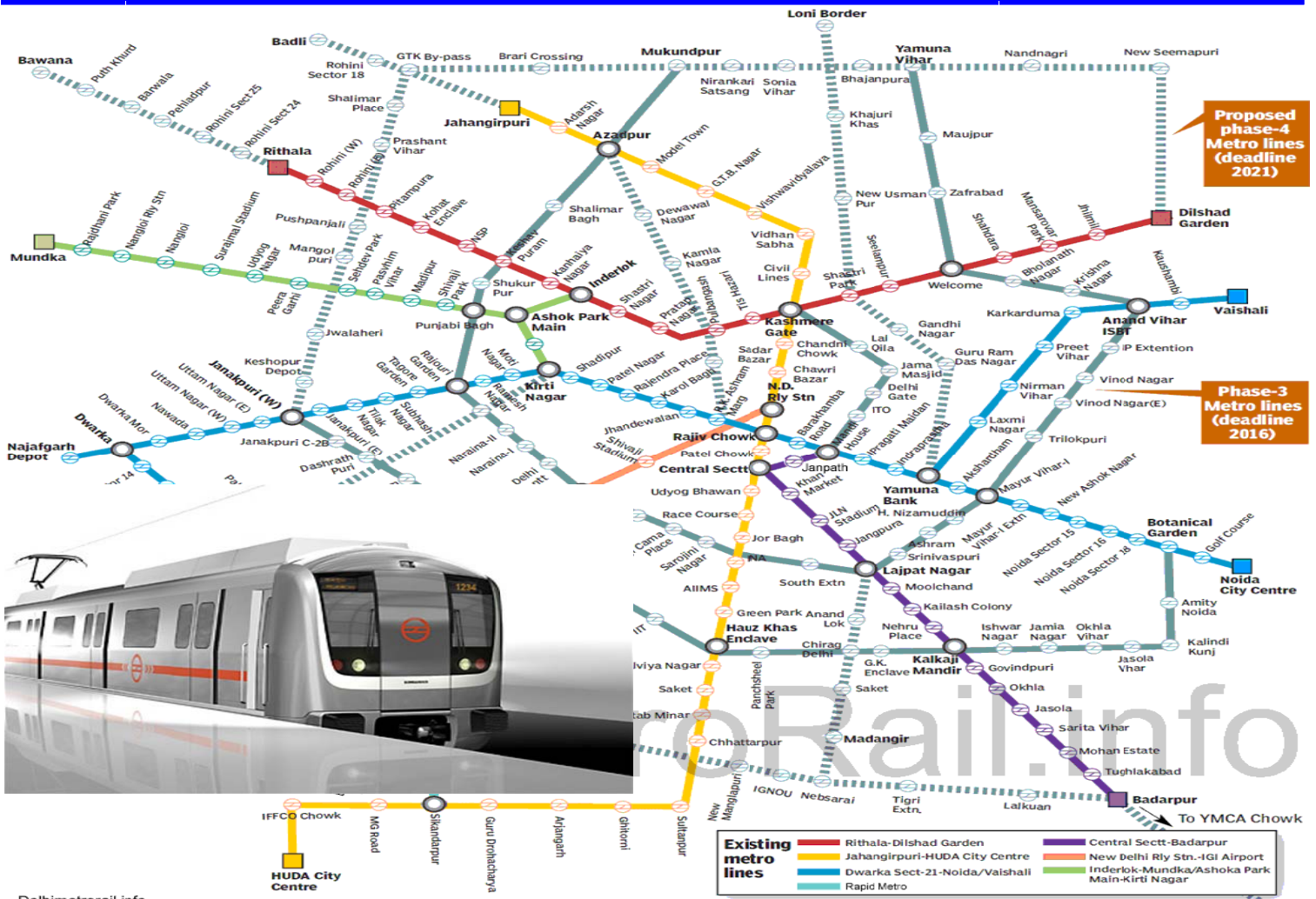




दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड
DELHI METRO RAIL CORPORATION LTD.

SOCIAL IMPACT ASSESSMENT FOR PHASE IV CORRIDORS OF DELHI METRO



Delhimetrorail.info



MITES LIMITED

(A Government of India Enterprise)
MITES Bhawan, Plot No.1, Sector-29
GURGAON-122001(INDIA)
www.rites.com

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GLOSSARY

Affected Area: such area as may be notified by the appropriate Government for the purposes of land acquisition;

Affected Family: includes –

- i. A family whose land or other immovable property has been acquired;
- ii. A family who does not own and land but a member or member of such family may be agricultural labourer, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans or who may be working in the affected area for three years prior to the acquisition of land, whose primary source of livelihood stand affected by the acquisition of land;
- iii. A member of a family who has been assigned land by The State Government or the Central Government under any of its schemes and such land is under acquisition;
- iv. A family residing on any land in the urban areas for preceding three years or more prior to the acquisition of land or whose primary source of livelihood for three years prior to the acquisition of land is affected by the acquisition of such land;

Family: includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him;

Provided that widows, divorcees and women deserted by families shall be considered separate families;

Explanation - An adult of either gender with or without spouse or children or dependents shall be considered as a separate family for the purposes of the act.

Affected persons: include families that do not own land but may be working in the affected area for three years prior to the acquisition, which would affect their primary source of livelihood.

Land owner: includes any person –

- i. Whose name is recorded as the owner of the land or building or part thereof, in the records of the authority concerned; or
- ii. Any person who is entitled to be granted Patta rights on the land under any law of the State including assigned lands; or
- iii. Any person who has been declared as such by an order of the court or Authority;

Displaced family: any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area;

Physical Displacement: loss of shelter and assets resulting from the acquisition of land associated with the proposed metro rail project that requires the affected person(s) to move to another location.

Economic Displacement: loss of income streams or means of livelihood resulting from land acquisition caused by the construction or operation of the Project or its associated facilities.

Market Value: the value of land determined in accordance with section 26 of the Act.

Notification: a notification published in the Gazette of India or as the case may be, the Gazette of a State and the expression “notify” shall be construed accordingly;

Resettlement Area: an area where the affected families who have been displaced as a result of land acquisition are resettled by the appropriate Government;

Cut-off-Date: date of Notification under Section 11(1) of the RTFCTLARRA, 2013 for those who have legal title; date of completion of census survey for non-titleholders.

Land Acquisition: acquisition of land under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or any other prevailing Government Orders;

Encroachers: those persons who have extended their building, business premises or work places or agriculture activities into government lands;

R & R Entitlements: the benefits awarded as per the Entitlement Matrix given in the SIA report and as subsequently approved by the Government.

Artisan: any skilled worker who is engaged in non-agricultural occupations (4.2, Unit 4, egyankosh.ac.in) for more than half his total working time (by similarity to definition of agricultural labourer as any worker who, for more than half his total working time, worked as an agricultural labourer ref. 4.6, Unit 4, egyankosh.ac.in). A person deriving more than 50 per cent of his income from village crafts like carpentry, blacksmithing, handloom, leather works etc. is rural artisan (Introduction, Report on Pilot Action Research Project on Forgotten Category Rural Artisans' Transformation into Rural Entrepreneurs, National Institute of Rural Development & Panchayati Raj (NIRDPR) Rajendranagar, Hyderabad, India, Dec. 2016). A worker who does not hold any land under the affected zone but who earns his livelihood principally as a rural artisan (Chapter III, Ministry of Rural Development, Department of Land Resources, National Policy on Resettlement and Rehabilitation for Project Affected Families-2003 Gazette of India, Extraordinary Part-I, Section 1, No- 46, dated 17th February, 2004). Urban crafts not defined.

Small Trader: one who is engaged in buying and selling of goods, engaged in skill/vocation such as carpentry (<https://legal-dictionary.thefreedictionary.com/trade>) whose turnover is less than threshold defined under tax law.

Squatters: those persons who have illegally occupied government lands for residential, business and or other purposes for a minimum of 3 years prior to 4(1) notification or 11(1) notification.

Tenants: those persons having bonafide tenancy agreements for three years prior to the acquisition of the land, with a property owner with clear property titles, to occupy a structure or land for residence, business or other purposes.

Vulnerable groups: persons such as differently able, widows, and women headed household, persons above sixty years of age, Scheduled Caste and Scheduled Tribes and other groups as may be specified by the State Government.

Women Headed Household: a family headed by a woman and does not have a male earning member. This woman may be a widowed, separated or deserted person.

ABBREVIATION

APL	: Above Poverty Line
ATP	: Auto Transformers Posts
AFC	: Automatic Fare Collection
AIDS	: Acquired Immunodeficiency Syndrome
BSES	: Baseline Socio-Economic Survey
BPL	: Below Poverty Line
CoD	: Cut-Off-Date
DMRC	: Delhi Metro Rail Corporation
DDC	: Detailed Design Construction
DTL	: Delhi Transco Limited
DMRS	: Delhi Metro Rail System
DPR	: Detailed Project Report
DDA	: Delhi Development Authority
DC	: District Collector
DUSIB	: Delhi Urban Shelter Improvement Board
ESMD	: Environmental & Social Management Division
EGoM	: Empowered Group of Ministers
FIRR	: Financial Internal Rate of Return
FGD	: Focus Group Discussion
GNCTD	: Government of National Capital Territory of Delhi
GRC	: Grievance Redress Committee
HIV	: Human Immunodeficiency Virus
IEA	: Independent Evaluation
IAY	: Indira Awas Yojana
ICCP	: Information and Community Consultation Programme
IMMRS	: Integrated Multi-Modal Mass Rapid System
JICA	: Japan International Cooperation Agency
LAC	: Land Acquisition Collector
L&B	: Land and Building Department
LIG	: Low Income Group
MRTS	: Mass Rapid Transit System
M&E	: Monitoring and Evaluation
MOUD	: Ministry of Urban Development
MIG	: Middle Income Group
MCD	: Municipal Corporation of Delhi
MSW	: Master in Social Work
NCT	: National Capital Territory
NCR	: National Capital Region
NTH	: Non-Title Holder
NGO	: Non-Governmental Organisation
OHE	: Over Head Equipment
OBC	: Other Backward Castes

OP	:Operational Policy
PIU	: Project Implementation Unit
PPP	:Public Private Partnership
PAF	: Project Affected Family
PAP	: Project Affected People
RITES	: Rail India Technical and Economic Services
ROW	: Right of Way
RAP	: Resettlement Action Plan
ROW	: Right of Way
RFCTLARR	:The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement
R&R	:Rehabilitation and Resettlement
SIA	: Social Impact Assessment
SC	: Scheduled Castes
ST	: Scheduled Tribes
SBE	: Small Business Entrepreneurs
STD	: Sexual Transmitted Disease
SMU	: Social Management Unit
SBE	: Small Business Enterprise
TBM	: Tunnel Boring Machine
TOR	: Term of Reference
TH	: Title Holder

CHAPTER-0

EXECUTIVE SUMMARY

0.1 THE PROJECT

With the fast expansion of urban area in the National Capital Territory (NCT) of Delhi the transportation network has also expanded with many new features. The mega cities with population of more than 10 million need to maintain their public transport system in view of the requirement of linkages between work place and residence, educational institutions and residence, trade and cultural centres and residence besides linkages with inter-city transportation terminals of rail, road and air.

The intra-city traffic volume in Delhi necessitated needs a full-fledged integrated multi modal mass rapid passenger system. In view of this, the then Delhi Government entrusted the task to RITES for conducting a Feasibility Study in 1990-91 for an 'Integrated Multi-Modal Mass Rapid System' (IMMMRS). The Feasibility Report submitted by RITES, a Govt agency, recommended a three-tier transport system comprising of Rail corridors (elevated & at-grade), Metro corridors (underground) and dedicated bus way. The recommended Metro network in the 'Revised Metro Master Plan for 2021', prepared by RITES, total to a length of 413.83 km and was slated for completion latest by the year 2021 in four phases. Accordingly, on the basis of traffic and transport studies conducted by the authorized agencies, various corridors had been identified in Phase-I, II & III of Delhi Metro Project. All the corridors of Phase-I and Phase-II are already fully operational and corridors of Phase-III, which are under construction, are targeted to be completely operational by March 2016. Total six corridors were considered for implementation as part of Phase-IV and the total length of these corridors comes to 103.93 km. In order to prepare Environmental and Social Impact Assessment studies for the proposed corridors, Delhi Metro Rail Corporation has commissioned the services of RITES.

0.1.1 Project Description

The total length of the proposed corridors is 103.93 km which include 37.01 km underground and 66.92 km elevated section having 79 metro stations along the route. There are six corridors.

Aero City-Tuglakabad Corridor: *This corridor originates from Aero City and run via Mahipal Pur, Vasant Kunj, Kishangarh, Lado Sarai, Saket, Ambedkar Nagar, Khanpur, Tigri, Anandmayee Marg Junction, Tuglakabad Railway Colony and ends at Tuglakabad. Total length of this corridor is 20.20 Km and is elevated for a length of 5.58 Km and underground for 14.62 Km. Total of 15 stations have been proposed consisting of 10*

stations as underground and 5 stations as elevated. **Lajpat Ngar To Saket G Block Corridor:** This corridor starts from Lajpat Nagar and runs via Andrews Ganj, GK-1, Chirag Delhi, Shek Sarai, Saket D Block and ends at the Saket G Block station. Total length of this corridor is 7.96 Km and is elevated/at grade for a length of 5.89 Km and underground for 2.07 Km. Total of 7 stations have been proposed consisting of one stations as underground, five stations as elevated and one station as at grade. **Inderlok To Indraprastha Corridor:** This corridor starts from Indorlok and runs via Sarai Rahila, Ajmal Khan Park, Nabi Karim, New Delhi Railway Station, LNJP Hospital, Delhi Gate, IG Stadium and ends at the Indraprastha station. Total length of this corridor is 12.58 Km and total corridor is underground. Total of 10 stations have been proposed. **Janakpuri West To Ram Krishna Ashram Marg Corridor:** This corridor is an extension of Kalindi Kunj-Janakpuri West Corridor of Phase-III of Delhi Metro. This corridor starts from Janakpuri West and terminates at Ram Krishna Ashram Marg where it has passenger interchange with existing Ram Krishna Ashram Marg Station of Line-3. Total length of this corridor is 28.92 Km and is elevated for a length of 21.18 Km and underground for 7.74 Km. Total of 25 stations have been proposed consisting of seven stations as underground and 18 stations as elevated. **Mukundpur - Maujpur Corridor (Via Burari, Khajuri Khas):** This corridor is an extension of Mukundpur- Rajouri Garden-INA- Nizamuddin- Anand Vihar - Maujpur Corridor of Phase-III of Delhi Metro. This corridor starts from Maujpur and terminates at Mukundpur station of Phase-III. Total length of this corridor is 12.54 Km and total length of this corridor is elevated. Total of six stations have been proposed. **Rithala – Bawana-Narela Corridor:** This corridor is an extension of Dilshad Garden-Rithala Corridor. This corridor starts from Rithala and terminates near in the Narela village. Total length of this elevated corridor is 21.73 Km. Total of 16 stations have been proposed.

As per the acquired experience, total work can be completed in 72 months period from date of start. The overall Capital Cost for the Delhi metro rail Phase-IV network at March 2014 price level works out to **Rs32,399 crore** including applicable Taxes & Duties.

0.1.2 Land Acquisition

Land is mainly required for route alignment of rail tracks, station buildings, platforms, entry/exit structures, traffic integration, car shed, power sub-stations, ventilation shafts, administrative buildings, property development and temporary construction depots and work sites etc. The project involves relocation of shops, commercial-cum-residential buildings and hutments along the proposed corridors. Compensation shall be paid accordingly, for relocation of shops, commercial-cum-residential buildings and hutments likely to be affected due to the proposed project. The project shall require the acquisition/transfer of 218.89 ha of land. Out of the total land, 210.2847 ha is government land including 66 ha for property development and 8.62 ha is private land. Out of the total government land, 182.6847 ha is for permanent use and 27.6 ha is identified for temporary use.

0.1.3 Objective of SIA and RAP

The present Social Impact Assessment (SIA) study is for the requirement of Detailed Project Report (DPR). It includes a preliminary Resettlement Action Plan (RAP). The objective of preparation of RAP is to improve quality of life of the affected persons, it is important to assess the changes brought about by the project. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 will be followed for land acquisition, rehabilitation and resettlement. Since Japan International for International Cooperation Agency (JICA) will finance the project, the JICA guidelines on Environmental and Social Consideration have been followed.

0.1.4 Study Approach and Methodology

The SIA which includes RAP has been prepared in accordance with the Right to Fair Compensation and Transparency in land acquisition, Rehabilitation and Resettlement Act, 2013 and JICA guidelines for Environmental and Social Consideration. The base line data have been collected from secondary sources such as the Census and the Statistical Hand Book and primary data have been collected through household survey conducted by RITES Social team during 2012-2013.

0.2 POTENTIAL RESETTLEMENT IMPACTS

The project will require acquisition of 218.89ha of land for construction of different components. 210.2847 ha of land is under government possession and remaining 8.62 ha of land is under private ownership. Total 504 structures will be affected out of which 282 are residential, 212 commercial. There are 611 affected families consisting 2783 persons. Out of the total families, 245 PAFs are titleholders and 366 are non-titleholders. About 10 other structures are likely to be affected which consist of four religious structures and five public toilets.

0.3 SOCIO-ECONOMIC PROFILE

The socio-economic survey results indicate that sex ratio is 831 female per 1000 males. Majority of the surveyed families are Hindu followed by Muslim. Majority of families speak Hindi as mother tongue. Majority of surveyed family members are married. Majority of families are found as nuclear. Majority of them have studied up to high school. Average family income is Rs.86628/- per month. Majority of surveyed persons are engaged in business.

0.4 POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

Compensation for land acquisition, resettlement and rehabilitation shall be considered as per Right to Fair Compensation and Transparency in land acquisition, Rehabilitation and Resettlement Act, 2013(RTFCTLARR Act) and JICA guidelines for environmental and social consideration. A Project Resettlement Policy has been prepared based on RTFCTLARR Act and JICA guidelines for environmental and social consideration. DMRC will use the Project Resettlement Policy (the Project Policy) for the proposed Phase-IV corridors. The Project Policy is aimed at filling-in any gaps in what local laws and regulations cannot provide in order to help and ensure that PAPs are able to rehabilitate themselves to at least their pre-project condition.

0.5 INSTITUTIONAL FRAMEWORK

The institutions to be involved in the process are (i) Delhi Metro Rail Corporation (DMRC),(ii) Land and Building Department, Govt. of NCT of Delhi,(iii) Office of the District Collector,(iv) Delhi Urban Shelter Improvement Board(DUSIB). DMRC is the executing and implementing agency for the proposed Phase-IV corridors in Delhi. DMRC will be overall in charge of rehabilitation and resettlement issues such as implementation, monitoring and execution of land acquisition and resettlement issues. The Social

Management Unit (SMU) of DMRC, will work closely with other staff of the DMRC and will be specifically looking after the social safeguards issues. The SMU shall ensure that all land acquisition issues are handled according to the LA policy/guidelines as it is laid down in this report. It will also monitor that all the procedural and legal issues involved in land acquisition are fulfilled. The SMU will assist the DMRC for getting all the necessary clearances and implementation of the resettlement activities prior to start of any civil work.

Grievances of PAPs will be first brought to the attention of SMU, DMRC. Grievances not redressed by SMU will be brought to the Grievance Redressal Committee (GRC). The composition of the proposed GRC will have Chief Engineer (General), CPM(Construction). The GRC will address only rehabilitation assistance issues. Grievances related to ownership rights and land compensation can be dealt in court as per RTFCTLARR Act 2013 and District Collector will be responsible for this.

0.5.1 Implementation Schedule

The implementation schedule for resettlement plan will be scheduled as per the overall project implementation. All activities related to the land acquisition and resettlement must be planned to ensure that 100% compensation is paid prior to displacement and commencement of civil works. The period for implementation of RAP has been taken as approx. two and half years. The R&R implementation schedule is subject to modification depending on the progress of the project activities. In the project preparation stage, identification of required land for acquisition, preparation and appraisal of detailed SIA report, public consultation shall be carried out. Activities like notification of land acquisition, evaluation of structure, R&R scheme, payment by competent authority, shifting of PAPs shall be taken up during RAP implementation. During monitoring and evaluation stage internal monitoring will be carried out by DMRC and mid and end term evaluation will be carried out by an independent evaluation agency.

0.6 PUBLIC CONSULTATION

Public consultations were conducted at 10 locations. Consultations cover various sections of affected persons such as traders, women, squatters, kiosks and other inhabitants. The numbers of participants in the consultations were approximately 110. During public consultations, issues related to land acquisition, compensation, income restoration, employment generation, safe mode of transportation, road accident information flow, grievance redressal, safety, role of administration etc. were discussed.

0.7 COST ESTIMATE FOR R&R

The budget is indicative and cost will be updated and adjusted to the inflation rate as the project continues and during implementation. The total cost of proposed Phase-IV corridors for resettlement and rehabilitation of project affected families would be INR 17.70 crore.

0.8 MONITORING AND EVALUATION

Implementation of resettlement action plan will be monitored by internally and evaluated by externally. DMRC will be responsible for internal monitoring whereas mid and end term evaluation will be conducted by independent evaluation consultant. The SMU of DMRC is responsible for supervision and implementation of the RAP and will prepare monthly progress reports on resettlement activities. Independent Evaluation Agency/Consultant will submit mid and end term evaluation report to DMRC and JICA

and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement.

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Affected Family: includes –

- i. A family whose land or other immovable property has been acquired;
- ii. A family who does not own and land but a member or member of such family may be agricultural labourer, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans or who may be working in the affected area for three years prior to the acquisition of land, whose primary source of livelihood stand affected by the acquisition of land;
- iii. A member of a family who has been assigned land by The State Government or the Central Government under any of its schemes and such land is under acquisition;
- iv. A family residing on any land in the urban areas for preceding three years or more prior to the acquisition of land or whose primary source of livelihood for three years prior to the acquisition of land is affected by the acquisition of such land;

Family: includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him;

Provided that widows, divorcees and women deserted by families shall be considered separate families;

Explanation - An adult of either gender with or without spouse or children or dependents shall be considered as a separate family for the purposes of the act.

Affected persons: include families that do not own land but may be working in the affected area for three years prior to the acquisition, which would affect their primary source of livelihood.

Land owner: includes any person –

- i. Whose name is recorded as the owner of the land or building or part thereof, in the records of the authority concerned; or
- ii. Any person who is entitled to be granted *Patta* rights on the land under any law of the State including assigned lands; or
- iii. Any person who has been declared as such by an order of the court or Authority;

Displaced family: any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area;

Physical Displacement: loss of shelter and assets resulting from the acquisition of land associated with the proposed metro rail project that requires the affected person(s) to move to another location.

Economic Displacement: loss of income streams or means of livelihood resulting from land acquisition caused by the construction or operation of the Project or its associated facilities.

Market Value: the value of land determined in accordance with section 26 of the Act.

Notification: a notification published in the Gazette of India or as the case may be, the Gazette of a State and the expression “notify” shall be construed accordingly;

Resettlement Area: an area where the affected families who have been displaced as a result of land acquisition are resettled by the appropriate Government;

Cut-off-Date: date of Notification under Section 11(1) of the RTFCTLARRA, 2013 for those who have legal title; date of completion of census survey for non-titleholders.

Land Acquisition: acquisition of land under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or any other prevailing Government Orders;

Encroachers: those persons who have extended their building, business premises or work places or agriculture activities into government lands;

R & R Entitlements: the benefits awarded as per the Entitlement Matrix given in the SIA report and as subsequently approved by the Government.

Artisan: any skilled worker who is engaged in non-agricultural occupations (4.2, Unit 4, egyankosh.ac.in) for more than half his total working time (by similarity to definition of agricultural labourer as any worker who, for more than half his total working time, worked as an agricultural labourer ref. 4.6, Unit 4, egyankosh.ac.in). A person deriving more than 50 per cent of his income from village crafts like carpentry, blacksmithing, handloom, leather works etc. is rural artisan (Introduction, Report on Pilot Action Research Project on Forgotten Category Rural Artisans’ Transformation into Rural Entrepreneurs, National Institute of Rural Development & Panchayati Raj (NIRDPR) Rajendranagar, Hyderabad, India, Dec. 2016). A worker who does not hold any land under the affected zone but who earns his livelihood principally as a rural artisan (Chapter III, Ministry of Rural Development, Department of Land Resources, National Policy on Resettlement and Rehabilitation for Project Affected Families-2003 Gazette of India, Extraordinary Part-I, Section 1, No- 46, dated 17th February, 2004). Urban crafts not defined.

Small Trader: one who is engaged in buying and selling of goods, engaged in skill/vocation such as carpentry (<https://legal-dictionary.thefreedictionary.com/trade>) whose turnover is less than threshold defined under tax law.

Squatters: those persons who have illegally occupied government lands for residential, business and or other purposes for a minimum of 3 years prior to 4(1) notification or 11(1) notification.

Tenants: those persons having bonafide tenancy agreements for three years prior to the acquisition of the land, with a property owner with clear property titles, to occupy a structure or land for residence, business or other purposes.

Vulnerable groups: persons such as differently able, widows, and women headed household, persons above sixty years of age, Scheduled Caste and Scheduled Tribes and other groups as may be specified by the State Government.

Women Headed Household: a family headed by a woman and does not have a male earning member. This woman may be a widowed, separated or deserted person.

ABBREVIATION

APL	: Above Poverty Line
ATP	: Auto Transformers Posts
AFC	: Automatic Fare Collection
AIDS	: Acquired Immunodeficiency Syndrome
BSES	: Baseline Socio-Economic Survey
BPL	: Below Poverty Line
CoD	: Cut-Off-Date
DMRC	: Delhi Metro Rail Corporation
DDC	: Detailed Design Construction
DTL	: Delhi Transco Limited
DMRS	: Delhi Metro Rail System
DPR	: Detailed Project Report
DDA	: Delhi Development Authority
DC	: District Collector
DUSIB	: Delhi Urban Shelter Improvement Board
ESMD	: Environmental & Social Management Division
EGoM	: Empowered Group of Ministers
FIRR	: Financial Internal Rate of Return
FGD	: Focus Group Discussion
GNCTD	: Government of National Capital Territory of Delhi
GRC	: Grievance Redress Committee
HIV	: Human Immunodeficiency Virus
IEA	: Independent Evaluation
IAY	: Indira Awas Yojana
ICCP	: Information and Community Consultation Programme
IMMMRS	: Integrated Multi-Modal Mass Rapid System
JICA	: Japan International Cooperation Agency
LAC	: Land Acquisition Collector
L&B	: Land and Building Department
LIG	: Low Income Group
MRTS	: Mass Rapid Transit System
M&E	: Monitoring and Evaluation
MOUD	: Ministry of Urban Development
MIG	: Middle Income Group
MCD	: Municipal Corporation of Delhi
MSW	: Master in Social Work
NCT	: National Capital Territory

NCR	: National Capital Region
NTH	: Non-Title Holder
NGO	: Non-Governmental Organisation
OHE	:Over Head Equipment
OBC	:Other Backward Castes
OP	:Operational Policy
PIU	: Project Implementation Unit
PPP	:Public Private Partnership
PAF	: Project Affected Family
PAP	: Project Affected People
RITES	: Rail India Technical and Economic Services
ROW	: Right of Way
RAP	: Resettlement Action Plan
ROW	: Right of Way
RFCTLARR	:The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement
R&R	:Rehabilitation and Resettlement
SIA	: Social Impact Assessment
SC	: Scheduled Castes
ST	: Scheduled Tribes
SBE	: Small Business Entrepreneurs
STD	: Sexual Transmitted Disease
SMU	: Social Management Unit
SBE	: Small Business Enterprise
TBM	: Tunnel Boring Machine
TOR	: Term of Reference
TH	: Title Holder

CHAPTER-0

EXECUTIVE SUMMARY

0.1 THE PROJECT

With the fast expansion of urban area in the National Capital Territory (NCT) of Delhi the transportation network has also expanded with many new features. The mega cities with population of more than 10 million need to maintain their public transport system in view of the requirement of linkages between work place and residence, educational institutions and residence, trade and cultural centres and residence besides linkages with inter-city transportation terminals of rail, road and air.

The intra-city traffic volume in Delhi necessitated needs a full-fledged integrated multi modal mass rapid passenger system. In view of this, the then Delhi Government entrusted the task to RITES for conducting a Feasibility Study in 1990-91 for an 'Integrated Multi-Modal Mass Rapid System' (IMMMRS). The Feasibility Report submitted by RITES, a Govt agency, recommended a three-tier transport system comprising of Rail corridors (elevated & at-grade), Metro corridors (underground) and dedicated bus way. The recommended Metro network in the 'Revised Metro Master Plan for 2021', prepared by RITES, total to a length of 413.83 km and was slated for completion latest by the year 2021 in four phases. Accordingly, on the basis of traffic and transport studies conducted by the authorized agencies, various corridors had been identified in Phase-I, II & III of Delhi Metro Project. All the corridors of Phase-I and Phase-II are already fully operational and corridors of Phase-III, which are under construction, are targeted to be completely operational by March 2016. Total six corridors were considered for implementation as part of Phase-IV and the total length of these corridors comes to 103.93 km. In order to prepare Environmental and Social Impact Assessment studies for the proposed corridors, Delhi Metro Rail Corporation has commissioned the services of RITES.

0.1.1 Project Description

The total length of the proposed corridors is 103.93 km which include 37.01 km underground and 66.92 km elevated section having 79 metro stations along the route. There are six corridors.

Aero City-Tuglakabad Corridor: *This corridor originates from Aero City and run via Mahipal Pur, Vsant Kunj, Kishangarh, Lado Sarai, Saket, Ambedkar Nagar, Khanpur, Tigri, Anandmayee Marg Junction, Tuglakabad Railway Colony and ends at Tuglakabad. Total length of this corridor is 20.20 Km and is elevated for a length of 5.58 Km and underground for 14.62 Km. Total of 15 stations have been proposed consisting of 10 stations as underground and 5 stations as elevated.* **Lajpat Ngar To**

Saket G Block Corridor: This corridor starts from Lajpat Nagar and runs via Andrews Ganj, GK-1, Chirag Delhi, Shek Sarai, Saket D Block and ends at the Saket G Block station. Total length of this corridor is 7.96 Km and is elevated/at grade for a length of 5.89 Km and underground for 2.07 Km. Total of 7 stations have been proposed consisting of one stations as underground, five stations as elevated and one station as at grade.

Inderlok To Indraprastha Corridor: This corridor starts from Indorlok and runs via Sarai Rahila, Ajmal Khan Park, Nabi Karim, New Delhi Railway Station, LNJP Hospital, Delhi Gate, IG Stadium and ends at the Indraprastha station. Total length of this corridor is 12.58 Km and total corridor is underground. Total of 10 stations have been proposed.

Janakpuri West To Ram Krishna Ashram Marg Corridor: This corridor is an extension of Kalindi Kunj-Janakpuri West Corridor of Phase-III of Delhi Metro. This corridor starts from Janakpuri West and terminates at Ram Krishna Ashram Marg where it has passenger interchange with existing Ram Krishna Ashram Marg Station of Line-3. Total length of this corridor is 28.92 Km and is elevated for a length of 21.18 Km and underground for 7.74 Km. Total of 25 stations have been proposed consisting of seven stations as underground and 18 stations as elevated.

Mukundpur - Maujpur Corridor (Via Burari, Khajuri Khas): This corridor is an extension of Mukundpur- Rajouri Garden-INA- Nizamuddin- Anand Vihar - Maujpur Corridor of Phase-III of Delhi Metro. This corridor starts from Maujpur and terminates at Mukundpur station of Phase-III. Total length of this corridor is 12.54 Km and total length of this corridor is elevated. Total of six stations have been proposed.

Rithala – Bawana-Narela Corridor: This corridor is an extension of Dilshad Garden-Rithala Corridor. This corridor starts from Rithala and terminates near in the Narela village. Total length of this elevated corridor is 21.73 Km. Total of 16 stations have been proposed.

As per the acquired experience, total work can be completed in 72 months period from date of start. The overall Capital Cost for the Delhi metro rail Phase-IV network at March 2014 price level works out to **Rs32,399 crore** including applicable Taxes & Duties.

0.1.2 Land Acquisition

Land is mainly required for route alignment of rail tracks, station buildings, platforms, entry/exit structures, traffic integration, car shed, power sub-stations, ventilation shafts, administrative buildings, property development and temporary construction depots and work sites etc. The project involves relocation of shops, commercial-cum-residential buildings and hutments along the proposed corridors. Compensation shall be paid accordingly, for relocation of shops, commercial-cum-residential buildings and hutments likely to be affected due to the proposed project. The project shall require the acquisition/transfer of 218.89 ha of land. Out of the total land, 210.2847 ha is government land including 66 ha for property development and 8.62 ha is private land. Out of the total government land, 182.6847 ha is for permanent use and 27.6 ha is identified for temporary use.

0.1.3 Objective of SIA and RAP

The present Social Impact Assessment (SIA) study is for the requirement of Detailed Project Report (DPR). It includes a preliminary Resettlement Action Plan (RAP). The objective of preparation of RAP is to improve quality of life of the affected persons, it is important to assess the changes brought about by the project. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 will be followed for land acquisition, rehabilitation and resettlement. Since Japan International for International Cooperation Agency (JICA) will finance the project, the JICA guidelines on Environmental and Social Consideration have been followed.

0.1.4 Study Approach and Methodology

The SIA which includes RAP has been prepared in accordance with the and Right to Fair Compensation and Transparency in land acquisition, Rehabilitation and Resettlement Act, 2013 and JICA guidelines for Environmental and Social Consideration. The base line data have been collected from secondary sources such as the Census and the Statistical Hand Book and primary data have been collected through household survey conducted by RITES Social team during 2012-2013.

0.2 POTENTIAL RESETTLEMENT IMPACTS

The project will require acquisition of 218.89ha of land for construction of different components. 210.2847 ha of land is under government possession and remaining 8.62 ha of land is under private ownership. Total 504 structures will be affected out of which 282 are residential, 212 commercial. There are 611 affected families consisting 2783 persons. Out of the total families, 245 PAFs are titleholders and 366 are non-titleholders. About 10 other structures are likely to be affected which consist of four religious structures and five public toilets.

0.3 SOCIO-ECONOMIC PROFILE

The socio-economic survey results indicate that sex ratio is 831 female per 1000 males. Majority of the surveyed families are Hindu followed by Muslim. Majority of families speak Hindi as mother tongue. Majority of surveyed family members are married. Majority of families are found as nuclear. Majority of them have studied up to high school. Average family income is Rs.86628/- per month. Majority of surveyed persons are engaged in business.

0.4 POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

Compensation for land acquisition, resettlement and rehabilitation shall be considered as per Right to Fair Compensation and Transparency in land acquisition, Rehabilitation and Resettlement Act, 2013(RFCTLARR Act) and JICA guidelines for

environmental and social consideration. A Project Resettlement Policy has been prepared based on RTFCTLARR Act and JICA guidelines for environmental and social consideration. DMRC will use the Project Resettlement Policy (the Project Policy) for the proposed Phase-IV corridors. The Project Policy is aimed at filling-in any gaps in what local laws and regulations cannot provide in order to help and ensure that PAPs are able to rehabilitate themselves to at least their pre-project condition.

0.5 INSTITUTIONAL FRAMEWORK

The institutions to be involved in the process are (i) Delhi Metro Rail Corporation (DMRC), (ii) Land and Building Department, Govt. of NCT of Delhi, (iii) Office of the District Collector, (iv) Delhi Urban Shelter Improvement Board (DUSIB). DMRC is the executing and implementing agency for the proposed Phase-IV corridors in Delhi. DMRC will be overall in charge of rehabilitation and resettlement issues such as implementation, monitoring and execution of land acquisition and resettlement issues. The Social Management Unit (SMU) of DMRC, will work closely with other staff of the DMRC and will be specifically looking after the social safeguards issues. The SMU shall ensure that all land acquisition issues are handled according to the LA policy/guidelines as it is laid down in this report. It will also monitor that all the procedural and legal issues involved in land acquisition are fulfilled. The SMU will assist the DMRC for getting all the necessary clearances and implementation of the resettlement activities prior to start of any civil work.

Grievances of PAPs will be first brought to the attention of SMU, DMRC. Grievances not redressed by SMU will be brought to the Grievance Redressal Committee (GRC). The composition of the proposed GRC will have Chief Engineer (General), CPM (Construction). The GRC will address only rehabilitation assistance issues. Grievances related to ownership rights and land compensation can be dealt in court as per RTFCTLARR Act 2013 and District Collector will be responsible for this.

0.5.1 Implementation Schedule

The implementation schedule for resettlement plan will be scheduled as per the overall project implementation. All activities related to the land acquisition and resettlement must be planned to ensure that 100% compensation is paid prior to displacement and commencement of civil works. The period for implementation of RAP has been taken as approx. two and half years. The R&R implementation schedule is subject to modification depending on the progress of the project activities. In the project preparation stage, identification of required land for acquisition, preparation and appraisal of detailed SIA report, public consultation shall be carried out. Activities like notification of land acquisition, evaluation of structure, R&R scheme, payment by competent authority, shifting of PAPs shall be taken up during RAP implementation. During monitoring and evaluation stage internal

monitoring will be carried out by DMRC and mid and end term evaluation will be carried out by an independent evaluation agency.

0.6 PUBLIC CONSULTATION

Public consultations were conducted at 10 locations. Consultations cover various sections of affected persons such as traders, women, squatters, kiosks and other inhabitants. The number of participants in the consultations were approximately 110. During public consultations, issues related to land acquisition, compensation, income restoration, employment generation, safe mode of transportation, road accident information flow, grievance redressal, safety, role of administration etc. were discussed.

0.7 COST ESTIMATE FOR R&R

*The budget is indicative and cost will be updated and adjusted to the inflation rate as the project continues and during implementation. The total cost of proposed Phase-IV corridors for resettlement and rehabilitation of project affected families would be **INR 17.70 crore**.*

0.8 MONITORING AND EVALUATION

Implementation of resettlement action plan will be monitored by internally and evaluated by externally. DMRC will be responsible for internal monitoring whereas mid and end term evaluation will be conducted by independent evaluation consultant. The SMU of DMRC is responsible for supervision and implementation of the RAP and will prepare monthly progress reports on resettlement activities. Independent Evaluation Agency/Consultant will submit mid and end term evaluation report to DMRC and JICA and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/enhanced and suggest suitable recommendations for improvement.

CHAPTER – 1

PROJECT DESCRIPTION

1.1 BACKGROUND

With the fast expansion of urban area in the National Capital Territory (NCT) of Delhi the transportation network has also expanded with many new features. The mega cities with population of more than 10 million need to maintain their public transport system in view of the requirement of linkages between work place and residence, educational institutions and residence, trade and cultural centres and residence besides linkages with inter-city transportation terminals of rail, road and air.

The intra-city traffic volume in Delhi necessitated needs a full-fledged integrated multi modal mass rapid passenger system. In view of this, the then Delhi Government entrusted the task to RITES for conducting a Feasibility Study in 1990-91 for an 'Integrated Multi-Modal Mass Rapid System' (IMMMRS). The Feasibility Report submitted by RITES, a Govt agency, recommended a three-tier transport system comprising of Rail corridors (elevated & at-grade), Metro corridors (underground) and dedicated bus way. The recommended Metro network in the 'Revised Metro Master Plan for 2021', prepared by RITES, total to a length of 413.83 km and was slated for completion latest by the year 2021 in four phases. Accordingly, on the basis of traffic and transport studies conducted by the authorized agencies, various corridors had been identified in Phase-I, II & III of Delhi Metro Project. All the corridors of Phase-I and Phase-II are already fully operational and corridors of Phase-III, which are under construction, are targeted to be completely operational by March 2016

1.1.1 Existing Metro System

Following are the corridors of Delhi Metro under Phase-I,II and also Phase-III under implementation.

First Phase of Delhi Metro Project

i)	Shahdara-Rithala	-	22.00 km
ii)	Vishwa Vidyalaya-Central Secretariat	-	11.00 km
iii)	Barakhamba Road-Dwarka	-	22.80 km
iv)	Barakhamba Road-Indraprastha	-	2.80 km
v)	Extension of Line-3 into Dwarka sub-city	-	6.50 km
	Sub-total (Phase-I)	-	65.10 km

Second Phase of Delhi Metro Project

i) Vishwa Vidyalaya-Jahangirpuri	-	6.36 km
ii) Central Secretariat-Qutab Minar	-	12.53 km
iii) Shahdra-Dilshad Garden	-	3.09 km
iv) Indraprastha-New Ashok Nagar	-	8.07 km
v) Yamuna Bank-Anand Vihar ISBT	-	6.17 km
vi) Kirti Nagar-Mundka (with operational Link to Line-1 at Inderlok)	-	18.46 km
vii) Dwarka Sec.9-Sec.21	-	2.76 km
viii) Qutub Minar-Arjan Garh (Delhi portion)	-	7.42 km
ix) Central Secretariat-Badarpur	-	20.01 km
x) Airport Link	-	19.20 km
xi) Dwarka Sec.21-Airport	-	3.50 km
Sub-total (Phase-II)	-	107.57 km

In addition, the following extensions of Delhi Metro Phase-II to National Capital Region (NCR) have also been implemented and already operational:-

(a) New Ashok Nagar-Noida City Centre	-	7.00 km
(b) Arjan Garh-Sushant Lok	-	7.05 km
(c) Anand Vihar ISBT-Vaishali	-	2.57 km
Sub-total	-	16.62 km

Third Phase of Delhi Metro Project (under implementation)

i) Jahangirpuri-Badli	-	4.49 km
ii) Central Secretariat-Kashmiri Gate	-	9.37 km
iii) Mukundpur- Yamuna Vihar	-	55.70 km
iv) Janakpuri-Kalindi Kunj	-	33.50 km
v) Shiv Vihar Extension	-	2.70 km
vi) Najafgarh Extension	-	5.50 km
Sub-total (Phase-III)	-	111.25 km

In addition, the following extensions of Delhi Metro corridors to NCR are also being implemented in phase III:-

(d) Faridabad Extension	-	13.88 km
(e) Mundka –Bahadurgarh	-	11.18 km
(f) Kalindikunj to Botanical garden	-	3.96 km

Total Phase-I, II, III & Extensions to NCR	-	329.56 km
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Even with Phase-III intended to be fully operational by March 2016, Delhi would still lag behind in terms of having adequate coverage by metro network to meet the transport requirements of its population. Hence the need to plan Phase IV has arisen. The total length for Phase-IV as approved by Delhi Government is approximately 116 Kms and is planned for implementation by 2021.

1.2 PROPOSED PHASE IV METRO CORRIDORS

While sanctioning Phase-III of Delhi Metro, Empowered Group of Ministers (EGoM) desired that the under mentioned corridors should be examined and brought to them for sanction :

1. Yamuna Vihar to Shiv Vihar
2. Dwarka to Najafgarh
3. Mundaka to Bahadurgarh
4. Rithala to Bawana
5. Sec-21 Dwarka to IFFCO Chowk
6. Shiv Vihar to Mukundpur (modified as Maujpur to Mukundpur)
7. Bawana to Rithala

In addition to above, DMRC was also directed to come up with proposal for Phase IV of Delhi Metro. Following corridors were proposed by DMRC to be taken up in Phase IV of Delhi Metro.

TABLE 1.1
PHASE – IV CORRIDORS
(Proposed by DMRC and in principle approved by Delhi Govt.)

S. No.	Corridors	Total (km)
1.	Yamuna Bank to Loni Border	11.97
2.	Rithala to Bawana.	12.50
3.	Janak Puri West to Mukundpur	18.74
4.	Mukundpur to Dilshad Garden	17.54
5.	Kirti Nagar to Dwarka Sec-28	18.17
6.	Badarpur to Delhi Aero City	20.79
7.	Lajpat Nagar to Madangir	7.33
8.	Azadpur to R.K.Ashram	8.90
Total		115.94

However, in between, Delhi Govt. got prepared DPR for Trilokpuri to Shastri Park to be taken up as Monorail corridor and hence the same will not be part of Phase-IV Metro. The traffic study done by M/s. RITES brought out that under mentioned corridors are having the requisite traffic and to be considered for implementation as part of Phase IV:

1. Janakpuri (W) – Mukundpur – R.K. Ashram (28.92 km)
2. Trilokpuri to Loni Border (20 km): The part of this corridor, as mentioned above, is already decided to be taken up as Monorail corridor and hence will not be part of Phase-IV Metro but entire corridor may have Monorail.
3. Tughlakabad to Aerocity – (20.2 km)
4. Lajpat Nagar to Saket G Block (7.96 km)
5. Inderlok to Indraprastha (12.58 km)
6. Rithala –Bawana –Narela (21.73 km):
7. Maujpur to Mukundpur (12.54 km): (i.e. Maujpur-Yamuna Vihar – Mukundpur)

The total of length of above corridors comes to 103.93 Km. The corridors finally being proposed for Phase-IV are tabulated as under

TABLE 1.2
PROPOSED PHASE – IV CORRIDORS

S. No.	Corridors	Total (km)
METRO RAIL CORRIDORS		
1.	Rithala - Bawana - Narela.	21.73
2.	Janak Puri West to R.K. Ashram	28.92
3.	Mukundpur to Maujpur	12.54
4.	Inderlok to Indraprastha	12.58
5.	Aero City to Tughlakabad	20.20
6.	Lajpat Nagar to Saket G Block	07.96
Total for Metro Rail Corridors		103.93

1.2.1 Description of Routes Alignments

Aero City-Tughlakabad Corridor: This corridor originates from Aero City; adjacent to an existing station on the Airport expresses line; crosses National Highway-8; leads in southeast direction as underground section under Mahipal Pur village up to km 1.4. There after it aligns along the Abdul Gaffar Khan Marg leading towards Andheria Mor

and runs along it up to Kisangarh. Here it turns left passes under Vasant Kunj and Mehrauli by the side of Bhul Bhulliya and aligns along Mehrauli – Badarpur Road. It emerges out from underground section to elevated section between km 9.147 and km 9.80. First elevated station is Saket. Alignment continues to run along the Mehrauli – Badarpur road as elevated section upto km 15.00. Here it further changes from elevated section to underground section between km 15.00 km 15.380 and remains underground till Tughlakabad.

Lajpat Nagar To Saket G Block Corridor: This corridor originates from Lajpat Nagar near an intersection of existing metro line from Central secretariat – Badarpur and Mukundpur to Yamuna Vihar line being implemented in phase –III; leads in southward on the western side footpath of Lala Lajpat Rai Road up to km 1.20; hereafter it turns left crosses the Andrews Ganj Flyover at km 1.30 in double elevation at Chainage 3598.906 m and at garde station Seikh Sarai is proposed at chainage 4045.93 m, underground ramp starts after the chainage 4133.654 and from the chainage 4535m underground portion starts and ends at 7128.398m. First elevated station is Lajpat Nagar. Alignment continues to run along the Moolchand Flyover in elevated position upto km 3.60. Here it further changes from elevated position to at grade position between km 3.60 km 4.05; leaves Andrews ganj area; runs along the Nala towards Greater Kailash-I; crosses Josip Braj Tito Marg; after that alignment moves in southeast direction and crossing Gomal Abdal Naseer Marg and after this the alignment runs along the nala and crosses Press Enclave Road after that alignment goes parallel to Mandir Marg and at last it becomes parallel to Mehrauli badarpur road and ends at the Saket G Block station.

Inderlok To Indraprastha Corridor: This corridor originates from Inderlok, an existing metro station on Dilshad Garden – Rethala line (Line I); leads in southeast direction as underground section under Dayabasti and Shastri Nagar; crosses Delhi – Rewari Line at km 1.522; near Sarai Rohilla Railway Station and align under the Desh Bandhu Gupta Marg after crossing New Rohtak Road at km2.740. It runs under it up km 3.365; further it turns left and passes under Ajmal Khan Park; Ajmal Khan Park station has been proposed under this park. Hereafter it moves further and passes under Idgah road and Shahi Idgah Colony and reaches Nabi Karim; here it crosses proposed Phase-IV corridor Janakpuri West - RK Ashram Corridor in double underground position. Nabi Karim Station has been planned as integrated station for both the intersecting corridors. Further it moves forward and crosses railways between km 5.955 and km 6.104; hereafter it turns left and aligns along the JL Nehru Road and runs along it up to Rajghat. It crosses Metro line in double underground position from Central Secretariats to Kashmere Gate at km 8.365. Delhi Gate Station has been proposed adjacent to the under construction Ph-III Delhi Gate Station to have proper integration between the two stations. Alignment crosses Mahatma Gandhi Road at km 8.967; runs straight up to km9.262; here it turns

right runs under the road passes on the rear of Indira Gandhi Stadium. Further it runs forward and crosses Vikash Marg at km 10.670. After crossing Vikas Marg alignment emerges out from its underground position to elevated position. At grade switch over ramp has been proposed between km 10.780 and km 11.170. Hereafter alignment is elevated and last station Indraprastha has proposed as elevated.

Janakpuri West To Ram Krishna Ashram Marg Corridor: This corridor is an extension of Kalindi Kunj-Janakpuri West Corridor of Phase-III of Delhi Metro. From Janakpuri West (underground station) this corridor takes left turn to fall on Dr. Hedgewar Marg (outer ring road) and becomes elevated through ramp near Anand Kunj red light on outer ring road. Then upto Mukundpur red light, the corridor is elevated corridor and remains on Dr. Hedgewar Marg and passes through many prime locality like Krishna Park, Vikas Puri, Keshopur, Meera Bag, Sunder Vihar, Peeragarhi, Mangolpuri, West Enclave, Pushpanjali Enclave, Deepali, Rohini, Saraswati Vihar, Madhuban Chowk, Pitampura, Prashant Vihar, Badali Mor, Makaraba Chowk, Jahangir Puri and Bhalaswa Gaon.

From Mukundpur Red Light on outer ring road, this alignment takes a right turn towards Azadpur and passes through Majlis Park, Panch Vati and Gopal Nagar Area. From Azadpur onward, the alignment becomes underground and generally passes under G.T.Road. The underground alignment passes through Model Town, Derawal Nagar, Rajpura, Ghanta Ghar, Subji Mandi, Pulbangesh, Sadar Bazar, Motia Khan and finally terminates at Ram Krishna Ashram Marg where it has passenger interchange with existing Ram Krishna Ashram Marg Station of Line-3.

Mukundpur - Maujpur Corridor (Via Burari, Khajuri Khas): This corridor is an extension of Mukundpur- Rajouri Garden-INA- Nizamuddin- Anand Vihar - Maujpur Corridor of Phase-III of Delhi Metro. From Maujpur this corridor runs along Road no-66 and near Yamuna Vihar takes left turn to fall on Mangal Pandey Marg. Then upto Wazirabad Bridge, the corridor is elevated corridor and remains on Mangal Pandey Marg and passes through many prime localities like Yamuna Vihar, Gokulpuri, Bhajanpura, Khajurikhas etc.

After crossing Wazirabad Bridge, it reaches Soorghat and then takes a right turn to fall on Dr Hedgewar Marg (outer ring road). Further, it remain on same road and passes through Jagatpur, Burari and finally at Mukundpur Red Light on Dr Hedgewar Marg (outer ring road), it turns left to terminate at Mukundpur Station of Phase-III.

Rithala – Bawana-Narela Corridor: This corridor is an extension of Dilshad Garden-Rithala Corridor. From Rithala this corridor run straight on Bhagwan Mahaveer Marg upto Urban extension Road (UER) – II covering a length of 5.8 Km. Five stations are proposed on this Road namely (i) Rohini Sec-24, (ii) Rohini Sec-26 (iii) Rohini Sec-31 (iv) Rohini Sec-32 and (v) Rohini Sec 36. There after the corridor will take right turn to align along side of UER –II where Rohini Sec-37 station is Planned. The Corridor traverses along UER –II and crosses the Bawana -Auchundi road. The Barwala Station is proposed just before crossing of Bawana-Auchandi Road..After Barwala station the alignment will run straight along UER-II for about 0.8 Km and take right turn traverses in open cultivated land along side of small nalla for a small length there after the Corridor takes right turn and aligns along the Road near Puth Khurd village where a station is proposed namely ‘Puth Khurd’. The alignment will take left turn on the existing road of the Bawana industrial area. Thereafter, the alignment will turn right and run along the Bawana-Auchandi Road upto Bawana where a station “ Bawana” is proposed. There after the alignment takes right turn and run along the Median of existing Road towards Narela. A Maintenance Depot is planned near New Sanoth Colony in vacant land adjacent the alignment. The alignment crosses the railway tracks near Narela station. After crossing railway tracks the alignment takes right turn towards Anaj Mandi where a station is proposed Name Anaj Mandi. Finally the extended corridor will terminate near in the Narela village.

TABLE 1.3
DETAILS OF CORRIDORS

Corridor	Under-ground	Elevated/at Grade	Total Length (km)	Stations (Nos)			
				Under-ground	Elevated	At Grade	Total
Aerocity to Tughlakabad	14.62	5.58	20.20	10	5	--	15
Lajpat Nagar to Saket-G Block	2.07	5.89	7.96	1	5	1	7
Inderlok to Indraprastha	12.58	--	12.58	10	--	--	10
Janakpuri West to R.K. Ashram	7.74	21.18	28.92	7	18	--	25
Mukundpur-Maujpur	--	12.54	12.54	--	6	--	6
Rithala-Bawana-Narela	--	21.73	21.73	--	16	--	16
Total	37.01	66.92	103.93	28	50	1	79

FIGURE 1.1
INDEX PLAN FOR AERO CITY TO TUGHLAKABAD

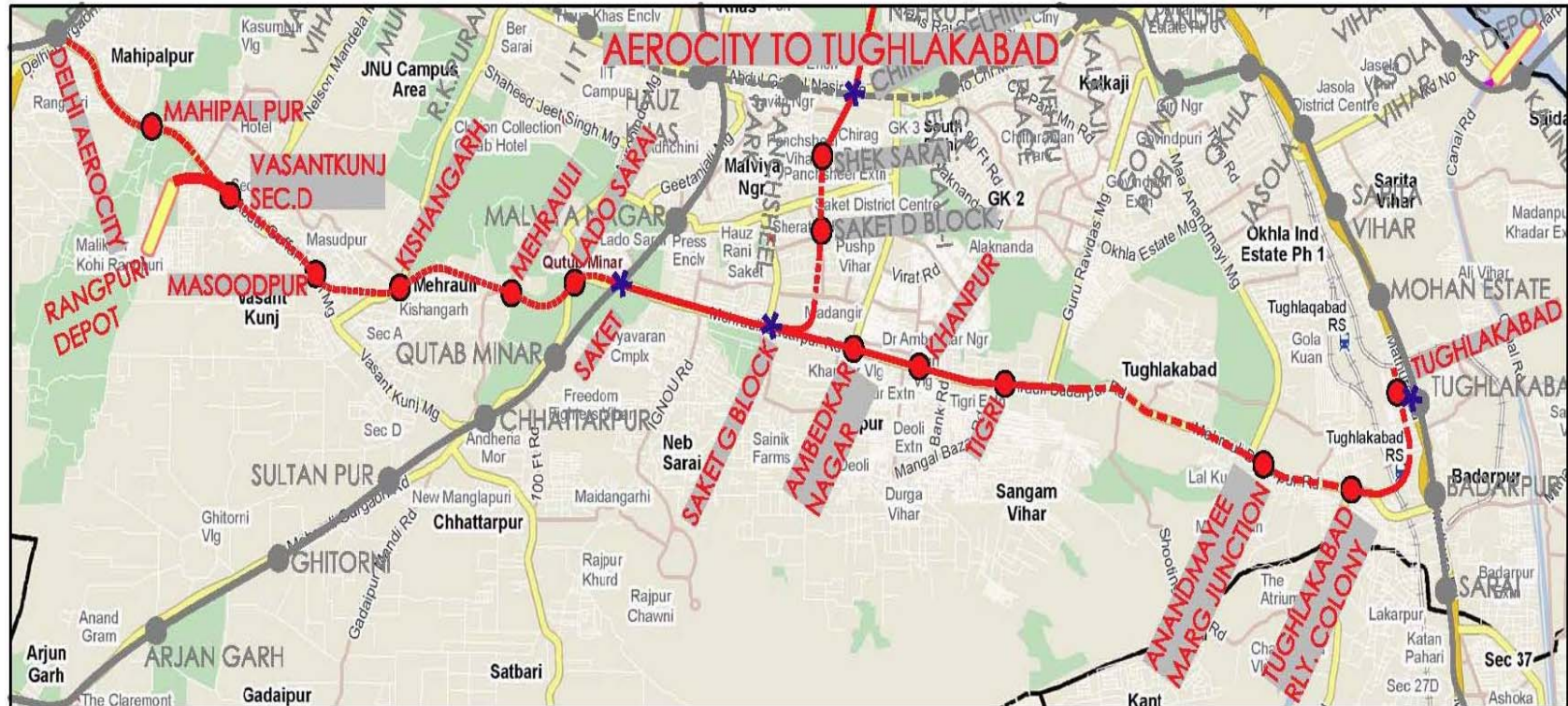


FIGURE 1.2
INDEX PLAN FOR LAJPAT NAGAR TO SAKET G BLOCK

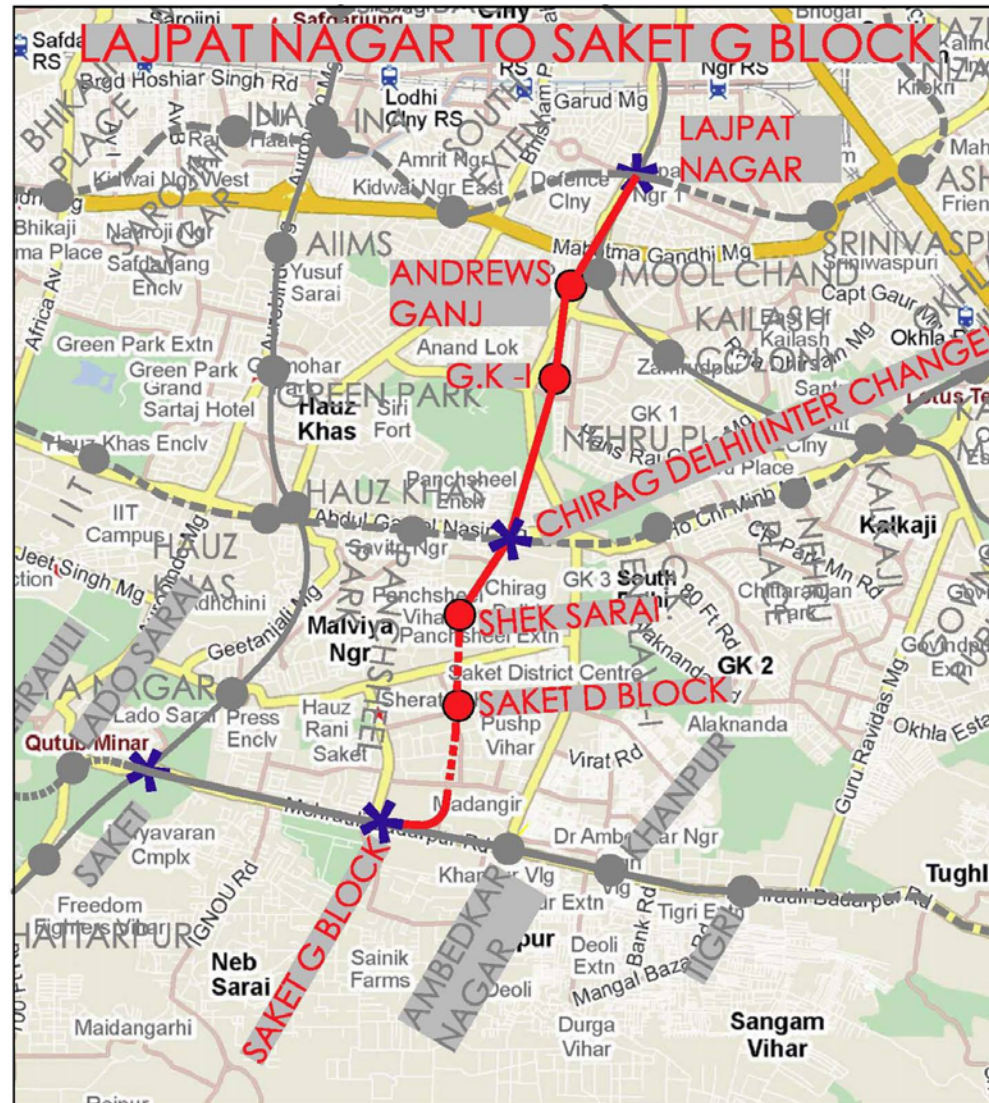


FIGURE 1.3
INDEX PLAN FOR Inderlok to Indraprastha

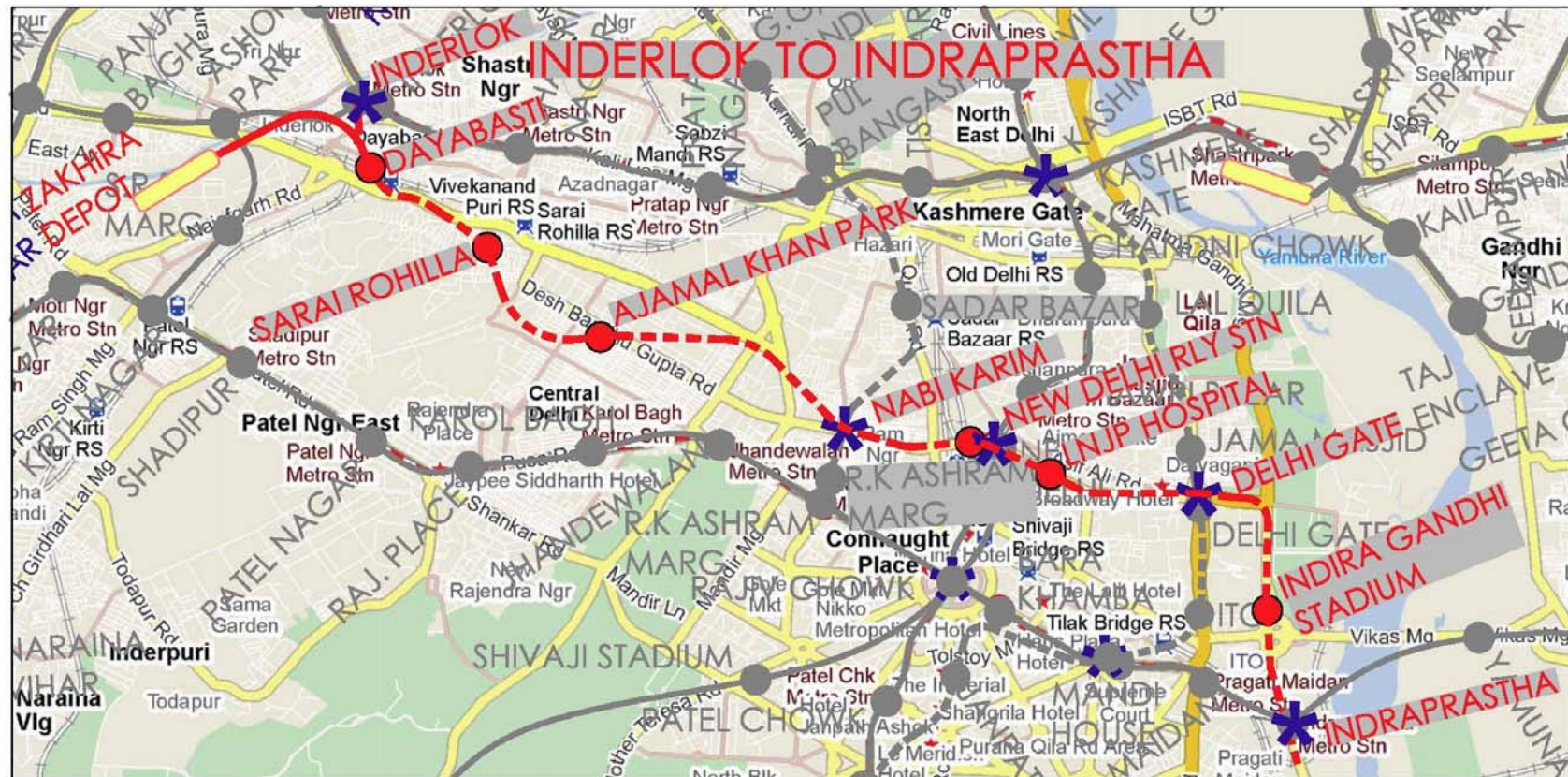


FIGURE 1.4

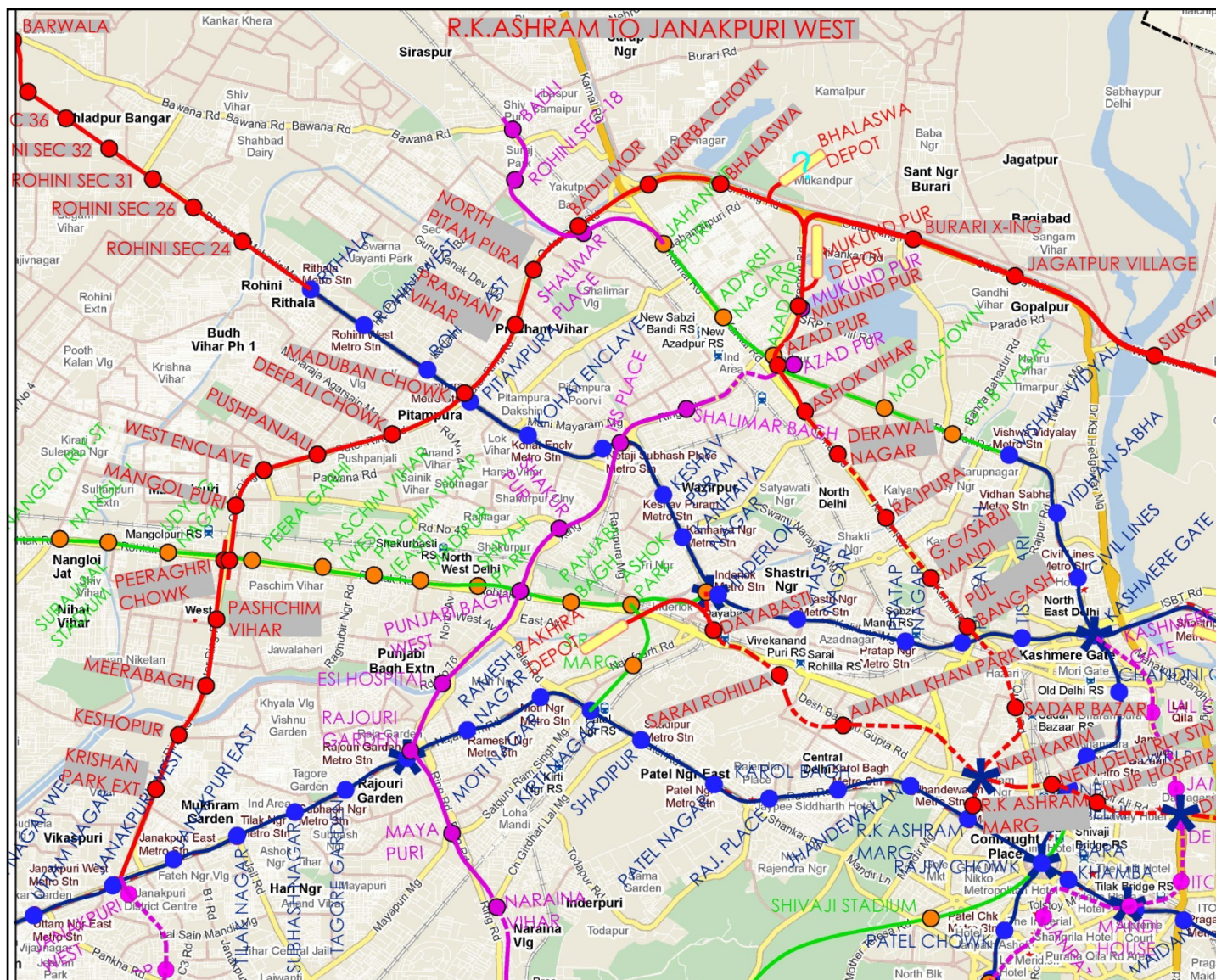


FIGURE 1.5
INDEX PLAN FOR RITHALA TO NARELA

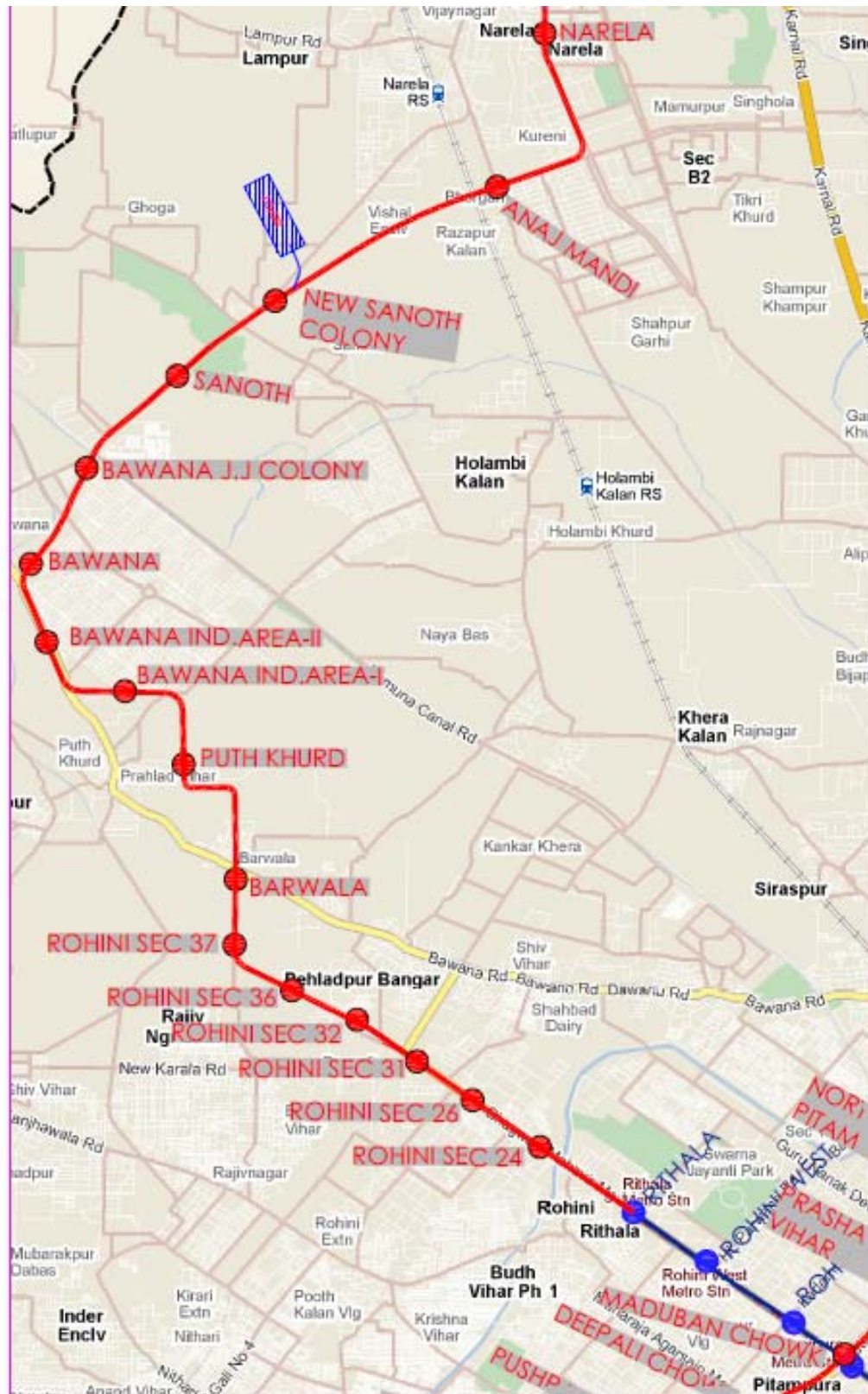
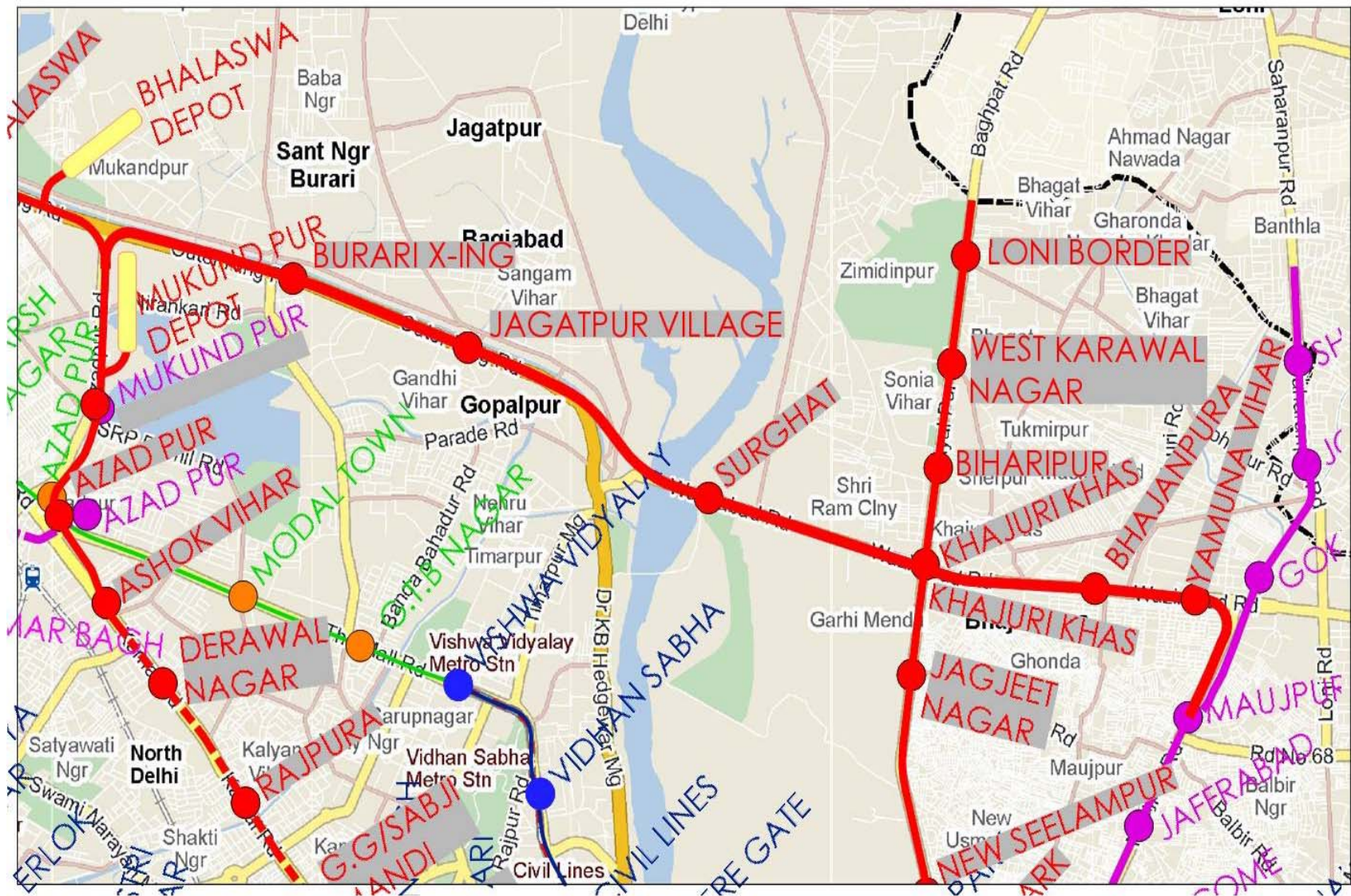


FIGURE 1.6



1.3 RIDERSHIP ON PHASE IV

Daily ridership on the phase IV corridors of metro system in 2021 is expected to be 10.0 lakh passengers with 18.6 lakh boarding's. Thus there will be 1.8 interchange transfers per passenger trip for phase IV corridors of metro system in 2021. Phase IV corridor wise total daily boarding and trips for the years 2021, 2031 and 2041 are shown in **Table 1.4**.

TABLE 1.4
CORRIDOR WISE DAILY RIDERSHIP ON PHASE-IV DELHI METRO CORRIDORS

Name	Daily Boarding (including Interchanges)			Daily Trips (Passengers)		
	2021	2031	2041	2021	2031	2041
Rithala to Narela	201048	254022	336644	108270	177078	254546
Janakpuri West to RK Ashram	550719	757503	1026359	275579	528054	776060
Mukundpur to Maujpur	178631	270411	329894	96198	188503	249442
Trilokpuri to Loni Border	240985	361948	472903	150777	252314	357576
Tughlakabad / Lajpat Nagar to Aero City	367417	486903	652875	197865	339419	493658
Inderlok to Indraprastha	322926	454737	605091	173905	316997	457527
Grand Total	1861726	2585526	3423766	1002594	1802365	2588810

The increment in daily trips due to implementation of phase-IV of Delhi Metro corridors is expected to be 10.0 Lakh, 18.0 Lakh and 25.9 Lakh passengers in the years 2021, 2031 and 2041 respectively as shown in the **Table 1.5** below.

TABLE 1.5
INCREMENTAL DAILY TRIPS (PASSENGERS) DUE TO PHASE IV
OF DELHI METRO

Year	Daily Trips		Incremental Trips Due to Ph IV
	With Phase I,II & III	With Phase I,II,III & IV	
2021	4,055,753	5,058,347	1,002,594
2031	5,184,850	6,987,215	1,802,365
2041	6,516,690	9,105,500	2,588,810

1.4 ROLLING STOCK

Following are the salient features of rolling stock

- Running of services for 19 hours of the day (5 AM to Midnight) with a station dwell time of 30 seconds,
- Make up time of 5% with 8% coasting.
- Scheduled speed has been assumed as below:-

- (a) Tughlakabad to Aerocity Corridor: 35 kmph
- (b) Lajpat Nagar to Saket G Block Corridor: 35 kmph
- (c) Inderlok to Indraprastha Corridor: 35 kmph
- (d) Extension of Line # 8 from Janakpuri West to R K Ashram (Botanical Garden to R. K. Ashram Corridor):

TABLE 1.6
SALIENT FEATURES OF STANDARD GAUGE (3.2 M WIDE STOCK) CARS

S. No.	Parameter	Standard Gauge (3.2 m wide stock) Cars
1	Gauge (Nominal)	1435mm Standard Gauge
2	Traction system	
2.1	Voltage	25 KV AC
2.2	Method of current collection	Overhead Current Collection System
3	Train composition	
3.1	6 car:	DMC+TC+MC+MC+TC+DMC
4	Coach Body	Stainless Steel
5	Coach Dimensions	
5.1	Height	3.9 m
5.2	Width	3.2 m
5.3	Length over body (approx)	
	- Driving Motor Car (DMC)	21.81 m
	- Trailer Car (TC)	21.34 m
	- Motor Car (MC)	21.34 m
	Maximum length of coach over	22 to 22.6 m (depending upon

S. No.	Parameter	Standard Gauge (3.2 m wide stock) Cars
	couplers/buffers:	Kinematic Envelop)
5.4	Locked down Panto height	4048 mm
5.5	Floor height	1100mm
6	Designed - Passenger Loading	
6.1	Design of Propulsion equipment	8 Passenger/ m ²
6.2	Design of Mechanical systems	10 Passenger/ m ²
7	Carrying capacity- @ 6 standees/sqm	
7.1	Coach carrying capacity DMC	300 (seating - 50 ; standing - 250)
	TC	300 (seating - 50 ; standing - 250)
	MC	300 (seating - 50 ; standing - 250)
7.2	Train Carrying capacity 6 car train	1800 (seating - 300 ; standing - 1500)
8	Weight (Tonnes)	
8.1	Tare weight (maximum)	
	DMC	42.502
	TC	40.852
	MC	42.104
8.2	Passenger Weight in tons	@ 0.065 T per passenger
	DMC	19.50
	TC	19.50
	MC	19.50
8.3	Gross weight in tons	
	DMC	62.002
	TC	60.352
	MC	61.604
9	Axle load(T)(@ 8 persons per sqm of standee area)	17
		System should be designed for 17T axle load
10	Maximum Train Length (approx.)	135.6 m
11	Speed	
11.1	Maximum Design Speed	95 Kmph
11.2	Maximum Operating Speed	85 Kmph
11.3	Scheduled Speed	35 kmph

S. No.	Parameter	Standard Gauge (3.2 m wide stock) Cars
12	Wheel Profile	UIC 510-2
13	Noise Limits (ISO 3381 and 3095 - 2005)	
13.1	Stationary (Elevated and at grade)	
13.1.1	Internal (cab and saloon)	LpAFmax 65 dB(A)
13.1.2	External (at 7.5 mtr from centre line of track)	LpAFmax 68 dB(A)
13.2	Running at 85 kmph (Elevated and at grade)	
13.2.1	Internal (cab and saloon)	LpAeq,30 72 dB(A)
13.2.2	External (at 7.5 mtr from centre line of track)	LpAFmax 85 dB(A)
13.3	Stationary (Underground)	
13.3.1	Internal (cab and saloon)	LpAFmax 72 dB(A)
14	Traction Motors Ventilation	Self
15	Acceleration on level tangent track	1.0 m/sec ²
16	Deceleration on level tangent track	1.1 m/sec ² (>1.3 m/sec ² during emergency)
17	Type of Bogie	Fabricated
18	Secondary Suspension springs	Air
19	Brakes	- An electro-pneumatic (EP) service friction brake - An electric regenerative service brake - Provision of smooth and continuous blending of EP and regenerative braking - A fail safe, pneumatic friction emergency brake - A spring applied air-release parking brake - The brake actuator shall operate a Tread brake - Brake Electronic Control Unit (BECU) - Independent for each car
20	Coupler	
	Outer end of 2-car/3-car Unit (except driving cab ends)	Automatic coupler with mechanical, electrical & pneumatic coupling (between

S. No.	Parameter	Standard Gauge (3.2 m wide stock) Cars
	Between cars of same Unit	two 'DM+T+M' units) Semi-permanent couplers (between 'M' car and 'T' car and 'DM' car and 'T' car)
	Driving Cab end of cars (DMC)	Automatic coupler with mechanical & pneumatic coupling but without electrical coupling head
21	Detrainment Door	Front
22	Type of Doors	Sliding
23	Passenger Seats	Stainless Steel
24	Cooling	
24.1	Transformer	Forced
24.2	CI & SIV	Self/Forced
24.3	TM	Self ventilated
25	Control System	Train based Monitor & Control System (TCMS/TIMS)
26	Traction Motors	3 phase VVVF controlled
27	Temperature Rise Limits	
27.1	Traction Motor	Temperature Index minus 70 deg C
27.2	CI & SIV	10 deg C temperature margin for Junction temperature
27.3	Transformer	IEC specified limit minus 20 deg C
28	HVAC	- Cooling, Heating & Humidifier (As required) - Automatic controlling of interior temperature throughout the passenger area at 25°C with 65% RH all the times under varying ambient conditions up to full load.
29	PA/PIS	Required
30	Passenger Surveillance (CCTV)	Required
31	Battery	Ni-Cd
32	Headlight type	LED
33	Coasting	8% (Run time with 8% coasting shall be the 'Run Time in All out mode plus 8%')

1.5 MAINTENANCE OF DEPOTS

Four maintenance depots along with full workshop facilities have been proposed at Rangpuri Pahari, Jakhira, Peeragarhi and Sanoth for the proposed corridors of DMRC Phase IV network. The land requirement for these depots are presented below.

TABLE 1. 7
DETAILS OF DEPOT

S. No.	Plot No.	Location	Area(m ²)	ownership	Purpose
AEROCITY TO TUGHLAKABAD CORRIDOR					
1.	DP	Rangpuri Pahari	200000	Government	Depot
INDERLOK TO INDRA PRASTHA CORRIDOR					
2.	DP 1	Jakhira	192501	Government	Depot
R.K.ASHRAM – JANAKPURI WEST CORRIDOR					
3.	DP2	Peeragarhi	166229	Government	Depot
RITHALA-BAWANA-NARELA CORRIDOR					
4.	DP3	Sanoth	164700	Government	Depot
Total			723430		

1.6 TRACTION SYSTEM

Existing system of electric traction on all the corridors of Delhi Metro constructed in Phase – I, Phase – II and adopted in Phase – III is at 25kV ac single phase. This is based on techno economic studies for Delhi.

- (a) The same traction system for the proposed Phase-IV corridors has been considered, viz 25 kV 50 Hz ac single phase.
- (b) Alternatively study is also being carried out for 2x25 kV AC single Phase traction system which has benefits in terms of the following:-
 - (i) RSS requirement is reduced to half.
 - (ii) Do away with the BT/RC system as no electromagnetic interference mitigation is required in 2x25 kV system.
 - (iii) Reduced transmission losses in the system.

In the open area at grade and on elevated structures flexible over head equipment (OHE), similar to the existing corridors has been considered and to be provided or if 2x25 kV system is adopted will need additional feeder wire to be taken and the design shall be finalized accordingly.

The underground sections will have rigid overhead catenary system, similar to that provided for the underground sections constructed in Phase – I, Phase – II and

adopted in Phase – III of Delhi metro and in case of 2x25 kV system it will be finalized similar to Sin - Bundang line of Seoul Metro.

1.7 AUXILIARY SUPPLY

The auxiliary supply and general electrical services of the elevated and above ground portion shall generally follow the system design of 33 kV ring main adopted for corresponding sections of Phase – II with some modifications based on techno-economic study being done and same may be adopted in phase-III.

1.8 SOURCES OF POWER SUPPLY

Since Delhi metro has adopted 25kV ac single phase overhead catenary traction system or planning for 2 X 25 kV traction system, therefore the power supply at 66 kV or 220kV level only has to be taken from the Grid Sub Stations of Delhi Transco Limited (DTL) on technical consideration of short circuit level etc. Following will be the sources as tabulated in **Table 1.8**.

TABLE 1.8
TRACTION SYSTEM*

Corridor		Location of source of power
Janakpuri West to R. K. Ashram Corridor (28.83 km, 25 Stations of which 7 Underground stations).	1	Feed extension from Janakpuri West station of phase-III supply.
	2	At 66 kV from proposed Sanjay Gandhi Transport Nagar 220 kV GSS.
	3	At 66 kV from Park Street 220 kV GSS.
Aerocity to Tughlakabad Corridor (20.20 km, 15 Stations of which 10 Underground Stations)	1	At 66 kV from Vasant Kunj 220 kV GSS or proposed Rangpuri 220 KV GSS.
	2	At 66 kV from Tughlakabad 220 kV GSS.
Inderlok to Indra Prastra (11.5 km, 10 Stations of which 9 Underground Stations)	1	At 66 kV from Park Street 220 kV GSS or set up additional bays of 33KV and 25 KV at Indraprastha DMRC RSS.
	2	At 66 kV from Gopalpur 220 kV GSS or Feed extension from Inderlok existing line-5.
Lajpat Nagar to Saket G Block (7.96 km, 7 Stations of which 1 Underground Stations)	1	Feed extension from saket G-Block of Aerocity to tughlakabad corridor supply.
Mukundpur –Burari- Maujpur		Mukundpur and Yamuna Vihar RSS

Rithala To Narela Corridor (22.18 km, 16 Elevated Stations).	1	At 66 kV from DSIDC 220 kV DTL Substation (Bawana)
	2	At 66 kV from Narela 220 kV DTL Substation

* In case of 2 x 25 kV system being adopted no of RSS required will be by fifty percent and there may be need of Auto Transformers posts (ATP).

1.9 POWER DEMAND ASSESSMENT

(a) Traction Power:-

The traction power system is designed for the ultimate 6-car train operation at headway of 90-seconds corresponding to 40 trains per hour for corridors Janakpuri West to R.K.Ashram, Aerocity to Tughlakabad, Indraprastha to Inderlok and Lajpat Nagar to Saket G Block.

(b) Auxiliary Power:-

i) Elevated Stations:-

The demand of power at each elevated station is expected to be about 200 kW in the initial years and is likely to reach 500kW later. In addition there will be some additional requirement for other property development loads at stations. The limited requirement of load due to property development within the footprints of the station can be met either from the spare capacity in the station transformers or by adding one additional transformer of 630 kVA capacity in the station ASS for which provision for space will be made during design stage. This may be feasible depending upon the diversity of station loads and property development loads.

For larger property development loads (above capacity of transformers of 630 kVA), the power transformer at RSS and the corresponding cable network may need an up gradation for which the expenditure is to be charged to property development.

ii) Underground Stations:-

The demand of power at each underground station is assessed at connected load of 2.8 MW with a load factor of 0.8 of 3.5 MVA for 6 car.

The additional peak demands of power for the corridor for the year 2021, 2031 and 2041 have been indicated in **Table 1.9**. Peak power demand for the designed headway of 90 seconds with 6-car train operation has also been indicated in this table.

TABLE 1.9
POWER DEMAND ASSESSMENT (in MVA)

Year	Corridor	Traction	Auxiliary	Traction	Auxiliary	Total
2021	Janakpuri West to R. K. Ashram	12.32	23.59			
	Aerocity to Tughlakabad	7.11	28.91			
	Inderlok to Indraprastha	4.71	25.45	41.66	89.91	131.57
	Lajpat Nagar to Saket G Block	1.80	3.95			
	Mukundpur-Burari-Maujpur	5.00	2.20			
	Rithala to Narela Corridor	10.72	5.81			
	Janakpuri West to R. K. Ashram	14.57	28.29			
2031	Aerocity to Tughlakabad	8.89	32.92			
	Inderlok to Indraprastha	6.27	28.66	52.59	105.96	158.55
	Lajpat Nagar to Saket G Block	2.40	5.00			
	Mukundpur-Burari-Maujpur	7.40	3.00			
	Rithala to Narela Corridor	13.06	8.09			
	Janakpuri West to R. K. Ashram	19.57	35.21			
	Aerocity to Tughlakabad	11.67	37.55			
2041	Inderlok to Indraprastha	9.26	31.99	73.29	127.59	200.88
	Lajpat Nagar to Saket G Block	3.40	6.79			
	Mukundpur-Burari-Maujpur	9.30	3.70			
	Rithala to	20.09	12.35			

Year	Corridor	Traction	Auxiliary	Traction	Auxiliary	Total
Design	Narela Corridor					
	Janakpuri West to R. K. Ashram	59.13	35.21			
	Aerocity to Tughlakabad	41.71	37.55			
	Inderlok to Indraprastha	24.48	31.99	205.22	127.59	332.81
	Lajpat Nagar to Saket G Block	15.80	6.79			
	Mukundpur-Burari-Maujpur	18.60	3.70			
	Rithala to Narela Corridor	45.50	12.35			

1.10 POWER DEMAND

Power demand has been worked out for the proposed corridors accordingly and is given in the table below:-

TABLE 1.10
POWER DEMAND

S. No	Corridor	Power Demand in MVA			
		2021	2031	2041	Designed Headway of (6-car train at 90 sec)
1.	Janakpuri West to R. K. Ashram	35.92	42.86	54.87	94.33
2.	Aerocity to Tughlakabad	36.02	41.81	49.22	79.26
3.	Inderlok to Indraprastha	30.16	34.93	41.26	56.47
4.	Lajpat Nagar to Saket G Block	5.77	7.37	10.17	22.57
5.	Mukundpur-Burari-Maujpur	7.2	10.4	13.0	22.30
6.	Rithala To Narela Corridor	16.53	21.17	32.44	57.85

1.11 CONSTRUCTION METHODOLOGY

1.11.1 Elevated corridor

It is proposed to provide single box-shaped girders as super structure for the viaduct as adopted in various sections in phase-I, II & III. As the alignment passes through sufficiently wide roads, no difficulty is envisaged during construction. However, at some locations, there will be a need of providing special spans to be finalized at the stage of detailed design.

1.11.2 Elevated Stations

Elevated stations will normally be of two types (concourse under the platform and concourse on both sides of alignment provided in towers and inter connection between two through a FOB) as adopted in Phase I, II & III. The construction methodology shall remain the same as adopted for respective type of stations in phase- I, II & III.

1.11.3 Underground Section

Construction of the underground section shall be done by “cut and cover” as well as by “bored” tunneling method (TBM). Cut and cover methodology for various sections of proposed corridor will be the same as already done in phase- I, II & III.

1.12 CONSTRUCTION STRATEGY

1.12.1 Civil works

It is proposed that whole corridor can be subdivided into smaller stretches. Each stretch can be 5 to 6 km long. These can be termed as Contract Packages. Each Contract Package will include even Metro stations falling in that particular stretch.

1.12.2 Power Supply & Electric Traction Works

Detailed Designs of ‘Power Supply & Electric Traction’ works will mostly be done in-house. For detailed designs of a few specialized items DDCs will be engaged. These works will be got executed through ‘construct’ contracts. Cables and other materials required in bulk will be procured by DMRC itself and supplied to the ‘construction’ contractors. This strategy of mostly doing the detailed design work in-house, getting the works executed through construction contracts, procuring cable and other bulk materials and supplying the same to the construction contractors will enable DMRC to reduce the cost of these works.

Entire Power Supply & Electric Traction works can be carried out through a single contract for each corridor respectively.

1.12.3 Track Work

Detailed design of ballastless / ballasted track will be done in-house by DMRC. Track work shall be got executed through 'construct' contract. Material like rails, sleepers, track fittings, turnouts, etc. will be procured by DMRC and supplied to the construction contractors. It is proposed to have one track work contract for approximately 15 kms long alignment.

1.12.4 Signalling & Telecommunication works

These will be split into separate Signaling contracts & Telecommunication contracts. Signaling works will be got executed through 'Design, Construct, installation, testing, & commissioning' basis. It is proposed to have one Signaling contract for entire stretch for each corridor respectively.

Telecommunication works will be got done through 'construct' contract with detailed designs being done in-house. DDCs may also be engaged for specialized items where necessary. Most of the materials required for telecommunication works like cable etc. will be procured by DMRC and supplied to the construction contractors. Entire Telecommunication works can be carried out through a single contract for each corridor respectively.

1.12.5 Automatic Fare Collection (AFC) System

Installation of AFC system will be got done by DMRC through 'construct' contracts. Hardware and software required for the AFC system will, however, be procured by DMRC and supplied to the contractors. Entire AFC works can be carried out through a single contract for each corridor respectively.

1.12.6 Tunnel Ventilation and Air-conditioning System

Design work of this system will be done in-house but execution will be done through 'construct' contracts. SES analysis, however, may be got done through a DDC. Bulk of materials required for ventilation and Air-conditioning system will be procured by DMRC and supplied to the construction contractors. Entire Tunnel ventilation and Air-conditioning works can be carried out through a single contract for each corridor respectively.

1.12.7 Rolling Stock

Rolling Stock required for the project will be procured on design, manufacture, supply, testing and commissioning basis.

1.13 CONSTRUCTION PERIOD

As per the acquired experience, total work can be completed in 72 months period from date of start. The work should be started by April 2016, and various sections can be opened in phases by 31.03.2022. Project completion date is subject to land required for the project is made available to DMRC within 6 months period from date of sanction of project.

1.14 COST ESTIMATES

Project Cost estimates for the DMRC's Phase-IV metro network has been prepared covering civil, electrical, signalling and telecommunication works, rolling stock, environmental protection, rehabilitation, considering 25 kV AC traction at March 2014 price level, both for Capital and Operation & Maintenance costs.

In order to arrive at realistic cost of various items, costs have been assessed on the basis of accepted/completion rates in various contracts, awarded for similar works by DMRC in Phase-II, Phase-III. A suitable escalation factor has been applied to bring these costs to March 2014 price level. Taxes & Duties such as Customs Duty, Excise Duty, Sales Tax, Works Tax, VAT, etc, wherever applicable, have been worked out on the basis of prevailing rates and included in the cost estimates separately.

TABLE 1.11
CORRIDOR-WISE DETAILS OF CAPITAL COST

Corridor	Capital Cost (Rs. Crore)	Taxes & Duties (Rs. Crore)	Total (Rs. Crore)
Aerocity - Tughlakabad	6242	1117	7359
Lajpat Nagar – Saket G Block	1685	287	1972
Inderlok - Indraprastha	4609	845	5454
RK Ashram – Jnarpuri West	8224	1334	9558
Mukundpur-Maujpur	2444	453	2897
Rithala-Bawana-Narela Corridor	4444	715	5159
Total	27648	4751	32399

The overall Capital Cost for the DMRC's Phase-IV metro network at March 2014 price level works out to **Rs. 32,399Crores** including applicable Taxes & Duties and also including the cost of rolling stock for the additional induced traffic on Botanical Garden-Janakpuri West Corridor due to Phase IV, as tabulated hereunder.

1.15 OBJECTIVE AND SCOPE OF THE STUDY

The Social Impact Assessment (SIA) study has been conducted as per the Terms of Reference (ToR) given by DMRC. In order to enable DMRC to implement appropriate social measures by making clear its procedures and criteria for decision making and for meeting the requirements of funding agency, the main objective of the social assessment is to ensure transparency, predictability and accountability in the present study. The study shall have following objectives:

- To assess the socio-economic conditions of the families/people likely to be affected due to the proposed metro rail project phase IV,
- To examine potential positive and negative impacts on the socio-economic condition of people in the project area,
- To develop appropriate measures to minimise the negative socio-economic impacts,
- To prepare Resettlement Action Plan (RAP) based on the existing policies, laws and guidelines of the government for the loss caused to the project affected people.

The scope of socio-economic study is to include the impacts due to the proposed DMRC development of Phase IV. Based on the site visit and sample socio-economic survey, it will generate socio-economic data about project affected families. Based on the data, the project proponent shall develop measures to safeguard the PAFs from the loss occurred due to the proposed project with an objective of sustainable development. The study shall meet initial requirement of funding agencies / Institutions for funding of the proposed four corridors.

1.16 LAND ACQUISITION AND RESETTLEMENT

The proposed project requires land. The acquisition of land for the project shall displace people from their home, livelihood base, since land is a scarce commodity in Delhi. Efforts have been made to keep land requirement to the barest minimum by so choosing the alignments that the acquisition of private property is minimal. Land is mainly required for route alignment of rail tracks, station buildings, platforms, entry/exit structures, traffic integration, car shed, power sub-stations, ventilation shafts, administrative buildings, property development and temporary construction depots and work sites etc.

The project involves relocation of shops, commercial-cum-residential buildings and hutments along the proposed corridors. Compensation shall be paid accordingly, for relocation of shops, commercial-cum-residential buildings and hutments likely to be affected due to the proposed project.

1.17 MNIMISING RESETTLEMENT

Attempts have been made during the detailed design of the project preparation to minimize the land acquisition, resettlement and adverse impacts on people in the project area through suitable engineering design. Steps have already been made to confine the project area in the government land and in available Right of Way (ROW) where feasible. This has been done with proper consultation with the local people and affected communities. Their suggestions have been incorporated, in the design, whenever technically feasible. However, there will be some unavoidable land acquisition for which adequate compensation has been provided. For the proposed work the following specific measures are taken to minimize resettlement in this project.

- Selection of the sub project sites and its various components in the government land; and
- Adequate engineering design to avoid and minimize displacement and hence resettlement.

1.18 OBJECTIVE OF RESETTLEMENT ACTION PLAN

The Resettlement Action Plan is based on the principle that the population affected by the project will be assisted to improve their former living standards. Further, it also takes into account ways of avoiding or minimizing the impacts wherever possible by exploring other alternative project designs. Where displacement is unavoidable, people losing assets, livelihood or other resources, assistance is proposed for improving their former living standards. The rationale behind preparing RAP is not only to restore and improve the standard of living of PAPs but also bring qualitative changes in their life. Considering that the ultimate aim of RAP is to improve quality of life of the affected persons, it is important to assess the changes brought about by the project. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 will be followed for land acquisition, rehabilitation and resettlement. Since Japan International for International Cooperation Agency (JICA) will finance the project, the JICA guidelines on Environmental and Social Consideration have been followed.

1.19 JICA REQUIREMENTS

According to JICA Guidelines for confirmation of Environmental and social Considerations, the proposed metro rail project is classified as 'Category A'. It includes projects in sensitive sectors or with sensitive characteristics and projects located in or near sensitive areas. The project is considered to have likely significant impacts on sensitive zones. Metro rail is similar to the "Road, Railways and Bridge" category project which is indicated in the JICA guidelines as 'category A' project, which requires impact assessments of social settings of the project area.

JICA considers it important to have a dialogue with the partners (the host country, local governments, borrowers and project proponents) for its confirmation of social considerations. The active participations of key stakeholders (local residents, project affected families and local Non-Government Organisations (NGOs) in all stages of the project are also desirable. The study requires the people and its social environment shall be addressed in the social assessment report.

1.20 APPROACH AND METHODOLOGY FOR SOCIO-ECONOMIC STUDIES

The approach adopted to conduct socio-economic study is described below and is structured on the scope of work as mentioned in the ToR. The study aims at collecting baseline data for socio-economic information and identifies the affected population by residence, business base and their locality. The study is primarily based on field data generated by the consultant during social survey and secondary data were collected from the census handbooks / gazetteers / other relevant texts. **Figure 1.7** presents the methodology in the form of a flow chart which indicates various steps involved in the study have been described in brief in the following paragraphs.

The methodology for conducting sample socio-economic survey of the proposed project involves review of topographical survey drawings, field visits, data collection and public consultations at project areas.

- a) The consultant reviewed the topographical maps and Detailed Project Report (DPR) of the project.
- b) Conducted sample socio-economic survey covering affected households, squatters, kiosks and small business entrepreneurs with the help of pretested "Household Questionnaire". Important aspects covered in the questionnaire were identification particulars of PAPs, his or her family details, social profile, occupation, income, details of structure, commercial/self employment activities, household income, annual expenditure, employment pattern, health issues, gender issues, type of

effects / loss etc. Most part of the questionnaire has been pre-coded except those reflecting the opinion and views of the PAP, which have been left open-ended. A questionnaire is given in **Annexure-1.1**.

- c) In order to understand social issues associated with the proposed project we require baseline data. The base line data have been collected from secondary sources such as the Census and the Statistical Hand Book. Primary data have been collected through household survey conducted by the Social Development Unit of RITES LTD. All the structures and families that were likely to be affected by the project were identified and enumerated during site visits considering the Right of Way (RoW) and its alignment drawing prepared by DMRC. The Socio-economic data was collected during 2012 and 2014.
- d) The development of proposed metro project has significant positive impacts in the NCT & NCR. The proposed project may also bring myriad forms of unavoidable adverse impacts on the socio and economic environment around. "Social Risk Assessment" approach has been used to determine the associated risk of adverse impacts.
- e) Consultations with affected families at the project level, communities, local leaders, vulnerable groups were held.

1.21 LAY OUT OF THE REPORT

The Social Impact Assessment report is presented in eight chapters. The **Chapter-1** is on Description of the Project. A brief description on the project, objective and scope of study, and JICA requirements, approach and methodology for the study. Potential Resettlement Impacts including details of land and structure and probable significant social impacts is presented in **Chapter-2**. An analysis of Socio-Economic Studies is presented in **Chapter-3**. Policy, legal and administrative framework is given in **Chapter-4**. **Chapter-5** is on institutional arrangement for implementation of resettlement action plan. Stakeholder's participation and consultations is presented in **Chapter-6**. Resettlement Assistance Plan and Cost Estimates are presented in **Chapter-7**. Finally Monitoring and Evaluation is given in **Chapter-8**.

CHAPTER-2

POTENTIAL RESETTLEMENT IMPACTS

2.1 SOCIO- ECONOMIC SURVEY

A sample socio-economic survey was carried out to assess the impacts of the proposed corridors of Delhi metro rail project phase-IV on the socio-economic conditions of the Project Affected Families (PAFs). In order to assess the impact, a questionnaire was developed and used to collect information of the families/people likely to be affected. This was essential to understand the nature of impacts in documenting impacts on assets, incomes and livelihood to develop mitigation measures and preliminary resettlement action plan for the affected people. The information compiled are: type of impact, type of ownership, social profile of the affected people, poverty status, the presence of titleholders and non titleholders in the project area. The views/opinion of the people about the project and options for rehabilitation and resettlement has also been obtained. The data collected through socio-economic survey of the project affected area is described in detail in **Chapter 3**. The major findings and magnitude of impacts of the proposed Delhi Metro phase IV project are discussed in the following sections. The project impacts have been classified into different categories such as impacts on land, impacts on the affected families and their livelihood resources, impacts on structures and impacts on the common property resources.

The **Cut-off-Date** for those who have legal title is the date of Notification under Section 11(1) of the RTFCTLARRA, 2013. Completion of census survey shall be the **Cut-off Date** for non-titleholders.

2.2 PROJECT IMPACTS

The proposed metro rail project will have a number of positive and negative impacts. In general the proposed metro rail phase IV project shall bring following positive impacts:

- Generate Employment opportunity,
- Economy Growth,
- Mobility in the project area,
- Safety in Travelling,
- Traffic Decongestion,
- Save Fossil Fuel,
- Reduce Levels of Air Pollution

- Save Foreign Exchange

The proposed project is not so positive for a section of people / project affected families. The anticipated negative impacts on these people include:

- Loss of Land,
- Loss of Residential Structures,
- Loss of Commercial Structures,
- Loss of Jobs/Works,
- Loss of Livelihood,
- Loss of Common Property Resources
- Loss of Public Utility structures

2.2.1 Land Requirement and Acquisition

The proposed Delhi Metro phase IV project shall require land for different purposes. Land is mainly required for route alignments of rail tracks, station buildings, platforms, entry/exit structures, traffic integration, car shed, power sub-stations, ventilation shafts, administrative buildings, property development, depots and work sites etc. Land is scarce commodity in Delhi metropolitan areas. Acquisition of land shall make affected families landless in most of the cases. Therefore, every effort has been made to keep land requirements to the barest minimum by realigning the alignments away from private property / human habitation. After planning, the land requirement is kept at minimum and particularly, acquisition of private land was avoided.

The project shall require the acquisition/transfer of 218.89 ha of land. Out of the total land, 210.2847 ha is government land including 66 ha for property development and 8.62 ha is private land. Out of the total government land, 182.6847 ha is for permanent use and 27.6 ha is identified for temporary use. The land identified for temporary use shall be returned to the owning agencies, after the completion of the project construction. Total private land likely to be acquired will be taken permanently. It is observed that out of the total land requirement, about 96.06 per cent of total land would be acquired from government agencies and only 3.94 per cent of the land requirements shall be fulfilled by the private land owners. No private land is likely to be acquired for Inderlok to Indraprastha section of metro rail phase IV project. However the remaining five metro corridors shall require private land. Narela-Bowala Depot area was agricultural land. But now cultivation is not being practiced. The details of land requirement and acquisition are presented in **Table 2.1**.

TABLE 2.1
LAND REQUIREMENT AND ACQUISITION

Corridor	Land Requirement(Ha)					
	Government		Private		Total	
	P	T	P	T	P	T
Aerocity to Tuglakabad	28.279	8.800	0.572	-	28.851	8.800
Lajpat Nagar to Sachet G Block	4.661	2.200	0.624	-	5.285	0.624
Inderlok to Inderprastha	21.376	4.400	-	-	21.376	4.400
Mukundpur to Maujpur	4.4237	-	0.0876	-	4.5113	0.0876
Rithala –Narela- Bawana	24.957	1	2.29	-	27.247	1
R. K. Ashram to Janakpuri West	32.988	11.200	5.041	-	38.029	11.200
Total	116.6847	27.6	8.6146	-	125.2993	26.1116

P: Permanent acquisition, T: Temporary acquisition

Source: DPR

2.2.2 Impact on Structures

Table 2.2 indicates impact of the proposed project on the different types of structures i.e. residential, commercial, residential cum commercial and other types. Based on the alignment drawing the structures likely to be affected have been identified on the ground level during site visit. In Phase-IV, the total structures likely to be affected in the six corridors are 504 including 247 illegal structures/jhugies/kiosks. Out of the total structures, 282 are residential, 212 are commercial, and remaining 10 are such structures which includes public toilet, religious structures.

The structure details show that the maximum structures(272) likely to be affected are along Aero city to Tuglakabad corridor, while 169 structures are on Janakpuri to R.K.Ashram corridor, 44 structures are along Inderlok to Indraprastha corridor and remaining 10 and 2 structures are on the Rithala-Narela-Bawana and Mukundpur to Maujpur corridors respectively. Out of the total 169 structures along the Janakpuri to R.K.Ashram metro corridor, 36 structures are residential and 130 structures are commercial. Out of the total 272 affected structures along Aero City to Tuglakabad 217 structures are residential, 50 structures are commercial and five are other structures. Out of the total 44 structures along the Inderlok to Indraprastha corridor, 17 structures are residential including six jhugies, 26 structures are commercial including 16 kiosks and one toilet. Along the Rithala-Narela-Bawana corridor, five structures are residential and five are open plots with boundary wall. On the Lajpat Nagar to Saket G Block corridor, four structures are commercial and two structures are residential.

TABLE 2.2
CORRIDOR WISE IMPACT ON STRUCTURES

Name of Corridor	Type of Structures			
	Residential	Commercial	Others	Total
Janakpuri to R.K.Ashram	36	130	3	169
Aero City to Tuglakabad	217*	50	5	272
Lajpat Nagar to Saket G Block	2	4	1	7
Inderlok to Indraprastha	17	26	1	44
Mukundpur to Maujpur	0	2	0	2
Rithala – Narela- Bawana	10**	0	0	10
Total	282	212	10	504***

*Out of the total residential units along Aero City to Tuglakabad corridor, about 185 jhugies are likely to be affected at proposed Mahipalpur Depot.

**Five are open plots with boundary wall.

***Number of structures are identified based on sample socio-economic survey, site visits with the help of alignment drawings provided by DMRC and not on the basis of peg marking on the ground. Therefore, these are only approximate figures and not exact. The exact number of affected families, persons, properties and detail of ownership will be considered after census (100%) survey.

2.2.3 Magnitude of Project Impacts

Structures were counted as “fully affected” if they lay 100% inside the metro corridor. Structures were counted as “partially affected” if only part of the structure lay inside the metro corridor. A partially affected structure may however be considered as fully affected if living there is no longer viable.

The magnitude of project impact on the structures, which is categorized as partially and fully affected structures are presented here. On the basis of alignment drawings provided by DMRC it was found during site visit that out of total 504 structures, about 340 structures (67.46%) will be fully affected and remaining about 164 structures (32.54%) will be partially affected (**Table 2.3**). *However, the exact number of fully and partially affected structures will be known after peg marking on the ground level and completion of detailed/census survey. Detailed survey/census survey as per the RTFCTLARR Act 2013 will be got done by the State Government.*

2.2.4 Impact on PAFs and PAPs

About 611 families consisting 2783 persons will be affected due to the proposed metro project. Majority of families will be affected at proposed Ghanta Ghar, Pull Bangash, Peeragarhi Chowk and Meera Bagh station in Janakpuri to R.K.Ashram corridor and Rangpuri Pahari, Tuglakabad Mahipalpur station in Aero City to Tuglakabad corridor. Corridor wise number of PAFs and PAPs is presented in Table 2.4. *Exact number of affected and displaced families/persons will be found out during detailed*

Census/Baseline Socio-Economic Survey (BSES) after peg marking of alignments on the ground.

TABLE 2.3
MAGNITUDE OF PROJECT IMPACTS

Name of Corridor	Magnitude of Impacts		
	Fully	Partially	Total
Janakpuri to R.K.Ashram	76	93	169
Aero City to Tuglakabad	238	34	272
Lajpat Nagar to Saket G Block	4	3	7
Inderlok to Indraprastha	20	24	44
Mukundpur to Maujpur	2	0	2
Rithala – Narela- Bawana	0	10	10
Total	340	164	504

TABLE 2.4
IMPACT ON PAFS AND PAPS

Name of Corridor	Total PAFs	Total PAPs*
Janakpuri to R.K.Ashram	258 (42.2)	1039(37.3)
Aero City to Tuglakabad	291(47.6)	1455(52.3)
Lajpat Nagar to Saket G Block	7(1.2)	32(1.2)
Inderlok to Indraprastha	43(7.1)	194(7.0)
Mukundpur to Maujpur	2(0.3)	11(0.4)
Rithala – Narela- Bawana	10(1.6)	52(1.8)
Total	611(100)	2783(100)

*Number of PAPs is counted based on average size of family.

Out of the total 611 families, 245(40.1%) are in the category of Title Holders (THs) and the remaining 366(59.9%) are in Non Title Holders (NTH) category. In title holders 97 are residential and 148 are commercial PAFs. The NTHs category includes 107 tenants (32 residential and 75 commercial), 185 squatters (135 residential and 48 commercial) and 74 kiosks. The squatters and kiosks are on public land without any legal permission. Corridor wise detail of title holders and non-title holders are given in **Table 2.5**.

Table 2.5
TITLE HOLDERS AND NON-TITLE HOLDERS

Name of Corridor	Titleholders	Non-Titleholders	Total PAFs
Janakpuri to R.K.Ashram	155(63.3)	103(28.1)	258 (42.2)
Aero City to Tuglakabad	50(20.4)	241(65.8)	291(47.6)
Lajpat Nagar to Saket G Block	7(2.7)	0(0.0)	7(1.1)
Inderlok to Indraprastha	21(8.5)	22(6.0)	43(7.1)

Mukundpur to Maujpur	2(1.0)	0(0.0)	2(0.3)
Rithala – Narela- Bawana	10(4.1)	0(0.0)	10(1.6)
Total	245(40.1)	366(59.9)	611(100)

2.2.5 Loss of Residence

Table 2.6 indicates that out of the total 611 PAFs, 282 PAFs shall be affected physically as their residential units are getting affected due to the proposed project. Majority of PAFs are likely to be affected residentially in Aero City to Tuglakabad corridor (77%) followed by Janakpuri to R.K.Ashram corridor (12.8%). In addition to above, about 32 tenants are also likely to be affected residentially.

TABLE 2.6
LOSS OF RESIDENCE

Name of the Location	Total PAFs	Residential Affected Family	Percentage (%)
Janakpuri to R.K.Ashram	258	36	12.8
Aero City to Tuglakabad	291	217	77.0
Lajpat Nagar to Saket G Block	7	2	0.7
Inderlok to Indraprastha	43	17	6.0
Mukundpur to Maujpur	2	0	0.0
Rithala – Narela- Bawana	10	10	3.5
Total	611	282	100

2.2.6 Loss of Livelihood

As assessed during social impact assessment study, out of total 611 affected families, there are 212 PAFs whose business/livelihoods will be affected due to the loss of the commercial structures vis-a-vis business base in the proposed six corridors. These 212 families shall be affected by way of loss of livelihood due to the displacement of structures, which is categorised as commercial and residential cum commercial structures. Majority of PAFs are likely to be affected commercially in Janakpuri to R.K. Ashram corridor (61.3%) followed by Aero City to Tuglakabad corridor (23.6%) and Inderlok to Indraprastha corridor (12.3%). In addition to the above commercial affected PAFs, about 75 commercial tenants are also likely to be affected.

TABLE 2.7
LOSS OF LIVELIHOOD

Name of the Location	Total PAFs	Commercially Affected Family	Percentage (%)
Janakpuri to R.K.Ashram	258	130	61.3
Aero City to Tuglakabad	291	50	23.6
Lajpat Nagar to Saket G Block	7	4	1.9
Inderlok to Indraprastha	43	26	12.3
Mukundpur to Maujpur	2	2	0.9

Rithala – Narela- Bawana	10	0	0.0
Total	611	212	100

As observed during field study, the PAFs are involved in different types of business activities. The different type of business in the project area include but not limited to furniture shop, show rooms of different consumable items, general stores, grocery, hotel, tailoring, manufacturing, scrap shop, etc. The shop owners are mixed population of both the tenants and owner themselves. Some of the tenant shop owners are carrying their business since last 10 to 15 years.

2.2.7 Loss of Common Property Resources

The proposed project shall also affect the common property resources. The common property includes religious structures and public toilets. **Table 2.8** indicates that four religious structures and five public toilets shall be affected. These structures may not be saved as they are falling within the right of way and the corridor of impact. The details of the affected community properties are presented in **Table 2.8**. These common properties of the same size and type shall be redeveloped by the project developer at the desired place in consultation with local people.

TABLE 2.8
LOSS OF COMMON PROPERTY

Name of the Corridors	Common Property Resources			Total
	Religious structures	Public toilet	Others ¹	
Janakpuri to R.K.Ashram	2	1	0	3
Aero City to Tuglakabad	2	2	1	5
Lajpat Nagar to Saket G Block	0	1	0	1
Inderlok to Indraprastha	0	1	0	1
Mukundpur to Maujpur	0	0	0	0
Rithala – Narela- Bawana	0	0	0	0
Total	4	5	1	10

2.3 RELOCATION

The proposed project shall affect both the private, public and community property resources. The loss of private property and loss of community resource shall have social impacts on the local society. In view of social impacts, rehabilitation of the PAFs has been proposed. The relocation of community property resources shall also be done by

¹ Others include government buildings and community hall.

the DMRC. The diverse nature of social impacts, due to loss of land, loss of structures, loss of community resource property and loss of public utilities, require proper mitigation measures. Identification of adverse social impacts necessitates mitigation measures as per the preference of affected families. During site social survey, choice and desire of affected people have also been collected through survey questionnaires. Mitigation measure of the adverse impacts shall be following:

- to assist the PAPs in resettling them at the suitable place,
- to provide monetary assistance in the form of shifting allowance and transitional allowance, etc.
- to provide shop for loss of shop at resettlement site by DMRC
- to provide house for loss of house at resettlement site by Delhi Development Authority (DDA)

As per the “Policy/Guidelines on Relocation and Rehabilitation of the PAPs of All Categories due to Implementation of Delhi MRTS project”, DDA will rehabilitate the PAFs occupying residential dwelling units on recommendation of Land Acquisition Commissioner (LAC) and approval of Land & Building Department (L&B), Government of National Capital of Delhi (GNCTD) and DMRC will rehabilitate PAPs occupying commercial unit/shop by providing constructed shop in the shopping complex. Since no industrial units are expected to be affected by the proposed Delhi metro phase IV project, the Delhi State Industrial & Infrastructure Development (DSIID) has no role in the project resettlement and rehabilitation.

CHAPTER-3

SOCIO-ECONOMIC PROFILE

3.1 THE PROJECT AREA – AN OVERVIEW

Delhi is the largest metropolitan city by area and the second-largest metropolis by population in India. It is the eighth largest metropolis in the world. **Table 3.1** describes the demographic profile of NCT Delhi. The total area of NCT is 1483 Sq.km with rapid space of urbanization; landscape of Delhi has undergone a change from majority of rural area to urban. As per Census 2011, population of Delhi, as on March 2011 was 16.75 million against 13.85 million as on 1st March 2001. Out of the total population (Census 2011) 8.98 million is male and 7.80 million is female. Scheduled Caste population comprises 2.34 millions. As per the Census record, no scheduled tribe population has been reported in the NCT of Delhi. According to Census 2011, about 97.50 percent of population lives in urban areas of Delhi and remaining 2.5 percent in rural areas. Scheduled Caste population comprises 2.34 million in 2001 and 2.81 million in 2011. As per the Census record, no scheduled tribe population has been reported in the NCT of Delhi. The decadal growth rate of population during 2001-2011 was recorded at 21 percent. As per 2011 Census, the density of population in Delhi worked out at 11297 persons per square kilometer as against the national level of 382 persons per square kilometer. The universal sex ratio of Delhi as per population census for all age groups taken together was 821 females per 1000 males in 2001 and it has become 866 females per 1000 males as per provisional data of census -2011. Children sex ratio (0-6 years) of Delhi went down marginally from 868 (as per census 2001) to 866 (as per census 2011). The birth rate worked out to 20.98 per thousand populations during 2011 as against 21.73 for the year 2010. The Death Rate per thousand of population worked out to 6.65 during 2011 as against 7.52 in 2010. The infant mortality rate per thousand live births 21.91 was during 2011 as against 22.47 during 2010. Maternal mortality rate per thousand live births was 1.46 in 2011 while it was 1.30 in 2010. As per Census 2011; Delhi showed a high level of literacy i.e. 86.34 per cent as compared to 81.7 per cent in 2001 with literacy rate of 91.03 per cent for males and 80.93 percent for females. Rural and urban literacy rates of Delhi were 82.67 and 86.43 percent respectively in 2011. Total working population is 4.58 millions. Out of the total workers, main workers are 31.6 percent, marginal workers 1.7 percent and non workers 66.7 percent. The average size of household in Delhi was found of 5.05.

The density of population in Delhi is highest in the country. The increasing population, highest population density and limited land area have collectively increased the traffic volume of the city. The increasing traffic volumes on road need alternative public transport system for effective commutation. Previous studies suggest a three tier component system comprising of Rail corridors (elevated and at

grade), metro corridors (underground) and dedicated bus corridors. Metro Rail network was perceived to be fast, convenient and environmental friendly. In the process, Delhi government has completed two phases of metro rail. The first two phases are in operation. The next two phases (III & IV) would be completed in year 2015 and 2020 respectively. Thus, the entire metro network shall have the length of 370.4 km, which is considered necessary to provide the required level of transport in the city in view of population and area spread.

TABLE - 3.1
SOCIO-ECONOMIC CHARACTERISTICS

S. NO.	DESCRIPTION	UNIT	DELHI	
			2001	2011
1.0	Area	Sq. km	1,483	1483
2.0	Population (million)	No.	13.85	16.75
2.1	Male (million)	No.	7.61	8.98
2.2	Female (million)	No.	6.24	7.80
2.3	Scheduled Castes (million)	No.	2.34	2.81
2.4	Scheduled Tribes (million)	No.	--	--
3.0	Sex ratio (female per 1000 of male)	No.	821	866
4.0	Density (persons per Sq.km.)	No.	9294	11297
5.0	Decadal Growth rate	%	47.02	21.2
5.1	Birth Rate*	%	12.29	20.98
5.2	Death Rate*	%	6.06	6.65
5.3	Infant Mortality Rate*	%	23.18	21.91
5.4	Maternal Mortality Rate*	%	--	1.46
6.0	Literate (million)	No.	9.66	12.73
6.1	Literacy Rate	%	81.7	86.34
6.1.1	Male	%	87.3	91.03
6.1.2	Female	%	74.7	80.93
6.2	Urban	%	82.04	86.43
6.3	Rural	%	78.75	82.67
7.0	Total Workers (million)	No.	4.55	5.58
7.1	Main Workers	%	31.2	31.6
7.2	Marginal Workers	%	1.6	1.7
7.3	Non Workers	%	67.2	66.7
8.0	Household size	No.	5.0	5.02

Source: Census of India-2001

Census of India 2011

*Annual Report of Registration of Birth & Death in Delhi, 2011, Govt. of NCT of Delhi

The metro transport system is considered suitable being fast and clean transport system, however it also displaces people from their home and business base in a place like Delhi where roof for shelter and base for business are most desired. The adverse impacts of metro rail project are minimal in comparison to the other surface transport systems. DMRC requires the social assessment study to assess the socio-economic condition of the project affected people to address their issues related to

resettlement and rehabilitation as well as the public opinion on the proposed project. This chapter begins with the details of the project area in general and baseline information about the project affected people in particular. The information gathered in this chapter enable us to understand the impact of the project on the people and on the area.

3.2 PROFILE OF PROJECT AFFECTED FAMILIES

The alignment drawing and information provided by DMRC was the basis for identification of the affected families and project affected people due to the proposed project phase. The study represents assortment of the affected households, which includes titleholders and non-titleholders (**Table 3.2**). The group of non-titleholders included tenants, squatters, kiosk owners, etc. The interviewees interacted with the social teams involved for the purpose and disclosed the information required for the questionnaires format for data collection. The socio-economic analysis of surveyed household has been presented here. The data collected through the social survey generated baseline for socio-economic information about the project affected families. The exercise has been done for each alignment individually as well as comprehensively. The data has been compiled and presented in tabular and graphical forms.

Table 3.2
TOTAL NUMBER OF SURVEYED PAFs

Name of Corridor	Titleholders	Non-Titleholders	Total No of Surveyed PAFs
Janakpuri to R.K.Ashram	14	12	26
Aero City to Tuglakabad	6	23	29
Lajpat Nagar to Saket G Block	2	0	2
Inderlok to Indraprastha	10	13	23
Mukundpur to Maujpur	2	0	2
Rithala – Narela- Bawana	3	1	10
Total	37	49	86

3.2.1 Demographic and Social Conditions

The proposed project shall affect 611 PAFs which has approximately 2783 persons. In order to understand the socio-economic conditions of families/peoples who are likely to be affected due to the proposed Phase IV corridors, it is required to conduct sample socio-economic survey randomly from each affected areas. Therefore, sample socio-economic survey was conducted by covering about 15% of total affected PAFs in all six corridors of Delhi metro Phase-IV.

Gender and Sex Ratio: Gender and sex ratio of project affected persons of all six corridors is presented in Table 3.3. Sex Ratio is very helpful indicator to know the participatory share of males and females in a region, which is also an important

indicator for human development index. Among the surveyed population, it is observed that about 54.64% are male and remaining 45.36% are female.

TABLE-3.3
SEX WISE PAPs

Description	Number	Percentage (%)
Sex		
Male	165	54.64
Female	137	45.36
Total	302	100.0
Sex Ratio		831

Age Structure: Age Structure refers to the contribution of population as well as dependence of population on various economic and social activities. **Table 3.4** shows the data on age structures of the interviewed project affected people for all the six corridors. The age groups of 19-35 & 36-60 years are supposed to be productive and earning to contribute to the society, family and surroundings. All six corridors have majority of the population in the designate productive age groups. Table 3.3 shows that in the age groups of PAPs for all six alignments. The majority (41.72%) of family members belong to the age group of 15-35 years and 37.09 % belong to the age group to 36.60 years. Remaining 12.58% and 8.61% of family members belong to the age below 14 years and above 60 years respectively. About one-fifth surveyed population are dependent. Out of total dependent population, 12.58% people shall be the part of future manpower. However 8.61% shall be dependent for the remaining period, since such population consists of people above 60 years of age.

TABLE-3.4
AGE STRUCTURE OF PAPs

Description	Number	Percentage (%)
0-14 yrs	38	12.58
15-35yrs	126	41.72
36-60yrs	112	37.09
>60	26	8.61
Total	302	100.0

Religious Groups: Data on religious groups has been collected in order to identify people with the specific religious belief among the PAFs. The religious beliefs and social affiliation of the people are indicators that help understand cultural behavior of the groups. The social and cultural behavior will help understand the desires and preferences of PAPs, which is a prerequisite to rehabilitate the affected people and their families. **Table 3.5** shows that the Hindus (Hinduism) is the largest affected religious group among the project affected families, which is followed by Muslims (Islam) and then by other religions such as Jain. The study result shows that majority (79%) belongs to Hindu religion followed by Muslims (19.77%) and Jain (1.16%).

TABLE-3.5
RELIGIOUS GROUP OF PAFs

Description	Number	Percentage (%)
Hindu	68	79.07
Muslim	17	19.77
Jain	1	1.16
Total	86	100.0

Social Groups: Table 3.6 discloses information about social affiliation of a group. The social affiliation of the group differentiates them for benefits under government schemes. Social groups indicate ranking within the society, preferences and vulnerability. In general, the families belonging to Scheduled Castes (SC) and Scheduled Tribes (ST) under the provisions of Constitution of India get preferential treatment in the government benefits because the group includes the people who are traditionally vulnerable. Except general category, all other groups need attention and to be addressed for their backward socio-economic conditions. The majority of surveyed households belong to the Other Backward Castes (47.1%), which is followed by the Other Backward Castes (OBC) with 30.8% and then by the SC (22.1%). No ST population was found along the all proposed six metro corridors.

TABLE-3.6
SOCIAL GROUP OF PAFs

Description	Number	Percentage (%)
SC	15	22.1
ST	0	0.0
OBC/BC	32	47.1
General	21	30.8
Total	68	100

Educational Attainment: Education is a double-edged blade. It is a tool for vertical mobility in the society. It provides an opportunity to participate in the process of growth and developments. However, it also creates differences among people and introduces a new kind of inequality between those who have it and those who do not. In all the cases, education is a basic need and the best indicator of socio-economic development of a region. Out of the total surveyed population, about 20.53% have never attended formal education. About 18.54% of affected people are educated up to primary class, 22.19% are educated up to secondary level, and 25.17% have studied up to Higher Secondary level. About 13.58% of the affected people have studied up to college (Table 3.7). The data discloses that the education level of the project affected people is not at the satisfactory level even though the area is located in the metropolitan and national capital of India where educational facility is better than other parts of the country.

TABLE-3.7
EDUCATION LEVEL OF PAFs

Description	Number	Percentage (%)
Illiterate	62	20.53
Primary	56	18.54
Secondary	67	22.19
High School	76	25.17
College	41	13.58
Total	302	100.0

3.2.2 Economic Conditions of PAFs

The economic condition of PAFs describes occupational pattern, family income, and number of earning and dependent members. The occupational pattern includes work in which the head of the project affected families are involved. The family income includes income of all the earning members. The earning members include the people who work and earn to contribute to the family; however dependents included housewife, children, elderly people and others who cannot work and earn.

Occupational Pattern: The occupation and profession of the head of family has been considered during the social survey. The study recorded and assessed the capability, base for livelihood and skills of the family head, so that resettlement impacts can be assessed. Based on the impacts assessment, the income generation plan and rehabilitation plans shall be prepared accordingly. The survey results in Table 3.7 shows that majority (66.28%) of the head of project affected households are engaged in trade and business, 24.42% are engaged in labor works, 9.30% are employed in service of private sectors, public sectors and government jobs (Table 3.8).

TABLE-3.8
OCCUPATION OF PAFs

Description	Number	Percentage (%)
Labour	21	24.42
Business	57	66.28
Service	8	9.30
Total	86	100.0

Family Monthly Income: Assessing family income helps to understand the living standard, expenditure pattern, capacity of savings etc.. The data on monthly family income quantify either the family is under the Below Poverty line (BPL) or above poverty line (APL). The monthly family income of PAFs is given in Table 3.9. About 23.3% of families reported less than Rs 25,000/- monthly income. About 25.6% of families' monthly income is between Rs. 25,001/- to 50,000/-, 13.9% of families' income is between Rs.50,001 to 1,00,000/-, 10.5% of families earning between 1,00,001 – 1,50,000 /-, 11.6% families are earning 1,50,001-200,000/-. Families earning more than Rs.2, 00,000/- monthly constitute about 15%. Most of the indirectly affected families, due to the project, earning their livelihood from labour works are

identified as families living below the poverty line. The average income of a family is Rs.86628/- per month.

TABLE-3.9
MONTHLY INCOME OF PAFs

Description	Number	Percentage (%)
< 25,000	20	23.3
25,001-50,000	22	25.6
50,001-1,00000	12	13.9
1,00001-1,50000	9	10.5
1,50001-2,00000	10	11.6
>2,00000	13	15.1
Total	86	100.0

Earning and Dependents: The economic condition of a family is often determined by two important factors i.e. income and expenditures. The family income and expenditure depend on the number of earning members as well as the number of dependent members. The number of earning members varied from one to five. The average earning member per family is about 2 persons whereas numbers of dependents per family are around 4 persons.

3.2.3 Family Pattern and Family Size

Family Pattern and Family Size indicate the fabrics of sentimental attachment among the family members, social value, economic structures and financial burdens. The family particulars of the surveyed PAPs/ PAFs are given in **Table 3.10**. Out of total Project Affected Families, majority (84.88%) of the affected families follow nuclear family pattern and remaining 13.95% are joint families. The data also indicates presence of individual family pattern at 1.16%. The type of joint families is prevalent among most of the rich families and most of the poor families. However the lower and middle income group families show trend to live in the nuclear families. **Family size** is also determined by the economic burden and opportunities. Family size has been classified into three categories i.e. small (2-4), medium (5-7) and large (7 & above). Members of individual families have also been included in the small family size. **Table 3.10** shows most of the families have their member less than four. Majority of the families (55.81%) are small size family, 26.74% are medium type with 5-6 members and about 16.28% surveyed families are with members more than seven people. The data shows the preponderance of small sized families over middle size and large sized families across all the corridors.

Marital Status: The marital status of project affected people is indicated under three categories – married, unmarried, divorced/widowed. It is observed that out of 302 members, majority of them (56.2%) are married, and 43.8% are unmarried.

TABLE-3.10
FAMILY PATTERN AND FAMILY SIZE OF PAFs

Description	Number	Percentage (%)
Family Pattern		
Joint	12	13.95
Nuclear	73	84.88
Individual	1	1.16
Size of Family		
Small (2-4)	48	55.81
Medium (5-6)	23	26.74
Large (7 & above)	14	16.28
Individual	1	1.16

3.2.4 Affected Properties

The proposed project will affect government, private and community property resource structures. These structures are mainly of three uses - residential, commercial and residential cum commercial. The study identified three types of structures, based on construction material of the wall and floor/roof, which are: *kaccha(temporary)* structures, which largely consist of mud/straw walls with tile roof; semi-pucca made of wooden walls with tin/roof, and *pucca(permanent)*- these are made of brick or concrete walls with concrete and/corrugated tin roof. The details of structures and impacts of the proposed project have been described in Chapter 2.

3.2.5 Family Assets

Survey data reveals the household assets of the project affected families. The mobile phone, television, refrigerator, cooking gas, motor bike and car are the common property assets found in the project impact area. The material base of consumable good among the PAFs has significant presence. It is observed that most of the PAFs have owned these items in their households. Only owners of the kiosk and squatters are without vehicles although the owners of kiosk and squatters have mobile phones, television, cooking gas, etc. The PAFs consider that their consumable material base, that they have in their households, as need of day and necessary to survive in cities like Delhi.

3.2.6 Vulnerable Families

The vulnerability of the project affected families has been determined by the people falling in the category of scheduled caste, scheduled tribe, BPL, women headed family and disabled. If the households fall under BPL as a result of loss of livelihood/assets due to the proposed project, then they shall also be classified as vulnerable family. The study indicates that 24 PAFs are identified under vulnerable category. Out of the total 24 PAFs of vulnerable category, 17 belong to SC and BPL, five from BPL comprising other social groups and the remaining two is the woman headed family. There is no old and disabled person category.

3.3 AWARENESS ABOUT HIV/AIDS

Sex trade and spread of sexually transmitted diseases (STDs) also came up as critical socio-cultural and health issue, which needs to be addressed to ensure that the construction of metro rail is a socially responsible development project. Most of the respondents have shown awareness about HIV/AIDS. The main source of information is television, news paper and advertisement boards displayed by the government in the city. Taking into consideration the safety issues of risks of HIV/AIDS during the project period, a specialized NGO is required to be hired by the project proponent to undertake appropriate activities to deal with them in the labour camps. It is presumed that labour working in the project may not be aware with the hazards of the disease. The major activities of such NGO will include awareness generation, information dissemination and mobilization to act on the issues towards safer behavior.

3.4 AWARENESS AND OPINION ABOUT THE PROJECT

During the socio-economic survey, some questions were asked to the PAPs regarding the awareness, source of information and opinion about the proposed metro rail phase IV project. The findings of the survey with regards to awareness, source of information and opinion about the proposed project is presented in **Table 3.11**. Out of the total surveyed PAFs, 63.9% respondents were aware with the proposed Delhi metro rail phase IV, however about 36% said that they had no information about the proposed metro development. TV and News Paper are the main sources of information for PAFs, however 21% PAFs knew about the project from other people i.e. neighbors and also from surveyors working for the proposed project. Out of total respondents, 65% considered it a good government initiative for transport infrastructure development; however, about 29% replied it as being a bad option because it shall destroy their business base and source of livelihood while 5.8% respondents had no opinion about the proposed metro phase IV development.

TABLE-3.11
AWARENESS AND OPINION ABOUT THE PROJECT

Description	Number	Percentage (%)
Awareness about Project		
Yes	55	63.9
No	31	36.1
Sources of Information		
News Paper	42	48.8
TV	26	30.2
People	18	21.0
Opinion about Project		
Good	56	65.1
Bad	25	29.1
Can,t say	5	5.8

3.5 RESETTLEMENT & REHABILITATION OPTIONS

The options on resettlement and rehabilitation measures have also been collected from owner residents, owner commercial, tenant residential & commercial, kiosk owner and squatters. The data reveals that all residential unit owners opted for constructed building or plot within one to three km of their present area. Both residential and commercial unit owners have opted compensation at replacement cost, shifting expenses and rehabilitation grants in lieu of loss of business. The squatter and kiosk owners opted for proper rehabilitation within the area. The titleholders consented to get displaced by the project, if developer compensates them for the land with the market value and assistance for construction of house.

CHAPTER-4

POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

4.1 POLICY FRAMEWORK

The Metro Phase-IV project falls in “Category A” based on World Bank Operational Policy (OP 4.01) and JICA guidelines for Environmental and Social Projects. Category ‘A’ includes sensitive sectors such as “Roads, Railways and Bridges” which are similar to metro lines or located in or near sensitive areas such as cultural, historical or of archeological value. Over the years R&R policies have been developed at national and organizational levels. The Acts and Policy relevant to the study are:

- Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
- JICA ‘s Involuntary Resettlement Policy

The following section deals with these policies with a comparison and subsequently deals with the entitlements and eligibility for compensation and other resettlement entitlements.

4.2 RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013

The new land acquisition law came into force on 1st January, 2014. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (RTFCTLARR Act) replaces the Land Acquisition Act, 1894, which existed from colonial times. The new RTFCTLARR Act is an attempt to revamp and make the land acquisition process more effective by addressing the major lacunae in the old Land Acquisition Act (**Annexure-4.1**).

The Act seeks to harmonize the interests of land owners, industrialization/ growth of real estate and infrastructure industries and bring in transparency in the process of land acquisition. The objective of the Act is thus in line with the requirements of modern times. The Act, inter alia, contains provisions pertaining to mandatory rehabilitation and resettlement of those whose lands are acquired and payment of fair compensation to them. Significantly, the Act provides for enhanced compensation to land owners in cases of land acquisition by the government for public purposes or for Public Private Partnership (PPP) projects that may aggregate to up to four times the market value in rural areas and up to twice the market value in urban areas. The Act has been hailed as

beneficial and necessary to protect the interest of land holders and other affected persons.

Key Features of RTFCTLARR Act

The Act specifies provisions for land acquisition as well as R&R. Some of the major changes from the current provisions are related to (a) the process of land acquisition; (b) rights of the people displaced by the acquisition; (c) method of calculating compensation; and (d) requirement of R&R for all acquisitions.

Public Purpose:

- Land may be acquired only for public purpose. The Act defines public purpose to include: defense and national security; roads, railways, highways, and ports built by government and public sector enterprises; land for the project affected people; planned development; and improvement of village or urban sites and residential purposes for the poor and landless, government administered schemes or institutions, etc. This is broadly similar to the provisions of the LA 1894 Act.
- In certain cases consent of 80 per cent of the project affected people is required to be obtained. These include acquisition of land for (i) use by the government for purposes other than those mentioned above, and (ii) use by public-private partnerships, and (iii) use by private companies.

Process of Land Acquisition:

- The government shall conduct a Social Impact Assessment (SIA) study, in consultation with the Gram Sabha in rural areas (and with equivalent bodies in case of urban areas). After this, the SIA report shall be evaluated by an expert group. The expert group shall comprise two non-official social scientists, two experts on rehabilitation, and a technical expert on the subject relating to the project. The SIA report will be examined further by a committee to ensure that the proposal for land acquisition meets certain specified conditions.
- A preliminary notification indicating the intent to acquire land must be issued within 12 months from the date of evaluation of the SIA Report. Subsequently, the government shall conduct a survey to determine the extent of land to be acquired. Any objections to this process shall be heard by the Collector. Following this, if the government is satisfied that a particular piece of land must be acquired for public purpose, a declaration to acquire the land is made. Once this declaration is published, the government shall acquire the land. No transactions shall be permitted for the specified land from the date of the preliminary notification until the process of acquisition is completed.

Compensation to Land Owners:

The compensation for land acquisition is determined by the Collector and awarded by him to the land owner within two years from the date of publication of the declaration of acquisition. The process of determination of compensation is given below.

- First, the market value of the acquired land is computed as the higher of (i) the land value specified in the Indian Stamp Act, 1899 for the registration of sale deeds; or (ii) the average of the top 50 per cent of all sale deeds in the previous three years for similar type of land situated in the vicinity.
- Once the market value is calculated, it is doubled for land in urban areas. Then, the value of all assets attached to the land (trees, buildings, etc) is added to this amount. On this amount, a 100 per cent solatium, (i.e., extra compensation for the forcible nature of acquisition), shall be given to arrive at the final compensation figure.

Process of Rehabilitation and Resettlement

The RTFCTLARR Act requires R&R to be undertaken in case of every acquisition. Once the preliminary notification for acquisition is published, an Administrator shall be appointed. The Administrator shall conduct a survey and prepare the R&R scheme. This scheme shall then be discussed in the local bodies in case of urban areas. Any objections to the R&R scheme shall be heard by the Administrator. Subsequently, the Administrator shall prepare a report and submit it to the Collector. The Collector shall review the scheme and submit it to the Commissioner appointed for R&R. Once the Commissioner approves the R&R scheme, the government shall issue a declaration identifying the areas required for the purpose of R&R. The Administrator shall then be responsible for the execution of the scheme. The Commissioner shall supervise the implementation of the scheme.

Rehabilitation and Resettlement Entitlement

- The Act also provides the displaced families with certain R&R entitlements. These include, among other things, (i) land for a house as per the Indira Awas Yojana(IAY) in rural areas or a constructed house of at least 50 square meters plinth area in urban areas; (ii) a one-time allowance of Rs 50,000 for affected families; and (iii) the option of choosing either mandatory employment in projects where jobs are being created or a one-time payment of Rs 5 lakh or an inflation adjusted annuity of Rs 2,000 per month per family for 20 years,(iv)subsistence grant of Rs.3000/- for one year,(v)Transportation cost of

Rs.50,000/- for shifting,(vi)one –time assistance of Rs.25,000/-for cattle shed/petty shop,(vii)One –time grant of Rs.25,000/- to artisan, small traders & others,(viii)one-time resettlement allowance of Rs. 50,000/- to PAF.

- Every resettled area is to be provided with certain infrastructural facilities. These facilities include roads, drainage, provision for drinking water, grazing land, banks, post offices, public distribution outlets, etc.

4.3 JICA's INVOLUNTARY RESETTLEMENT POLICY

The JICA guidelines for environmental and social considerations¹ are applicable to this project subject to provisions in this SIA report. The Resettlement Action Plan (RAP) has been developed in accordance with the requirements of the JICA on Involuntary Resettlement. The involuntary resettlement may cause severe long-term socio-economic hardships, impoverishment and environmental damages unless appropriate measures are carefully planned and carried out.

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

1. Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives.
2. When, population displacement is unavoidable, effective measures to minimize the impact and to compensate for losses should be taken.
3. 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.
4. Compensation must be based on the full replacement cost² as much as possible.
5. Compensation and other kinds of assistance must be provided prior to displacement.
6. 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

¹ The Guidelines for Environmental and Social Considerations (hereafter, the "new Guidelines") and the Objection Procedures based on the Guidelines for Environmental and Social Considerations (hereafter, the new "Objection Procedures") were put into effect on July 1,2010.

² Description of "replacement cost" is as follows.

- a. **Land in Urban Areas-** The pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
- b. **Houses and Other Structures-** The market cost of the materials to build a replacement structure with an area and quality similar or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes.

Policy, OP 4.12, (**Annexure-4.2**).

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. When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people.
8. Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.
9. 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.

10. 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.
11. 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.
12. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.
13. Provide support for the transition period (between displacement and livelihood restoration).
14. 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.
15. For projects that entail land acquisition or involuntary resettlement of fewer than 200 people, abbreviated resettlement plan is to be prepared.

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.

4.4 GAPS BETWEEN JICA AND APPLICABLE NATIONAL POLICY

Policies gaps analysis is presented in **Annexure 4.3** which summarizes key deviations between the two sets of legal and policy frameworks i.e. JICA policies and the existing national law relevant to this project. It also makes recommendations for measures to plug these gaps.

4.5 PROJECT RESETTLEMENT POLICY AND ENTITLEMENT MATRIX

4.5.1 The Project Policy

DMRC on behalf of Government will use the Project Resettlement Policy (the Project Policy) for the proposed Phase-IV metro rail project. The Project Policy is aimed at filling-in any gaps in what local laws and regulations cannot provide in order to help and ensure that PAPs are able to rehabilitate themselves to at least their pre-project condition. This section discusses the principles of the Project Policy and the entitlements of the PAPs based on the type and degree of their losses. Where there are gaps between the Government of India's legal framework for land acquisition, rehabilitation and resettlement and JICA's Policy on Involuntary Resettlement, practicable mutually agreeable approaches will be designed consistent with Government practices and JICA's Policy.

The key principles of the project policy on land acquisition, rehabilitation and resettlement are summarized below.

- a. Land acquisition and involuntary resettlement will be avoided where feasible, or minimized, by identifying possible alternative project designs that have the least adverse impact on the communities in the project area.
- b. Where displacement of households is unavoidable, all PAPs (including communities) losing assets, livelihoods or resources will be fully compensated and assisted so that they can improve, or at least restore, their former economic and social conditions.
- c. Compensation and rehabilitation support will be provided to any PAPs, that is, any person or household or business which on account of project implementation would have his, her or their:
 - Standard of living adversely affected;
 - Right, title or interest in any house, interest in, or right to use, any land (including premises, agricultural and grazing land, commercial properties, tenancy, or right in annual or perennial crops and trees or any other fixed or moveable assets, acquired or possessed, temporarily or permanently;

- Income earning opportunities, business, occupation, work or place of residence or habitat adversely affected temporarily or permanently; or
 - Social and cultural activities and relationships affected or any other losses that may be identified during the process of resettlement planning.
- d. All affected people will be eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standard and any such factors that may discriminate against achievement of the objectives outlined above. Lack of legal rights to the assets lost or adversely affected tenure status and social or economic status will not bar the PAPs from entitlements to such compensation and rehabilitation measures or resettlement objectives.
 - e. All PAPs residing, working, doing business and/or cultivating land within the project impacted areas as of the date of the latest census and inventory of lost assets(IOL), are entitled to compensation for their lost assets (land and/or non-land assets), at replacement cost, if available and restoration of incomes and businesses, and will be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.
 - f. PAPs that lose only part of their physical assets will not be left with a portion that will be inadequate to sustain their current standard of living. The minimum size of remaining land and structures will be agreed during the resettlement planning process.
 - g. People temporarily affected are to be considered PAPs and resettlement plans address the issue of temporary acquisition.
 - h. Where a host community is affected by the development of a resettlement site in that community, the host community shall be involved in any resettlement planning and decision-making. All attempts shall be made to minimize the adverse impacts of resettlement upon host communities.
 - i. The resettlement plans will be designed in accordance with the Government of India's RTFCTLARR, Act 2013 and JICA's Policy on Involuntary Resettlement.
 - j. The Resettlement Plan will be translated into local languages and disclosed for the reference of PAPs as well as other interested groups.
 - k. Payment for land and/or non-land assets will be based on the principle of replacement cost.
 - l. Replacement lands, if the preferred option of PAPs, should be within the immediate vicinity of the affected lands wherever possible and be of comparable productive capacity and potential³. As a second option, sites should be identified that minimize the social disruption of those affected; such lands should also have access to services and facilities similar to those available in the lands affected.

³ Agricultural land for land of equal productive capacity means that the land provided as compensation should be able to produce the same or better yield the AP was producing on his/her land prior to the project. The production should be in the planting season immediately following the land acquisition. It can be for a future period if transitional allowance equal to the household's previous yield is provided to the AP household while waiting for the land to get back to the same productivity as the previous land.

- m. Resettlement assistance will be provided not only for immediate loss, but also for a transition period needed to restore livelihood and standards of living of PAPs. Such support could take the form of short-term jobs, subsistence support, salary maintenance, or similar arrangements.
- n. The resettlement plan must consider the needs of those most vulnerable to the adverse impacts of resettlement (including the poor, those without legal title to land, ethnic minorities, women, children, elderly and disabled) and ensure they are considered in resettlement planning and mitigation measures identified. Assistance should be provided to help them improve their socio-economic status.
- o. PAPs will be involved in the process of developing and implementing resettlement plans.
- p. PAPs and their communities will be consulted about the project, the rights and options available to them, and proposed mitigation measures for adverse effects, and to the extent possible be involved in the decisions that are made concerning their resettlement.
- q. Adequate budgetary support will be fully committed and made available to cover the costs of land acquisition (including compensation and income restoration measures) within the agreed implementation period. The funds for all resettlement activities will come from the Government.
- r. Displacement does not occur before provision of compensation and of other assistance required for relocation. Sufficient civic infrastructure must be provided in resettlement site prior to relocation. Acquisition of assets, payment of compensation, and the resettlement and start of the livelihood rehabilitation activities of PAPs, will be completed prior to any construction activities, except when a court of law orders so in expropriation cases. (Livelihood restoration measures must also be in place but not necessarily completed prior to construction activities, as these may be ongoing activities).
- s. Organization and administrative arrangements for the effective preparation and implementation of the resettlement plan will be identified and in place prior to the commencement of the process; this will include the provision of adequate human resources for supervision, consultation, and monitoring of land acquisition and rehabilitation activities.
- t. Appropriate reporting (including auditing and redress functions), monitoring and evaluation mechanisms, will be identified and set in place as part of the resettlement management system. An external monitoring group will be hired by the project and will evaluate the resettlement process and final outcome. Such groups may include qualified NGOs, research institutions or universities.

4.5.2 The Entitlement Matrix

An Entitlement Matrix has been developed in compliance with National Laws and JICA's Involuntary Resettlement Policy. The entitlement matrix summarizes the types of losses and corresponding nature and scope of entitlements. As per the policy, only the affected portion will be compensated. However, if living there is no longer viable, it will be considered as fully affected. PAPs who are squatters and not legal titleholder of land and buildings shall also be eligible for R&R if enumerated during the census survey. Therefore, **Cut-off-Date** for those who have legal title is the date of Notification under Section 11(1) of the RTFCTLARRA, 2013 and completion of census survey shall be the **Cut-off Date** for non-titleholders. It is on this date that all impacted persons will be identified and the nature of the impact disclosed. People who settle in the affected areas after the cut-off date will not be eligible for compensation and/or other assistance. Therefore, in order to prevent inflow of people after Cut-off-date, all PAFs and PAPs need to be identified and recorded to establish their eligibility through census survey by District Collector/Administrator(R&R). People will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and they will not pay any fine or suffer any sanction. The entitlement matrix of the project is given in **Table 4.1**.

TABLE 4.1: ENTITLEMENT MATRIX OF THE PROJECT

Type of impact	Entitled person	Compensation entitlements	Other entitlements	Responsible organization
Loss of land	Landowner	a) Compensation based on market value*1 b) Multiplication factor applied to market value*2 c) Plus 100% solatium on market value of land including multiplication factor d) 12 % interest rate per annum on market value of land (from declaration of award up to date of payment) *1: Market value to be determined as provided under section 26 of the Act. *2: Multiplication factor of urban area: 1 Multiplication factor of rural area: 1-2	a) One-time transportation allowance: Rs.50,000 b) Subsistence grant of Rs.3,000 per month for one year. Vulnerable (e.g. Scheduled Caste/Tribes) to receive an additional Rs.50,000. c) One-time resettlement allowance: Rs.50,000 d) Payment of stamp duty	District Collector DMRC
Loss of land (temporary)	Landowner	Compensation at the max rate of 6% of total land and property cost per year.	-	District Collector DMRC
Loss of residential structure	Owner	a) Cash compensation at scheduled rates for structure without depreciation with 100% solatium. and b) Provision of an alternative house as per Indira Awas Yojana (IAY) specifications in rural areas and constructed house/flat of minimum 50 m ² in urban areas. or c) One-time financial assistance for house construction not less than Rs.150,000 in case of urban areas.	a) One-time transportation allowance: Rs.50,000 b) Subsistence grant of Rs.3,000 per month for one year. Vulnerable (e.g. Scheduled Caste/Tribes) to receive an additional Rs.50,000. c) One-time resettlement allowance: Rs.50,000 d) Payment of stamp duty	District Collector DMRC

Type of impact	Entitled person	Compensation entitlements	Other entitlements	Responsible organization
Loss of commercial structure	Owner	a) Cash compensation at scheduled rates for structure without depreciation with 100% solatium. or b) Provision of shop of max size of 25 m ² .	a) One-time transportation allowance: Rs. 50,000 b) Subsistence grant of Rs.3,000 per month for one year c) One-time resettlement allowance: Rs. 50,000 d) One-time grant of min. of Rs. 25,000 for petty shop e) One-time grant of min. of Rs. 25,000 for artisan, small traders and others f) Payment of stamp duty	District Collector DMRC
Loss of immovable assets (e.g. trees)	Owner	Compensation at scheduled district rates.	-	District Collector DMRC
Loss of cattle shed	Owner	-	One-time grant of min. of Rs. 25,000.	District Collector DMRC
Loss of rental residential unit	Tenant	-	One-time transportation allowance* *: Rate to be determined later by the District Collector	District Collector DMRC
Loss of rental commercial unit	Tenant	-	a) One-time transportation allowance* b) One-time subsistence grant* *: Rate to be determined later by the District Collector	District Collector DMRC
Loss of residential structure	Squatters	Compensation at scheduled rates without depreciation.	One-time transportation allowance* *: Rate to be determined later by the District Collector	District Collector DMRC
Loss of commercial structure	Squatters	Compensation at scheduled rates without depreciation.	a) One-time transportation allowance* b) One-time subsistence grant* *: Rate to be determined later by the District Collector	District Collector DMRC
Loss of kiosk (moveable)	Owner	-	One-time artisan grant: Rs.25,000	District Collector DMRC
Loss of employment	Workers/ Employees	-	One-time resettlement allowance* *: Rate to be determined later by the District Collector	District Collector DMRC

Type of impact	Entitled person	Compensation entitlements	Other entitlements	Responsible organization
Loss of livelihood	Owner of commercial enterprises (e.g. shop owner)	-	Choice of annuity or employment: a) Provision of employment to at least one member of the family or b) One-time payment of Rs.500,000 per affected family or c) Pay minimum Rs.2,000 per month per family for 20 years	District Collector DMRC
Loss off common property resources	-	a) Community properties will be replaced in consultation with the community. b) Civic infrastructure would be replaced in consultation with the affected community and the local administration.	-	District Collector DMRC Local government

CHAPTER-5

INSTITUTIONAL FRAMEWORK

5.1 INSTITUTIONAL ARRANGEMENT

The implementation of Resettlement Action Plan (RAP) requires involvement of various institutions at different stages of project cycle. This section deals with roles and responsibilities of various institutions for a successful implementation of the RAP. The institutions to be involved in the process are as follows:

1. Delhi Metro Rail Corporation(DMRC)
2. Land and Building Department, Govt. of NCT of Delhi
3. Office of the District Collector
4. Delhi Urban Shelter Improvement Board(DUSIB)

The institutional framework for RAP implementation is shown in **Figure 5.1**.

5.1.1 Delhi Metro Rail Corporation

DMRC is the executing and implementing agency for the proposed Phase-IV corridors in Delhi. DMRC will be overall in charge of rehabilitation and resettlement issues such as implementation, monitoring and execution of land acquisition and resettlement issues. The designated engineering department headed by Chief Project Manager in DMRC will assess the requirement of land acquisition and resettlement based on the engineering design. DMRC will be responsible for coordinating with other concerned government departments for land acquisition, planning and implementation of RAP which will include the disbursement of compensation, assistance, shifting and relocation of affected people. DMRC also arrange/provide vocational training and other welfare assistance to the affected people. DMRC will also resettle and rehabilitate the PAPs occupying the commercial units by constructing shopping complexes at the nominated location. However, LIG & MIG flats will be provided to PAFs occupying residential / dwelling by Delhi Development Authority (DDA) on recommendation of Land Acquisition Collector (LAC) and approval of Land & Building Department, Government of NCT Delhi.

To ensure proper coordination and execution of the land acquisition and resettlement issues and to ensure coordination with the implementing agency, an independent evaluation consultant (Resettlement & Rehabilitation) with educational background of master in social science i.e. Social Work (MSW) & Sociology or an organization with similar expertise, may be hired by DMRC for mid and end term evaluation of implementation of resettlement and rehabilitation activities. The independent evaluation consultant could review RAP implementation in light of the objectives, targets, budget

and duration that is laid down in the plan. DMRC will report to funding agency regarding the progress made on land acquisition and implementation of resettlement plan.

5.1.2 Land and Building Department

Land and Building Department, Government of NCT of Delhi, is responsible for large-scale acquisition of land for planned development of Delhi. Land Acquisition Branch of this Department is responsible for overall coordination between various agencies involved in land acquisition. For acquisition of private land for the proposed metro rail project, DMRC will place requisition of land to Transport Department, GNCT of Delhi, who in turn will forward the requisition to Land & Building Department. On receipt of the proposal for acquisition of land from Transport Department, GNCT of Delhi, the Land Acquisition Branch of Land & Building Department will forward the same to LAC to initiate the process for acquisition of land.

5.1.3 Office of the District Collector

The proposed project covers almost all districts of Delhi and each district has a LAC. The office of the LAC will be responsible for the land acquisition. Land Acquisition Collector will coordinate between the DMRC and the affected land owners. DMRC will be providing the technical details and the land acquisition plans to the LAC. The LAC will be responsible for initiating the notice and issuing all the sections under the Land Acquisition Act. LAC will be responsible for conducting the valuation of affected land and assets and will decide the compensation. The disbursement of compensation for land and assets of the legal owners will be done by LAC.

5.1.4 Delhi Urban Shelter Improvement Board (DUSIB)

The role of DUSIB is to look after the *Jhuggie/Jhonprie* squatter settlements / clusters by way of provision of civic amenities and their resettlement. The DUSIB is responsible for the rehabilitation of squatters/encroachers affected by the corridors. Relocation policy for slum dwellers will be applicable subject to fulfillment of terms and conditions laid down in that policy.

5.1.5 Social Management Unit (SMU)

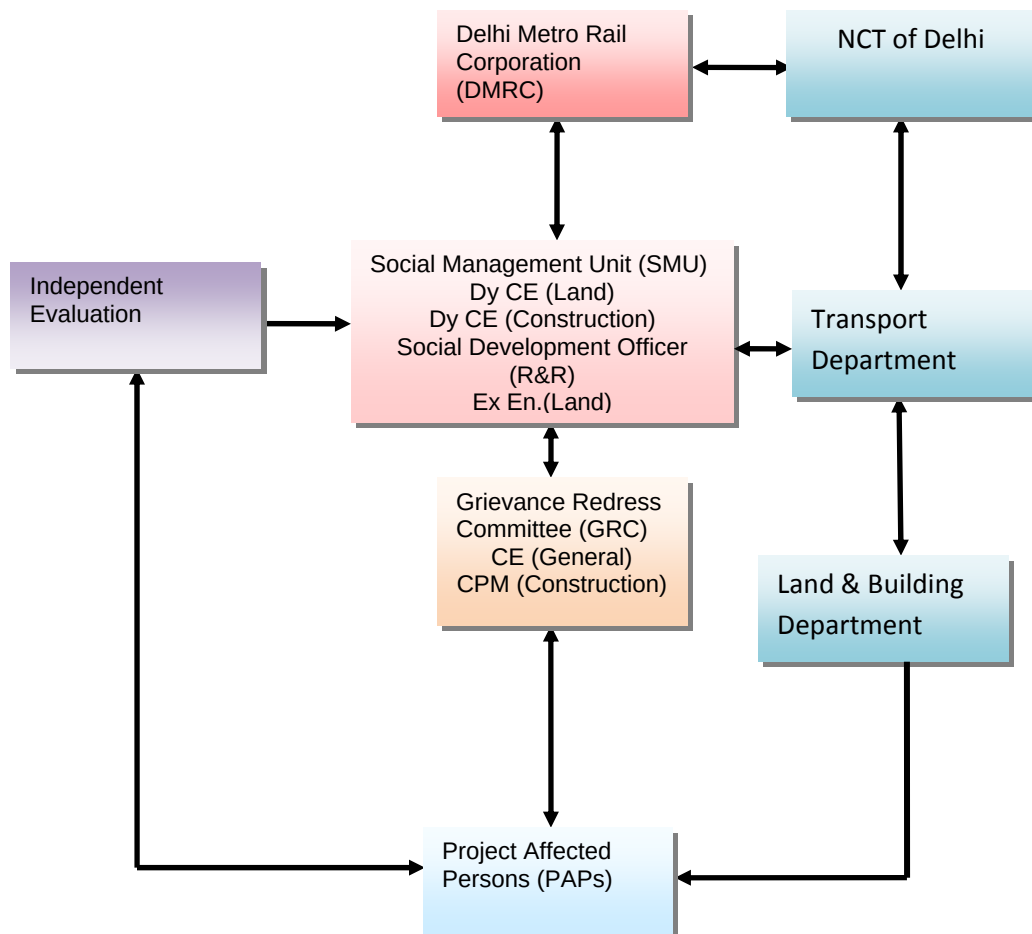
DMRC has a division which is for looking after the social safeguards activities. This is headed by Deputy Chief Engineer (Land). He/She co-ordinates with other divisions/sections of DMRC on social, rehabilitation and resettlement issues. Other members of this unit will include the concerned Deputy Chief Engineer of the line/corridor referred to as Deputy Chief Engineer (construction) in, **Figure 5.1**, Executive Engineer (land) and Executive engineer of the concerned line/corridor. DMRC will do the overall coordination, preparation, planning, implementation, and financing of

RAP. The Social Management Unit (SMU) of DMRC, will work closely with other staff of the DMRC and will be specifically looking after the social safeguards issues. The SMU shall ensure that all land acquisition issues are handled according to the LA policy/guidelines as it is laid down in this report. It will also monitor that all the procedural and legal issues involved in land acquisition are fulfilled. The SMU will assist the DMRC for getting all the necessary clearances and implementation of the resettlement activities prior to start of any civil work. A Social Development Officer (R&R) with background of social science may be added in this SMU as full time to supervise and monitor overall activities of RAP and he/she will report day to day progress to Deputy Chief Engineer (Land). The ToR for proposed Social Development Officer (R&R) is attached as **Annexure 5.1.**

Some of the specific functions of the SMU in regards to resettlement management will include the following:

- Overall responsibility of planning, implementation and monitoring of land acquisition and resettlement and rehabilitation activities in the Project;
- Ensure availability of budget for R&R activities;
- Liaison lined agencies support for land acquisition and implementation of land acquisition and resettlement
- Coordinating with line Departments, especially with the LAC.

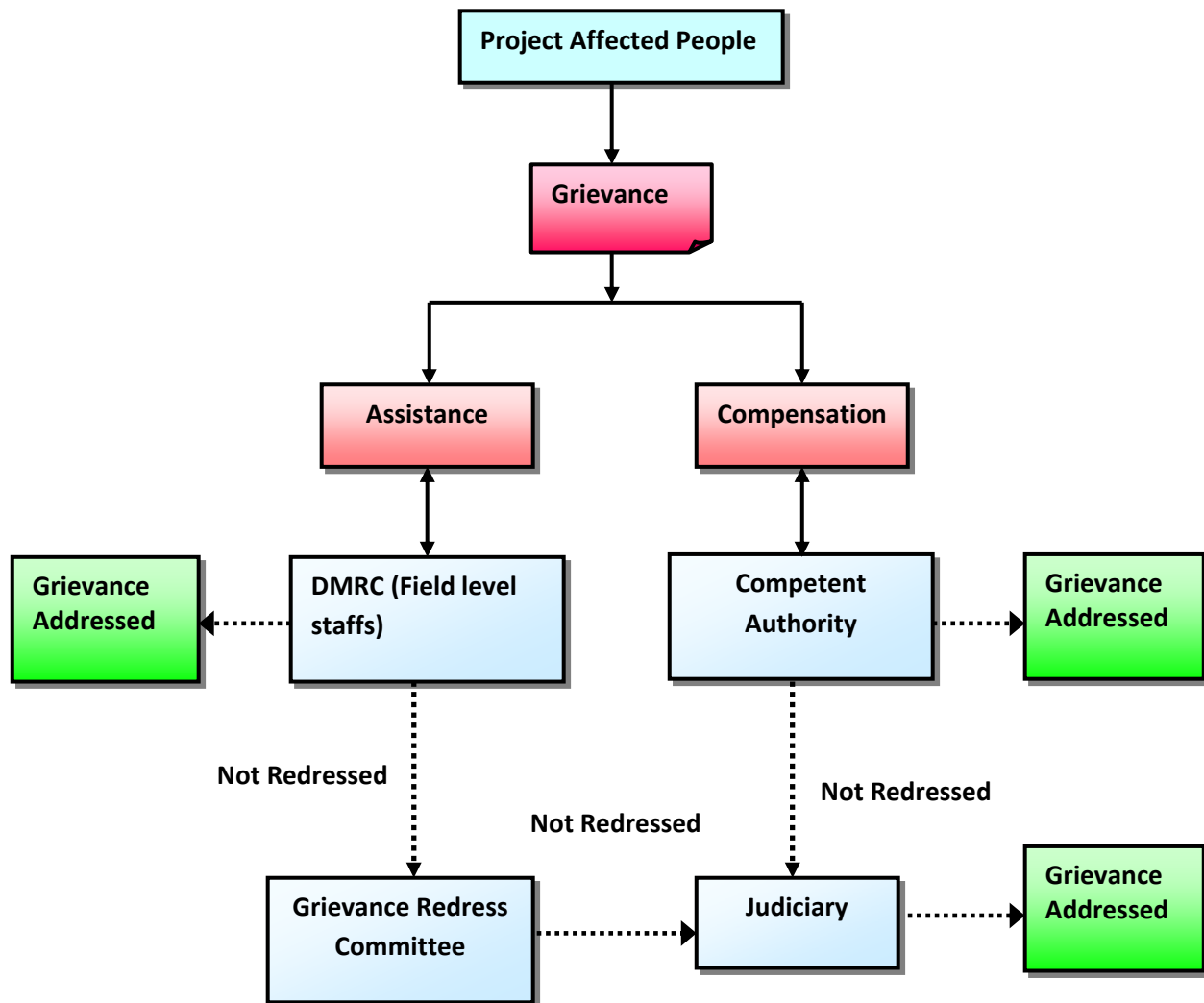
FIGURE 5.1
INSTITUTIONAL CHART FOR RAP IMPLEMENTATION



5.2 GRIEVANCE REDRESSAL COMMITTEE

Efficient grievance redressal mechanism will be developed to assist the PAPs resolve their queries and complaints. Grievances of PAPs will be first brought to the attention of SMU, DMRC. Grievances not redressed by SMU will be brought to the Grievance Redressal Committee (GRC). The composition of the proposed GRC will have Chief Engineer (General), CPM(Construction). The GRC will address only rehabilitation assistance issues. Grievances related to ownership rights and land compensation can be dealt in court as per RTFCTLARR Act 2013 and District Collector will be responsible for this. The main responsibilities of the GRC are to: (i) provide support to PAPs on problems arising from land/property acquisition; (ii) record PAPs grievances, categorize, and prioritize grievances and resolve them; (iii) immediately inform the SMU of serious cases; and (iv) report to PAPs on developments regarding their grievances and decisions of the GRC. Other than disputes relating to ownership rights under the court of law and compensation, GRC will review grievances involving all resettlement benefits. When any grievance is brought to the field level staff, it should be resolved within three months from the date of complaint. The GRC will meet every month (if grievances are brought to the Committee), determine the merit of each grievance, and resolve grievances within three months of receiving the complaint—failing which the grievance can be referred to appropriate court of Law for redressal by the PAP. Records will be kept of all grievances received including: contact details of complaint, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. A flow chart of grievances redressal is indicated in **Figure 5.2**.

FIGURE-5.2
STAGES OF GRIEVANCE REDRESSAL



5.3 ROLE OF STAKEHOLDERS IN RAP

Role of different stakeholders for implementation of resettlement plan is presented in **Table 5.1**.

TABLE-5.1
ROLE OF STAKEHOLDERS FOR IMPLEMENTATION OF RAP

Position	Responsibilities
Chief Engineer (DMRC)	• Implementation of R&R activities of LAP; • Land acquisition and R&R activities in the field; • Ensure availability of budget for R&R activities and • Liaison with district administration for support for land acquisition and implementation of R&R;
Dy. Chief Engineer (DMRC)	• Manage the day to day implementation of R&R activities and report the same to Chief Engineer, • Monitor land acquisition and progress of R&R implementation; • Develop communication strategy for disclosure of RAP; • Liaison with district administration for government's income generation and development programmes for the PAPs; • Monitor physical and financial progress on land acquisition and R&R activities; • Organize meetings with R&R officer and other support staffs to review the progress on R&R implementation;
Grievance Redressal Committee	• To provide support for the affected persons on problems arising out of LA/ property acquisition; • To record the grievances of the APs, categorize and prioritize the grievances that need to be resolved by the Committees; • To inform Chief Engineer of each corridor of serious cases within an appropriate time frame and • To report to the aggrieved parties about the development regarding their grievance and decisions of the project authorities.
Independent Evaluation	• Evaluate the implementation of the various provisions and activities planned in the RAP; • Review the plan implementation in light of the targets, budget and duration that had been laid down in the plan.
Judiciary	• The case not resolved at GRC shall be put to court of law.

5.4 IMPLEMENTATION SCHEDULE

The implementation schedule for resettlement plan will be scheduled as per the overall project implementation. All activities related to the land acquisition and resettlement must be planned to ensure that 100% compensation is paid prior to displacement and commencement of civil works. In principle, the residential unit and shopping complex will be provided prior to resettlement. However, if it not possible, DMRC will find a temporary place and pay for the rental fee. Public consultation, internal monitoring and grievance redressal will be undertaken intermittently throughout the project duration. However, the schedule is subject to modification depending on the progress of the project activities. As part of advance actions, DMRC will establish the GRC, and initiate the resettlement implementation. The R&R activities of proposed project are divided in to three broad categories based on the stages of work and process of implementation. The details of activities involved in these three phases are project preparation phase, RP implementation phase and Monitoring and Evaluation phase.

5.4.1 Project Preparatory Stage (Pre-Implementation Stage)

Setting up relevant institutions for the resettlement activities will be the major task during the preparatory stage which is pre implementation phase. The major activities to be performed in this period include establishment of ESMD and additionally, the GRC needs to be appointed at this stage.

5.4.2 RAP Implementation Stage

The RAP, at this stage, needs to be approved and will be disclosed to the PAPs. Upon the approval of RAP, all the arrangements for fixing the compensation and the disbursement needs to be done which includes payment of all eligible assistance; relocation of PAPs; initiation of economic rehabilitation measures; site preparation for delivering the site to contractors for construction and finally commencement of the civil work. Considering the lengthy and time taking process for land acquisition, this step has been taken by the DMRC in advance which is being followed as per the Land Acquisition Act. However, the resettlement and rehabilitation fund will be monitored as part of the RAP implementation at this stage. Internal monitoring will be the responsibility of DMRC which will start in early stage of the project when implementation of RAP starts and will continue till the completion of the implementation of RAP. The DMRC will be responsible for carrying out the monitoring on half yearly basis.

5.4.3 RAP Implementation Schedule

As per the DPR the project will take about 72 months for completion. Resettlement implementation plan has been spread over a period of two and half years. A simplified summary of the operational aspects of the implementation plan will be prepared when the actual project starts. However, the sequence may change as delays occur due to circumstances beyond the control of the project. RAP implementation schedule for R&R activities in the proposed project including various sub tasks and time line matching with civil work schedule is prepared and presented in **Table 5.2**.

TABLE 5.2
RAP IMPLEMENTATION SCHEDULE FOR DELHI METRO PHASE-IV CORRIDORS

S.No	Work Item	2017				2018				2019				2020				2021			
1	Notification to be issued by Govt. for SIA study and consultation																				
2	Preparation of detailed SIA by Govt.																				
3	Public Hearing for SIA																				
4	Publication of SIA study																				
5	Appraisal of SIA report by Expert Group																				
6	Examination of proposals for land Acquisition and SIA Report by Govt.																				
7	Preliminary Notification & Acquisition																				
8	Hearing & Objection																				
9	Preparation of R&R Scheme by the Administrator																				
10	Review & Approval of R&R Scheme																				
11	Publication of R&R Scheme																				
12	Marking & measurement of land																				
13	Notice to interested persons																				
14	Land Acquisition & R&R Award for PAFs by Collector																				
15	Shifting of PAFs																				
16	Grievance Handling System																				
17	Internal Monitoring																				
18	External Monitoring																				
19	Construction Works																				

CHAPTER-6

PUBLIC CONSULTATION

6.1 BACKGROUND

Public consultation is a continuous process throughout the project period, during project preparation, implementation, and monitoring stages. The sustainability of any infrastructure development depends on the participatory planning in which public consultation plays a major role. Experience indicates that involuntary resettlement generally causes numerous problems for the affected population. These problems may be reduced to a great extent if people are properly informed and consulted about the project and allowed to make meaningful choices or preferences. This serves to reduce the insecurity and opposition to the project which otherwise are likely to occur during project implementation. The overall objective of the consultation program is to minimize negative impact in the project corridors and to make people aware of the project.

Keeping in mind the significance of consultation and participation of the people likely to be affected or displaced due to the proposed project, both formal and informal discussions were conducted with stakeholders during field visits. During field visits the social experts of RITES Ltd. consulted with the key stakeholders and discussed the issues regarding land acquisition, structures likely to be affected, high social risk, presence of significant CPR (Common Property Resource) and vulnerable population, mitigation measures, value of affected assets, and other assistance & allowances. In this chapter detailed methodology adopted for stakeholder consultation and key findings of consultations are discussed.

6.2 APPROACH AND METHODS OF CONSULTATION

Public consultations were conducted at 10 locations. Consultations cover various sections of affected persons such as traders, women, squatters, kiosks and other inhabitants. During public consultations, issues related to land acquisition, compensation, income restoration, employment generation, safe mode of transportation, road accident information flow, grievance redressal, safety, role of administration etc. were discussed. The RAP addresses all issues raised during public consultation and recommends institutional strengthening measures as well. The following methods were adopted for conducting public consultation:

- Walk-through informal group consultation along the alignment.

- Discussions with different groups of affected people including residential groups, traders, and slum dwellers (squatters).
- In-depth individual interviews
- Discussions and interviews with key informants
- Sharing the opinion and preferences of the PAPs

The number of participants in the consultations were approximately 110, which include different representatives from different echelon of the society. The key informants included both individuals and groups namely (i) head of households; (ii) household members; (iii) small business entrepreneurs (SBEs); (iv) local people; (v) squatters; (vi) kiosks.

6.3 KEY FINDINGS OF CONSULTATIONS

The consultants briefed the participants about the objectives of the project meetings regarding various social issues i.e., family income, compensation for land acquisition, employment etc. The participants were invited to give their valuable suggestions on the above issues and were assured for suitable incorporation of such suggestions in the project within the technical limitations and scope of the project. Minutes of consultation meetings at project level are given at **Annexure 6.1**. Some of the views expressed, suggestion given or queries raised by the participants are as follows:



- The existing transport facilities are highly inadequate and hence overcrowded. Participants from Andrew Ganj, Sheikh Saray, LNJP Hospital, Khanpur, Rangpuri Village, Azadpur, Peeragarhi reported of higher waiting time and expecting that Metro train will save their time.
- All the participants from all the places appreciated and welcome the Metro project due to its easy and convenient transportation. Additionally, it will increase the connectivity in surrounding areas.
- Alignment should be underground to avoid dismantling of any residential or commercial structures.
- Vacant land should be used for metro station instead of acquiring residential and commercial plots or structures of local people.



- Safety should be given first priority during construction and operation of the metro rail project.
- Employment opportunity should be provided to the local people particularly to the project-affected people on priority basis in all stages of the metro project.
- Participants strongly suggested that the affected structures/people should get adequate compensation in order to re-instate the life of people.
- Compensation for acquired land should be provided on time to the affected families/people at market rate.
- Source of livelihood should not be disturbed. The affected businessmen should be given alternate employment.
- Shop for shop- All shop keepers should be rehabilitated by constructing market complex in nearby area.
- Govt. should provide a constructed house for each affected family.
- All development facilities should be centered for the utilization of project affected people and community development programmes should be implemented in project affected areas.
- Many of the participants particularly women recommend Metro train for its easy and safe commutation.
- Participants from Bavana industrial area and other areas reported that there is huge traffic at pick hours and due to crowded existing transport, the cases of accidents are on higher side. Metro will certainly help to reduce accidents by reducing load on existing transportation system.
- Participants from Bavana industrial area and other areas reported that there is huge traffic at pick hours and due to crowded existing transport, the cases of accidents are on higher side. Metro will certainly help to reduce accidents by reducing load on existing transportation system.

It is evident from the discussion with local people during social survey that the people in Delhi have no objection to the proposed metro rail project. According to them loss of residential structures and homestead land will mean a lot of problem for people. Compensation for acquisition of private land should be given to those who are likely to lose their land at the current market price. There should not be any negative impact on green view of Delhi.

6.4 INFORMATION DISCLOSURE AND CONSULTATION

During social survey, meetings and group discussions were conducted to get wider public input from the primary and secondary stakeholders. The roadside communities, particularly the affected small business enterprises, took tremendous interests in the meetings. This consultative approach led to

identification of a range of issues related to designing of underground stations at populated areas, road improvements before construction of metro corridors, reducing disruption of livelihoods and improved design for roadside amenities/services for the traveling public. Perhaps more importantly, the affected communities strongly felt a sense of participation in the decision-making process.

During project implementation, Project Implementation Unit (PIU) with the help of Dy. Chief Engineer (DMRC) will conduct Information and Community Consultation Program (ICCP) in the project area on regular basis. The main objectives of the ICCP are to: (i) inform and explain the entitlement policy and the various options to the affected people prior to payments of compensation and other



assistance; and (ii) socially prepare the Small Business Enterprises (SBE), and households for relocation and assist them in the process. As a result, the affected families/persons will be well informed about the project and their entitlements. PIU will prepare an information brochure in local language, i.e., Hindi, explaining the RAP, the entitlements and the implementation schedule. The RAP will be distributed to all affected households/SBEs.

6.5 COMMUNITY PARTICIPATION DURING PROJECT IMPLEMENTATION

The effectiveness of the resettlement action plan (RAP) is directly related to the degree of continuing involvement of those affected by the project. Several additional rounds of consultations with PAPs will form part of the project implementation. Consultations during resettlement plan implementation will involve agreements on compensation and assistance options and entitlement package. Another round of consultation will occur when compensation and assistance are provided.

The following set of activities will be undertaken for effective implementation of the plan:

- a) PIU will conduct information dissemination sessions in the project area and solicit the help of the local community/ leaders and encourage the participation of the PAP's in RAP implementation.

- b) Consultation and focus group discussions will be conducted with the vulnerable groups like women, families of BPL, Scheduled Castes to ensure that the vulnerable groups understand the process and their needs are specifically taken into consideration.
- c) DMRC will organize public meetings, and will appraise the communities about the progress in the implementation of project works and payment and assistance paid to the community. Regular update of the program of resettlement component of the project will be placed for public display at the project offices.
- d) Taking into consideration the risks of HIV/ AIDs during the project construction period and road safety issues, specialist will be invited to undertake activities related to their core competencies.

Lastly, participation of PAPs will also be ensured through their involvement in various local committees. PIU and field offices will maintain an ongoing interaction with PAPs to identify problems and undertake remedial measures.



CHAPTER 7

RESETTLEMENT ASSISTANCE PLAN AND COST ESTIMATE

7.1 BACKGROUND

This chapter presents a consolidated overview of budget and the cost estimates. The budget is indicative and costs will be updated and adjusted to the inflation rate as the project continues and during implementation. Compensation for loss of private land and structure has been presented in capital estimate of DPR. However, the final compensation amount for the land acquisition and structures will be determined by the Competent Authority.

7.2 COST ESTIMATE FOR R&R

The cost for implementation of Resettlement and Rehabilitation Plan is given in **Table 7.1**. The total cost for R&R implementation plan is **INR.17.70 crore**.

TABLE 7.1: COST FOR RESETTLEMENT & REHABILITATION

Sl. No.	Description	Unit	Quantity	Rate (Rs.)	Amount (Rs.)
A	Compensation for loss of private land and structure has been presented in capital estimate of DPR				
	Compensation for Titleholders				
	Residential PAFs				
B	Transportation allowance	no	97	50000	4850000
C	Subsistence allowance	no	97	36000	3492000
D	Resettlement Allowance	no	97	50000	4850000
	Commercial PAFs				
E	Transportation allowance	no	148	50000	7400000
F	Subsistence allowance	no	148	36000	5328000
G	Resettlement Allowance		148	50000	7400000
H	Loss of Small traders/self employment	no	148	25000	3700000
I	Annuity or employment	no	148	500000	74000000
	Vulnerable group(e.g. SCs ,STs)*				
J	Additional assistance	no	135	50000	6750000
	Compensation for Non-Titleholders				
	Tenant				

Sl. No.	Description	Unit	Quantity	Rate (Rs.)	Amount (Rs.)
K	Transportation allowance	no	107	50000	5350000
L	Subsistence allowance	no	75	36000	2700000
	Squatters				
M	Transportation allowance	no	185	50000	9250000
N	Subsistence allowance	no	48	36000	1728000
	Kiosk				
O	One time artisan grant	no	74	25000	1850000
	Loss of Employment				
P	Resettlement Allowance	no	55	50000	2750000
	Compensation for Community Structures				
Q	Religious structures(LS)	no	4	2000000	8000000
R	Public Toilets(LS)	no	5	1000000	5000000
	Engagement of NGO				
S	NGO Cost (LS)	no	1	5040000	5040000
	Monitoring & Evaluation				
T	Cost of Independent Evaluation Agency(LS)	no	1	1500000	1500000
	Total (B+C+D+E+F+G+H+I+J+K+L+M+N+O+P+Q+R+S+T)				160938000
	Miscellaneous items @ 10% of sub total				16093800
	TOTAL				177031800

*There is no Scheduled Tribes. Assuming 22.1% of total PAFs are Scheduled Castes based on sample socio-economic survey.

Note: As on date all structures are considered as fully affected. However, this will be revisited subject to negotiation with affected party during execution of the project.

CHAPTER- 8

MONITORING AND EVALUATION

8.1 BACKGROUND

Monitoring and Evaluation are critical activities in involuntary resettlement. Monitoring involves periodic checking to ascertain whether activities are progressing as per schedule while evaluation is essentially to assess the performance of PAPs at the end of the project. For this purpose, a monitoring and evaluation (M&E) program is required to be developed to provide feedback to project management which will help keep the programs on schedule and make them successful. Monitoring provides both a working system for effective implementation of the RAP by the project managers, and an information channel for the PAPs to assess how their needs are being met.

Monitoring will give particular attention to the project affected vulnerable groups such as scheduled castes, BPL families, women headed households, widows, old aged and the disabled. RAP implementation will be monitored both internally and externally. DMRC will be responsible for internal monitoring through their field level offices and will prepare quarterly reports on the progress of RAP implementation. An Independent Evaluation Consultant may be hired by DMRC for mid and end term evaluation of RAP implementation.

8.2 INTERNAL MONITORING

The internal monitoring for RAP implementation will be carried out by DMRC. The main objectives of internal monitoring are to:

- measure and report progress against the RAP schedule;
- verify that agreed entitlements are delivered in full to affected people;
- 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;
- monitor the effectiveness of the grievance system
- periodically measure the satisfaction of project affected people.

Internal monitoring will focus on measuring progress against the schedule of actions defined in the RAP. Activities to be undertaken by the DMRC will include:

- Liaison with the Land Acquisition team, construction contractor and project affected communities to review and report progress against the RAP;

- Verification of land acquisition and compensation entitlements are being delivered in accordance with the RAP;
- Verification of agreed measures to restore or enhance living standards are being implemented;
- Verification of agreed measures to restore or enhance livelihood are being implemented;
- Identification of any problems, issues, or cases of hardship resulting from resettlement process;
- Through household interviews, assess project affected peoples' satisfaction with resettlement outcomes;
- Collection of records of grievances, follow up that appropriate corrective actions have been undertaken and that outcomes are satisfactory;

Monitoring is a continuous process and will be carried out by Resettlement Specialist on regular basis to keep track of the R&R progress. For this purpose, the indicators suggested have been given in **Table 8.1**.

TABLE 8.1
INDICATORS FOR MONITORING OF RAP PROGRESS

Indicators	Parameters Indicators
Physical	Extent of land acquired
	Number of structures dismantled
	Number of land users and private structure owners paid compensation
	Number of families affected
	Number of families purchasing land and extent of land purchased
	Number of PAPs receiving assistance/compensation
	Number of PAPs provided transport facilities/ shifting allowance
	Extent of government land identified for house sites
Financial	Amount of compensation paid for land/structure
	Cash grant for shifting oustees
	Amount paid for training and capacity building of staffs
	Amount for restoration of CPR (Common Property Resource)
Social	Area and type of house and facility at resettlement site (Not applicable for Delhi Metro IV)
	Number of time GRC met
	Number of appeals placed before grievance redressal cell
	Number of grievances referred and addressed by GRC
	Number of cases referred and addressed by arbitration
	Number of PAPs approached court

Indicators	Parameters Indicators
	Women concern
Economic	Entitlement of PAPs-land/cash Number of business re-established Utilization of compensation House sites/business sites purchased Successful implementation of Income Restoration Schemes
Grievance	Consultation for grievance redressal PAPs knowledge about their entitlements Cases referred to court, pending and settled Number of grievance cell meetings Number of cases disposed by SMU to the satisfaction of PAPs.

Field Offices will be responsible for monitoring the day-to-day resettlement activities of the project. Baseline socio-economic census and the land acquisition data provide the necessary benchmark for field level monitoring. A format for monitoring of RAP implementation is presented in **Annexure 8.1**.

8.3 INDEPENDENT EVALUATION

As mentioned earlier, an Independent Evaluation Agency (IEA) will be hired by DMRC for mid and end term evaluation. A detailed Terms of Reference for IEA is found as **Annexure 8.2**.

The following should be considered as the basis for indicators in monitoring and evaluation of the project. The list of impact performance indicators suggested to monitor project objectives is delineated in **Table 8.2**.

TABLE 8.2
INDICATORS FOR PROJECT OUTCOME EVALUATION

Objectives	Risk Factor	Outcomes and Impacts
– The negative impact on persons affected by the project will be minimized. – Persons losing assets to the project shall be compensated at replacement cost. – The project-affected persons will be assisted in	– Resettlement plan implementation may take longer time than anticipated – Institutional arrangement may not function as efficiently as expected – NGO may not perform the task as efficiently as	– Satisfaction of land owners with the compensation and assistance paid – Type of use of compensation and assistance by land owners – Satisfaction of structure owner with compensation and assistance – Type of use of

Objectives	Risk Factor	Outcomes and Impacts
improving or regaining their standard of living. – Vulnerable groups will be identified and assisted in improving their standard of living.	expected – Unexpected number of grievances – Finding a suitable rehabilitation site for displaced population – PAPs falling below their existing standard of living	compensation and assistance by structure owner – % of PAPs adopted the skill acquired through training as only economic activity – % of PAPs adopted the skill acquired through training as secondary economic activity – % of PAPs reported increase in income due to training – % PAPs got trained in the skill of their choice – Role of NGO in helping PAPs in selecting trade for skill improvement – Use of productive asset provided to PAPs under on time economic rehabilitation grant – Type of use of additional assistance money by vulnerable group – Types of grievances received – No. of grievances forwarded to GRC and time taken to solve the grievances – % of PAPs aware about the GRC mechanism – % of PAPs aware about the entitlement frame work mechanism – PAPs opinion about NGO approach and accessibility

8.4 REPORTING REQUIREMENTS

DMRC will be responsible for supervision and implementation of the RAP. DMRC will prepare quarterly progress reports on resettlement activities. The Independent Evaluation Consultant will submit mid and end term evaluation report to DMRC and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/enhanced and suggest suitable recommendations for improvement.

Annexures

Questionnaire for Social Survey

1. IDENTIFICATION

- 1.1 City/Town : _____ District : _____
- 1.2 Place/Location : _____ Chainage No.: _____
- 1.3 Category of PAF: ☐
- Titleholder -1 Encroacher -2 Tenant -3
- Squatter -4 Kiosk -5 Others (specify) -6

2. GENERAL INFORMATION

- 2.1 Name of head of the household :
- 2.2 Name of the Respondent :
- 2.3 Religious Group: Hindu - 1 Muslim - 2 Christians - 3
- 4 Others (specify) - 5
- 2.4 Social Group: SC - 1 ST - 2 OBC - 3
- 4
- 2.5 Family Pattern : Joint - 1 Nuclear - 2 Individual - 3
- 2.6 Size of Family : Small (2-4) - 1 Medium (5-7) - 2 Large(Above 7) - 3
- Ja ☐
- Gen ☐
- ☐
- ☐

3. FAMILY PARTICULARS (Start from head of the household)

S. No	Name of the member	Relation-ship to HH Head	Sex	Age (years)	Marital Status	Education	Any Disability	Any skilled family member
1								
2								
3								
4								
5								

- 3.10 Household's Main Occupation----- and Monthly Income(Rs)-----
- 3.11 Subsidiary Source ----- and Monthly Income (Rs.)-----
- 3.12 No. of Adult earning members-----
- 3.13 No. of dependents-----
- 3.14 Family annual expenditure: Rs. _____
- 3.15 Household Assets _____

4. COMMERCIAL/SELF EMPLOYMENT ACTIVITIES

- 4.1 Type of Shop/Business Enterprises (SBEs) ☐
- Grocery - 1 Tailoring - 8
- Pan shop - 2 Clinic - 9
- Vegetables/fruits - 3 Electrical work - 10
- Hotel - 4 Manufacturing - 11
- Fancy item - 5 (Specify product)
- Bicycle/scooter repairing - 6 Others (specify) - 12
- Cloth/Dresses - 7

OP 4.12 - Involuntary Resettlement

These policies were prepared for use by World Bank staff and are not necessarily a complete treatment of the subject.

OP 4.12
December, 2001

Note: OP/BP 4.12, *Involuntary Resettlement*, were revised on April 2013 to take into account the recommendations in “*Investment Lending Reform: Modernizing and Consolidating Operational Policies and Procedures*” (R2012-0204 [IDA/R2012-0248]), which were approved by the Executive Directors on October 25, 2012. As a result of these recommendations: (a) OP/BP 10.00, *Investment Project Financing*, have been revised, among other things, to incorporate OP/BP 13.05, *Supervision* and OP/BP 13.55, *Implementation Completion Reporting*, (which have consequently been retired); and (b) OP/BP 8.60, *Development Policy Lending*, and OP 9.00, *Program-for-Results Financing*, have also been revised. OP/BP 4.12 have consequently been updated to reflect these changes, to clarify the extent of applicability of OP/BP 4.12 to Development Policy Lending and Program-for Results-Financing, and to reflect the updated title of the Bank's policy on access to information.

Questions on this OP/BP may be addressed to the Safeguard Policies Helpdesk in OPCS (safeguards@worldbank.org).

Revised April 2013

1. Bank¹ experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

Policy Objectives

2. Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank's policy on involuntary resettlement are the following:

(a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.²

(b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons³ should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

(c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.⁴

Impacts Covered

3. This policy covers direct economic and social impacts⁵ that both result from Bank-assisted investment projects,⁶ and are caused by

- (a) the involuntary⁷ taking of land⁸ resulting in
 - (i) relocation or loss of shelter;
 - (ii) lost of assets or access to assets; or
 - (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- (b) the involuntary restriction of access⁹ to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

4. This policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement, that in the judgment of the Bank, are

- (a) directly and significantly related to the Bank-assisted project,
- (b) necessary to achieve its objectives as set forth in the project documents; and
- (c) carried out, or planned to be carried out, contemporaneously with the project.

5. Requests for guidance on the application and scope of this policy should be addressed to the Resettlement Committee (see [BP 4.12, para. 7](#)).¹⁰

Required Measures

6. To address the impacts covered under para. 3 (a) of this policy, the borrower prepares a resettlement plan or a resettlement policy framework (see paras. 25-30) that covers the following:

- (a) The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are
 - (i) informed about their options and rights pertaining to resettlement;
 - (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
 - (iii) provided prompt and effective compensation at full replacement cost¹¹ for losses of assets¹² attributable directly to the project.
- (b) If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are
 - (i) provided assistance (such as moving allowances) during relocation; and
 - (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.¹³
- (c) Where necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy

framework also include measures to ensure that displaced persons are

- (i) offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living;¹⁴ and
- (ii) provided with development assistance in addition to compensation measures described in paragraph 6(a);
- (iii) such as land preparation, credit facilities, training, or job opportunities.

7. In projects involving involuntary restriction of access to legally designated parks and protected areas (see para. 3(b)), the nature of restrictions, as well as the type of measures necessary to mitigate adverse impacts, is determined with the participation of the displaced persons during the design and implementation of the project. In such cases, the borrower prepares a process framework acceptable to the Bank, describing the participatory process by which

- (a) specific components of the project will be prepared and implemented;
- (b) the criteria for eligibility of displaced persons will be determined;
- (c) measures to assist the displaced persons in their efforts to improve their livelihoods, or at least to restore them, in real terms, while maintaining the sustainability of the park or protected area, will be identified; and
- (d) potential conflicts involving displaced persons will be resolved.

The process framework also includes a description of the arrangements for implementing and monitoring the process.

8. To achieve the objectives of this policy, particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples,¹⁵ ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.

9. Bank experience has shown that resettlement of indigenous peoples with traditional land-based modes of production is particularly complex and may have significant adverse impacts on their identity and cultural survival. For this reason, the Bank satisfies itself that the borrower has explored all viable alternative project designs to avoid physical displacement of these groups. When it is not feasible to avoid such displacement, preference is given to land-based resettlement strategies for these groups (see para. 11) that are compatible with their cultural preferences and are prepared in consultation with them (see [Annex A](#), para. 11).

10. The implementation of resettlement activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place. For impacts covered in para. 3(a) of this policy, these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons. For impacts covered in para. 3(b) of this policy, the measures to assist the displaced persons are implemented in accordance with the plan of action as part of the project (see para. 30).¹⁶

11. Preference should be given to land-based resettlement strategies for displaced persons whose

livelihoods are land-based. These strategies may include resettlement on public land (see footnote 1 above), or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area,¹⁷ or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.

12. Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction¹⁸ of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.

13. For impacts covered under para. 3(a) of this policy, the Bank also requires the following:

(a) Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.

(b) In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).

(c) Patterns of community organization appropriate to the new circumstances are based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers' preferences with respect to relocating in preexisting communities and groups are honored.

Eligibility for Benefits¹⁹

14. Upon identification of the need for involuntary resettlement in a project, the borrower carries out a census to identify the persons who will be affected by the project (see the [Annex A](#), para. 6(a)), to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance. The borrower also develops a procedure, satisfactory to the Bank, for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. The procedure includes provisions for meaningful consultations with affected persons and communities, local authorities, and, as appropriate, nongovernmental organizations (NGOs), and it specifies grievance mechanisms.

15. *Criteria for Eligibility.* Displaced persons may be classified in one of the following three groups:

(a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);

(b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become

recognized through a process identified in the resettlement plan (see [Annex A](#), para. 7(f)); and²⁰

(c) those who have no recognizable legal right or claim to the land they are occupying.

16. Persons covered under para. 15(a) and (b) are provided compensation for the land they lose, and other assistance in accordance with para. 6. Persons covered under para. 15(c) are provided resettlement assistance²¹ in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank.²² Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in para. 15(a), (b), or (c) are provided compensation for loss of assets other than land.

Resettlement Planning, Implementation, and Monitoring

17. To achieve the objectives of this policy, different planning instruments are used, depending on the type of project:

(a) a resettlement plan or abbreviated resettlement plan is required for all operations that entail involuntary resettlement unless otherwise specified (see para. 25 and [Annex A](#));

(b) a resettlement policy framework is required for operations referred to in paras. 26-30 that may entail involuntary resettlement, unless otherwise specified (see [Annex A](#); and

(c) a process framework is prepared for projects involving restriction of access in accordance with para. 3(b) (see para. 31).

18. The borrower is responsible for preparing, implementing, and monitoring a resettlement plan, a resettlement policy framework, or a process framework (the "resettlement instruments"), as appropriate, that conform to this policy. The resettlement instrument presents a strategy for achieving the objectives of the policy and covers all aspects of the proposed resettlement. Borrower commitment to, and capacity for, undertaking successful resettlement is a key determinant of Bank involvement in a project.

19. Resettlement planning includes early screening, scoping of key issues, the choice of resettlement instrument, and the information required to prepare the resettlement component or subcomponent. The scope and level of detail of the resettlement instruments vary with the magnitude and complexity of resettlement. In preparing the resettlement component, the borrower draws on appropriate social, technical, and legal expertise and on relevant community-based organizations and NGOs.²³ The borrower informs potentially displaced persons at an early stage about the resettlement aspects of the project and takes their views into account in project design.

20. The full costs of resettlement activities necessary to achieve the objectives of the project are included in the total costs of the project. The costs of resettlement, like the costs of other project activities, are treated as a charge against the economic benefits of the project; and any net benefits to resettlers (as compared to the "without-project" circumstances) are added to the benefits stream of the project. Resettlement components or free-standing resettlement projects need not be economically viable on their own, but they should be cost-effective.

21. The borrower ensures that the Project Implementation Plan is fully consistent with the resettlement instrument.

22. As a condition of appraisal of projects involving resettlement, the borrower provides the Bank with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are

understandable to them. Once the Bank accepts this instrument as providing an adequate basis for project appraisal, the Bank makes it available to the public through its InfoShop. After the Bank has approved the final resettlement instrument, the Bank and the borrower disclose it again in the same manner.²⁴

23. The borrower's obligations to carry out the resettlement instrument and to keep the Bank informed of implementation progress are provided for in the legal agreements for the project.

24. The borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. The Bank regularly supervises resettlement implementation to determine compliance with the resettlement instrument. Upon completion of the project, the borrower undertakes an assessment to determine whether the objectives of the resettlement instrument have been achieved. The assessment takes into account the baseline conditions and the results of resettlement monitoring. If the assessment reveals that these objectives may not be realized, the borrower should propose follow-up measures that may serve as the basis for continued Bank supervision, as the Bank deems appropriate (see also [BP 4.12](#), para. 16).

Resettlement Instruments

Resettlement Plan

25. A draft resettlement plan that conforms to this policy is a condition of appraisal (see [Annex A](#), para. 2-21) for projects referred to in para. 17(a) above.²⁵ However, where impacts on the entire displaced population are minor,²⁶ or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower (see [Annex A](#), para. 22). The information disclosure procedures set forth in para. 22 apply.

Resettlement Policy Framework

26. For sector investment operations that may involve involuntary resettlement, the Bank requires that the project implementing agency screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the borrower submits, prior to appraisal, a resettlement policy framework that conforms to this policy (see [Annex A](#), paras. 23-25). The framework also estimates, to the extent feasible, the total population to be displaced and the overall resettlement costs.

27. For financial intermediary operations that may involve involuntary resettlement, the Bank requires that the financial intermediary (FI) screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the Bank requires that before appraisal the borrower or the FI submit to the Bank a resettlement policy framework conforming to this policy (see [Annex A](#), paras. 23-25). In addition, the framework includes an assessment of the institutional capacity and procedures of each of the FIs that will be responsible for subproject financing. When, in the assessment of the Bank, no resettlement is envisaged in the subprojects to be financed by the FI, a resettlement policy framework is not required. Instead, the legal agreements specify the obligation of the FIs to obtain from the potential subborrowers a resettlement plan consistent with this policy if a subproject gives rise to resettlement. For all subprojects involving resettlement, the resettlement plan is provided to the Bank for approval before the subproject is accepted for Bank financing.

28. For other Bank-assisted project with multiple subprojects²⁷ that may involve involuntary resettlement, the Bank requires that a draft resettlement plan conforming to this policy be submitted to the Bank before appraisal of the project unless, because of the nature and design of the project or of a specific subproject or subprojects (a) the zone of impact of subprojects cannot be determined, or (b) the zone of impact is known but precise sitting alignments cannot be determined. In such cases, the borrower submits a resettlement policy framework consistent with this policy prior to appraisal (see [Annex A](#), paras. 23-25). For other subprojects that do not fall within the above criteria, a resettlement plan conforming to this

policy is required prior to appraisal.

29. For each subproject included in a project described in para. 26, 27, or 28 that may involve resettlement, the Bank requires that a satisfactory resettlement plan or an abbreviated resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the subproject is accepted for Bank financing.

30. For projects described in paras. 26-28 above, the Bank may agree, in writing, that subproject resettlement plans may be approved by the project implementing agency or a responsible government agency or financial intermediary without prior Bank review, if that agency has demonstrated adequate institutional capacity to review resettlement plans and ensure their consistency with this policy. Any such delegation, and appropriate remedies for the entity's approval of resettlement plans found not to be in compliance with Bank policy, are provided for in the legal agreements for the project. In all such cases, implementation of the resettlement plans is subject to ex post review by the Bank.

Process Framework

31. For projects involving restriction of access in accordance with para. 3(b) above, the borrower provides the Bank with a draft process framework that conforms to the relevant provisions of this policy as a condition of appraisal. In addition, during project implementation and before enforcing of the restriction, the borrower prepares a plan of action, acceptable to the Bank, describing the specific measures to be undertaken to assist the displaced persons and the arrangements for their implementation. The plan of action could take the form of a natural resources management plan prepared for the project.

Assistance to the Borrower

32. In furtherance of the objectives of this policy, the Bank may at a borrower's request support the borrower and other concerned entities by providing

(a) assistance to assess and strengthen resettlement policies, strategies, legal frameworks, and specific plans at a country, regional, or sectoral level;

(b) financing of technical assistance to strengthen the capacities of agencies responsible for resettlement, or of affected people to participate more effectively in resettlement operations;

(c) financing of technical assistance for developing resettlement policies, strategies, and specific plans, and for implementation, monitoring, and evaluation of resettlement activities; and

(d) financing of the investment costs of resettlement.

33. The Bank may finance either a component of the main investment causing displacement and requiring resettlement, or a free-standing resettlement project with appropriate cross-conditionalities, processed and implemented in parallel with the investment that causes the displacement. The Bank may finance resettlement even though it is not financing the main investment that makes resettlement necessary.

1. "Bank" includes IBRD and IDA; "loans" includes IDA credits and IDA grants, guarantees, Project Preparation Facility (PPF) advances and grants; and "projects" includes projects under (a) PPFs advances and Institutional Development Fund (IDF) grants, if they include investment activities; (b) grants under the Global Environment Facility and Montreal Protocol, for which the Bank is the implementing/executing agency; and (c) grants or loans provided by other donors that are administered by the Bank. The term "project" does not include programs supported by Development Policy Lending (for which the environmental provisions are set out

in [OP/BP 8.60, Development Policy Lending](#)), or by Program-for-Results Financing (for which environmental provisions are set out in [OP/BP 9.00, Program-for-Results Financing](#). "Borrower" also includes, wherever the context requires, the guarantor or the project implementing agency.

2. In devising approaches to resettlement in Bank-assisted projects, other Bank policies should be taken into account, as relevant. These policies include [OP 4.01, Environmental Assessment](#), [OP 4.04, Natural Habitats](#), [OP 4.10, Indigenous Peoples](#), and [OP 4.11, Physical Cultural Resources](#).
3. The term "displaced persons" refers to persons who are affected in any of the ways described in para. 3 of this OP.
4. Displaced persons under para. 3(b) should be assisted in their efforts to improve or restore their livelihoods in a manner that maintains the sustainability of the parks and protected areas.
5. Where there are adverse indirect social or economic impacts, it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups. Other environmental, social, and economic impacts that do not result from land taking may be identified and addressed through environmental assessments and other project reports and instruments.
6. This policy does not apply to restrictions of access to natural resources under community-based projects, i.e. where the community using the resources decides to restrict access to these resources, provided that an assessment satisfactory to the Bank establishes that the community decision-making process is adequate, and that it provides for identification of appropriate measures to mitigate adverse impacts, if any, on the vulnerable members of the community. This policy also does not cover refugees from natural disasters, war, or civil strife (see [OP 8.00, Rapid Response to Crises and Emergencies](#)).
7. For the purposes of this policy, "involuntary" means actions that may be taken without the displaced person's informed consent or power of choice.
8. "Land" includes anything growing on or permanently affixed to land, such as buildings and crops. This policy does not apply to regulations of natural resources on a national or regional level to promote their sustainability, such as watershed management, groundwater management, fisheries management, etc. The policy also does not apply to disputes between private parties in land titling projects, although it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse social impacts, especially those affecting poor and vulnerable groups.
9. For the purposes of this policy, involuntary restriction of access covers restrictions on the use of resources imposed on people living outside the park or protected area, or on those who continue living inside the park or protected area during and after project implementation. In cases where new parks and protected areas are created as part of the project, persons who lose shelter, land, or other assets are covered under para. 3(a). Persons who lose shelter in existing parks and protected areas are also covered under para. 3(a).
10. The *Involuntary Resettlement Sourcebook* provides good practice guidance to staff on the policy.
11. "Replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account (for a detailed definition of replacement cost, see [Annex A](#), footnote 1). For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard. Such additional assistance is distinct from resettlement assistance to be provided under other clauses of para. 6.
12. If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.
13. The alternative assets are provided with adequate tenure arrangements. The cost of alternative residential housing, housing sites, business premises, and agricultural sites to be provided can be set off against all or part of the compensation payable for the corresponding asset lost.
14. Such support could take the form of short-term jobs, subsistence support, salary maintenance or similar arrangements.
15. See [OP 4.10, Indigenous Peoples](#).
16. Where the borrower has offered to pay compensation to an affected person in accordance with an approved resettlement plan, but the offer has been rejected, the taking of land and related assets may only proceed if the borrower has deposited funds equal to the offered amount plus 10 percent in a secure form of escrow or other interest-bearing deposit acceptable to the Bank, and has provided a means satisfactory to the Bank for resolving the dispute concerning said offer of compensation in a timely and equitable manner.
17. See [OP 4.04, Natural Habitats](#).
18. As a general principle, this applies if the land taken constitutes less than 20% of the total productive area.
19. Paras. 13-15 do not apply to impacts covered under para. 3(b) of this policy. The eligibility criteria for displaced persons under 3 (b) are covered under the process framework (see paras. 7 and 30).
20. Such claims could be derived from adverse possession, from continued possession of public lands without government action for eviction (that is, with the implicit leave of the government), or from customary and traditional law and usage, and so on.
21. Resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate.
22. Normally, this cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.
23. For projects that are highly risky or contentious, or that involve significant and complex resettlement activities, the borrower should normally engage an advisory panel of independent, internationally recognized resettlement specialists to advise on all aspects of the project relevant to the resettlement activities. The size, role, and frequency of meeting depend on the complexity of the resettlement. If independent technical advisory panels are established under [OP 4.01, Environmental Assessment](#), the resettlement panel may form part of the environmental panel of experts.
24. See [The World Bank Policy on Access to Information, para. 34](#) (Washington, D.C.: World Bank, 2002).

25. An exception to this requirement may be made in highly unusual circumstances (such as emergency operations) with the approval of Bank Management (see [BP 4.12](#), para. 8). In such cases, the Management's approval stipulates a timetable and budget for developing the resettlement plan.
26. Impacts are considered "minor" if the affected people are not physically displaced and less than 10 percent of their productive assets are lost.
27. For the purpose of this paragraph, the term "subprojects" includes components and subcomponents.

Annexure-4.3**Attachment: Gap analysis**

Sl. No.	JICA GL	Indian Law	Gap Analysis	Project Policy
1.	Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives	Section 4(4)(e) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 requires that the Social Impact Assessment study shall, amongst other matters, take into account whether land acquisition at an alternate place has been considered and found not feasible.	No gap	In case the phase IV of Delhi Metro is not constructed, the city will be deprived of the following benefits: Enhancement of Employment Opportunities and the Economy; improved Mobility, Safety; Reduction in Traffic Congestion, Number of Buses, Fuel Consumption, Air Pollution, Green House Gases, cost of Road Infrastructure. Alignments of the corridors were so selected that they will serve the maximum population, enable integration with the existing system, ensure economic and financial viability, entail less private land acquisition, least demolition of private and government structures, least tree cutting and will avoid impact on archaeological and historical structures. JICA GL is accepted.
2.	When population displacement is unavoidable, effective measures to minimize impact and to compensate for losses should be taken.	Section 8 (1) © requires that only the minimum area of land required for the project is proposed to be acquired; Measures to minimise impact are listed under the Second Schedule and measures to compensate for losses are listed in the First Schedule of the Act.	No gap	JICA GL is accepted. As per Act 2013, only the minimum area of land required for the project is proposed to be acquired. Compensation for losses and measures to minimise impact are listed in Table 4.1 Entitlement matrix of SIA report.
3.	People who must be resettled involuntarily and people whose means of	Provision is made in the Second Schedule of the Act	No gap	JICA GL is accepted. As a measure towards facilitating PAFs to at least restore their standard

Sl. No.	JICA GL	Indian Law	Gap Analysis	Project Policy
	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 ore-project levels	2013 for cash allowances with a view to help restore income opportunities.		of living and incomes, Project R&R policy provides to titleholders alternative flat of minimum 50 square meters plinth area at pre-determined rates and one-time financial assistance to construct house; alternative shop of area not more than 25 square metres to titleholders and tenants at pre-determined rates in commercial complexes constructed by DMRC. Cash allowances will be provided. (Entitlement matrix Table 4.1 of SIA report).
4.	Compensation must be based on the full replacement cost as much as possible.	The Second Schedule of Act 2013 mentions that if a house is lost in urban areas, a constructed house shall be provided which will not be less than 50 square meters in plinth area. Replacement cost is not mandatory.	Replacement cost is not mandatory under Indian law	The basis is recorded in Table 4.1 of SIA report. Replacement cost is not the basis.
5.	Compensation and other kinds of assistance must be provided prior to displacement.	Payment of compensation and other assistance before displacement is not mandatory. Under Section 80 of Act 2013, when amount of compensation is not paid on or before taking possession of the land or within one year from date of possession then interest is payable on amount awarded	Yes	Compensation and other assistance will be provided before displacement.
6.	For projects that entail large- scale involuntary resettlement, resettlement	Disclosure of resettlement action plans to public is done at different stages: Under	No gap	SIA report will be placed on website and approved R&R scheme will be made public.

Sl. No.	JICA GL	Indian Law	Gap Analysis	Project Policy
	action plans must be prepared and made available to the public.	Section 6(1) SIA report and Impact Management Plan will be made available to the public. Preliminary Notification of acquisition with details of acquisition shall be made as per section 11(1); R&R Commissioner shall get the approved R&R scheme made available to Public as per Section 18- its summary is published by Collector as per Section 19(2).		
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.	As per Section 4(2) of the Act, Government shall ensure adequate representation to representatives of local bodies at the stage of carrying out the SIA. As per Section 5, Government shall ensure that a public hearing is held at affected area during preparation of SIA report, as per Section 16(5) public hearings shall be conducted during preparation of draft R&R scheme by R&R Administrator.	No gap	Consultations have been held with affected people and their communities based on sufficient information made available to them.
8.	When consultations are held, explanations must be given in a form, manner, and language that are understandable to the	Although not separately mentioned for consultations, such requirement is reflected in Section 4(2) of the Act 2013.	No gap	When consultations are held explanations were given in a manner understandable to the affected people.

Sl. No.	JICA GL	Indian Law	Gap Analysis	Project Policy
	affected people.			
9.	Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.	Under Section 45 where land to be acquired is equal to or more than one hundred acres a R&R Committee shall be constituted to monitor and review progress of implementation of R&R scheme and carry out post-implementation social audit. The Committee shall include local community and political representatives and officials.	No gap	Implementation of resettlement action plans will be done by DMRC with participation of local community leaders and PAPs. Focus Group Discussions will be undertaken with vulnerable groups. Update on implementation will be displayed in DMRC offices (Para 6.5 of SIA report). Independent evaluation of implementation of resettlement action plans will be done by external Consultant (para 8.3 of SIA Report). Formation of R&R committee is not required as nowhere is DMRC acquiring more than 100 acres in a single area.
10.	Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.	Act 2013 provides for monitoring of implementation of R&R through R&R Committee (Section 45), reference of disputes in land acquisition and R&R through Land Acquisition and R&R Authority (Section 51), disputes in award of compensation (Section 64).	No gap	Appropriate and accessible grievance redressal mechanism for resolving R&R issues will be implemented (Para 5.2 of SIA report)
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 socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others	As per Section 16(1) of act 2013, upon publication of Preliminary Notification by Government as per Section 11(1), R&R Administrator shall conduct a Census survey of affected families.	No gap	Baseline Survey to identify and record affected people will be got done by Government after Preliminary Notification is issued as per Section 11 (1) of Act 2013.

Sl. No.	JICA GL	Indian Law	Gap Analysis	Project Policy
	who wish to take advance of such benefits.			
12.	Eligibility of benefits includes, 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.	As per Section 3(c) of Act 2013 affected families who are eligible for benefits include:owners of land or immovable property, tenants of the land or artisans working in the affected area for three years prior to acquisition and whose livelihood stands affected by the acquisition, a member of the family who has been assigned land under any Government scheme,a family residing on any land in urban areas for preceding three years or more prior to acquisition of the land or whose primary source of livelihood for three years prior to acquisitions affected by such acquisition.	No gap	Titleholders of residential units will be eligible for benefits. Owners and tenants of shops are eligible for benefits. (Table 4.1 of SIA report)
13.	Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land- based.	Second schedule of Act 2013 provides for offer of developed land in lieu of equivalent amount in land acquisition compensation in case of land acquired for urbanization purpose. The project involves acquisition for a transport project but not primarily for urbanization purpose.	No gap	There are no displaced persons whose livelihood is land-based.
14.	Provide support for the transition period (between displacement and livelihood restoration).	Second Schedule of Act 2013 provides for support during transition period between displacement and livelihood restoration.	No gap	Cash allowances will be provided to provide support during transition period between displacement and livelihood restoration (Entitlement matrix Table 4.1 of SIA report)

Sl. No.	JICA GL	Indian Law	Gap Analysis	Project Policy
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.	As per item 5 in Second Schedules of Act 2013, Scheduled Castes and Scheduled Tribes displaced from Scheduled Areas shall receive subsistence grant in addition to monthly subsistence allowance.	No gap	Affected people belonging to Scheduled Castes and Scheduled Tribes will be given one time subsistence grant in addition to monthly subsistence allowance. (Table 4.1 of SIA report).
16.	For projects that entail land acquisition or involuntary resettlement of fewer than 200 people, abbreviated resettlement plan is to be prepared.	The law requires a resettlement plan irrespective of number of affected persons: it does not prescribe any ``abbreviated`` plan.	No gap	The project involves more than 200 affected persons.

**Terms of Reference
For Social Development Officer (R&R)**

Background:

The main objective of the Social Management Unit (SMU) in DMRC is to undertake resettlement and rehabilitation issues during project planning and implementation of Delhi MRTS Phase-IV so as to mainstream attention to social issues that may arise during Phase-IV implementation. The Social Development Expert (R&R) shall play a key role in taking forward the compensation and R&R issues, during the course of Phase-IV

Job Description:

- Manage day to day implementation of R&R activities and report the same to SMU.
- Monitor land acquisition and progress of R&R implementation;
- Supervise and monitor the activities of RAP implementation;
- Develop communication strategy for disclosure of RAP;
- Liaison with district administration for government's income generation and development programmes applicable for PAPs;
- Monitor physical and financial progress on land acquisition and R&R activities;
- Organize monthly meetings with support staff to review the progress on R&R implementation;
- Prepare monthly progress report and submit to SMU.

Qualification and Experience:

- Advanced degree (Master's) in relevant social sciences (Social Work and Sociology), and at least 10 years of relevant work experience.
- Substantial work experience in addressing issues covered by compensation, resettlement and rehabilitation in complex and difficult settings, across different sectors. Demonstrated capacity to translate analytical work related to resettlement and rehabilitation issues into advice and operational, actionable, recommendations.
- Passionate commitment to social development; Deep understanding of the relationship between social development, and those affected by involuntary resettlement.
- In-depth knowledge and professional experience with the social development issues faced by Delhi region would be a plus.

रजिस्ट्री सं० डी० एल—(एन)04/0007/2003—13

REGISTERED NO. DL—(N)04/0007/2003—13



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 27th September, 2013/Asvina 5, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 26th September, 2013, and is hereby published for general information:—

THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013

No. 30 OF 2013

[26th September, 2013.]

An Act to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution, a humane, participative, informed and transparent process for land acquisition for industrialisation, development of essential infrastructural facilities and urbanisation with the least disturbance to the owners of the land and other affected families and provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition and make adequate provisions for such affected persons for their rehabilitation and resettlement and for ensuring that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post acquisition social and economic status and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Short title,
extent and
commencement.

(b) for private companies for public purpose, as defined in sub-section (1):

Provided that in the case of acquisition for—

(i) private companies, the prior consent of at least eighty per cent. of those affected families, as defined in sub-clauses (i) and (v) of clause (c) of section 3; and

(ii) public private partnership projects, the prior consent of at least seventy per cent. of those affected families, as defined in sub-clauses (i) and (v) of clause (c) of section 3,

shall be obtained through a process as may be prescribed by the appropriate Government:

Provided further that the process of obtaining the consent shall be carried out along with the Social Impact Assessment study referred to in section 4:

Provided also that no land shall be transferred by way of acquisition, in the Scheduled Areas in contravention of any law (including any order or judgment of a court which has become final) relating to land transfer, prevailing in such Scheduled Areas.

(3) The provisions relating to rehabilitation and resettlement under this Act shall apply in the cases where,—

(a) a private company purchases land, equal to or more than such limits in rural areas or urban areas, as may be prescribed by the appropriate Government, through private negotiations with the owner of the land in accordance with the provisions of section 46;

(b) a private company requests the appropriate Government for acquisition of a part of an area so prescribed for a public purpose:

Provided that where a private company requests the appropriate Government for partial acquisition of land for public purpose, then, the rehabilitation and resettlement entitlements under the Second Schedule shall be applicable for the entire area which includes the land purchased by the private company and acquired by the Government for the project as a whole.

3. In this Act, unless the context otherwise requires,—

Definitions.

(a) "Administrator" means an officer appointed for the purpose of rehabilitation and resettlement of affected families under sub-section (1) of section 43;

(b) "affected area" means such area as may be notified by the appropriate Government for the purposes of land acquisition;

(c) "affected family" includes—

(i) a family whose land or other immovable property has been acquired;

(ii) a family which does not own any land but a member or members of such family may be agricultural labourers, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans or who may be working in the affected area for three years prior to the acquisition of the land, whose primary source of livelihood stand affected by the acquisition of land;

(iii) the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognised under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 due to acquisition of land;

(iv) family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen and such livelihood is affected due to acquisition of land;

(v) cost of rehabilitation and resettlement as determined in accordance with the provisions of this Act;

(vi) administrative cost,—

(A) for acquisition of land, including both in the project site and out of project area lands, not exceeding such percentage of the cost of compensation as may be specified by the appropriate Government;

(B) for rehabilitation and resettlement of the owners of the land and other affected families whose land has been acquired or proposed to be acquired or other families affected by such acquisition;

(vii) cost of undertaking 'Social Impact Assessment study';

(j) "company" means—

1 of 1956.

(i) a company as defined in section 3 of the Companies Act, 1956, other than a Government company;

21 of 1860.

(ii) a society registered under the Societies Registration Act, 1860 or under any corresponding law for the time being in force in a State;

(k) "displaced family" means any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area;

(l) "entitled to act", in relation to a person, shall be deemed to include the following persons, namely:—

(i) trustees for other persons beneficially interested with reference to any such case, and that to the same extent as the person beneficially interested could have acted if free from disability;

(ii) the guardians of minors and the committees or managers of lunatics to the same extent as the minors, lunatics or other persons of unsound mind themselves, if free from disability, could have acted:

5 of 1908.

Provided that the provisions of Order XXXII of the First Schedule to the Code of Civil Procedure, 1908 shall, *mutatis mutandis*, apply in the case of persons interested appearing before a Collector or Authority by a next friend, or by a guardian for the case, in proceedings under this Act;

(m) "family" includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him:

Provided that widows, divorcees and women deserted by families shall be considered separate families;

Explanation.—An adult of either gender with or without spouse or children or dependents shall be considered as a separate family for the purposes of this Act.

(n) "holding of land" means the total land held by a person as an owner, occupant or tenant or otherwise;

(o) "infrastructure project" shall include any one or more of the items specified in clause (b) of sub-section (1) of section 2;

(p) "land" includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth;

(q) "landless" means such persons or class of persons who may be,—

(i) considered or specified as such under any State law for the time being in force; or

(ii) in a case of landless not being specified under sub-clause (i), as may be specified by the appropriate Government;

40 of 1996.

(zd) "Scheduled Areas" means the Scheduled Areas as defined in section 2 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996;

(ze) "small farmer" means a cultivator with an un-irrigated land holding up to two hectares or with an irrigated land holding up to one hectare, but more than the holding of a marginal farmer.

CHAPTER II

DETERMINATION OF SOCIAL IMPACT AND PUBLIC PURPOSE

A.—PRELIMINARY INVESTIGATION FOR DETERMINATION OF SOCIAL IMPACT AND PUBLIC PURPOSE

4. (1) Whenever the appropriate Government intends to acquire land for a public purpose, it shall consult the concerned Panchayat, Municipality or Municipal Corporation, as the case may be, at village level or ward level, in the affected area and carry out a Social Impact Assessment study in consultation with them, in such manner and from such date as may be specified by such Government by notification.

Preparation of
Social Impact
Assessment
study.

(2) The notification issued by the appropriate Government for commencement of consultation and of the Social Impact Assessment study under sub-section (1) shall be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and in the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government:

Provided that the appropriate Government shall ensure that adequate representation has been given to the representatives of Panchayat, Gram Sabha, Municipality or Municipal Corporation, as the case may be, at the stage of carrying out the Social Impact Assessment study:

Provided further that the appropriate Government shall ensure the completion of the Social Impact Assessment study within a period of six months from the date of its commencement.

(3) The Social Impact Assessment study report referred to in sub-section (1) shall be made available to the public in the manner prescribed under section 6.

(4) The Social Impact Assessment study referred to in sub-section (1) shall, amongst other matters, include all the following, namely:—

- (a) assessment as to whether the proposed acquisition serves public purpose;
- (b) estimation of affected families and the number of families among them likely to be displaced;
- (c) extent of lands, public and private, houses, settlements and other common properties likely to be affected by the proposed acquisition;
- (d) whether the extent of land proposed for acquisition is the absolute bare-minimum extent needed for the project;
- (e) whether land acquisition at an alternate place has been considered and found not feasible;
- (f) study of social impacts of the project, and the nature and cost of addressing them and the impact of these costs on the overall costs of the project *vis-a-vis* the benefits of the project:

Provided that Environmental Impact Assessment study, if any, shall be carried out simultaneously and shall not be contingent upon the completion of the Social Impact Assessment study.

(5) While undertaking a Social Impact Assessment study under sub-section (1), the appropriate Government shall, amongst other things, take into consideration the impact that the project is likely to have on various components such as livelihood of affected families, public and community properties, assets and infrastructure particularly roads, public transport,

Provided that the grounds for such recommendation shall be recorded in writing by the Expert Group giving the details and reasons for such decision:

Provided further that where the appropriate Government, inspite of such recommendations, proceeds with the acquisition, then, it shall ensure that its reasons for doing so are recorded in writing.

(5) If the Expert Group constituted under sub-section (1), is of the opinion that,—

(a) the project will serve any public purpose; and

(b) the potential benefits outweigh the social costs and adverse social impacts,

it shall make specific recommendations within two months from the date of its constitution whether the extent of land proposed to be acquired is the absolute bare-minimum extent needed for the project and whether there are no other less displacing options available:

Provided that the grounds for such recommendation shall be recorded in writing by the Expert Group giving the details and reasons for such decision.

(6) The recommendations of the Expert Group referred to in sub-sections (4) and (5) shall be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed and uploaded on the website of the appropriate Government.

8. (1) The appropriate Government shall ensure that—

(a) there is a legitimate and *bona fide* public purpose for the proposed acquisition which necessitates the acquisition of the land identified;

(b) the potential benefits and the public purpose referred to in clause (a) shall outweigh the social costs and adverse social impact as determined by the Social Impact Assessment that has been carried out;

(c) only the minimum area of land required for the project is proposed to be acquired;

(d) there is no unutilised land which has been previously acquired in the area;

(e) the land, if any, acquired earlier and remained unutilised, is used for such public purpose and make recommendations in respect thereof.

(2) The appropriate Government shall examine the report of the Collector, if any, and the report of the Expert Group on the Social Impact Assessment study and after considering all the reports, recommend such area for acquisition which would ensure minimum displacement of people, minimum disturbance to the infrastructure, ecology and minimum adverse impact on the individuals affected.

(3) The decision of the appropriate Government shall be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government:

Provided that where land is sought to be acquired for the purposes as specified in sub-section (2) of section 2, the appropriate Government shall also ascertain as to whether the prior consent of the affected families as required under the proviso to sub-section (2) of section 2, has been obtained in the manner as may be prescribed.

9. Where land is proposed to be acquired invoking the urgency provisions under section 40, the appropriate Government may exempt undertaking of the Social Impact Assessment study.

Examination of proposals for land acquisition and Social Impact Assessment report by appropriate Government.

Exemption from Social Impact Assessment.

Provided further that any loss or injury suffered by any person due to his wilful violation of this provision shall not be made up by the Collector.

(5) After issuance of notice under sub-section (1), the Collector shall, before the issue of a declaration under section 19, undertake and complete the exercise of updating of land records as prescribed within a period of two months.

12. For the purposes of enabling the appropriate Government to determine the extent of land to be acquired, it shall be lawful for any officer, either generally or specially authorised by such Government in this behalf, and for his servants and workmen,—

Preliminary survey of land and power of officers to carry out survey.

(a) to enter upon and survey and take levels of any land in such locality;

(b) to dig or bore into the sub-soil;

(c) to do all other acts necessary to ascertain whether the land is adapted for such purpose;

(d) to set out the boundaries of the land proposed to be taken and the intended line of the work (if any) proposed to be made thereon; and

(e) to mark such levels, boundaries and line by placing marks and cutting trenches and where otherwise the survey cannot be completed and the levels taken and the boundaries and line marked, to cut down and clear away any part of any standing crop, fence or jungle:

Provided that no act under clauses (a) to (e) in respect of land shall be conducted in the absence of the owner of the land or in the absence of any person authorised in writing by the owner:

Provided further that the acts specified under the first proviso may be undertaken in the absence of the owner, if the owner has been afforded a reasonable opportunity to be present during the survey, by giving a notice of at least sixty days prior to such survey:

Provided also that no person shall enter into any building or upon any enclosed court or garden attached to a dwelling-house (unless with the consent of the occupier thereof) without previously giving such occupier at least seven days' notice in writing of his intention to do so.

13. The officer so authorised under section 12 shall at the time of entry under section 12 pay or tender payment for any damage caused, and, in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the dispute to the decision of the Collector or other chief revenue officer of the district, and such decision shall be final.

Payment for damage.

14. Where a preliminary notification under section 11 is not issued within twelve months from the date of appraisal of the Social Impact Assessment report submitted by the Expert Group under section 7, then, such report shall be deemed to have lapsed and a fresh Social Impact Assessment shall be required to be undertaken prior to acquisition proceedings under section 11:

Lapse of Social Impact Assessment report.

Provided that the appropriate Government, shall have the power to extend the period of twelve months, if in its opinion circumstances exist justifying the same:

Provided further that any such decision to extend the period shall be recorded in writing and the same shall be notified and be uploaded on the website of the authority concerned.

15. (1) Any person interested in any land which has been notified under sub-section (1) of section 11, as being required or likely to be required for a public purpose, may within sixty days from the date of the publication of the preliminary notification, object to—

Hearing of objections.

(a) the area and suitability of land proposed to be acquired;

(6) The Administrator shall, on completion of public hearing submit the draft Scheme for Rehabilitation and Resettlement along with a specific report on the claims and objections raised in the public hearing to the Collector.

17. (1) The Collector shall review the draft Scheme submitted under sub-section (6) of section 16 by the Administrator with the Rehabilitation and Resettlement Committee at the project level constituted under section 45;

Review of the Rehabilitation and Resettlement Scheme.

(2) The Collector shall submit the draft Rehabilitation and Resettlement Scheme with his suggestions to the Commissioner Rehabilitation and Resettlement for approval of the Scheme.

18. The Commissioner shall cause the approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the website of the appropriate Government.

Approved Rehabilitation and Resettlement Scheme to be made public

19. (1) When the appropriate Government is satisfied, after considering the report, if any, made under sub-section (2) of section 15, that any particular land is needed for a public purpose, a declaration shall be made to that effect, along with a declaration of an area identified as the "resettlement area" for the purposes of rehabilitation and resettlement of the affected families, under the hand and seal of a Secretary to such Government or of any other officer duly authorised to certify its orders and different declarations may be made from time to time in respect of different parcels of any land covered by the same preliminary notification irrespective of whether one report or different reports has or have been made (wherever required).

Publication of declaration and summary of Rehabilitation and Resettlement.

(2) The Collector shall publish a summary of the Rehabilitation and Resettlement Scheme along with declaration referred to in sub-section (1):

Provided that no declaration under this sub-section shall be made unless the summary of the Rehabilitation and Resettlement Scheme is published along with such declaration:

Provided further that no declaration under this sub-section shall be made unless the Requiring Body deposits an amount, in full or part, as may be prescribed by the appropriate Government toward the cost of acquisition of the land:

Provided also that the Requiring Body shall deposit the amount promptly so as to enable the appropriate Government to publish the declaration within a period of twelve months from the date of the publication of preliminary notification under section 11.

(3) In projects where land is acquired in stages, the application for acquisition itself can specify different stages for the rehabilitation and resettlement, and all declarations shall be made according to the stages so specified.

(4) Every declaration referred to in sub-section (1) shall be published in the following manner, namely:—

(a) in the Official Gazette;

(b) in two daily newspapers being circulated in the locality, of such area of which one shall be in the regional language;

(c) in the local language in the Panchayat, Municipality or Municipal Corporation, as the case may be, and in the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil;

(d) uploaded on the website of the appropriate Government;

(e) in the affected areas, in such manner as may be prescribed.

(5) Every declaration referred to in sub-section (1) shall indicate,—

(a) the district or other territorial division in which the land is situated;

45 of 1860.

(2) Every person required to make or deliver a statement under this section shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code.

23. On the day so fixed, or on any other day to which the enquiry has been adjourned, the Collector shall proceed to enquire into the objections (if any) which any person interested has stated pursuant to a notice given under section 21, to the measurements made under section 20, and into the value of the land at the date of the publication of the notification, and into the respective interests of the persons claiming the compensation and rehabilitation and resettlement, shall make an award under his hand of—

Enquiry and land acquisition award by Collector.

(a) the true area of the land;

(b) the compensation as determined under section 27 along with Rehabilitation and Resettlement Award as determined under section 31 and which in his opinion should be allowed for the land; and

(c) the apportionment of the said compensation among all the persons known or believed to be interested in the land, or whom, or of whose claims, he has information, whether or not they have respectively appeared before him.

24. (1) Notwithstanding anything contained in this Act, in any case of land acquisition proceedings initiated under the Land Acquisition Act, 1894,—

Land acquisition process under Act No. 1 of 1894 shall be deemed to have lapsed in certain cases.

(a) where no award under section 11 of the said Land Acquisition Act has been made, then, all provisions of this Act relating to the determination of compensation shall apply; or

(b) where an award under said section 11 has been made, then such proceedings shall continue under the provisions of the said Land Acquisition Act, as if the said Act has not been repealed.

(2) Notwithstanding anything contained in sub-section (1), in case of land acquisition proceedings initiated under the Land Acquisition Act, 1894, where an award under the said section 11 has been made five years or more prior to the commencement of this Act but the physical possession of the land has not been taken or the compensation has not been paid the said proceedings shall be deemed to have lapsed and the appropriate Government, if it so chooses, shall initiate the proceedings of such land acquisition afresh in accordance with the provisions of this Act:

Provided that where an award has been made and compensation in respect of a majority of land holdings has not been deposited in the account of the beneficiaries, then, all beneficiaries specified in the notification for acquisition under section 4 of the said Land Acquisition Act, shall be entitled to compensation in accordance with the provisions of this Act.

25. The Collector shall make an award within a period of twelve months from the date of publication of the declaration under section 19 and if no award is made within that period, the entire proceedings for the acquisition of the land shall lapse:

Period within which an award shall be made.

Provided that the appropriate Government shall have the power to extend the period of twelve months if in its opinion, circumstances exist justifying the same:

Provided further that any such decision to extend the period shall be recorded in writing and the same shall be notified and be uploaded on the website of the authority concerned.

26. (1) The Collector shall adopt the following criteria in assessing and determining the market value of the land, namely:—

Determination of market value of land by Collector.

(a) the market value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or

2 of 1899.

and administered by a religious or linguistic minority shall be such as would not restrict or abrogate the right to establish and administer educational institutions of their choice.

27. The Collector having determined the market value of the land to be acquired shall calculate the total amount of compensation to be paid to the land owner (whose land has been acquired) by including all assets attached to the land.

Determination of amount of compensation.

28. In determining the amount of compensation to be awarded for land acquired under this Act, the Collector shall take into consideration—

Parameters to be considered by Collector in determination of award.

firstly, the market value as determined under section 26 and the award amount in accordance with the First and Second Schedules;

secondly, the damage sustained by the person interested, by reason of the taking of any standing crops and trees which may be on the land at the time of the Collector's taking possession thereof;

thirdly, the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of severing such land from his other land;

fourthly, the damage (if any) sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings;

fifthly, in consequence of the acquisition of the land by the Collector, the person interested is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change;

sixthly, the damage (if any) *bona fide* resulting from diminution of the profits of the land between the time of the publication of the declaration under section 19 and the time of the Collector's taking possession of the land; and

seventhly, any other ground which may be in the interest of equity, justice and beneficial to the affected families.

29. (1) The Collector in determining the market value of the building and other immovable property or assets attached to the land or building which are to be acquired, use the services of a competent engineer or any other specialist in the relevant field, as may be considered necessary by him.

Determination of value of things attached to land or building.

(2) The Collector for the purpose of determining the value of trees and plants attached to the land acquired, use the services of experienced persons in the field of agriculture, forestry, horticulture, sericulture, or any other field, as may be considered necessary by him.

(3) The Collector for the purpose of assessing the value of the standing crops damaged during the process of land acquisition, may use the services of experienced persons in the field of agriculture as may be considered necessary by him.

30. (1) The Collector having determined the total compensation to be paid, shall, to arrive at the final award, impose a "Solatium" amount equivalent to one hundred per cent. of the compensation amount.

Award of solatium.

Explanation.—For the removal of doubts it is hereby declared that solatium amount shall be in addition to the compensation payable to any person whose land has been acquired.

(2) The Collector shall issue individual awards detailing the particulars of compensation payable and the details of payment of the compensation as specified in the First Schedule.

(3) In addition to the market value of the land provided under section 26, the Collector shall, in every case, award an amount calculated at the rate of twelve per cent. per annum on such market value for the period commencing on and from the date of the publication of the notification of the Social Impact Assessment study under sub-section (2) of section 4, in respect of such land, till the date of the award of the Collector or the date of taking possession of the land, whichever is earlier.

34. The Collector may, for any cause he thinks fit, from time to time adjourn the enquiry to a day to be fixed by him.

Adjournment of enquiry.

35. For the purpose of enquiries under this Act, the Collector shall have powers to summon and enforce the attendance of witnesses, including the parties interested of any of them, and to compel the production of documents by the same means, and (so far as may be) in the same manner as is provided in the case of a Civil Court under the Code of Civil Procedure, 1908.

Power to summon and enforce attendance of witnesses and production of documents.

36. The appropriate Government may at any time before the award is made by the Collector under section 30 call for any record of any proceedings (whether by way of inquiry or otherwise) for the purpose of satisfying itself as to the legality or propriety of any findings or order passed or as to the regularity of such proceedings and may pass such order or issue such direction in relation thereto as it may think fit:

Power to call for records, etc.

Provided that the appropriate Government shall not pass or issue any order or direction prejudicial to any person without affording such person a reasonable opportunity of being heard.

37. (1) The Awards shall be filed in the Collector's office and shall, except as hereinafter provided, be final and conclusive evidence, as between the Collector and the persons interested, whether they have respectively appeared before the Collector or not, of the true area and market value of the land and the assets attached thereto, solatium so determined and the apportionment of the compensation among the persons interested.

Awards of Collector when to be final.

(2) The Collector shall give immediate notice of his awards to such of the persons interested who are not present personally or through their representatives when the awards are made.

(3) The Collector shall keep open to the public and display a summary of the entire proceedings undertaken in a case of acquisition of land including the amount of compensation awarded to each individual along with details of the land finally acquired under this Act on the website created for this purpose.

38. (1) The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid or tendered to the entitled persons within a period of three months for the compensation and a period of six months for the monetary part of rehabilitation and resettlement entitlements listed in the Second Schedule commencing from the date of the award made under section 30:

Power to take possession of land to be acquired.

Provided that the components of the Rehabilitation and Resettlement Package in the Second and Third Schedules that relate to infrastructural entitlements shall be provided within a period of eighteen months from the date of the award:

Provided further that in case of acquisition of land for irrigation or hydel project, being a public purpose, the rehabilitation and resettlement shall be completed six months prior to submergence of the lands acquired.

(2) The Collector shall be responsible for ensuring that the rehabilitation and resettlement process is completed in all its aspects before displacing the affected families.

39. The Collector shall, as far as possible, not displace any family which has already been displaced by the appropriate Government for the purpose of acquisition under the provisions of this Act, and if so displaced, shall pay an additional compensation equivalent to that of the compensation determined under this Act for the second or successive displacements.

Additional compensation in case of multiple displacements.

40. (1) In cases of urgency, whenever the appropriate Government so directs, the Collector, though no such award has been made, may, on the expiration of thirty days from the publication of the notice mentioned in section 21, take possession of any land needed for a public purpose and such land shall thereupon vest absolutely in the Government, free from all encumbrances.

Special powers in case of urgency to acquire land in certain cases.

(8) The resettlement areas predominantly inhabited by the Scheduled Castes and the Scheduled Tribes shall get land, to such extent as may be decided by the appropriate Government free of cost for community and social gatherings.

(9) Any alienation of tribal lands or lands belonging to members of the Scheduled Castes in disregard of the laws and regulations for the time being in force shall be treated as null and void, and in the case of acquisition of such lands, the rehabilitation and resettlement benefits shall be made available to the original tribal land owners or land owners belonging to the Scheduled Castes.

(10) The affected Scheduled Tribes, other traditional forest dwellers and the Scheduled Castes having fishing rights in a river or pond or dam in the affected area shall be given fishing rights in the reservoir area of the irrigation or hydel projects.

(11) Where the affected families belonging to the Scheduled Castes and the Scheduled Tribes are relocated outside of the district, then, they shall be paid an additional twenty-five per cent. rehabilitation and resettlement benefits to which they are entitled in monetary terms along with a one-time entitlement of fifty thousand rupees.

42. (1) All benefits, including the reservation benefits available to the Scheduled Tribes and the Scheduled Castes in the affected areas shall continue in the resettlement area. Reservation and other benefits.

(2) Whenever the affected families belonging to the Scheduled Tribes who are residing in the Scheduled Areas referred to in the Fifth Schedule or the tribal areas referred to in the Sixth Schedule to the Constitution are relocated outside those areas, then, all the statutory safeguards, entitlements and benefits being enjoyed by them under this Act shall be extended to the area to which they are resettled regardless of whether the resettlement area is a Scheduled Area referred to in the said Fifth Schedule, or a tribal area referred to in the said Sixth Schedule, or not.

(3) Where the community rights have been settled under the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the same shall be quantified in monetary amount and be paid to the individual concerned who has been displaced due to the acquisition of land in proportion with his share in such community rights.

2 of 2007.

CHAPTER VI

PROCEDURE AND MANNER OF REHABILITATION AND RESETTLEMENT

43. (1) Where the appropriate Government is satisfied that there is likely to be involuntary displacement of persons due to acquisition of land, then, the State Government shall, by notification, appoint in respect of that project, an officer not below the rank of Joint Collector or Additional Collector or Deputy Collector or equivalent official of Revenue Department to be the Administrator for Rehabilitation and Resettlement. Appointment of Administrator.

(2) The Administrator shall, with a view to enable him to function efficiently and to meet the special time-frame, be provided with such powers, duties and responsibilities as may be prescribed by the appropriate Government and provided with office infrastructure and be assisted by such officers and employees who shall be subordinate to him as the appropriate Government may decide.

(3) Subject to the superintendence, directions and control of the appropriate Government and the Commissioner for Rehabilitation and Resettlement, the formulation, execution and monitoring of the Rehabilitation and Resettlement Scheme shall vest in the Administrator.

44. (1) The State Government shall appoint an officer of the rank of Commissioner or Secretary of that Government for rehabilitation and resettlement of affected families under this Act, to be called the Commissioner for Rehabilitation and Resettlement. Commissioner for rehabilitation and resettlement.

(5) Any purchase of land by a person other than specified persons without complying with the provisions of Rehabilitation and Resettlement Scheme shall be void *ab initio*:

Provided that the appropriate Government may provide for rehabilitation and resettlement provisions on sale or purchase of land in its State and shall also fix the limits or ceiling for the said purpose.

(6) If any land has been purchased through private negotiations by a person on or after the 5th day of September, 2011, which is more than such limits referred to in sub-section (1) and, if the same land is acquired within three years from the date of commencement of this Act, then, forty per cent. of the compensation paid for such land acquired shall be shared with the original land owners.

Explanation.—For the purpose of this section, the expression—

(a) “original land owner” refers to the owner of the land as on the 5th day of September, 2011;

(b) “specified persons” includes any person other than—

(i) appropriate Government;

(ii) Government company;

(iii) association of persons or trust or society as registered under the Societies Registration Act, 1860, wholly or partially aided by the appropriate Government or controlled by the appropriate Government.

21 of 1860.

47. Where the Collector is of the view that the obligations of the Requiring Body with regard to rehabilitation and resettlement can be quantified into monetary amount, he shall allow the payment of such amount into an account in complete satisfaction of such obligations, which shall be administered by the Administrator appointed under section 43, under the supervision of the Collector.

Quantification and deposit of rehabilitation and resettlement amount.

CHAPTER VII

NATIONAL MONITORING COMMITTEE FOR REHABILITATION AND RESETTLEMENT

48. (1) The Central Government may, whenever necessary, for national or inter-State projects, constitute a National Monitoring Committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act.

Establishment of National Monitoring Committee for rehabilitation and resettlement.

(2) The Committee may, besides having representation of the concerned Ministries and Departments of the Central and State Governments, associate with it eminent experts from the relevant fields.

(3) The procedures to be followed by the Committee and the allowances payable to the experts shall be such as may be prescribed.

(4) The Central Government shall provide officers and other employees to the Committee necessary for its efficient functioning.

49. The States and Union territories shall provide all the relevant information on the matters covered under this Act, to the National Monitoring Committee in a regular and timely manner, and also as and when required.

Reporting requirements.

50. (1) The State Government shall constitute a State Monitoring Committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act.

Establishment of State Monitoring Committee for rehabilitation and resettlement.

(2) The Committee may, besides having representatives of the concerned Ministries and Departments of the State Government, associate with it eminent experts from the relevant fields.

(3) The procedures to be followed by the Committee and the allowances payable to the experts shall be such as may be prescribed by the State.

58. (1) The Presiding Officer of an Authority may, by notice in writing under his hand addressed to the appropriate Government, resign his office:

Resignation
and removal.

Provided that the Presiding Officer shall, unless he is permitted by the appropriate Government to relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is earlier.

(2) The Presiding Officer of an Authority shall not be removed from his office except by an order made by the appropriate Government on the ground of proven misbehaviour or incapacity after inquiry in the case of the Presiding Officer of an Authority made by a Judge of a High Court in which the Presiding Officer concerned has been informed of the charges against him and given a reasonable opportunity of being heard in respect of these charges.

(3) The appropriate Government may, by rules, regulate the procedure for the investigation of misbehaviour or incapacity of the aforesaid Presiding Officer.

59. No order of the appropriate Government appointing any person as the Presiding Officer of an Authority shall be called in question in any manner, and no act or proceeding before an Authority shall be called in question in any manner on the ground merely of any defect in the constitution of an Authority.

Orders
constituting
Authority to
be final and
not to
invalidate its
proceedings.

60. (1) The Authority shall, for the purposes of its functions under this Act, shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

Powers of
Authority and
procedure
before it.

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) discovery and production of any document or other material object producible as evidence;

(c) receiving evidence on affidavits;

(d) requisitioning of any public record;

(e) issuing commission for the examination of witnesses;

(f) reviewing its decisions, directions and orders;

(g) any other matter which may be prescribed.

(2) The Authority shall have original jurisdiction to adjudicate upon every reference made to it under section 64.

(3) The Authority shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908 but shall be guided by the principles of natural justice and subject to the other provisions of this Act and of any rules made thereunder, the Authority shall have the power to regulate its own procedure.

(4) The Authority shall, after receiving reference under section 64 and after giving notice of such reference to all the parties concerned and after affording opportunity of hearing to all parties, dispose of such reference within a period of six months from the date of receipt of such reference and make an award accordingly.

(5) The Authority shall arrange to deliver copies of the award to the parties concerned within a period of fifteen days from the date of such award.

61. All proceedings before the Authority shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 of the Indian Penal Code and the Authority shall be deemed to be a civil court for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973.

Proceedings
before
Authority to
be judicial
proceedings.

62. The Member and officers of the Authority shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

Members and
officers of
Authority to
be public
servants.

5 of 1908.

5 of 1908.

45 of 1860.

2 of 1974.

45 of 1860.

(c) if the objection is in regard to the area of the land or to the amount of the compensation, the Collector.

67. The scope of the enquiry in every such proceeding shall be restricted to a consideration of the interest of the persons affected by the objection. Restriction on scope of proceedings.

68. Every such proceeding shall take place in public, and all persons entitled to practice in any Civil Court in the State shall be entitled to appear, plead and act (as the case may be) in such proceeding. Proceedings to be in public.

69. (1) In determining the amount of compensation to be awarded for land acquired including the Rehabilitation and Resettlement entitlements, the Authority shall take into consideration whether the Collector has followed the parameters set out under section 26 to section 30 and the provisions under Chapter V of this Act. Determination of award by Authority.

(2) In addition to the market value of the land, as above provided, the Authority shall in every case award an amount calculated at the rate of twelve per cent. per annum on such market value for the period commencing on and from the date of the publication of the preliminary notification under section 11 in respect of such land to the date of the award of the Collector or the date of taking possession of the land, whichever is earlier.

Explanation.— In computing the period referred to in this sub-section, any period or periods during which the proceedings for the acquisition of the land were held up on account of any stay or injunction by the order of any Court shall be excluded.

(3) In addition to the market value of the land as above provided, the Authority shall in every case award a solatium of one hundred per cent. over the total compensation amount.

70. (1) Every award under this Chapter shall be in writing signed by the Presiding Officer of the Authority, and shall specify the amount awarded under clause first of section 28, and also the amounts (if any) respectively awarded under each of the other clauses of the same sub-section, together with the grounds of awarding each of the said amounts. Form of award.

(2) Every such award shall be deemed to be a decree and the statement of the grounds of every such award a judgment within the meaning of clause (2), and clause (9) of respectively, of section 2 of the Code of Civil Procedure, 1908.

5 of 1908.

71. (1) Every such award shall also state the amount of costs incurred in the proceeding under this Chapter, and by what persons and in what proportions they are to be paid. Costs.

(2) When the award of the Collector is not upheld, the cost shall ordinarily be paid by the Collector, unless the Authority concerned is of the opinion that the claim of the applicant was so extravagant or that he was so negligent in putting his case before the Collector that some deduction from his costs should be made or that he should pay a part of the Collector's costs.

72. If the sum, which in the opinion of the Authority concerned, the Collector ought to have awarded as compensation is in excess of the sum which the Collector did award as compensation, the award of the Authority concerned may direct that the Collector shall pay interest on such excess at the rate of nine per cent. per annum from the date on which he took possession of the land to the date of payment of such excess into Authority: Collector may be directed to pay interest on excess compensation.

Provided that the award of the Authority concerned may also direct that where such excess or any part thereof is paid to the Authority after the date or expiry of a period of one year from the date on which possession is taken, interest at the rate of fifteen per cent. per annum shall be payable from the date of expiry of the said period of one year on the amount of such excess or part thereof which has not been paid into Authority before the date of such expiry.

the compensation in the Authority to which a reference under section 64 would be submitted:

Provided that any person admitted to be interested may receive such payment under protest as to the sufficiency of the amount:

Provided further that no person who has received the amount otherwise than under protest shall be entitled to make any application under sub-section (1) of section 64:

Provided also that nothing herein contained shall affect the liability of any person, who may receive the whole or any part of any compensation awarded under this Act, to pay the same to the person lawfully entitled thereto.

78. (1) If any money is deposited in the Authority concerned under sub-section (2) of section 77 and it appears that the land in respect whereof the same was awarded belonged to any person who had no power to alienate the same, the Authority concerned shall—

(a) order the money to be invested in the purchase of other lands to be held under the like title and conditions of ownership as the land in respect of which such money shall have been deposited was held; or

(b) if such purchase cannot be effected forthwith, then in such Government of other approved securities as the Authority concerned shall think fit,

and shall direct the payment of the interest or other proceeds arising from such investment to the person or persons who would for the time being have been entitled to the possession of the said land, and such moneys shall remain so deposited and invested until the same be applied—

(i) in the purchase of such other lands as aforesaid; or

(ii) in payment to any person or persons becoming absolutely entitled thereto.

(2) In all cases of money deposited to which this section applies the Authority concerned shall order the costs of the following matters, including therein all reasonable charge and expenses incident thereon, to be paid by the Collector, namely:—

(a) the costs of such investments as aforesaid;

(b) the costs of the orders for the payment of the interest or other proceeds of the securities upon which such moneys are for the time being invested, and for the payment out of the Authority concerned of the principal of such moneys, and of all proceedings relating thereto, except such as may be occasioned by litigation between adverse claimants.

79. When any money shall have been deposited in the Authority concerned under this Act for any cause other than the causes mentioned in section 78, the Authority may, on the application of any party interested or claiming an interest in such money, order the same to be invested in such Government or other approved securities as it may think proper, and paid in such manner as it may consider will give the parties interested therein the same benefit from it as they might have had from the land in respect whereof such money shall have been deposited or as near thereto as may be.

80. When the amount of such compensation is not paid or deposited on or before taking possession of the land, the Collector shall pay the amount awarded with interest thereon at the rate of nine per cent. per annum from the time of so taking possession until it shall have been so paid or deposited:

Provided that if such compensation or any part thereof is not paid or deposited within a period of one year from the date on which possession is taken, interest at the rate of fifteen per cent. per annum shall be payable from the date of expiry of the said period of one year on the amount of compensation or part thereof which has not been paid or deposited before the date of such expiry.

Investment of money deposited in respect of lands belonging to person incompetent to alienate.

Investment of money deposited in other cases.

Payment of interest.

person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals and a Requiring Body; and

(b) “director”, in relation to a firm, means a partner in the firm.

87. (1) Where an offence under this Act has been committed by any department of the Government, the head of the department, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Offences by Government departments.

Provided that nothing contained in this section shall render any person liable to any punishment if such person proves that the offence was committed without his knowledge or that such person exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any officer, other than the head of the department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

88. No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall be competent to try any offence punishable under this Act. Cognizance of offences by court.

89. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 every offence under this Act shall be deemed to be non-cognizable. Offences to be non-cognizable.

90. No court shall take cognizance of any offence under this Act which is alleged to have been committed by a Requiring Body except on a complaint in writing made by the Collector or any other officer authorised by the appropriate Government or any member of the affected family. Offences to be cognizable only on complaint filed by certain persons.

CHAPTER XIII

MISCELLANEOUS

91. If the Collector is opposed or impeded in taking possession under this Act of any land, he shall, if a Magistrate, enforce the surrender of the land to himself, and if not a Magistrate, he shall apply to a Magistrate or to the Commissioner of Police, and such Magistrate or Commissioner, as the case may be, shall enforce the surrender of the land to the Collector. Magistrate to enforce surrender.

92. (1) Save as otherwise provided in section 66, the service of any notice under this Act shall be made by delivering or tendering a copy thereof signed, in the case of a notice, by Service of notice.

Provided that no such local authority or Requiring Body shall be entitled to demand a reference to the Authority concerned under section 64.

96. No income tax or stamp duty shall be levied on any award or agreement made under this Act, except under section 46 and no person claiming under any such award or agreement shall be liable to pay any fee for a copy of the same.

Exemption from income-tax, stamp duty and fees.

16 of 1908.

97. In any proceeding under this Act, a certified copy of a document registered under the Registration Act, 1908, including a copy given under section 57 of that Act, may be accepted as evidence of the transaction recorded in such document.

Acceptance of certified copy as evidence.

98. No suit or other proceeding shall be commenced against any person for anything done in pursuance of this Act, without giving to such person a month's previous notice in writing of the intended proceeding, and of the cause thereof, nor after tender of sufficient amendments.

Notice in case of suits for anything done in pursuance of Act.

99. No change from the purpose or related purposes for which the land is originally sought to be acquired shall be allowed:

No change of purpose to be allowed.

Provided that if the land acquired is rendered unusable for the purpose for which it was acquired due to a fundamental change because of any unforeseen circumstances, then the appropriate Government may use such land for any other public purpose.

100. No change of ownership without specific permission from the appropriate Government shall be allowed.

No change of ownership without permission to be allowed.

101. When any land acquired under this Act remains unutilised for a period of five years from the date of taking over the possession, the same shall be returned to the original owner or owners or their legal heirs, as the case may be, or to the Land Bank of the appropriate Government by reversion in the manner as may be prescribed by the appropriate Government.

Return of unutilised land.

Explanation.—For the purpose of this section, "Land Bank" means a governmental entity that focuses on the conversion of Government owned vacant, abandoned, unutilised acquired lands and tax-delinquent properties into productive use.

102. Whenever the ownership of any land acquired under this Act is transferred to any person for a consideration, without any development having taken place on such land, forty per cent. of the appreciated land value shall be shared amongst the persons from whom the lands were acquired or their heirs, in proportion to the value at which the lands were acquired within a period of five years from the date of acquisition:

Difference in price of land when transferred for higher consideration to be shared.

Provided that benefit shall accrue only on the first sale or transfer that occurs after the conclusion of the acquisition proceedings.

103. The provisions of this Act shall be in addition to and not in derogation of, any other law for the time being in force.

Provisions to be in addition to existing laws.

104. Notwithstanding anything contained in this Act, the appropriate Government shall, wherever possible, be free to exercise the option of taking the land on lease, instead of acquisition, for any public purpose referred to in sub-section (1) of section 2.

Option of appropriate Government to lease.

(b) the limits of land in rural areas or urban areas under clause (a) of sub-section (3) of section 2;

(c) the manner and the time limit for carrying out social impact assessment study under sub-section (1) of section 4;

(d) the manner of preparing and publishing social impact assessment study reports under sub-section (1) of section 6;

(e) the manner and time for conducting survey and undertaking census under sub-section (1) of section 16;

(f) the manner of preparing draft Rehabilitation and Resettlement Scheme under sub-section (2) of section 16;

(g) the manner of conducting public hearing under sub-section (5) of section 16;

(h) the manner of depositing amount by the Requiring Body under second proviso to sub-section (2) of section 19;

(i) the manner in which and the period within which any excess amount paid may be recovered under sub-section (3) of section 33;

(j) the form in which the Development Plan shall be prepared under sub-section (4) of section 41;

(k) the powers, duties and responsibilities of Administrator under sub-section (2) of section 43;

(l) the procedure of Rehabilitation and Resettlement Committee under sub-section (3) of section 45;

(m) the procedure to be followed by the Rehabilitation and Resettlement Committee and allowances to be paid to the experts under sub-section (3) of section 48;

(n) the procedures to be followed by the State Monitoring Committee and the allowances payable to the experts under sub-section (3) of section 50;

(o) the salaries and allowances and other conditions of service of the Registrar and other officers and employees of an Authority under sub-section (3) of section 55;

(p) the salary and allowances payable to and the other terms and conditions of service (including pension, gratuity and other retirement benefits) of, the Presiding Officer of an Authority under section 56;

(q) any other matter under clause (g) of sub-section (1) of section 60;

(r) the manner of recovery of the rehabilitation and resettlement benefits, availed of by making false claim or through fraudulent means, under sub-section (2) of section 84;

(s) the manner of returning the unutilised land by reversion under section 101;

(t) manner of publication wherever the provisions of this Act provide for;

(u) any other matter which is required to be or may be specified under this Act.

110. Every rule made by the Central Government under this Act shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such

Rules made by
Central
Government
to be laid
before
Parliament.

THE FIRST SCHEDULE

[See section 30 (2)]

COMPENSATION FOR LAND OWNERS

The following components shall constitute the minimum compensation package to be given to those whose land is acquired and to tenants referred to in clause (c) of section 3 in a proportion to be decided by the appropriate Government.

Serial No.	Component of compensation package in respect of land acquired under the Act	Manner of determination of value	Date of determination of value
(1)	(2)	(3)	(4)
1.	Market value of land	To be determined as provided under section 26.	
2.	Factor by which the market value is to be multiplied in the case of rural areas	1.00 (One) to 2.00 (Two) based on the distance of project from urban area, as may be notified by the appropriate Government.	
3.	Factor by which the market value is to be multiplied in the case of urban areas	1 (One).	
4.	Value of assets attached to land or building	To be determined as provided under section 29.	
5.	Solatum	Equivalent to one hundred per cent. of the market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 2 for rural areas or serial number 3 for urban areas plus value of assets attached to land or building against serial number 4 under column (2).	
6.	Final award in rural areas	Market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 2 plus value of assets attached to land or building mentioned against serial number 4 under column (2) plus solatium mentioned against serial number 5 under column (2).	
7.	Final award in urban areas	Market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 3 plus value of assets attached to land or building	

THE SECOND SCHEDULE

[See sections 31 (1), 38 (1) and 105 (3)]

ELEMENTS OF REHABILITATION AND RESETTLEMENT ENTITLEMENTS FOR ALL THE AFFECTED FAMILIES (BOTH LAND OWNERS AND THE FAMILIES WHOSE LIVELIHOOD IS PRIMARILY DEPENDENT ON LAND ACQUIRED) IN ADDITION TO THOSE PROVIDED IN THE FIRST SCHEDULE.

Serial No.	Elements of Rehabilitation and Resettlement Entitlements	Entitlement/provision	Whether provided or not (if provided, details to be given)
(1)	(2)	(3)	(4)
1.	Provision of housing units in case of displacement	(1) If a house is lost in rural areas, a constructed house shall be provided as per the Indira Awas Yojana specifications. If a house is lost in urban areas, a constructed house shall be provided, which will be not less than 50 sq mts in plinth area. (2) The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaced from such area: Provided that any such family in urban areas which opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees: Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house: Provided also that no family affected by acquisition shall be given more than one house under the provisions of this Act.	

(1)	(2)	(3)	(4)
		(a) where jobs are created through the project, after providing suitable training and skill development in the required field, make provision for employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required; or (b) one time payment of five lakhs rupees per affected family; or (c) annuity policies that shall pay not less than two thousand rupees per month per family for twenty years, with appropriate indexation to the Consumer Price Index for Agricultural Labourers.	
5.	Subsistence grant for displaced families for a period of one year	Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award. In addition to this amount, the Scheduled Castes and the Scheduled Tribes displaced from Scheduled Areas shall receive an amount equivalent to fifty thousand rupees. In cases of displacement from the Scheduled Areas, as far as possible, the affected families shall be relocated in a similar ecological zone, so as to preserve the economic opportunities, language, culture and community life of the tribal communities.	
6.	Transportation cost for displaced families	Each affected family which is displaced shall get a one-time financial assistance of fifty thousand rupees as transportation cost for shifting of the family, building materials, belongings and cattle.	

THE THIRD SCHEDULE

[See sections 32, 38(1) and 105(3)]

PROVISION OF INFRASTRUCTURAL AMENITIES

For resettlement of populations, the following infrastructural facilities and basic minimum amenities are to be provided at the cost of the Requisitioning Authority to ensure that the resettled population in the new village or colony can secure for themselves a reasonable standard of community life and can attempt to minimise the trauma involved in displacement.

A reasonably habitable and planned settlement would have, as a minimum, the following facilities and resources, as appropriate:

Serial No.	Component of infrastructure amenities provided/proposed to be provided by the acquirer of land	Details of infrastructure amenities provided by the acquirer of land
(1)	(2)	(3)
1.	Roads within the resettled villages and an all-weather road link to the nearest pucca road, passages and easement rights for all the resettled families be adequately arranged.	
2.	Proper drainage as well as sanitation plans executed before physical resettlement.	
3.	One or more assured sources of safe drinking water for each family as per the norms prescribed by the Government of India.	
4.	Provision of drinking water for cattle.	
5.	Grazing land as per proportion acceptable in the State.	
6.	A reasonable number of Fair Price Shops.	
7.	Panchayat Ghars, as appropriate.	
8.	Village level Post Offices, as appropriate, with facilities for opening saving accounts.	
9.	Appropriate seed-cum-fertilizer storage facility if needed.	
10.	Efforts must be made to provide basic irrigation facilities to the agricultural land allocated to the resettled families if not from the irrigation project, then by developing a cooperative or under some Government scheme or special assistance.	
11.	All new villages established for resettlement of the displaced persons shall be provided with suitable transport facility which must include public transport facilities through local bus services with the nearby growth centres/urban localities.	
12.	Burial or cremation ground, depending on the caste-communities at the site and their practices.	
13.	Facilities for sanitation, including individual toilet points.	

THE FOURTH SCHEDULE

(See section 105)

LIST OF ENACTMENTS REGULATING LAND ACQUISITION AND
REHABILITATION AND RESETTLEMENT

1. The Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958).
2. The Atomic Energy Act, 1962 (33 of 1962).
3. The Damodar Valley Corporation Act, 1948 (14 of 1948).
4. The Indian Tramways Act, 1886 (11 of 1886).
5. The Land Acquisition (Mines) Act, 1885 (18 of 1885).
6. The Metro Railways (Construction of Works) Act, 1978 (33 of 1978).
7. The National Highways Act, 1956 (48 of 1956).
8. The Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962).
9. The Requisitioning and Acquisition of Immovable Property Act, 1952 (30 of 1952).
10. The Resettlement of Displaced Persons (Land Acquisition) Act, 1948 (60 of 1948).
11. The Coal Bearing Areas Acquisition and Development Act, 1957 (20 of 1957).
12. The Electricity Act, 2003 (36 of 2003).
13. The Railways Act, 1989 (24 of 1989).

P.K. MALHOTRA,
Secretary to the Govt. of India.

DELHI METRO RAIL CORPORATION
Phase IV Corridors of Delhi Metro

Monitoring of RAP Implementation

Report for the month of

Part-I: Quantitative monitoring format

Activity	Indicator	Target		Achievement	
		This Month	Cumulative	This Month	Cumulative
Staffing	Number of DMRC staff on the project by job function				
	Number of other line agency officials available for tasks				
Verification of impact	No. of project affected households				
	No. of project affected people				
	No. of people loss residence				
	No. of people loss livelihood				
	No. of people displace				
Resettlement	No. of people provided with ID Card				
	No. of resettlement sites developed				
	No. of people received compensation before starting construction activities				
	Area of private land acquired				
	Area of Govt. land acquired				
	No. of people resettled				
	No. of religious properties relocated				
	No. of community properties relocated				
	No. of Govt. properties relocated				
Rehabilitation	No. of training agencies identified				

Activity	Indicator	Target		Achievement	
		This Month	Cumulative	This Month	Cumulative
	No. of people undergone skill development training				
	No. of people restarted their income restoration activities				
	No. of new enterprises started				
Grievance Redressal	No. of grievance redress committee formed				
	No. of grievance redress committee meetings conducted				
	No. of grievances received				
	No. of grievances addressed				
Public consultation/ Disclosure of information	No. of public consultations				
	Frequency of consultation				
	No. of participants in the consultation meetings				
	Whether the entitlement matrix has been translated in a understandable local language.				
	No. of translated copies distributed to relevant stakeholders including Aps				
	No. of locations where the list of entitled persons displayed				
Review and Monitoring	No. of staff meetings conducted at PIU level				
	Date of appointment of Independent Evaluation Agency (IEA)				
	Frequency of submitting progress reports				
Awareness programs	No. of HIV/AIDS awareness programs conducted				

Activity	Indicator	Target		Achievement	
		This Month	Cumulative	This Month	Cumulative
	No. of hotspots identified				
	No. of road safety awareness programs conducted.				
Fund utilization	Funds utilized				

Part-II- Qualitative Monitoring format

1. Composition/type of participants and specific issues raised by the participants especially the vulnerable groups.
2. Actions/follow-up taken to address the issues raised in the public consultation meetings.
3. Process adopted for the relocation of AFs, religious and community structures. The process adopted for relocation of squatters and other vulnerable groups may be specified.
4. Process of distribution and allotment of compensation and other R&R assistances.
5. When the compensation/assistance has been paid, and the utility of compensation amount and other R&R assistances.
6. Type of grievances, its reasons and measures taken to address this.
7. Brief description of income generation activities undertaken by the AFs.
8. Major issues faced during RAP implementation and actions taken to resolve it.
9. Major lessons learned and documented.

Signature

Name and Designation of the Reporting officer

Place:

Date:

Terms of Reference for Independent Evaluation Agency

1. Project Description

Delhi Metro Rail Corporation (DMRC) has already implemented Phase I and Phase II and Phase-III of the Metro network in Delhi. Now DMRC is in process to implement the phase IV of Delhi Metro. The project involves construction of four corridors. The project gives utmost importance to the Rehabilitation and Resettlement of project affected families. Accordingly, a Resettlement Action Plan has been developed for implementation.

The project includes a provision for monitoring and evaluation of the implementation of the Resettlement Action Plan (RAP) by an external monitor. Therefore, the EA, which is the Executing Agency (EA) for this project, requires services of a reputed Social Sector specialist individual /firm for monitoring and evaluation of RAP implementation referred to as the "Independent Evaluation Agency (IEA)".

2. Scope of Work of IEA- Generic

- To review and verify the progress in resettlement implementation as outlined in the RAP
- To monitor the effectiveness and efficiency of Social Management Unit (SMU) and the concerned agency in RAP implementation.
- To assess whether resettlement objectives, particularly livelihoods and living standards of the affected persons have been restored or enhanced
- To assess the efforts of SMU and concerned agency in implementation of the 'Community Participation strategy' with particular attention on participation of vulnerable groups namely (i) those who are below poverty line (BPL), (ii) those who belong to Scheduled Castes (SC) and Scheduled Tribes (ST), (iii) Women headed families, (iv) elderly and (v) disabled persons.
- To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.

3. Scope of work- Specific

The independent evaluation agency (IEA) will be involved in ongoing monitoring of the resettlement efforts by the EA. The major tasks expected from the external monitor are:

- Review pre-displaced baseline data on income and expenditure, occupational and livelihood patterns, arrangements for use of common property, social organization, community organizations and cultural parameters.
 - To review and verify the progress in land acquisition/resettlement implementation of subproject on a sample basis and prepare reports for the EA.
 - To evaluate and assess the livelihood opportunities and income as well as quality of life of affected persons of project induced changes.
-

- To evaluate and assess the adequacy and effectiveness of consultative process with affected persons, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties and dissemination of information about these.
- Identify an appropriate set of indicators for gathering and analyzing information on resettlement impacts; the indicators shall include but not limited to issues like restoration of income and living standards and level of satisfaction by the APs in post-resettlement period.
- Review results of internal monitoring and verify claims through random checking at the field level to assess whether resettlement objectives have been generally met. Involve the APs, host population, and community groups in assessing the impact of resettlement for monitoring and evaluation purposes.
- Conduct both individual and community level impact analysis through the use of formal and informal surveys, key informant interviews, focus group discussions, community public meetings, and in-depth case studies of APs and host population from various social classes to assess the impact of resettlement.
- Identify the strengths and weaknesses of basic resettlement objectives and approaches, implementation strategies, including institutional issues, and provides suggestions for improvements in future resettlement policy making and planning

4. Time frame and Reporting

The independent monitoring agency will be responsible for independent evaluation of the RAP implementation. The work is scheduled to start in and continue till the end of the project. The duration of RAP implementation is as per the given RAP time schedule. The monitoring and evaluation report should be submitted to EA .

5. Qualifications

The monitoring and evaluation agency will have significant experience in resettlement policy analysis and RAP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable.

Interested agencies should submit proposal for the work with a brief statement of the approach, methodology, staff strength, and relevant information concerning previous experience on monitoring and evaluation of resettlement and rehabilitation implementation and preparation of reports.

6. Budget and Logistics

Copies of the proposal- both Technical and Financial- should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring. Additional expense claims whatsoever outside the budget will not be entertained.

