



INDIA: JHELUM AND TAWI FLOOD RECOVERY PROJECT, JAMMU & KASHMIR

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ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP)

SUBPROJECT–REHABILITATION/RENOVATION OF STORM WATER PUMPING STATION IN SRINAGAR CITY AND REPLACEMENT OF THE POWER EQUIPMENT, SWITCH/PANEL BOARDS AT ELEVATED PLACES, AND RELATED INVESTMENTS FOR IMPROVEMENT AND INCREASED RESILIENCE

DECEMBER, 2018

Prepared by the Government of Jammu & Kashmir for the World Bank

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

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ABBREVIATIONS

APD	Additional Project Director
AEE	Assistant Executive Engineer
ARAP	Abbreviated Resettlement Action Plan
BP	Bank's Policies
BPL	Below Poverty Line
BSR	Basic Schedule Rates
EE	Executive Engineer
DEA	Department of Economic Affairs
DC	Design Consultant
ESMC	Environment and Social Management Committee
ESMF	Environment and Social Management Framework
FGD	Focus Group Discussion
FHH	Female Headed Households
GIS	Geographic Information System
GoJ&K	Government of Jammu & Kashmir
GRC	Grievance Redress Committee
HR	Human Resource
HT	High Tension
ID	Identity Card
IMD	Indian Meteorological Department
ISA	Independent Safeguard Audit
JE	Junior Engineer
J&K	Jammu and Kashmir
JTFRP	Jhelum and Tawi Flood Disaster Recovery Project
LAA	Land Acquisition Act
LAO	Land Acquisition Officer
LGC	Local Grievance Committee
M&E	Monitoring and Evaluation
NOC	No Objection Certificate
NGO	Non-Governmental Organization
O & M	Operation and Maintenance
OBC	Other Backward Class



OP	Operational Policies
PAPs	Project Affected Persons
PRI	Panchayati Raj Institutions
PAFs	Project Affected Families
PIU	Project Implementation Units
PMU	Project Management Units
PSC	Project Steering Committee
PWD	Public Works Department
PW (R&B)	Public Works (Road & Bridges)
RAP	Resettlement Action Plan
RDNA	Rapid Damage and Needs Assessment
R&R	Resettlement and Rehabilitation
SC	Scheduled Caste
SDA	Srinagar Development Authority
SDS	Social Development Specialist
SIA	Social Impact Assessment
SMC	Srinagar Municipal Corporation
SE	Superintendent Engineer
SSO	Social Safeguard Officer
ST	Scheduled Tribes
UEED	Urban Environmental Engineering Department
WB	World Bank

EXECUTIVE SUMMARY

1. In September 2014, the northern region of India experienced torrential monsoon rains causing major flooding and landslides. The continuous spell of rains from 2nd to 4th September, 2014, caused Jhelum and Chenab Rivers as well as many other streams/tributaries to flow above the danger mark. The Jhelum River also breached its banks, flooded many low-lying areas in Anantnag, Srinagar and adjoining districts. Due to the unprecedented heavy rainfall the catchment areas particularly, the low-lying were flooded for more than two weeks. Some urban areas in Srinagar stayed flooded for 28 days.
2. On request from Department of Economic Affairs, Gol in discussions with the GoJ&K, the World Bank agreed to provide assistance to Government of J&K in the recovery process of various damages occurred as a result of floods by sanctioning a multi sectoral "Jhelum and Tawi Flood Disaster Recovery Project" under various components.
3. Component 3 of "Jhelum and Tawi Flood Disaster Recovery Project" is 'Restoration of urban flood management infrastructure'. The objective of this component is to strengthen and reinforce existing weak and vulnerable flood control infrastructure. Investments primarily include rehabilitation/renovation of 50 storm water pumping stations in Srinagar city, and replacement of the power equipment, switch/panel boards at elevated places, and related investments for improvement and increased resilience. The sub-project intends to address the major drainage problem of Srinagar city. The effective drainage management system will be created with long term strategic planning based on Storm Water Drainage Master Plan of the city.
4. The Social Screening study of all the 49 pumping stations (1 have been considered in other scheme) shows that 44 out of 49 pumping station are located on government land and thus do not require any land procurement/acquisition. But the remaining 5 pumping stations are operating on rented private land and are running in temporary sheds. To make these pumping stations flood resilient, permanent structures are proposed for which land would be required to be procured/acquired permanently. This Abbreviated Resettlement Action Plan (ARAP) has been prepared for these 5 pumping stations where private land will be affected due to the rehabilitation/ renovation activities. These 5 pumping stations are: Khan Colony, AhmadaKadal, Alamgari Bazar, Kacharpora and Rose Avenue (HMT).
5. The construction of 5 pumping stations will require 3438 Square Feet i.e. 0.0318 ha of private land affecting 06 land parcels. Out of 5 stations, 4 stations are functional at the same location for the last three/four decades and are under possession of UEED. At these 4 locations, the structures constructed by government/UEED are temporary in nature and thus, construction of permanent two storied building is proposed under the sub-project. As major investment is proposed on each station, thus the land should be under ownership of UEED/government to avoid any future dispute/legal implications. Whereas, the remaining 01 Station is functional at a building (shop) rented by UEED for last five years.



6. The census survey of the project affected properties and families along with the public consultations of various stakeholders were conducted for preparation of ARAP. The cut-off date of census survey is 31st December 2017.
7. As per the land records of these 5 land parcels, 12 PAHs were identified as legal owners of these land patches. As per the Census survey, only one structure which is a residential-cum-commercial structure would be impacted due to the land procurement for the sub-project. The sub-project is affecting the livelihood of only one household who has rented their commercial structure for the pumping station (Khan Colony location). With the impact on the structure, the earning of the household through this commercial structure will stop. Although this is not the main source of their earning.
8. In all the cases the pump stations are already functional at the similar location and the land acquisition will not affect the life of 11 PAHs. But in case of 1 location i.e. Khan Colony, the land acquisition through private negotiation proposed for complete commercial cum residential structure as this is the case of 'entire loss of structures or where there is only partial impact, but the remaining structure is rendered unviable for continued use, 1 PAH will be given 90 days advance notice so as to vacate the complete structure before demolition. All the compensation and assistance will be provided before taking legal possession of the land and the asset to be used under the project. Payment of compensation and assistance will be based on the entitlement of the PAFs.
9. The entitlement matrix is based on agreed entitlement framework prepared for this project loan. The Implementing Agency will provide replacement cost for affected land/structures/other assets along with other types of assistance. Adequate provisions have been made in the ARAP to cover the losses caused as a result of permanent land acquisition under the project.
10. During consultations, all the PAHs expressed their willingness to sell their land/structure/assets to be used in public interest by the project against satisfactory compensation. The affidavit regarding the same has been given by all PAPs on Rs.10 Non-Judicial stamp paper or through declaration.
11. R&R budget has been worked out for the sub-project based on impacts identified during the census. The resettlement cost estimate for the 5 Dewatering Stations includes cost of land purchase/ acquisition, resettlement and rehabilitation assistance, as outlined in the entitlement framework, support cost for ARAP implementation, monitoring, evaluation and contingency provision amounting to 10% of the total cost. The state government will be responsible for releasing the funds for resettlement in a timely manner. The total resettlement cost for the subproject is INR 81,41,923/- (Rupees Eighty One Lac Forty One Thousand Nine Hundred and Twenty Three only).
12. All provisions of reporting, monitoring and evaluations are detailed out in the ARAP. The implementation schedule, institutional arrangements, and grievance redressal mechanism have been provided in detail.

1. INTRODUCTION AND METHODOLOGY

1.1 Background

13. In September 2014, the northern region of India experienced torrential monsoon rains causing major flooding and landslides. The continuous spell of rains from 2nd to 4th September, 2014, caused Jhelum and Chenab Rivers as well as many other streams/tributaries to flow above the danger mark. The Jhelum River also breached its banks, flooded many low-lying areas in Anantnag, Srinagar and adjoining districts. In many districts, the rainfall exceeded the normal by over 600 per cent.

14. Due to the unprecedented heavy rainfall the catchment areas particularly the low lying was flooded for more than two weeks. Some urban areas in Srinagar stayed flooded for 28 days. Water levels were as high as 27 feet in many parts of Srinagar. The main tributaries of river Jhelum vis-à-vis Brenginallah, Vishavnallah, Lidernallah and Sandrannallah started overflowing due to the heavy rainfall causing water levels in Jhelum river to rise. Subsequently, the discharge of the river Suran was 200 thousand cusecs as against an average of 50 thousand cusecs. With the excessive discharge of water, the river Suran affected the basin areas and also took a different course at various locations causing damages to the surrounding villages in the catchment area. Water levels also increased in the rivers of Chenab and Tawi, both of which were flowing above normal levels. Due to the rivers overflowing nearly 20 districts were impacted.

15. A Joint team led by the Department of Economic Affairs (DEA), Government of India, with representation from the World Bank visited Srinagar on October 21, 2014. Subsequently, a request from Gol was received on 5th January, 2015 by the WB to field a Rapid Damage and Needs Assessment (RDNA) Mission. In response, a mission of the World Bank visited the affected districts during February 1st to 6th, 2015 in order to produce a rapid multi-sectoral assessment report of the damages and needs. The RDNA estimates the total damages and loss caused by floods at about INR211,975 million (equivalent US\$3,550.45), most of it to housing, livelihoods, and roads and bridges, which combined represented more than 70 percent of the damages in terms of value. Public service infrastructure and equipment of hospitals and education centres were also severely damaged and were not fully operational.

16. Based on the RDNA results, restoration works underway, and discussions with the GoJ&K, the project will focus on restoring critical infrastructure using international best practice on resilient infrastructure. Given the state's vulnerability to both floods and earthquakes, the infrastructure will be designed with upgraded resilient features, and will include contingency planning for future disaster events. Therefore, the project aims at both restoring essential services disrupted by the floods and improving the design standard and practices in the state to increase resilience.



17. The project is comprised of the following seven components:
- (i) Reconstruction and strengthening of critical infrastructure (US\$60 million);
 - (ii) Reconstruction of roads and bridges (US\$80 million);
 - (iii) Restoration of urban flood management infrastructure (US\$50 million);
 - (iv) Restoration and strengthening of livelihoods (US\$15 million);
 - (v) Strengthening disaster risk management capacity (US\$25 million);
 - (vi) Contingent Emergency Response (US\$0 million); and
 - (vii) Implementation Support (US\$20 million).
18. Component 3 of "Jhelum and Tawi Flood Disaster Recovery Project" is 'Restoration of urban flood management infrastructure'. The objective of this component is to strengthen and reinforce existing weak and vulnerable flood control infrastructure. Investments will primarily include rehabilitation/renovation of around 49 storm water pumping stations in Srinagar city, and replacement of the power equipment, switch/ panel boards at elevated places, and related investments for improvement and increased resilience.

1.2 Sub-Project Background:

19. "Jhelum and Tawi Flood Disaster Recovery Project" in J&K envisages "rehabilitation/renovation of storm water pumping stations in Srinagar city and replacement of the power equipment, switch/panel boards at elevated places, and related investments for improvement and increased resilience" as a part of Component 3. This sub-component intends to restore the urban flood management infrastructure to safeguard Srinagar city during summer and monsoon season. Srinagar is the state capital for summer season; it is the heart of J&K from where leading tourism activities are being facilitated in the state. Tourism is the second prominent source of income for J&K citizens, which contributes significantly to the state's economy. Floods generally occur in the summer season when heavy rains are followed by snowmelt, thus affected the local community and also affecting the tourism industry in the state which is a major source of livelihood for many families.

20. Restoration of city flood management system will benefit the local communities by saving their houses, vicinity and livelihoods, which gets affected due to frequent flooding in the city and water logging in low lying areas especially during summer and monsoon season. The intervention will strongly benefit vulnerable groups and women community, who are the most suffering section of the society due to water logging and floods inside the town/local areas. In the downtown area, with heavy rainfall during summers and monsoon seasons, water logging is a problem, which also enters into the houses. This affects the daily household activities of women like cooking, sending children to the schools and going to the workplaces, till the water level goes down. Overall it degrades the quality of life of the locals. Therefore, project will have a positive long-term impact on the state's economy and living standards of the local population. The subproject is being funded by World Bank under emergency loan assistance modality and



thus, the World Bank safeguard policies OP 4.12 Involuntary Resettlement and OP 4.10 Indigenous People will be applicable for the project wherever it gets triggered.

21. The sub-project intends to address the major drainage problem of Srinagar city. The effective drainage management system will be created with long term strategic planning based on Storm Water Drainage Master Plan of the city. It focuses on "rehabilitation/renovation of storm water pumping station in Drainage Zone-I, II, III and IV of Srinagar city and replacement of the power equipment, switch/panel boards at elevated places, and related investments for improvement and increased resilience" under Restoration of urban flood management infrastructure component of JTFRP. Under this subproject, 49 Dewatering pumping stations were included for rehabilitation/ renovation in Srinagar city.

1.3 Need for ARAP

22. A Social Screening study of all the 49- Dewatering pumping station were conducted, in accordance with the procedure provided in Environment and Social Management Framework (ESMF), to understand the social impacts of the subproject. The location brief is provided in **Annexure-1**. As concluded in the Social Screening study report, 44 out of 49 Dewatering pumping stations proposed for rehabilitation/renovation are on government land and thus do not require any land procurement/acquisition. The remaining 5 Dewatering pumping stations are functional either on rented or on private land. To make these pumping stations flood resilient, permanent structures are proposed for which land need to be procured/acquired permanently. Thus, this Abbreviated Resettlement Action Plan has been prepared to manage the adverse social impact for these 5 pumping stations where private land will be affected due to the rehabilitation/renovation activities. These 5 pumping stations falls in Srinagar district and are:

1. Khan Colony
2. AhmadaKadal
3. Alamgari Bazar
4. Kacharpora
5. Rose Avenue (HMT)

23. For 44 pumping stations, where land is under possession of Urban Environmental Engineering Department (UEED), more details are attached in **Annexure-2**.

1.4 Objective of the study

24. Following are the objectives of the study conducted:
- to assess the extent of asset loss and undertake the census of the project affected people
 - conduct stakeholders' consultation and suggest mitigation measures taking into consideration the feedback received in consultations



- to outline the entitlements for the affected persons for payment of compensation and assistance for establishing their livelihoods
- to develop an Abbreviated Resettlement Action Plan (ARAP) in consultation with the affected people and project authorities.

1.5 Approach and Methodology

25. This report is largely based on primary data collected during field survey and is well supported by a review of available secondary data for preparation of baseline information. A Census of the affected households was conducted in December 2017. Sub-project specific Census Survey and Socio-Economic Questionnaires (**Annexure-3**) were administered to assess the potential adverse social impacts with the objectives to manage the social aspect of the sub-project.

26. The field research included census survey of the project affected persons and properties. Public consultation meetings (**Format Annexure-4**) were also conducted with various stakeholders including affected people, government line agencies, implementing agencies etc.

27. **Cut-Off Date:** A cut-off date is the date disclosed as the deadline for entitlement eligibility. Up to and including that date, assets in the Project Impact Area are eligible for entitlement compensation. Persons who encroach on the area after the cut-off date will not be entitled to get compensation or any other form of resettlement assistance. Normally, this cut-off date is the date of the census begins. For this sub-project, the start date of census survey has been considered as cut-off date. The census of project affected was started on 31st December 2017 which is being considered as cut-off date for this subproject.

1.6 Reporting requirements

28. The Abbreviated Resettlement Action Plan requirement is to assess and analyse the impacts on the properties, people and key stakeholders. It also requires identification of broad categories of affected properties and project-affected people (PAPs) including assessment of beneficial and adverse social impacts. To meet the above requirements, this report has been organized in following Chapters:

- Chapter 1: Introduction and Methodology
- Chapter 2: Evaluation of Social Impact
- Chapter 3: Stakeholder Consultation
- Chapter 4: Regulatory Framework and Entitlement Matrix
- Chapter 5: Institutional Arrangements for ARAP Implementation
- Chapter 6: Grievance Redress Mechanism
- Chapter 7: Estimated Costs and R&R Budget
- Chapter 8: Implementation Schedule
- Chapter 9: Monitoring and Evaluation

2. EVALUATION OF SOCIAL IMPACTS

2.2 Introduction

29. The proposed pumping stations will help in restoration of city flood management system and will benefit the local communities by saving their houses, vicinity and livelihoods, which gets affected due to frequent flooding in the city and water logging in low lying areas especially during summer and monsoon season. At the same time, the project will also adversely affect some private land at five pumping stations locations. To know the extent of impact, a Census and Socio-Economic survey was conducted in the month of December 2017 for all the 5 pumping station locations.

2.3 Impact on land

30. The construction of 5 pumping stations will require 3438 Square Feet i.e. 0.0318 ha of private land affecting 6 land parcels. Four out of five stations are functional at the same location for the last three-four decades and are under possession of UEED. At these 4 locations, the structures constructed by government/UEED are temporary in nature and thus, construction of permanent building is proposed under the sub-project. As major investment is proposed on each station, thus the land must be under ownership of UEED/government to avoid any future dispute/legal implications. Whereas, the remaining 01 Station is functional in a building (shop) rented by UEED for last five years. This was hired to set up pumping machineries by UEED. The total land required for the five-pumping station are given below in **Table 2-1**:

Table 2-1: Details of land requirements

Sl. No.	Pumping Station Locations	Ownership Status	Total Area required	
			(in square feet)	(in hectare)
1.	Khan Colony	Private	1088	0.0101
2.	AhmadaKadal	Private	1088	0.0101
3.	Alamgari Bazar	Private	120	0.0011
4.	Kacharpora	Private	540	0.0050
5.	Rose Avenue (HMT)	Private	270	0.0025
		Government	332	0.0030
Total			3438	0.0318

Source: Land survey, Dec 2017 and revenue records

31. In Rose Avenue (HMT) location, dewatering pump station is operating on a total 602 sqft land (0.0055 hectare) land. Out of 602 sqft land in possession of UEED, 270 sqft is an unclaimed piece of land. The details are attached as **Annexure-13 (v)**. In the certificate issued from the 'Patwari Halqa (revenue inspector for concerned area) it is mentioned that the land measuring 1



marla i.e. 270 sqft bearing survey no. 486 in Vill. Zainakote is under dewatering pump station and the rest of the land occupied by pump station belongs to village Khushipora. To further identification of all rightful owners in general and the owner of unclaimed land in particular several notifications has been issued in leading newspapers from time to time.

32. In Greater Kashmir it was published on 3rd May 2018 and again on 25th October 2018 and thereafter on 28th October 2018 in Srinagar Times for all 5 dewatering pumping stations {copy attached as **Annexure-13 (vi)**}. Within the stipulated time, mentioned in newspapers and even thereafter no claim has been received for 270 sqft land parcel at Rose Avenue, HMT pumping station. Collectively both the parcels are in possession of government for common cause and welfare of the society. As no one comes out and filed their objection against the construction of pumping station at Rose Avenue (HMT), therefore it is considered as encumbrance free land over which pumping station will be constructed. However, in case of any claim in future, compensation would be provided as per the applicable policy after proper verification of the claim.

33. However, for other locations, owners will be compensated on account of loss of land and other assets. Land will be acquired/procured as per the provisions of State Land Acquisition Act 1990; preferably through private negotiation with the owners.

2.4 Households likely to be affected due to the Sub-project

34. A census and socio-economic survey has been conducted to record the impacts due to land procurement/acquisition and assess the socio-economic status of the Project Affected Persons (PAPs). As per the Census, only one private residential cum commercial structure is likely to be affected due to the sub-project. No other impact was envisaged on any commercial asset/land, community & religious structures etc. During the Census, details of all the potential PAPs have been collected. The details have been discussed in following sections. The Census details of all PAHs involved in all the 05 private land parcels is attached as **Annexure-5**.

35. As per the land records of these 5 land parcels, 12 PAHs were identified as legal owners of these land patches. The legal documents along with the other property details have been submitted by the respective land owners. Apart from this, at Rose Avenue HMT pumping station, there is an unclaimed land piece, for which no claim has been noted. The summary of Resettlement Impact is provided in **Annexure-6**.

2.4.1 Impact on Structures

36. As per the Census, only one structure which is a residential cum commercial would be impacted due to the land procurement at Khan Colony, Channapora area. In this case the station is operational inside a shop, which is having its commercial value and the owner is getting monthly rent for this shop from the UEED/SMC. The acquisition of required asset at Khan Colony would render the rest of the structure unliveable. Therefore, the owner has been



consulted while census & socio economic survey and has agreed to sell complete structure for this subproject.

Table 2-2: Details of Affected Structure

Location of Dewatering Pumping Station	Type of structure	Type of construction	Number of Storey	Total area in sqft.
Khan Colony Station	Permanent	Concrete	2	Residential (house)=770
				Shop=132
				Total area of building=902

Source: Census Survey, December 2017

2.4.2 Impact on Livelihood

37. UEED has rented one building (shop) at Khan Colony for operating dewatering pumping station. The owner of the building is getting rent from the UEED and permanent acquisition of the said shop will stop this additional income (rent) to the owner. This income from rented out shop is not the main source of livelihood of the owner. In lieu of running this station in shop SMC has already appointed one women family member of this house as casual labour in the department. There is no adverse impact on livelihood of any family at the rest of locations proposed for construction of dewatering stations.

2.5 Socio-economic Profile of the affected households/families

38. The socio-economic survey was carried out with the purpose to create a broad database of the project-affected persons (PAPs) and to understand the social profile of the project area. It helps in appraising the positive as well as negative changes in the life style of the communities in the subproject influence area due to subproject intervention. As per the socio-economic survey, 28 PAPs of 12 project affected households are getting affected due the sub-project. The average household size amongst the surveyed affected households is 03. The primary source of livelihood of majority of the households is private/government job and/or small business. Based on the primary data collected during socio-economic survey, an assessment of the socio-economic profile of the affected population is outlined in the following sections.

2.5.1 Religious groups and Social Category of PAF

39. The survey findings show that all PAFs belong to Muslim/Islam religion and all falls in General category. The sub-project does not have any adverse impact on SC & ST people.

2.5.2 Vulnerable Groups

40. An assessment was made to bring out the vulnerable PAF (Below Poverty Line families, Women-headed Households (WHH), Lonely old aged and physically challenged) headed households. Out of the 12 PAFs, 4 households are Women Headed Households.

2.5.3 Occupational pattern



41. As noted during the Socio-economic survey, the PAF are engaged in private jobs and small businesses activities as their primary source of income. Only 01 household is using the affected patch of land as additional source of income by renting it out to SMC for the existing pumping station.

2.5.4 Income level of the PAF

42. The average household income of the PAHs is Rs. 10,000/ month (approx.). None of the PAF comes under BPL category¹ as per the “Press Note on Poverty Estimates, 2011-12 by the Planning Commission, Govt. of India” **Annexure-7**.

¹The definition of BPL is whose “Monthly per capita income in the state of Jammu & Kashmir is Rs. 891 in rural areas and Rs. 988 in urban areas.

3. REGULATORY FRAMEWORK AND ENTITLEMENTS MATRIX

3.2 Introduction

43. The Resettlement Policy Framework (RFP) has been prepared for JTFRP to mitigate any potential adverse impacts. RFP is a guiding tool in deciding the assessment procedures and mitigation measures to minimize any likely negative impacts due to any subproject under JTFRP. The Resettlement Policy Framework for JTFRP provided in ESMF is drawn in accordance with the World Bank’s Safeguard Policies, National policy of GOI and State’s policies on Land acquisition. The framework has been referred as a guiding tool to mitigate the adverse social impacts triggered in the “rehabilitation/renovation of storm water pumping station in Srinagar city and replacement of the power equipment, switch/panel boards at elevated places, and related investments for improvement and increased resilience” sub-project.

44. Under this sub-project, out of 49 Dewatering pumping stations, 05 existing pumping stations are on private land and the remaining 44 stations are on the land either belonging to government or in possessions/occupancy of Urban Environmental Engineering Department (UEED) and are free from encumbrances.

3.3 Applicable World Bank Safeguard and J&K land acquisition policies

45. The applicability of World Bank Safeguard policies is discussed in below **Table 3-1**:

Table 3-1: Legal and Regulatory Framework

Policy	Key Features	Applicability to the Project
OP/BP 4.12 Involuntary Resettlement	The policy covers not only physical relocation but any loss of land or other assets resulting in relocation or loss of shelter, loss of assets, access to assets, loss of income sources and means of livelihoods, whether or not the affected people must move to another location Intended to avoid or minimize involuntary resettlement, improve former living standards, income earning capacity and production levels of affected population Requires identification of “those who have formal legal rights to the concerned land (including customary and traditional rights recognized under the laws of the country) and public participation in resettlement planning as part of SA	Applicable Construction of 5 out of 49 pumping stations would require procurement of private land.
OP/BP 4.10 Indigenous Peoples	Purpose is to ensure Indigenous People’s benefit from Bank financed development and to avoid and mitigate adverse effects on	Not Applicable The impacted titleholders do not belong to any indigenous



Policy	Key Features	Applicability to the Project
	<p>Indigenous Peoples.</p> <p>Applies to projects that might adversely affect Indigenous Peoples or when they are targeted beneficiaries.</p> <p>Require participation of Indigenous Peoples in creation of “Indigenous Peoples Development Plans”</p>	<p>group and none of them belong to any SC/ ST category.</p>
State Land Acquisition Act 1990 (1943 AD)	<p>The act provides the legal framework for land acquisition for public purposes in J&K. It enables the State Government to acquire private lands for public purposes and seeks to ensure that no person is deprived of land except under the act.</p> <p>General process for land acquisition under the act is: Private Negotiation and /or Compulsory acquisition under the provision of the act.</p>	<p>Applicable</p> <p>All land parcels would be acquired through private negotiation, under the J&K State Land Acquisition Act.</p>

3.4 Mode of Land Acquisition

46. The land for 5 pumping stations will be procured through private negotiations as detailed out in the Jammu and Kashmir State Land Acquisition Act (1990). The land parcels required for constructing the permanent structures for these pumping stations are those where these pumping stations are already functional since last 3-4 decades. Therefore, no new locations are being proposed and converting the temporary structures into permanent at the same location will not affect the normal life of 11 PAHs except one at Khan Colony. It is envisaged that procurement of land at one location i.e. Khan Colony (Chanapora) through private negotiation will render the entire residential cum commercial building unliveable/uninhabitable. This is the case of entire loss of structures or where there is only partial impact but the remaining structure is rendered unviable for continued use. This affected PAH has been consulted and prior information regarding the progress of project planning and updates communicated. However, proper notice will be given (90 days advance notice) so as to vacate the complete structure before demolition. All the compensation and assistance will be provided before taking legal possession of the required land and the asset to be used under the sub-project. Payment of compensation and R&R assistance applicable will be calculated based on the entitlement of the PAF.

47. During ARAP implementation, if the PAPs desire, efforts will be made to provide employment through their engagement in the civil works. Though, none of the PAP expressed their willingness to be associated with civil/construction activities during implementation.

48. Ensuring there is no income or access loss during subproject construction is the responsibility of PIU/contractors. Consistent with the initial environmental examination,



contractors will ensure: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time etc. This will certainly minimize the inconveniences to the public due to construction activities. However, a proper ESMP will be developed to monitor and ensure that no income loss and any other adverse social impact incurred to anyone. However, if any adverse impact will occur during execution same shall be addressed as per applicable guidelines of World Bank and state laws.

49. Resettlement assistance to project affected persons will be disbursed prior to taking possession of land and initiating removal of structures for commencement of civil works.

3.5 Procedure of Land Acquisition:

50. The following procedure shall be adopted for the required land acquisition:

- (1) **Land Acquisition through private negotiation under J&K LA Act 1990:** As per the rules of the State Land Acquisition Act 1990 (1934 AD) land for public purpose could be acquired through two processes. (i) Private Negotiations (ii) Compulsory Land Acquisition. The approved Environment and Social Management Framework (ESMF) has ruled out compulsory land acquisition and permitted land procurement/acquisition only through direct purchase by government or private negotiation. Since the land owners at all the 05 locations have shown their willingness to provide their land in lieu of compensation through private negotiation. So the preferred mode for acquisition of land will be private negotiations only.
 - (i) **Placing of Intent by Intending Department:** SMC being implementation agency will prepare a report on required land parcel and send a request to concerned Collector to acquire the selected land parcel.
 - (ii) **Preparation of the Revenue Record:** (Shajra and Khasra): A Shajra map is a detailed map of the Village/Mohalla that is used for legal and administrative purposes with regard to land ownership and boundaries of survey numbers. In J&K. Shajra map gives each parcel a unique number. A Khasra is an index register to the map, listing, by number, all the fields and their area, measurements, ownership etc. SMC has already collected the revenue records and identified the legal owners of the required land parcels. The revenue records are ready to be shared with Collector.
 - (iii) **Issuance of Land Acquisition Notification:** As soon as the revenue documents will be submitted to Collector. The Collector will issue notification under Section 4 (i) that



the land is required for the public purpose and invite the objections from the land owners within fifteen days of issuance of notification.

(iv) Conducting of the Private Negotiation: After the lapse of fifteen days, concerned deputy commissioner is requested by the Collector to call a meeting of a private negotiation committee of which concerned District Collector is the Chairman. Other members are:

1. Collector (Land Acquisition) to whom indent is placed
2. Engineer from Intending Department
3. Collector (Land Acquisition) of concerned District
4. District Superintending Engineer
5. Concerned Tehsildar
6. Concerned Naib Tehsildar
7. Land Owners

51. Before initiating the negotiations, the committee ascertains the maximum price which is offered for land owners if acquired by the private negotiations. The District Collector takes following things into consideration:

- (a) Directs Tehsildar to communicate the rates
- (b) Refers to the Master rates approved by the Divisional Commissioner concerned
- (c) Refers to the rates at which the land has been earlier acquired in the nearby area
- (d) Utility and Location of the land

52. After taking into consideration all the above information, appreciated rates are offered and negotiated with the land owners. The valuation of the structure will be done by the PW (R&B) Department.

(v) Consent Award: The system of consent award requires an additional solatium to be paid to the consenting titleholder, which has to be determined by the PMU.

(vi) Compensation for structures and other assets: The compensation for structures includes market price of the assets to build/procure a replacement asset, or to repair, if affected partially. In determining the replacement cost, depreciation of the asset and the value of the salvage materials are not taken into account. An addition of 30% is made to the replacement value.

3.6 Valuation of Land/Structure/Asset:

53. The Valuation of land was done by below mentioned procedure -



- Total Area of Required Land piece/affected Land was measured by a team comprises of Assistant Executive Engineer (AEE), Junior Engineer (JE), Supervisor of Pump Station, Patwari Halqa/Revenue Officer, Social Expert in presence of the Land Owner/its Inheritors.
- The type of construction and age of affected structure was assessed during the valuation process.
- The Valuation of the land will be done based on the Notification issued by The Collector Deputy Commissioner, Srinagar for preparation and revision of Market Value/ Stamp Duty Rates for the year 2018-19 for Urban & Rural areas of District Srinagar. The rates shall remain valid till 31st March 2019 **{Annexure-8 (i), (ii)}**.
- The Market Value of the land has also been assessed with the help of local survey and interaction with the local community during the census/socio economic survey and consultation.

3.7 Entitlement Framework

54. All PAFs who are identified in the subproject areas on the cut-off date will be entitled to compensation for their affected assets, and rehabilitation measures (as outlined in the entitlement matrix below). Compensation eligibility is limited by a cut-off date as set for this project on the day of the completion of the census survey which is 31.12.2017 in this case. PAFs who settle in the affected areas after the cut-off date will not be eligible for compensation and assistance. They however will be given sufficient advance notice (30 days) and will be requested to vacate premises and dismantle affected structures prior to project implementation. The PIU will provide the identity cards (ID) to each of the PAFs. A sample copy of the ID card is provided in **Annexure-9**. The entitlement matrix for the subproject based on the above policies is in **Table 3-2**.



Table 3-2: Entitlement Matrix for the affected households

Type of Loss	Identification of Project Affected Households/Persons	Entitlements	Number of Households	Entitlement Details
A- Loss of Land				
A-2- Loss of Residential or Commercial Land	PAFs with legal rights/titles, recognizable rights or traditional rights to the affected land	Compensation at replacement cost	12	The loss of residential, commercial land where only a part of land is affected but the remaining land is rendered too small according to the local zoning laws: (i) PAFs will be provided compensation in cash at replacement cost agreed through private negotiation u/s J&K LA Act 1990
B- Loss of Structure				
B-3- Loss of Structures	Owners of affected structures	Compensation in cash at replacement cost	1	For entire loss of structures or where there is only partial impact, but the remaining structure is rendered unviable for continued use: (i) PAFs will be entitled to compensation for the entire structure calculated as per the latest prevailing Basic Schedule of Rates (BSR) without depreciation or deductions for salvage material agreed through private negotiation u/s J&K LA Act 1990 (ii) They remain the right to salvage material from demolished structure; and (iii) Rs. 50,000/- as transport allowance (iv) Rs. 25,000/- for loss of petty shops (v) One-time resettlement allowance of Rs. 50,000/-
H- Rehabilitation Measures				
H-11- Additional assistance to vulnerable groups	Households categorized as Vulnerable (The group of people considered socially vulnerable comprise (i) those who are below the poverty line (BPL) (ii) those who belong to Scheduled Caste (SC), Scheduled Tribes (ST)	Lump sum assistance	4	Additional lump sum assistance of Rs. 50,000/- per household to vulnerable groups such as female-headed households, households with disabled family members, household below poverty line, scheduled tribes and scheduled caste households etc.



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	(iii) female headed households (iv) elderly and (v) disabled persons)			
I-Unidentified Impact				
I-12- Any unanticipated adverse impacts due to project intervention				Any unanticipated consequence of the project will be documented and mitigated based on the spirit of the principles agreed upon in this policy framework.

The Implementing Agency will provide replacement cost for affected land/structures/other assets along with other types of assistance in accordance with the agreed entitlement framework prepared for this project loan. Adequate provisions have been made in the ARAP to cover the losses caused as a result of permanent land acquisition under the project

4. STAKEHOLDER'S CONSULTATION

4.1 Introduction

55. Stakeholder's consultations were conducted during the ARAP preparation for all five pumping stations. A letter of invitation in local language was issued prior to organizing public consultations (**Annexure-10 A**). The translated English version of the letter is attached as **Annexure-10 B**. The information of consultations was gathered with the help of a public consultation format (**Annexure-4**). Meetings and community interactions were organized with an objective to involve all types of stakeholders, particularly potentially project affected persons (PAPs).

56. The transect walks; census and interviews were initially conducted to determine the potential impacts of sub-project. The issues like, the extent of awareness of the sub-project and its components, benefits of sub-project on the local community and tourist, labour availability in the sub project area or requirement of outside labour involvement, local disturbances due to sub-project construction work, necessity of tree felling etc. at sub-project sites, water logging and drainage problem, if any occurred due to construction, drinking water problem, forest and sensitive areas nearby the sub-project site etc. were identified as a result of above actions. In addition, consultations were also held with line agencies during project designing.

57. Individual consultations were conducted with the affected persons during census survey and community consultations were especially conducted at those locations where community land is involved for acquisition or the said land is under any dispute. Issues discussed during these consultations/ interactions and the suggestions received from the stakeholders are presented in following sections. The site specific consultation details are attached as **Annexure-11 (i,ii)** and Consultation photographs are attached as **Annexure-12**.

4.1.1 Stakeholder's Consultation

58. Stakeholder's consultations were conducted and issues raised and suggestions given by the local people are detailed in below **Table 4-1**.



Table 4-1: Community Consultation Summary

Sl.No.	Location/ Agency	Date	No. of Participants	Response from the community/Affected family members	Action required/taken	Remarks
1	AhmadaKadal	10-10-17	10	<ul style="list-style-type: none">• This is proprietary land which was sold by the original owner in late eighties to the society for pumping stations but was not mutated. Thus, this parcel of land is still in the name of the original owner but handed over to the locals for construction of pump house.• Land has not been mutated in the name of the department nor to the society, who bought this land from the original owner in early eighty's.• It was decided that the land will be transferred from the original owner to the society who has bought it from the original owner resulting the revenue records were not changed with the name of Government. The present owners (legal hirers) are not willing to donate the land to government and will only allow government to go ahead with the upgradation of the station at any appropriate compensation for the land parcel.• The mutation will be processed before start of the construction work.	<ul style="list-style-type: none">• Verification of the statement by various claimants from the revenue records and gets the name of the actual titleholders.• The details of actual titleholders collected from revenue records and consulted for land acquisition of the land parcel.• The socio economic details, translation of land records in English, the declaration/agreement by the owner on non-judicial stamp paper regarding the method of land acquisition etc. have been provided in census survey findings.	Annexure-11 (i) Detail of consultation
2	Rose Avenue (HMT)	12-10-17	7	<ul style="list-style-type: none">• The land has shown as proprietary land in the revenue records and during consultation with the local community it was found that	<ul style="list-style-type: none">• The land records to be verified with the revenue authority.• As noted during census survey and	Annexure-11 (ii) consultation



Sl.No.	Location/ Agency	Date	No. of Participants	Response from the community/Affected family members	Action required/taken	Remarks
				<p>there is no identified legal titleholder for the land patch. The community was also not aware with the name of the legal titleholder of the land patch as shown in the records.</p> <ul style="list-style-type: none"> • It was decided to verify it with the local Patwari and submit the details to SMC. • The community raised an issue regarding the uncovered canal linked with the pump house. The storm water is drained out to Jhelum River through this open canal. The community urged the government to cover the canal to reduce its adverse impacts on their health. • There is no other objection raised by the community on upgradation of the pump house. 	<p>translated English version of land records provided by the Patwari Halqa, there is no legal titleholder found/identified in the nearby vicinity.</p> <ul style="list-style-type: none"> • It was stated by revenue Patwari Halqa that 1 Marla land under the survey no. 486 in Khushipora (village Zainkote) and rest of the land of pump station is under occupancy of Village Khushipora • To authenticate, the ownership of unclaimed piece of land, SMC has issued public notices in the local 2 newspapers 3 times. • No claim against the 270 sqft of land received within the stipulated time in notices and even thereafter. Hence, the site is considered as encumbrance free 	<p>details</p> <p>Annexure-13 (v) Census Survey findings</p> <p>Annexure-12 Photographs</p>
3	Khan Colony, Chanapora	28-10-18	7	<ul style="list-style-type: none"> • The exiting dewatering pumping station is in operation in a rented accommodation. • The owner of the building Mr. Azaz khan is willing to give the entire premises to SMC after getting full compensation on market rate • He revealed that after dewatering pumping station, the area will not be viable to 	<ul style="list-style-type: none"> • Land Acquisition proceedings need to be initiated under J&K State Land Acquisition Act (1990) to acquire the land. 	



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Sl.No.	Location/ Agency	Date	No. of Participants	Response from the community/Affected family members	Action required/taken	Remarks
				accommodate the family requirements. He will made own arrangement at other location after getting the full compensation and R&R assistances		
4	Kacharpora, Barzulla	28-10-18	4	<ul style="list-style-type: none">• The land where the existing dewatering pumping station located and nearby area was donated by Late Mr. Wazir Khan.• The land was donated land for development of community facilities, a Mosque, graveyard, local streets etc.• SMC has constructed the dewatering station and the land area is in the possession of SMC since more than 35 years.• In consultation with locals it's revealed that the land was donated but mutation was not done. Mr. Wazir khan has no son or daughter and has adopted a daughter.• Attempt was made to meet/trace the adopted daughter but could not possible.• Follow up consultation would be carried out.	<ul style="list-style-type: none">• Land Acquisition proceedings need to be initiated under J&K State Land Acquisition Act (1990) to acquire the land.	
5	Alamgari Bazar			<ul style="list-style-type: none">• During discussion with community and nearby residents revealed that there is no issue of land at this dewatering pumping station.• SMC (PIU) can process the negotiation of land with the owner.	<ul style="list-style-type: none">• Land Acquisition proceedings need to be initiated under J&K State Land Acquisition Act (1990) to acquire the land.	



59. During consultations, all the PAPs expressed their willingness to sell their land/structure/assets to be used in public interest by the project against satisfactory compensation. The affidavit regarding the same has been furnished by all PAPs at Rs.10 Non-Judicial stamp paper or through declaration. **{Census Survey format as Annexure-13 (i) (ii) (iii) (iv) (v)}**

4.1.2 Interaction during Census survey

60. A personal interaction was also made with the affected households during the census survey, details of which is given below:-

- 1) Personal interaction was done with Mr. Abdul Satar Bhatt during census survey on 4-12-2017 in which he has given a written consent for showing his interest to sell his property to government for the purpose in public interest (Khan Colony).
- 2) In Ahmada Kadal the discussion was held with all affected family members on 13-12-2017 during census survey to know their willingness on the proposal of land acquisition. The findings show that they are willing to sell their property/land to government through private negotiation.
- 3) In Alamgari Bazar the discussion was held with all affected family members on 13-12-2017 during census survey to know their willingness on the proposal of land acquisition. The findings show that they are willing to sell their property/land to government through private negotiation.

4.2 Disclosure of Project information

61. The Jammu & Kashmir Right to Information Act 2004 gives the right to persons to obtain any document and information relating to the affairs of the state or public body. Information dissemination and disclosure is a continuous process since the beginning of the project. English and Urdu versions of the ARAP, after its approval from World Bank, will be placed in Srinagar Municipal Corporation (PIU), Urban Environment and Engineering Department (UEED) office, District Collector Office, Project Management Unit (PMU) office, along with state departmental and World Bank's website.

62. Disclosure of information to the PAPs and others will be done continually through consultation which is a continuous process, distribution of flyers, PIBs and during internal and external monitoring process also. A Resettlement Information Booklet/Brochure/Leaflet will be provided to the PAPs, which includes information on compensation, entitlement and resettlement management options under the subproject in the local language (Urdu). The Social Development Specialist through PIU will keep the PAPs informed about the impacts, the compensation and assistances proposed for them and facilitate their grievance redressal if any due to sub-project activities.

5. INSTITUTIONAL ARRANGEMENTS FOR RAP IMPLEMENTATION

5.1 Institutional arrangement

63. A project steering committee has been set up for the overall strategy guidance and monitoring of the project. It is headed by Chief Secretary and comprises of all involved line departments and additionally departments of planning, environment and social welfare. A Project Management Unit (PMU) for the project (JTFRP), housed in Jammu & Kashmir Economic Reconstruction Agency (JK ERA) is responsible for overall management the “Jhelum Tawi Flood Recovery Project” (JTFRP). This PMU is headed by Chief Executive Officer (CEO). The Social Development Specialist has been positioned in PMU to provide assistance and support for addressing all safeguard related issues during documentation, execution and implementation of ARAP and monitoring.

64. The Chief Executive Officer (JKERA/JTFRP) will be responsible for overall coordination, reporting, technical assistance, monitoring and budgeting of all the components. The CEO will have the administrative and financial powers for the implementation of the project including implementation of ARAP. The Chief Executive Officer (CEO) will be supported by Director Technical, Director Planning and Coordination, Director Disaster management, Executive Engineers, AEEs and Social Development Specialist. The PMU will be responsible for providing overall policy guidance, training and capacity building support to SMC in order to ensure compliance with World Bank’s Safeguard Policies and applicable state and other acts, notifications, guidelines etc. Social Development Specialist at PMU will ensure that all social safeguards issues are complied with as detailed out in ARAP. Social issues will be coordinated by Social Development Specialist (SDS) within the PMU and PIU. PMU will be assisted Technical Assistance and Quality Audit Consultants for technical support and advice, monitoring and impact evaluation etc.

5.2 Implementation Arrangement

65. For implementation of component 3 of the project, Srinagar Municipal Corporation (SMC) will be the Project Implementation Unit and Drainage Circle of SMC will be the executing unit for this sub-project. The executing unit will be headed by Superintending Engineer drainage circle SMC. SMC will be assisted by Urban Environment Engineering Department (UEED) for technical inputs and procurement of goods, works and services in line with its official responsibilities and capacities. PIU will coordinate with Land Collectors and other revenue officers of the project area wherever there is land acquisition/purchase is involved. Project Implementation Unit (PIU) will be further strengthened by appointing a Social Safeguard staff who will ensure compliance at PIU level and report through proper channel to Social Development Specialist at PMU. The staff (social) at PIU will report to PIU Head and seek guidance from SDS at PMU with regard to implementation of ARAP. Thus, social safeguard staff will be the main link between the SMC and PMU, JTFRP for implementation of ARAP.



Table 5-1: Institutional Roles and Responsibilities

Activities	Agency Responsible
Subproject Initiation Stage	
Finalization of sites/alignments for subprojects	PIU
Abbreviated Resettlement Action Plan-Preparation Stage	
Conducting Census of all project affected persons	PIU/DC
Conducting FGDs/meetings/workshops during SIA surveys	PIU/DC
Computation of replacement values of land/properties proposed for acquisition and for associated assets	Dist. Collector /PIU/State administration
Categorization of project affected persons for finalizing entitlements	PIU/PMU
Formulating compensation and rehabilitation measures	PIU/PMU/state admin
Conducting discussions/meetings/workshops with all project affected persons and other stakeholders	PIU/PMU/TAQAC/DC
Fixing compensation for land/property with titleholders	PIU/Dist. Collector
Finalizing entitlements and rehabilitation packages	PIU/PMU
Disclosure of final entitlements and rehabilitation packages	PIU/PMU
Review of ARAP	PMU
Approval of Abbreviated Resettlement Action Plan	PMU/WB
Sale Deed execution and payment	PIU/Dist. Collector
Taking possession of land	PIU/Dist. Collector
Abbreviated Resettlement Action Plan-Implementation Stage	
Implementation of proposed rehabilitation measures	PIU/ PMU/TAQAC/ Dist. Collector
Consultations with project affected persons during rehabilitation activities	PIU/PMU/Dist. Collector/TAQAC
Grievances Redressal Monitoring	PIU/PMU/GRC/State admin.

PAP-Project Affected People, FGD-focus group discussions, GRC - Grievance Redress Committee, LAO - Land Acquisition Officer, PIU - Project Implementation Unit, PMU -Project Management Unit, ARAP-Abbreviated Resettlement Action Plan, SIA- Social Impact Assessment, SSO - Social Safeguards Officer, TAQAC- Technical Assistance and Quality Audit Consultants, DC- Design Consultants

5.3 Training skill and Capacity building

66. The capacity building and training of all the agencies is the most vital component towards successful and timely implementation of ARAP. The below section provides the broad areas of capacity building and training to be planned for the project authorities involved in implementation of ARAP are presented in **Table 5-2:**



Table 5-2: Institutional Development Plan

Project Unit/ Agency Responsible	Proposed staff for RAP implementation/monitoring	Specific Roles and Responsibilities	Training Requirements
Project Management Unit (PMU)	Environment and Social Management Cell (ESMC), Social Development Specialist (SDS)	R&R/Land Acquisition Policy Guidelines/Legal Provisions RAP Management, Planning, Budgeting M&E	Legal Provisions/Policies and procedures (LA & R&R) -ESMF Reporting requirements Setting up Monitoring & Evaluation Indicators
Project Implementation Unit (PIU)	Social Safeguard Staff	RAP Implementation, Compensation, Resettlement, livelihood recovery Assistance and Capacity enhancement of PAPs Grievance Redress Management	Computation of replacement values of land/properties/assets (as per laws and policies) Contract Management, GRM, O&M
Design Consultant (DC)	Social Expert	Social Impact Assessment, Resettlement Action Planning, Legal Provisions/Policy Guidance/Entitlement and Compensation and ensure R&R measures to comply with WB & State policies Contract Management in light of social safeguards	State specific Legal requirements Technical part
Implementing NGO (if required)	Social/Community Development Specialist along with Community Mobilizers	Community Mobilization, Grievance Redressal, Facilitation of Construction work, Labour Management, Safety Measures and awareness generation and information dissemination	Project Components, R&R and Social Safeguard issues Site specific requirements Social Management Plan

6. GRIEVANCE REDRESSAL MECHANISM

6.1 Introduction

67. Grievance Redressal Mechanism (GRM) is a process that enables any stakeholder to make a complaint or a suggestion about the way a project is being planned, constructed or implemented. A grievance is indignation or resentment stemming due to any project related activity. In the subproject ARAP implementation, there is a need for an efficient grievance redressal mechanism that will assist the PAPs in resolving queries and complaints.

6.2 Composition and Functions of GRC

68. In order to address peoples grievances related to land acquisition, resettlement and rehabilitation or any other social issue arising out of the subproject related activities; executing agency will establish two bodies, one at a local level (site level) and another at district level. In case, the grievances are not resolved at these two levels, then it will be forwarded to R&R Committee at Divisional level for this subproject which will be established under the Divisional Commissioner, of respective regions i.e. Jammu/Srinagar.

69. Following will be the composition of the Grievance Redressal Committees at various levels.

70. **Grievance Redress Committee at Local Level:** This committee/cell will work at local level i.e. site level. This will be comprises of the following members:

- a. Concerned Tehsildar/Naib Tehsildar (Chairman).
- b. Concerned Engineer/Representative from PMU, JTFRP (Member Secretary).
- c. Site Engineer/Representative of PIU.
- d. Ward Member/Halqa Panchyat Member.
- e. Women representative (Retired Officer/ Academicians/ Development Professional).
- f. A representative of SC/ST community or from elected Panchyat.²

71. **Grievance Redress Committee at District Level:** In case grievances are not addressed at local level or PAP/ aggrieved person is not satisfied with the decision delivered at local level, he/she can approach to the grievance redressal committee constituted at district level. The following will be the composition of the committee.

- a. District Collector (Chiarman).
- b. Director/Head PIU
- c. Nodal officer of the Project Component in PMU, JTFRP
- d. Social Safeguards Specialist, PMU, JTFRP (Member Secretary)
- e. Ward Member/Halqa Panchyat Member
- f. A Prominent Women (Retired Officer/ Academicians/ Development Professional)
- g. A senior representative of SC/ST Welfare Board³.

² In case grievance pertains to SC/ST population presence of SC/ST member is must.



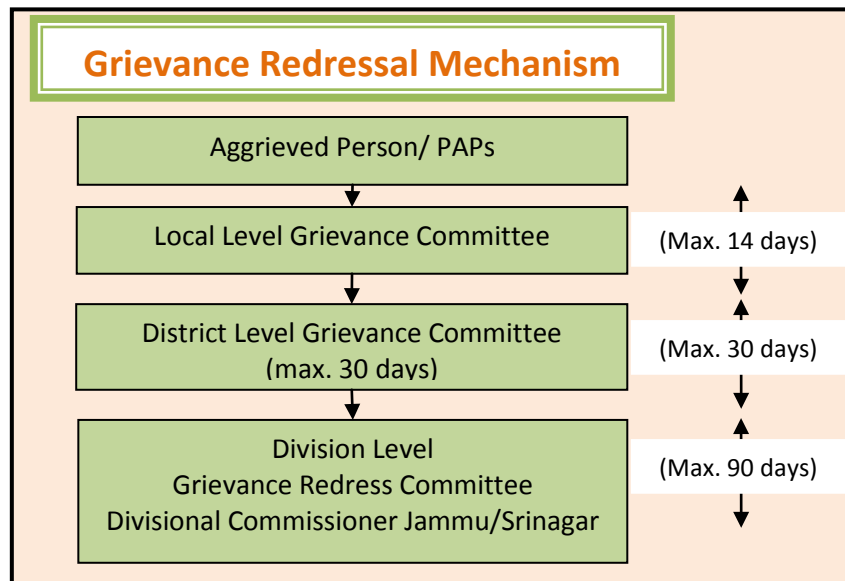
h. A representative of PAPs who can articulate well.

72. **Division Level R&R Committee (DLRRC):** In case, grievances are not addressed at local and district level, the same will be forwarded to the Divisional Level Resettlement & Rehabilitation Committee through PMU. The committee will provide a major platform to people who might have objections with respect to the decisions taken at the two previous levels. The committee will look into the grievances of the people and will assign responsibilities to implement the decisions of the committee. This Committee (after formation) will be headed by Divisional Commissioner Jammu/Srinagar. This committee should meet every quarter to solve grievances received in office and will take decision within 90 days of receiving the grievance/complaint. Nodal Officer (Social Safeguards) will coordinate the meetings. This committee will also provide policy related directions to the Grievance Redressal Committee and the participating departments with regard to land acquisition and resettlement and rehabilitation.

73. The following will be the composition of the committee:

- a. Divisional Commissioner, (Chairman).
- b. Chief Executive Officer, JPFRP/JK ERA.
- c. HODs of line departments (PIUs).
- d. Director Technical, PMU, JTFRP (Member Secretary).
- e. A representative, one each from Backward Classes & Economically Backward Classes and Scheduled Caste & Scheduled Tribes Welfare Board/department.
- f. A senior representative of the Disaster Management Department
- g. Concern Revenue Officer of area (Not below the rank of ACR/SDM).
- h. A senior representative of Disaster Management Department.
- i. Women representative (Retired/Development Professional/Academician)
- j. Ward member /Halqa Panchyat Member.
- k. A representative of PAPs who can articulate well.

³ In case grievance pertains to SC/ST population presence of senior representative/officer of SC/ST Welfare Board /Committee is must



6.3 Procedure of Grievance Redressal

74. The Project Affected Persons/aggrieved party can give their grievance verbally or in writing. They can also register their grievance on web portal of PMU and PIU i.e. SMC. They can also register their grievances at Project sites. Grievance received by any medium will be forwarded to PIU for resolving. PIU will forward it to the local level grievance committee which will try to resolve the grievances in maximum 14 days and report to PIU head who will in turn forward the action taken to Chief Executive officer (PMU).

75. In case the aggrieved person is not satisfied with the decision delivered at local level or the grievances are not resolved, the same shall be forwarded to the district level committee, headed by District Collector to resolve. The decision of the committee will be communicated to the Chief Executive Officer (PMU) and PIU i.e. SMC. No grievance can be kept pending for more than 30 days at Collector level which means the committee has to meet within 30 days. PMU, JTFRP will monitor the implementation of the decision of the committee.

76. In case the aggrieved party is not satisfied with the proposed redressal measures, it can approach the Divisional level Committee, headed by Divisional Commissioner, Jammu/Srinagar, which has to take decision within 90 days of receipt of the grievance. In case aggrieved party is not satisfied with the decision delivered or committee is not successful in resolving the grievances, they (PAPs) can approach the court of law on their own expenses.

6.4 Approach to GRC

77. Project Affected Person/aggrieved party can approach to GRC for redress of grievances through any of the following modes-



- a) **Web based:** The Grievance corner at PMU, JTFRP and PIU is functioning.
- b) **Telecom based:** Official land line number of PMU/PIU and mobile phone of concerned engineer will be given on each site. If needed a toll free number will be issued by the PMU/ PIU.
- c) **Through LGC:** The LGC will collect the problems & issues of the community or affected persons and try to resolve the same within stipulated timeline. They will also inform about the same to PIU / PMU through email or any other official communication. A grievance register will be maintained by the contractor/PIU at each site office. Phone number of concerned engineer shall be displayed at the site so that aggrieved person can contact the concerned site engineer in case of emergency.
- d) **Through PMU:** PAPs/aggrieved party can register/file grievances directly to the PMU also. PMU will en-route the same through PIU to the site engineer who will try to resolve it within the stipulated time and rest process will follow.
- e) Besides the grievance redress mechanism of JTFRP, state has online grievance monitoring system known as Awaz-A-Awam (People's voice). The PAPs can also lodge their grievance online at <http://www.jkgrievance.nic.in> if any during the project implementation.

6.5 Legal Options to PAPs:

78. The PAPs can address their grievances through grievance redressed mechanism as discussed above. In case they are not satisfied with the GRC decisions, they can approach through general legal environment consisting of court of law to address their grievance. These options will be disclosed to the PAPs during the public consultation process, through PIBs, flyers in Urdu language.

7. ESTIMATED COST AND R&R BUDGET

7.1 Introduction

79. A consolidated overview of the budget is provided and the cost estimates given below shall be viewed accordingly. R&R budget has been worked out for the sub-project based on impacts identified during the census survey. The cost estimates for structures are based on Basic Schedule of Rates (BSR) PWD, Government of J&K. The resettlement budget prepared in view of the preliminary assessment of impact on private land, residential cum commercial structures etc. The impact on private land and structures will be compensated and resettlement assistance will be provided following the World Bank policy guidelines and Land Acquisition through private negotiation under the J&K LA Act 1990.

80. The total land to be acquired has been estimated based on prudent design and preliminary assessment. The affected households will be compensated and R&R assistance will be given as per the Entitlement Matrix.

81. The resettlement cost estimate for the 05 dewatering station will also include cost of ARAP implementation support, monitoring, evaluation and contingency provision amounting to 10% of the total cost. The state government will be responsible for releasing the funds for resettlement in a timely manner. Unit rates of land acquisition is calculated as per the land rates notified by the Collector/Deputy Commissioner, Srinagar for the Year 2018-19 and are valid till 31st March 2019.

7.2 Cost of Structures

82. The replacement value is the assessed cost of structure based on the material used in the construction of structure and the Basic Schedule of Rates (BSR) by PWD, Government of J&K. The estimated replacement value of one affected structure has been calculated as Rs. 9,02,000/-and is presented in Table 7-1. There will be no depreciation factor in this value assessment.

Table 7-1: Estimated Cost of the Structure

Sl. No.	Name of Item	Affected Area (sqft)	Rate	Amount
1	Structure (Khan Colony)	902	1,000	9,02,000

7.3 Cost of land

83. The Valuation of the land was done based on the Notification issued by The Collector/Deputy Commissioner, Srinagar for preparation and revision of Market Value/Stamp Duty Rates for the year 2018-19 for Urban & Rural areas of district Srinagar. The rates shall remain valid till 31st March 2019. {Annexure-8 (i), (ii)}. The Market Value of the land was also assessed with the help of local survey and interaction with the local community during the



census/socio economic survey and consultation. The total cost of land is Rs. 20,90,774/-. The land value assessment has been presented in **Annexure-14**.

Table 7-2: Estimated Cost of the Land

Sl. No.	Name of Item/Variety etc.	Unit of area	Affected Area	Rate	Total cost of land (INR)
1	Khan Colony	Sqft	1,088	593	6,45,184
2	AhmadaKadal		1,088	680	7,39,840
3	Alamgari Bazar		120	704	84,480
4	Kacharpora Colony		540	833	4,49,820
5	Rose Avenue –HMT		270	635	1,71,450
	Total		3,106		20,90,774

7.4 R&R Assistance

84. R&R assistance includes assistance paid to the affected families and includes transition cost, transportation cost, assistance to vulnerable people etc. The total R&R assistance for this project comes to about Rs. 8,75,000/-. Micro plan for each of the PAH/F is attached as **Annexure-15**.

Table 7-3: Estimated R&R Assistances

Sl. No.	Items	Unit	Total Units	Unit Rates	Amount
A	One-time Resettlement Allowance for Land @ Rs 50000/-	HH / Family	11	50,000	5,50,000
B	One-time Resettlement Allowance for Structure @ Rs 50000/-		1	50,000	50,000
C	Transportation cost for displaced families (@ Rs. 50000/- for one time)		1	50,000	50,000
D	One time assistance for petty shops cost @ Rs 25000/-		1	25,000	25,000
E	Additional support to vulnerable groups @ Rs 50000/- (WHH)		4	50,000	2,00,000
	Total				8,75,000

7.5 Total R&R Budget

85. Estimated budget, by cost and by item, for all Land including resettlement costs including planning and implementation, management and administration, monitoring and evaluation and contingencies is approximately Rs. 81,41,923/- (say 0.82 Crores). Contingency provisions are also available to take into account variations from this estimate. The budget will



be indicative of outlays for the different expenditure categories. The detailed summary of estimated budget is given in **Table 7-4**.

Table 7-4: Estimated R&R budget-Summary

Sl. No.	ITEMS	Reference	Budget (Rs.)
1	Estimated Cost of the Structure	Table 7.1	902,000
2	Additional 30% on structure cost		270,600
3	Estimated Land Acquisition Cost	Table 7.2	2,090,774
	Sub-Total		3,263,374
4	Solatium Charges @ 100% (Land+Structure)		3,263,374
5	R&R Assistance to Affected Families and other estimated budget	Table 7.3	875,000
	Sub-Total		7,401,748
	Contingencies (ARAP Implementation support (NGO, trainings etc.) @ 10%		740,175
	Grand Total		8,141,923
(Rupees Eighty One Lac Forty One Thousand Nine Hundred and Twenty Three only)			

86. These costs will be updated and adjusted to the inflation rate as the project continues and in respect of more specific information such as extra number of PAPs during implementation, if any, and unit costs will also be updated when necessary. The budgetary allocation for the rehabilitation component of the project has been determined based on the anticipated impacts, entitlement options as defined in the approved entitlement matrix and the requirements to be fulfilled as per the directives under the Entitlement Matrix approved by JTFRP and guidelines prescribed by WB.

87. Project Implementation Unit, concerned District Collector, Director Technical along with Social Development Specialist (PMU), will ensure that payment, in all cases released to the project affected people and genuine claimants at timely manner. Before disbursement of compensation, proper revenue record will be verified with the help of concerned District Collector. Besides, all R&R assistance will also be disbursed after proper verification of documents/record and applicable policies. Assistance from revenue officer from PIU will also be obtained for all the revenue related issues.

8. IMPLEMENTATION SCHEDULE

8.1 Implementation Schedule

88. All the compensation and assistance will be completed prior to the start of the civil work at each specific location. All entitlements are to be paid prior to relocation/ displacement. The Implementation schedule shall be 1 year as for the projects is given in below **Table 8-1**:

Table 8-1: Implementation Schedule

Activity	Months											
	1	2	3	4	5	6	7	8	9	10	11	12
Updation/verification of Census and socio-economic surveys (issuance of identification cards)	◆	◆										
Follow-up Consultations and disclosure	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Confirmation of government land to be used and transfer from other departments	◆	◆										
Abbreviated Resettlement Action Plan review and approval (PMU and WB)		◆										
Issue notice to PAPs			◆									
Compensation and resettlement assistance			◆	◆	◆							
Relocation as required					◆	◆	◆					
Takeover possession of acquired property							◆					
Monitoring				◆	◆	◆	◆	◆	◆	◆	◆	◆
Handover land to contractors and Start of civil works									◆	◆	◆	◆
Rehabilitation of temporarily occupied lands, if any	within 2 months after completion of construction work											

9. MONITORING AND EVALUATION

9.1 Introduction

89. Monitoring and evaluation has always been an important aspect of infrastructure project where land acquisition is involved. It helps in making suitable changes, if required during the course of RAP implementation and also to resolve problems faced by the PAPs. Monitoring is periodical checking of planned activities, which provides midway inputs, facilitate changes, if necessary and provides feedback to Project Authority for better management of project activities. Evaluation on the other hand assesses whether the activities have actually achieved intended goal and objectives. Thus, monitoring and evaluation of resettlement action plan implementation are critical in order to measure the project performance and fulfilment of project objectives. Indicators and benchmarks for achievement of the objectives proposed under the Abbreviated Resettlement Action Plan are:

- i) Process indicators: indicating resettlement related project inputs and actions, expenditures, staff deployment, consultations, etc.
- ii) Output indicators: indicating results in terms of number of project affected persons assisted, assistance disbursed, training conducted, etc,
- iii) Outcome and Impact indicators: Complaints and Grievances received and resolved, impacts on the socio- economic status and livelihood of the project affected persons after ARAP implementation

90. The benchmarks and indicators are limited in number and combine quantitative and qualitative types of data. The first two types of indicators, related to process and immediate outputs and results, will be monitored to inform project management about progress and results, and to adjust the work performance where necessary if delays or problems arises. Monitoring would be carried out for regular assessment of both processes followed and progress of the ARAP implementation.

91. Components of monitoring will include performance monitoring, impact monitoring and external evaluation. Two broad categories of indicators will be monitored during the project are: i) input and output indicators and ii) outcome and impact indicators.

9.2 Internal Monitoring

92. As indicated in ESMF, the impact of the subproject on social aspects will be monitored by PMU, where Nodal Officer (Social) cum Social Resettlement Expert is the key responsible person to guide and oversee implementation of ARAP at PIU level. The Social Safeguard Officer of PIU, who is responsible for ARAP implementation will assist Nodal Officer (Social), PMU to carry out the regular monitoring of the social safeguards in the field.

9.3 Methodology for Monitoring:



93. The following methodology shall be adopted to monitor the safeguard implementation at site as well as overall project.

- Public consultations will be carried out
- Observation checklist will be used for assessing eviction and resettlement processes;
- Grievance appeals will be reviewed and discussed with PAPs about the satisfaction regarding the process; and
- Standard of living of the PAPs before and after implementation will be reviewed using baseline information collected earlier.

94. PIU will also monitor the following activities:

Table 9-1: Activities to be Monitored

Sl. No.	Activity	Indicator
1	Verification exercise	No. of PAPs
2	Consultations on entitlement	No. of consultations, no. of PAPs attended
3	ID cards distribution	After approval from World Bank
4	Training of staff	No. of staff trained
5	Establishment	Staff recruited, equipment purchased, vehicles brought etc.

95. The following table summarizes for internal monitoring.

Table 9-2: Summary of Internal Monitoring method

Frequency	To be Prepared by	To be submitted to	Input/output/Impact	Key indicators/information to be reported
Monthly/Quarterly	SSO, PIU	SDS, PMU	Process indicators	<ul style="list-style-type: none"> • Number of staff and agencies involved in ARAP implementation; and status of staff being mobilized. • Number of consultation meetings held (PAPs, other stakeholders); Number of women in consultation meetings; Number of field visits. etc. • Number and type of grievance received and resolved; Number of complainants moved court. • Effectiveness of assistance disbursement (procedures being followed);
			Output indicators	<ul style="list-style-type: none"> • Land area transferred; Number of people affected • Number and type of structures impacted. Status of demolition of structures and shifting of petty shops.



Frequency	To be Prepared by	To be submitted to	Input/output/Impact	Key indicators/information to be reported
				<ul style="list-style-type: none"> • Status of disbursement of R&R assistances (verification of PAPs, preparation of Identity (ID) cards; preparation of micro plans, approval of micro-plans, disbursement of assistance, Number of PAPs received assistance before taking possession of land, documentation of ARAP implementation (consultation process, distribution of assistance, etc). • PAPs received training on income generations.
			Impact indicators	<ul style="list-style-type: none"> • change in income
				<ul style="list-style-type: none"> • asset created

96. ARAP implementation will closely be monitored by the PIU on an effective basis for assessing resettlement progress and identifying potential difficulties and problems. The Project Implementation Unit will carry out concurrent monitoring of ARAP implementation through the responsible team staff and prepare monthly/quarterly progress report in terms of physical and financial indicators. In addition, the monitoring process will also look into: the communication and reactions of PAPs; use of grievance procedures; information dissemination to PAPs on benefits; and options and implementation time table, livelihood and living standard of PAPs in pre to post project levels. Report prepared by PIU will be compiled by the PMU on a bi-annual basis for its due submissions to the World Bank.

97. **Safeguard Monitoring Plan:** Apart from submission of quarterly/bi-annual report to World Bank, the PMU will prepare a report of the Environment and Social Monitoring in the project districts including data and analysis of relevant parameters as prescribed in ESMF.

9.4 External Monitoring

98. Half yearly monitoring will be done by Technical Assistance and Quality Assurance Consultant (TAQAC). TAQAC has already been engaged. The TAQAC has mobilized their Social and Environmental Safeguards Management Experts from 16th July 2018.

ⁱ Annexures could not be uploaded on the website in case someone require annexures, they can approach JTFRP office 2nd floor, ERA Commercial Complex, Rambagh, Srinagar or email jkerasocial@gmail.com.