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MINISTRY OF ROAD TRANSPORTATION AND HIGHWAYS

**NATIONAL HIGHWAYS AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD. (NHIDCL)**

**PREPARATORY STUDY FOR NORTH EAST
CONNECTIVITY IMPROVEMENT PROJECT
IN INDIA**

NH54 BYPASSES

RESETTLEMENT ACTION PLAN

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**NIPPON KOEI CO., LTD.
NIPPON KOEI INDIA PVD. LTD.**

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ABBREVIATIONS

ADB	Asian Development Bank
BPL	Below Poverty Line
BSR	Basic Schedule of Rates
CA	Competent Authority
DDP	Desert Development Program
DPR	Detailed Project Report
FPIC	Free Prior Informed Consultations
GOI	Government of India
GRM	Grievance Redress Mechanism
GRC	Grievance Redress Committee
IPP	Indigenous Peoples Plan
IRC	Indian Road Congress
LARR	Land Acquisition, Rehabilitation and Resettlement Act
LSC	Land Settlement Certificates
MAW	Minimum Agricultural Wage
MFP	Minor Forest Produce
MLCU	Martin Luther Christian University
NH	National Highway
NHIDCL	National Highway & Infrastructure Development Corporation Limited
NRRP	National Rehabilitation and Resettlement Policy
PAF	Project Affected Family
PAH	Project Affected Households
PAP	Project Affected Person
PIU	Project Implementation Unit
PPP	Public Private Partnership
PWD	Public Works Department
RAP	Resettlement Action Plan
R&R	Resettlement and Rehabilitation
ROW	Right of Way
SC	Scheduled Caste
SIA	Social Impact assessment
ST	Scheduled Tribe

CHAPTER 1 INTRODUCTION

1.1 Background

India has achieved remarkable economic growth in the past decades. Rapid development of in transport infrastructures strengthened the linkage between major cities and thus contributed to the economic growth. In particular, road is one of most important modes of transportation given that road transportation constitutes 85% of passenger and 60% of freight transport in India. However, development of transport infrastructure is lagging in mountainous regions of India due to financial and technical reasons, leading to greater economic disparity between mountainous regions and plain areas of the country which have been fully benefited from improved transport network.

Only 28.5% (63.4% is average in whole country) of the road in North-East states is paved and only 53% of national highway has more than 2-lane road. This is because the North-East states are located far from mainland of India and access road to neighboring countries are underdeveloped due to security concern. Severe natural conditions such as steep mountainous geography (most of the state is located in hilly area) and prolonged monsoon season also complicates the challenge. To accelerate economic growth in this part of the country, therefore, improvement in the road network is of great importance. To this end, Government of India (GOI) launched “Special Accelerated Road Development Program for North-East” committed in “Twelfth Five Years Plan (from April, 2012 to March, 2017)” to cope with above mentioned problems by improvement of national highways that connect major cities within the North-East states, and requested Government of Japan to provide loan assistance in carrying out the improvement. Aizawl – Tuipang section of NH54 stretching over five districts of Mizoram State has been selected as one of the priority projects for this assistance and the feasibility study was carried out in 2015.

During the feasibility study for NH54 improvement, construction of four new bypasses has been proposed, mainly to avoid densely populated sections of NH54. This leads to the undertaking of additional feasibility study for four bypasses in Chhiahtlang, Serchhip, Hnathial and Lawngtlai.

1.2 Project Location

The locations for four proposed bypasses are shown below. The total stretch of four bypasses is about 24 km but the length of each bypass differs considerably, ranging from minimum 2.6 km (BP1 and BP4) from maximum 11.8 km (BP2). BP1 and 2 are located in Serchhip district while BP3 and BP4 are located in Lunglei and Lawngtlai district respectively.

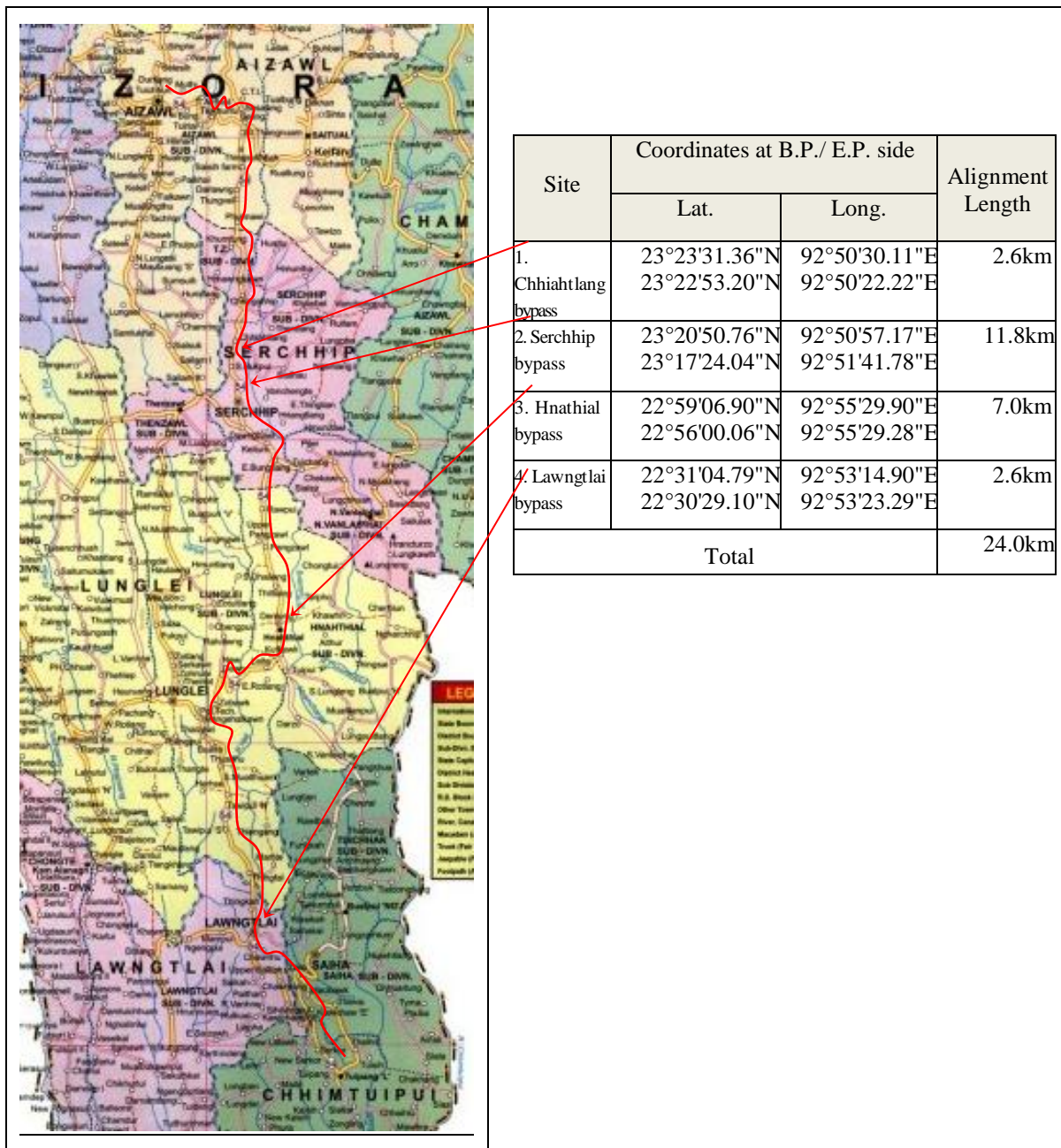


Figure 1.1 Location of Four Proposed Bypasses

1.3 Requirements and Objective of This RAP Report

For a project involving involuntary displacement of 400 or more families en masse in plain areas, or 200 or more families en masse in tribal or hilly areas, the National Rehabilitation and Resettlement Policy 2007 (NRRP, 2007) requires the administrator for Rehabilitation and Resettlement (R&R) to undertake a Baseline Survey and Census for identification of the persons and families likely to be affected (Sec.6.2). The Mizoram (Land Acquisition, Rehabilitation and Resettlement) Act 2016 also stipulates that Social Impact Assessment shall be carried out prior to the project implementation. This will be carried out by the State Government, who is responsible for rehabilitation once the final ROW is determined. Meanwhile, this RAP report has been prepared based on the preliminary design with

the aim of informing the R&R related discussion between State Government and NHIDCL to ensure that land acquisition and involuntary resettlement for this project be carried out in a manner that is consistent with the JICA Guidelines for Environmental and Social Considerations.

1.4 Issues Related to Indigenous People

In the state of Mizoram, the tribal (Scheduled Tribe: ST) population constitutes about 95% of the total population. While tribal groups in project area holds traditional culture, including shifting cultivation in forest called jhum, they freely interact and share their sources of water, folklore, food, infrastructure and other belongings with the non-ST and other tribal population within and outside community. Different sub-tribe of Mizo, including Lushai, Lai and Mara and non-Mizo people co-exist peacefully without ethnicity-related tensions in bypass areas. Moreover, ST population in project area is not isolated from outside and they are open to new ideas such as family planning and formal education. Given that the mainstream population of the area is tribal, elements of an Indigenous People Plan (IPP) as described in the World Bank OP4.10 have been incorporated into this report, and therefore, no separate IPP has been prepared for this project.

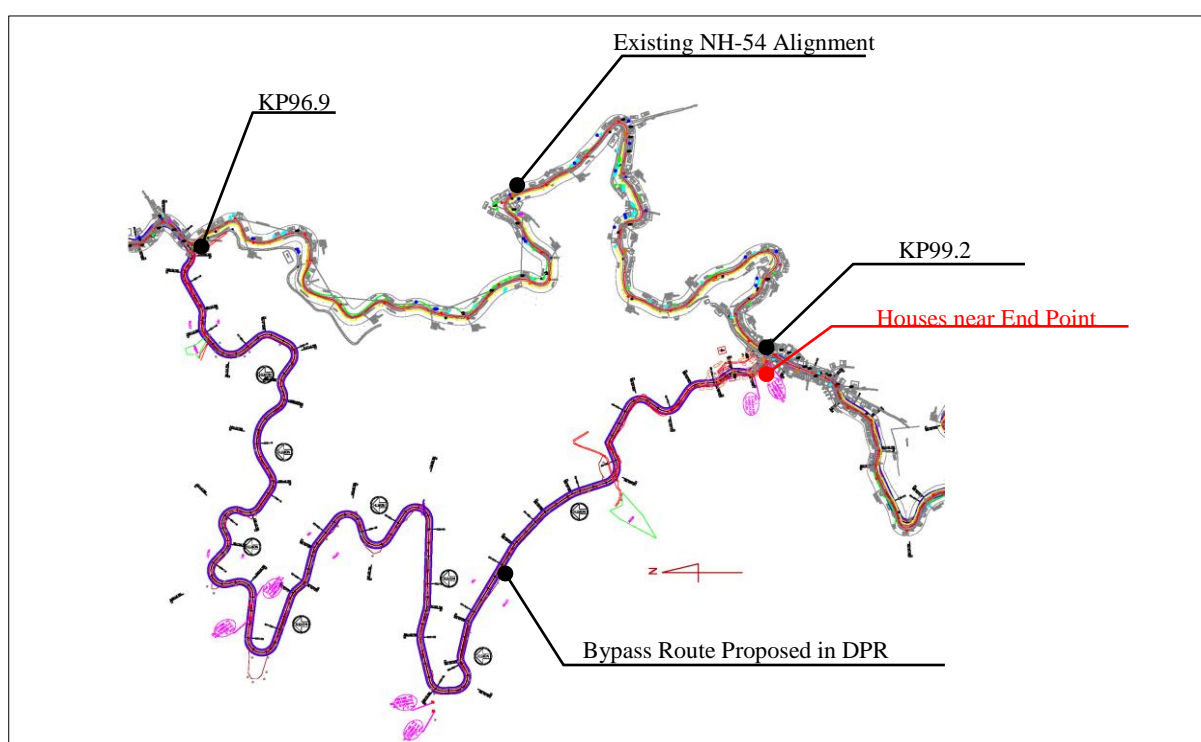
CHAPTER 2 PROJECT DESCRIPTION AND SCOPE OF RELOCATION

2.1 Bypass Design as in DPR and Proposed Adjustments

This sections presents the brief review of preliminary designs of four bypasses proposed in DPR.

2.1.1 Chhiahtlang Bypass (Bypass 1)

The bypass route starts near existing KP96.9 and ends near KP99.2 with an approximate length of about 3 km. The bypass runs through a residential area near the proposed ending point (where the bypass reconnects with NH54). To avoid involuntary resettlement as much as possible, minor adjustment of alignment is proposed. The layout of Chhiahtlang Bypass proposed in DPR is given in Figure 2.1 below.

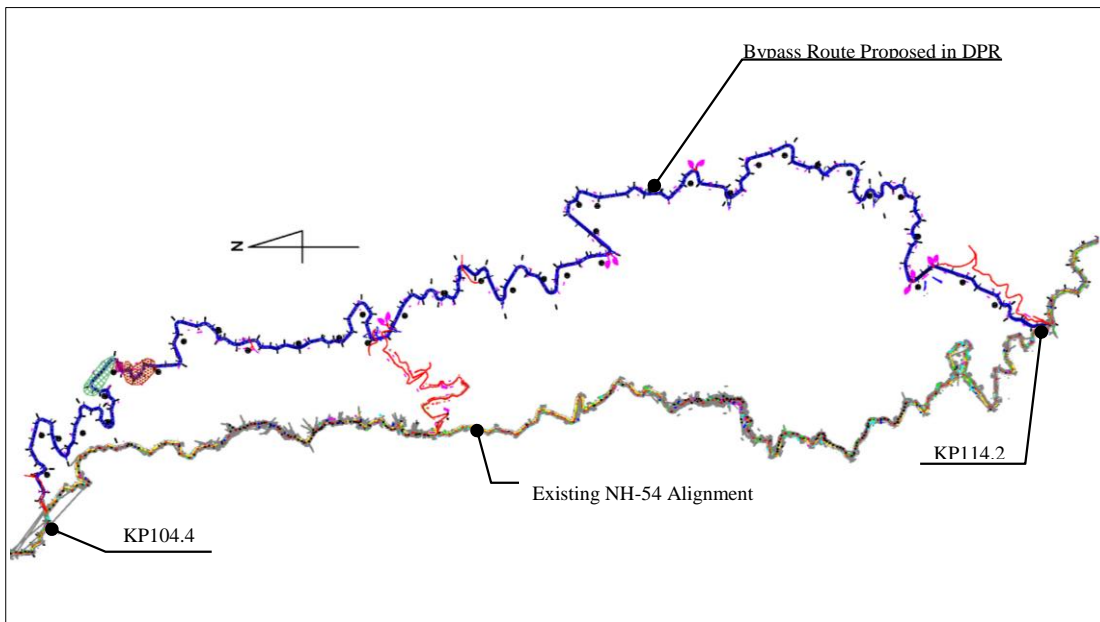


Source: JICA Study Team

Figure 2.1 Chhiahtlang Bypass Protected in DPR

2.1.2 Serchhip Bypass (Bypass 2)

The layout of Serchhip Bypass proposed in DPR is given in Figure 2.2. The bypass in DPR is proposed from the eastern side since much longer length would be required if western side is selected for bypass construction for Serchhip. Therefore, JST considers the eastern route proposed by DPR is appropriate. However, some residences were observed based on the available map in the area near the endpoint, which needs to be confirmed during site investigation.

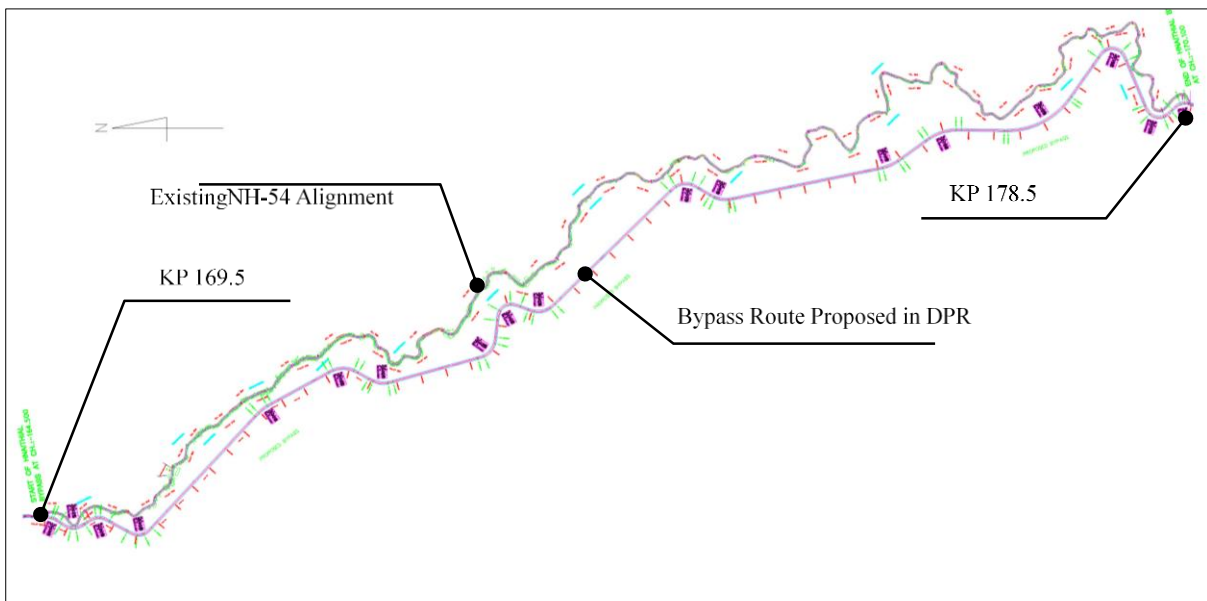


Source: JICA Study Team

Figure 2.2 Serchhip Bypass Protected in DPR

2.1.3 Hnathial Bypass (Bypass 3)

The layout of Hnathial Bypass proposed in DPR is given in Figure 2.3. The bypass in DPR is proposed from the western side of the existing NH54. In the eastern side of the existing NH54, the terrain is uphill near the end of bypass which makes it difficult to connect back to NH54. Therefore, the eastern side proposed in DPR seems appropriate. The bypass starts at existing KP169.5 and ends at KP178.5.

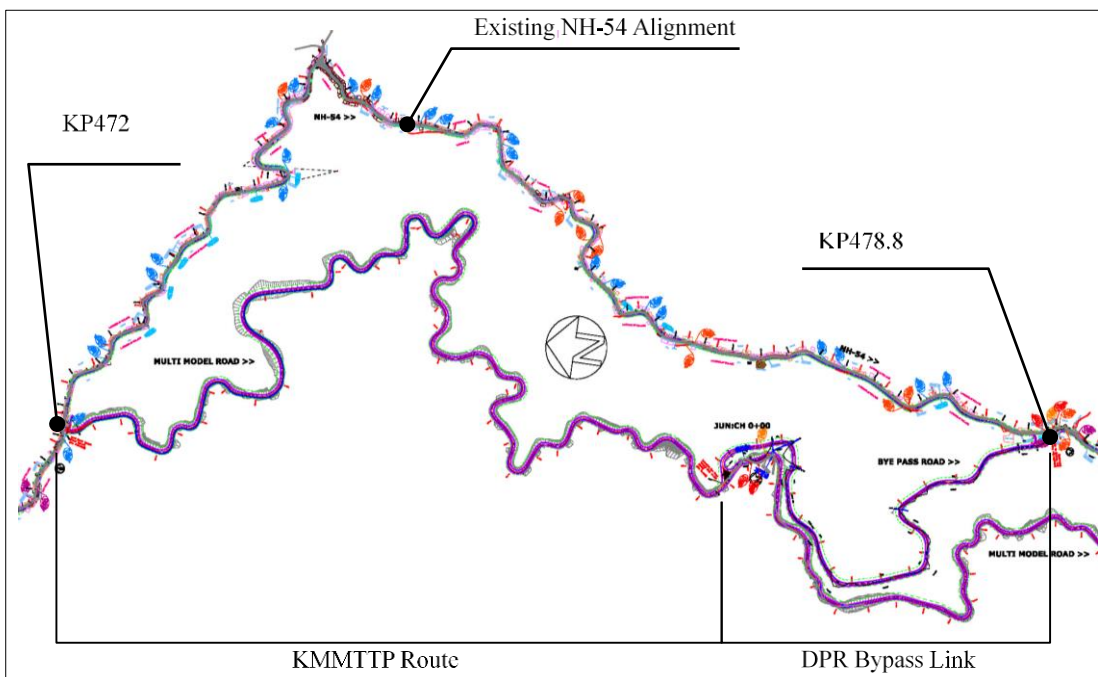


Source: JICA Study Team

Figure 2.3 Hnathial Bypass Protected in DPR

2.1.4 Lawngtlai Bypass (Bypass 4)

The layout of Lawngtlai Bypass proposed in DPR is given in Figure 2.4. In the Lawngtlai area, there is another road construction project which is the Kaladan Multi-Modal Transit Transport Project (KMMTTP), under construction, avoiding the route of urbanized area of Lawngtlai. Therefore, the beginning section of the bypass for Lawngtlai actually belongs to the KMMTTP project. However, the road under this project does not meet back to the NH54 at the other end. Therefore, a link road is proposed under the scope of this Project such that it connects back to NH54.



Source: JICA Study Team

Figure 2.4 Lawngtlai Bypass Protected in DPR

2.2 Necessity and Scale of Resettlement

Land acquisition for this project will result in involuntary resettlement. As above, the design of bypasses have been adjusted to minimize resettlement, but in a limited stretch where the bypass uses existing community road, resettlement is unavoidable. In particular, BP1 will result in involuntary resettlement of 19 households (131 persons) and one household (two persons) will be resettled near the end point of BP2. The total number of project affected households (target of land acquisition) is estimated to be 257, but this figure is provisional due to the lack of updated and accurate cadastre map in forest and jhum field in the hilly area. The number has been estimated based on the confirmation

meeting with Village Council and villagers who claims that their farmland or plantation are likely to be affected. The number of affected households and persons for each bypass are presented below.

Table 2.1 Number of PAH and PAP per Bypass

Bypass	No. of PAH	No. of PAP
BP1: Chhiahtlang	49	303
BP2: Serchhip	120	700
BP3: Hnathial	77	410
BP4: Lawngtlai	11	72
Total	257	1485

Source: JICA Study Team

CHAPTER 3 POLICY AND LEGAL FRAMEWORK

3.1 Summary of Applicable Acts and Policies

Applicable acts, notifications, and policies relevant in the context of the project are discussed below. The Project Authority will ensure that project activities implemented are consistent with the national, state, local regulatory/legal framework as well as JICA Guidelines for Environmental and Social Considerations.

Table 3.1 Applicable Acts and Policies

No.	Acts, Notifications, Policies	Relevance and Applicability to the Project
1	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR 2013)	Provides for enhanced compensation and assistances measures and adopts a more consultative and participatory approach in dealing with the Project Affected Persons (PAPs). The Act took effect in January 2014, however, State of Meghalaya opposes to the provisions on the ground that being under the Sixth Schedule of the Constitution, land in the State belongs to the individuals and not the Government.
2		
3	National Rehabilitation & Resettlement Policy, 2007 ((NRRP 2007)	Provides limited benefits to affected family (an ex-gratia payment of not less than Rs. 20,000/- and in case land-holder becoming landless or small or marginal farmer in such cases other rehabilitation benefits as applicable.
4	The National Tribal Policy, 2006	Provides an environment conducive to the preservation of traditional and customary systems and regime of rights and concessions enjoyed by different ST communities.
5	The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	Provides for recognition of forest rights to Scheduled Tribes in occupation of the forest land prior to 13.12.2005 and to other traditional forest dwellers who are in occupation of the forest land for at least 3 generations i.e. 75 years, up to maximum of 4 hectares. These rights are heritable but not alienable or transferable.
6	The Right to Information Act, 2005	Provides for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.

7	World Bank OP 4.12 – Involuntary Resettlement	The project requires additional land area for widening and strengthening, junction improvements, realignments, safety provisions, etc. It will also affect structures mainly used for residences, business units, cattle sheds and livelihood of people. Some of them are without any valid pass/permit. All affected under the project, irrespective of a valid pass/permit shall be supported under the project to improve their quality of life or at least restore to pre-project standards.
8	OP 4.10 – Indigenous Peoples	Over 90% of the population in the State belongs to Tribal community, and almost all affected households belong to ST. While a separate IPP report is not prepared, the issues discussed in RAP takes into account this fact and address issues related to indigenous peoples in the RAP. The project shall ensure broad community support for the project based on free prior and informed consultation.
9	JICA Guidelines for Environmental and Social Considerations	See Box 3.1 below

Source: JICA Study Team

3.2 Key Policies and Legislations

3.2.1 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (LARR), 2013

The Act provides for enhanced compensation and assistances measures and adopts a more consultative and participatory approach in dealing with the Project Affected Persons. Enhanced compensation provision for land acquisition provides for 1-2 times the prevailing market rate (as determined by stipulated mechanism, primarily relying on officially recorded/registered rates) in urban areas (as determined by the state) and 2-4 times the prevailing market rate in rural areas. The original law also made provision for need for ‘consent’, while exempting 13 existing laws (having sections governing land acquisition processes for projects coming under its ambit). Subsequently, in 2015 an amendment bill was brought in the bill and enforced through ordinance by the current central government. Key changes made by this bill vis-à-vis the original law are:

The LARR 2013 exempted 13 laws, including the National Highways Act from its purview. However, the LARR 2013 required that the compensation, rehabilitation, and resettlement provisions of these 13 laws be brought in consonance with the LARR 2013 within a year of its enactment (that is, by January 1, 2015), through a notification. The Bill brings the compensation, rehabilitation, and resettlement provisions of these 13 laws in consonance with the LARR Act, 2013. The Bill creates five special categories of land use: (i) defence, (ii) rural infrastructure, (iii) affordable housing, (iv) industrial corridors, and (v) infrastructure projects including Public Private Partnership (PPP) projects where the central government owns the land. The LARR 2013 requires that the consent of 80% of landowners is obtained for private projects and that the consent of 70% of landowners be obtained for PPP projects.

The proposed amendment to the Bill, currently under the parliamentary discussion, exempts the five categories mentioned above from this provision of the Act. Being a rural infrastructure project, the above requirement does not technically apply to this project. As per the proposed amendment, projects that belong to five categories do not require social impact assessment. The amendment has not yet passed, but regardless the passage of the amendment, the project has sought to obtain support from the affected community as shown in the chapter on consultation in keeping with JICA Guidelines for Environmental and Social Guidelines. Timeline for LARR 2013 amendment process is as follows.

Table 3.2 Process of Amending LARR 2013

Date	Action
1 January 2014	LARR 2013 comes into existence, repealing the Land Acquisition Act, 1984
31 December 2014	LARR (Amendment) Ordinance, 2014 promulgated
24 February 2015	LARR (Amendment) Bill, 2015 introduced in Lok Sabha
10 March 2015	LARR (Amendment) Bill, 2015 passed in Lok Sabha with amendments but could not be passed by the Rajya Sabha and remains pending
3 April 2015	LARR (Amendment) Ordinance, 2015 incorporating the amendments made by the Lok Sabha promulgated
10 April 2015	Public interest litigation (PIL) filed in Supreme Court to declare LARR (Amendment) Ordinance, 2015 as “unconstitutional” and ultra vires of the Constitution and as a “colorful exercise of power”
13 April 2015	Supreme Court issues notice in the PIL but refuses to stay the LARR (Amendment) Ordinance, 2015.
11 May 2015	LARR (Amendment) Second Bill, 2015 introduced in the Lok Sabha
13 May 2015	LARR (Amendment) Second Bill, 2015 referred to the Joint Committee of Parliament
30 May 2015	LARR (Amendment) Second Ordinance, 2015 promulgated. The ordinance will lapse if it is not passed by Congress within six months.

Source: JICA Study Team based on PRS Legislative Research, India

Other requirements in the LARR 2013 that may be applicable to this project are the following:

- The LARR 2013 required that if the acquired land remains unused for five years, it must be returned to the original owners or the land bank. The Bill states that the period after which unused land will need to be returned will be: (i) five years, or (ii) any period specified at the time of setting up the project, whichever is later.
- The LARR Act, 2013 states that the Land Acquisition Act, 1894 will continue to apply in certain cases, where an award has been made under the 1894 Act. However, if such an award was made five years or more before the enactment of the LARR 2013, and the physical possession of land has not been taken or compensation has not been paid, the LARR 2013 will apply.
- The LARR 2013 stated that if an offence is committed by the government, the head of the department would be deemed guilty unless he could show that the offence was committed without his knowledge, or that he had exercised due diligence to prevent the commission of the offence. The Bill replaces this provision and states that if an offence is committed by a government official, he cannot be prosecuted without the prior sanction of the government.

3.2.2 Mizoram (Land Acquisition, Rehabilitation and Resettlement) Act 2016

The state of Mizoram enjoys significant freedom in formulating its own autonomous land policies. One of the most important features of administration in the North-East States including Mizoram is the Sixth Schedule of the Constitution which provides for the setting up of Autonomous Regional/District Councils in the four States of Assam, Tripura, Meghalaya and Mizoram. These provisions have been made in exercise of the enabling provisions given in Article 244(2) and 275(1) of the Constitution. The philosophy behind the Sixth Schedule of the Constitution is to protect tribes, their population and their interests by constitutionally mandating a special kind of autonomous governance structure. On August 14, 1986 the Central Government enacted The Constitution (Fifty Third) Amendment Act, 1986 which inserted Article 371 G to the Constitution which provides special provision to the State of Mizoram¹. And the section read as:

Article 371-G Of Indian Constitution states that no Act of Parliament in respect of religious or social practices of the Mizos, Mizo customary laws and practices, administration of civil and criminal justice involving decisions according to Mizo customary laws and ownership and transfer of land shall apply to Mizoram unless the Legislative Assembly of the State by a resolution so decides...”

In light of the above-referred constitutional provision and exercising the freedom granted thereby, the Council of Ministers, Government of Mizoram has announced its intention of developing its own land acquisition laws for future development projects, rather than applying LARR 2013. In response to an inquiry from NHIDCL, the Government of Mizoram stated that the Mizoram (Land Acquisition, Rehabilitation and Resettlement) Act 2016, instead of LARR 2013, shall be used for land acquisition and resettlement for this project. The Act generally follows the LARR 2013 but there are differences in terms of the additional benefits to rural area to the compensation. While LARR 2013 offers as much as double compensation to rural land, such provision is not adopted in the Mizoram Act. In keeping view of the requirements under JICA guidelines, the resettlement policy and entitlement proposed in this RAP report will be adopted in this project.

3.2.3 National Rehabilitation & Resettlement Policy, 2007

The policy, prepared by the Department of Land Resources, Ministry of Rural Development, and Government of India, stipulates the minimum benefits to be ensured for persons displaced due to acquisition of land for public purposes. The objectives of the Policy are:

- (a) to minimize displacement and to identify the non-displacing or least-displacing alternatives;
- (b) to plan the Resettlement and Rehabilitation of project affected families (PAFs), or project affected households (PAHs), including tribal and vulnerable households;
- (c) to provide improved standard of living to PAFs or PAHs; and

¹ Referred from www.cgsird.gov.in/constitution.

- (d) to facilitate a harmonious relationship between Requiring Body/Competent Authority (CA) and PAFs.

The Policy is applicable to projects displacing 400 or more families en masse in plain areas, or 200 or more families en masse in tribal or hilly areas, Desert Development Program (DDP) blocks, areas mentioned in Schedule V and Schedule VI of the Constitution of India. Some of the highlights of this policy may be noted as follows:

- (i) Recognizes apparent need for additional R&R benefits which must be beyond compensation of loss of land or structure;
- (ii) SIA as mandatory component where project is likely to impact 400 or more families en masse (in plain areas), or 200 or more families en masse in tribal or hilly areas;
- (iii) Detailed R&R planning in case anticipated displacement is more than 400 families in plains (200 families in hilly/tribal areas). The plan to have details such as extent of land to be acquired with names and identification of affected families, village wise list of affected persons, their profile, agricultural laborers as affected persons, people with livelihood affected, list of occupiers, public utilities, comprehensive list of benefits and packages to be provided to affected persons. Other information include- Resettlement site related details such as location and area, amenities to be provided, schedule for displacement and resettlement;
- (iv) Special care to protect rights of weaker sections specifically SC and ST community and affirmative action by way of state obligation for their treatment with concern and sensitivity;
- (v) R&R cost (arising out of benefits and packages beyond compensation) will be included as part of project cost;
- (vi) Compensation and resettlement activities to be done well in advance of ouster of affected families;
- (vii) R&R benefits to be extended to all affected families. Benefits includes possible allotment of house site, one time assistance for house construction to BPL families (quantum aligned with existing house construction schemes by state), Replacement cost basis or land for land approach for PAFs who have become landless or marginal account of project impacts. Stamp duty and other fees to be borne by requiring body. Provisions of assistance for land development, cattle shed, shifting allowance (on actual cost basis), assistance to rural artisans, self-employed for construction of working shed/shop. Conditional provision for employment of those rendered jobless or rehabilitation grant, subsistence allowance for displaced PAFs; and
- (viii) Requirement of developing of tribal development plan and recommended consultation with tribal advisory council where project entails displacement of 200 or more ST families. Consultation with Gram Sabha or Panchayats for land acquisition in scheduled areas.

3.2.4 National Tribal Policy 2006

The Scheduled Tribes (STs) have traditionally lived as isolated entities in about 15% of the country's geographical areas, mainly forests, hills, undulating inaccessible terrain in plateau areas, rich in natural resources. The problems and difficulties being faced by the scheduled tribes and tribal areas in the country are to be addressed by the National Tribal Policy, 2006. A periodic review of implementation of various initiatives/measures outlined in the policy is essential to ensure accountability of the different public agencies responsible for implementation and to reveal the practical difficulties in implementation. The objectives of the policy are to:

- Provide an environment conducive to the preservation of traditional and customary systems and regime of rights and concessions enjoyed by different ST communities, and reconciliation of modes of socio-economic development with these.
- Prevent alienation of land owned by STs and restoring possession of wrongfully alienated lands.
- Protect and vesting of rights of STs on forestlands and other forest rights including ownership over minor forest produce (MFP), minerals and water bodies through appropriate legislations and conversion of all forest villages into revenue villages.
- Provide a legislative frame for rehabilitation and resettlement in order to minimize displacement, ensure that affected persons are partners in the growth in the zone of influence, provide for compensation of social and opportunity cost in addition to market value of the land and rights over common property (NPV).
- Empower tribal communities to promote self-governance and self-rule as per the provisions and spirit of the Panchayats (Extension to the Scheduled Areas) Act, 1996.
- Protect political rights to ensure greater and active participation of tribal peoples in political bodies at all levels.

3.2.5 JICA Guidelines for Environmental and Social Considerations

JICA updated its guidelines governing its safeguard policies. Key principles concerning land acquisition and resettlement are summarized in Box below.

Box 3.1 Principle of JICA Policies on Involuntary Resettlement Right

The key principle of JICA policies on involuntary resettlement is summarized below.

- I. Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives.
- II. When, population displacement is unavoidable, effective measures to minimize the impact and to compensate for losses should be taken.
- III. People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.
- IV. Compensation must be based on the full replacement cost as much as possible.
- V. Compensation and other kinds of assistance must be provided prior to displacement.
- VI. For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. It is desirable that the resettlement action plan include elements laid out in the World Bank Safeguard Policy,
- VII. In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance. When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people.
- VIII. Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.
- IX. Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.

Above principles are complemented by World Bank OP 4.12, since it is stated in JICA Guideline that “JICA confirms that projects do not deviate significantly from the World Bank’s Safeguard Policies”. Additional key principle based on World Bank OP 4.12 is as follows.

- I. Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advance of such benefits.
- II. Eligibility of Benefits include, the PAPs who have formal legal rights to land (including customary and traditional land rights recognized 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 recognizable legal right to the land they are occupying.
- III. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.
- IV. Provide support for the transition period (between displacement and livelihood restoration.
- V. Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc.
- VI. For projects that entail land acquisition or involuntary resettlement of fewer than 200 people, abbreviated resettlement plan is to be prepared.
- VII. In addition to the above core principles on the JICA 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.

Source: JICA Guidelines for Environmental and Social Considerations, 2010

3.2.6 World Bank OP4.12 for and OP4.10

JICA recommends the World Bank policy OP 4.12 for RAP preparation and its implementation. The said policy operates with objectives that recommend avoidance of involuntary resettlement or minimizing it by exploring all options. In cases of involuntary resettlements, resettlement activities are to be conceived and executed as sustainable development program, with displaced persons also sharing from project benefits. Further, the displaced persons require to be assisted in their efforts to improve their livelihoods or at least restore to their pre displacement status. The policy recognizes impacts in terms of relocation or loss of shelter, loss of or loss of access to assets, loss of livelihood or income, and loss of access to protected forest parts- as source of livelihoods, on account of project related land acquisitions. Some of the highlights of the recommended policy measures may be noted as:

- Where the negative impacts are unavoidable, the project-affected persons will be assisted in improving or regaining their standard of living. Vulnerable groups should be identified and assisted to improve their standard of living.
- All information related to resettlement preparation and implementation should be disclosed to all concerned, and people's participation should be ensured in planning and implementation of the project.
- Before taking possession of the acquired lands and properties, compensation and R&R assistance should be made in accordance with recommended policy (i.e. OP 4.12).
- The project affected persons who do not own land or other assets but who have economic interest or claim to such land/assets or lose their livelihoods should be assisted as per the broad principles brought out in this policy.
- Prompt and effective compensation at full replacement cost i.e. amount sufficient to replace lost asset and transaction cost where valuation does not factor in any depreciation in value of structures or assets.
- Provision of assistance and allowances. Support to be provided during transition period i.e. between displacement and livelihood restoration. Similarly land related development assistance should also be provided such as credit facilities/access, training and skill upgradation, job opportunities etc.).
- Land based resettlement strategies would be preferred for displaced families who depend on land based livelihood occupations. Equivalent productive assets to be provided against loss of land, residential houses etc.
- All activities related to resettlement planning, implementation, and monitoring would ensure involvement of women. Efforts will also be made to ensure that vulnerable groups are included and particular attention will be paid to the needs of groups such as those below poverty line (BPL), destitute, landless, elderly, women, women headed households, widows, disabled, children and orphans and ethnic minorities.

- Appropriate grievance redressal mechanism will be established at the district level to ensure speedy resolution of disputes.
- All consultations with PAPs shall be documented and continue during the implementation of resettlement and rehabilitation works.
- A detailed Resettlement Plan that covers all of the above including detailed implementation time plan, institutional framework for implementation, M&E framework, a fully itemized budget and an implementation schedule linked to the civil works contract is required to be prepared.

OP 4.10 of World Bank Policies pertain to project affected Indigenous people and considerations to be made in project design and related R&R strategies to minimize and support these groups in situations where such project impacts cannot be avoided. It also requires for a separate IP development plan to address to the needs of such affected groups. In case of Mizoram and its demography, more than 95 percent of the state population belongs to scheduled tribe group and therefore the R&R plan prepared will invariably have such components and recommendations that will meet the requirements characteristics of typical IPP. This RAP can thus be treated as treated as combined RAP and IPP document for the project.

3.3 Key gaps between LARR 2013 and JICA Guidelines

The following table summarizes key deviations between the two sets of legal and policy frameworks i.e. JICA policies and the existing Indian policies relevant to this project. The table also makes recommendations for measures to plug these gaps.

Table 3.3 Key Gaps between JICA and Indian Regulations

Sl. No.	JICA Guidelines (2010)	Provisions in LARR 2013 and NRRP	Provisions in Mizoram Act 2016	Gaps Between JICA's Guidelines and Indian Policies	Proposed Gap Filling Measures
1	Involuntary resettlement should be avoided wherever possible.	Stated aim to minimize large scale displacement. Encourages projects to be set up on waste land, degraded land, Un-irrigated land. (NRRP 2007, #1.4, Chap 1)	--	No	-
2	When population displacement is unavoidable, effective measures to minimize impact and to compensate for losses should be taken.	If unavoidable, Govt. to consider different alternatives to minimize displacement, total land acquired and total agricultural land acquired for non agricultural use (NRRP 2007, #1.4, Chap 1), LARR has provision for compensation for losses incurred.	Provisions for compensating loss are included.	No	-
3	People who must be settled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.	Provisions made for R&R benefits to all; but subject to condition that non titleholders must be residing or drawing livelihood in the affected area for a period not less than 3 years preceding date of declaration of the affected area. (NRRP, #3.1.b.iii)	Government will carry out social impact assessment to identify the scope of impact, which will inform the design of Rehabilitation Plan. Also, the Collector shall consider the impact of resettlement (change of residence or place of business) and provide reasonable expenses incidental to such change	Yes, Non titleholders need to be residing continuously or drawing livelihood from the affected area for a period not less than 3 years preceding the date of declaration. Both LARR and Mizoram Act are silent on compensation rights of Non Titleholders for loss of land (illegally occupied), structures. R&R benefits such as housing improvement, development benefits, loss of crops, trees, transitional support etc to be provided only if residing/ drawing livelihood for a continuous 3 year period in the area, preceding declaration of	Recognize claims of Non Title holders (as identified by census survey and irrespective of their residing period status) and in respect of – - Compensation for structures, trees - Structure transfer assistance - Structure reconstruction assistance - Shifting assistance for residential house owner - Tenant shifting allowance Assistance to be provided at par with similar R&R support extended to titleholder familiar

Sl. No.	JICA Guidelines (2010)	Provisions in LARR 2013 and NRRP	Provisions in Mizoram Act 2016	Gaps Between JICA's Guidelines and Indian Policies	Proposed Gap Filling Measures
				'affected area'	
4	Compensation must be based on the full replacement cost as much as possible	Compensation made on market rate as determined or recognized by state. Also, 100% of solatium is added to the final award.	Compensation made on market rate as determined by the Collector. Collector may add solatium to final compensation amount.	Yes, Market rate as calculated by government is usually far below the actual prevailing market rates. Solatium may serve as gap-filling tool, but in Mizo Act, the provision of solatium is not mandatory.	Compensation to be provided at full replacement cost based on prevailing market rates and additional allowances
5	Compensation and other kinds of assistance must be provided prior to displacement	Provisions exist in NRRP	--		-
6	For projects that entails large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public.	Requirement for RAP is mentioned subject to number of displaced exceeding 400 families in plains or 200 in hilly/tribal areas or Desert Development Programme (DDP) blocks.	--	Yes, numerical condition (400 in plain area, 200 in tribal, hilly or DDP blocks) attached. JICA requires RAP to be prepared for project involving large-scale resettlement.	Abbreviated RAP is prepared for this project.
7	In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance.	Specific mention provided in NRRP	--	No	-
8	When consultation held, explanation must be given in a form, manner, and language that are understandable to the affected people	Provision made	--	No	-
9	Appropriate participation of affected people must be promoted in planning,	Specified	Government carries out social impact assessment and prepares rehabilitation	No	-

Sl. No.	JICA Guidelines (2010)	Provisions in LARR 2013 and NRRP	Provisions in Mizoram Act 2016	Gaps Between JICA's Guidelines and Indian Policies	Proposed Gap Filling Measures
	implementation, and monitoring of resettlement action plans		program in consultation with community		
10	Appropriate and accessible grievance mechanisms must be established for the affected people and their communities	Specified	Process/procedures of lodging objection is specified	Yes, R&R Committee to be set up only if in the project area more 400 families (in plains) or 200 in tribal/hilly areas are to be displaced	<ul style="list-style-type: none"> - Two-tier GRM to be set up. - R&R implementing NGO/Consultant will be stationed in each project affected district and facilitate and inform PAHs about GRM and its processes.
11	Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socio-economic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advantage of such benefit.	Specified under NRRP for identification of all affected persons	--	No	-
12	Eligibility of benefits includes, the PAPs who have formal legal rights to land (including customary and traditional land rights recognized under Ia), the PAPs who do not have formal legal rights to land	Specified- R&R benefits to non titleholders provisioned by subject to them residing/ drawing livelihood for period not less than 3 years in the project affected area (from the date formal declaration)	--	Yes, Non titleholders if residing or drawing livelihood for a period less than 3 years are not eligible for R&R benefits	<ul style="list-style-type: none"> - All non-titleholders (as identified on the date of census survey) will also be eligible for R&R benefits

Sl. No.	JICA Guidelines (2010)	Provisions in LARR 2013 and NRRP	Provisions in Mizoram Act 2016	Gaps Between JICA's Guidelines and Indian Policies	Proposed Gap Filling Measures
	at the time of census but have a claim to such land or assets and the PAPs who have no recognizable legal right to the land they are occupying				
13	Preference should be given to land –based resettlement strategies for displaced persons whose livelihoods are land-based.	Specified	--	No	-
14	Provide support for the transition period (between displacement and livelihood restoration)	Specified	Specified	Yes, no such benefits provision for non titleholder residing/drawing livelihood for a period less than 3 years	- Transition benefits to be provided to all non titleholders (displaced and livelihoods impacted) who have been identified as per census survey.
15	Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc.	Mentioned for vulnerable groups as defined under NRRP. Specific mention of additional provisions for SC and ST community mentioned under #7.21 of the NRRP. Requirement of a separate tribal development plan to be prepared if number of tribal displaced families exceeds 200 families.	--	No	- Additional assistance will be provided to vulnerable groups as specified in A-RAP. -

Source: JICA Study Tea

CHAPTER 4 SOCIO-ECONOMIC PROFILE

4.1 Socio-Economic Profile of Mizoram and Project Area

4.1.1 People of Mizoram

The Mizos are broadly divided into 5 major tribes and 11 minor tribes. The 5 major tribes are Lushai, Ralte, Hmar, Paite and Pawi. Mizo is the official language and most widely used language for verbal interactions, but English being important for education, administration, formalities and governance, is also widely used. The Duhlian dialect, also known as the Lusei, was the first language of Mizoram and has come to be known as Mizo language. All the tribes still have their own unique dialects which are slightly different from the dominant Mizo (Duhlian), but they can understand each other without problems. As per 2011 census, total population of Mizoram is 1,097,206. Out of these, the number of male and female are 555,339 and 541,867 respectively. The Lushai tribes constituted the majority of the Mizo population. Population density of Mizoram is 52 per km². The literacy rate in Mizoram is 91.33 percent as per 2011 census. District-wise and Tribe-wise population of Mizoram is shown below. Two bypasses are located in Serchhip district, and one bypass is located in Lunglei and Lawngtlai district respectively (highlighted in below Table).

Table 4.1 District-wise Population and Literacy Rate

Bypass	District	Population			Density (per Km ²)	Literacy %
		Male	Female	Total		
	Mamit	44,567	41,190	85,757	28	60
	Kolasib	42,456	40,598	83,054	60	94.54
	Aizawl	201,072	202,982	404,054	113	98.50
	Champhai	63,299	62,071	125,370	39	93.51
BP1/BP2	Serchhip	32,824	32,051	64,875	46	98.76
BP3	Lunglei	79,252	74,842	154,094	34	89.40
BP4	Lawngtlai	60,379	57,065	117,444	46	66.41
	Saiha	28,490	27,876	56,366	40	88.41
	Total	552,339	538,675	1,091,014	52	91.85

Source: 2011 Census

Table 4.2 Composition of Various Mizo Tribes in the State

Tribe	Number	Percentage (%)
Lushai	646,117	77
Chakma	71,283	8.5
Pawi	42,230	5
Lakher	36,018	4.3
Any Kuki tribes	21,040	2.5
Hmar	18,155	2.2

Source: 2001 Census²

² 2001 Census is the latest data available as per-tribe population data is not included in 2011 Census.

The Mizo ancestors had no written language. The British missionaries, F.W. Savidge and J.H. Lorrain, created the Mizo alphabets based on the Roman scripts. The arrival of these two missionaries marked the formal origin of education in Mizoram. After only two and half months, Savidge started the first school on 1st April, 1894. They also prepared a Grammar and Dictionary of the Lushai language (Duhlian dialect) in 1898, which became the foundation of Mizo language. Today, Mizoram enjoys one of the highest rate of literacy in India, at 91.3%

The Mizo ancestors had no written language and were completely devoted to animism, worshipping all sorts of objects and natural phenomena. The British has to simply modernise them. The first missionary who came to Lushai hill was Rev. William Williams, a Welsh missionary for investigative visit for a week. On 11th January, 1894, F.W. Savidge and J.H. Lorrain arrived at Aizawl and this marked the origin of formal Christianity in Mizoram.

The majority of the Mizo people are Christian. The major Christian denominations are Presbyterian, Baptist, United Pentecostal Church, Roman Catholic, the Salvation Army, Congregational Church of India (Maraland), Seventh-day Adventist, among others. There are other religions like Buddhism, Hinduism, Muslim and Sikh. There are few people who practice Judaism claiming to be one of the lost Judaic tribe group Bnei Menashe and a modernized traditional Mizo religion called Hnam sakhua, which put a particular emphasis on Mizo culture and seeks to revive traditional Mizo values. There are also few tribal religions such as Lalchungkua, Lalhnam and Nunna Lalchungkua.

The Mizo celebrate many festivals among which the Chapchar kut and the Pawl kut are the most important. Chapchar kut is celebrated in the month of March and it is a spring festival. Pawl kut is a harvest festival celebrated in the months of December and January. They also celebrated Mim kut in the month of September. This festival is for the dead members of the family and they used to prepare foods for them. The Mizo people celebrated the festivals with many dances among which Cheraw is the most colorful dance. All the festivals are connected with agricultural activities.

4.1.2 Economy of Mizoram

The main occupation of the people is agriculture. About 80% of the population are agriculturist. Rice is the main crop of Mizoram and besides rice, maize, potato, ginger, tumeric, black pepper, chilies and a variety of fruits are grown. In Mizoram, the ownership of land is vested with the government, which issues periodic pattas to individual cultivators. The Village Council distributes the plots of land among the villagers for cultivation every year. The agricultural system practiced is of the primitive type of 'jhum' or 'slash and burn', a practice that has been regarded as detrimental to the top layer of the soil, rendering it to become loose and soft and susceptible to frequent soil erosion. The government is attempting to bring about a change to the practice of 'jhum' by introducing 'terrace cultivation' which is ideal for the hill slope. The main horticulture crops are fruit crops like Mandarin orange, banana, passion fruit, grapes, hatkora, pineapple, papaya, etc. and flowers like anthurium, bird of paradise,

orchid, rose and other subsidiary seasonal flowers. People have also started extensive cultivation of oil palm, medicinal and aromatic plants. Anthurium is being sent for sale to places to major cities like Kolkata, Delhi, Mumbai and Hyderabad. The arecanut fibre, which is plentiful in the state, is very good for making disposable plates and saucers

As per the data available, the Net State Domestic Product (NSDP) for the year 2012-13 was about Rs 7,556 Crores, and the Per Capita Income (PCI) during the same period was Rs. 63,413. It has also been observed that during the period 2004-05 to 2012-13 the economy of the state grew at a compound annual growth rate of 9.3%, with Primary Sector growing at 7.6%, Secondary Sector at 7.9% and the Tertiary Sector at 10.3%. During the same period the per capita income of the state grew at 6.8%. The sector-wise growth rates as well as the growth of PCI are summarized in Table 10.1.1.2.

Table 4.3 Economic Growth of Mizoram

Sector	CAGR (2004-05 to 2012-13)
Agriculture & Allied (Primary Sector)	7.64%
Industry (Secondary Sector)	7.87%
Services (Tertiary Sector))	10.30%
NSDP (Net State Domestic Product)	9.30%
PCI (Per Capita Income)	6.77%

Note: CAGR – Compound Annual Growth Rate

4.2 Socio-Economic Profile of Project Affected Household (PAH)

4.2.1 Approach and Methodology

Based on the preliminary alignment of four bypasses, a baseline survey targeting Project Affected Households (PAHs) was conducted in February 2016, and additional survey to identify land owners in a hilly area was carried out in July 2016. Training for the field surveyors and their advance site visit were conducted before the commencement of the field survey in order to avoid any confusion among the survey respondents. Upon the completion of the survey, the information gathered were entered into an excel datasheet for compilation and analysis, and the finding is presented below.

It is important to note, however, that the survey is based on the preliminary design and thus needs to be updated once the final ROW design is established. As such, the result is subject to change depending on the differences between the preliminary and final design, but effort has been made to include the maximum possible households which will be impacted by the current project design in the survey. Also, the accurate cadaster map in hilly and mountainous area is not available many part of the bypass areas. The survey made effort to ascertain land ownership status of PAHs through interaction with PAPs and government officials, but the survey results are entirely based on information provided by PAPs and as such, may not be accurate.

4.2.2 Demographic Characteristics

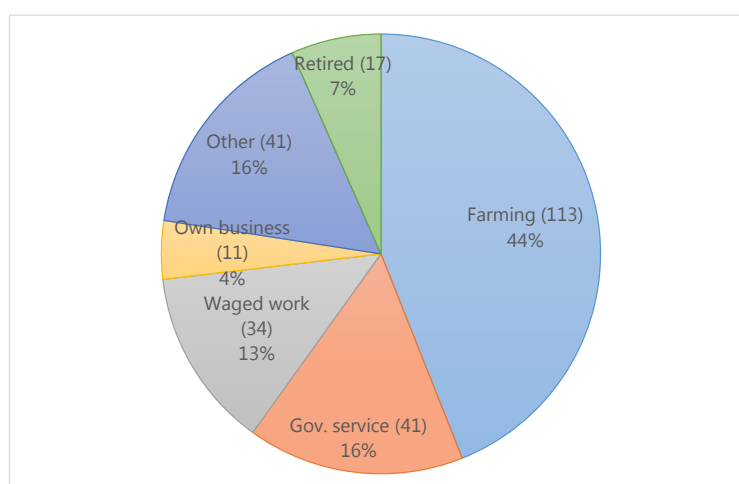
According to the baseline survey, the number of PAHs and PAPs to be affected by the by the project is 257 and 1,485 respectively. Out of these, 20 PAHs (133 PAPs) will be physically displaced, mostly in BP1. Table 4-4 shows the number of PAHs and PAPs for each bypass.

Table 4.4 Number of PAH and PAP per Bypass

Bypass	No. of PAH	No. of PAP
BP1: Chhiahtlang	49	303
BP2: Serchhip	120	700
BP3: Hnathial	77	410
BP4: Lawngtlai	11	72
Total	257	1,485

Overwhelming majority of PAHs are Mizo. Out of 257 PAHs, there are only four non-Mizo PAHs. They are Asamese in BP2 area and they are not going to be relocated. While there are different sub-tribes among Mizo, all of them, including four Asamese PAHs, speak Mizo. About 20% of PAHs are also fluent in English while most others can understand basic conversation. All 257 PAHs follow Christianity with Presbyterian being the most popular church.

Primary source of income of household heads is shown below. Farming is the most common primary income source followed by government sector.



Note: Other includes driver, carpenters etc.

Figure 4.1 Primary Income Source of PAH

Annual income of PAHs is shown below. It is important to note that the cash income may not reflect the real well-being of PAHs engaged in subsistence agriculture. The minimum and maximum income as reported by PAHs is Rs.4,000 and Rs.1,250,000 respectively.

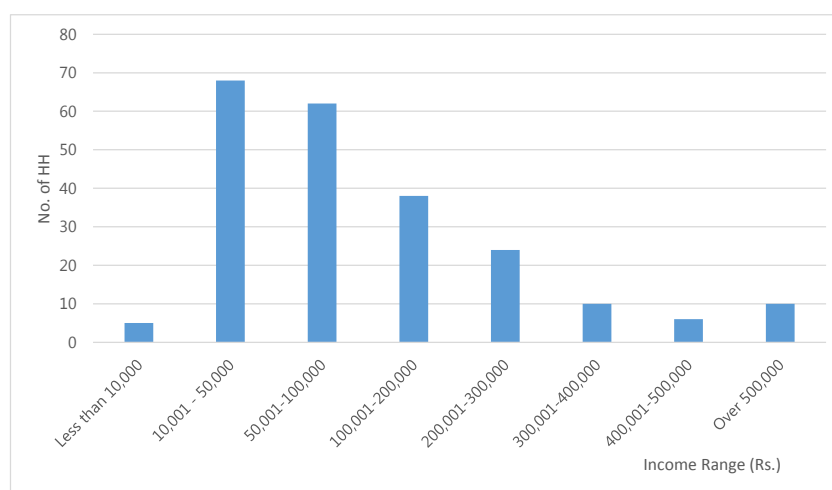


Figure 4.2 Annual Income of PAH

According to Reserve Bank of India, the share of the poor in Mizoram is 23% in rural area and 7.9% in urban area in 2012³. However, the survey found that about 30% or 78 PAHs consider themselves as BPL household, which may reflect their real coping capacity against negative impacts. The type and number of vulnerable PAH is shown below.

Table 4.5 Summary of Vulnerable PAH

Bypass	HH with disabled member	HH with orphan	Elderly with no immediate support member	HH with Widow	Women headed HH	Below Poverty Line ¹	Total ²
BP1	8	4	2	7	5	17	22
BP2	10	8	0	16	14	38	60
BP3	3	3	0	8	5	22	30
BP4	0	0	0	2	1	1	2
Total	21	15	2	33	25	78	114

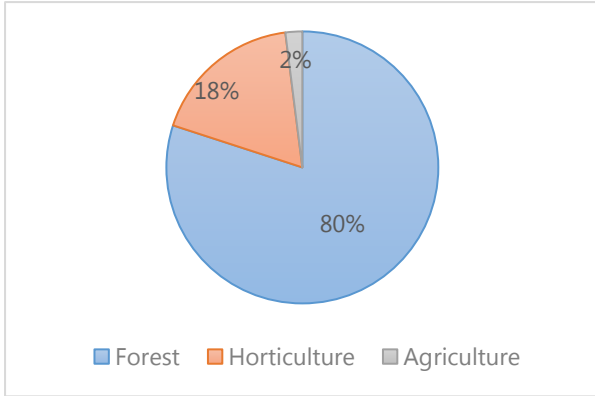
Note: 1. Self-reported figures without cross-checking with actual income data etc.

2. The total number of vulnerable households does not match to the sum of each category because several PAHs fall under more than one category.

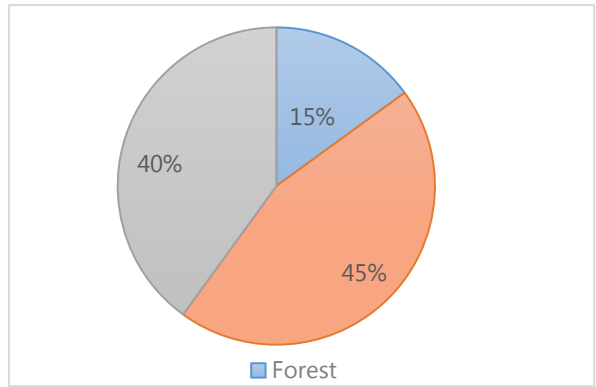
4.2.3 Land Use Pattern

Based on the interviews, field surveys and satellite imagery, land use patterns of proposed bypass ROW area has been estimated. While some variations exist among four bypasses, the areas are predominantly forest and jhum areas.

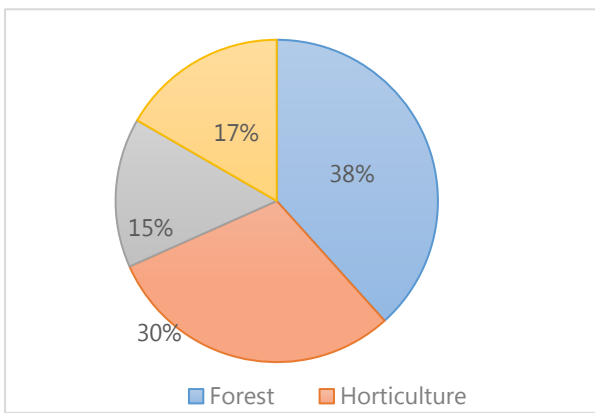
³ Number and Percentage of Population Below Poverty Line, Reserve Bank of India, Sep 16, 2013 (accessed August 11, 2015), <https://www.rbi.org.in/scripts/PublicationsView.aspx?id=15283>



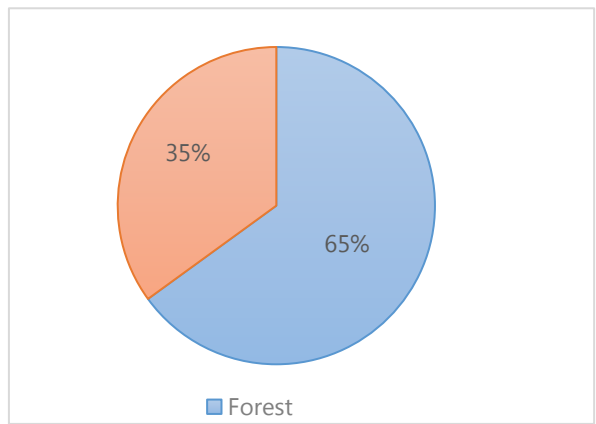
Land use pattern for BP1



Land use Pattern for BP2



Land use pattern for BP3



Land use Pattern for BP4

Figure 4.3 Land Use Pattern in Each Bypass

CHAPTER 5 COMPENSATION AND ASSISTANCE PACKAGE

5.1 Eligibility of Compensation and Assistance Package

Cut-off date (COD) is the day to determine eligibility for entitlement of compensation and/or assistance. Persons (or households) living or performing income generation activities inside the ROW on COD are eligible for compensation and/or assistance package. COD is normally the day that census begins according to World Bank Safeguard Policy OP 4.12. Based on this concept, COD for the NH54 Bypass was declared on February 16th, 2016, which is the first day of the social baseline survey. COD was announced to villagers who are likely to be affected by the project directly through interviews as well as informally through the notice at respective Village Council.

5.2 Contents of Assistance Package

While the project is expected to positively impact the area with better transport network, the project is also cause adverse social impacts in terms of loss of land assets, non-land assets, loss of livelihood, and impacts on common properties. Physical and economic displacement may bring life-change to PAPs to some extent, and such changes need to be restored at least to the pre-project level. In order to achieve this objective, PAH will be supported by a combination of: i) assistance for loss of assets and income sources (livelihoods), ii) assistance for vulnerable groups, and iii) Income Restoration Program (IRP) for applicable PAHs)

5.3 Entitlement Matrix

Entitlement matrix shows the following fields: i) type of loss, ii) entitled person, iii) unit of entitlement, and iv) entitlement in accordance with the nature of loss to restore economic and social livelihood of PAPs. The Entitlement Matrix has been developed in accordance with JICA Guideline and analysis of project impacts. The Entitlement Matrix recognizes and lists various types of losses associated with the project and provides the basic tools and guidelines for preparation of compensation and resettlement packages.

Table 5.1 Entitlement Matrix

Type of Loss	Occupant of Property	Unit of Entitlement	Entitlement	Details of Entitlement
Agricultural land	Titleholder	Household	Compensation at Replacement value and Assistance	<p>a) Cash compensation for the land at replacement cost, which will be determined by District Collector.</p> <p>b) If the compensation amount is less than the replacement cost mentioned above, the difference amount will be paid as Assistance.</p> <p>c) If the residual land is unviable for agriculture, PAPs shall have the following three options:</p> <ul style="list-style-type: none"> ● Compensation for affected land and continue on the remaining unaffected plot of land; or ● If eligible person surrenders the residual plot, then compensation and assistance given for the entire plot of land; or ● Replacement land, if so wished by eligible persons, subject to availability of land that is at least equally productive <p>d) Resettlement allowance of Rs. 50,000/- will be provided to those who do not get land for land, irrespective of the size of land.</p> <p>e) Subsistence Grant equivalent to Rs. 3000 (MAW: Minimum Agricultural Wage) per month for 6 months.</p> <p>f) In case of severance of cultivable land, an additional grant of 10% shall be paid over and above the amount paid for land acquisition.</p> <p>g) Four (4) months' notice to harvest standing crops shall be given. However, if notice cannot be given then compensation for these crops shall be paid at market value</p>
	Periodic Patta Holder/ Temporary Village Pass Holder		Assistance	<p>a) Replacement value of land as determined by District Collector shall be given to land owners/holders.</p> <p>b) Resettlement allowance of Rs. 50,000/- will be provided to those who do not get land for land, irrespective of the size of land.</p> <p>c) Subsistence grant equivalent to Rs. 3,000.00 per month (MAW) for 6 months.</p> <p>d) Four (4) months' notice to harvest standing crops shall be given. However, if notice cannot be given then compensation for these crops shall be paid at market value.</p>

Non- agricultural vacant land (Homestead, Commercial and others)	Titleholder	Household	Compensation for structure at Replacement Cost plus assistances	<p>a) Replacement cost for structure at latest Basic Schedule of Rates (BSR) without depreciation.</p> <p>b) Two (2) months' notice for removal of structure</p> <p>c) In case of partially affected structures and the remaining structure continues to be viable, in such case an additional assistance equivalent 25% of replacement cost will be paid towards repair/restoration of Structure</p> <p>d) Right to salvage materials from the demolished structure</p> <p>e) For the displaced eligible persons whose remaining structure is unviable, the following shall be payable</p> <ul style="list-style-type: none"> ● Subsistence grant of Rs. 3,000/- per month for a period of twelve (12) months from the date of displacement ● One time resettlement allowance of Rs.50,000/- ● Transportation cost of Rs. 50,000.00 for shifting family, building materials, domesticated animals etc. ● Lumpsum Assistance amount of Rs. 7,500/- for re-establishing other basic facilities such as electricity connection, water supply pipeline ● All fees, taxes and other registration charges incurred for the replacement structure
	Periodic Patta Holder/ Temporary Village Pass Holder			<p>For land</p> <ul style="list-style-type: none"> ● Subsistence grant equivalent to Rs. 3,000.00 per month of MAW for 6 months. ● Four (4) months' notice to harvest standing crops/trees shall be given. However, if notice cannot be given then compensation for these crops shall be paid at market value <p>For structure</p> <ul style="list-style-type: none"> ● Replacement cost for structure at latest Basic Schedule of Rates (BSR) without depreciation with a minimum of Rs. 1,50,000.00 ● Two (2) months' notice for removal of structure ● Right to salvage materials ● Lump sum Transportation cost of Rs.50,000
Loss of Plants/Trees	Owner/Occupant	Household	Compensation	Revenue Department or Special Committee to determine the current cost. For perennial fruit bearing trees such as Pineapples, Jackfruits, etc.), average productivity of such trees will be taken as 20 years.

Loss of Cattle shed, poultry shed or any other shed for domestic animals	Owner/Occupant	Household	Compensation	Rs. 600 per m ² for Thatched roof and Rs. 1000 per m ² for GCI sheet roof (to be paid as per revised/latest available updated basic schedule of rates for buildings). In case of non-revision, 10% premium per year will be added to the latest rate available.
Loss of residence/ commercial unit	Tenant	Household	Assistance	<ul style="list-style-type: none"> a) The amount of deposit or advance paid by the tenant to the landlord or the remaining amount at the time of expropriation (this will be deducted from the payment to the landlord) b) Subsistence grant of Rs. 3,000/- per month for a period of twelve (12) months from the date of displacement c) Lump sum shifting allowance of Rs. 15000/-
Loss of kiosk	Owner/occupant	Household	Assistance	<ul style="list-style-type: none"> a) Lump sum shifting allowance of Rs. 7500/- b) Right to salvage materials from the existing structure
Loss of employment	Wage earner	Household	Assistance	<ul style="list-style-type: none"> a) Economic Rehabilitation Grant equivalent to twenty-five (25) days of Minimum Agricultural Wages (MAW) per month for a period of three months. b) Priority work opportunities in the project construction work c) Rs. 20,000/- towards vocational/skill improvement as per choice.
Loss of Livelihood (losing commercial unit, losing agricultural land and with balance land below MEH)	Titleholder/ Periodic Patta holder/ Village Pass holder	Household	Assistance	<ul style="list-style-type: none"> a) Priority work opportunities in the project construction works. b) Rs. 20,000/- towards vocational/skill improvement as per choice. The amount will cover daily stipend equivalent to MAW for the duration of training and shall also cover costs towards boarding, lodging, transportation, etc.
Additional support to vulnerable groups	Titleholder/ Periodic Patta holder/ Village Pass holder	Household	Assistance	One time additional financial assistance of Rs. 25,000/- as Economic Rehabilitation Grant towards income generation
Loss of Jhum /Fallow land)	Village	Village	Compensation at 'replacement value'	Replacement value for the common property transferred/acquired shall be paid to Village Council and the amount will be utilized through participatory planning by the villagers within 6 months from date of release of payment. PIU shall monitor its utilization

Loss of Common Property Resources	Village	Village	Enhancement of community resources	Replacement /Restoration or augmentation of existing infrastructure and provision of additional infrastructure facilities based on identified need
Loss of Access	Village	Village	Alternate access	Provision of access path(s), steps, footpaths at identified locations in consultations with community
Temporary and unforeseen impacts.	Affected entity	Household	Mitigation measures in line with principles of resettlement policy framework	Unforeseen and temporary impacts during construction will be documented and dealt with on case by case basis through the GRM in accordance with the principles laid down in the resettlement policy framework

Source: JICA Study Team

CHAPTER 6 REHABILITATION PLAN

The socioeconomic survey of the PAPs (see details in Chapter 4) indicates that the main sources of income in the project influence area are agriculture and small business enterprises. The population has limited capacity to benefit from the livelihood opportunities created under the development projects or any government sponsored program. One of the key principles of the RAP is to ensure that the livelihood of PAPs will be improved, or at least restored compared with the pre-project level. The project will provide income restoration opportunities by way of skills development training and linkage with the ongoing government schemes for this purpose. The rehabilitation plan will therefore aim to support PAPs to regain their previous living standards by creating income generation opportunities as well as improving PAPs capacity to benefit from various economic opportunities developed by the project. The rehabilitation plan will be developed and implemented by the state government in the course of this project and the details of the plan should be tailored with inputs from stakeholders in the later stage of the project, but three options are presented below for considerations. Keeping JICA and World Bank policies in perspective, their guidelines and principles are proposed for inclusion to the rehabilitation plan.

Support for Expanding Plantation

Horticulture and plantation are common livelihood activity in bypass areas. Insufficient supply of saplings and/or lack of quality thereof is a barrier for initiative towards better methods of farming. Productivity and income generation potential of horticulture and plantations in project area can be enhanced through supply of quality saplings.

Shared Market Place

While the new bypass (and road widening and improvement of NH54) is expected to facilitate trade across borders, these roads also may have the potential to boost local level trade and improving linkages of the villages in the interiors with the local and regional markets. At the same time, relocation is likely to cause negative impact on households who have benefited from the near-road location suitable for business. It is recommended that project creates benefit sharing arrangements with communities along the project roads and build capacity for increasing the production and trade potential, for example, through improvement and/or construction of common market place in a convenient location, for example where the bypass intersects with NH54 where community members can buy and sell agricultural goods and engage in small businesses.

Backyard Poultry

Many households rear chicken for their own consumption but rarely doing it commercially. Small marketing effort may work to the benefit of the producer.

CHAPTER 7 GENDER

7.1 Potential Project Impacts on Women

Notwithstanding the social and economic changes such as urbanization, globalization and education that have permeated the societies of the region in last few decades, tribal and non-tribal women in North East States enjoy a relatively higher position in the society than what their non-tribal counterparts do. Mizo women are largely involved in household work, collection of forest produce, firewood collection, cultivation and other agricultural activities. They use the road for their routine activities and economic activities such as agriculture and marketing horticulture products. Hence the positive benefits ensuing from the availability of all-weather roads shall be safer connectivity and better transport services, which will ease the burden of their routine water and firewood collection. Enhanced mobility will also bring about positive impacts in terms of better access to social services, higher levels of schooling and better health facility.

On the other hand, this project is likely to have different impact on women and other vulnerable groups. For example, changes caused by relocation would not have equal implications for members of both sexes and may result in greater inconvenience to women. Due to disturbance in production systems, reduction in assets like land and livestock, women and marginalized and vulnerable groups may have to face additional challenge of running a household on limited income and resources. This may force women as well as children to participate in involuntary work to supplement household income, which may also lead to deteriorate social network of women and men alike hence making them more vulnerable to both social and environmental hazards. Given high share of women-headed households in the affected community, it is of great importance to assess potential impacts on women and accordingly, design an appropriate strategy.

7.2 Women Involvement in Project Preparation and Implementation

Participation of women has been expected in various stages of the project, specifically in the following areas:

- Each field team of the RAP & Rehabilitation Plan Implementation Agency will include at least one women investigator/facilitator
- The project implementation unit ensures that the women are consulted and invited to participate in activities to ensure that they have equal access and control over the resource as part of the RAP
- The RAP Implementation Agency will make sure that women are actually taking part in issuance of identity cards, opening accounts in the bank, receiving compensation amounts in their name.
- Assurances would be provided to women as a vulnerable group in creating alternative livelihood for them to ensure their sustainable socio-economic improvement. This include support to existing women self-help organization in the project area.

- During monitoring and evaluation, women would be encouraged to evaluate the project outputs from their point of view and their useful suggestions would be noted for taking necessary actions.

7.3 Involvement of Women in Construction Activities

The requirement of unskilled labor forces will be met from the project area during construction work. Employment in road construction works will be taken by both men and women, and majority of them will be commuting from their home. In case women members of the skilled and semi-skilled laborers will be staying in the construction camps, necessary provisions should be made to avoid sexual violence and harassment and ensure the welfare of women and their children. Also, women shall have preferential access to specific types of project-related job opportunities, including light-duty work and part-time jobs that do not interfere with women's responsibility at home.

7.4 Measures for Controlling STD and HIV/AIDS

One of the unintended consequences of any road construction project is that it also provides ample opportunities for a closer inter-phase of mobile population with the local community as most transport and infrastructure projects attract migrant and unskilled labor to project sites. These road construction workers, mostly men, are separated from their partners and families for prolonged periods of time, increasing their susceptibility to engage in risk behaviors. This could potentially lead to interactions between the existing groups practicing high-risk behaviors and the road sector workforce.

In addition, there are also probability that the construction work could potentially increases risk of HIV among road sector workers and communities along the roadways. Local organizations including Truck Owners Associations shall be involved in generating awareness among workers and communities along the roadways to intervene early and prevent further spread of STD and HIV/AIDS in the area.

CHAPTER 8 STAKEHOLDER CONSULTATION

Stakeholder consultation is an important method of involving various stakeholders particularly, local community with reference to the proposed development initiatives. Consultations provide a platform to participants to express their views, concerns and apprehensions that might affect them positively or negatively. This process is of particular importance for this project given the high ST share among the affected population. The World Bank OP 4.10 on Indigenous Peoples emphasizes “a process of free, prior, and informed consultation (FPIC) with the affected Indigenous People’s communities at each stage of the project, and particularly during project preparation, to fully identify their views and ascertain their broad community support for the project.” Consultations for this project adopted the following framework to ensure a process of FPIC.

- a) Conduct appropriate gender and inter-generationally inclusive consultations with the Project Affected Peoples’ communities, the Affected Peoples' Organizations (village council, women's groups, etc.), and other local civil society organizations (NGOs) identified by the Affected Peoples' communities;
- b) Use consultation methods appropriate to the social and cultural values of the Affected Peoples’ communities and their local conditions (including using local languages, allowing time for consensus building, and selecting appropriate venues) and give special attention to the concerns of women and their access to development opportunities and benefits; and
- c) Provide the Affected Peoples’ communities with all relevant information about the project (including an assessment of potential adverse effects of the project) in a culturally appropriate manner.

The purpose of consultations was to inform people about the project, take note of their issues, concerns and preferences, and allow them to make meaningful choices. It ensured participation of potential project affected persons (PAPs), local community and other stakeholders. People in general were informed in advance through invitation letter and phone calls, and allowed to participate in a free and fair manner. During these consultations, PAPs were informed about the project, likely scale of resettlement, its resettlement policy, including compensation based on full replacement cost, resettlement assistance, schedule, and grievance mechanism. Consultations provided meaningful contributions with regard to appropriate compensation, sufficient allowance for resettlement, livelihood restoration, reducing adverse impacts, address safety issues, etc. Most stakeholders expressed their needs for compensation at a full replacement cost and some stakeholders expressed their concerns regarding assistance for relocation; however, no objections were raised concerning the implementation of the project and to compensations based on replacement cost during both stakeholder consultations and door-to-door census surveys. The following sections present details of the consultations.

8.1 Schedule and Attendance of Consultation Meetings

The schedule and attendance of 1st round of consultation meetings are shown below.

Table 8.1 Schedule and Attendance of 1st Round of Consultation

Bypass	Date	No. of Attendees		
		M	F	Total
BP1	26 February 2016	30	10	40
BP2	24 February 2016	14	1	15
BP3	23 February 2016	68	14	82
BP4	22 February 2016	39	6	45
Total		151	31	182

The 2nd round of consultation meetings were organized meetings per Village Council in response to the request from the community so that participants can discuss issues thoroughly. Hence, a total of nine consultation meetings were held. In addition, additional briefing sessions targeting two Village Councils in BP2 area were held on July 23rd and 25th for those who have missed the official consultation meetings. The two meetings were attended by 12 and 17 people respectively.

Table 8.2 Schedule and Attendance of 2nd Round of Consultation

Bypass	Date	Target VC	No. of Attendees		
			M	F	Total
BP1	12 July 2016	Chhiathlang VC,	45	16	61
BP2	11 July 2016	New Serchhip 'North' and 'South'	51	15	66
	11 July 2016	New Serchhip, 'P&E'	21	5	26
	12 July 2016	New Serchhip, 'Thianga' VC VII, VC II, 'Court'	13	13	26
BP2 Total			85	33	118
BP3	8 July 2016	Peniel VC	42	7	49
	9 July 2016	Hnathiel N 1	28	7	35
	13 July 2016	Hnathiel N 2, 'Court'	13	3	16
BP3 Total			83	17	100
BP4	6 July 2016	Lawngtlai VC, College Veng	8	2	10
	7 July 2016	Lawngtlai VC, Chanmary	13	2	15
BP4 Total			21	4	25
Overall Total			234	70	304

Source: JICA Study Team

8.2 Key Concerns and Opinions Raised During Consultation Meetings

During the consultation meetings, the preliminary alignment was presented with participants and it was explained that the proposed bypass is in response to the request from the community who would like to have a new bypass rather than widening of the existing road during consultation meetings held in 2015. Also, they were informed of the activities related to land acquisition and resettlement, including social impact assessment to be carried out by the Government of Mizoram and proposed compensation and assistance package and Grievance Redress Mechanism. Major concerns and comments raised during the meetings and responses from NHIDCL and relevant government officers such as Revenue Department are summarized below. In the table, issues/comments specific to a

particular bypass is marked in bracket.

At the end of the meeting, PAHs (for all four bypasses) expressed their support to the project and demanded that the project be implemented as soon as possible. Some reminded that fair and timely payment of compensation will be crucial for smooth and successful implementation of the project.

Table 8.3 Summary of Consultation Meetings

Bypass	Key Concerns/Comments	Responses
BP1: Chhiahtlang	<p><i>General issues</i></p> <ul style="list-style-type: none"> • While appreciating the new bypass project, participants requested that the alignment be finalized as soon as possible because they may need to adjust their plan for renovating their current house or constructing a new agricultural hut. • Village Council members suggested that vegetation be cleared so that villagers can clearly see the proposed alignment in hilly area. • YMA representative highlighted the need for adequate awareness generation among people. He also cautioned against unwanted political and bureaucratic hurdles/ vested interest that sometimes come in the way of development projects. He therefore suggested the project proponents to work towards earning goodwill and trust among people for this project. <p><i>Land Acquisition and Resettlement</i></p> <ul style="list-style-type: none"> • PAHs requested that compensation to be paid in cash and in advance the start of the project implementation. • PAHs shared their experience in Multi-Modal Project in which the amount of compensation was not fair and the payment was delayed or not paid in full (BP4) • An ex Mizoram Legislative Assembly member expressed his concerns about corruption that may hit the quality aspects of the project though the project in itself is about the good of people. Similar sentiments were expressed by some other participants as well, mainly identifying state administration for this practice. 	<ul style="list-style-type: none"> • A satellite imagery with proposed alignment was presented at the meeting, and participants were assured that the final alignment will be shared with them as soon as they are ready. Also, social impact assessment will be carried out by the Government of Mizoram so that their views and concerns can be incorporated in the final design, if necessary. • Clearance of vegetation and forest will be done after forest clearance permit is obtained. Also, reforestation will be carried out to offset the loss of forest. • Iterative consultations will be carried out in the course of project preparation and implementation so that the people's voices can be incorporated in the project implementation. • The compensation at replacement cost will be disbursed before the construction activity begins, as per the provisions in JICA Guidelines. • Internal and external monitoring will be carried out to ensure the project is implemented properly.

	<ul style="list-style-type: none"> • A PAP asked why the valley side of the community road is planned to be widened for the bypass (BP1). • Some participants said they were approached by a “broker” who pretend to serve as a negotiator between PAHs and NHIDCL 	<ul style="list-style-type: none"> • The alignment is proposed based on the technical feasibility, volume of spoil soil and the scale of involuntary resettlement. • PAHs were reminded not to negotiate with such middleman, as all project related activities will be done directly by NHIDCL and/or Government of Mizoram. If there is questions, PAHs were advised to contact with District Settlement officers.
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Source: JICA Study Team

CHAPTER 9 INSTITUTIONAL ARRANGEMENT

As per Indian regulatory framework, activities related to resettlement and rehabilitation will be carried out by the State Government. Given the autonomous characteristics of Mizoram and its District, however, it is proposed that the district as well as village council and traditional village leaders also play a major role in implementing RAP. NHIDCL established an office in Aizawl, which is expected to serve as a project office (Project Implementation Unit: PIU). A dedicated NHIDCL staff (or expert hired by NHIDCL) will work closely with State and district/village officials to ensure that implementation of RAP is in line with JICA Guidelines for Environmental and Social Considerations. Institutional arrangement includes provisions to strengthen the capacity of PIU with regard to land acquisition and implementation of RAP and management of other social issues. The project institutional arrangement is shown below.

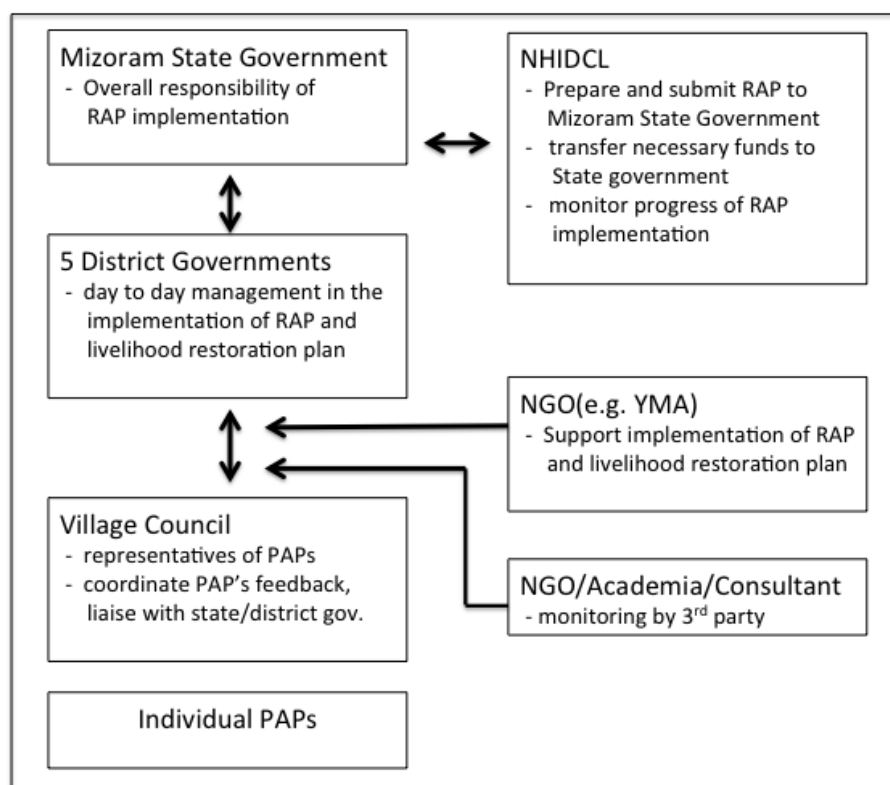


Figure 9.1 Institutional Arrangement for RAP Implementation

CHAPTER 10 GRIEVANCE REDRESS MECHANISM

The two-tier Grievance Redress Mechanism will be established for this project. The main objective is to provide a step-by-step process of registering and addressing the grievances with respect to land acquisition. It is expected that this mechanism will ensure redress of disputes through participative process. The mechanism and principles of GMS builds on the provisions laid out in the Right to Information Act, 2005 (see Box 10.1).

Box 10.1 The Right to Information Act, 2005

The Right to Information Act, 2005 provides for setting out the practical regime of right to information for citizens. Under the provisions of the Act, any citizen may request information from a "public authority" (a body of Government or "instrumentality of State") which is required to reply expeditiously or within thirty (30) days.

The Act also requires every public authority to computerize their records for wide dissemination and to proactively publish certain categories of information so that the citizens need minimum recourse to request for information formally. Thus under the Act, citizens have right to seek information from concerned agencies by following the set procedures.

Source: the Right to Information Act, 2005

The first tier of GRM takes place at village level and involves physical verification and certification upon receipt of any grievance such as inaccurate measurement of impacted asset, loss of access, damage to structures and/or crops during construction. The verification and certification will be carried out by the RAP implementation agency and/or members of Village Council in presence of PAPs who file the grievance, and appropriate documentation shall be done. Response would be provided to the concerned PAP within 7-10 days of receipt of grievance. Financial implications of any changes would be presented to the GRC for consideration and approval.

The second tier of resolution will be undertaken by the Grievance Redress Committee (GRC). A GRC will be formed by the Project Authority within one month from the date of mobilization of RAP implementation agency at site. The GRC will comprise Project Director, NHIDCL; Deputy Commissioner of three districts in which proposed bypasses are located; representatives of the concerned Village Council or his/her authorized representative, PAPs and RAP implementation agency. Grievances of PAPs in writing will be brought to GRC for redress by the RAP implementation agency. The RAP implementation agency will provide necessary assistance to PAPs in presenting his/her case before the GRC. The GRC will respond to the grievance within 7 days. The GRC will hold monthly meeting but may meet more frequently, depending upon the number and type of grievance. The decision of the GRC will not be binding to PAPs. In other words, decision of the GRC does not bar PAPs taking recourse to court of law. The flow of grievance redress mechanism is shown

below.

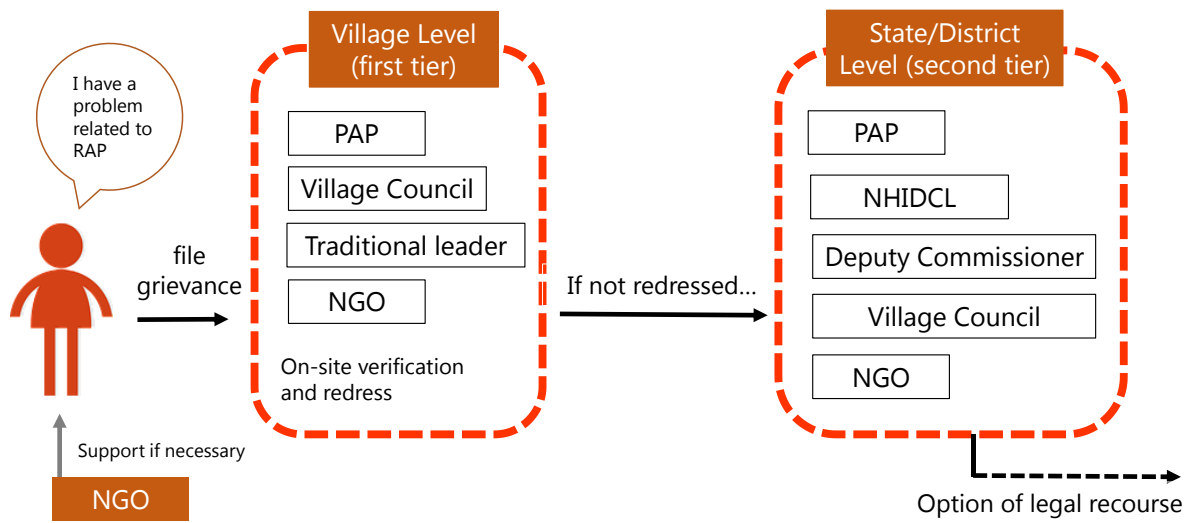


Figure 10.1 Grievance Redress Mechanism

CHAPTER 11 IMPLEMENTATION SCHEDULE

The implementation of RAP consists of following major activities:

- Deployment of required staffs (at PIU and village level);
- Information dissemination activities by holding consultations, distributing leaflets containing salient features of resettlement policy and entitlement matrix in Mizo language;
- Verify and update the list of PAPs and their status through Social Impact Assessment (as per Mizo Act 2016), list and measure all property and assets affected and their estimation;
- Preparation of Rehabilitation Plan (Income Restoration Plan) in consultation with PAHs and disbursement of R&R assistance, which may include preparation and distribution of identity card and opening of bank account;
- Relocation and rehabilitation of community property; and
- Preparation for relocation of PAPs

Considering the long rainy season prevalent in the project area, approximately a period of 5-6 months (May - October) is not available for construction works. The RAP implementation period is proposed to be 15, but this needs to be scheduled in a manner so that initial activities such as verification, measurement etc. can be completed during the dry period. Other activities such as approval, disbursement and other necessary documentation can be completed during the rainy season. RAP implementation activities to be carried and respective agencies to be involved in each activity are presented in Table 11.1.

Table 11.1 Provisional RAP Implementation Schedule

Year Quarter	2017				2018				2019	
	1	2	3	4	1	2	3	4	1	2
Preparation										
Completion of ROW drawings										
Hiring NGO/Consultant for RAP implementation		▲								
Verification and update RAP										
Preparation of Rehabilitation Plan			■	■						
Submission of revised RAP to JICA					■					
RAP budget approval from Central Government						■				
Disclosure of revised RAP										
Notice of land acquisition						▲				
Implementation										
Implementation of Rehabilitation Plan						■	■	■	■	■
Disbursement of compensation and assistance						■	■	■	■	■
Handover of acquired land										
Monitoring										
Half-yearly report				▲		▲		▲		
Completion report									▲	
Road Construction Civil Works										➔

Source: JICA Study Team

CHAPTER 12 MONITORING AND EVALUATION

12.1 Objective

Monitoring and evaluation are important activities of any infrastructure development project, and even more so for projects involving involuntary resettlement. It helps make suitable changes, if required during the course of RAP implementation and also to resolve problems faced by the PAPs. Monitoring is periodical checking of planned activities and provides midway inputs, facilitates changes, if necessary, and provides feedback to project authority for better management of the project activities. On the other hand, evaluation assesses the resettlement effectiveness, impact and sustainability. In other words, evaluation is an activity aimed at assessing whether the activities have actually achieved their intended goals and purposes. Thus monitoring and evaluation of RAP implementation are critical in order to measure the project performance and fulfillment of project objectives.

12.2 Monitoring Indicators

Indicators and benchmarks for achievement of the objectives proposed under the RAP report can be grouped into four categories as follows:

1. Proposed indicators – indicating project inputs, expenditures, staff deployment, etc.
2. Output indicators – indicating results in terms of numbers of project affected persons compensated and resettled, training held, credit disbursed, etc,
3. Impact indicators – related to the longer-term effect of the project on people's lives.
4. Complaints and Grievances received and resolved

The benchmarks and indicators are limited in number, and combine quantitative and qualitative types of data. The first two types of indicators, related to process and immediate outputs and results, will be monitored to inform project management about progress and results, and to adjust the work program where necessary. Process monitoring would enable the project authority to assess whether the due process are being followed or not, whereas performance monitoring would mainly relate to achievement in measurable terms against the set targets. Monitoring report will also provide necessary guidance and inputs for any changes, if required during the course of the implementation.

12.3 Monitoring and Evaluation Activities

In terms of the type of monitoring, the internal monitoring will be carried out by the PIU, PWD with assistance from RAP Implementation Agency. In addition, PIU will engage an External agency (third party) to undertake monitoring biannually and evaluations at the mid- and end-term for the project through field visits and all other necessary activities including consultations. Details of specific tasks to be carried out in each type of monitoring activities are discussed below.

12.3.1 Internal Monitoring

Objective

The objectives of internal monitoring are:

- ✓ To measure and report progress against the RAP schedule,
- ✓ To verify that agreed entitlements are delivered in full to affected people,
- ✓ To identify any problems, issues or cases of hardship resulting from the resettlement process, and to develop appropriate corrective actions, or where problems are systemic refer them to the management team,
- ✓ To monitor the effectiveness of the grievance system, and
- ✓ To periodically measure the satisfaction of project affected people.

Activities

The RAP identifies the following activities for the internal monitoring teams:

- ✓ Coordinate with the PIU, relevant state and district authorities, NGO and project affected communities to review and report progress against the RAP;
- ✓ Verify that land acquisition and compensation entitlements are being delivered in accordance with the RAP;
- ✓ Verify that agreed measures to restore or enhance livelihood are being implemented;
- ✓ Verify that agreed measures to restore or enhance livelihood are being implemented;
- ✓ Identify any problems, issues, or cases of hardship resulting from the resettlement process;
- ✓ Assess project affected peoples' satisfaction with resettlement outcomes through informal village head and household interviews;
- ✓ Collect records of grievances, follow-up that appropriate corrective actions have been undertaken and that outcomes are satisfactory;
- ✓ When required, assist with verification activities to support the expert panel; and
- ✓ Prepare brief quarterly progress and compliance reports for BTC Management and the Expert RAP Monitoring Panel.

Implementation

Internal monitoring teams activities might involve 30 percent of time in the office and 70 percent of time in the field. Typical office review activities will entail:

- ✓ Liaison with District Collector to collate up-to-date information on land acquisition progress such as agreement signing, compensation disbursement, RAP Funds milestones and disbursement, land areas under construction, land areas reinstated and the like;
- ✓ Review of grievance register and basic analysis of grievance types, numbers, and closures; and
- ✓ Report preparation.

Fieldwork activities will entail:

- ✓ Liaison with the village/block level representatives to gather information about progress, incidents, grievances and issues;
- ✓ Spot checking on complainants who had lodged grievances to verify outcomes of corrective actions;
- ✓ Conduct semi-structured interviews with a cross-section of affected households including vulnerable groups to verify receipt of entitlements, review effectiveness of measures, assess satisfaction with outcomes; and
- ✓ Conduct interviews with other key informants

12.3.2 External Monitoring Panel

Objective

- ✓ To assess overall compliance with the RAP;
- ✓ To verify that measures to restore or enhance project affected peoples' quality of life and livelihood are being implemented and to gauge their effectiveness; and
- ✓ To assess the extent to which the quality of life and livelihoods of affected communities have been restored.

Activities

- ✓ Review of internal monitoring procedures and reporting to ascertain whether these are being undertaken in compliance with the RAP;
- ✓ Review internal monitoring records as a basis for identifying any areas of non-compliance, any recurrent problems, or potentially disadvantaged groups or households;
- ✓ Review grievance records for evidence of significant non-compliance or recurrent poor performance in resettlement implementation;
- ✓ Discussions with NGO, DC, PIU and others involved in land acquisition, compensation disbursement or livelihood restoration to review progress and identify critical issues;
- ✓ Survey affected households and enterprises to gauge the extent to which project affected people's standards of living and livelihood have been restored or enhanced as a result of the project;
- ✓ Assess overall compliance with the RAP requirements and JICA Guidelines; and
- ✓ Prepare a summary compliance report for NHIDCL on resettlement progress, any issues arising and any necessary corrective actions.

Implementation

- ✓ The Expert Monitoring Panel would initially convene by teleconference or in person and discuss the review agenda, overall and district-by-district.

- ✓ Each Expert Monitoring Panel member would then travel to project site.
- ✓ In-site, a panel member would:
- ✓ spend 3-4 days in the project office reviewing internal monitoring reports, grievance registers, interviewing internal monitoring team members, project / government officers, NGOs as necessary to assess functioning of monitoring and grievance systems, assess progress against the RAP and identify issues arising;
- ✓ Brief/ prepare terms of reference for livelihood restoration verification surveys, when required; and
- ✓ Spend 7-10 days in field interviews with affected people, key informants, project field staff and the like.
- ✓ All panel members would then convene for 4-5 days to run through overall and district-level findings and develop key conclusions and recommendations.
- ✓ Panel members would return to home offices to draft and finalize the six monthly external monitoring report.

Based on the above, the assignment period for each expert monitoring panel member would be 30 days.

12.3.3 RAP Completion Audit

Objective

A key objective of the RAP is that resettlement actions and mitigation measures should lead to sustainable restoration or enhancement of affected peoples' pre-project living standards and income levels. At such time as affected peoples' quality of life and livelihood can be demonstrated to have been sustainably restored, the resettlement process can be deemed "complete".

Resettlement planning for the projects assumes that livelihood restoration of affected landowners will be complete when the productivity of agricultural land affected by construction has been fully restored, compensatory forestation for loss of forest is carried out, and community and social investment programs are well established. It is proposed that the resettlement completion audit be conducted by the Expert RAP Monitoring Panel 36 months following relocation or at such time as the Expert RAP Monitoring Panel determines affected peoples' living standards and income levels have been fully restored, whichever occurs earlier.

The summary of various monitoring and evaluation activities to be carried out on course of project implementation is summarized below.

Table 12.1 Summary of Monitoring Activity

Type	Frequency	Prepared by	For	Report Contents
Internal RAP Monitoring	Quarterly	PIU	NHIDCL/ State Government	10-15 page report (plus supporting documentation) summarizing progress against the RAP; outline of any issues and agreed related actions; summary schedule of grievance status; minutes of any stakeholder or affected people consultations or meetings
External Monitoring	Half-yearly	Expert Panel	NHIDCL/ State Government	25-35 page report (plus supporting documentation) summarizing assessment of progress towards living standard restoration, livelihood restoration; compliance of JICA Guidelines; discussions of any RAP issues of concern; identification of any areas of non-compliance and agreed corrective actions; and summary or resettlement status.
Completion Audit	One-off	Expert Panel	NHIDCL/ State Government	RAP Completion Audit to verify NHIDCL has complied with undertakings defined by the RAP and that land acquisition and compensation has been completed in accordance with JICA Guidelines

Source: JICA Study Team

CHAPTER 13 PROVISIONAL BUDGET

The resettlement budget comprise estimated value of compensation for land, structures, trees, various resettlement assistances, institutional cost, contingency, hiring of RAP implementation consultant/NGO, HIV/AIDS awareness generation, capacity building, external monitoring and evaluation consultant, among others. The total resettlement cost for the project road is estimated at about Rs. 3,889,710,000.

The resettlement and rehabilitation budget has been estimated based on the information, data collected from field and other secondary sources. The budget shall be updated and adjusted as per the market rate of various items as the project continues. The compensation amount for assets shall be determined by the land acquisition officer of the project to be hired for the implementation of RAP. The breakdown of budget for different components is provided in Table 13.1 below.

Table 13.1 Provisional Resettlement Budget

Item	Unit	Unit Cost	Quantity	Total (Rs)
I. Compensation				
Land	ha.	3,500,000	46	161,000,000
Structure	Sq. m	7,500	500	3,750,000
Common properties	No.	50,000	5	250,000
Crops compensation	No.			15,000,000
Sub-Total (I)				180,000,000
II. Allowance				
Moving allowance	Household	50,000	20	1,000,000
Subsistence allowance	Household	18,000	257	4,630,000
Assistance to vulnerable	Household	20,000	114	2,280,000
Training	Household	20,000	100	2,000,000
Sub-Total (II)				9,910,000
III. Implementation				
Expert fees	Lump sum			5,000,000
External monitoring	Lump sum			1,500,000
Information disclosure	Lump sum			500,000
Livelihood restoration	Lump sum			3,000,000
Sub-Total (III)				10,000,000
Sub-Total (I+II+III)				199,910,000
Contingency (10%)				1,9990,000
Total				219,900,000

* Land compensation includes solatium and other provisions in Mizoram Act as well as LARR 2013.