADB SPS this Framework does not apply to negotiated settlements. The policy encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with affected persons, including those without title to assets.<sup>1</sup> A negotiated settlement will offer an adequate and fair price for land and other assets. Also, in the case of a negotiated settlement, an independent external party or person will be identified and engaged by the [REDACTED] to document the negotiation and settlement processes. The principles of this RF with regard to meaningful consultation processes, mechanisms for calculating the replacement costs of land and other assets affected and record-keeping requirements, will be followed while handling Negotiated Settlement. In cases where the failure of negotiations would result in expropriation through eminent domain or the buyer could acquire the property regardless of its owner's decision to sell it or not, will trigger ADB's involuntary resettlement policy. The Safeguard Requirements will apply in such cases, including preparing a resettlement plan.

### **B.1.5 Comparison of Government Regulations and ADB Policies**

The acquisition of private property and compensating private land and assets in accordance with RFCTLARR Act reflects the equivalent to replacement cost for the loss of land and assets. The RFCTLARR Act however does not recognise non-titleholders. Though RFCTLARR Act recognises titleholders and non-titleholders affected by land acquisition, the squatters, encroachers, and those present in right of way and other public lands are excluded from the purview of RFCTLARR Act. Another key difference is regarding the cut-off date for determining the eligibility for compensation and rehabilitation and resettlement assistances to all those who are affected by the project irrespective of the tenure. According to the RFCTLARRA, the cut-off-date for non-titleholders to be eligible for assistance is three years preceding the acquisition and for the titleholders it is the date of preliminary notification under Section 4 (1).

To bring this resettlement framework in line with the ADB SPS requirements, this resettlement framework mandates that in the case of land acquisition, the date of issue of public notice of intended acquisition, will be treated as the cut-off date for title holders, and for non-titleholders such as squatters and encroachers, the cut-off date will be the start date of the project socio economic survey. Further, all affected non-title holders, suitable compensation for loss of assets and rehabilitation and resettlement assistances is proposed in the entitlement matrix, (except for encroachers who are eligible for compensation for the encroached portion of affected structure) while the titleholders are legally entitled for compensation and rehabilitation and resettlement assistance. For purposes of the project, vulnerable encroachers shall be entitled to resettlement and rehabilitation assistance and compensation at replacement cost of the affected structures. Non-vulnerable encroachers shall be entitled to compensation at replacement cost of the affected structures. Commercial and institutional encroachers shall be informed through amicable and appropriate legal manner to remove the encroaching structure.

### **B.1.6 Involuntary Resettlement Safeguard Principles for the Project**

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<sup>1</sup> A process that (i) begins early in the project preparation stage and is carried out throughout the project cycle; (ii) provides timely disclosure of information that is understandable and accessible to displaced persons; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of displaced persons and other stakeholders into decision making, such as project design and mitigation measures.

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Based on the above analysis of government regulations and the ADB's SPS, the following resettlement principles will be adopted for this project:

- Screen the project early, to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socio-economic survey of affected persons, including a gender analysis, specifically related to resettlement impacts and risks;
- Adopt measures to avoid and minimize involuntary resettlement impacts by siting the project components in government land or locations which are less impacting;
- Where involuntary resettlement impact is unavoidable, improve, or at least restore, the livelihoods of all affected persons through: (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods; (ii) prompt replacement of assets with access to assets of equal or higher value; and (iii) prompt compensation at full replacement cost for assets that cannot be restored;
- Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required;
- Ensure that affected persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets at replacement value;
- Improve the standards of living of the affected poor and other vulnerable groups, including women, to national minimum standards or standard before displacement whichever is higher;
- Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. Inform all affected persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous Peoples, and those without legal title to land, and ensure their participation in consultations;
- Prepare a resettlement plan elaborating on the entitlements of affected persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule;
- Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders;
- Pay compensation and provide all resettlement entitlements before physical or economic displacement and before commencement of civil works. Implement the resettlement plan under close supervision throughout project implementation;
- Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of affected persons;
- Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter negotiated settlements will maintain the same or better income and livelihood status; and
- Monitor and assess resettlement outcomes, their impacts on the standard of living of affected persons, and whether the objectives of the resettlement plan have been achieved by taking into

account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

### **B.1.7 Screening Criteria of Depots**

The screening of the depots will be undertaken based on the nature and status of land acquisition:

#### **Case 1. Land has been identified and for allocation – existing depots and vacant land that are owned by government**

- JMEPL will undertake a social compliance audit (see Appendix 1 for outline) as part of the overall E&S audit of the land and existing facilities through a third party
- The audit will include review of historical information and checking for issues during acquisition, legacy issues and court cases.
- The audit will also check for informal users, and encroachers that will be affected by the project.
- If the audit finds that there are land legacy issues and informal land use, a full census of the project affected people will be conducted as part of the overall social impact assessment. Vulnerable population among the project affected people such as the poor, persons with disabilities, elderly, female headed households, schedule tribes and scheduled castes will be identified.
- If required, the full blown LRP will be developed based on the census and social impact assessment. Consultation on the draft LRP will be conducted by JMEPL and its consultant before finalizing the plan. [REDACTED] will indicate other required social document(s) to be prepared and implemented based on the audit. LRP implementation will be part of ADB's reporting and monitoring requirements.

#### **Case 2. Land is not yet identified and has yet to be acquired and allocated to [REDACTED].**

- If land has not been identified yet, the land acquisition process by the government entity has to comply with ADB's requirements as described in section B.1.3 including setting cut off dates, valuation and asset survey to determine replacement cost, conduct of census survey of all project affected people, development of resettlement plan that accounts for both physical and economic displacement. Any gaps between government-led land acquisition i.e. compensation and entitlements, will be filled in by JMEPL's resettlement plan.

ADB's involuntary resettlement checklist will be used to screen depots to identify the resettlement impacts. The IR screening checklist is shown in Appendix 4. The screening checklist can be modified to indicate other land aspects of the project. [REDACTED], in coordination with the government authority, will be responsible for screening and assessment, involuntary resettlement planning and implementation.

### **B.1.8 Eligibility Criteria for Displaced Person**

The following displaced persons, are eligible for compensation, assistance, and benefits:

- Persons who lost land/ assets in their entirety or in part, who have formal legal rights to the land;
- Persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws/ state laws (such as customary right over land by tribal people);
- Persons occupying land over which they neither have legal title, nor have claims recognized or recognizable under national law; and
- Vulnerable households, defined as those below the poverty line, the landless, the elderly, women and children, and Indigenous People, those without legal title to land and those considered

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residential encroacher (families physically and economically displaced), persons with physical disabilities, Scheduled Tribes and Scheduled Castes.

### **B.1.7 Entitlements, Assistance and Benefits**

The project Entitlement Policy addresses the direct and indirect impacts of depot construction and operation on physically and economically displaced persons, households and communities. The most direct and immediate impacts are those associated with works construction, mainly land acquisition, loss of livelihood and loss of residences. Other losses include loss of other assets such as petty shops, cattle sheds, water sources etc. and common property resources. Mitigation will be provided through compensation and assistance to displaced persons, households, and groups based on this policy framework adopted by the [REDACTED]. The policy provides mitigation for:

- Loss of assets, including land and house or work place;
- Loss of livelihood or income opportunities;
- Collective impacts on groups, such as loss of community assets, common property resources, and others; and
- Temporary disruptions due to the loss of access or limited access to their income generating assets, social amenities such as medical institutions, educational institutions etc.

Compensation eligibility will be limited by a cut-off date. An indicative Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements.

The entitlement matrix presents the entitlements corresponding to the tenure of the affected families:

- Impact to private property (title holders) consisting of: (i) loss of private land, (ii) loss of private residential structure, (iii) loss of private commercial structure, (iv) impact to tenants (residential / commercial ), and (v) impact to trees, standing crops, etc;
- Impact to Non-title holders consisting of: (i) impact to informal settlers, and (ii) impact to vulnerable encroachers, loss of employment to workers/employees;
- Additional assistance to vulnerable affected families, and unforeseen impacts.

The project Entitlement Matrix (see Table 1) identifies and lists the various types of losses resulting out of the project and specific compensation and resettlement packages for each category.

Table 1 Entitlement Matrix

Type of Loss	Identification of displaced persons	Details <sup>2</sup>
<b>A. Loss of Land</b>		
A.1. Acquisition of land (vacant land, homestead or commercial or privately owned religious- cultural or hospitals or educational centres)	Titleholder	<ul style="list-style-type: none"> <li>• Compensation at replacement cost<sup>3</sup> as specified in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLRA) and Rules notified by Government of Haryana</li> <li>• One-time subsistence allowance will be provided to families requiring relocation;</li> <li>• Compensation for affected plants and trees<sup>4</sup></li> <li>• Compensation for affected standing crops will be provided at market value;<sup>5</sup></li> <li>• All fees, stamp duties, taxes, and other charges, as applicable under the relevant laws, are to be borne by the executing agency;</li> <li>• One-time payment of cash in lieu to any affected family whose livelihood is primarily dependent (loses one-third of the annual family income due to the acquisition of the said agricultural land) on the income from the acquired agricultural land;</li> <li>• All affected families will receive compensation for: (i) damage to land/ quality of land (if any) sustained by reason of severing land proposed for acquisition or adjoining lands from/to affected land; at the time of taking possession of the land; (ii) diminution of the profits of the land between the time of the publication of the declaration for taking possession of land and the time of the collector's taking actual possession of the land; and (iii) expenses incidental to such change if the affected landowner is compelled to change his place of residence or business due to the proposed land acquisition.</li> <li>• Transportation cost for any crops, cattle, implements etc. will be borne by the project at actuals or necessary arrangements will be provided by the project for transportation.</li> </ul>
<b>B. Loss Structures</b>		
B.1. Loss of residential structure	Titleholder of affected structure	<ul style="list-style-type: none"> <li>• Value of the assets based on market rate / valuation by Public Works Department (PWD) shall be paid for main building structure as well as</li> </ul>

<sup>2</sup> All compensation for land and structure will follow the principles of "Replacement Cost" as enshrined in ADB's Safeguard Policy Statement (SPS) and AIIB's Environment and Social Framework.

<sup>3</sup> Replacement cost includes (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any (ADB SPS 2009, p 45 para 10). Applicable wherever replacement cost is mentioned in this EM.

<sup>4</sup> To be valued by persons experienced in the field of agriculture, horticulture forestry etc. as necessary.

<sup>5</sup> Valued by an experienced person in the field of agriculture.

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		<p>boundary wall and ancillary structures such as bore wells, trees, etc. along with 100% solatium, without depreciation.</p> <ul style="list-style-type: none"> <li>• Repair cost for restoration of remaining main structure and ancillary structures on premises as assessed based on market rate /PWD Schedule of Rights (SoR)</li> <li>• Right to salvage material from the demolished structure at no cost<sup>6</sup></li> <li>• Where the loss of structure is partial and the remaining structure is unviable, compensation will be based on the total structure and benefits will be given as mentioned in this section;</li> <li>• Appropriate financial assistance as transportation cost for shifting will be provided;</li> <li>• In case of relocation, resettlement allowance for each displace household shall be determine during the preparation of resettlement plan (RP).</li> <li>• Appropriate subsistence allowance will be provided to the affected families who require to relocate</li> <li>• All fees, taxes and other registration charges incurred for the replacement structure shall be borne by the executing agency, as applicable</li> <li>• Notice period of 3 months to be given.</li> <li>• Rental allowance for titleholders who have rented out their property shall be determined during preparation of RP.</li> </ul>
<p>B.2. Loss of commercial structure and other assets</p>	<p>Titleholder</p>	<ul style="list-style-type: none"> <li>• The replacement value of the structure, calculated as per the latest prevailing schedule of rates without depreciation;</li> <li>• One-time grant will be provided<sup>7</sup> for self-employed persons, artisans, traders etc.</li> <li>• Appropriate subsistence allowance will be provided to them who require to relocate.</li> <li>• Right to salvage<sup>8</sup> material from the demolished structure at no cost;</li> <li>• One-time financial assistance as transportation cost for shifting will be provided;</li> <li>• Commercial structure owners, who are deriving business income from the affected structure in the land acquired and is displaced and lost livelihood due to the acquisition, will be entitled for following compensation as one-time payments in lieu of annuity policy.</li> <li>• Commercial building area wise compensation shall be determining during the preparation of RP</li> <li>• Each affected families shall be given a one-time resettlement allowance in case of relocation</li> <li>• All fees, taxes and other registration charges incurred for the replacement</li> </ul>

<sup>7</sup> Based on the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARRA) 2013.

<sup>8</sup> Except asbestos

## RESETTLEMENT FRAMEWORK

		<p>structure shall be borne by the executing agency as applicable.</p> <ul style="list-style-type: none"> <li>• Notice period of 3 months to be given</li> <li>• Rental allowance for titleholders who have rented out their property shall be determined during preparation of RP.</li> </ul>
	Tenants (Residential)	<ul style="list-style-type: none"> <li>• One-time financial assistance as transportation cost for shifting will be provided;</li> <li>• One-time resettlement allowance will be provided;</li> <li>• Right to salvage material from demolished structure, erected by tenants.</li> <li>• Notice period of 3 months to be given</li> </ul>
	Tenants (Commercial)	<ul style="list-style-type: none"> <li>• One-time financial assistance as transportation cost for shifting will be provided;</li> <li>• Appropriate allowance for loss of livelihood will be provided.</li> <li>• Right to salvage material from demolished structure, erected by tenants.</li> <li>• Notice period of 3 months to be given</li> </ul>
<b>C. Assets</b>		
C.1. All other assets such as bore wells, cattle shed etc.	Titleholders	<ul style="list-style-type: none"> <li>• The replacement value of the asset/structure, calculated as per the latest prevailing schedule of rates without depreciation;</li> <li>• Right to salvage material from demolished asset/structure.</li> <li>• The loss of cattle shed, will be provided with an appropriate allowance.</li> <li>• Notice period of 3 months to be given.</li> </ul>
<b>D. Loss of Crops and Trees</b>		
D.1. Loss of crops and trees	Titleholder, sharecroppers and leaseholders, non-titleholders	<ul style="list-style-type: none"> <li>• Displaced persons will be notified and given 60 days' advance notice to remove trees. For seasonal crops and fruit trees six months' notice is to be given;</li> <li>• Compensation for cash crops at prevalent market rates<sup>9</sup>, to be calculated as annual net product value multiplied by the number of productive years remaining;</li> <li>• Compensation for one years' net harvest for seasonal crops at prevalent market rates;</li> <li>• Compensation at market value of timber in case of timber-bearing trees; For fruit bearing trees compensation to be calculated at market value of annual net product multiplied by the number of productive years remaining<sup>10</sup></li> </ul>
<b>E. Assets Lost by Non- Title Holders (Informal settlers and Encroachers)</b>		
E.1 Loss of structure)	Residential informal settlers	<ul style="list-style-type: none"> <li>• Cost of structure based on market rate at replacement cost</li> <li>• One time shifting allowance will be provided to the displaced family</li> <li>• One time rehabilitation assistance will be provided to the displaced family</li> <li>• Right to salvage material from demolished structure.</li> </ul>

<sup>9</sup> Valued by an experienced person in the field of agriculture.

<sup>10</sup> To be valued by persons experienced in the field of agriculture, horticulture forestry etc. as necessary.

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		<ul style="list-style-type: none"> <li>• Notice period of 60 days to be given</li> </ul>
	Informal settler (Commercial)	<ul style="list-style-type: none"> <li>• Cash compensation as per valuation based on market rate/PWD Schedule of Rates (SoR) at replacement cost. Minimum value shall be determined during preparation of RP.</li> <li>• One time shifting allowance to the displaced family will be provided.</li> <li>• Appropriate allowance for loss of livelihood will be provided according to the RP</li> <li>• Right to salvage material from demolished structure,</li> <li>• Notice period of 60 days to be given</li> </ul>
	Encroachers (Vulnerable category only)	<ul style="list-style-type: none"> <li>• Compensation at PWD plinth area rates without depreciation for the affected portion of the structure.</li> <li>• Right to salvage material from demolished structure,</li> <li>• Notice period of 30 days to be given</li> </ul>
	Kiosks	<ul style="list-style-type: none"> <li>• Appropriate allowance will be provided to the affected kiosks</li> </ul>
<b>F. Loss of Livelihood</b>		
F.1. Loss of significant source of income for the non-titleholders	Wage-earning employees indirectly affected - those working in businesses such as petty shops, eateries	<ul style="list-style-type: none"> <li>• One-time allowance will be provided to each employee of the commercially displaced structure.</li> <li>• Preference for employment opportunity for affected persons in the project construction work, if so desired by them;</li> </ul>
<b>G. Loss of Common Property Resources</b>		
G.1. Loss of common property resources		<ul style="list-style-type: none"> <li>• Replacement or restoration of the affected community facilities – including public water stand posts, public utility posts, temples, shrines, such as places of worship, community buildings, schools, etc. in consultation with the community.</li> </ul>
<b>H. Additional Support to Vulnerable Groups</b>		
H.1. Further assistance to all vulnerable persons	Households categorized as vulnerable <sup>11</sup>	<ul style="list-style-type: none"> <li>• An additional amount as one-time assistance will be provided to each vulnerable family. This will be over and above the other assistance given in this framework; Amount will be determined during preparation of RP.</li> <li>• One adult member from each vulnerable household will be entitled for skill development</li> <li>• Vulnerable families may be considered for potential employment in the</li> </ul>

<sup>11</sup> Vulnerable are those households that are below poverty line, headed by the elderly - above 60 years of age, female headed households, households headed by persons with disabilities persons, non- titled households, landless households and those residential encroachers, (families physically and economically displaced), Scheduled Tribes and Scheduled Castes.



**RESETTLEMENT FRAMEWORK**

		project activities subject to suitability.
<b>I. Additional assistance for Women</b>		
I.1 Loss of Land / house / shop		<ul style="list-style-type: none"> <li>• Reimbursement of stamp duty and registration charges, for purchase of property out of the compensation/R&amp;R assistance.</li> <li>• In case of purchase of property out of the compensation / R&amp;R assistance, the property should be purchased in the name of a women in the household and registered in her name. The registration shall be done within 3- years from LA award/R&amp;R award</li> </ul>
<b>J. Temporary Impacts</b>		
J.1. Temporary impacts during construction/Installation of Charging Infrastructure, etc.		<ul style="list-style-type: none"> <li>• Land required for construction/Installation activity will be acquired temporarily. ██████ shall pay land rental at market value. ██████ shall pay charges for services such as electricity, and sewerage. Upon completion of construction/Installation, this land duly rehabilitated will be handed back to the owner.</li> <li>• In case any existing structure had to be demolished on the land parcel, then its replacement cost at the current market rate at the time of handing back the land to the owner will be paid.</li> <li>• The contractor is liable to pay damages to assets/trees/crops in private/public land, caused due to project works, in line with the provisions of this Entitlement Matrix.</li> <li>• The contractor should obtain prior written consent from the landowner and pay mutually agreed rental for use of private land for storage of material or movement of vehicles and machinery or diversion of traffic during civil works</li> <li>• Compensation for standing crops and trees as per the market rate;</li> <li>• Time bound restoration of land to its previous or better quality; and</li> <li>• The project will maintain access to all properties and businesses at all times.</li> </ul>
<b>K. Other Unanticipated Impacts</b>		
K.1. Any unanticipated impacts due to project intervention		<ul style="list-style-type: none"> <li>• Any unanticipated impacts of the project will be documented and mitigated based on the spirit of the principles agreed upon in this RF.</li> </ul>

## C. Socioeconomic Information

### C.1 Socioeconomic Surveys

Surveys of the affected persons will be undertaken in each depot site to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain costs of resettlement, and prepare a rehabilitation program for implementation. The socioeconomic surveys will comprise of:

- **Baseline socio-economic sample survey.** The purpose of the baseline socio-economic sample survey of displaced persons is to establish monitoring and evaluation parameters. It will be used as a benchmark for monitoring the socio-economic status of displaced persons. The survey will cover 100% of the displaced persons. The survey will also collect gender-disaggregated data to address gender issues in resettlement. The survey will carry out the following: (i) preparation of accurate maps of the subproject area; and (ii) analysis of social structures and income resources of the population.
- **Census survey.** The purpose of the census is to: (i) register who the displaced persons are; (ii) assess their income and livelihoods; (iii) make an inventory of assets affected by the project; and (iv) collect gender-disaggregated information pertaining to the economic and sociocultural conditions of displaced persons. The census will cover 100% of displaced persons.

### C.2 Resettlement Plan or Livelihood Restoration Plan

Depending on the results of the screening and audit, a Resettlement Plan (RP) or Livelihood Restoration Plan (LRP) will be prepared based on the results of the census, and from information drawn from the baseline socio-economic sample survey. The database on displaced persons will be prepared. It will include the results and findings of the census of displaced persons and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, grievance redress mechanisms, and results monitoring mechanisms. The outline of a RP plan is given in **Appendix 2**.

The RP will comply with the principles outlined in this resettlement framework and will have to be approved by the ADB and implemented prior to commencement of depot operation. Disbursement of compensation payments and entitlements must be made prior to displacement.

RP comprising the entitlement matrix, compensation and rehabilitation options among others shall be brought to the notice of displaced persons and host communities. The specific resettlement-related activities to be performed, such as SIA, census and socioeconomic survey, resettlement planning, public consultation, development of mitigation and income restoration measures, implementation of RPs, and monitoring and evaluation, and their depot construction and implementation schedule, will all be detailed in the resettlement planning document. The RP will be prepared and notified to the public, through information disclosure workshops and other means such as posters and/or resettlement booklets, notices in the local government offices etc. The draft RP will have to be updated after finalization of project configuration, to take into consideration any additional impacts or changes in project configuration and disclosed.

### C.3 Gender Impacts and Mitigation Measures

Female-headed households are considered a vulnerable group as per the resettlement framework. Any negative impacts of the project on female-headed households will be given priority. RPs will formulate measures to ensure that socioeconomic conditions, needs, and priorities of women are identified, and that the process of land acquisition and resettlement does not disadvantage women. It will ensure that gender impacts are adequately addressed and mitigated. Women's focus groups discussions will be conducted to address specific women's issues. During disbursement of compensation and provision of assistance, priority will be given to female-headed households. Joint ownership in the name of husband and wife will be provided in cases of non-female-headed households. The project will develop a separate Gender Action Plan, for specific mitigation measures and action plan to be carried out to improve gender participation in the project.

## D. Consultation, Participation, and Disclosure

### D.1 Meaningful Consultation and Participation of key stakeholders

Meaningful consultation is a process that: (a) begins early in the preparation stage of the project and is carried out on an ongoing basis throughout the implementation and life cycle of the project; (b) ensures that all parties have a voice in consultation, including national and subnational government, the private sector, nongovernmental organizations and people affected by the project, including, as applicable, indigenous peoples; (c) provides additional support as needed to ensure participation of women, elderly, young, disabled, minorities and other vulnerable groups; (d) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to the people affected by the project and other stakeholders; (e) is undertaken in an atmosphere free of intimidation or coercion; (e) is gender inclusive, accessible, responsive and tailored to the needs of vulnerable groups; and (f) enables the consideration of relevant views of people affected by the project and other stakeholders in decision-making. The project will continue consultation with stakeholders throughout the project implementation as necessary on issues related to involuntary resettlement and implementation of the project-level grievance mechanism. Women's participation will be ensured by involving them in public consultation at various stages of project preparation. The venue and the time of meetings must be convenient for women.

██████████ shall conduct effective and meaningful public consultation and information disclosure during the project cycle as per the requirement of ADB's SPS. Meaningful public consultations will be carried out once the depot location is identified and a parking space license agreement has been executed with the Authority. Women and vulnerable groups (handicapped people, senior citizens, school children) will be encouraged to participate during these consultations, and every effort will be made to engage as many stakeholders as possible.

Each t resettlement plan will be prepared and implemented in close consultation with the key stakeholders. Women's participation will be ensured by involving them in public consultation at various level and stages of project preparation and by arrangements, which would enhance their ability to attend such meetings.

### D.2 Information Disclosure and Resettlement Plan/Livelihood Restoration Plan Disclosure

The RP/LRP will be disclosed to the affected community, detailing information including measurement of losses, detailed asset valuations, entitlements and special provisions, grievance procedures, etc. This

will be done through public consultation and made available as brochures, leaflets, or booklets, using local languages.

Summaries of each RP/LRP will be translated and made available to the affected persons. The information will be displayed in all three languages (English, Hindi and Local Language).

The RF and the RPs/LRPs will be placed on the official website of the [REDACTED] and the official website of ADB after approval and endorsement.

Public disclosure and complaints contact person will be designated by the [REDACTED] for each electric bus depot to help address all concerns and grievances of the local communities and affected parties. Contact details will form part of the depot identification display board that will be placed at the entrance of each electric bus depot.

## E. Compensation, Income Restoration, and Relocation

### E.1 Compensation of Land

Land Acquisition if any shall be undertaken under the RFCTLARR Act 2013 and Haryana Amendment Act 2017 and compensation shall be determined as defined in the Act. The market value of the proposed land to be acquired shall be set as per the Policy for Fixation of Market Rate of land in the State for All the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions & Urban Local Bodies notified by Haryana Government vide notification No. 391-ARIC-I-2021/6273 dated 25<sup>th</sup> November 2021.

The market value would be multiplied by a factor of, at least one to two times the market value for land acquired in rural areas and at least one times the market value for land acquired in urban areas. The act stipulates that the minimum compensation to be a multiple of the total of above ascertained market value, value to assets attached to the property, plus a solatium equal to 100% of the market value of the property including value of assets. Whichever is higher, will be taken and the date for determination of market value shall be the date on which the notification has been issued under Section 11 of the RFCTLARR Act 2013 and Haryana Amendment Act 2017.

### E.2 Valuation of Lost and Affected Assets

The valuation of immovable properties, including structures, assets, trees and crops is as follows:

- Houses/ buildings/ structures: The valuation of the houses, buildings, and other immovable properties will be based on the latest appropriate market rate / schedule of rates plus the cost of labor and transfer of the construction materials.
- Standing crops/ perennial crops: If notice for harvest of standing/ perennial crops cannot be given, then valuation will be carried out at prevalent market rates, to be calculated as annual net product value multiplied by the number of productive years remaining. Valuation should be done by an experienced person in the field of agriculture.
- Trees/ fruit/ timber: Compensation at market value of timber in the case of timber-bearing trees. For fruit bearing trees compensation to be calculated at market value of annual net product multiplied by the number of productive years remaining. Valuation should be persons experienced in the fields of agriculture, horticulture, forestry etc. as appropriate.
- All other assets: Assets such as irrigation units, boundary walls etc. will be valued on the basis of the latest appropriate market rate or schedule of rates.
- Common property resources: In case of loss of community infrastructure or any common property resources, the same will be restored or re-installed, by the [REDACTED], at a new place in consultation with the community, local self-governing bodies or appropriate authority.

All compensation and assistance will be paid to displaced persons prior to displacement or commencement of civil works. In case there are loans on acquired land and properties, such amounts will be adjusted from the total compensation based on mutual agreement between the displaced persons and the acquiring body. Displaced persons will be provided with an advance notice of 60 days prior to possession being taken of the land or properties. Displaced persons will be allowed to take the materials salvaged from their dismantled houses and shops.

### E.3 Income Restoration

The entitlement proposed under this project has adequate provisions for restoration of livelihood of the affected persons. Wherever feasible and if the affected person so desires, income restoration schemes will be identified and implemented by [REDACTED]. Towards this the affected person will be guided and assisted by [REDACTED], in effectively using the compensation and rehabilitation and resettlement assistances towards establishing an income generating activity, and identifying an alternative shop location and re-establishing the shop/kiosk/vending or utilizing the finances for buying land or taking land on lease.

The RP budget will reflect the cost of providing training for vulnerable persons. [REDACTED] will facilitate vulnerable persons access to government schemes that could help them restore income and livelihood.

In addition, the entitlement matrix provides for short-term income restoration measures by providing allowances such as subsistence allowance, resettlement allowance and shifting assistance.

**Vendor assistance.** Vendors requiring temporary shifting during the construction/installation period will be notified in advance, and will be allowed to salvage all materials for temporary shifting to an alternative location. They will be allowed to return to the original location after construction/installation is declared complete.

### E.4 Relocation

The project will, to the extent that is possible, avoid any physical displacement/ relocation of displaced persons. In the event that physical relocation is required the project will ensure that (i) shifting assistance, resettlement assistance and subsistence allowance, as required, will be provided to all relocated/physically displaced households (ii) relocation sites will be disclosed to the displaced persons for endorsement, along with their facilities; (iii) displaced households can choose between independent or assisted relocation by the project; and (iv) alternate houses have to be provided to the displaced persons before demolition. In the event that houses are not ready, rental assistance will have to be provided until the alternate house is ready. Relocation has to be completed before the start of civil works. [REDACTED] will monitor the relocation process. Adequate budgetary allocation has to be provided for timely relocation implementation and will be included in the RP.

## F. Grievance Redress Mechanisms

A common GRM will be in place for social, environmental, or any other grievances related to the electric bus depot project. Grievance Redressal Mechanism (GRM) will be established at two-levels, one at the depot level and second at the [REDACTED]'s corporate level. A sub project specific grievance redressal mechanism (GRM) will be developed and depot level grievance redressal committee (GRC) will be established to receive, evaluate, and facilitate the resolution of affected persons' concerns, complaints, and grievances about the social and environmental performance at the level of the project. The GRC will meet for addressing grievances as needed. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns associated with the project.

In case of grievances that are immediate and urgent in the perception of the complainant, the Depot In-charge in consultation with E&S Officer of electric bus depot will provide the most easily accessible or first level of contact for the quick resolution of grievances. Contact phone numbers and names of the

## RESETTLEMENT FRAMEWORK

concerned staff and contractors, will be posted at all depot sites in visible locations. Depot level GRC will try to resolve the issue on-site in consultation with the aggrieved party. This will be done within 7 days of receipt of a complaint/ grievance.

All grievances that cannot be redressed within 7 days at the field level will be brought to the notice of the corporate level GRC. The GRC will resolve the grievance within 4 weeks of receipt of a complaint/ grievance.

Grievance procedures, which can be easily understood by stakeholders, and preferably in the local language, will be disseminated to affected communities. The project area-wide public awareness campaigns will ensure that knowledge of the grievance redress procedures is generated. [REDACTED] will conduct awareness campaigns to ensure that all affected persons and vulnerable households are made aware of grievance redress procedures and entitlements.

The project GRM notwithstanding, an aggrieved person shall have access to the country's legal system at any stage. This can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.

In the event that the established GRM is not in a position to resolve the issue, the affected persons can also use the ADB's Accountability Mechanism by directly contacting (in writing) the complaint receiving officer at ADB headquarters or ADB India Resident Mission, if any. The complaint can be submitted in any of the official languages of ADB's Developing Member Countries. The ADB Accountability Mechanism information will be included in the project information document to be distributed to the affected communities, as part of the project GRM.

[REDACTED] will keep records of grievances received, including contact details of the complainant, the date the complaint was received, the nature of the grievance, agreed corrective actions and the date these were affected and the final outcome.

All costs involved in resolving the complaints (meetings, consultations, communication and reporting/ information dissemination) will be borne by [REDACTED].

## G. Institutional Arrangements and Implementation

[REDACTED] will be overall responsible for the implementation of all resettlement aspects of the Project. Depot operations shall be managed by a dedicated depot operations team. [REDACTED] shall have one dedicated E&S officer at the corporate level, who will support depot operations team in RP implementation. Further, each electric bus depot shall appoint one E&S officer who shall be responsible for the day-to-day management of depot level E&S aspects along with implementation of RP. The project level E&S officer will implement RP program, directly engage and consult with the PAPs regularly; implement the stakeholder engagement plan and grievance redress mechanism; engage with consultants, collaborators and government authorities; and monitor and report on the progress of the RP implementation. Government authorities such as the STU, villages affected will also play an oversight/advisory role in the RP implementation.

For effective monitoring and implementation of RP, [REDACTED] shall appoint an implementation support consultant, who will assist [REDACTED] in review of documentation and monitoring implementation of resettlement plan, livelihood restoration plan and gender action plan.

## H. Budget and Financing

Detailed budget estimates for each resettlement plan will be prepared by the [REDACTED], which will be included in the overall project budget. The budget shall include: (i) detailed costs of land acquisition if any and livelihood and income restoration and improvement; (ii) details of all assistance and compensation; (iii) administrative and staff training; (iv) cost for GRM and consultation/disclosure; and (iv) monitoring costs. All land acquisition if any and resettlement costs will be borne by the [REDACTED] and must be provided in a timely manner to ensure payment of all entitlements prior to displacement.

## I. Monitoring and Reporting

Monitoring will be undertaken by [REDACTED] with assistance from consultant/NGO. Monitoring will ensure all land acquisition and resettlement activities are implemented according to the approved resettlement plans in accordance with this resettlement framework.

Depot operations team will prepare quarterly progress reports and submit to the [REDACTED] E&S officer at the corporate level. [REDACTED] will prepare annual monitoring reports and submit to ADB. These reports will describe the progress of the implementation of resettlement activities and any compliance issues and corrective actions. These reports will closely follow the involuntary resettlement monitoring indicators agreed at the time of resettlement plan approval.

## APPENDIX 1: Outline of a Social Compliance Audit Report<sup>12</sup>

### *[Executive Summary]*

1. Introduction
  - 1.1. Project Proponent
  - 1.2. Report Context
2. The Project
  - 2.1. Project Description
  - 2.2. Project Components
3. Scope, Methodology and Execution of the Audit
  - 3.1. Applicable national and international standards
    - 3.1.1. ADB social safeguards requirements on involuntary resettlement
    - 3.1.2. Applicable Government laws, regulations, standards for Land and Right of Way (ROW) Acquisition, Resettlement and Rehabilitation
  - 3.2. Methodology of Audit: Desk Review, Field Investigations, Interviews, focus group discussions
  - 3.3. Limitations
4. Findings of the Audit
  - 4.1. Land Acquisition and Involuntary Resettlement
    - 4.1.1. Land and Right of Way Acquisition Arrangements
    - 4.1.2. History of Land and Right of Way Acquisition, Involuntary Resettlement for Project Facilities: Prior completed or ongoing land acquisition, compensation or resettlement by municipal corporation
    - 4.1.3. Methodology for Acquiring Land
    - 4.1.4. Status of Land Acquisition and Compensation Payments
    - 4.1.5. Analysis of any Past Physical or Economic Displacement: Impacts on assets, business, income and vulnerability status
    - 4.1.6. Results of Interviews or FGDs with Affected People
  - 4.2. Socio-economic Information
    - 4.2.1. Baseline information of People affected by past land or ROW acquisition including information on vulnerability such as impacts on people below poverty line, Scheduled Castes, Scheduled Tribes, among others.
    - 4.2.2. Ethnicity of people in the project area and Identification of any potential ethnic or socio cultural group which may meet ADB's Indigenous Peoples criteria
  - 4.3. Stakeholder Engagement
    - 4.3.1. Process Documentation of any prior stakeholder engagement activities in relation to land and the proposed project
    - 4.3.2. Grievance Mechanism to resolve any concerns
    - 4.3.3. Status of Grievances, Cases in Court or any other legacy issues related to land or ROW compensation

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<sup>12</sup> To be conducted as part of the overall Environmental and Social Compliance Audit of Existing Facilities (as described in the EARF section D)



## RESETTLEMENT FRAMEWORK

5. Status of Compliance against ADB SPS and applicable national laws and regulations
    - 5.1. Overview
      - 5.1.1. Impact Assessment
      - 5.1.2. Compensation rates and processes
      - 5.1.3. Livelihood Restoration
      - 5.1.4. Vulnerable Groups
      - 5.1.5. Stakeholder Engagement
      - 5.1.6. Indigenous Peoples
    - 5.2. *Compliance Matrix*  
*[For each site, prepare a compliance matrix table of past or ongoing activities and assess compliance against relevant national requirements, ADB SPS SR2 and SR3 principles and requirements]*
  6. Corrective Action Plan  
*[List outstanding issues and identify corrective actions]*
  7. Outstanding issues and Corrective Action Plan (with timeline and budget)
  8. Conclusion and Recommendations
- Annexes (supporting documents)

## APPENDIX 2: Outline of a Resettlement Plan

1. This outline is part of the ADB SPS Safeguard Requirements. The sections may be modified based on project requirements.

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

### A. Executive Summary

3. This section provides a concise statement of project scope, key survey findings, entitlements, and recommended actions.

### B. Project Description

4. This section provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both, and identify the project area. It also describes the alternatives considered to avoid or minimize resettlement. It includes a table with quantified data and provides a rationale for the final decision.

### C. Scope of Land Acquisition and Resettlement

5. This section:

- (i) Discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities;
- (ii) Describes the scope of land acquisition provides maps and explains why it is necessary for the main investment project;
- (iii) Summarizes the key effects in terms of assets acquired and displaced persons; and
- (iv) Provides details of any common property resources that will be acquired.

### D. Socio-economic Information and Profile

6. This section outlines the results of the SIA, the census survey, and other studies, with information and data disaggregated by gender, vulnerability, and other social groupings, including:

- (i) Defining, identifying, and enumerating the people and communities to be affected;
- (ii) Describing the likely impacts of land and asset acquisition on the people and communities affected, taking social, cultural, and economic parameters into account;
- (iii) Discussing the project's impacts on the poor, indigenous, and/or ethnic minorities, and other vulnerable groups; and
- (iv) Identifying gender and resettlement impacts and the socioeconomic situation, impacts, needs, and priorities of women.

### E. Information Disclosure, Consultation, and Participation

7. This section:

- (i) Identifies project stakeholders, especially primary stakeholders;
- (ii) Describes the consultation and participation mechanisms to be used during the different stages of the project cycle;

## RESETTLEMENT FRAMEWORK

- (iii) Describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;
- (iv) Summarizes the results of consultations with displaced persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan;
- (v) Confirms disclosure of the draft resettlement plan to displaced persons, and includes arrangements to disclose any subsequent plans; and
- (vi) Describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with displaced persons during project implementation.

### **F. Grievance Redress Mechanisms**

8. This section describes mechanisms to receive and facilitate the resolution of displaced persons' concerns and grievances. It explains how the procedures are accessible to displaced persons and are gender sensitive.

### **G. Legal Framework**

9. This section:

- (i) Describes national and local laws and regulations that apply to the project, identifies gaps between local laws and ADB's policy requirements, and discusses how any gaps will be addressed;
- (ii) Describes the legal and policy commitments of the executing agency for all types of displaced persons;
- (iii) Outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods, and sets out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided; and
- (iv) Describes the land acquisition process, and prepares a schedule for meeting key procedural requirements.

### **H. Entitlement assistance and benefits**

10. This section:

- (i) Defines entitlements and eligibility of displaced persons, and describes all resettlement assistance measures (includes an entitlement matrix);
- (ii) Specifies all assistance to vulnerable groups, including women and other special groups; and
- (iii) Outlines opportunities for displaced persons to derive appropriate development benefits from the project.

### **I. Relocation of Housing and Settlements**

11. This section:

- (i) Describes options for relocating housing and other structures, including replacement housing, replacement cash compensation and/or self-selection (ensuring that gender concerns and support to vulnerable groups are identified);

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- (ii) Describes alternative relocation sites considered, community consultations conducted and justification for selected sites, including details about location, environmental assessment to sites and development needs;
- (iii) Provides time tables for site preparation and transfer;
- (iv) Describes the legal arrangements to regularize tenure and transfer titles to resettled persons;
- (v) Outlines measures to assist displaced persons with their transfer and establishment at new sites;
- (vi) Describes plans to provide civic infrastructure; and
- (vii) Explains how integration with host populations will be carried out.

### **J. Income Restoration and Rehabilitation**

12. This section:

- (i) Identifies livelihood risks and prepares disaggregated tables based on demographic data and livelihood sources;
- (ii) Describes income restoration programs, including multiple options for restoring all types of livelihoods (e.g. project benefit sharing, revenue sharing arrangements,
- (iii) Joint stock for equity contributions such as land, while discussing sustainability and safety nets);
- (iv) Outlines measures to provide a social safety net through social insurance and/or project special funds;
- (v) Describes special measures to support vulnerable groups;
- (vi) Explains gender considerations; and
- (vii) Describes training programs.

### **K. Resettlement Budget and Financing Plan**

13. This section:

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

### **L. Institutional Arrangements**

14. This section:

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

### **M. Implementation Schedule**

15. This section includes a detailed, time-bound implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities

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synchronized with the project schedule of civil works construction and provide the land acquisition process and timeline.

### **N. Monitoring and Reporting**

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

## APPENDIX 3: Outline of a Livelihood Restoration Plan

### Introduction and Project Description

1. Project Background
2. Purpose of the Livelihood Restoration Plan
3. Legal Framework
  - 3.1 Overview
  - 3.2 ADB'S Safeguard Policy Statement (SPS), 2009
4. Project Impacts
  - 4.1 Identification of Impacts
  - 4.2 Stakeholder Consultations
  - 4.3 Socio-economic information of affected villages
5. Livelihood Restoration Plan
  - 5.1 Target Beneficiaries
  - 5.2 Interventions
6. Grievance Redress Mechanism
7. Consultation and Information Disclosure
8. Budget
9. Institutional Arrangements
10. Implementation Schedule
11. Monitoring and reporting

### ANNEXURE

Organizational Structure

Other Annexures

### Appendix 4: Involuntary Resettlement Impact Categorization Checklist

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

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