

RESETTLEMENT AND REHABILITATION ACTION PLAN

0.1 INTRODUCTION

Investments in road development have wider ramifications for society with significant economic and social consequences. The social impact assessment process can alert affected communities and residents, as well as transportation planners and decision-makers, to the likely consequences of a project, and ensure that human values and concerns receive proper attention during project development.

Developmental projects are likely to generate adverse social impact, in the form of loss of properties, business, livelihood and social fabric. In road projects the envisaged impacts are borne by those communities and areas that are adjoining to the project corridor, similarly a larger population of the area and region shares the benefits. For this reason, the analysis of social impacts is generally directed at the neighborhood level, where the majority of negative impacts are to be felt, and has been worked out in this report. This chapter assesses the social impact including entitlement, a framework for compensation, mitigation and indicative Resettlement Budget in the project.

0.2 DESCRIPTION OF THE PROJECT CORRIDOR

The present project relates to strengthening of existing 2-lane road and widening to 4-lane dual carriageways. The project consists of Consultancy Services for feasibility study and detailed project report (DPR) for the rehabilitation and upgrading to 4 lanes divided carriageway configuration.

NH-200 takes off from NH-6 with Ch. 0.000 at Kankaria in the state of Chattisgarh from where it traverses towards east. The 133 km of NH-200 starts from Talchar (Balar Chowk) at (km 301.890) and ends at Chandikhole (km 428.030), which is the junction point of National Highway 200, 5 and 5A and includes about 6.36 km length of NH-200-NH-23 common portion called the missing link.

0.3 OBJECTIVES OF SOCIAL STUDIES

The objective of Social Studies is to identify development and examine the potential adverse and beneficial consequences of the proposed road in the different stages of project cycle, so that due consideration can be given to these aspects in project, i.e. in planning, design and implementation. In general, the intention of study in highway project is to identify social issues to be dovetailed in project design and avoid or minimize the adverse social impacts with the best possible engineering solutions at the most optimal cost with complete co-ordination between the engineering, environmental and social teams during the entire design process.

In brief, under the above mentioned scope and objectives of the study, the following main task has been accomplished:

- Description of the proposed road project and alternatives;
- Evaluate the potential social impacts of road project;
- Involve local people through consultations, officials and experts on options and impacts in order to establish institutional capacity;
- Preferred project option and suggest mitigation plan; and
- Estimate Resettlement and rehabilitation budget.

0.4 METHODOLOGY FOR STUDY

Primary data was collected during field survey, as also available secondary data was reviewed for baseline information. This included Census and Socio-economic survey of the project affected persons and properties within a width of 30 meters from the centerline

of the existing road on either side (a total perpendicular width of 60 meters). Thus, the study engrossed comprehensive primary and secondary data involving following tasks:

- Determining the Corridor of Impact COI at the initial stage for undertaking social assessment surveys within the defined area.
- 100% census, and 25% socio-economic survey of the PAPs falling within Proposed RoW.
- Collection of data from different agencies and sources, which are already existing and documented by them.

For accomplishing the above tasks questionnaires were structured, for collecting information on structures, properties, land and type of ownership and social groups etc. with the help of enumerators/ investigators and by collecting secondary data from different govt. and non- Govt. sources. The data collected and recorded by MS-Excel enumerators on questionnaires has been compiled on computers through MS-Excel (MS-Office Version 2000). The tabulated data has been summarized and analysed so that social situation prevailing in the area is identified and potential social impacts are estimated.

While preparing the project, emphasis was put on minimizing the impacts within the limitations of technical feasibility and cost effectiveness. The options considered for minimizing negative social impacts included design considerations, public consultations, and analysis of alternative and bypasses.

0.5

ASSESSMENT OF SOCIO-ECONOMIC PROFILE OF THE AFFECTED AREA

A socio economic profile of the project-affected area/households (PAHs) is essential to create database and develop indicators for the evaluation of the Resettlement Action Plan (RAP). To understand the socio-economic context of the proposed project and for providing necessary inputs for social analysis of the project, relevant baseline data on socio-economic and cultural conditions were collected from personal observation and enquiry, consultation with knowledgeable persons of the villages, District Census handbook and District Gazetteers etc.

As, the project road traverses through the districts of Angul, Dhenkanal and Jajpur in the state of Orissa.

0.6

SOCIAL IMPACT OF PROJECT

The Social Impact Assessment aims to identify congested areas, potential impacts on the community and settlement to provide the basic information to the Engineering Design team to integrate it with technical design. The thrust of this integration is to minimize the adverse impacts, if any, with the best possible engineering solutions at the most appropriate cost.

0.6.1

Land Acquisition

Total land requirement for proposed road is around **424.63 hectares**, which generally includes private holding. The land requirement has been dealt with in detail in the land acquisition report of this project. The details of land acquisition as per its requirement are delineated in **Table 1**:

Table 1: Total area of land Acquisition

Districts	Private	Non-forest Govt. Land	Village Forest/ DLC Forest / Sabik Forest / Jhathi Jungle	Reserved Forest	Total Land (Ha)
Angul	0.577	15.212	0.00	0.00	15.788
Dhenkanal	193.990	85.662	38.927	31.943	350.463
Jajpur	17.536	6.255	34.588	0.000	58.379
Total	212.103	107.069	73.515	31.943	424.630

0.6.2 Properties Likely to be affected

The details of properties that are going to be affected by the proposed road improvement have identified using structured questionnaires. Within the entire stretch the most vulnerable stretches are the settlements along the existing road within the ROW at few locations. These stretches are replete with shops, dhaba khokhas, oil depots, godowns, industries commercial structures, temples, small religious shrines and Squatters.

The census survey in designed area reveals that there are about 1799 structures within 30 metres width on either side of the road, out of which 852 affected structures are on the left side and 947 affected structures are on the right side. Table 2.2 gives a glimpse of properties affected in left & right side with the percentage share of properties.

Table 2: Total Number of Properties Likely to be Affected

Sl. No.	Road Side	No.	%age
1	Left	852	47.35
2	Right	947	52.65
Total		1799	100.00

Source: Census Survey, RT New Delhi, 2006

The total numbers of properties documented have been analyzed under different categories in terms of its uses, such as private, religious, residential, commercial, public Govt. etc. These divisions have been made according to their use and occupancy. Out of the total number of properties that are likely to be affected, 1584 are private properties (properties that are owned by individuals and do not have govt. or community ownership), while religious properties are also in significant number, i.e., 81 out of which 49 are in left side and 32 are in right side.

Table 3: Types of Properties

Sl. No.	Type of Properties	No. of Structures		%age
		Left	Right	
1	Private Properties	755	829	1584
2	Religious properties	49	32	81
3	Public Govt. properties	31	52	83
4	Community	17	34	51
Total		852	947	1799
				100.00

Accepted

Private Properties to be affected

Private properties have further been put into different categories, which are listed below.

Table 4: Type of Private Properties

Sl. No.	Type of Structure	No. of Structures			%age
		Left	Right	Total	
1	Residential	158	175	333	21.02
2	Commercial	534	607	1141	72.03
3	Res-cum-Commercial	31	23	54	3.41
4	Other Private Properties	32	24	56	3.54
Total		755	829	1584	100.00

Religious properties likely to be affected along the road

The impact on religious structures is generally considered as area of concern or hot spot due to its attachment with particular community. The total no of religious properties likely to be affected due to project are 81 and all are temples and small tree temples on both side of the project road.

Public properties likely to be affected along the road

The analysis of the census data reveals that there are 83 public/government properties that are likely to be affected due to widening. The Government properties include offices, Schools/Colleges, Govt. Hospitals/Health Centre etc.

Type of Construction of the Structures

As per the analysis of social survey, maximum number of structures, which are likely to be impacted within the corridor of impact, is semi pucca with 36.87 % followed by wooden as 29.29%. However, pucca and thatched structures also share sizeable number. The detail of type of constructions of the structures is summarized in the Table 5.

Table 5: Type of Construction along the Project Road

Sl. No.	Type of Construction	No. of Structures			%age
		Left	Right	Total	
1	Kutchha	48	58	106	6.69
2	Semi-Pucca	289	295	584	36.87
3	Pucca	132	105	237	14.96
4	Thatched	81	112	193	12.18
5	Wooden	205	259	464	29.29
Total		755	829	1584	100.00

Source: Census Survey, ICT New Delhi, 2006

0.7 SOCIAL PROFILE OF THE PAPS ALONG THE PROJECT ROAD

The objective of this exercise was to understand the composition of society and also to create database of project-affected persons (PAPs) in order to understand the social

profile of the project-affected area. Based on the data collected through the census survey, which an initial impact analysis has been depicted in the preceding paragraphs.

Number of PAPs along the Project Road

The analysis of the primary survey divulges that about 5208 PAPs are likely to be affected directly or indirectly by the project within the corridor of impact. Of the total number of PAPs 59.37 % are male and 40.63 % are females.

Table 6: Number of PAPs along the Project Road

Sl. No.	Gender	No. of PAPs			%age
		Left	Right	Total	
1	Male	1559	1533	3092	59.37
2	Female	1057	1059	2116	40.63
Total		2616	2592	5208	100.00

Source: Census Survey, ICT New Delhi, 2006

Religious Category of Project Affected Households

Social customs and tradition play a major role in determining the socio- economic development as well as occupational pattern in the influence area, keeping this in mind an analysis was conducted taking into account the religious profile of the PAPs within the corridor of impact. In the project road majority of the PAHs belong to Hindu religion, i.e., 85.36% followed by Muslim population of 1.70 %. The PAHs belonging to other religion are in negligible number. This trend shows that Hindu communities dominate the project road, which is also reflected in the type of religious structures, where all worship places located on the project road are temples and other religious shrines belong to Hindu communities. Table 7 delineates the religious cluster of the affected Households.

Table 7: Religious Categories of PAHs along the Project Road

Sl. No.	Religious group	No. of Households			%age
		Left	Right	Total	
1	Hindu	651	701	1352	85.36
2	Muslim	12	15	27	1.70
3	Sikh	0	1	1	0.06
4	Christian	0	3	3	0.19
5	Other	0	0	0	0.00
6	NA	92	109	201	12.69
Total		755	829	1584	100.00

Source: Census Survey, ICT New Delhi, 2006

Social Category of PAHs

Findings clearly indicate that the social categories of PAHs is in favour of OBC. Out of total PAHs 38.51 % belong to General castes followed by OBC category with 32.13 %. There are about 6.94% and 2.65% households belonging to Scheduled Castes (SC) and Schedule Tribe (ST) respectively.

Vulnerable Groups along the Road

Prime aim of the social Impact Assessment is to identify the vulnerable population inhabiting project corridor. The data reveals the fact that out of 1584 households 736 belong to vulnerable group, out of which 32.58 % households are Below Poverty Line (BPL) families. It is mentioned here that SC and ST categories are 6.94% and 2.65% respectively. Very few PAHs are in Women House Holds categories, i.e., 0.25%. Refer **Table 8** for the details of vulnerable groups:

Table 8: Vulnerable Groups along the Project Road

Sl. No.	Vulnerable Group (Owner)	Final			%age
		Left	Right	Total	
1	BPL	233	283	516	32.58
2	SC	61	49	110	6.94
3	ST	12	30	42	2.65
4	WHHs	2	2	4	0.25
5	PHs	0	1	1	0.06
6	Orphans/Destitutes	1	0	1	0.06
7	Aged person (above 65 yrs)	40	22	62	3.91
Total		349	387	736	46.46

Source: Census Survey, ICT New Delhi, 2006

The socio-economic analysis of the project affected persons reveal their dependency on the project corridor especially the PAPs of commercial category, as maximum number of properties affected are in this category. Therefore, widening may cause displacement of many PAHs especially in Sukinda, which may have adverse impact on their livelihood.

0.8 RESETTLEMENT POLICIES AND LEGAL FRAMEWORK

0.8.1 Basic Approach - Policy

The policy principle is to provide adequate compensation including R&R assistance, if any, to project displaced persons and project affected persons. PAPs and PDPs can be divided into two groups;

- Those who get affected due to acquisition of their land and assets or due to the fact that such land or sites so acquired had been a source of livelihood to them and
- Encroachers and squatters who are the illegal occupants/ users of public property/ land/ structure falling within the ROW and accordingly live or earn their livelihood by operating within the ROW.

0.8.2 Legal Framework

A project-specific resettlement framework has been prepared in accordance with the National Highways Authority of India's Rehabilitation and Resettlement principles and policy framework April 1999, referring to other policy documents. It stipulates eligibility and provisions for all types of losses (land, crops/ trees, structures, business/ employment and workdays/ wages). The Competent Authority according to the NH Act, 1956, will compensate the affected families. For lost assets the APs will also receive additional assistance such as shifting allowance, compensation for loss of workdays/ income due to dislocation. Broad features of this policy framework are as follows:

and other asset

- Loss of land, assistance to weaker section and vulnerable groups¹ and other asset support given to PAPs,
- Loss of diminished livelihood support given to adult individuals,
- Indirect group oriented impacts in the vicinity of the road corridor

0.8.3 Entitlement Framework

The entitlement framework is prepared in accordance with the National Highways Authority of India's Rehabilitation and Resettlement principles and policy framework April 1999 and NPRR 2003.

0.9 PUBLIC CONSULTATION PARTICIPATION

Public consultation is an integral part of the social studies as the process not only minimizes the risks and unwanted political propaganda against the project but also removes the gap between the community and the project formulators, which leads to timely completion of the project and making the project people friendly.

Stakeholders' participation and consultation with the people of different sections of society, i.e., potential affected people and other stakeholders including, local government officials, NGOs and people's organizations (POs) of the project area with the aim to build awareness among them so that likely potential adverse impacts of the project on the target population may be minimised. The option of alternative design like realignments, bypasses, underpasses, truck parking, service lane, median width and wayside amenities were also discussed with them.

Table 9: Core issues and Probable Solution/Suggestion

Sl. No.	Core issues	Probable Solution/ Suggestions
1	Awareness and people's Perception about the project	• The local people did not resist the project at all and were very happy. They welcome the decision of four-laning and were looking forward to the development in their area due to widening of the highway • People in general are in favour of the project, however, the ones who are losing their properties showed negative approach for the project.
2	Minimization of Land acquisition	• As far as possible the widening proposal should be limited to available ROW • If land acquisition is inevitable then only minimum amount of land be acquired
3	Provision for bypass and realignment	• Although the provision of By-pass/ realignment at Sukinda is not feasible due to technical as well as financial reason, the affected population is strongly in favour of by-pass/ realignment. The PAPs have suggested that a fly over/Over bridge can be constructed along the market area, which will save the market area. • Moreover, the affected people are in dilemma as they may lose their business prospects if a

¹ These include SCs, STs, OBCs, women headed households, Physically Handicapped, and people Below Poverty Line

Probable Solution/ Suggestions		
Sl. No.	Core issues	
		flyover/over bridge is proposed.
4	Provision of service Roads	Provision of service roads mainly at Sukinda.
5	Safety precautions	- There should be provision of safety measures specially for pedestrians, cyclists, women and school going children - Requirement for Traffic Indicators/ Signs/ Symbols near the schools, Industrial area, settlement area etc. - Speed limit nearby settlement area
6	Underpasses	Underpasses at schools, and for school going children, pedestrian, vehicles and animal crossings
7	Shifting of shops	- The affected people who were illegal occupants of the Govt land, and are willing to shift from there want at the same time that the authorities should be little considerate towards their problems and suggest some assistance to restore their livelihood. - They also suggested a common market place to be developed in and around the present market area, so that they can shift there and carry on with their livelihood - The commercial and residential PAPs which happened to be mostly squatters, agreed to move out from the Corridor of Impact(COI) whenever necessary. They also expressed that in the event of eviction they would move further away from the COI and set up their businesses.
8	Adequate Compensation	- Adequate and timely compensation for titleholders. - Provision of a market place for shop owners - The Legal occupants were concerned with the compensation package. People demanded all the shops displaced should get adequate compensation and Assistance - Compensation/ assistance may be given also to those who are illegal settlers on Govt land but are earning their livelihood since long.
9	Transparent and people friendly resettlement and rehabilitation	Transparent and people friendly resettlement and rehabilitation

0.9.1 Identification of the NGOs working in the area

Since the project implementation is done through government departments, resettlement and rehabilitation needs human approach and closeness to the people and community. Thus, it is necessary to identify existing NGOs working in the locality for welfare of the

society and make assessment of their capacity to involve them in rehabilitation and resettlement work. In the process the identified NGOs have been listed in Table 10.

Table 10: List of NGOs and CBOs

Sl. No.	Name of the Organization	Organizational Head / Address
1.	Samajik Sewa Sadan	Mr. Emmanuel Pathil (Director) Vill.-Banjhi Kusum, P.O.-Mahirsapat Dhenkanal-759001 Contact No./ Fax - 06762-224128 E-mail - ssorg@sancharnet.in
2.	Arun Institute of Rural Affairs (AIRA)	Mr. Suresh Kr. Panda (Director) At Aswakhole, PO- Karamul, Via. Mahimagadi, Dist. - Dhenkanal, Pin- 759014 Contact No.- 06762-289668, 289670 E-mail - aia_dkl@yahoo.co.in
3.	Peoples' Institute for Participatory Action Research (PIPAR)	Mr. Sankarsana Hoda (Director) Prakruti Niwas, Bhagirathi sagar east, Gudianali, Dhenkanal, Orissa Pin-759001 Contact No.- 06762-224928, 224450 E-mail- pipardkl@sancharnet.in
4.	Adarsha Seva Sangathan	VIM 714, Sailshree Vihar, Bhubaneswar-21. Project Office: At/PO- Khamar Distt.- Anugul Orissa-759118.

Source: Consultation conducted by ICT, New Delhi, 2006.

The identified NGOs are largely working in and around Dhenkanal, Angul and Jaipur districts. Some of them have even experience in the resettlement work. The coordinators of the NGOs are capable enough and will be helpful in handling sensitive issues like demolition of private structures, providing opportunities of employment, and shifting of religious and community properties. They have further repeated and stressed on proper training and orientation program that should be organized by the project authority and also be provided resources for undertaking the R&R work.

0.10 CHILD LABOR PRACTICE ALONG THE PROJECT ROAD

The practice of child labor has been illegal in India since 1933, when the Children (Pledging of Labour) Act was enacted under British rule. Since independence, a plethora of additional protective legislation has been put in place. There are distinct laws governing child labor in factories, in commercial establishments, on plantations, and in apprenticeships. Recent law-the Child Labour (Prohibition and Regulation) Act of 1986-designates a child as "a person who has not completed their fourteenth year of age. It purports to regulate the hours and conditions of some child workers and to prohibit the use of child labor in certain enumerated hazardous industries. These extensive legal safeguards mean little, however, without the political will to implement them. In India, this will is sorely lacking. All of the labor laws are routinely flouted, and with virtually no risk of punishment to the offender.

The present road sections NH-200 (from Chainage km 301.890 to km 382.000) witnesses widespread commercial activities along the roadside. The main reason behind these commercial establishments along the roadside is the inflow of truckers and traders from different corners of the country and its closeness to Jaipur road. The dhabas, eateries, tea-stalls, motor repairing units and many other commercial establishments provided platform to child labour as they are available at cheaper rate. The Consultant during public consultation came across many children who are working on these shops/establishments as child labourers. However, none of the owners of such establishments were willing to reveal the name of these child labourers. Few of them even denied that they are currently employing any child in their shops.

0.11

HIV / AIDS ALONG THE PROJECT ROAD

In order to know about these fatal diseases along the project highway area the *Social Expert* has made individual interviews, personal contacts, and discussion with Dhaba owners, truckers and their helpers and assistants, pedestrians, local community people etc.

During census survey the discussion was made with concerned, about the HIV /AIDS. Several group discussions and meetings were organized with various inhabitants living along the project road at different locations with the objective for prevention of AIDS and STDs transmission.

The meetings and consultations with various stakeholders didn't authenticate any case of HIV/AIDS in the project influence area. It was also confirmed by the local health officer that no case of HIV/AIDS and other STDs came to the notice in any health center located in and around the project road.

However, Parjang, Mangalpur, Sukinda & Dubri may have probability of highway transmitted diseases. Thus, awareness campaign will be required at the time of construction of the road

0.12

RESETTLEMENT ACTION PLAN

The Resettlement Action Plan will be prepared on the basis of the finding of the census and Socio-economic Survey, which will cover all assets and households including every category such as squatters, encroachers and titleholders falling within the proposed alignment area. The survey findings will form the basis for payment of compensation and assistance to affected/displaced households as per the provision of resettlement and rehabilitation framework developed for this project.

0.13

ESTIMATED R & R COST AND BUDGET

A tentative R&R cost has been worked out for inclusion in the overall project cost in feasibility report. The total R & R cost including the cost of the land has been worked out to **Rs. 206.66** crores say **Rs 206.7 Crores** only. The land acquisition requirements have worked out including the 3 proposed bypasses, amounting to the acquisition of **407.886** Ha of Land. The acquisition cost of the land is estimated to be **Rs 111.31 Crores** (Replacement cost).

Total R & R Cost (excluding the cost of the Land) estimated to be **95.66 Crores**, including the tentative cost of asset acquisition, income generation activities, administrative expenses, NGO involvement, monitoring & evaluation and contingencies including cost of the land.

The cost estimates are based on information received from different sources and market value collected during social survey.

...



Project Director
National Highways Authority of India
PIU, Bhubaneswar