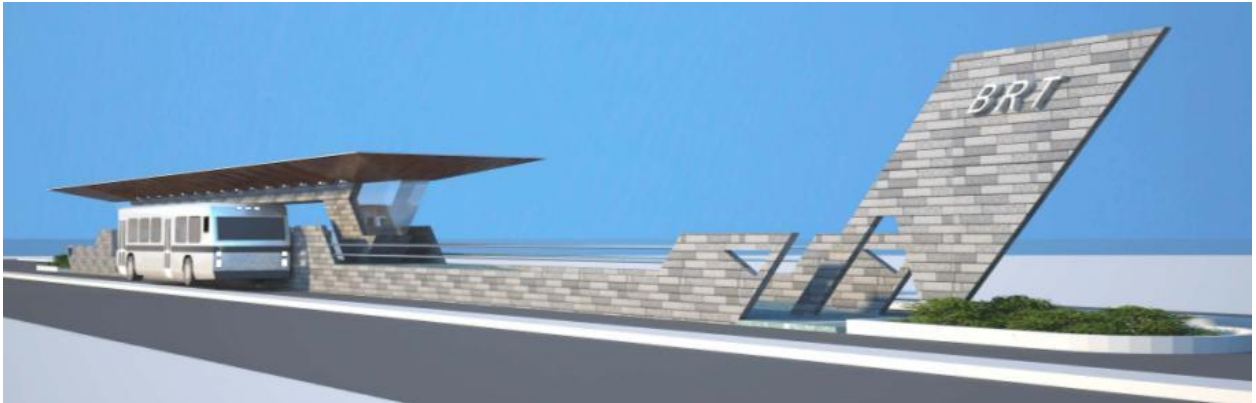


Directorate of Urban Land Transport

**IMPLEMENTATION OF  
BUS RAPID TRANSIT SYSTEM  
IN HUBLI – DHARWAD**

**RESETTLEMENT ACTION PLAN**



**HUBLI-DHARWAD BRTS COMPANY LIMITED**

**DECEMBER 2012**

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**ABBREVIATIONS**

AC	:	Assistant Commissioner
BDO	:	Block Development Officer
BPL	:	Below Poverty Line
BSNL	:	Bharat Sanchar Nigam Limited
BSR	:	Basic Schedule of Rate
CPR	:	Common Property Resources
DRDA	:	District Rural Development Agency
DULT	:	Directorate of Urban Land Transport
DGM	:	Deputy General Manager
EIA	:	Environment Impact Assessment
EROW	:	Existing Right of Way
ESDC	:	Environment and Social Development Cell
FGD	:	Focus Group Discussion
GoK	:	Government of Karnataka
GoI	:	Government of India
HDMC	:	Hubli-Dharwad Municipal Corporation
HDUDA	:	Hubli-Dharwad Urban Development Authority
KRDCL	:	Karnataka Road Development Corporation Limited
LAA	:	Land Acquisition Act
LAO	:	Land Acquisition Officer
NGO	:	Non Government Organization
NWKRTC	:	North Western Karnataka Road Transport Corporation
OBC	:	Other Backward Community
PAP	:	Project Affected Person
PAF	:	Project Affected Family
PPP	:	Private Public Partnership
PROW	:	Proposed Right of Way
PWD	:	Public Works Department
RAP	:	Resettlement Action Plan
RoW	:	Right of Way
RSW	:	Road Safety Workers
SIA	:	Social Impact Assessment
SC	:	Scheduled Caste
SDO	:	Social Development Officer
ST	:	Scheduled Tribe
SPV	:	Special Purpose Vehicle
SWI	:	Social Welfare Inspectors

**GLOSSARY OF RESETTLEMENT AND REHABILITATION TERMS**

- a. **Agricultural land** means land being used for the purpose of: (i) agriculture or horticulture; (ii) raising of crops, grass or garden produce; and (iii) land used by an agriculturist for the grazing of cattle, but does not include land used for cutting of wood only;
- b. **Assistance** refers to the support provided to PAPs in the form of ex-gratia payments, asset services, etc. in order to improve the standard of living and reduce the negative impacts of the project.
- c. **Below poverty line or BPL Family** means below poverty line families as defined by the Planning Commission of India, from time to time, and those included in the State BPL list in force.
- d. **Compensation** refers to the amount paid under Consent Award as part of The Land Acquisition Act, 1894 / Karnataka Highways Act, 1964. For private property, structures and other assets acquired for the project, it refers to the amount as given in the Entitlement Matrix for the project.
- e. **Cut-off Date:** the date of Notification under Section 4(1) of Land Acquisition Act, 1894/ Section 15 of Karnataka Highway Act 1964 will be the cut-off date where the land acquisition will be required. For non-titleholders the date of census survey will be considered as the cut-off date.
- f. **Encroachers** are those persons who have extended their building, business premises or work places into government lands.
- g. **Family** includes a person, his or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother and other relatives residing with him or her and dependent on him or her for their livelihood; and includes “nuclear family” consisting of a person, his or her spouse and minor children.
- h. **Government** refers to the Government of Karnataka.
- i. **Land acquisition** means acquisition of land under the Land Acquisition Act, 1894 and the Land Acquisition (Karnataka Extension and Amendment) Act, 1961/ Karnataka Highway Act 1964.
- j. **Marginal farmer** means a cultivator with an unirrigated land holding up to one hectare or irrigated land holding up to half hectare;
- k. **Major Impact** refers to those impacts in which more than or equal to 75 percent of particular property (land or structure) is affected.
- l. **Minor Impact** refers to all such impacts other than those categorised as *Major Impact*;
- m. **Non-Perennial Crop:** Any plant species, either grown naturally or through cultivation that lives for a season and perishes with harvesting of its yields has been considered as a non-perennial crop in the project. For example, paddy, sugarcane, groundnut, etc.
- n. **Notification** means a notification published in the Gazette of India, or as the case may be, the Gazette of State;
- o. **Perennial Crop:** Any plant species that live for years and yields its products after a certain age of maturity is a perennial crop. Generally trees, either grown naturally or by horticultural and yield fruits or timber have been considered as perennial crop in the project. For example, tamarind, coconut, mango, teak, neem etc. are perennial crops.
- p. **Project Affected Family (PAFs)** means- (i) a family whose primary place of residence or other property or source of livelihood is adversely affected or involuntarily displaced by the acquisition of land for the project (ii) any tenure holder, tenant, lessee or owner of other property, who on account of acquisition of land in the affected area of otherwise, has been involuntarily displaced from such land or other property; (iii) any agricultural or non-agricultural labourer, landless person (not having homestead land or agricultural land) rural artisan, small trader or self-employed person; who has been residing or engaged in any trade, business, occupation or vocation in the

affected area, and who has been deprived of earning his livelihood or alienated wholly or substantially from the main source of his trade, business, occupation or vocation because of the acquisition of land in the affected area or being involuntarily displaced for any other reason.

- q. Project Affected Persons (PAPs)**, any persons who have economic interests or residence within the project impact corridor and who may be adversely affected directly by the project. Project-affected persons include those displaced, those losing commercial or residential structures in whole or part, those losing agricultural land or homesteads in whole or part, and those losing income sources as a result of project action.
- r. Replacement Cost** of the acquired assets and property is the amount required for the affected household to replace/reconstruct the lost assets through purchase in the open market. Replacement cost will be calculated at PWD's current Schedule of Rates without depreciation. Replacement cost will be in line with the provisos of the Entitlement Matrix of the project.
- s. Small farmer** means a cultivator with an un-irrigated land holding upto two hectares or with an irrigated land holding upto one hectare, but more than the holding of a marginal farmer.
- t. Squatter** means those persons who have illegally occupied government land for residential, business and or other purposes.
- u. Tenants** are those persons having bonafide tenancy agreements, written or unwritten, with a private property owner with clear property titles, to occupy a structure or land for residence, business or other purposes.
- v. Vulnerable groups:** persons belonging to Scheduled Caste or Scheduled Tribe, Women Headed Households, Disabled, Widows, or Persons above sixty years of age.
- w. Woman-Headed Household:** A household that is headed by a woman and does not have a male earning member is a Woman Headed Household. This woman may be a widowed, separated or deserted person.

## **EXECUTIVE SUMMARY**

To ease the growing traffic between Hubli and Dharwad, the Government of Karnataka, through the Karnataka Road Development Corporation Limited has taken up the widening of the existing two-lane state highway to a divided four-lane carriageway. To provide better transportation facilities between the two urban areas of Hubli and Dharwad, and with an objective to improve travel speeds, reliability, and quality of public transport services, a Bus Rapid Transit (BRT) facility is proposed along the corridor. The project road starts from Hubli CBT to Dharwad CBT for a length of about 23km, within which 19.07 km of road from Hosur Circle to Jubilee Circle will be widened.

Census socio-economic surveys were conducted along the proposed project stretch, for a right of way between 35m and 45m keeping in view the design requirements. According to the census survey, 876 properties will be affected with 1351 PAPs. Of the total project affected structures / land, major impact is on 237. The project will impact 8 community assets. There are 15 religious structures, of which 9 small shrines and 6 temples/ mosque. All the small shrines except one are located in government land and out of the 6 temples/mosque, 2 are situated in government land and remaining 4 are in private land. Those structures which are located in private land will be compensated as per the provisions of the Entitlement Matrix. The religious structures, if any, on private lands will be entitled for compensation at current PWD schedule of rates without depreciation. Religious structures constructed by encroaching on Government lands i.e., parks, roads and public spaces etc will be relocated in consultation with the community.

Land acquisition for the project is estimated at 59.51 acres of private land which needs to be acquired and 13.55 acres of government land which has to be transferred from other Government Departments.

Public consultations were held along the project corridor from 28.06.2011 to 30.09.2011 during project preparation period (2011-12), focusing on areas of impact due to widening, at places with impacts on commercial and residential buildings. The outcome of the consultations were used to prepare the Social Impact Assessment and for analysis of alternatives and minimizing negative impact of the project. Outcomes of consultations were incorporated at the policy level, in the designing of infrastructure and as inputs for the resettlement plan preparation and implementation.

The GOK will adopt an Entitlement Matrix to address the adverse impacts arising out of this project. The Entitlement Matrix adopted for the project is consistent with the World Bank's Involuntary Resettlement Policy. This RAP is prepared in accordance with the stipulations and guidelines provided in the project specific Entitlement Matrix for the BRTS Project, GEF SUTP's ESMF (Environmental and Social Management Framework), the National Resettlement and Rehabilitation Policy 2007 and The World Bank Policy as given in Operational Policy 4.12. In addition to the above measures, realizing the need of infrastructure development like roads in timely manner, the project authority proposes to acquire land through consent award following the Karnataka Highways Act, 1964 and LA (Karnataka Extension and Amendment) Act, 1961. It is expected that land acquisition under this Act will help the PAPs to receive the market price/replacement cost of land as compensation. There will be Negotiation Committee and the role of the committee will be to negotiate the price of land with the entitled persons. The guidance value of land in respective villages/areas will be considered as the base for negotiation.

Entitlements include payment of cash compensation for land preferably through consent award as per the provisions of the Karnataka Highways Act. The owner/tenant will be given the right to salvage material from the affected structure and will be given adequate notice for removal of structure and shifting. Shifting allowance of Rs.5000 will be given to all major impact categories and Livelihood Restoration allowance of Rs.15000 will be given for Loss of Livelihood. Rental allowance for a period of six months at the rate of Rs.1200 for residential and Rs.1800 for commercial categories of tenants will be given. Hubli - Dharwad Municipal Corporation will be requested to provide preferential allocations of alternate commercial space for the licensed kiosks which are located in the land to be acquired. For those who are losing livelihood, one family member (male or female) of the affected family will be provided necessary training for development of entrepreneurship skills by co-ordinating with HDMC or other Government Departments to take up self-employment projects. Additional support to vulnerable groups would be given through pension



schemes, if eligible as per the criteria prescribed in respective schemes. Vulnerable groups will receive employment opportunities as per skills in the BRT operations, housekeeping etc. Community assets will be relocated with the help of HDMC.

RAP will be implemented by the Environment and Social Development Cell with support from a Non-Government Organisation/qualified persons taken on contract basis. The land acquisition will be done by competent authority as per the applicable act and ESDC will be responsible for all the activities related to Resettlement and Rehabilitation. A grievance redress committee will be constituted. The grievance redress process specifies procedures for registering and addressing complaints including appeal mechanisms. An independent agency will be hired for Monitoring and Evaluation of implementation of the Resettlement Action Plan. It shall assess the implementation of the RAP, monitor their schedules and achievement of targets and evaluate the outcomes of social development objectives of the project.

The estimated total budget for the implementation of RAP is Rs.196.53 Crore. The RAP Executive Summary along with Entitlement Matrix will be disclosed through public consultations and the Website of Hubli-Dharwad BRTS Company limited.

# I. INTRODUCTION

## A. BACKGROUND

1. Hubli – Dharwad state highway is the one of the most congested road stretches in North West Karnataka region. To ease the growing traffic between Hubli and Dharwad, the Government of Karnataka, through the Karnataka Road Development Corporation Limited has taken up the widening of the existing two lane state highway to a divided four-lane carriageway. To provide better transportation facilities between the two urban areas of Hubli and Dharwad, and with an objective to improve travel speeds, reliability, and quality of public transport services, a Bus Rapid Transit (BRT) facility is proposed along the corridor. A Special Purpose Vehicle (SPV) is formed to implement and operate the proposed BRT systems.

## B. DESCRIPTION OF THE PROJECT

2. The project road starts from Hubli CBT to Dharwad CBT for a length of about 23km. The proposed project includes the following components:

- Widening of 19.07 km of road under KRDC road project between Hosur circle and Jubilee circle;
- Improvements of 3.1 km and 0.6 km of road within Hubli and Dharwad cities within the available right of way (RoW), including the following links (i) Hubli CBT to Hubli railway station, (ii) Hubli railway station to Hubli OCBS (iii) Hubli OCBS to Hosur circle and (iv) Jubilee circle to Dharwad CBT; and
- BRTS project, including all BRTS physical infrastructure such as stations, depot, terminals etc., BRTS operational infrastructure such as ITS, ATC, buses etc.

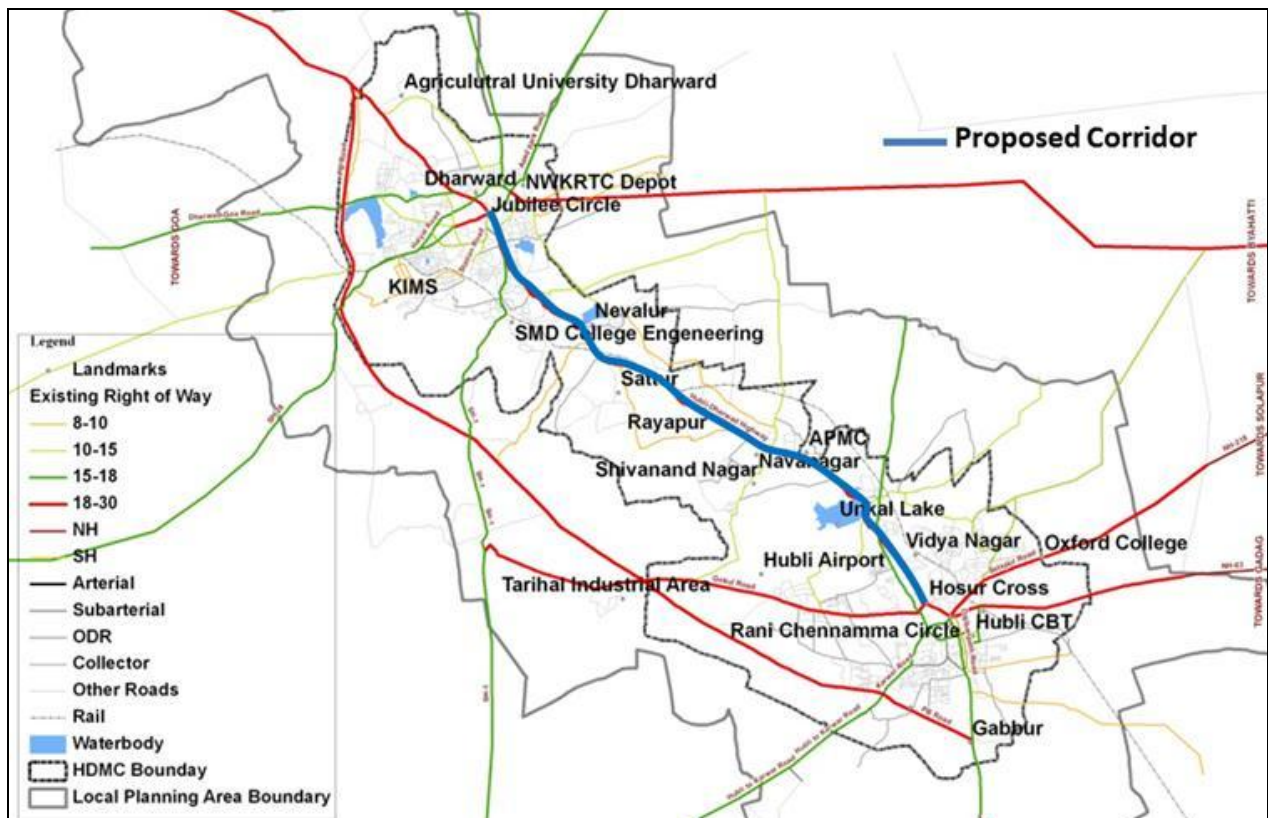


Figure I-1: Location of Project corridor

### *Corridor Description*

3. The project corridor traverses 10 revenue villages<sup>1</sup>. Connecting the two major urban centres of Hubli and Dharwad, a major portion of the corridor is urban. Along the corridor, there are several educational institutions (engineering colleges, arts and science colleges and government and private schools upto higher secondary levels), hospitals (cancer hospital, government and private hospitals) and government offices (Karnataka power, NWKRTC etc). The presence of some of the best educational institutions and rapid growing auto market and other commercial business keeps the corridor busy throughout the day. Pedestrian safety is poor with either no footpaths or footpaths in poor condition. Characteristics of the various sections of the project road are detailed below.

#### ***Corridor 1: Hosur Circle Hubli to Dharwad CBT (length 19.5 km)***

4. The corridor starts from Hosur circle in Hubli to Dharwad CBT in Dharwad. The total length of corridor is 19.5 km. Major R&R issues are identified in this section, as per census survey nearly 876 properties are getting affected. In that 237 properties are identified as major impact (those structures having 75% or more impact). The corridor is studied under three sections as mentioned below:

5. **Hosur circle to Unkal Lake (length 4 km):** This section falls within city limits of Hubli. Hosur circle is a major interchange for travel from within Hubli towards Dharwad. Major origins and destinations along this section include various institutions like Women's Polytechnic, KLE Medical College, Arts College and Science College. Two depots of NWKRTC are situated on this section. The other edge of the section has dense commercial development. HDMC garden and Unkal lake-front act as major recreational nodes. Unkal lake-front development is under execution which is expected to increase recreational trip demand. The existing RoW varies from 24m to 30m along the corridor, which will be widened to 35m.

6. **Unkal Lake to JSS College (length 11.8 km):** This section of the corridor is the major link between Hubli and Dharwad. The corridor is experiencing dispersed peri-urban growth along the corridor with low density. Major trip generating activities are Government owned public-semi-public offices, APMC Market, SDM Hospital and Medical College. Other major activities identified are auto showrooms, garages, commercial shops supporting construction industry. A newly developed area "Navanagar" is emerging as a planned residential colony, expected to produce major home-based trips. This section has a rolling terrain and substantial level difference of property access on either side of the highway. The RoW varies from 24m to 50m and is proposed to be widened to a uniform RoW of 44m.

7. **JSS College to Dharwad CBT (length 3.7 km):** The corridor falls in Dharwad city limits with dense development. The edge of this section has a mix of commercial, residential and mixed land use. Major nodes are schools, SDM College, District Court and DM & DC office. The density gradually increases towards approach Jubilee Circle. The RoW varies from 20m to 30m with plans for widening to 35m upto Jubilee circle. Beyond Jubilee Circle, there is no widening proposed upto the Dharwad CBT and the proposed improvements are to be accommodated within the available RoW.

#### ***Corridor 2: Hosur Circle to Hubli CBT via Railway station (length 2.75 km)***

8. The corridor starts at Hosur Circle and terminates at Hubli CBT via Rani Chennama Circle and Hubli Railway Station. The corridor has two distinct sections as far as building typology and road edge conditions are concerned. There are no major social issues identified along this stretch, however, the 36 licensed Kiosks will be affected because of this project. Assistance is worked out as per the entitlement matrix (refer Chapter 3 – Social Impact Assessment)

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<sup>1</sup> MT Sagar CTS, Unakal CTS, Unakal Revenue, Bhairidevarakoppa, Amaragol, Rayapur, Sattur, Navalur, Lakkammanahalli, Dharwad CTS

9. **Hosur Circle to Hubli Railway Station (length 1.85 km):** This part of the corridor experiences high traffic congestion, especially during peak hours. This section acts as CBD with major public and private offices like HDMC, BSNL, Head Post Office, etc. This area is adjacent to old city market with mixed land use which attracts commercial trips during evening hours. Other major traffic generation nodes are IT Park near Hosur, OCBS at Rani Chennama Circle and railway station. The area has wide footpaths along the street but is encroached by hawkers and street vendors. On-street parking in evening hours also observed. Some sections of the road are routed as one-ways. (Near Hosur circle, Rani Chennama, HDMC and Railway Station). The RoW is 24m and there is no proposal for widening.

10. **Hubli Railway Station to Hubli CBT (length 0.9 km):** The part of corridor has high density with numerous neighbourhood lanes entering or exiting into the existing 15-18m wide corridor. The area is characterized by high density mixed land use, with few major commercial showrooms. Redevelopment has already started on this corridor. Hubli CBT acts as a dispersal node at the centre of the Old Hubli city, thus acting as major production and attraction node. The RoW is 15-18m and is not proposed to be widened further.

**Table I-1: Section-wise Corridor Description**

Road Section	Length	RoW (m) Existing	Row (m) Proposed	Resettlement Impact
<b>Corridor 1</b>				
Hosur Circle to Unkal Lake	4.0	24-30	35	876 properties with 1351 project affected persons (PAP) are getting affected by the project
Unkal Lake to JSS College	11.8	20-50	44	
JSS College to Jubilee Circle	3.7	20-30	35	
<b>Corridor 2</b>				
Hosur Circle to Railway Station	1.85	18-24	18-24	36 kiosks are getting affected by the project
Railway Station to Hubli CBT	0.9	15-18	15-18	

**BRTS physical infrastructure such as stations, depot, terminals etc,**

11. In addition to the development of the project corridor, various BRT infrastructures are proposed to be developed which includes BRT stations along the trunk corridor, CBT terminals and BRT depots, and terminals and depots for feeder services. All of these facilities are proposed on lands belonging to the NWKRTC and there is no land acquisition or resettlement impacts envisaged due to the development of this infrastructure.

**Magnitude of impacts**

12. The project will impact 876 properties and 1351 project affected persons (PAP). Of the total project affected families (PAF), 237 families will be subject to major impacts. Major impacts are where the PAF is either displaced due to the loss of house or has lost the means of livelihood from commercial establishments. The total private land acquisition for the project is 59.51 acres, while the Government land to be transferred to the project is 13.55 acres. While a detailed assessment of the potential impacts is discussed in Chapter 3 of this report, the summary of impacts is presented in Table I-2. The assessment of land acquisition requirements is based on the village-wise land acquisition plans prepared by KRDC for each of the 10 villages along the corridor.

**Table I-2: Summary Tables on Impacts**

Land Acquisition – Private (acres)	Land Transfer – Government (acres)	Total Impact (structure/land)	Major Impact (structure/land)	Community Assets (numbers)	PAFs	PAPs
59.51	13.55	876*	237**	8	814	1351

\*Includes 590 PAPs losing structure, 59 PAPs losing land and 227 PAPs losing structure-cum-land

\*\*Includes 180 PAPs losing structure, 13 PAPs losing land and 44 PAPs losing structure-cum-land

### **C. OBJECTIVES OF RAP**

13. This Resettlement Action Plan (RAP) outlines the extent of impacts due to the proposed road widening and BRT infrastructure on the communities and proposes measures towards the mitigation of the potential impacts. The implementation procedures for resettlement and rehabilitation (R&R) are also detailed out in this RAP.

14. Involuntary resettlement has been avoided wherever possible or minimized exploring other project alternatives. The objectives of RAP are,

- To identify adverse impact and determine how they could be overcome or substantially be mitigated with the implementation of the proposed project;
- To present the entitlements for the affected persons for payment of compensation and assistance for restoring the livelihood;
- To present an action plan for the delivery of compensation and assistance in accordance with the Entitlement Matrix adopted for the project; and
- To prepare an action plan for the project affected people for improving or at least retaining the living standards in the post resettlement period.

### **D. APPROACH TO RESETTLEMENT PLANNING**

15. During the census survey it was seen that road widening and improvement will have some impact on residences, businesses, places of worship, land, community assets, etc. Most of the infrastructure work planned for the project as far as possible will take place within the existing ROW. In most cases, the land required for the project is immediately adjacent to the current carriageway. The additional land required by the project falls under several classifications: (i) Public land owned by the State Government and its various Departments; (ii) Public land owned by villages or other local governments; and (iii) Private land.

16. The RAP is prepared to ensure that:

- The displaced persons are: (i) informed about their options and rights pertaining to resettlement; (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project;
- Displaced persons are: (i) provided assistance (such as shifting allowance, livelihood restoration allowance, economic rehabilitation grant etc.) during relocation;
- To ensure that displaced persons are: i) offered support after displacement, for a transition period, to restore their livelihood and standards of living; (ii) provide with development assistance in addition to compensation measures, such as training and (iii) at least improving or retaining the living standards in the post-project period.

### **E. RIGHT OF WAY**

17. The RoW is the lawfully acquired corridor of public land owned by the State Government and administered by the PWD for the transit of existing road. Using records available with the PWD and the Revenue Department, the social team verified the boundaries of private properties within and in the vicinity of RoW. The preparation of the Land Acquisition Plan is being facilitated through the verification of land records, updated records for the ownership of land. The design standards suggest a RoW of 35m for Urban Cross Sections (from chainage 0+000 to 4+000 and from chainage 15+900 to chainage 18+845) and 45m RoW for Rural Cross Sections (from chainage 4+000 to chainage 15+900).

18. The objective of social input to project design is to identify, document and mitigate the possible impacts within the established RoW. Those affected within RoW will be assisted as per the Entitlement Matrix proposed for the project.

## **F. METHODOLOGY**

19. The preparation of the RAP has involved social impact assessment of the project area on the basis of primary data collected, consultation with the stakeholders and information from secondary sources. Socio-economic baseline survey and census survey questionnaires were prepared to collect information. Information was collected through focus-group discussions and participatory rapid appraisal (PRA) methods.
20. Public consultation has been considered to be an extremely important process and the RAP is prepared on the basis of people's perceptions about the project impacts and felt needs. It is ensured that results of public consultation whichever deemed feasible have been incorporated in the final design. The methodology adopted comprise the following stages:
21. **Reconnaissance:** Teams comprising of social scientists, engineers and environmental planners undertook reconnaissance of the entire project corridor. The purpose of the reconnaissance was to have an overview of the likely extent of impact on people due to the proposed project.
22. **Data from secondary sources:** Secondary sources of information such as the District Census Handbooks and District Gazetteers have been examined. The physical, social, economic, and cultural set-up of the project area has been studied before undertaking detailed field investigations. Desk review of relevant policies and collection of secondary data from project documents and other sources was also undertaken.
23. Desk review of various policies relevant to the project has been carried out. This has been done to appreciate the policy implications on the project. The action plan has considered relevant provisions and policy guidelines in order to make the plan more concrete.
24. **Census and Socio Economic survey:** Census and socio-economic survey was carried out to ensure that all impacted properties are identified so that the entitlements could be worked out and budgeted. The RoW became the most important parameter in determining the number of PAPs.
25. The census and socio economic survey was conducted through door-to-door personal interviews. The census questionnaire was pre-tested. A copy of Census Questionnaire has been given in **Appendix 1.1**. Each and every structure within the RoW was measured. The location, size and type of construction of the structures were recorded. Names of the owners, addresses, possession of legal documents (if any, towards the claim of property), tenure status, and the possible project-induced losses were recorded. Information about the structure of the household, occupation, literacy level, income and other social information about the affected family were also collected.
26. Survey was carried out by the Department of Social Work, Karnataka University. The survey was initiated on 07.09.2011 and concluded by 16.09.2011.
27. **Consultations:** Consultations were undertaken to disseminate information about project to the potentially affected people, and to incorporate their views and suggestions in the RAP as well as the design. The locations for consultation sessions were finalised depending on the number of households potentially impacted, the magnitude of public properties to be impacted, etc. Investigators consulted individuals who belong to different social groups. These local consultations helped to identify various issues such as prior-intimation period required for the PAPs to relocate their properties, extent of impact on livelihood, possible realignments, etc.

## **G. STRUCTURE OF THE REPORT**

28. The report has been organized as per the following structure:

- **CHAPTER 1: INTRODUCTION:** This chapter provides an introduction of the project, outlines need for RAP document, its objectives and the methodology adopted.
- **CHAPTER 2: POLICY AND LEGAL FRAMEWORK:** This chapter presents the relevant legal and policy framework including Land Acquisition Act 1894, The Karnataka Highways Act, 1964, Land Acquisition (Karnataka Extension and Amendment) Act 1961, national policy on resettlement and rehabilitation, BRTS Entitlement Matrix, etc.
- **CHAPTER 3: SOCIAL IMPACT ASSESSMENT:** This chapter details the data collected through census and socio-economic surveys and consultations carried out in the settlements along the project corridor and analysis of the same. The PAPs have been identified and the nature, type and extent of impacts ascertained. Details of public consultation carried out along the project corridor are also discussed.
- **CHAPTER 4: LAND ACQUISITION:** This chapter discusses the extent of land requires to be acquired for the proposed project.
- **CHAPTER 5: IMPLEMENTATION ARRANGEMENTS:** This chapter outlines the institutional arrangement for the smooth conduct of land acquisition and R&R activities and also discusses the grievance redress procedures. Budget estimates with respect to land acquisition and R&R are also given in this chapter.

## **II. POLICY AND LEGAL FRAMEWORK**

### **A. INTRODUCTION**

29. The following chapter provides an overview of various policies and Acts which would be relevant in this project.

### **B. THE NATIONAL POLICY ON RESETTLEMENT AND REHABILITATION, 2007**

30. In 2007 the GOI developed a National Resettlement and Rehabilitation Policy. "The National Policy on Resettlement and Rehabilitation for Project Affected Families, 2007" (NRRP) came into effect in October 2007. The salient feature and the statements of the NRRP policy are given in **Appendix 2.1**

### **C. LAND ACQUISITION ACT (LA ACT)**

31. The Land Acquisition Act 1894 (amended 1984) is applicable to all parts of India except to the State of Jammu and Kashmir. Major sections of the Act are briefly discussed in the **Appendix 2.1**

### **D. LAND ACQUISITION (KARNATAKA EXTENSION AND AMENDMENT) ACT, 1961**

32. This Act aims at extending the Land Acquisition Act, 1894 (Central Act) to the whole of the state of Karnataka and further amends its application to the State. Apart from substituting the expression of 'Deputy Commissioner' for the expression 'Collector' in the Central Act, the Act 1961 amends sections 1, 2 to 6, 9 to 12, 16 to 20, 24 to 28, 34, 35, 46 and 50 of the Central Act. The Act 1961 omits section 8 of the Central Act and inserts new sections such as 12A, 15A, 30A, 37A and also substitutes new sections for sections 45 and 54 of Central Act.

33. Section 12A provisions for time and action required to be taken by the Deputy Commissioner for any clerical or arithmetical mistakes that happen during the award. Section 15A empowers the state government to call for proceedings and pass orders with respect to determination of compensation.

#### ***Land Acquisition (Karnataka Amendment and Validation) Act, 1967***

34. With this Amendment, the Government overcomes the difficulty existing under the provisions of the Land Acquisition Act. Government cannot acquire land by means of successive declarations following the notifications under section 4(1) in respect of particular area, if the effect of the initial notification is exhausted and no further declarations under section 6 of the Act are sustainable.

35. The Amendment of Section 6 of the Land Acquisition Act 1894 states that "different declarations may be made from time to time in respect of different parcels of any land covered by the same notification under sub-section (1) of section 4".

### **E. KARNATAKA HIGHWAYS ACT, 1964**

36. Under Karnataka Highways Act (KHA), 1964, land acquisition will be entrusted to a designated "Highway Authority" with delegated powers, so that the entire acquisition proceedings will be carried out under centralized agency i.e. "Highway Authority" with dedicated officials for the purpose of land acquisition. Acquisition under consent award as given under Section 27 of KHA, 1964 will be applicable. This will help in arriving at a mutually agreed rate of compensation thereby eliminating lengthy



proceedings accompanied with the acquisition and could potentially be completed within a comparatively shorter period.

37. Section 27 read with Section 26 provides payment of compensation to individuals who are losing land. No other section in the Act deals with payment of compensation determined by way of agreement. Under the KHA in this project the Negotiation Committee after negotiation with the land losers in clusters arrive at a price agreeable to the land losers. Once the price is agreed for individual survey numbers accordingly an agreement will be executed with the land losers. Subsequently the land will be taken possession of. In this process no award is passed. Generally this process is termed Consent Award. The comparison between LAA and KHA and process of land acquisition is discussed in **Appendix 2.1**

## **F. OP/BP 4.12 – INVOLUNTARY RESETTLEMENT**

38. The key provisions of the policy are given below:

- Ensure that the displaced persons are informed about their options and rights pertaining to resettlement;
- Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives;
- Prompt and effective compensation at full replacement cost for losses of assets;
- Provide assistance and allowances;
- Provide equivalent productive assets for the loss of residential house, agricultural land etc.;
- Provide support for the transition period (between displacement and livelihood restoration);
- Provide land related development assistance (credit facilities and training);
- Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based;
- Cash compensation level should be sufficient to replace the lost land and assets at full replacement cost in local markets;
- Eligibility of benefits include, the PAPs who have formal legal rights to land (including customary and traditional land rights recognised under law), the PAPs who don't have formal legal rights to land at the time of census but have a claim to such land or assets and the PAPs who have no recognisable legal right to the land they are occupying;
- Particular attention will be paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc;
- The displaced persons and their communities will be provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.
- In addition to the above core measures on the Bank's policy it also laid emphasis on a detailed resettlement policy inclusive of all the above points; project specific resettlement plan; institutional framework for implementation; monitoring and evaluation mechanism; time schedule for implementation; and detailed Financial Plan etc.

## **G. SUSTAINABLE URBAN TRANSPORT PROJECT: ENVIRONMENT AND SOCIAL MANAGEMENT FRAMEWORK**

39. In line with the requirements of the World Bank, the Bank's environmental and social safeguards policies shall be applied to all projects to be taken up under GEF-SUTP. The ESMF spells out the potential impacts in the project cities due to the planning, design, implementation and operation of the Green Transport projects and outlines the management measures required for an effective addressal of the same. Appropriate institutional arrangements towards implementing the measures proposed and the capacity building efforts required have been detailed in the framework. The adoption of this framework shall ensure that the projects meet the national and state level environmental and social requirements and are also consistent with the applicable safeguards policies and provisions of the World Bank.

40. The key objectives of the ESMF are to:

- Provide a framework for the integration of social and environmental aspects at all stages of the project planning, design, execution and operation of various sub-components
- Ensuring positive social and environmental impacts of sub-projects and avoid/minimize and manages any potential adverse impacts

## **H. COMPARISON OF NATIONAL AND STATE POLICIES WITH WORLD BANK IR POLICY**

41. The National Rehabilitation and Resettlement Policy of 2007 (NRRP-2007), represents a significant milestone in the development of a systematic approach to address resettlement issues in India and closes significantly the gap between Indian national policies and those of World Banks. The Land Acquisition Act (LAA) of 1894 (as amended in 1984) gives directives for the acquisition of land in the public interest and provides benefits only to titleholders. At the same time, NRRP recognizes non-titleholders, although the basic requirement is for the non-titleholder to have been in the project-affected area at least 3 years prior to the declaration of the area as an affected area. A comparative assessment of LAA, NRRP, World Bank IR and the proposed Entitlement Matrix for BRTS project has been done and presented in Table II-1.

**Table II-1: Comparison of Gaps in various Acts and Policies with World Banks IR Policy**

Parameters	LAA	NRRP-2007	World Bank	Karnataka State Highway Act	BRTS Entitlement Matrix
Cut-off Date for Assistance	--	Date of notification as per paragraph 6.1 for all eligible affected families	Date of survey considers as cut-off date or any date established by the borrower and acceptable to the Bank	--	Date of survey will be considered as cut-off date for non-titleholders and date of notification as per Section 4(1) of LAA for titleholders
Social Impact Assessment	--	Mandates SIA survey for 400 or more getting displaced en masse in plain area or more than 200 families in hilly area	Requires socio-economic studies – no minimum threshold prescribed	--	A detailed SIA has been done for this project
Replacement Cost of land	No replacement cost of land	Provides for alternative lands; where not possible monetary compensation	Provides for replacement cost of land	Provides for replacement cost (compensation) of land through negotiations	Provides for replacement cost (compensation) of land based on Consent Award
Assistance to tenants losing commercial and residential structures		No direct mention of assistance to tenants losing commercial and residential structures	All categories of project affected population are covered	--	Provides assistance to tenants losing commercial and residential structures

42. The Entitlement Matrix proposed for the BRTS project is at par with the various provisions of World Bank IR Policy. Adoption of the above principles for the project would ensure that the policies would fit together in its application to this project.

## **I. ENTITLEMENT MATRIX**

43. The National and State policies and Acts and GEF SUTP's ESMF provide for the framework for resettlement and rehabilitation activities. Within the context of the above mentioned frameworks a project specific Entitlement Matrix has been prepared. The Entitlement Matrix has been evolved through a detailed socio-economic study of the PAFs and a series of discussions with various stakeholders including State Government functionaries and the World Bank.

### ***Impacts and Entitlements***

44. This Entitlement Matrix addresses the direct and indirect impacts of project construction and operation on affected persons, families, households, communities, and groups. The most direct and immediate impacts are those associated with land acquisition. Other losses include loss of shelter, and other assets within the project's RoW; as well as roadside structure, business establishments and public facilities. Mitigation is provided through compensation and assistance to project-affected persons, families, households, and groups. These social units are entitled to compensation and assistance on the basis of this Entitlement Matrix adopted by the project.

45. Loss of assets and livelihood are impact categories that represent direct project impacts on an identified population. The people likely to be affected will be surveyed and registered, and project monitoring and evaluation will compare long-term impact against baseline socio-economic data. Collective impacts on groups represent direct and indirect impacts, where group members need not be individually registered. Group-oriented gains and losses in this category are less quantifiable in terms of impacts on the individual. Mitigation and support mechanisms are collectively oriented, and the monitoring of these efforts will examine the impact and benefits for the groups involved. The entitlements are reasonably adequate to achieve the goal of income improvement, or at least restoration.

### ***Right of Way***

46. The RoW is the lawfully acquired corridor of public land owned by the State Government and administered by the PWD for the transit of existing road. Using records available with the PWD and the Revenue Department, the social team verified the boundaries of private properties within and in the vicinity of RoW. The preparation of the Land Acquisition Plan is being facilitated through the verification of land records, updated records for the ownership of land. The design standards suggest a RoW of 35m for Urban Cross Sections and 45m RoW for Rural Cross Sections.

47. The objective of social input to project design is to identify, document and mitigate the possible impacts within the established RoW. Those affected within RoW will be assisted as per the Entitlement Matrix proposed for the project.

### ***Targeted Support to Vulnerable Groups***

48. The project will develop target assistance for groups such as women-headed households, and for those belonging to SC and ST. Attention will be given on a case by case basis, with regard to their livelihood, educational opportunities, vocational training, etc.

### ***Option and Choices***

49. The project will provide options and choices among different entitlements to the affected population. As part of the project consultation and participation mechanisms, people will be informed and consulted about the project and its impacts, and their entitlements and options. The affected population will be counselled so that they are able to make informed choices among the options provided.

### *Principles*

50. This Entitlement Matrix is based on the principle that the population affected by the project will be assisted to improve or at least maintain their existing living standards. The emphasis is on avoiding or minimizing involuntary resettlement wherever possible by exploring alternative project designs. Where displacement is unavoidable, people losing assets, livelihood or other resources shall be assisted in improving or maintaining their existing living standards. The Entitlement Matrix speaks about the entitlements and type of assistance to be extended to the affected persons, which will become the basis for preparing a detailed and time bound Resettlement Action Plan (RAP). The RAP will contain the implementation details on how to ensure that the mentioned Entitlements could be accordingly disbursed against respective loss or impact.

51. The Resettlement Action Plan will describe the approach to be followed in minimizing and mitigating negative social and economic impacts caused by the project, including displacement. The Resettlement Action Plan identifies categories of expected project impacts, including loss of property and assets, loss of livelihood, and other social and economic impacts on groups and roadside communities. All people, households and groups adversely affected by the project would be registered and supported as per the Entitlement Matrix. The outcomes of consultation with community with regards to relocation of religious structures, if any constructed encroaching on Government lands would be duly recorded.

## **J. ENTITLEMENT MATRIX FOR THE PROJECT**

52. The Entitlement Matrix addresses three broad categories of social and economic impacts, which require mitigation in this project.

- Loss of assets, including land and house;
- Loss of livelihood or income opportunities; and
- Collective impacts on groups, such as loss of common property resources

53. The first two categories represent direct project impacts on an identified population. The affected people will be surveyed and registered, and project monitoring and evaluation will compare long term impact against baseline socio-economic data. The third category represents an indirect impact, where group members need not be individually registered. Gains and losses of a group-oriented nature are not quantifiable in terms of impact on the individual. Mitigation and support mechanisms will be collectively oriented, and the monitoring of these development efforts will be the impact and benefits for the groups involved.

**Table II-2: Entitlement Matrix proposed for the Project**

No	Impact category	Entitlements	Remarks
<b>I. Title Holders</b>			
(a)	Loss of land	<ol style="list-style-type: none"> <li>1. Compensation through negotiation as per Land Acquisition Act / Karnataka State Highway Act, 1964.</li> <li>2. Stamp duty and registration charges on compensation amount.</li> <li>3. Crop/tree damage compensation as assessed by concerned Departments.</li> </ol>	<ul style="list-style-type: none"> <li>• The minimum negotiated price will be 1.5 times of the Guidance Value.</li> <li>• Stamp Duty and Registration Charges on compensation amount will be exempted/ factored into the compensation and assistance (this is applicable for those who avail compensation through consent award)</li> <li>• One family member (male/female) of the affected family, if interested, may be provided necessary training for skill development and income-generation. Training for self-employment will be based on aptitude / assessment of skill sets of affected family and will be dovetailed with programs implemented by other departments.</li> <li>• The shifting allowance, livelihood restoration allowance and other allowances specified in Entitlement column will be shared and discussed with the PAPs during consent award negotiations</li> </ul>
(b)	Loss of Residential structures	<ol style="list-style-type: none"> <li>1. Compensation at current PWD schedule of rates without depreciation.</li> <li>2. Stamp duty and registration charges on compensation amount;</li> <li>3. Additional 25% compensation for partially affected structures towards reconstruction</li> <li>4. Shifting assistance of Rs. 5,000 for major impact structures.</li> </ol>	<ul style="list-style-type: none"> <li>• A notice period of 3 months will be given for the removal of structures and shifting where applicable.</li> <li>• The owner/tenant (in cases where a tenant occupies the structure) will be given the right to salvage material from the structures.</li> <li>• Stamp Duty and Registration Charges on compensation amount will be exempted/ factored into the compensation and assistance (this is applicable for those who avail compensation through consent award).</li> <li>• The shifting allowance, livelihood restoration allowance and other allowances specified in Entitlement column will be shared and discussed with the PAPs during consent award negotiations.</li> </ul>
(c)	Loss of commercial structures	<ol style="list-style-type: none"> <li>1. Compensation at current PWD schedule of rates without depreciation.</li> <li>2. Stamp duty and registration charges on compensation amount</li> <li>3. Additional 25% compensation for partially affected structures.</li> <li>4. Shifting assistance of Rs. 5,000.</li> <li>5. Livelihood Restoration allowance equivalent to 3 months of minimum industrial wages of Karnataka (calculated for 25 days in a month) or Rs.15,000 whichever is higher of for major impacts.</li> </ol>	<ul style="list-style-type: none"> <li>• A notice period of 3 months will be given for the removal of structures and shifting where applicable.</li> <li>• Stamp Duty and Registration Charges on compensation amount will be exempted/ factored into the compensation and assistance (this is applicable for those who avail compensation through consent award).</li> <li>• One family member (male/female) of the affected family, if interested, may be provided necessary training for skill development and income-generation. Training for self-employment will be based on aptitude / assessment of skill sets of affected family and will be dovetailed with programs implemented by other departments.</li> <li>• The owner/tenant (in cases where a tenant occupies the structure) will be given the right to salvage material from the structures.</li> <li>• The shifting allowance, livelihood restoration allowance and other allowances specified in Entitlement column will be shared and discussed with the PAPs during consent award negotiations.</li> </ul>
(d)	Loss of residential cum commercial structures	<ol style="list-style-type: none"> <li>1. Compensation at current PWD schedule of rates without depreciation.</li> <li>2. Stamp duty and registration charges on compensation amount</li> <li>3. Additional 25% compensation for</li> </ol>	<ul style="list-style-type: none"> <li>• A notice period of 3 months will be given for the removal of structures and shifting where applicable.</li> <li>• Stamp Duty and Registration Charges on compensation amount will be exempted/ factored into the compensation and assistance (this is applicable for those who avail compensation through consent award).</li> </ul>

No	Impact category	Entitlements	Remarks
		partially affected structures. 4. Shifting allowance of Rs 5,000. 5. Livelihood Restoration allowance equivalent to 3 months of minimum industrial wages of Karnataka (calculated for 25 days in a month) or Rs.15,000 whichever is higher for major impacts.	<ul style="list-style-type: none"> <li>The owner/tenant (in cases where a tenant occupies the structure) will be given the right to salvage material from the structures.</li> <li>One family member (male/female) of the affected family, if interested, may be provided necessary training for skill development and income-generation. Training for self-employment will be based on aptitude / assessment of skill sets of affected family and will be dovetailed with programs implemented by other departments.</li> </ul>
<b>II. Tenants</b>			
(a)	Loss of residential / commercial / residential cum commercial structures	1. Rental allowance for 6 months @ Rs 1200 per month for residential and Rs 1800 for commercial categories 2. Livelihood Restoration allowance equivalent to 3 months of minimum industrial wages of Karnataka (calculated for 25 days in a month) or Rs.15,000 whichever is higher for major impacts. 3. Shifting assistance of Rs. 5,000	<ul style="list-style-type: none"> <li>A notice period of 3 months will be given for the removal of structures and shifting where applicable.</li> <li>The tenant will be given the right to salvage material from the structures.</li> <li>One family member (male/female) of the affected family, if interested, may be provided necessary training for skill development and income-generation. Training for self-employment will be based on aptitude / assessment of skill sets of affected family and will be dovetailed with programs implemented by other departments.</li> </ul>
<b>III. Non-Title holders</b>			
(a)	Encroachers		<ul style="list-style-type: none"> <li>Ex-gratia for affected structure based on current PWD schedule of rates without depreciation.</li> <li>Encroachers will be notified a time in which to remove their assets.</li> </ul>
(b)	Licensed kiosks	1. Assistance for loss of Kiosks. 2. Livelihood Restoration allowance equivalent to 3 months of minimum industrial wages of Karnataka (calculated for 25 days in a month) or Rs.15,000 3. Shifting allowance of Rs.5,000.	<ul style="list-style-type: none"> <li>For those kiosks which are licensed for fixed locations, a reference will be made to HDMC for relocation of kiosks or allotment of alternate shops in the complexes belonging to it. HDMC will be requested to provide preferential allocations of alternate commercial space to the licensed shop keepers whose shop fall in the land to be acquired, OR, Employment opportunities for affected persons as per skills in the BRT operations, housekeeping etc.</li> </ul>
(c)	Commercial / Residential squatters	1. Livelihood Restoration allowance equivalent to 3 months of minimum industrial wages of Karnataka (calculated for 25 days in a month) or Rs.15,000 2. Shifting allowance of Rs.5000	<ul style="list-style-type: none"> <li>Squatters will be notified a time in which to remove their assets.</li> <li>An appropriate ex-gratia amount for affected structures, if any (excluding ambulatory structures) would be given as per evaluation done by the Hubli-Dharwad BRTS Company Ltd.</li> </ul>
<b>IV. Vulnerable People</b>			
(a)	Additional support to vulnerable groups: Widows Physically challenged and those aged above 60 years	1. Assistance to include in government pension schemes if not included, if eligible as per Government criteria 2. Livelihood Restoration allowance equivalent to 3 months of minimum industrial wages of Karnataka (calculated for 25 days in a month) or Rs.15,000 whichever is higher for major impacts.	<ul style="list-style-type: none"> <li>Government pension schemes<sup>2</sup> if not included, if eligible as per the criteria prescribed in the schemes.</li> </ul>
<b>V. Community Assets</b>			
(a)	Community Assets	1. Conservation, protection,	<ul style="list-style-type: none"> <li>The common property resources and the</li> </ul>

<sup>2</sup> The various pension schemes include, Indira Gandhi National Old Age Pension, National Family Benefit Scheme, Indira Gandhi National Widow Pension Scheme, Indira Gandhi National Disabled Pension Scheme, Annapurna Yojana, Destitute Widow Pension, Pension for Disabled Persons and Sandhya Suraksha Yojana.

No	Impact category	Entitlements	Remarks
		compensatory replacement	community infrastructure (bus shelters, community ponds and other assets, if any) will be relocated in consultation with the community. <ul style="list-style-type: none"> <li>The Religious structures, if any, on private lands will be entitled for compensation at current PWD schedule of rates without depreciation. Religious structures constructed by encroaching on Government lands i.e., parks, roads and public spaces etc will be relocated in consultation with the community.</li> </ul>
<b>VI. Unidentified Impacts</b>			
(a)	Unidentified Impacts	1. Mitigation measures	<ul style="list-style-type: none"> <li>Unforeseen impacts shall be documented and mitigated based on the principles provided in this policy.</li> </ul>

Note: 1) All amounts in this entitlement matrix are fixed as of April 01, 2013. These will be increased @ 10% p.a on first day of April every year.

2) As part of consent award negotiations, the additional compensation for resettlement (subsistence allowance, shifting allowance etc) will be fully factored into and reflected in the consent award as a separate line item in the compensation negotiated under consent award.

### III. SOCIAL IMPACT ASSESSMENT

#### A. SOCIAL IMPACT ASSESSMENT

54. Social Impact Assessment was carried out for the project road. The SIA study looked into the likely impacts of road improvement on the communities, and the likely mitigation aspects. As a part of the project a census survey of PAFs and PAPs was carried out. The findings of the census survey provided the magnitude of social impacts on the affected population. In this section the survey outcomes are analyzed.

55. Community members have identified the potential loss of land due to project interventions as a major negative social impact. However, according to a majority of stakeholders consulted, the benefits of the project outweigh impacts from minor losses of land and moreover, they are of the opinion that for a public purpose they are prepared to part with their assets. Recommendations for impact mitigation and enhancement of entitlements were given by the stakeholders. The suggestions as feasible have been incorporated into the design and the Entitlement Matrix of the project.

56. The RAP attempts to address the following issues: (i) develop clear procedures for land acquisition under LAA/KHA and determination of compensation and its disbursement are carried out in transparent manner and are satisfactorily documented; (ii) describe the Entitlement Matrix, institutional and implementation framework to guide the compensation for loss of land and assets and ensure that no person's property is acquired without proper consultation and compensation; (iii) develop mechanisms to foster greater participation of more passive members of the community, including women and vulnerable groups; (iv) develop clear procedures for disseminating information about the project to all affected communities and provide a feedback mechanism for these communities to voice their concerns and address these concerns during project implementation.

#### *Census Socio-Economic Survey*

57. The surveys provide a baseline measurement of potential impacts on affected persons. The survey has collected information from corresponding owners and occupants of all the affected properties and the analysis of data is based on 100 percent survey. The objectives of the census verification were:

- To provide information regarding project impacts in order to facilitate designing of various components of RAP, especially R&R entitlements;
- To minimise the influx of outsiders to the affected area;
- To identify PAPs by impact categories;
- To enumerate PAPs assets and land holdings;

58. Altogether 876 properties will be affected, out of which 645 (609 commercial and 36 licensed kiosks) are commercial properties (Table III-1). About 71 institutional properties will be affected and this includes that of religious organisations, society, trust, etc. The industrial properties affected include brick industry, auto body-builders and foundries. No employees are affected due to acquisition of land belonging to these industries as per the assessment undertaken by HDBRTS Company Ltd.

**Table III-1: Distribution of Project Affected Population Category**

Type of Loss	Residential	Commercial	Commercial cum Residential	Licensed Kiosks	Industrial	Institutional	Agricultural	Under Construction	Open Land/Plot	Plantation	Grand Total
Structure	51	443	23	36	4	32	0	1	0	0	590
Land	3	15	0	0	0	5	1	0	35	0	59
Structure and Land	29	- 151	6	0	3	34	1	1	0	2	227



Total	83	609	29	36	7	71	2	2	35	2	876
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Source: Census Socio-Economic Survey 2011

59. In addition to the 876 properties, a total number of 55 street vendors will be likely to be affected. This includes 52 street vendors identified along Hosur Circle to Hubli CBT and 3 street vendors located along Jubilee Circle to Dharwad CBT. These vendors are ambulatory in nature. The proposed improvement is designed within the CoI, hence, the impact on the vendors has been avoided.

60. Family details also were collected from respondents of other affected structures, excluding the category of Institutions. Excluding 71 Institutions, family details have been collected for all the affected properties. A total number of 1351 people will be directly impacted due to the project.

### ***Methodology and Database***

61. Census covers 100% of the potentially affected population within the proposed RoW. It provides a demographic overview of the population served by the RAP and profiles household assets and main sources of livelihood. During census survey, legal boundaries of affected properties were verified. The census registered all household members and individuals within the proposed RoW, their assets and income, the demographic and social information to determine whether project affected persons were to be categorised as vulnerable groups with special entitlements under the project. Private land owners, tenants and encroachers within the RoW were covered.

62. Data was collected at the following levels (i) Household level interviews with each affected family were undertaken. Each of the households surveyed and the structure/agricultural land likely to be affected by the project were numbered, documented (ii) interview of owners of commercial structures or business establishments were done and respective structures were numbered and documented.

### ***Sources of Data***

63. Data was collected from the following secondary sources: (i) Revenue records at settlement/village level - with regard to land particulars for acquisition of properties; (ii) Census records for demographic information; (iii) PWD for RoW details, estimates of the cost of infrastructure development etc. and (iii) HDUDA for zoning plan which has direct impact on the land to be acquired alongside the project corridor.

### ***Update of Census Information***

64. The census information for those losing land will be updated on the completion of land acquisition plan. All entitlement as per the Policy and RAP will be applicable to all those identified.

### ***Cut-off Date***

65. The cut-off date for those who have legal title is the date of Notification under Section 15 of Karnataka Highway Act 1964. The date of census is the cut-off date for those who do not have legal standing for eligibility of assistance under the project. People moving into the RoW after this cut-off date will not be entitled for any support. It is the responsibility of the KRDCCL to ensure that the RoW is maintained free of squatters and encroachers. A reporting system will be in place for monitoring the encroachment which will be supervised by the KRDCCL. The land acquisition process is in progress, starting from the city limits. As and when the land is taken under possession, utilities will be shifted to the edge of RoW.

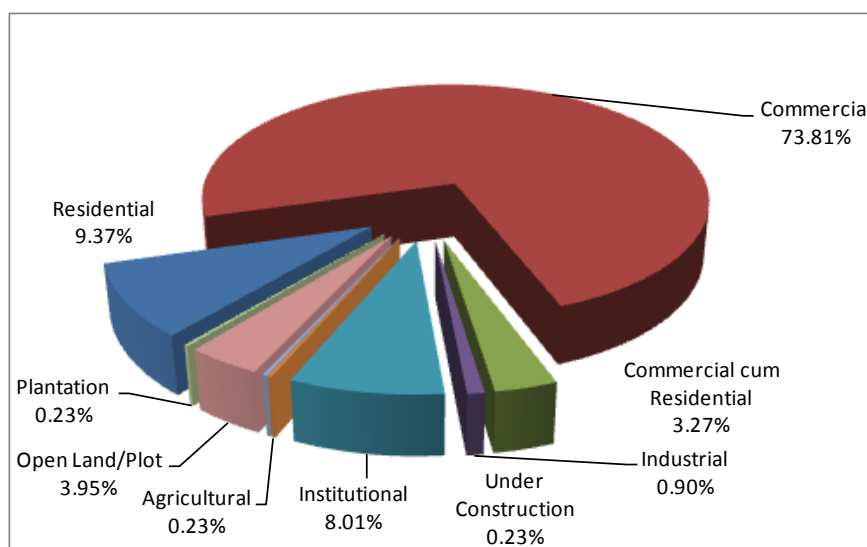
66. Recognizing the margin of errors in the census, and any person who was not enumerated but can show documents or evidence that he/she is rightfully an entitled person will be included. The Project Implementation Unit is responsible for such verification. The cut-off date for non- titleholders, is the date of start of the census survey which is 07.09.2011.

### ***Videography of the Project Corridor***

67. Videography of the project corridor covering the entire RoW has been carried out. This exercise will complement to the monitoring carried out by KRDC and help maintaining RoW free of encroachments.

**B. IMPACT ON PEOPLE AND STRUCTURES**

68. Altogether 876 assets ( 590 structures, 59 lands and 227 structure-cum-lands) will be affected due to the proposed project. Majority of the structure or land affected belongs to commercial category (74 percent). About 9 percent of total affected structures are that of residential category. Various Institutions (such as educational, medical and recreational) which are affected comprise 8 percent of the total affected structures or land.



Source: Census Socio-Economic Survey 2011

**Figure III-1: Types of Affected properties**

**Major and Minor impacts**

69. All those who lose their livelihood, or become landless or marginal farmer in case those depending on agriculture or shelter requiring shifting from the existing place. The owners of the affected structures were simultaneously consulted to understand whether they would be able to continue in the old location with the unaffected portion or would like to move to the new place. Other than this all other impacts are classified as minor impacts. PAPs will be offered the opportunity to surrender the entire structure for which suitable assistance will be extended. In case of partially affected structures the viability of remaining structure will be verified and consulted with PAP and if the PAP desires to surrender full structure will be considered and accordingly entire structure will be acquired and assistance will be extended.

70. Socio-economic survey has been carried out based on the RoW of 35m for Urban Cross Sections and 45m RoW for Rural Cross Sections. According to the survey, a total number of 876 assets will be affected due to the project. Of these, major impact is for 237 (27 percent) properties. Land or structure with more than 75 percent impact is considered as having major impact. Apart from a quantitative assessment of impacts on such land or structure.

71. Majority of the properties with major impact belong to commercial category (73 percent). About 43 percent of the structures with major impact are titleholders and tenants constitute 53 percent. Details of properties having major impact are given in Table III-2.

**Table III-2: Distribution of Affected Population by Major Impacts**

Type of Loss	Titleholder	Tenant	Licensed Kiosks	Squatter / unlicensed kiosks	Total
Residential	20	5	0	0	25
Commercial	53	71	36	12	172
House and Commercial	7	7	0	0	14
Industrial	1	1	0	0	2
Institutional (temple/shrine, society building, etc)	14	2	0	1	17
Open Land / Plot	6	1	0	0	7
<b>Total</b>	<b>101</b>	<b>87</b>	<b>36</b>	<b>13</b>	<b>237</b>

Source: Census Socio-Economic Survey 2011

72. A total of 639 properties will have minor impact, of which 475 (74 percent) are commercial properties. Of the total, 294 (45 percent) properties are of titleholders. Details of properties having minor impact are given Table III-3.

**Table III-3: Distribution of Affected Population by Minor Impacts**

Type of Use	Titleholder	Tenant	Total
Residential	51	7	58
Commercial	156	319	475
House and Commercial	8	7	15
Industrial	4	1	5
Institutional (temple/shrine, society building, etc)	45	9	54
Agricultural Land	2	0	2
Open Land/Plot	26	2	28
Plantation	2	0	2
<b>Grand Total</b>	<b>294</b>	<b>345</b>	<b>639</b>

Source: Census Socio-Economic Survey 2011

73. Built-up structure will be affected for 180 properties and land alone will be affected for 13 properties. Both structure and land will be affected for 44 properties. For about 141 commercial properties, structure alone will be impacted making it impossible to continue business in the same building. The industrial units which are affected due to project are engaged in auto-servicing and auto-body-building (Table III-4). These industrial units employ 17 people and have an average annual turnover of Rs.2500000. The workers of the industries will not be displaced due to the BRTS project.

**Table III-4: Distribution of Major Impact Population by Type of Loss**

Type of Loss	Residential	Commercial	House and Commercial	Industrial	Institutional	Open land/Plot	TOTAL
Structure	19	141	12	1	7	0	180
Land	0	4	0	0	2	7	13
Structure and Land	6	27	2	1	8	0	44
<b>TOTAL</b>	<b>25</b>	<b>172</b>	<b>14</b>	<b>2</b>	<b>17</b>	<b>7</b>	<b>237</b>

Source: Census Socio-Economic Survey 2011

74. For those properties having minor impact, built-up structure will be affected for 410 properties and land alone will be affected for 46 properties. Both structure and land will be affected for 183 properties. Out of the 475 commercial properties having minor impact, built-up structures alone will be affected for 339 (71 percent) properties (Table III-5).

**Table III-5: Distribution of Minor Impact Population by Type of Loss**

Type of Loss	Resi.	Comm.	House and Comm.	Industrial	Institutional	Agricultural	Open Land/Plot	Plantation	Total
Structure	32	339	11	3	25	0	0	0	410
Land	3	11	0	0	3	1	28	0	46
Structure and Land	23	125	4	2	26	1	0	2	183
<b>Grand Total</b>	<b>58</b>	<b>475</b>	<b>15</b>	<b>5</b>	<b>54</b>	<b>2</b>	<b>28</b>	<b>2</b>	<b>639</b>

Source: Census Socio-Economic Survey 2011

75. An RoW of 30m (in place of 35m in urban sections and 45m in rural sections) will affect a total number of 442 properties, of which 131 (30 percent) will have major impact and 311 properties (70 percent) have minor impact. Details of the impact based on RoW of 30m are given in **Appendix 3.1**.

**Key Baseline Indicators for Major Impact Categories**

76. Key baseline indicators for major impact categories are given in Table III-6. Detailed data is given in **Appendix 3.2**.

**Table III-6: Socio-Economic Information for Major Impact Categories**

<b>RESIDENTIAL/COMMERCIAL</b>	
Loss of residential structure	25 out of 237 (11%)
Loss of commercial structure	172 out of 237 (73%)
Loss of residential-cum-commercial structure	14 out of 237 (6%)
<b>SOCIAL</b>	
Female population	38.36% (155 out of total 404 persons)
Population aged above 60 years	11.46% (40 out of total 349 persons)
Illiterate population	13.1% (53 out of 404 persons)
Graduates and above	9.1% (37 out of 404 persons)
<b>ECONOMIC</b>	
Occupation	Business/Trade – 110 out of 185 (60%) Private service – 44 out of 185 (24%) Agriculture labour – 8 out of 185 (4%)
Household income (Annual)	< Rs. 24000 = 23 out of 144 (16%) Rs. 24001-48000 = 51 out of 144 (35%) Rs. 48001-72000 = 30 out of 144 (21%) Rs. 72001-120000 = 12 out of 144 (19%) > Rs. 120001 = 12 out of 144 (8%)
Below Poverty Line households (information based on the possession of BPL Cards)	Total BPL (residential, commercial and residential-cum-commercial) - 76 out of 211 (36%) BPL within residential – 9 out of 25 (36%) BPL within commercial – 61 out of 172 (35%) BPL within res-cum-comm – 6 out of 14 (43%)
Average household expenditure	Food (monthly) – Rs.3567 Education (yearly) – Rs.4119 Health (monthly) – Rs.853 Local travel (monthly) – Rs.1070
Percentage of earning women (based on total population, major and minor impact)	21.3% (33 out of 155 female population)
Average monthly earning of women (based on total population, major and minor impact)	Rs.4800 (average earnings of 20 out of 33 working women)
<b>ECONOMIC – COMMERCIAL PROPERTIES</b>	
Loss of total commercial structure	31%
Number of commercial shops having employees	66 (out of 172 commercial shops)
Average number of employees	4 nos.
Average area of commercial structures	38.52 sq.mt (415 sq.ft)
Average area of residential structures	99.10 sq.mt (1066 sq.ft)
Average area of commercial-cum-residential structures	57.52 sq.mt (620 sq.ft)
Affected Commercial establishments having annual turnover of	Less than Rs.1 lac (average turnover of Rs.38620) - 77% Rs. 1 lac to Rs.6 lac (average turnover of Rs.240600) – 17%
<b>ASSET OWNERSHIP*</b>	
Ownership of household assets	Television – 173 out of 237 (73.17% ) Telephone –210 out of 237 (88.52%) Refrigerator – 82 out of 237 (34.55%) 2-wheeler – 108 out of 237 (45.45%) 4-wheeler – 44 out of 237 (18.52%) Computer – 54 out of 237 (22.64%) Washing machine – 36 out of 237(15.10%)

\*Based on those respondents who revealed information on household assets  
Source: Census Socio-Economic Survey 2011

**Vulnerable Groups**

77. Vulnerable groups include Scheduled Caste, Scheduled Tribe, physically challenged persons and Woman-Headed Households or persons above sixty years of age. There are 6 vulnerable persons among the major impacted population, of which 3 households belong to Scheduled Caste and 3 households belong to Scheduled Tribe category. There are no woman-headed households, persons above sixty years of age and physically challenged persons identified in the major impact category. The vulnerable persons are entitled to be included in government pension schemes, if eligible as per the criteria prescribed in the schemes. The list of Social Security Schemes under the purview of Directorate of Social Security and Pensions, Karnataka is given in **Appendix 3.3**.

### ***Gender Issues***

78. There is no woman-headed household among the PAPs. About 38 percent of total affected population is female. The proposed project is expected to open up new economic opportunities for women to upgrade their skills and also better accessibility to educational and health facilities. The improved road was perceived to help reduce travel time, as an immediate benefit. Women as a segregated class are not involved in any economic activity, which demands attention for their special needs. Women are of the opinion that increased speed of traffic makes it difficult for women and children to cross the roads. It also leads to increased accidents as children in village areas tend to play near the roads. The outcome of the consultation was shared with the design team and appropriate mitigation measures including road safety measures, road furniture, vehicle underpass has been suggested in appropriate locations. To ensure that women are secure in receiving payments all benefits will be provided in joint-account where the woman will be the first beneficiary accounts. During discussion with PAPs, women members of the family are also consulted. Consultations with women will be carried out during project implementation stage to provide more opportunities to them to voice their concerns and suggestions.

### ***Standard Characteristics of Major Impact Population***

79. Out of the total number of households having major impact, about 2 percent each belong to Scheduled Caste and Scheduled Tribes, 32 percent backward community and 66 percent general category of population. Nearly 13 percent of the population is illiterates and 28 percent has higher secondary levels of education, 9.1 percent graduates and 8.1 percent have technical qualifications. Nearly 16 percent of households have an annual household income less than Rs.24000, 35 percent of the households are in income group of Rs.24001 to Rs.48000, 19 percent are in the income group of Rs.72001 to Rs.120000, and 8 percent of the households earn more than Rs.120001 annually. Almost 61 percent of the population are engaged in business/trade and 21 percent engaged in private service and agricultural labourers constitute 5 percent. The population aged above 60 years constitutes 11.5 percent of the total and female population is about 38 percent of total.

### ***Socio-economic features of Total Affected Population***

80. Out of the total affected population about 2 percent belong to Scheduled Caste and 1 percent belongs to Scheduled Tribe. Among the affected residential properties, 38 percent is of backward community and 56 percent belong to general category. Male population constitutes 63 percent of the total project affected population and female population constitutes 37 percent. About 41 percent of the total population belongs to the age group of 25-45 years and 11 percent of the population is aged above 60 years. Altogether, 9 percent of the affected population is illiterate. More than 13 percent of the affected population is graduates and about 26 percent is having technical education. Of the total population, 63 percent are engaged in business/trade and about 22 percent are into private or government service sector jobs. About 26 percent of the total population earns more than Rs.15000 per month and about 48 percentage of population earns a monthly income of about Rs.5000 or less. More than 26 percent of the affected population has an average monthly income above Rs.10000 (in the range of Rs.5001-Rs.15000). There are 37 vulnerable persons among minor impact population, which includes 16 Scheduled Caste households, 3 Scheduled Tribe households and 18 persons aged above 60. Assistance will be given to

include the vulnerable groups in government pension schemes if not included and if eligible as per Government criteria.

### ***Tribal Issues***

81. The Operational policy of the World Bank OP 4.10 uses the term “Indigenous Peoples” in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- An indigenous language, often different from the official language of the country or region.

82. In Karnataka, Scheduled Tribes account for 6.55 percent (3.46 million) of the total State population, which comprises 4.11 percent of the total tribal population of the country. Bellary district has the highest concentration of Scheduled Tribes in Karnataka. There are 50 major tribes with 109 sub-tribes in the State (as of March 2005), according to the notified Schedule under Article 342 of the Constitution of India. From these, GoK has identified Jenu Kuruba and Koraga tribes as primitive groups (PTGs). Jenu Kuruba tribes are originally from Mysore, Chamarajanagar and Kodagu districts and Koraba tribes are from Udupi and Dakshina Kannada districts. In Chamarajanagar district, only Kollegala Taluk has PTG areas. PTGs constitute the most vulnerable among the all notified tribes.

83. There are 7 ST families identified among the PAFs (4 ST families within major impacted PAFs). These PAFs are scattered and not concentrated in any particular area and do not maintain any distinct characteristics which are culturally, economically or socially different from the surrounding population. Moreover, those found in the project area no longer maintain any of the distinctive languages either. The Scheduled Tribes identified through the census survey are mostly into trading or operating small commercial shops.

### ***Magnitude of Impacts on Cultural Properties and CPRs***

84. There are no sites of archaeological importance or sacred groves within the RoW. The project will impact 21 assets which include 7 water tanks, 7 water taps, 2 hand pumps, 1 open well, 2 tube-wells and 2 dug-wells. Out of these, 4 water tanks 3 water taps and 1 tube-well are located in government land and all others located in private land<sup>3</sup>. The relocation of assets in government land will be carried out with the help of HDMC. The cost estimates for these affected assets will be based on the PWD schedule of rates and has been considered under the category of structures affected. Apart from this, the project will impact 15 religious structures. Out of these 15 religious structures there are 9 small shrines and 6 temples/mosque. All the small shrines except one are located in government land. Out of the 6 temples/mosque, 2 are situated in government land and remaining 4 are in private land. Those structures which are located in private land will be compensated as per the provisions of the Entitlement Matrix. All the religious structures and other community properties on the Government land will be dealt in accordance with the outcome of consultations between the HDBRTS and community/structure owners.

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<sup>3</sup> These assets are maintained by educational institutions, medical institutions or religious institutions, which the community has access to.

### C. CONSULTATIONS WITH THE AFFECTED COMMUNITY

85. Focus Group Discussions (FGD) were carried out at various locations along the project corridor. Some of the common concerns of the PAPs expressed during the consultation process have been outlined below. Chainage-wise details of the FGDs are given in Table III-7.

#### *Methodology*

86. The methodology followed for consultations with the community was:

- The PAFs were informed about the meeting on the basis of affected category, such that separate meeting with commercial category, residential category, etc were done. Altogether 10 consultations were conducted in which officials from DULT, peoples' representatives, social activists, owners or tenants of commercial and residential properties had participated.

#### *Key Findings of the Consultation*

87. The consultations have helped in not only achieving the social assessment objectives, but also assisted in gathering suggestions for mitigation of adverse impacts, improvement in designs and facilitating inputs for the resettlement plan preparation and implementation.

- In general, the community welcomed the proposed project and was of the opinion that they have the obligation to part with their land or structures for a public cause. PAPs have requested for adequate time in case if the structure requires to be removed.
- The people wanted to know more details about the project, the likely time of land and structure acquisition, the probable time of project initiation and completion and also more about compensation for affected structures.
- Owners of land/structure have expressed their doubt whether the compensation amount would be sufficient to meet the actual loss. Owners of commercial buildings near Jubilee Circle suggested constructing a fly-over to avoid dense shop areas and also suggested to reduce the proposed road width as an alternative.

88. Details of Consultation Meetings held at respective locations are presented in Table III-7. The list of participants is given in **Appendix 3.4**.

**Table III-7: Details of Consultation Meetings Key Outcomes of Public Consultations**

Sl. No	Details	
1	Hubli-Dharwad City Level Consultation Date: 28.06.2011; Participants: District-in-charge Minister, MP, MLAs, Mayor and local leaders	
2	Chainage 0+080; Near Hosur Circle, Hubli Date: 29.09.2011; Number of Participants: 16	
3	Chainage 1+400; Near Sushruta Hospital Date: 29.09.2011; Number of Participants: 26	
4	Chainage 1+200; Opposite HDMC Park Date: 29.09.2011; Number of Participants: 11	
5	Chainage 3+100; Opposite Sidheswar Swamy Temple Date: 29.09.2011; Number of Participants: 16	
6	Chainage 4+700; Bhairidevarakoppa Date: 29.09.2011; Number of Participants: 18	
7	Chainage 5+400; Bhairidevarakoppa Date: 29.09.2011; Number of Participants: 12	
8	Chainage 12+400; Near Sattur Cross Date: 30.09.2011; Number of Participants: 38	
9	Chainage 17+400; Near Tolnaka Date: 30.09.2011; Number of Participants: 21	
10	Chainage 18+800; Near Jubilee Circle, Dharwad Date: 30.09.2011; Number of Participants: 32	
Chainage/ Location	Key Outcomes	Integration into Project Design and Action Plan
0+080 Near Hosur Circle,	<ul style="list-style-type: none"> <li>• Owner of the building expressed his concern about demolishing the front portion of building. Age of the structure is about 16 years and tearing</li> </ul>	<ul style="list-style-type: none"> <li>• The price of land based on consent award will</li> </ul>



Sl. No	Details	
Hubli [commercial category]	<p>down a portion would affect the entire building. Owner opined that compensation be given at market rate rather than based on government rate which is usually very low and would not be sufficient to make up the actual loss.</p> <ul style="list-style-type: none"> <li>• About two years before, as per the instruction from Hubli-Dharwad Municipal Corporation (HDMC), the boundary wall of the present building was removed. The building has been built about 16ft away from the footpath.</li> <li>• Small shops like pan shops, electric shops, telephone booths, eatery shops could continue even if a portion is acquired. However, one restaurant functioning on G+1 level would not be able to continue with their business. For the restaurant, the margin of profit reduces with the reduction in business area and he pays a rent of Rs.15000 per month. All other shops pay a rent between Rs.4000 and Rs.6000.</li> <li>• Majority of the shops are occupied by tenants and they are aware that they are not entitled for any compensation and only owners of the building are eligible. However, they request for providing adequate notice period. Notice should be served at least 3 months prior to the actual acquisition.</li> </ul>	
1+400 Near Sushruta Hospital [commercial category]	<ul style="list-style-type: none"> <li>• Owner of an affected G+3 building opined that he had constructed the building after following all the standard formalities of the Corporation and have even renovated the building in 2010. At the time of construction of these types of structures the concerned authorities would have given adequate awareness or clear instructions about the actual width to be kept from the road side, many losses could have been avoided.</li> <li>• All the shops could continue functioning in the same building as about 1m front portion of the shops will be affected.</li> <li>• A Reliance Telephone Tower fixed atop the G+3 building, will also be affected.</li> <li>• The community suggested straightening the curve at chainage 1+200 and acquiring more land along LHS since more government land is available on LHS. This could save many shops on RHS.</li> <li>• Construction and maintenance of a proper drainage system shall be considered as part of the proposed project.</li> <li>• At least 3-months notice period should be given to shop owners and tenants. One restaurant owner opined that notice should be served together to every affected person.</li> </ul>	
1+200 Opposite HDMC Park [residential category]	<ul style="list-style-type: none"> <li>• Owner and tenants of 4 residential buildings have asked details of the compensation packages and likely commencement of the project. The owners acknowledged that the residential property is under litigation and enquired whether they are eligible for any sort of compensation.</li> <li>• Out of the six blocks of the continuous stretch of building two are abandoned. The building is about 70 years old and the participants opined that it wouldn't be livable even if only front portion is demolished.</li> <li>• A tenant enquired whether any additional benefits available for widow and aged people.</li> <li>• The participants demanded for one-month notice period prior to acquisition.</li> </ul>	
3+100 Opposite Sidheswar Swamy Temple [residential category]	<ul style="list-style-type: none"> <li>• The participants welcomed the proposed development project and enquired about the likely initiation of the project and also asked about the compensation packages. Some participants opined that they will abide by government rules with respect to compensation and assistance.</li> <li>• The front room of four houses in the building block would be affected. Of this, owners reside in 2 houses and they enquired about the exact area of acquisition and the likely date of acquisition. One household opined that he would shift to the back row. The other households could continue living in the same house, if the impact is less than 2 meter from the edge of the house.</li> <li>• The participants requested for three-month notice period.</li> </ul>	
4+700 Bhairidevara- koppa [commercial and residential-cum- commercial category]	<ul style="list-style-type: none"> <li>• People asked for safety measures in the school zone. Two schools are located in the vicinity.</li> <li>• The semi-pucca structures include grocery shops, hair-cutting saloons, tea-shop, cement trading, restaurant, and open land area of several vehicle repair shops. The repair-shop owners opined that their business would be drastically affected due to the project. If the parking area in front of the repair shops is acquired, vehicles cannot park for repair works thereby</li> </ul>	

Sl. No	Details	
	<p>reduce their business. Three repair shops each having about 5 employees will face the same problem.</p> <ul style="list-style-type: none"> <li>Majority of the participants were tenants and they pay on average Rs.4000/monthly (repair shops) and Rs.2500/monthly for other shops. The participants enquired whether the project gives compensation to anybody other than owners.</li> <li>One restaurant owner who resides beside his shop itself said that he will continue his business in the same building.</li> <li>The participants enquired about exact date of acquisition and also suggested for a notice period of at least 20 days.</li> </ul>	<p>location with service lane on either side. Thus, Pedestrians can cross road at grade avoiding the high speed traffic through VUP.</p> <ul style="list-style-type: none"> <li>In case of land under dispute, compensation amount will be deposited in the Court.</li> </ul>
<p>5+400 Bhairidevarakoppa [commercial category]</p>	<ul style="list-style-type: none"> <li>The shops are of kutch/semi-pucca structures and mostly engaged in manufacturing of wooden furniture. The participants asked whether the project provides any special benefits for these types 'carpentry' shops.</li> <li>Some carpentry shops are temporary structures and could be shifted to the back row within the land owned by respective shop owners.</li> <li>Two pan-shop owners (squatters) acknowledged that they are ready to remove the structure at the time of acquisition of major shops.</li> <li>A prior intimation regarding the likely date of acquisition requested by the participants. A notice period of at least 1 month requested by the participants.</li> </ul>	<ul style="list-style-type: none"> <li>Elevated BRT near Jubilee Circle not feasible. In view of the present design requirements, there would be continuous flow of buses 2m away from structures which will not provide suitable sound barrier to habitable areas along elevated section.</li> </ul>
<p>12+400 Near Sattur Cross] [commercial category]</p>	<ul style="list-style-type: none"> <li>A total number of 14 shops will be affected in a single row of building and all the participants were tenants. The shops include confectionary shops, medicine shop, grocery shop, restaurant, telephone booth-cum-photocopier shop and pan shops. The participants asked about the date of commencement of acquisition and also date of initiation of the project.</li> <li>5 shop owners were of the opinion that depending upon the extent of acquisition they will try to continue in the same building, if not demolished fully.</li> <li>The tenants pay rent of Rs.3000-4000 monthly. It would be difficult to find such a good structure elsewhere within this rate. Moreover, business in a new place will take more than one year to get established.</li> <li>One medicine shop owner was concerned about the likely loss associated with shifting as he needs to invest at least Rs.10 lakh to start the business in a new place. He enquired whether the project provides any assistance to tenants and for those who fully depend on their business for livelihood. He was of the opinion that shifting of the shop would be disastrous for a person like him aged more than 60 years.</li> <li>The participants requested for a notice period of at least 6 months</li> </ul>	<ul style="list-style-type: none"> <li>The Project Authorities will hold further meetings to resolve issues where there is no consensus.</li> </ul>
<p>17+400 Near Tolnaka [commercial category]</p>	<ul style="list-style-type: none"> <li>8 shops in a row on LHS and 12 shops on RHS will be affected, each shop having an average size of 8x8 feet. The shops include grocery shops, bakery, pan shop, cement trader, telephone booth, tyre repair shop and tea-shop. The LHS shops are owned by the Corporation and RHS shops are private owned.</li> <li>The shop owners opined that they will demand compensation only if the shops are fully acquired. If only a portion of the shop is acquired, say 2 feet inside their shop, they could continue business.</li> <li>The participants asked about the likely dates of acquisition and project initiation. They also requested for a one-month notice period.</li> </ul>	
<p>18+800 Near Jubilee Circle, Dharwad [commercial and residential category]</p>	<ul style="list-style-type: none"> <li>8 major commercial buildings (includes G+2, G+3 and G+4) will be affected along LHS and RHS. The tenants were of opinion that since these are concrete structures demolition or acquisition in part will affect the whole structure.</li> <li>One two-wheeler (TVS) shop manager opined that he had spent more than Rs.2 lakh for interior works of show-room and pays about Rs.55000 monthly as rent. He further said that government cannot anyway give compensation for a tenant like him and hence the acquisition will severely affect his livelihood. Moreover he will not be able to find a suitable place in Dharwad. He started the dealership about 2 months back and about 13 people are employed.</li> <li>The building-owner suggested for the construction of a fly-over which will avoid the impact on structures. If fly-over is not provided, the owner suggested reducing the road width. The proposed road width could be limited to 16m from centreline to avoid major impacts.</li> <li>The affected commercial structures could be compensated preferably with commercial land or building developed by Urban Development Authority.</li> </ul>	

Sl. No	Details
	<p>If such land/building provided by the Authority is larger than the area lost, the building-owner is ready to pay for the additional land depending upon the prevailing land rates in such locations.</p> <ul style="list-style-type: none"> <li>The residential property of the building-owner will be affected. The owner is of the opinion that, if the authority goes by 35m width his house will become uninhabitable. The house was built about 100 years back.</li> </ul>

**Major Issues and Action Taken: Summary**

89. The major issues discussed during the consultation and specific mitigation measures provided is presented in the Table III-8

**Table III-8: Key Outcomes of Public Consultations**

Major Issues	Action Taken	Remarks
Compensation for land and structure to be provided at market rate since government rate is lower	Compensation will be paid through consent award as per the provisions of the Karnataka Highways Act, 1964.	The minimum negotiated price will be at the rate of 1.5 times the guidance value
	compensation will be paid through negotiation	PWD Schedule of Rates will be followed and final rate will be arrived at through negotiation
Serving of adequate notice period (1 month to 6 months as per respective consultations)	3-months advance notice period will be served	Right to salvage materials from demolished structures
Construction and maintenance of proper drainage system	Construction of drainage is considered as part of the design	
Road safety measures in school zone	Adequate safety measures have been integrated into project design including school and hospital zones.	VUP has been proposed at location with service lane on either side
Construction of a fly-over which will avoid the impact on structures near Jubilee Circle	Not incorporated in the project design since the option is not feasible	In view of the present design requirements, there would be continuous flow of buses 2m away from structures which will not provide suitable sound barrier to habitable areas along elevated section

**Perceived Positive Impact**

90. The advantages of the project as perceived by the stakeholders are: (i) the project will provide faster movement of people and goods which in turn would provide a boost to local as well as State economy; (ii) the people also suggested and felt that the displaced shops would get a better opportunity through the project to re-establish them in more organized place; (iii) the project will benefit various entities such as commerce, health, education and other business; and (iv) project will help in saving travel time.

**Perceived Negative Impact**

91. Negative impacts perceived by the people are (i) loss of land; (ii) displacement of people; (iii) loss of livelihood; and (iv) loss of community assets.

**Levels of Consultation**

92. The consultation program is tiered and conducted at several levels that included, among others, the following:

- Heads of households/members likely to be impacted
- Villagers and Village Panchayats
- Local voluntary organizations, CBOs/NGOs, Government agencies and Departments
- Project stakeholders, such as road-user groups and others.

**Design Cross-Sections**

93. There are two types of typical road cross sections proposed for the road development. Distinct design approaches have been followed to minimize negative impacts on the people.

- Urban Cross Section: from chainage 0+000 to 4+000 and from chainage 15+900 to chainage 18+845, there is 35 m RoW
- Rural Cross Section: from chainage 4+000 to chainage 15+900, there is 44 m RoW

#### ***Mitigation through Design Cross Section***

94. The changes that have been considered in the project through good designs to mitigate social impacts include:

- Avoiding unnecessary displacement by modifying project alignments, modifying design based on rural and urban cross sections. At built-up / village sections where the road width is insufficient for expansion, design alternatives include reduction of RoW.
- Minimal impact on residential and commercial structures thus minimising resettlement and loss of livelihood;
- Paved shoulders to be maintained as far as possible to facilitate movement of non-motorised traffic;
- Reducing design speed in built-up areas;
- Providing suitable safety measures, such as speed reductions near schools and hospitals;
- Minimising the raising of roads in urban areas to prevent water seepage to the houses adjoining the roads; and
- Providing access to businesses and residential units that would be otherwise impacted by construction; and minimising losses of public and private property, such as tube wells, tree plantations and other common property resources within the ROW, by minimising the width to be cleared.

#### ***Road Safety and Traffic Management Measures***

95. Safety of the roadside communities was a major concern as discussed during the consultations. A number of measures have been proposed to reduce the risk of traffic accidents. Traffic safety measures include carrying out Road safety Audits. Various road safety appurtenances, which should be taken up as a part of improving the safety in the road design, are adopted in the project road designs:

96. Road Furniture details include: Road Markings; Cautionary, Mandatory and Informatory signs; KM stones and 200m stones; Delineators and Object Markers; Guard Posts and Crash Barriers; Road Humps and Rumble Strips; Reflective Pavement Markers (RPM) and Chevron signs and Median and Footpath Barriers. In addition Bus bays, parking bays and detailed improvements to major and minor intersections on the project road coupled with identification of black spots.

### **D. PUBLIC CONSULTATIONS WITH LAND LOSERS /PAPS POST LAND ACQUISITION NOTIFICATION.**

97. The public consultations with the project affected persons were organised in Hubli and Dharwad on 28-11-2012 and 29-11-2012 respectively. The objective of the consultations was to explain to the public about the project and its benefits, the land acquisition details, RAP, EIA and EMP. A paper notification was issued in local newspapers to inform the public about the scheduled public consultations. The local revenue department officers were requested to publicise the meetings through tom-tom in the concerned villages. A copy of the public notice was also put on the notice boards of important offices like Office of the Deputy Commissioner, Dharwad; Office of the Executive Engineer, KRDC, HDMC etc.

The attendance of the people who participated in the public consultation meetings has been duly taken and the details of the same are available in the project file. 175 people attended public consultations meeting in Dharwad and 200 people attended in Hubli. The participation of women in public consultation meetings is on a lower side. However, it is planned to have separate focus group discussions with women during the implementation of the project.

During the Public Consultation Meetings, the following issues have been raised:

In Hubli, members of the community requested that shifting of Dargha at Byradevanakoppa be avoided, if possible.

There was a request both at Hubli and Dharwad that marking of impact area on the ground may be done at the earliest to enable the people to know the extent to which their properties may be acquired.

It was clarified in the public consultation meeting that in case of all religious structures that require shifting, such shifting or relocation would be done in consultation with the communities. The Deputy Commissioner, Dharwad has already been requested to initiate consultations with the community regarding shifting of religious and community structures. Regarding the marking of impact area, KRDC has already initiated action and have started the process. It is expected to be completed within the end of December, 2012. The minutes of the public consultation meetings held at Hubli and Dharwad are enclosed in Appendix 3.5 and 3.6 respectively. The list of officers present during the public consultations is in Appendix 3.7.

A list of frequently asked questions on BRT including resettlement plan was compiled in Kannada and circulated in the meetings. Copy of the same in English is placed in the Annexure 3.8.

## IV. LAND ACQUISITION

### A. LAND REQUIREMENT DETAILS

98. The available RoW along the project corridor varies from 15m to 50m. However, for the proposed project, a RoW of 35m to 44m for respective sub-sections is required. The total land to be acquired or transferred to achieve the proposed RoW is approximately 73.06 acre spread across 10 villages/settlements (MT Sagar CTS, Unakal CTS, Unakal Revenue, Bhairidevarakoppa, Amaragol, Rayapur, Sattur, Navalur, Lakkamanahalli, Dharwad CTS). This includes 59.51 acre of private land, 13.55 acre of government land. Village-wise details of land to be acquired / transferred are given in Table IV-1. In case of any further acquisition of land under unavoidable circumstances, a separate impact assessment will be done by the SPV and the compensation will be paid as per the Entitlement Matrix.

**Table IV-1: Land Acquisition Details**

Sl. No	Village name	Private land	Government land	Total land
		A-G-An	A-G-An	A-G-An
1	Dharwad	05-28-12	----	05-28-12
2	Lakamanahalli	03-26-02	00-24-00	09-18-11
3	Navalur	03-5-0	01-13-00	07-24-00
4	Sattur	05-20-00	05-38-00	11-18-00
5	Rayapur	0-5.6-10.8	06-00-00	10-37-14
6	Amargol	09-14-08	03-10-00	10-04-08
7	Bairidevarkoppa	06-02-6.4	04-00-00	13-31-00
8	Unakal	04-35-00	00-00-00	04-35-00
9	M T Sagar	04-32-6	----	4-362-6
10	Unakal (Village)	07-39-2	----	07-39-2
<b>Grand Total</b>		<b>51-36.6-15.2</b>	<b>21-05-00</b>	<b>73-1.6-15.2</b>
<b>Revised Estimates*</b>		<b>59-19.6-15.2</b>	<b>13-22-00</b>	<b>73-1.6-15.2</b>

Note: A-Acre; G-Gunta; An-Ane [1Acre=40 Gunta; 1 Gunta=16 Ane]

\*The table indicates the earlier calculations given by Survey Department which indicates 21 Acres of Govt land. Later it was informed that the area of government land is only about 13-22-00 (A-G-An), which includes government land in Lakamanahalli: 00-24-00; Navalur: 01-13-00; Sattur: 05-38-00 and Rayapur: 06-00-00.

Source: KRDC.

### B. LAND ACQUISITION FOR BRIS PROJECT

99. In this respect, cost of land will be fixed through negotiation. Office of the Deputy Commissioner prepares the land cost of respective villages based on Guidance Value of land. The Guidance Value of land for the respective 10 villages were revised by the Revenue Department as on March 2011, which is almost equivalent to the prevailing market rates of land. Village-wise Guidance Value and Transaction Value are given in **Appendix 4.1 (a&b)**. For price fixation of non-agricultural land, the Negotiations will consider the nature and pattern of land which includes parameters such as, (a) fully developed land and completion certificate obtained; (b) developed land but completion certificate not obtained; and (c) undeveloped land. The prices of land for respective classifications will be finally fixed after negotiations. The various steps involved in price fixation is given as follows:

#### Method of Price Fixation and Land Transfer

- The concerned Land Acquisition Officer will call for a meeting.
- Date for price negotiation will be given village-wise.
- The Negotiation Committee will carry out meeting with each project affected person.
- The Negotiation Committee will provide information on the Guidance value of the land and also the basis for calculation of price offered.
- Based on the decision of the Negotiation Committee, after getting the rates fixed, Land Acquisition Officer will make the payment

- The payment to the respective landlord will be finalised after the award is offered by the competent authority.
- Once the payment is made, the Land Acquisition Officer will hand over the land to the Agency on behalf of which the land is acquired.

100. For acquisition of land under Karnataka Highway Act, 1964, Highway Authority has been appointed as per section 4 of the Act. For the purpose of acquiring the land for the project, Chief Engineer, KRDCCL has been appointed as Highway Authority under the Karnataka Highways Act 1964. The coordination between KRDCCL and SPV is ensured as there are monthly meetings between KRDCCL, DULT and Hubli-Dharwad BRTS Company Ltd to discuss and finalize on common issues concerned with the project. The negotiation committee set up in order to enter into a mutual agreement between the PIA and PAPs and the committee comprises representatives of Hubli-Dharwad BRTS Company (Manager R & R), KRDCCL and other stake holders.

101. Section 19 for taking over of land under Karnataka Highway Act will be issued after payment of compensation to the landowners. The implementation schedule has been modified in line with procurement plan which has already been submitted to SUTP. The advance notice to PAPs will be issued after all the procedures as per Karnataka Highway Act are complied with.

102. The Managing Director, KRDCCL is also one of the Directors on Board of SPV. Therefore, this would ensure that there is coordination with KRDCCL and SPV with regard to land acquisition and mitigation of resettlement issues.

103. Also acquisition under consent award as given under Section 27 of KHA, 1964 will be applicable. This will help in arriving at a mutually agreed rate of compensation with the land owners, which will eliminate resentment from the land owners regarding rate of compensation thus reduce the scope for approaching the civil courts for higher compensation. Consent award is applicable for all titleholder-land categories of impact (major impact as well as minor impact). As part of consent award negotiations, the additional compensation for resettlement (subsistence allowance, shifting allowance etc) will be fully factored into and reflected in the consent award as a separate line item in the compensation negotiated under consent award.

#### ***Valuation of Assets***

104. The valuation of structures and other assets will be carried out by PWD on the basis of current PWD Schedule of Rates, without depreciation. Compensation for affected structures constructed by land owners on their own lands will be paid as far as the structure is within his/her property line. Trees will be valued by the Horticulture/Forest Department.

## V. IMPLEMENTATION ARRANGEMENTS

### A. INSTITUTIONAL SET UP FOR THE PROJECT

105. A dedicated Cell called Environment and Social Development Cell (ESDC) will be formed to support implementation of Land Acquisition and Resettlement and Rehabilitation. The ESDC will be part of SPV and the Managing Director of the SPV will be in-charge of this project. The ESDC at the project level will have overall responsibility for policy guidance, coordination and planning, internal monitoring and overall reporting. Following section illustrates roles and responsibilities of institutional and individual stakeholders.

#### *Environment and Social Development Cell*

106. ESDC facilitates land acquisition and compensation, relocation and resettlement, distribution of assistance for the PAPs. The ESDC is responsible for monitoring the implementation of all resettlement and rehabilitation activities. The land acquisition will be done by the regular land acquisition authority. The ESDC will be responsible for all activities related to resettlement and rehabilitation which include:

- liaison with State and District level Departments to facilitate PAPs access and take advantage of services and programs already in place;
- evolve mechanisms for coordinating the delivery of the compensation and assistance to entitled persons;
- review and provide social development perspectives and inputs to on-going project design and implementation by working closely with project planners, contractors, and construction supervision consultants;
- link the project with state government agencies, provide liaison with project implementing body and impacted communities, coordinate with district-level committees regarding social development and resettlement operations in the field, mobilize assisting NGO partners, and support the organisation of local community representing PAPs; and
- engage required training services, oversee a grievance redress process, actively monitor RAP implementation, and cooperate with planned project evaluations.

107. **The Deputy General Manager (Admin)** will be responsible for all activities related to resettlement and rehabilitation. The DGM will be one of the senior officers, preferably the one dealing with administration/HR. The DGM will also be assisted by the Resettlement and Rehabilitation Manager.

108. **The Resettlement & Rehabilitation Manager** will assist the DGM (Admin) and co-ordinate all the rehabilitation work of the Social Development Officers. The R & R Manager has to have experience in resettlement projects with minimum experience of 3 years, with a minimum educational qualification of Masters Degree in Social Sciences.

109. The Resettlement and Rehabilitation Manager will be assisted by the SDO. The responsibility of SDO includes: support to resettlement and rehabilitation related work pertaining to RAP implementation, issue and the verification of ID cards, identification of local income generation potential, monitoring rehabilitation works, providing assistance to vulnerable groups, co-ordinating with RAP implementing consultant etc. The SDO has to have a Masters degree in Social Sciences.

110. The SPV will have a Data Management Specialist. The responsibility of this person will be to monitor and update the data of all the project affected persons; to highlight discrepancy, if any, in compensation and payments disbursed. The Data Management Specialist is to be supported by additional staff.

#### *Roles and Responsibilities of Officials for RAP Implementation*

111. The Administrative roles and responsibilities and financial powers of the ESDC officials are given below. Delegations of financial powers have to be done through a Government Order.



**Table V-1: Administrative and Financial Responsibilities of Officials and Agencies for RAP**

Body	Personnel/Agency	Administrative Roles and Responsibilities	Financial Powers
SPV	Managing Director	<ul style="list-style-type: none"> <li>In charge of the overall project activities and implementation of RAP.</li> <li>To decide on all policy matters regarding R&amp;R.</li> <li>Participate as a member in the State level Committees to facilitate land acquisition, pre-construction activities, and implementation of R&amp;R activities.</li> <li>Authorized to take decision in financial matters within the provided budget.</li> <li>The R &amp; R assistance would be the responsibility of SPV. The SPV would have the final responsibility of certifying completion of payment of land acquisition compensation and also the R &amp; R assistance</li> </ul>	<ul style="list-style-type: none"> <li>Will be authorized to make any additional changes without having to refer to the Board of Directors of SPV, provided the amount is within the budget.</li> </ul>
ESDC	DGM(Admin)	<ul style="list-style-type: none"> <li>Responsible for all R&amp;R activities.</li> <li>Co-ordinate the implementation of R&amp;R activities with SPV, field staff, engineering and revenue officials.</li> <li>Ensure availability of budget for R&amp;R activities.</li> <li>Prepare dissemination material of the R&amp;R entitlement framework, road safety, etc.</li> <li>Liaison with district administration to ensure completion of LA and R&amp;R program as planned and scheduled.</li> <li>Ensure continued participation of the people in entire project cycle.</li> <li>Approve micro plans prepared by the RAP implementing consultant for implementing RAP.</li> <li>Monitor the progress of activities related to R&amp;R and LA carried out by the RAP Implementing Consultant and M&amp;E Consultants.</li> <li>Hold periodic meetings on R&amp;R implementation and report to the MD.</li> </ul>	<ul style="list-style-type: none"> <li>To approve payments for R&amp;R assistance upto Rs. 1 lakh per individual.</li> </ul>
	R&R Manager	<ul style="list-style-type: none"> <li>Co-ordinate with the District Administration on LA and R&amp;R.</li> <li>Co-ordinate implementation of R&amp;R activities.</li> <li>Facilitate the appointment of external agency for impact evaluation and co-ordinate evaluation activities to be taken up by the RAP implementing Consultant.</li> <li>Assist DGM to perform R&amp;R activities.</li> <li>Prepare monthly progress report for the ESDC.</li> <li>Facilitate the opening of joint accounts in local banks to transfer assistance for R&amp;R.</li> <li>Translate and disseminate Entitlement Matrix in Kannada language.</li> <li>Make available the RAP at the project site.</li> <li>Translate the executive summary of RAP in Kannada language and distribute it among the project stakeholders and make it available at important places along the project road.</li> <li>Prepare and issue identity cards for the Project affected persons.</li> <li>Liaison with District Administration and concerned department for dovetailing government social security schemes for the socio-economic wellbeing of the PAPs.</li> <li>Develop and maintain a PAP level database including aspects related to losses, compensation, R&amp;R entitlement, release of funds and utilization.</li> <li>Organize fortnightly meetings with the RAP Implementing Consultant to review the progress on R&amp;R and report to DGM (Admin) and MD.</li> <li>Review micro plan and monthly progress reports submitted by RAP Implementing Consultant.</li> </ul>	<ul style="list-style-type: none"> <li>No financial powers</li> </ul>

Body	Personnel/Agency	Administrative Roles and Responsibilities	Financial Powers
	Social Development Officer	<ul style="list-style-type: none"> <li>Responsible for R&amp;R activities in the field.</li> <li>Liaison with District administration and line departments for dovetailing government schemes.</li> <li>Co-ordinate with RAP implementing Consultant/M&amp;E consultants for implementation of R&amp;R.</li> <li>Facilitate opening of Joint Accounts for PAPs for transfer of R&amp;R assistance through cheque.</li> <li>Co-ordinate to disseminate the R&amp;R policy in local language.</li> <li>Facilitate public consultation on RAP with RAP Implementing Consultant/ Revenue/ PWD officials.</li> <li>Ensure all eligible PAPs are awarded compensation</li> <li>Organize meetings with RAP Implementing Consultant to review progress and submit to R&amp;R Manager and DGM (Admin).</li> </ul>	<ul style="list-style-type: none"> <li>No financial powers</li> </ul>
	Date Management Specialist	<ul style="list-style-type: none"> <li>Responsible for maintaining the database of the PAPs.</li> <li>Responsible for maintaining the database of overall physical and financial progress.</li> <li>Co-ordination of the database for ESDC.</li> <li>The implementation of R&amp;R activities by RAP Implementing Consultant to be maintained.</li> <li>Provide necessary formats for collection of field information.</li> <li>Co-ordinate with ESDC to prepare and maintain the progress report.</li> <li>Maintain the records of grievance redress committee.</li> <li>Identify discrepancies in disbursement.</li> </ul>	<ul style="list-style-type: none"> <li>No financial powers</li> </ul>
EXTERNAL AGENCIES	RAP Implementing consultant engaged on contract basis. (one project manager, counsellor and community facilitator)	<ul style="list-style-type: none"> <li>Responsible for providing support for implementation of RAP.</li> <li>Prepare and issue identity cards to identified PAFs.</li> <li>Facilitate ESDC and R&amp;R Manager in organising public information campaign at the commencement of R&amp;R activities.</li> <li>Distribute the dissemination materials including pamphlets on RAP and other aspects.</li> <li>Explain to PAPs about the potential adverse impacts and proposed mitigation measures and, R&amp;R entitlements.</li> <li>Assist PAPs in receiving compensation, focusing on vulnerable PAPs to ensure that they get their dues on time.</li> <li>Facilitate opening of joint bank accounts (PAPs and his/her spouse) for individual PAPs.</li> <li>Generate awareness about the productive use of compensation money and R&amp;R grants.</li> <li>Explain the resource base and other opportunities to enable them to make informed choices and participate in their own development.</li> <li>Prepare the micro plans.</li> <li>Participate in the meetings organised by R&amp;R Manager/ESDC.</li> <li>Ensure that women headed household and other groups of vulnerable PAPs are given their dues both for payment of compensation and rehabilitation assistance.</li> <li>Submit monthly progress reports to R&amp;R Manger and ESDC.</li> <li>Identify training needs of PAPs for income generating activities and ensure they are adequately supported during the post-training period on respective income generating activities.</li> <li>Ensure that the grievances and problems faced by</li> </ul>	<ul style="list-style-type: none"> <li>No financial powers</li> </ul>

Body	Personnel/Agency	Administrative Roles and Responsibilities	Financial Powers
		PAPs are presented to the R&R Manager and Grievance Redress Committee for their resolution.	
	M&E Consultants	<ul style="list-style-type: none"> <li>• Conduct monitoring of RAP implementation activities.</li> <li>• Conduct quarterly, mid-term and concurrent monitoring.</li> <li>• Provide early alert to redress any potential problems.</li> <li>• Monitor target achievements and slippages.</li> </ul>	<ul style="list-style-type: none"> <li>• No financial powers</li> </ul>
	Grievance Redress Committee	<ul style="list-style-type: none"> <li>• Support PAPs in resolving issues related to R&amp;R and LA.</li> <li>• Record grievance and resolve them within stipulated time.</li> <li>• Inform SPV about any serious cases.</li> <li>• Report to the aggrieved parties about the decisions of the SPV.</li> </ul>	<ul style="list-style-type: none"> <li>• No financial powers</li> </ul>
	Negotiation Committee	<ul style="list-style-type: none"> <li>• Carry out meeting with each PAPs.</li> <li>• Provide all necessary information to the PAPs regarding Guidance value and basis for calculation of prices offered.</li> <li>• Negotiate and firm up the final consent price.</li> <li>• Intimate the decision of the Committee to the Highway authority for payment of compensation to the PAPs</li> </ul>	<ul style="list-style-type: none"> <li>• No financial powers</li> </ul>

## B. COMPETENT AUTHORITY FOR VARIOUS APPROVAL

112. Table V-2 gives details about the competent authorities for various approvals during implementation.

**Table V-2: Approvals and Competent Authorities**

Approvals Required	Competent Authority
Approval for LA Awards	Government/Highway authority as per the delegated authority.
Approval for roles and responsibilities for ESDC officials, staff, RAP and Budget	Board of Directors of the SPV
R&R Entitlements and amendments	Government
Consultants Output	Chief Administrative Officer
Fixing compensation rate	Price Negotiation Committee
Approval for issue to ID cards	DGM, jointly by Revenue/RAP implementing Consultant
Approval of disbursement of Assistance	DGM; MD
Approval for valuation of land and structure	Land Acquisition Officer
Approval for any grievance related to R&R	Grievance Redress Committee

## C. IMPLEMENTATION SUPPORT BY RAP IMPLEMENTING CONSULTANTS

113. The project envisages involvement of consultants in the implementation of RAP. The work of the consultants will include consultations and counselling of PAPs, encouraging PAPs for productive utilization of compensation and rehabilitation grants, facilitating PAP access to income generating assets, increasing the social acceptability, ensuring effectiveness of training programs organized for PAPs eliciting participation in self employment schemes etc. The Terms of Reference for engaging consultants is given in the **Appendix 5.1**.

## **D. NEGOTIATION COMMITTEE**

114. Land price will be fixed by the Negotiation Committee in order to enter into a mutual agreement between the project implementing body and the project affected population. The Negotiation Committee comprise the following members:

- SPV Representative
- KRDC Representative
- HDMC Representative
- Local Revenue Officer

## **E. MONITORING AND EVALUATION**

115. Monitoring and Evaluation (M&E) are critical activities in involuntary resettlement. Monitoring involves periodic checking to ascertain whether activities are going according to the plan. It provides the feedback necessary for project management to keep the programmes on schedule. By contrast, evaluation is essentially a summing up, the end of the project assessment of whether those activities actually achieved their intended aims. Monitoring provides both working system for project managers and a channel for the PAPs to make known their needs and their reactions to resettlement execution. Monitoring exercise will be undertaken both internally and externally.

116. While ESDC on monthly basis will carry out the project's internal monitoring, an external agency will be appointed for third party monitoring. External agency will conduct quarterly monitoring, mid-term and concurrent evaluation. End Evaluation will be carried out by another agency not associated with implementation. Indicators, which will be monitored during the project, may be divided into two categories.

- Process and output indicators for internal monitoring
- Outcome or impact indicators for external monitoring

117. Monitoring is essentially an exercise in strategic learning that has to be used for enhancing the quality of RAP implementation. There are two types of monitoring being undertaken namely (a) internal, which is normally carried out by the project authority itself and (b) external or independent monitoring by an external agency.

118. The ToR for engaging M&E Consultant is given **Appendix 5.2**.

### ***Internal monitoring***

119. The internal monitoring is a conventional monitoring of government related to physical factors such as, number of families affected, resettled, assistance extended, infrastructure facilities provided, and other financial aspects, such as compensation paid, grant extended, etc. The internal monitoring must be carried out simultaneously with the implementation of RAP.

120. The objectives of the internal monitoring are: (i) Daily Operations Planning; (ii) Management and Implementation and (iii) Operational Trouble shooting and Feedback. The periodicity of internal monitoring could be daily or weekly depending on the issues and level.

### ***External monitoring***

121. An external monitoring and concurrent evaluation agency will be appointed to monitor and evaluate R&R programmes on periodical basis. The role of such an agency will facilitate process of R&R and thus provide support in the proper implementation of rehabilitation programmes. It should also bring

the difficulties faced by the PAPs to the notice of ESDC so as to help in formulating corrective measures. As a feedback to the ESDC and other concerned, the external agency should submit quarterly report on progress made relating to different aspect of R&R. The agency will also certify the completion of LA and R&R activities for issuing bid documents and award from LA and R&R point of view.

122. The tasks of the external monitoring are:

- To assess if income and standard of living of the PAPs has been restored and at least has not declined from the pre-displacement levels;
- To certify satisfactory completion of pre-identified actions prior to issue of bids and award of contract.

***Concurrent Evaluation***

123. This evaluation will be carried out simultaneously with the monitoring. For concurrent Impact Evaluation the M& E Consultant shall be responsible:

- To verify whether the objectives of resettlements have been realized, particularly the changes in the living standards;
- To compare impact assessment with the baseline values for key socioeconomic indicators as given in the RAP. If such information is not available, the same should be collected on recall basis;
- To assess whether the compensation is adequate to replace the lost assets;
- To assess how the PAPs utilised the compensation;
- To assess the perceived benefits and losses of resettlement;
- To assess the level of satisfaction of various assets provided as part of R&R implementation;
- To propose suitable corrective measures, in case of any shortcomings, based on the impact assessment; and
- To suggest remedial measures if PAPs are not able to improve their living standards.

***Monitoring Indicators***

124. The monitoring indicators for assessing physical progress are listed in Table V-3.

**Table V-3: Monitoring Indicators for Physical Progress**

Sl. No	Monitoring Indicators	Implementation Target	Revised Implementation Target	Progress this Month	Cumulative Progress	% against Revised Implementation Target
1	Land acquired – private (acre)	59.51				
2	Land transferred – government (acre)	13.55				
3	Compensation for land (Rs. Crores)	168.36				
4	Compensation for structure	9.35				
5	Shifting allowance for all affected categories	224				
6	Livelihood Restoration Allowance for affected categories	176				
7	Relocation of HDMC licensed kiosks	36				
8	Vulnerable groups	6				
9	Community Assets	8				

125. The monitoring indicators for assessing financial progress are listed in Table V-4.

**Table V-4: Monitoring Indicators for Financial Progress**

Sl. No	Category	Estimated Cost (Rs. in crores)	Progress this month
1	Land Acquisition	168.36	
2	R&R Assistance	0.63	
3	RAP Implementing Consultant Services and M&E Services	0.23	

126. The monitoring indicators for assessing GRC progress are listed in Table V-5.

**Table V-5: Monitoring of GRC**

Sl. No	Particulars	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
1	No. of cases referred to GRC				
2	No. of cases settled by GRC				
3	No. of cases pending with GRC				
4	Average time taken for settlement of cases				
5	No. of GRC meetings				
6	No. of PAPs moved court				
7	No. of pending cases with the court				
8	No. of cases settled by the court				

**End Impact Evaluation**

127. The impact evaluation will be carried out on completion of the RAP implementation. Financial considerations often require an impact evaluation shortly before or after the project concludes. However, project continues to evolve overtime. Therefore it is suggested, that if required, second impact evaluation be carried out after three to four years of project conclusion.

Impact Indicators	Pre Project Baseline	Mid Term Evaluation	End Project Evaluation
<b>ECONOMIC</b>			
Below Poverty Line (Major Impact Category)	Total BPL (residential, commercial and residential-cum-commercial) - 76 out of 211 (36%) BPL within residential – 9 out of 25 (36%) BPL within commercial – 61 out of 172 (35%) BPL within res-cum-comm – 6 out of 14 (43%)		
Household income (Annual) (Major Impact Category)	< Rs. 24000 = 23 out of 144 (16%) Rs. 24001-48000 = 51 out of 144 (35%) Rs. 48001-72000 = 30 out of 144 (21%) Rs. 72001-120000 = 12 out of 144 (19%) > Rs. 120001 = 12 out of 144 (8%)		
Occupation (Major Impact Category)	Business/Trade – 110 out of 185 (60%) Private service – 44 out of 185 (24%) Agriculture labour – 8 out of 185 (4%)		
Average household expenditure (Major Impact Category)	Food (monthly) – Rs.3567 Education (yearly) – Rs.4119 Health (monthly) – Rs.853 Local travel (monthly) – Rs.1070		
Percentage of earning women (Major Impact Category)	21.3% (33 out of 155 female population)		
Average monthly earning of women (Major Impact Category)	Rs.4800 (average earnings of 20 out of 33 working women)		
Affected Commercial Establishments having annual turnover of (Major Impact Category)	Less than Rs.1 lac (average turnover of Rs.43000) - 71% Rs. 1 lac to Rs.6 lac (average turnover of Rs.347000) – 21%		
Number of commercial establishments	66 (out of 172 commercial shops)		

Impact Indicators	Pre Project Baseline	Mid Term Evaluation	End Project Evaluation
having employees (Major Impact Category)			
Average number of employees in commercial establishments (Major Impact Category)	4 nos.		
<b>ASSET OWNERSHIP</b>			
Ownership of household assets (Major Impact Category)	Television – 173 out of 237 (73.17% ) Telephone –210 out of 237 (88.52%) Refrigerator – 82 out of 237 (34.55%) 2-wheeler – 108 out of 237 (45.45%) 4-wheeler – 44 out of 237 (18.52%) Computer – 54 out of 237 (22.64%) Washing machine – 36 out of 237(15.10%)		

Source: Census Socio-Economic Survey 2011

128. Impact evaluation will look at all the affected populations. Further to this, larger population will be further broken down into vulnerable segments of each population. Impact evaluation will be carried out on randomly selected segment of population.

## F. GRIEVANCE REDRESS COMMITTEE

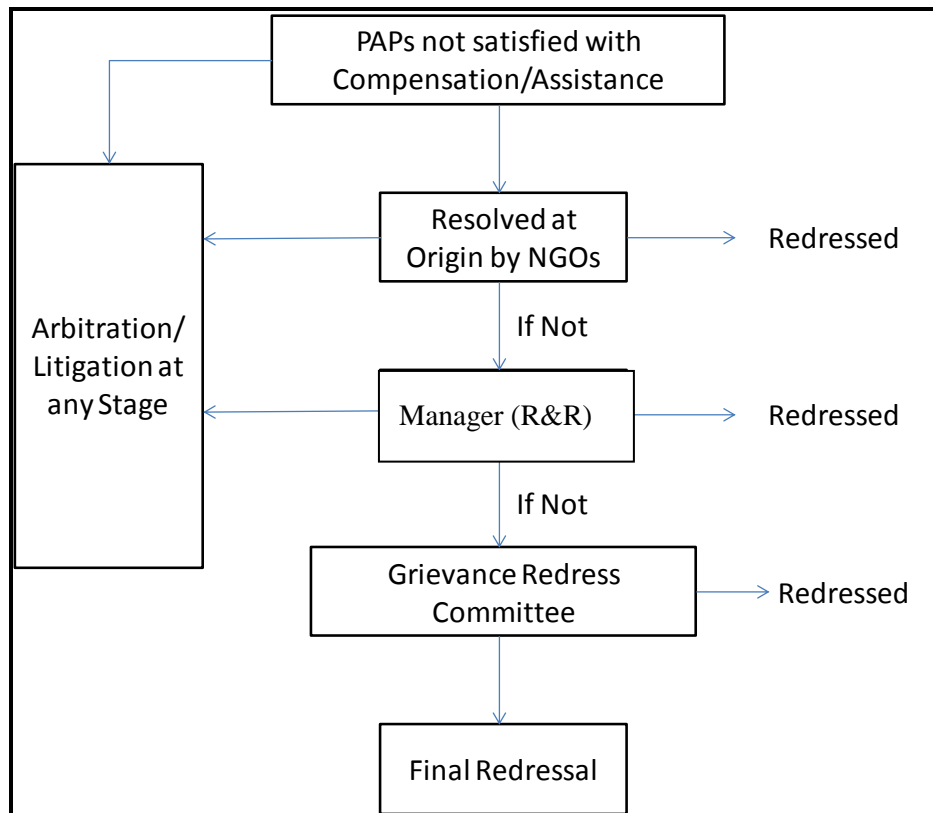
129. The project will establish a Grievance Redress process. Grievance Redress Committee will have representation from a reputed NGO working in Hubli. GRC will hear complaints and facilitate solutions; and the process, as a whole, will promote dispute settlement through mediation to reduce litigation. GRC will be set up with Deputy Commissioner of the Dharwad district as head and a Representative of SPV as Convener (Manager R&R and HR). The following persons will constitute the GRC:

- Deputy Commissioner - Chairman
- Representative from social sector/retired government officer (to be selected by DC) - Member
- Representative of reputed NGO working in Hubli – Member
- Executive Engineer of KRDCL – Member
- Representative of Social Welfare Department as selected by the Deputy Commissioner
- Representative of SPV – Convener

130. The main functions of GRC will be:

- to provide support to PAPs on problems arising out of eligibility for RAP-provided entitlements and assistance provided;
- to record the grievances of the PAPs, and categorize, prioritize and resolve them within one month;
- to inform ESDC of serious cases within one week; and
- to report to the aggrieved parties about the developments regarding their grievances and decisions of the ESDC, within one month.

131. The GRC will meet regularly during implementation of the RAP, at least once a month. The committee will suggest corrective measures at the field level itself and fix responsibilities for implementation of its decisions. In terms of implementation, all efforts will be made to first resolve the issue faced by PAPs at the field level. RAP implementing consultant will have an important role in the entire process of grievance redress to ensure that PAPs are satisfied with the implementation of RAP (**Figure 5-1**). Consultant in their monthly progress reports will include the type of issues raised on grievances, their status and how these were resolved.



**Figure V-1: Grievance Redress Mechanism**

***Administering the payment of R&R Assistance***

- All entitlements to be provided will be verified by the RAP Implementing Consultant against losses incurred;
- Information will be updated in the database;
- Bank accounts are to be opened for all entitled persons;
- The administrative officer will authorize payment of R&R assistance;
- All payments will be made through Cheque, directly to the entitled person; and
- PAPs who are in more than one vulnerable category will be entitled for any one assistance

***Income restoration measures***

132. The basic objective of income restoration activities is that no project-affected person shall be worse off than the pre-project situation. Restoration of pre-project levels of income is an important part of rehabilitating individuals, households, and socio-economic and cultural systems in affected communities. Income restoration schemes will be designed in consultation with affected persons so as to benefit them. Based on the information collected on IR activities from the census socio-economic surveys, the implementing consultant will identify suitable IR programme for the affected persons.

133. Women-headed households will be given preference in disbursement of assistance. The ESDC will use its good offices with local authorities to facilitate early disbursement of compensation and assistance to women headed households.

***Income Restoration Activities (IR)***

134. IR activities mean restoring affected person’s income during periods immediately before and after relocation. For this, the RAP Implementing Consultant shall ensure that: compensation and R&R assistance as provided in the entitlement matrix is disbursed.

135. The steps to be followed for income restoration include:



- Step 1: Identification of Target Groups – RAP Implementing Consultant need to identify the affected persons;
- Step 2: Identification of IR Activities - Prepare a list of possible and feasible income restoration options. While identifying IR options, the following factors shall also be considered: (i) education level of APs; (ii) skill possession; (iii) likely economic activities in the post-displacement period; (iii) extent of land left; (iii) suitability of economic activity to supplement the income; (iv) market potential and marketing facilities. Based on socio-economic characteristics and options preferred by affected people, the consultant may have to re-assign trades to PAPs. The consultant will assist PAPs in identifying appropriate alternative economic rehabilitation schemes through counselling and consultation.
- Step 3: Training: Option for training for skill enhancement for those losing their livelihood has been provided in the Entitlement Matrix.
- Step 4: Identification of Trainers / Training Institutes: Based on trades selected, RAP Implementing Consultant will identify master trainer and/or training institute for different trades / activities who can provide on-the-job training.
- Step 5: Training Arrangement: RAP Implementing Consultant will make different groups of PAPs as per trades selected and make all the arrangements such as fixing the venue etc.
- Step 6: Monitoring: during post-training period, the RAP Implementing Consultant will monitor the PAPs in order to take mid-term correction measures, if required.

### ***Reconstruction of affected community structures***

136. The community assets will be replaced and reconstructed before demolition. For shifting of community assets the RAP Implementing Consultant will (i) consult with the community along with the R&R Manager; (ii) owner consent letter has to be signed by the donor /owner in the prescribed format prepared by the consultant (name, place, survey nos., site measurement) (iii) the reconstruction will be carried out by the local contractors; (iv) ESDC will be responsible for monitoring the work.

### ***Database Management***

137. The census database created by the Consultant will be transferred to the ESDC, for upgradation and further use. The main purpose of the database and use will be to (i) track progress of R&R implementation (ii) for determining the entitlements to be paid; (iii) track pending entitlements and amounts; (iv) organizing outputs for periodical reports and other project requirements; and (v) establishing input formats. The ESDC will be responsible for (i) modifying the input/ output formats to the project requirements; (ii) aid the RAP Implementing Consultant in finalizing the entitlements of each PAP; (iii) Monitor and regulate the land acquisition, distribution of compensation and assistance, grievance redress and financial progress. ESDC will web enable the database information.

### ***Public Disclosure of RAP***

138. The RAP will be disclosed at various places including office of the Deputy Commissioner, Assistant Commissioner, respective Taluk Offices and office of the project implementing body. RAP Implementing Consultant will facilitate the disclosure of RAP and coordinate with the PAFs, the Revenue Department and the project implementing body for speedy and transparent implementation of RAP. RAP Executive Summary along with Entitlement Matrix and Grievance Process (in English and Kannada) will be disclosed through public consultations and will be made available through DULT and SPV website.

139. The information about the consultation meeting will be published through local newspapers and individual notices will be served to PAPs. The meetings will be conducted by ESDC including officers of SPV, engineers from Division offices, local body members, revenue department officials, affected persons and RAP Implementing Consultant. The issues raised by the PAPs with respect to various entitlements, addition of eligible persons or households, training programmes intended for income restoration, etc., will be documented. These issues will be studied and appropriately responded by SPV. Necessary amendments to Entitlement Matrix will be made based on the requirements of the nature of issues raised during the consultation.

***Coordination with Civil Works and Certification***

140. The resettlement program will be co-coordinated with the timing of civil works. The required co-ordination has contractual implications, and will be considered in procurement and bidding schedules, award of contracts, and release of cleared RoW sections to project contractors.

141. Actions to be completed prior to bid and award of contract include: (i) resettlement action plan should be approved by the GoK; (ii) the action plan should be disclosed in the web site and other public places accessible to the local people; (iii) the first notification for private land acquisition should be issued; (iv) the issue of identity cards to eligible PAPs should be completed.

142. The actions to be completed prior to handing over of the stretch to the contractor includes: (i) acquisition of private land should be completed and compensation for land and assistance as per entitlement matrix should be disbursed (ii) transfer of Government land should be completed or no objection should be obtained from the land owning agency; (iii) community assets should be replaced and reconstructed.

143. After land acquisition, the construction of mixed-traffic lane will be taken up. On completion of the mixed-traffic lane, the BRTS components will be developed by SPV. SPV would be in charge of R&R and will ensure coordination of respective Departments for LA and R&R

144. All stretches involving land acquisition and resettlement within 30 meters will be handed over to the contractor (the work for 30meters is already in progress) only when the land acquisition and resettlement is completed and compensation and assistance is paid and certified<sup>4</sup>. In case of impacts between 30-45 meters, contract award to 45 meters widening will be issued only after the payment of land acquisition compensation and resettlement assistance. Certification of readiness from LA and R&R issued by Deputy Commissioner should be obtained and the completion shall be ensured by the M&E Consultant at the time of issuing bid documents and award of contract.

145. It is the responsibility of the ESDC to ensure that the RAP is successfully implemented in a timely manner. Resettlement and Rehabilitation is complete only when the following criteria are met:

- At least 80% of all eligible PAPs must have received compensation or R&R assistance;
- At least 80% of all eligible PAPs must have started their new economic activity;
- All project affected common property resources must be replaced and re-established; and
- Implementation of the remedial measures arising out of impact evaluations must be complete.

146. The RAP consultant will be in place as soon the implementation is commenced. Simultaneous with the land acquisition process, RAP implementation is expected to be completed, since R&R assistance needs to be paid prior to handover of the land to the contractor. The M&E consultant will also be in place along with RAP consultant for monitoring and support to RAP consultants.

***Implementation Schedule and Timing of RAP implementation***

147. During project implementation, the resettlement program will be co-coordinated with the timing of civil works. The required co-ordination has contractual implications, and will be considered in procurement and bidding schedules, award of contracts, and release of cleared RoW sections to project contractors. The project will provide adequate notification, counselling and assistance to affected people so that they are able to move or give up their assets without undue hardship before commencement of civil

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<sup>4</sup> A co-ordination committee has been formed comprising officials from DULT, KRDCCL and the design consultant. The committee meets every week in order to speed up the progress of the work. Every month a meeting is held with Commissioner, DULT and Managing Director, KRDCCL to monitor the progress of the project. Managing Director, KRDCCL is one of the members in the Board of Directors of Hubli-Dharwad BRTS Company Ltd (SPV).

works and after receiving the compensation. RAP Implementation Schedule is provided in Table V-6. This provides the key benchmarks of implementing the RAP.

**Table V-6: RAP Implementation Schedule**

Sl. No	Tasks	End Date
1	Land Acquisition for road-first notification	October 2012
2	GRC in place	January, 2013
3	RAP Implementing consultant in place	January, 2013
4	M&E consultant in place	January, 2013
5	Disclosure of documents	February, 2013
6	Serving of advance notice to PAPs	February, 2013
7	Transfer of Government Land	March, 2013
8	Consent award negotiation	March, 2013
9	Preparation of micro-plan	March, 2013
10	Issue of Identity Cards for PAPs	March, 2013
11	Award of compensation	April, 2013
12	R&R Assistance	August 2013

### *Consultations during implementation*

148. After the project is cleared by the World Bank, a series of public consultations with PAPs will be conducted during RAP implementation. As a follow-up of the local-level PAP consultations held during project preparation, further consultations will be conducted by the RAP Implementing Consultant during implementation. In the first round of consultations information on RAP and Entitlement matrix and options will be disseminated. This will involve explaining the Entitlement Matrix and resettlement options to the PAPs and soliciting their support and co-operation. This will help finalize agreement on the various entitlements provided in the Entitlement Matrix. Next round of consultation involves delivery of identity cards for PAPs and finalising the micro-plans. The next round of PAP consultations will occur when compensation and assistance are provided and actual resettlement begins and the Consultant has to facilitate relocation.

### *Implementation Guidelines*

149. An implementation guideline for land acquisition and resettlement will be prepared as a standalone document which will help all those involved in implementation as an operational manual for interpretation of various provisions and entitlements as well as actions to be taken at various stages during the implementation.

## **G. BUDGET AND COST**

150. The cost estimates are based on information collected during the census socio-economic surveys of PAPs. The estimated total budget for the implementation of RAP is Rs. 196.53 Crore of which Rs. 168.36 Crore is for land acquisition.

**Table V-7: RAP Budget**

Sl. No.	Category	Amount (in Rs.)
1	Compensation for Land	1,683,624,703
2	Compensation for Structure	93,481,433
3	R&R Assistance	6,336,600
<b>I</b>	<b>Sub Total (1+2+3)</b>	<b>1,783,442,736</b>
5	Monitoring and Evaluation	2,815,560
6	Capacity Enhancement	400,000
<b>II</b>	<b>Sub Total (4+5)</b>	<b>3,215,560</b>
<b>III</b>	<b>TOTAL (I+II)</b>	<b>1,786,658,296</b>
	Contingency (@10%)	178,665,830
<b>IV</b>	<b>GRAND TOTAL (III+Contingency)</b>	<b>1,965,324,125</b>

151. The unit costs and detailed budgets are given below.

**Table V-8: Unit Costs for R&R**

Sl. No.	Category	Cost (Rs.)
1	Pucca Structure per sq.m (PWD Schedule of Rates 2010-2011)	3715
2	Semi-pucca Structure per sq.m (PWD Schedule of Rates 2010-2011)	3547
3	Kutcha Structure per sq.m (PWD Schedule of Rates 2010-2011)	2111
4	Evaluation consultants per day	10000

**Table V-9: R&R Assistance**

Entitlement	Categories Entitled	PAPs	Assistance	Total amount (In Rs)
Livelihood Restoration Allowance for Loss of Livelihood (Rs.15000 each)	Commercial - 160 (excluding Licensed Kiosks); Residential-cum-commercial - 14; Industrial - 2	176	15000	2640000
Shifting Allowance for all Affected Categories (Rs.5000 each)	Residential - 25; Commercial - 160 (including Licensed Kiosks); Residential-cum-commercial - 14; Industrial - 2; Institutional - 16; Open land/plot -7	224	5000	1120000
Livelihood Restoration Allowance for Vulnerable Groups (Rs.15000 each)	Scheduled Caste - 3; Scheduled Tribe - 3	6	15000	90000
Rental allowance for 6 month @ Rs 1200/- pm for residential and Rs 1800/- pm for commercial use	Residential tenants - 5	5	7200	36000
	Commercial tenants - 82	82	10800	885600
shifting allowance for squatters (Rs 5000 each)	squatters - 13	13	5000	65000
livelihood restoration allowance for squatters (Rs 15000 each)	squatters - 13	13	15000	195000
livelihood restoration allowance for tenants (Rs 15000 each)	Tenants - 87	87	15000	1305000
<b>Grand total</b>				<b>6336600</b>

152. The detailed budget estimates for Monitoring and Evaluation consultancy is given in Table V-10.

**Table V-10: Monitoring and Evaluation: Detailed Cost Estimates**

Sl. No	Category	Cost x No. of units	Total (Rs)
I	Consultancy fee for M & E Consultant	Rs.10000*40 Person-days	1350000
	<b>Project Level -RAP Implementing Consultant</b>		
1	One Project Manager	Rs.25000*12 Person-months	300000
2	Community Facilitators -5 Persons	Rs.10000*5*12 Person-months	600000
3	Salary to Sub-staff	5000*1*12	60000
4	Verification, I-card preparation and Distribution, awareness, valuation assets, relocation of sites etc for structures affected PAFs as per R&R Policy	Rs.100*876 (PAF+PDF)	87600
5	Travelling	(Lump-sum)	40,000
6	House Rent	5000 x 12 months	60,000
7	Electric, Water Bill	2500 x 12 months	30,000
8	Telephone and Internet Bill	1500 x 12 months	18,000
9	Stationery, Fax, Postage, Courier & Office Maintenance	(Lump-sum)	14,000
II	<b>Sub Total (1+2+3+4+5+6+7+8+9+10)</b>		<b>12,09,600</b>
III	<b>TOTAL (I+II)</b>		<b>25,59,600</b>
	<b>Contingency (@10%)</b>		<b>2,55,960</b>
IV	<b>GRAND TOTAL (I+II+III+Contingency)</b>		<b>28,15,560</b>