

Resettlement Planning Framework

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This Draft Resettlement Planning Framework (RPF) for Chennai Peripheral Ring Road Project (CPRRP) is now being put in the public domain. This is only a working draft, we are giving 30 days' time for receiving suggestions. Please send your comments, suggestions to sepiucpr@gmail.com or to The Project Director, Chennai Peripheral Ring Road Project (CPRRP), No.76, Sardar Patel Road, CKICP Complex, HRS Campus, Guindy, Chennai – 600 025. For effective handling of email and letters received by us, please include the following in the Subject: 'Suggestions for the Draft RPF'

IND: Chennai Peripheral Ring Road Project (CPRRP)

Prepared by the Highways Department, Government of Tamil Nadu, for the Asian Infrastructure Investment Bank (AIIB).

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Abbreviations

AIIB	Asian Infrastructure Investment Bank
ADE	Assistant Divisional Engineer
BPL	Below Poverty Line
CPIAL	Consumer Price Index for Agricultural Labourers
CPR	Common Property Resources
DPR	Detailed Project Report
EPC	Engineering Procurement Contract
ESF	Environmental and Social Framework
FGD	Focused Group Discussion
FMB	Field Measurement Book
GoTN	Government of Tamil Nadu
HR&CE	Hindu Religious & Charitable Endowments Department
IPP	Indigenous Peoples Plan
IRC	Indian Roads Congress
RFCTLARR Act	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
LARRU	Land Acquisition Rehabilitation and Resettlement Unit
LPS	Land Plan Schedule
NGO	Non-Governmental Organisation
NH	National Highway
PIU	Project Implementation Unit (TNRIDC)
PMU	Project Management Unit (CPRRP)
PPP	Public Private Partnership
PWD	Public Works Department
RPF	Resettlement Planning Framework
RSO	Resettlement Officer
SC	Scheduled Caste
SH	State Highway
SIA	Social Impact Assessment
Spl DRO	Special District Revenue officer
SR	Schedule of Rates (PWD)
ST	Scheduled Tribe
TN	Tamil Nadu
TNHA	Tamil Nadu Highways Act, 2001

Executive Summary

1. Government of Tamil Nadu (GOTN) is in the process of identifying and implementing projects to bridge the huge gap in the demand and supply of infrastructure projects. One of the major projects included in VISION 2023 is Chennai Peripheral Ring Road Project (CPRRP). Chennai Peripheral Ring Road Project is conceptualized to provide better connectivity around the city catering future traffic requirements and provide efficient commercial transportation by enhancing port connectivity.
2. The Chennai Peripheral Ring Road (CPRR) Project, Section II & III are proposed to be implemented under Engineering Procurement Construction contract (EPC). The proposed formation of 6 lane access controlled divided main carriage way with 2 lane carriage way service road on both sides. This project is expected to meet increasing traffic demands in Chennai Metropolitan Area. The Chennai Peripheral Ring Road (CPRR) is a semi-circle road surrounding in Chennai. This project stretch (Section II & III) starts at Thatchur on National Highway-16 and ends at Sriperumbudur on National Highway-32. This project road traverse across Chengalput, Thiruvallur and Kancheepuram District.
3. This Resettlement Planning Framework (RPF) has been prepared conforming to the National laws, the State laws and the Asian Infrastructure Investment Bank's (AIIB's) Environmental and Social Framework (ESF), 2016. The resettlement planning framework describes the principles and approach in avoiding, minimizing and mitigating adverse social impacts that may arise in implementing the proposed CPRR project.
4. An Entitlement Matrix has been developed, that summarises the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/ State Laws and Asian Infrastructure Investment Bank's, ESF. The entitlement matrix presents the entitlements corresponding to the tenure of the affected families.
5. The replacement value of houses, buildings and other immovable properties will be determined on the basis of latest PWD plinth area rate for valuation purpose as on date without depreciation. Compensation for trees will be based on their market value and compensation for the loss of crops, fruit bearing trees will be decided by the LARRU in consultation with the Departments of Forest, Agriculture and Horticulture. Prior to taking possession of the land or properties, the compensation will be fully paid and DPs will have the opportunity to harvest crops/trees within 15 days from the date of payment of compensation
6. The Spl DRO, LARRU will pass a separate Rehabilitation and Resettlement Award listing the names of displaced persons and their entitlements in accordance with this resettlement planning framework. The same will be displayed in prominent places such as the office of the local body concerned, office of the DE, Highways, PIU, TNRIDC and LAARU. To expedite land acquisition and implement the provisions of the resettlement plans, a Land Acquisition Rehabilitation and Resettlement Unit (LARRU) has been constituted. This unit is headed by a Special District Revenue Officers (Spl DRO) and is supported by a Resettlement Officer (RSO), in the cadre of a Deputy Collector, for resettlement plan implementation support.
7. The Project Director, CPRRP is overall in charge of land acquisition and resettlement plan implementation and coordinates with the Spl DRO in resettlement plan implementation and land acquisition. The Chief Engineer, CPRRP, is supported by domain expert in the areas of land acquisition and resettlement. The LARRU will be supported in the implementation of the

resettlement plan implementation by NGO/agency with experience in similar development projects.

8. Grievance Redressal Committee (GRC) will be established at two-levels, one at regional level and another at State level, to receive, evaluate and facilitate the resolution of displaced persons concerns, complaints and grievances. One regional level GRCs will function out of Thiruvallur. The 3-member GRC will be chaired by a retired District Revenue Officer (DRO) or equivalent rank officer and comprising of the Divisional Engineer, Highways, TNRIDC acting as its member secretary and a local person of repute and standing in the society, nominated by the Project Director and this member will safeguard the interests of the affected persons since he/she belong to local area and aware of the concerns of the local people. The State level GRC, will function as an appellate authority.

9 Meaningful consultations will be undertaken with the affected persons, their host communities and civil society soon after the resettlement planning framework is approved. Consultation will be carried out throughout the resettlement plan implementation and the project implementation unit (PIU), viz TNRIDC, LARRU and the implementation support NGO will be responsible for conducting these consultations. The LARRU will ensure that groups and individuals consulted are informed about the outcome of the decision-making process, and confirm how their views were incorporated. The consultation process established for the project will employ a range of formal and informal consultative methods. Different techniques of consultation with stakeholders are proposed during project implementation, such as in-depth interviews, public meetings, and group discussions.

10. The resettlement plan and the resettlement planning framework will be disclosed to the displaced community detailing information including measurement of losses, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments and displacement schedule by the LARRU with assistance from the NGO/agency hired for assisting in resettlement plan implementation. This will be done through public consultation and made available as brochures, leaflets, or booklets, in Tamil. This Resettlement Planning Framework will be updated as and when changes or amendments to the applicable laws and policies are made and based on implementation experience and lessons learnt.

1. Introduction

A. Background

1. Government of Tamil Nadu (GOTN) is in the process of identifying and implementing projects to bridge the huge gap in the demand and supply of infrastructure projects. One of the major projects included in VISION 2023 is Chennai Peripheral Ring Road Project (CPRRP). Chennai Peripheral Ring Road Project is conceptualized to provide better connectivity around the city catering future traffic requirements and provide efficient commercial transportation by enhancing port connectivity.

2. The aim of the project is to improve the performance of the State's Road Transport Network by improving road conditions and capacity, and improve the State's capacity to plan, develop and maintain the Tamil Nadu Road Networks

3. In line with the VISION 2023 of Government of Tamil Nadu, Highways Department has taken up the implementation of the Chennai Peripheral Ring Road (CPRR) project. The peripheral ring road will from Ennore Port to Poonjeri Junction in Mamallapuram is of 133.381 km long. The peripheral ring road is split into five sections for ease of implementation. The construction of two of the sections (Section II and Section III), totalling a length of about 56.80 km is proposed to be taken up with Asian Infrastructure Investment Bank financing.

B. Project Description

4. The Chennai Peripheral Ring Road (CPRR) Project, Section II & III are proposed to be implemented under Engineering Procurement Construction contract (EPC). The proposed formation of 6 lane access controlled divided main carriage way with 2 lane carriage way service road on both sides. This project is expected to meet increasing traffic demands in Chennai Metropolitan Area. The Chennai Peripheral Ring Road (CPRR) is a semi-circle road surrounding in Chennai. This project stretch (Section II & III) starts at Thatchur on National Highway-16 and ends at Sriperumbudur on National Highway-32. This project road traverse across Chengalput, Thiruvallur and Kancheepuram District.

Table 1: Road wise Summary of Magnitude of Impact

Package	Section	Road	Total Length (in km)	LA (in Ha)	Affected Families (*tentative)
CPRR/ LARRIC/SEC- II & III	1	NH-16 to Thiruvallur Bye pass	26.20	187.66	89
	2	Thiruvallur Bye pass to NH-32	30.60	208.04	587
Total			56.800	395.70	676

5. Necessity for forming Chennai Peripheral Ring Road: Chennai city is located on the coast of Bay of Bengal which makes the road layout in the metropolitan area is of radial pattern. There are 4 principal radial arterials, viz. NH 16 (Old NH-5) Chennai to Kolkatta Road , NH 716 (Old NH-205) Chennai – Tirupathi Road, NH 48 (Old NH-4) Chennai- Bengaluru Road , NH 32 (Old NH-45) Chennai- Trichy Road. All the radial roads are congested and inadequate to handle the growing traffic need. City has got three circumferential roads viz., Inner Ring Road, Chennai Bypass and Outer Ring Road which connects the radial roads. As the city is developing beyond the limits of these circumferential roads, a new circumferential road is required.

6. The Objectives of forming Chennai Peripheral Ring Road: The objectives are: (i) to provide better connectivity around the City catering future traffic; (ii) for efficient commercial transportation & Port connectivity; (iii) to reduce traffic congestion within the City due to bypass-able traffic; (iv) to reduce travel time for bypass-able traffic; (v) to enhance safety of road users; (vi) to enhance operational efficiency of the highways; and (vii) also to fulfil the access needs of the local population.

C. Need for Land Acquisition and Resettlement

7. The improvements proposed being a 8-lane carriage way with access controlled 6-lane, adequate right-of-way is not available and in most sections 47.2 km out of 56.80 km is green field formation. Further, the right-of-way has been encroached upon in many places entailing impact to commercial and residential structures as well as small places of worship and other common property resources. The project will involve land acquisition and will impact encroachments and squatting. The project under implementation involves about 396 ha of private land, will cause severe impact to about 676 families.

D. Resettlement Planning Framework

8. This Resettlement Planning Framework (RPF) has been prepared conforming to the National laws, the State laws and the Asian Infrastructure Investment Bank's (AIIB's) Environmental and Social Framework (ESF), 2016. The resettlement planning framework describes the principles and approach in avoiding, minimizing and mitigating adverse social impacts that may arise in implementing the proposed CPRR project.

9. The resettlement planning framework also describes the process for: (i) screening projects; (ii) assessment of involuntary resettlement impacts; (iii) categorisation of subject based on significance of involuntary resettlement impact; (iv) structure and process for consultations; (v) approach and methodology in undertaking census and socio-economic surveys; and (vi) preparation and implementation of resettlement plans.

E. Preparation and Approval SIA and RP

10. On completion of the detailed engineering designs, a social impact assessment report and resettlement plan shall be prepared based on a census and socio-economic survey of the affected persons. Social Impact Assessment (SIA) of the affected persons will be undertaken for the project so as to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain costs of resettlement, and prepare a resettlement and rehabilitation program for implementation. The process and provisions of this Resettlement Planning Framework will be applied for preparation of any study report for projects undertaken with Asian Infrastructure Investment Bank financing. The social impact assessment and preparation of resettlement plan will comprise of the following tasks.

11. Screening of the Project: The project shall be screened for social impacts based on the typical cross section for the proposed improvements envisaged for the project. Built-up and sensitive sections will be identified during screening requiring different treatment and accordingly suitable cross section/bypass should be proposed to minimise social impacts.

12. Census Survey: The census survey shall be carried out using a structured questionnaire to record the details of the present occupants within the proposed Right-of-Way (RoW), the area

required for the proposed improvements, and within the existing RoW, wherever existing RoW is greater than proposed RoW, in order to: (i) prevent further influx of persons within the proposed RoW; (ii) to assess the magnitude of impact to private assets; and (iii) to assess the extent of physical and/or economic displacement. In case of affected landowners, the census will be carried out immediately after section 15(1) is published and during award enquiry, and a supplementary report will be prepared which will be a part of the resettlement plan.

13. The purpose of carrying out a census of inventory of assets beyond proposed RoW and within RoW, wherever existing RoW is greater than proposed RoW, is to facilitate CPRRP to update the SIA and resettlement plan, if design changes are made in the existing RoW during civil works.

14. Socio Economic Survey: The purpose of the baseline socioeconomic survey of affected persons is to establish monitoring and evaluation parameters. It will be used as a benchmark for monitoring the socio-economic status of affected persons. The survey shall cover all affected persons and the survey shall also collect gender-disaggregated data to address gender issues in resettlement. In case of affected landowners, the socio-economic survey will be carried out immediately after section 15(1) is published and a supplementary report will be prepared which will be a part of the resettlement plan.

15. The socio economic survey shall be carried out amongst all affected families using a structured questionnaire, that would capture details of standard of living, inventory of assets, sources of income, level of indebtedness, profile of family members, health and sanitation, access to services and facilities, perceived benefits and impacts of the project and resettlement preferences of all affected families likely to be displaced. This information along with the census survey data would facilitate the preparation of a resettlement plan to mitigate adverse impact.

16. As part of socio-economic survey, wide range of consultations with different impacted groups as well as other stakeholders will be conducted to ascertain their views and preferences. Based on the outcome of these consultations the designs changes, if required, and mitigation measures will be incorporated. Consultations will include women and their concerns and reactions to the project will be addressed through appropriate mitigation plan.

17. Land Plan Schedule: The right-of-way (RoW) shall be established based on village maps and field measurement books (FMB), which will be the basis for detailed design and wherever possible the improvements shall be carried out within the available RoW to minimise land acquisition.

18. Wherever additional land is required, land plan schedule (LPS) shall be prepared using FMB, *chitta* (ownership details with total land holding information), *adangal* (cultivation details) and *A-register* (extent with owner details) extracts. This would provide the details of landowners and the extent of land being acquired as a percentage total land holding. The census and socio economic surveys shall also cover affected agricultural landowners.

19. Resettlement Plan: The resettlement plan will be prepared based on the findings of the census and socio economic survey and consultations. It will include the findings of the census of affected persons, and the entitlements to restore losses, socio economic characteristics of the displaced persons, institutional mechanisms and implementation schedules, budgets, assessment of feasible income restoration mechanisms, development of resettlement sites and relocation, grievance redress mechanism, coordination of implementation in conjunction with civil works procurement and construction schedules, internal monitoring and impact evaluation

mechanisms. The resettlement plan should be structured as per the outline in Appendix-IV and will be detailed as needed depending upon the magnitude and nature of impacts. The impacts and mitigation measures will be presented road wise to align it with the procurement and construction schedules.

20. The resettlement plans will comply with the principles outlined in this resettlement planning framework adopted for the project. The SIA and resettlement plan for projects under CPRRP will be reviewed and endorsed by the Asian Infrastructure Investment Bank and approved by competent authority in the Government prior to invitation of bids for civil works. Disbursement of compensation payments and entitlements will be made prior to displacement and prior to handing over of the land parcels to contractors.

2. Legal Framework

A. Applicable Laws and Policies

21. This resettlement planning framework is based on the National/State laws: Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR); Tamil Nadu Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2017, The Tamil Nadu Highways Act, 2001; The Tamil Nadu Highways Rule, 2003; the Environmental and Social Framework of the Asian Infrastructure and Investment Bank, 2016; and the Project-affected People's Mechanism, 2018.

1. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) (RFCTLARR Act)

22. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, provides for a transparent process and just and fair compensation to the affected families whose land is acquired or proposed to be acquired or are affected by such acquisition and provides for rehabilitation and resettlement of the affected families. The basic principle of the RFCTLARR Act is to ensure that the cumulative outcome of compulsory land acquisition should be such that, the affected persons become partners in development, leading to an improvement in the standard of living after acquisition. This act came into effect on 01 January 2014 and the Land Acquisition Act, 1894 stands repealed. The salient provision of RFCTLARR Act is discussed below.

23. The RFCTLARR Act applies to acquisition of land for a public purpose, as defined in the act. The act provides for consultation with and involvement of local self-government in undertaking a Social Impact Assessment (SIA). The SIA is reviewed by an expert group to assess if the potential benefits of the project outweigh the social cost and adverse social impacts. The expert group can recommend either for or against proceeding with the project. The appropriate government is not bound by the decision of the expert group and can decide otherwise.

24. The act prohibits acquisition of multi crop land for any project, however on exceptional cases allows acquisition of multi crop land, wherein the State specific threshold of acquiring such land is not exceeded and equivalent waste land is developed for agricultural purpose. Projects that are linear in nature, such as highway projects, are exempted from this safeguard.

25. The competent authority while determining the market value of the land has to consider the higher value of the land arrived at by 3-methods of valuation viz: (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid in case of acquisition of land for PPP projects or private companies. In case of rural areas, the market value of land so determined is multiplied by a factor, to be decided by the appropriate government. A solatium of 100% is payable on the market value of land multiplied by the factor and on all immovable properties, assets, trees and plants.

26. A Resettlement and Rehabilitation award detailing the entitlements to be provided as per the Second Schedule of the Act is passed by the competent authority. Possession of land can be taken only after payment of compensation and rehabilitation and resettlement entitlements as detailed in Second Schedule. The details of amenities to be provided in a resettlement site are detailed in the Third Schedule

2. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Removal of Difficulties) Order, 2015

27. The Central Government, in accordance with Sec 1(3) of RFCTLARR Act, notified 01 January 2014 as the effective date of the Act. Thirteen Central acts regulating land acquisition and specified in the Fourth Schedule of RFCTLARR Act were allowed to continue acquisition of land as per the procedure set forth in the respective acts, and were exempted for 1 year to adopt the provisions set forth in RFCTLARR Act pertaining to; (i) determination of compensation for landowners (First Schedule); (ii) rehabilitation and resettlement entitlements (Second Schedule); and (iii) provision of infrastructure amenities (Third Schedule).

28. With effect from 01 January 2015, the provisions of the RFCTLARR Act relating to the determination of compensation in accordance with the First Schedule, provision of rehabilitation and resettlement in accordance with the Second Schedule and provision of infrastructure amenities in resettlement sites in accordance with the Third Schedule became applicable to all enactments specified in the Fourth Schedule to the said Act. The effectiveness was notified initially through the RFCTLARR (Amendment) Ordinance, 2014, followed by RFCTLARR (Amendment) Second Ordinance, 2015 and on the lapse of the ordinance, effectiveness was given through the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Removal of Difficulties) Order, 2015

Relevance: In this project, land will be acquired by adopting the procedures laid down in the Tamil Nadu Highways Act (TNHA), 2001 and determination of compensation and provision of rehabilitation and resettlement will be in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR). The amendment to RFCTLARR Act, by introducing Sec 105A through the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014, ratified the use of procedure laid down in TNHA for land acquisition.

3. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014

29. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014 received Presidents assent on 01 January 2015. Through the amendment, Section 105A read with 'The Fifth Schedule' was inserted in the RFCTLARR Act that allowed three State acts regulating land acquisition, including the Tamil Nadu Highways Act, 2001 (TNHA), to continue acquisition of land as per the procedure set forth in the respective acts, while confirming to the provisions of RFCTLARR Act relating to the determination of compensation and provision of rehabilitation and resettlement. The exemption was with retrospective effect from 01 January 2014.

4. Tamil Nadu Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2017

30. The State rules were notified on 21 September 2017 describing the process to be adopted when requisition for land is made by the requiring body, the process of conducting social impact assessment through the Tamil Nadu State Social Impact Assessment Unit formed exclusively for the purpose of conducting social impact assessment and functioning under the Commissioner of

Rehabilitation and Resettlement¹. The rules also describe the process of obtaining consent from affected families in case of land acquisition for private companies. Further, the method of publication of preliminary notification, the information that is required to be published in the preliminary notification, the details required in the report of the Collectors on hearing of objections and the details required in the land acquisition award is described.

31. The rules also describe the role of Administrator in preparing the rehabilitation and resettlement scheme and defines the eligibility criteria for availing onetime resettlement allowance. Further, the limits² for the applicability of the provisions relating to rehabilitation and resettlement for purchase of land through private negotiation by persons other than specified persons is defined. To clear the ambiguity in the eligibility for choice of annuity or employment, the rule prescribes that only those owners of the land acquired, whose livelihoods are lost due to the acquisition and other families whose livelihoods are primarily dependent on the land acquired alone will be entitled.

32. The rules describe the service conditions of the Presiding Officer, Registrar and other employees of the Land Acquisition, Rehabilitation and Resettlement Authority, established for the purpose of resolving disputes related to land acquisition, compensation, rehabilitation and resettlement expeditiously. The State has designated³ the Principal Judge/Principal District Judge/District Judge of the respective Districts as the Presiding Officer.

5. Tamil Nadu Highways Act, 2001 (TNHA)

33. The Act provides for the most expeditious method of acquisition of land for highway projects in the State. On publication of notice under Section 15(1), the land would vest absolutely with the Government free from all encumbrance. If the landowner fails to handover possession within 30 days of notification vide Section 16(2), the act provides for the government to take possession of land using such force as may be necessary. However, further to the enactment of RFCTLARR Act, this provision is not being invoked and in any case will not be applied to this project. The land will be taken over only when the compensation and R&R assistance is paid to the landowners and a certification is provided confirming the payment of compensation and R&R assistance. The relevant provisions of the TN Highways Act is summarised in Appendix-I.

6. Tamil Nadu Land Acquisition Laws (Revival of Operation, Amendment and Validation) Act, 2019

34. The Highways Act, 2001 was revived vide this enactment that received Presidents assent on 02 December 2019 and was given retrospective effect to the revival, with all the provisions of the Tamil Nadu Highways Act, 2001, except the provisions relating to the determination of compensation, revived with effect from the 26 September 2013. Through this revival enactment, the insertion of Sec 105A in RFCTLARR Act that allowed the use of Tamil Nadu Highways Act, 2001 (TNHA), to continue acquisition of land through the Right to Fair Compensation and

¹ The Commissioner of Land Administration is appointed as the Commissioner of Rehabilitation and Resettlement through a government order [G.O.(Ms) No.304, Revenue and Disaster Management (LA-I(1)) dated 20 September 2017]

² The limits are defined vide a government order [G.O.(Ms) No.303, Revenue and Disaster Management (LA-I(1)) dated 20 September 2017]

³ The Presiding Officers are notified vide a government order [G.O.(Ms) No.305, Revenue and Disaster Management (LA-I(1)) dated 20 September 2017]

Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014 was ratified.

35. Further, to ensure maintainability of all rules, notifications, orders and directions issued or any proceedings initiated under Tamil Nadu Highways Act, 2001, except those related to determination of compensation, which were in force immediately before the 26 September 2013 were also revived retrospectively from 26 September 2013. This ratified the procedure adopted in land acquisition under Tamil Nadu Highways Act, 2001 on and from 01 January 2014, the date from which the three State acts regulating land acquisition, including the Tamil Nadu Highways Act, 2001 (TNHA), were allowed to continue acquisition of land through the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014.

7. Hindu Religious and Charitable Endowments (HR&CE) and Temple Land

36. Land under the direct control of HR&CE and land belonging to temple trusts that are under the supervision of HR&CE will be acquired in accordance with the provisions of TN Highways Act, 2001 and compensation will be determined as per RFCTLARR Act, 2013. The project will require to obtain a no-objection certificate for such land from HR&CE until land acquisition process is completed and the land vests absolutely with Highways Department. Affected families, if any, in these lands will be entitled for appropriate compensation and resettlement assistances in line with the eligibility and entitlement prescribed in the entitlement matrix.

8. Tamil Nadu Government Order on Land Acquisition through Private Negotiation

37. The State vide GO (Ms) No.885 of Revenue Department dated 21 September 1995, had issued executive orders prescribing uniform procedure for fixing the land value for acquisition through negotiations and constituting District level, State level and Government level committees with definite monetary powers. Based on the experience gained over the years in land acquisition and acquisition through negotiations, the District level and State level committees were reconstituted with enhanced monetary powers vide GO (Ms) No.103 of Revenue (LA-I(1)) Department dated 28 February 2011.

38. Since both the above government orders were issued when the Land Acquisition Act, 1894 was in force and with the procedural change in determination of compensation coming into effect with the notification of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, the government issued revised procedures, vide GO (Ms) No.281 of Revenue and Disaster Management Department, Land Administration Wing, LA-I(1) Section dated 07 September 2017, for acquisition of land through private negotiation and enhanced the monetary powers of District level, State level committees and the Government, with distinction between land in urban and rural areas.

39. The government order had stipulated limits for structure and tree value with regard to the land value as an additional limiting criteria to the monetary powers of District level and State level committees. Further, the order was silent with respect to grant of solatium on structure and trees, provision of rehabilitation and resettlement assistances and exemption from tax deducted at source and stamp duty. The Highways Department vide its GO (D) No.291 of Highways and Minor Ports (HN2) Department dated 04 December 2018, issued a project specific order for Tamil Nadu Road Sector Project, removing the structure and tree limit, provided for solatium on structure and trees, provides for rehabilitation and resettlement assistances and granted exemption from tax deducted at source and stamp duty.

9. Asian Infrastructure Investment Bank Environmental and Social Framework, February 2016 (amended February 2019)

40. The objective of the Asian Infrastructure Investment Bank's Environmental and Social Framework (ESF) is to ensure that environmental and social risks and impacts in projects financed by the Bank are addressed and to provide a robust structure and mechanism to manage the environmental and social risks in identification, preparation and implementation of projects. The framework details the environmental and social requirements through three mandatory Environmental and Social Standards (ESS), viz. Environmental and Social Assessment and Management (ESS1), Involuntary Resettlement (ESS2) and Indigenous Peoples (ESS3)

41. Environmental and Social Standards 2 on Involuntary Resettlement: The objectives of the Asian Infrastructure Investment Bank's policy with regard to Environmental and Social Standards 2 on involuntary resettlement are: (i) involuntary resettlement should be avoided wherever possible, to minimise involuntary resettlement by exploring project alternatives; (ii) where avoidance of involuntary resettlement is not feasible, to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; (iii) to improve the overall socio-economic status of the displaced poor and other vulnerable groups; and (iv) to conceive and implement resettlement activities as sustainable development programs, by providing sufficient resources to enable the persons displaced by the project to share in project benefits.

42. Involuntary resettlement covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land or access to land and natural resources, loss of assets or access to assets, income sources, or means of livelihood) as a result of; (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers such displacement whether these losses and involuntary restrictions are full or partial, permanent or temporary in nature.

43. Environmental and Social Standards 3 on Indigenous Peoples⁴: The objectives of the Asian Infrastructure Investment Bank's policy with regard to Environmental and Social Standards 3 on indigenous peoples is to design and implement projects in a way that fosters full respect for indigenous peoples' identity, dignity, human rights, economies and cultures, as defined by the indigenous peoples themselves, so that they: (i) receive culturally appropriate social and economic benefits; (ii) do not suffer adverse impacts as a result of projects; and (iii) can participate actively in projects that affect them.

44. Environmental and Social Standards 3 on indigenous peoples applies if indigenous peoples are present in, or have a collective attachment to, the proposed area of the project, and are likely to be affected by the project. The term indigenous peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary, cultural, economic, social, or political institutions that are separate from

⁴ There being no universally accepted definition of Indigenous Peoples. Indigenous Peoples may be referred to in different countries by such terms as "indigenous ethnic minorities," "aboriginals," "hill tribes," "minority nationalities," "scheduled tribes," "first nations," or "tribal groups." As the applicability of such terminology varies widely from country to country, the Client may agree with the Bank on an alternative terminology for the Indigenous Peoples as appropriate to the circumstances of the Client.

those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region.

45. There are no schedule areas in Tamil Nadu and the State only has Tribal Advisory Councils. Chennai Peripheral Ring Road (CPRR) Project does not require an Indigenous Peoples Plan (IPP) as the proposed project under CPRR do not cause impact to any Particularly Vulnerable Tribal Groups (PVTGs). In Tamil Nadu, of the 36 Tribal communities, the 6 Tribal communities of Toda, Kota, Kurumbas, Irular, Paniyan and Kattunayakan have been classified as Particularly Vulnerable Tribal Groups. There are 10 Integrated Tribal Development Areas (ITDA) wherein one or more blocks in which the Scheduled tribe population is 50 percent or more, they are in the 7 districts viz. Salem (Yercaud, Pachamalai, Aranuthumalai and Kalrayan Hills); Namakkal (Kolli Hills); Villupuram (Kalrayan Hills); Thiruvannamalai (Jawadha Hills); Trichirapalli (Pachamalai Hills); Dharmapuri (Sitttheri hills); and Vellore (Jawadhu Hills and Yelagiri Hills). The CPRR project do not pass through any tribal blocks and does not impact any particularly vulnerable tribal groups.

B. Principles of Resettlement Planning Framework for CPRR Project

46. Based on the above analysis of Government statutes and the Asian Infrastructure Investment Bank's Environmental and Social Framework (ESF) policy, the following resettlement principles will be adopted for this project:

- (i) Screen the project early, to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socio-economic survey of affected persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Adopt measures to avoid and minimize involuntary resettlement impacts by taking the following measures: (i) explore siting the project components in government land or locations which are less impacting; (ii) ensure use of appropriate technology to reduce land requirement; and (iii) modify the designs of project components to minimize land requirement and ensure involuntary resettlement is avoided or minimized.
- (iii) Where involuntary resettlement impact is unavoidable, improve, or at least restore, the livelihoods of all affected persons through: (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods; (ii) prompt replacement of assets with access to assets of equal or higher value; and (iii) prompt compensation at full replacement cost for assets that cannot be restored.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Ensure that affected persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets at replacement value.

- (vi) Improve the standards of living of the affected poor and other vulnerable groups, including women, to national minimum standards or standard before displacement whichever is higher.
- (vii) Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. Inform all affected persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations.
- (viii) Prepare a resettlement plan elaborating on the entitlements of affected persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- (x) Pay compensation and provide all resettlement entitlements before physical or economic displacement and before commencement of civil works. Implement the resettlement plan under close supervision throughout project implementation.
- (xi) Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of affected persons.
- (xii) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (xiii) Monitor and assess resettlement outcomes, their impacts on the standard of living of affected persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

C. Comparison of Government Statutes and Asian Infrastructure Investment Bank's Involuntary Resettlement Standards (ESS2)

47. A comparison between Government Statutes and Asian Infrastructure Investment Bank's involuntary resettlement standards that provides gap-filling measures as reflected in the entitlement matrix is presented as Appendix-III. The acquisition of private property invoking TNHA and compensating private land and assets in accordance with RFCTLARR Act reflects the equivalent to replacement cost for the loss of land and assets. The TNHA does not recognise non-titleholders. Though, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', recognises titleholders and non-titleholders affected by land acquisition, the squatters, encroachers and those present in RoW and other public lands are excluded from the purview of RFCTLARR Act.

48. The key difference between the Government and AIIB's involuntary resettlement standards is with regard to the cut-off date for determining the eligibility for compensation and rehabilitation and resettlement assistances to all those who are affected by the project irrespective of the tenure. According to the RFCTLARR Act, the cut-off-date for non-titleholders to be eligible for assistance is three years preceding the acquisition and for the titleholders it is the date of

Sec 4(1) notification under the said Act. To bring this resettlement planning framework in line with AIB's requirements, this resettlement planning framework mandates that in the case of land acquisition, the date of issue of public notice of intended acquisition under Section 15(2) of the TNHA, will be treated as the cut-off date for title holders, and for non-titleholders such as squatters and encroachers, the cut-off date will be the start date of the project census survey. Further, all affected non-title holders, suitable compensation for loss of assets and rehabilitation and resettlement assistances is proposed in the entitlement matrix, while the titleholders are legally entitled for compensation and rehabilitation and resettlement assistances.

49. A significant development in Government statute is the notification of 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', which has repealed the Land Acquisition Act of 1894. This Act significantly decreases the gap between the LA Act 1894 and AIB's involuntary resettlement standards. In particular, the Act requires social impact assessments, and preparation, publication and the implementation of rehabilitation and resettlement scheme for projects involving land acquisition. For titleholders, the Act also expands compensation coverage of the Land Acquisition Act, 1894, by requiring that the value of structure, trees, plants, or standing crops damaged must also be included and with a solatium of 100% of all amounts inclusive. The Act furthermore meets AIB requirement of paying compensation and provide other resettlement entitlements before any physical or economic displacement under the project.

50. If there are any differences between the provisions of this Resettlement Planning Framework and Asian Infrastructure Investment Bank's (AIB) Environmental and Social Framework (ESF), the provisions of AIB's ESF will prevail.

D. Eligibility Criteria

51. The affected persons falling in any of the following three categories will be eligible for compensation, and rehabilitation and resettlement assistance in accordance with the principles of this resettlement planning framework:

- (i) those who have formal legal rights to land (including customary and traditional rights recognised under the laws of the country) (*such as pattadhars*);
- (ii) 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 recognised under the laws of the country or become recognised through a process identified in the resettlement plans (~~*such as those in occupation, for over 30 years, of the land for which there is no claim of ownership or whatsoever and there is no dispute to the occupier's claim for the said land and those occupying land belonging to places of worship*~~); and
- (iii) those who have no recognisable legal right or claim to the land they are occupying (*squatters and encroachers occupying the RoW or government land*).

52. Cut-off Date: For title holders, the date of notification of intended acquisition under Section 15(2) of the TNHA, 2001 will be treated as the cut-off date, and for non-titleholders the start date of project census survey for that particular road-project (section) will be the cut-off date. There will be adequate notification of cut-off date and measures will be taken to prevent encroachments and/or squatting after the cut-off date is established. Definitions are presented as Appendix-II.

E. Entitlement Matrix

53. In accordance with the principles of this resettlement planning framework, all affected families and persons will be entitled to a combination of compensation packages, and

rehabilitation and resettlement assistances depending on the nature of ownership rights on lost assets and severity of the impacts including socio-economic vulnerability of the affected persons and measures to support livelihood restoration if livelihood impacts are envisaged. Unforeseen impacts will be mitigated in accordance with the principles of this resettlement planning framework. The affected persons will be entitled to the following five types of compensation and assistance packages:

- (i) Compensation for the loss of land, crops/ trees at their replacement cost;
- (ii) Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- (iii) Assistance in lieu of the loss of business/ wage income and income restoration assistance;
- (iv) Assistance for shifting and provision for the housing (as required), and
- (v) Compensation and/ or restoration of common property resources/facilities.

54. An Entitlement Matrix has been developed, that summarises the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/ State Laws and Asian Infrastructure Investment Bank's, ESF. The entitlement matrix presents the entitlements corresponding to the tenure of the affected families in the following order.

- a) Impact to private property (title holders) consisting of: (i) loss of private land; (ii) loss of private residential structure; (iii) loss of private commercial structure; (iv) impact to tenants (residential / commercial / agricultural) of title holders; and (v) impact to trees, standing crops, etc;
- b) Impact to Non-title holders consisting of: (i) impact to squatters; and (ii) impact to encroachers;
- c) Loss of employment to agricultural and non-agricultural workers/employees;
- d) Additional assistance to vulnerable affected families; and
- e) Unforeseen impacts.

Table 2: Entitlement Matrix

SNo	Impact Category	Entitlements		Implementation Guidelines
Section I. TITLE HOLDERS - Loss of Private Property				
1	Loss of Land (agricultural, homestead, commercial or otherwise)	a	Land will be acquired on payment of compensation as per RFCTLARR Act 2013. or Land will be acquired with the consent of the landowner, while ensuring that such consented sale value is 25% more ⁵ than the compensation amount which would otherwise have been awarded, if the said land was acquired invoking the provisions of the TNHA (where compensation is determined in	Higher of (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; The market value calculated as above in Rural areas shall be multiplied by a factor as notified by GoTN ⁶ .

⁵ Is under consideration with GoTN

⁶ Vide Gazette Notification of The Tamil Nadu Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2017 read with G.O.(Ms) No.300, Revenue & Disaster Management (LA-I(1)), dated 20.09.2017 - Multiplying factor of 1.25 for land in rural area which lies within 30km from urban area, factor of 1.5 for land in rural area which lies beyond 30km and within 50km from urban area and factor of 2.0 for land in rural area which lies beyond 50km from urban area.

SNo	Impact Category	Entitlements	Implementation Guidelines
		accordance with RFCTLARR Act, 2013).	<p>Plus 100% solatium and 12% additional market value⁷ from date of 15(2) notification to award.</p> <p>Title holders whose land is severed, will have the option of surrendering the severed portion of the remaining unviable land</p>
		b Agricultural landowners whose livelihood is lost due to the land acquired will be entitled for Rs. 5,00,000 as onetime payment in lieu of annuity policy	<p>Any affected family whose livelihood is primarily dependant (loses one third of the annual family income due to the acquisition of the said agricultural land) on the agricultural land acquired alone will be treated as livelihood loss.</p> <p>Registered tenants in private land, registered tenant cultivators in HR&CE land, registered occupiers in Bhoodan Land, that is tenancy registered either through registration department or under Tamil Nadu Agricultural Lands Record of Tenancy Rights Act 1965 by Tahsildars concerned whose primary source of livelihood is lost due to the land acquired will also be eligible to receive this entitlement, provided they had been tenants for 3-years prior to the date of notification</p> <p>Assignees of assigned land whose primary source of livelihood is lost due to the land acquired will also be eligible to receive this entitlement</p>
2	Loss of residential structure	<p>In addition to Compensation for land and Assistances listed above under S.No.1</p> <p>a Cash compensation at PWD plinth area rates for structure without depreciation and with 100% solatium</p>	<p>When the project activities affect part of a structure belonging to titleholder, then the structure-owner will have the option of surrendering the full house/building, provided the unaffected portion of the structure is either (i) unsafe or (ii) not usable/liveable or (iii) adequate setback is not available. In such cases, the compensation for the entire</p>

⁷ The 12% additional market value will be computed on the basic market value of land and will not include the multiplication factor in line with G.O. Ms. No. 29 of Revenue and Disaster Management Department, Land Administration Wing [LA-I(1))] Section dated 24.01.2019

SNo	Impact Category	Entitlements		Implementation Guidelines
				<p>structure will be paid after obtaining an undertaking (sworn affidavit) from the structure owner, that s/he would demolish the entire/full structure within 30-days from the receipt of structure compensation</p> <p>If the un-affected portion of the structure is found to be safe and usable/liveable, and if structure-owner's demand of compensation for the full structure is considered to be unreasonable by DE(H), then in such cases the DE(H) shall reject such demand of the structure owner giving due reason and justification</p>
		b	Right to salvage affected materials without cost	
		c	One time assistance of Rs.25,000 to all families who lose a cattle shed	
		d	One time assistance of Rs.25,000 for each affected family of an artisan or self-employed and who has to relocate.	
		e	An alternative house as per IAY specifications in rural areas and a constructed house/flat of minimum 50 sq.m. in urban areas or cash in lieu of house if opted (the cash in lieu of house will be Rs.1,70,000 in line with GoI IAY standards in rural areas and Rs.2,10,000 in case of urban areas), for those who do not have any homestead land and who have to relocate.	<p>Stamp duty and registration charges will be borne in case of new houses or sites.</p> <p>Patta will be issued in the name of the wife/women of the family</p>
		f	One time subsistence allowance of Rs.36,000 for affected families who require to relocate due to the project	
		g	Shifting assistance of Rs.50,000 for those who have to relocate	
		h	One time Resettlement Allowance of Rs.50,000 for those who have to relocate	
		i	Residential structure owners , who are deriving rental income from the affected structure in the land acquired and whose livelihood is lost due to	Any affected family whose livelihood is primarily dependant (loses one-third of the annual family income due to the acquisition of the said residential structure) on the rental

SNo	Impact Category	Entitlements	Implementation Guidelines
		acquisition of land will be entitled for Rs.5,00,000 as onetime payment in lieu of annuity policy	income from the acquired residential building will be treated as livelihood loss.
3	Loss of Commercial structure	<p>In addition to Compensation for land and Assurances listed above under S.No.1</p> <p>a Cash Compensation at PWD plinth area rates for structure without depreciation with 100% solatium</p> <p>b Right to salvage affected materials</p> <p>c One time grant of Rs.25,000 for loss of trade/self-employment for the business owner</p> <p>d One time subsistence allowance of Rs.36,000 for affected families who are severely affected</p> <p>e Shifting assistance of Rs.50,000 for those who are severely affected</p> <p>f One time Resettlement Allowance of Rs.50,000 for those who are severely affected</p> <p>g Commercial structure owners, who are deriving business income and/or rental</p>	<p>When the project activities affect part of a structure belonging to titleholder, then the structure-owner will have the option of surrendering the full building, provided the un-affected portion of the structure is either (i) unsafe or (ii) not usable/liveable or (iii) adequate set-back is not available. In such cases, the compensation for the entire structure will be paid after obtaining an undertaking (sworn affidavit) from the structure owner, that s/he would demolish the entire/full structure within 30-days from the receipt of structure compensation</p> <p>If the un-affected portion of the structure is found to be safe and usable/commercially viable, and if structure-owner's demand of compensation for the full structure is considered to be unreasonable by DE(H), then in such cases the DE(H) shall reject such demand of the structure owner giving due reason and justification</p> <p>If the business owner is different from the structure owner, the onetime grant for loss of trade/self-employment, will be paid to the business owner.</p> <p>Any affected family, whose livelihood is primarily dependant (loses one-third of the annual family income due</p>

SNo	Impact Category	Entitlements		Implementation Guidelines
			income from the affected structure in the land acquired and whose livelihood is lost due to the acquisition, will be entitled for Rs.5,00,000 as onetime payment in lieu of annuity policy.	to the loss of the business operation carried out from the acquired commercial structure) on the business income derived from the acquired commercial structure will be treated as livelihood loss. And any affected family whose livelihood is primarily dependant (loses one-third of the annual family income due to the loss of the acquired commercial structure) on the rental income derived from the acquired commercial structure will be treated as livelihood loss.
4	Impact to tenants (residential / commercial /agricultural)	4.1 a	Residential 1-month notice to vacate the rental premises	
		b	Rental allowance at Rs.3,000 per month in rural areas and Rs.4,000 per month in urban areas, for six months	
		c	Shifting assistance of Rs.10,000	
		4.2 a	Commercial 1-month notice to vacate the rental premises	
		b	Rental allowance at Rs.4,000 per month in rural areas and Rs.6,000 per month in urban areas, for six months	
		c	Shifting assistance of Rs.10,000	
		d	Commercial tenants will receive the one time grant of Rs.25,000 for loss of trade/self-employment provided under 3(c) above in lieu to the owner	
		4.3 a	Agricultural Tenants In case of agricultural tenants advance notice to harvest crops or compensation for lost crop at market value of the yield determined by the Agricultural Department	
5	Impact to trees, standing crops, other properties, perennial and non-perennial crops:	a	Three months (90 days) advance notification for the harvesting of standing crops (or) lump sum equal to the market value of the yield of the standing crop lost determined by the Agricultural Department	

SNo	Impact Category	Entitlements		Implementation Guidelines
		b	Compensation for trees based on timber value at market price to be determined by the Forest Department for timber trees and for other trees (perennial trees) by the Horticultural Department with 100% solatium.	
		c	Loss of other properties such as irrigation wells will be compensated at scheduled rates of Public Works Department (PWD) with 100% solatium.	
Section II. Additional Assistance for Women (Title and Non-title holders)				
6	Loss of Land / house / shop	a	Reimbursement of stamp duty and registration charges, for purchase of property out of the compensation/R&R assistance.	The property should be purchased in the name of women in the family either solely or jointly within 3-years from LA award/R&R award.
Section III. NON TITLE HOLDERS - Impact to squatters / Encroachers				
7	Impact to Squatters	7.1	Loss of House	
		a	Compensation at PWD plinth area rates without depreciation for structure	
		b	Right to salvage the affected materials	
		c	House construction grant of Rs.70,000 for all those who have to relocate. Additional house site grant of Rs.50,000 to those who do not have a house site,	
		d	One time subsistence allowance of Rs.18,000	
		e	Shifting assistance of Rs.10,000	
		7.2	Loss of shop	
		a	Compensation at PWD plinth area rates without depreciation for structure	
		b	Right to salvage the affected materials	
		c	One time rehabilitation grant of Rs.20,000 for reconstruction of affected shop	
		d	One time subsistence allowance of Rs.18,000	
		e	Shifting assistance of Rs.10,000	
		f	Impact to Kiosks One time rehabilitation grant of Rs.18,000 for severe affected kiosks	

SNo	Impact Category	Entitlements		Implementation Guidelines
		7.3 a	Cultivation 2-month notice to harvest standing crops or market value of compensation for standing crops	
8	Impact to Encroachers	8.1 a	Cultivation 2-month notice to harvest standing crops or market value of compensation for standing crops, if notice is not given.	Market value for the loss of standing crops will be decided by the Spl. DRO in consultation with the Agriculture or Horticulture Department.
		8.2 a	Structure 1-month notice to demolish the encroached structure	
		b	Compensation at PWD plinth area rates without depreciation for the affected portion of the structure	
		c	Right to salvage the affected material	
Section IV. Loss of Livelihood Opportunities				
9	Loss of employment in non-agricultural activities or daily agricultural wages or other wage workers	a	Subsistence allowance equivalent to minimum agricultural wages for 3 months	Only agricultural or non-agricultural labourers who are in fulltime / permanent employment of the landowner, or those full time employees of the severely affected business, will be eligible for this assistance. Seasonal agricultural labourers will not be entitled for this assistance.
Section V. Impact to Vulnerable Affected Families				
10	Vulnerable families	a	Training for skill development. This assistance includes cost of training and financial assistance for travel/conveyance and food.	One adult members of severely affected families whose livelihood is affected, will be entitled for skill development.
		b	One time assistance of Rs.8,000 for all those severe impacted families	The LARRU with support from the NGO will identify the number of eligible vulnerable displaced persons based on the 100% census of the displaced families and will conduct training need assessment in consultations with the displaced persons so as to develop appropriate training programmes suitable to the skill and the region.
		c	Displaced vulnerable families will be linked to the government welfare schemes, if found eligible and not having availed the scheme benefit till date.	Suitable trainers or local resources will be identified by LARRU and NGO in consultation with local training institutes.

SNo	Impact Category	Entitlements	Implementation Guidelines	
Section VI. Impact During Civil Works				
11	Damages to assets (such as structure / assets / tree / crops) during construction	11.1	The contractor is liable to pay damages to assets/trees/crops in private/public land, caused due to civil works	The PIU will ensure compliance
	Use of private land	11.2	The contractor should obtain prior written consent from the landowner and pay mutually agreed rental for use of private land for storage of material or movement of vehicles and machinery or diversion of traffic during civil works	The land will be restored to the original condition
Section VII. Impact to Common Property Resources				
12	Impact to common property resources such as places of worship, community buildings, schools, etc.		Relocation or restoration, if feasible at replacement cost.	
	Utilities such as water supply, electricity, etc.		Will be relocated and services restored prior to commencement of civil works.	The PIU will ensure that utilities are relocated prior to commencement of civil works in accordance with the civil works schedule.
Section VIII. Unforeseen Impacts				
Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of this framework.				

F. Change in applicable law / policy / scheme

55. Whenever there is a change in applicable law, scheme or policy, the same shall become applicable to eligible affected families from the date of such change and shall be ratified through necessary orders / proceedings by GoTN or PMU, CPRRP, and will be communicated to Asian Infrastructure Investment Bank.

G. Valuation of Land Lost and Affected Assets

Compensation for Land and Assets Attached to the Land

56. Compensation for land will include land and all assets attached to the land. Land will be acquired in accordance with provisions of Tamil Nadu Highway Act, 2001 and while determining the compensation for land, the competent authority will be guided by the provisions of Sec 26, Sec 27, Sec 28, Sec 29 and Sec 30 of RFCTLARR Act, 2013. There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act.

57. If the residual land, remaining after acquisition, is unviable, the owner of such land/property will have the right to seek acquisition of his entire contiguous holding/property provided the residual land is unviable.

58. Where land owners refuse to accept the compensation, the Spl DRO will remit such amount with the LARR authority and in all other cases, where compensation cannot be paid, the compensation amount will be kept in an interest bearing separate savings account with the project, operated and maintained by Spl DRO, and paid to land owners as and when they come forward to accept the compensation along with the interest accrued. Such amount will be maintained in a separate account until the project closure and agreed with AIIB on its mechanism to close at the time of project closure.

Compensation for Land and Assets Attached to the Land - Acquired through Negotiated Purchase - Consent award

59. The affected landowners will be intimated about the option of acquisition through consent, as an alternate to acquisition adopting the procedures laid down in the Tamil Nadu Highways Act, 2001, wherein the compensation, and rehabilitation and resettlement assistances will be determined in accordance with the provisions of RFCTLARR Act, 2013. Following the notification, the Special Tahsildars will conduct meetings in each affected villages involving the affected landowners or the interested persons, to explain the provisions of consent award. The Special Tahsildars will assist the landowners in compiling the documents required for the consent award and obtain a consent from such landowners.

60. The jurisdictional LARR unit will complete the valuation of the land parcels immediately after Sec 15(2) notification, within a month from the date of notification, by adopting the provisions of RFCTLARR Act in determining the market price⁸ of the land. The project will offer an additional 25 percent⁹ on the compensation determined in accordance with the provisions of RFCTLARR Act. In addition, the landowner will be eligible for resettlement and rehabilitation assistances, as per the eligibility and entitlement contained in the Entitlement Matrix of this Resettlement Planning Framework. If negotiations fail, land will be acquired as per the provisions of Tamil Nadu Highways Act, 2001. The additional market value at 12 percent will be paid from the date of publication of section 15(2) notification under TN Highway Act to the date of compensation payment, on the same lines as available under land acquisition process.

Compensation for Structures

61. The replacement value of houses, buildings and other immovable properties will be determined on the basis of latest PWD plinth area rate for valuation purpose as on date without depreciation. While considering the PWD rate, LARRU will ensure that it uses the latest rates for the structures. Wherever the schedule of rate for current financial year is not available, the LARRU will update the schedule of rate to current prices based on approved previous year escalations. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies

⁸ Higher of (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years. The market value calculated as above in Rural areas shall be multiplied by a factor as notified by GoTN

⁹ Is under consideration with GoTN

like Village Panchayat/Village council or the owners of such structures, in accordance with the modalities determined by such bodies/owners to ensure correct use of the amount of compensation.

62. Further, all compensation and assistance will be paid to affected families at least 1-month prior to displacement or dispossession of assets. There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act.

Compensation for Trees

63. Compensation for trees will be based on their market value. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops, fruit bearing trees will be decided by the LARRU in consultation with the Departments of Forest, Agriculture and Horticulture. In line with the provision of RFTFCTLARR Act 2013, 100% solatium will be added to the assessed value of the trees. Prior to taking possession of the land or properties, the compensation will be fully paid and affected families will have the opportunity to harvest crops/trees within 15 days from the date of payment of compensation.

64. Even after payment of compensation, affected families would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that affected families can take away the materials so salvaged within 15 days of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice. Trees standing on the land owned by the government will be disposed of through open auction by the concerned Revenue Department/ Forest Department.

Updating Units of Entitlement

65. All units of entitlement and assistances will be revised by PMU, CPRRP, based on Consumer Price Index for Agricultural Labourers (CPIAL) and communicated to all LARRU for making payment as per the revised rates. The values/rates contained in this resettlement planning framework will be applicable until 31 March 2021. The updating will be done annually by adopting the February CPIAL of that year and will become effective from the 1st day of April of that year. The updating will be completed and notified by March 31 of each year from 2021.

H. Rehabilitation and Resettlement Award

66. The Spl DRO, LARRU will pass a separate Rehabilitation and Resettlement Award listing the names of displaced persons and their entitlements in accordance with this resettlement planning framework. The same will be displayed in prominent places such as the office of the local body concerned, office of the DE, Highways, PIU, TNRIDC and LAARU.

I. Budget sources

67. Government will provide adequate budget for all land acquisition compensation and rehabilitation and resettlement assistance from the counterpart funding. The budget will also include for meeting the cost of consultations, disclosures and maintaining grievance redress mechanisms. The budget estimates and its sources will be reflected in resettlement plans. The Asian Infrastructure Investment Bank loan will not be available for land acquisition compensation and rehabilitation and resettlement assistances.

3. Institutional and Implementation Arrangements

A. Institutional Arrangement

68. LARR Implementation Units (LARRU): To expedite land acquisition and implement the provisions of the resettlement plans, a Land Acquisition Rehabilitation and Resettlement Unit (LARRU) has been constituted. This unit is headed by a Special District Revenue Officers (Spl DRO) and is supported by a Resettlement Officer (RSO), in the cadre of a Deputy Collector, for resettlement plan implementation support. A separate Government Order¹⁰ has been issued nominating Spl DRO as competent authority under TNH Act for land acquisition and R&R award pronouncements. The Project Director, CPRRP is overall in charge of land acquisition and resettlement plan implementation and coordinates with the Spl DRO in resettlement plan implementation and land acquisition. The Chief Engineer, CPRRP, is supported by domain expert in the areas of land acquisition and resettlement. The Chief Engineer reports to the Project Director. The LARRU is entrusted with responsibilities of implementation of the resettlement plan involving: (i) acquisition of land and assets; (ii) payment of compensation for land and assets; (iii) disbursement of rehabilitation and resettlement assistances including development of resettlement sites. The LARRU is supported with clerical staff. The members of these committees, their roles, responsibilities and functions are outlined below.

Table 3: Administrative Roles and Financial Powers of LARRU

Officers	Roles and Powers
Project Director, CPRRP	<ul style="list-style-type: none"> ▪ Overall in charge of LA and R&R ▪ Approve payment to NGO / external monitoring agency ▪ According financial approval for all payments pertaining to LA and R&R ▪ Obtaining necessary budgetary allocation from GoTN
Chief Engineer, CPRRP	<ul style="list-style-type: none"> ▪ Overall responsible for LA and R&R implementation. ▪ Monitoring the progress of LA and R&R activities and reporting to Project Director ▪ Reporting to AIBB on progress and submission of quarterly progress report
Special District Revenue Officer	<ul style="list-style-type: none"> ▪ Competent authority for LA under TNHA 2001 ▪ Approve valuation of land and structure as per RFCTLARR 2013 ▪ Hear objections vide Sec 15(2), determine compensation amount in agreement with DP vide Sec 19(2) or in case of disagreement vide Sec 19(3), hear DPs on the compensation amount vide Sec 19(5), refer disagreement on compensation to LARR Authority for adjudication vide Sec 20 and apportionment issues vide Sec 21(2) ▪ Updation of land records after 15(2) and before 15(1) notification ▪ Pronounce award for compensation of land and structures as per TNHA 2001 <ul style="list-style-type: none"> - Financial powers of up to Rs.2 crores (excluding Rehabilitation and Resettlement assistances) - Above Rs.2 crores, will obtain CLA permission and pass award - Above Rs.8 crores, will obtain GoTN permission and pass award ▪ Liaison with District Administration to update the land records and notify the guideline values. . ▪ Monitor the progress of LA carried out by Special Tahsildar

¹⁰ GO (MS) No.99 Highways and Minor Port (HF1) Department dated 01.09.2014

Officers	Roles and Powers
	<ul style="list-style-type: none"> ▪ Co-ordinate the implementation of R&R activities through resettlement officer, field staff, highway, forest, agricultural department, horticulture department and revenue officials ▪ Approval of Individual Entitlement Plan (micro plan) prepared for implementing RP. ▪ Monitor the progress of resettlement activities carried out by the NGO. ▪ Certify work of NGO for payment ▪ Hold fortnightly meetings on RP implementation and report to the PD, CPRRP through CE, TNRIDC ▪ Liaison with district administration and line departments to dovetail DPs with government schemes. ▪ Monitor the progress of Resettlement Site development and liaison with district administration and line departments for providing necessary amenities and facilities ▪ Participate in meetings to facilitate LA and R&R activities ▪ Review of Monthly and Quarterly reports ▪ Issue milestone wise encumbrance free certificate to concerned field DE(H), CPRRP for commencement of civil works ▪ Authorise bank for disbursement of compensation and resettlement assistances to DPs through ECS ▪ Review report submitted by RSO on claims for inclusion as DPs and decide on eligibility of such cases.
Resettlement Officer (RSO)	<ul style="list-style-type: none"> ▪ Responsible for the implementation of R&R activities through field staff, highway, forest, agricultural department, horticulture department and revenue officials ▪ Review of individual entitlement plans prepared for implementing RP and submit to DRO for approval. ▪ Identify suitable land for Resettlement in coordination with District administration and initiate alienation/acquisition process ▪ Supervise the NGO involved in RP implementation ▪ Assist DRO in disbursement of compensation and resettlement assistances ▪ Holding periodical consultations with the affected people on implementation of LA and R&R activities. ▪ Prepare monthly physical and financial progress reports ▪ Update payment of compensation, disbursement of resettlement assistances, DPs socio-economic data in the database ▪ Verify claims for inclusion as DPs and submit report to Spl DRO for onward transmission to CE, TNRIDC
Superintending Engineer, CPRRP	<ul style="list-style-type: none"> ▪ Undertake internal monitoring of RP implementation based on monthly progress report submitted by LARRU and submit report to PD, CPRRP
Divisional Engineer, TNRIDC	<ul style="list-style-type: none"> ▪ Coordinate with line department and ensure relocation of utilities, in particular water supply, prior to civil works ▪ Coordinate with forest department and revenue officials for tree cutting in RoW ▪ Valuation of Structures ▪ Conduct GRC meetings ▪ Undertaken the reconstruction of affected common facilities including temples. ▪ Issue clearance to contractor to commence civil works after obtaining milestone wise clearance from LARRU
Tahsildar(s)	<ul style="list-style-type: none"> ▪ Approve sub-division sketch, award statement and valuation statement ▪ Coordinate with revenue department and update land records after 15(2) and before 15(1) notification

Officers	Roles and Powers
	<ul style="list-style-type: none"> ▪ Approve valuation of assets, trees and crops submitted by concerned department officials ▪ Assist RO in identifying suitable land for Resettlement in coordination with District administration and initiate alienation/acquisition process ▪ Coordinate with district administration and line departments and provide necessary amenities and facilities in the resettlement site ▪ Coordinate the relocation of DPs to resettlement site ▪ Oversee the relocation / shifting of CPRs ▪ Submit milestone wise encumbrance free certification to DRO ▪ Issue of identity cards to the DPs
Surveyor(s)	<ul style="list-style-type: none"> ▪ Verify LPS prepared by PPCs and carryout necessary corrections after survey and measurement ▪ Prepare sub-division sketch, statement for award and valuation statement for LA ▪ After LA award, coordinate with concerned Revenue officials and carryout changes in revenue record ▪ After LA, provide corrected FMB sketch and updated RoW details to concerned Highway Divisional office ▪ Issuance of LA notifications to DPs and other stakeholders
MIS Specialist	<ul style="list-style-type: none"> ▪ Maintain and update DP data ▪ Update periodically disbursement of compensation and assistances ▪ Generate information and data for monthly and quarterly progress reporting
Gender Officer	<ul style="list-style-type: none"> ▪ A Woman officer not less than the rank of Assistant Engineer from the PIU, TNRIDC will be responsible in ensuring compliance to gender related issues in the project activities ▪ Carry out field visit fortnightly to project site, labour camps, settlements abetting/near labour camps and submit monthly report to PMU, CPRRP through the jurisdictional DE(H), TNRIDC

Competent Authorities

69. The implementation of land acquisition and resettlement impacts will require approvals and clearance at various stages. The following officers will act as competent authorities for certain key activities.

Table 4: Competent Authority for Approvals

Approvals Required	Competent Authority
Resettlement Planning Framework (RPF)	Empowered Committee, CPRRP / GoTN
Approval for LA awards up to Rs.2 crores	Special DRO, LARRU
Approval for LA awards exceeding Rs.2 crores	Commissioner of Land Administration, GoTN
Approval for LA awards exceeding Rs.8 crores	GoTN
Approval of RAPs including Budget provisions	Project Director, CPRRP
Changes in Policy provisions and Entitlements	Empowered Committee, CPRRP / GoTN
Staff requirements, Consultants/NGOs Appointments	TNRIDC
Approval for issue of ID cards	Special DRO, LARRU
Approval of disbursement of R&R Assistance	Project Director, CPRRP

Approvals Required	Competent Authority
Disbursement of R&R Assistance	Special DRO, LARRU
Approval for structure valuation	Divisional Engineer (H), TNRIDC
Approval for shifting and relocation of community assets	Special DRO, LARRU
Approval of Resettlement sites, House site, Issue of titles etc.	Special DRO, LARRU
Resolution of disputes	GRC / LARR Authority

70. Agency for Resettlement Plan Implementation Support: The LARRU will be supported in the implementation of the resettlement plan implementation by NGO/agency with experience in similar development projects. The NGO/agency to be engaged should have proven experience in carrying out resettlement and rehabilitation activities, community development and consultations in Tamil Nadu of similar projects. This agency will assist LARRU in implementation of the resettlement plan and their services will be retained until all actions proposed in the resettlement plan are implemented.

71. The NGO/agency will play a key role in the implementation of the resettlement plan. Their tasks will include the final verification of affected families, consultations, establishment of support mechanisms and deliver the rehabilitation assistances as per the resettlement plan provisions and to ensure that the affected families receive all the entitlements as per this resettlement planning framework.

Monitoring and Evaluation

72. To monitor the effectiveness of the resettlement plan implementation by the NGO/agency, internal monitoring and external monitoring and evaluation mechanisms have been suggested. Internal monitoring will be taken up by the respective Divisional units and PIU at the headquarters. The monitoring and progress reports will be generated and the external evaluation activities will be carried out through an independent Impact Evaluation Agency.

73. An agency having experience in land acquisition, R&R, consultation, community development will be engaged to supervise the implementing of LA and R&R and oversee the NGOs/agency's performance and provide guidance. This agency will provide quarterly reports based on the outcome of consultations and feedback with affected people who have received assistance and compensation and other implementation activates. This agency will also carry out concurrent impact evaluation in order to make mid-stream alterations as needed. The Supervision consultants for civil works will have some limited monitoring responsibilities related to certification of encumbrance free stretches to be handed over to the contractors.

74. The monitoring and evaluation of the resettlement plan implementation of Category-A projects require to be undertaken by an external monitor. The project implementation unit (PIU) will engage an external monitor for undertaking monitoring and evaluation of resettlement plan implementation. The semi-annual reports of the external monitor will be submitted to AIIB/OFID.

75. An independent agency will be engaged to undertake impact evaluation of the implementation of land acquisition and resettlement to assess the changes in the living standards and impact of compensation and R&R assistance provided to them.

Census Survey Updating

76. In order to keep the baseline date for measuring the living standards of the affected people, the key census socio-economic surveys will be updated once in three years, if the people are not displaced and affected within three years from the census surveys.

Development of Resettlement Sites

77. While selecting the resettlement site the suitability for housing purpose, land ownership and use will be verified. Only those sites which are amenable for issue of titles will be selected. If Government lands are not available, then private land will be acquired or procured through consent. The suitability of sites for housing will be confirmed from the District Administration and title will be issued to the affected families. In case of resettlement sites, the minimum facilities described in Schedule 2 of RFCTLARR Act, 2013 will be provided. Consultations with the displaced families will be held to ascertain their acceptance.

Coordination with Civil Works

78. The land acquisition and resettlement implementation will be co-ordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of cleared sections to the contractors. The project will provide adequate notification, counselling and assistance to affected people so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation.

79. The handing over of land to the contractor will be organised in two or three sections which will be specified in the respective contract agreements. The compensation and/or replacement of common property resources will be linked to handing over of respective milestone stretches. The schedule of land acquisition and resettlement plan implementation is given in Appendix-V

B. Grievance Redressal Committee

80. Grievance Redressal Committee (GRC) will be established at two-levels, one at regional level and another at State level, to receive, evaluate and facilitate the resolution of displaced persons concerns, complaints and grievances. The GRC will provide an opportunity to the affected persons to have their grievances redressed prior to approaching the State level LARR Authority. The GRC is aimed to provide a trusted way to voice and resolve concerns linked to the project, and to be an effective way to address affected person's concerns without allowing it to escalate resulting in delays in project implementation.

81. The GRC will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. The GRC is not intended to bypass the government's inbuilt redressal process, nor the provisions of the statute, but rather it is intended to address affected persons concerns and complaints promptly, making it readily accessible to all segments of the affected persons and is scaled to the risks and impacts of the project.

82. The resettlement plan will have a mechanism to ensure that the benefits are effectively transferred to the beneficiaries and will ensure proper disclosure and public consultation with the affected population. The GRCs are expected to resolve the grievances of the eligible persons

within a stipulated time. The decision of the GRCs will be final unless vacated by the LARR Authority¹¹ (constituted in accordance with Section 51(1) of the RFCTLARR Act, 2013).

83. The GRC will continue to function, for the benefit of the affected persons, during the entire life of the project including the defects liability periods. The response time prescribed for the GRCs would be three weeks. Since the entire resettlement component of the project has to be completed before the construction starts, the GRC, at regional and State level, will meet at least once every month to resolve the pending grievances. Other than disputes relating to ownership rights and apportionment issues on which the LARR Authority has jurisdiction, GRC will review grievances involving all resettlement benefits, relocation and payment of assistances.

84. One regional level GRCs will function out of Thiruvallur. The 3-member GRC will be chaired by a retired District Revenue Officer (DRO) or equivalent rank officer and comprising of the Divisional Engineer, Highways, TNRIDC acting as its member secretary and a local person of repute and standing in the society, nominated by the Project Director and this member will safeguard the interests of the affected persons since he/she belong to local area and aware of the concerns of the local people. Grievances/concerns can be lodged directly to the DE, Highways, TNRIDC or submitted to the NGO/agency appointed for implementation support, either in person or through post or through email.

85. The NGO/agency will assist displaced persons in registering their grievances and being heard. The GRC will acknowledge receipt of grievances and communicate to the aggrieved persons, within a week of receipt of the grievance, that measures are underway to address the grievance. The complaint / grievance will be redressed in 4 weeks' time and written communication will be sent to the complainant. If the complainant is still not satisfied s/he can approach the jurisdictional LARR Authority. The complainant can access the appropriate LARR Authority at any time and not necessarily go through the GRC. The grievance redressal procedure is shown in the following figure. The member secretary will submit a monthly report to the Chief Engineer, CPRR, on the status of the grievances received with details of committee meetings, decisions and communications sent to aggrieved persons.

86. If the complainant is not satisfied with the outcome of the regional level GRC, s/he can appeal to the State level GRC, which will function as an appellate authority. The State level GRC is headed by the Chief Engineer, CPRRP, with the Superintending Engineer, CPRRP acting as its member secretary, and Special DRO, CKICP/CPRRP as its members. The committee will submit its recommendations on the appeal preferred to PD, CPRRP for orders. In the event that the established GRCs are not in a position to resolve the issue, the affected person also can use the AIIB Project-affected People's Mechanism through directly contacting (in writing) the Managing Director, Complaints-resolution, Evaluation and Integrity Unit at AIIB headquarters. The complaint can be submitted in any of the official or national languages of India.

¹¹ The State has designated the Principal Judge/Principal District Judge/District Judge of the respective Districts as the Presiding Officer and notified vide a government order [G.O.(Ms) No.305, Revenue and Disaster Management (LA-I(1)) dated 20 September 2017]

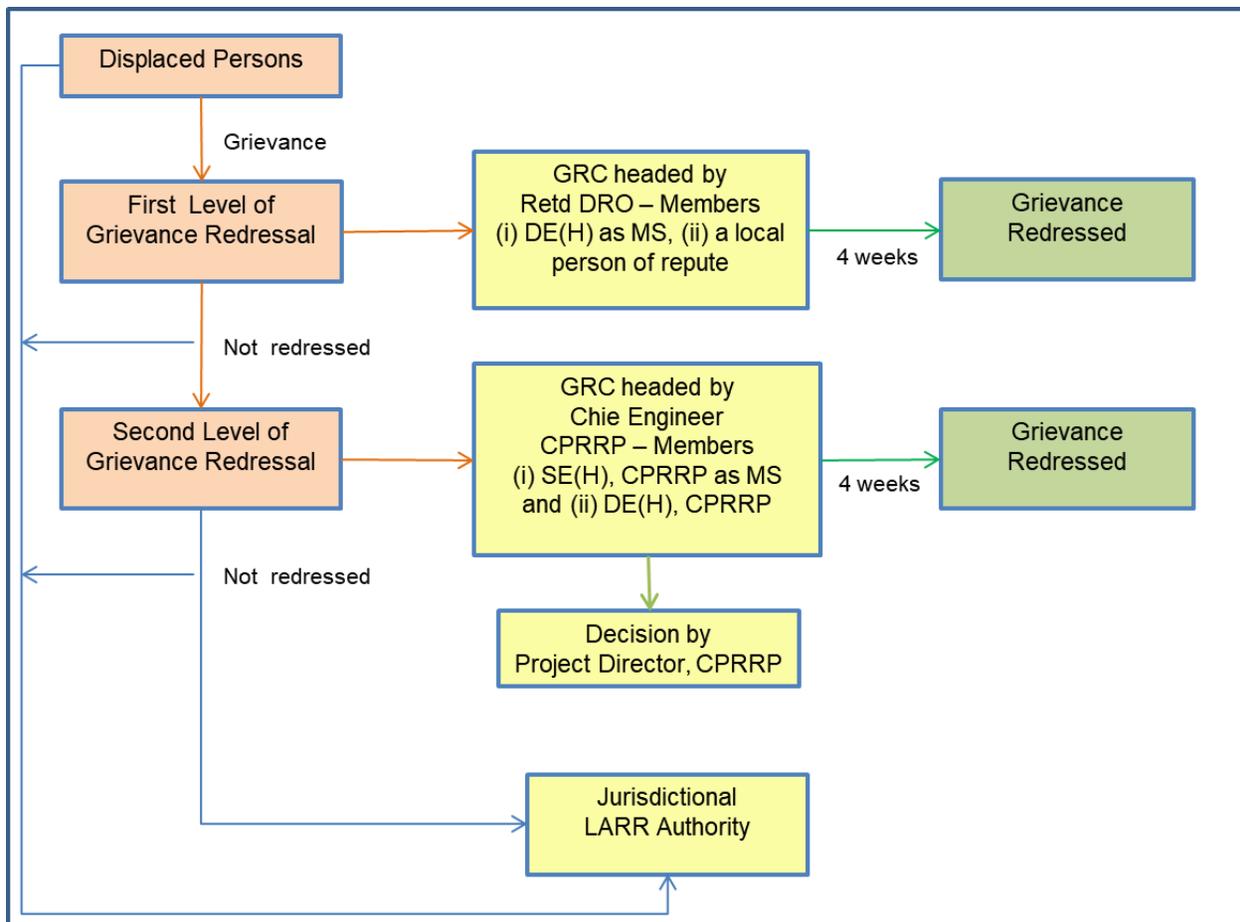


Fig : Grievance Redressal Procedure

87. The GRC will meet at least once in 3-weeks or more often and review the grievances. The complainants (aggrieved person) and implementing units will be invited for the hearing. The member secretary will maintain a register of all petitions received with details of date of receipt of the petition, date of hearing and date when it was considered by the committee, along with nature of complaint/concern, action taken, and date of communication sent to petitioner. The complainant's concerns will be redressed in four weeks' time and written communication will be sent to the complainant about the decision of the committee. The cost of grievance redressal will be borne by the project.

C. Consultations

88. In order to engage with the community and enhance public understanding on the project and address the issues pertaining to resettlement, various sections of affected persons and other stakeholders were consulted through focus group discussions (FGD), meetings and individual interviews during the detailed project report and resettlement plan preparation of the project. The opinions of the stakeholders and their perceptions were obtained during these consultations and incorporated in the design wherever feasible.

89. Meaningful consultations will be undertaken with the affected persons, their host communities and civil society soon after the resettlement planning framework is approved. Consultation will be carried out throughout the resettlement plan implementation and the project

implementation unit (PIU), viz TNRIDC, LARRU and the implementation support NGO will be responsible for conducting these consultations. The LARRU will ensure that groups and individuals consulted are informed about the outcome of the decision-making process, and confirm how their views were incorporated. The consultation process established for the project will employ a range of formal and informal consultative methods. Different techniques of consultation with stakeholders are proposed during project implementation, such as in-depth interviews, public meetings, and group discussions.

90. Meaningful consultation is a process that: (a) begins early in the preparation stage of the project and is carried out on an ongoing basis throughout the implementation and life cycle of the project; (b) ensures that all parties have a voice in consultation, including national and subnational government, the private sector, nongovernmental organizations and people affected by the project, including, as applicable, indigenous peoples; (c) provides additional support as needed to ensure participation of women, elderly, young, disabled, minorities and other vulnerable groups; (d) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to the people affected by the project and other stakeholders; (e) is undertaken in an atmosphere free of intimidation or coercion; (e) is gender inclusive, accessible, responsive and tailored to the needs of vulnerable groups; and (f) enables the consideration of relevant views of people affected by the project and other stakeholders in decision-making. The project will continue consultation with stakeholders throughout the project implementation as necessary on issues related to involuntary resettlement and implementation of the project-level grievance mechanism

91. Particular attention will be paid to the need of the disadvantaged or vulnerable groups, especially those below poverty line, the landless, the elderly, female headed families, women and children, indigenous people/ scheduled tribes, and those without legal title to land.

92. The resettlement plan will be prepared and implemented in close consultation with the key stakeholders. Women's participation will be ensured by involving them in public consultation at various level and stages of project preparation, which would enhance their ability to attend such meetings.

D. Disclosure

93. Information will be disseminated to affected persons at various stages. In the project initiation phase, the LARRU will be responsible for issue of public notice to acquire particular land/property for road-project component along with program information/details. The notice will be published once in local newspapers. The LARRU along with local self-government leaders/revenue officials/officials from DE's office will also conduct meetings with affected persons in addition to the public notification to ensure that the information is given to all of them.

94. For the benefit of the community in general and affected persons in particular, a summary of this resettlement planning framework will be made available in Tamil during public meetings at the community level, and be disclosed in public places both as draft and final version after it is approved by Government. The summary draft resettlement planning framework in Tamil will be circulated to all affected persons, followed by village level meetings to seek the views of the affected persons and other stakeholders. Suggestions of the affected persons and other stakeholders will be considered while finalising this draft resettlement planning framework. The disclosure of draft will enable stakeholders to provide inputs on the resettlement process, prior to award of civil work contract.

95. The resettlement plan will be disclosed to the displaced community detailing information including measurement of losses, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments and displacement schedule by the LARRU with assistance from the NGO/agency hired for assisting in resettlement plan implementation. This will be done through public consultation and made available as brochures, leaflets, or booklets, in Tamil.

96. Gist of each resettlement plan will be translated and made available to the affected persons. Hard copies of the resettlement plan will also be made available at: (i) Offices of the LARRU; (ii) Office of the District Collectors; and (iii) Taluk Office, as soon as the plans are available and certainly before land is acquired for the project. For non-literate people, other communication methods will be used. A report of disclosure, giving detail of date and location, will be shared with Asian Infrastructure Investment Bank along with the semi-annual progress report (QPR)

97. Electronic version of the resettlement planning framework as well as the resettlement plans will be placed on the official website of the Highways Department, after approval and endorsement by GoTN and Asian Infrastructure Investment Bank. In addition, all safeguard documents including the semi-annual progress reports and impact evaluation reports will be disclosed. The resettlement planning framework and resettlement plans will be maintained throughout the life of the project.

Updating of Resettlement Planning Framework

98. This Resettlement Planning Framework will be updated as and when changes or amendments to the applicable laws and policies are made and based on implementation experience and lessons learnt.

Implementation Guidelines

99. In order to elaborate and provide clarification to various provisions of resettlement planning framework, implementation guidelines will be prepared which will provide reference to those involved with application and the implementation. Appropriate procedures will be put in place to deal with delays and non-compliances with the provisions of this resettlement planning framework.

Tamil Nadu Highways Act, 2001 (TNHA)

The relevant provisions of the TN Highways Act is summarised below.

- (i) Section 15 describes the process to be adopted in notifying the intended acquisition to those having interest in the land.
- (ii) Sec 15(2) - Notification to landowners: Issue of notification to landowners and to issue public notice prior to making notification in *Gazette* under Section 15(1) that details the purpose of acquisition and describes the land proposed to be acquired.
- (iii) Sec 16(1) – Ownership vests with Government: The Government becomes the legal owner of the land, free from all encumbrances, on publication of notice in *Gazette* under Section 15(1). However, in this project land will be take-over only when full compensation is paid to the landowner.
- (iv) Sec 16(3) – Possession of Land: The government can take forcible possession of land, if the landowner fails to handover possession within 30 days of notification vide Section 16(2). This provision will not be invoked in this project and possession will be taken only after full payment of compensation and assistances.
- (v) Sec 19 – Determining Compensation: Deals with the process to be adopted in determining the compensation to be paid to the landowner. Sec 19(6) – Applicability of LA Act 1894 - In determining the compensation payable to the landowners, the Collector will be guided by the provisions contained in Section 23, Section 24 and other relevant provisions of Land acquisition Act, 1894.

As per the provisions of Sec 19(6), the compensation is to be determined by the competent authority in accordance with Sec 23 and Sec 24 of LA Act, 1894. With the introduction of Sec 105A in RFCTLARR Act, the competent authority will be guided by the provisions of RFCTLARR Act 2013, viz. Sec 26, Sec 27, Sec 28, Sec 29 and Sec 30 pertaining to compensation and Sec 31 and Sec 32 pertaining to rehabilitation and resettlement, in determining compensation and rehabilitation and resettlement assistances.

- (vi) Sec 20 – Reference to court: Any aggrieved person can seek reference to the Court, the decision of the Collector in determining the compensation vide Section 20 and it should be made in writing to the Collector within 60 days from the date of such decision.

Reference to court and procedure thereon is as elucidated in Part III of LA Act 1894 and with the introduction of Sec 105A in RFCTLARR Act, Sec 51(1) of the RTFCTLARR Act, 2013 will be applicable. All disputes related to land acquisition; compensation, rehabilitation and resettlement will be dealt by 'the Land Acquisition, Rehabilitation and Resettlement Authority'.

- (vii) The following provisions of the Tamil Nadu Highways Act, 2001 empowers the highway authority to take up measures to prevent any further encroachments onto the RoW:
 - a. Sec 26 of the Highway Act of Tamil Nadu provides for the prevention of unauthorized occupation of, and encroachment onto the highway and removal of encroachments.
 - b. Sec 28(1) of the Act empowers the highways authority to conduct checks and periodical inspection of highway boundaries with a view to ensure the prevention of unauthorized encroachments and the removal of such encroachments.
 - c. Section 28 (2) of the Act empowers the highway authority to remove without any notice, any structure encroaching the highway or in any area where the construction or development of a highway is undertaken or proposed to be undertaken.

- d. Sections 48 of the Highway Act authorize the Highways Department to penalize the encroachments or illegal occupation of the highway land.
- (viii) Notwithstanding the above provisions, all non-title holders identified in the project through the census surveys will be compensated, provided with assistance and will not be subjected to eviction. All those identified will be issued identity cards as soon as census survey is completed. The cut-off date for eligibility of R&R assistance for non-title holders will be widely disclosed to inform that those who move after the cut-off-date will not be eligible for assistance and suitable measures will be put in place to prevent further encroachments.

Definitions

In this Resettlement Planning Framework, unless the context otherwise requires,

- (i) Agricultural Land: land used for the purpose of: (i) agriculture or horticulture; (ii) dairy farming, poultry farming, pisciculture, sericulture, seed farming; (iii) breeding of livestock or nursery growing medicinal herbs; (iv) raising of crops, trees, grass or garden produce; and (v) land used for the grazing of cattle.
- (ii) Assistance: All support mechanisms such as monetary help, services or assets given to affected families constitute assistance in this project.
- (iii) Affected Families: Any family living, cultivating land or carrying on business, trade or any other occupation within the proposed RoW, who are impacted by the project is a affected family. All the members of a affected family in the project will be treated as affected persons.
- (iv) Affected Person: Any individual or part of the affected family living, cultivating land or carrying on business, trade or any other occupation within the proposed RoW and who are impacted by the project is a affected person.
- (v) Compensation: Compensation refers to payment made to private property acquired for highway project under the 'Tamil Nadu Highways Act, 2001' read with Sec 26, Sec 27, Sec 28, Sec 29 and Sec 30 of 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', in determining compensation.
- (vi) Proposed Right-of-Way (RoW): The proposed RoW is the width required for the actual construction of the road including the carriageway, shoulder, embankment, longitudinal drainage, wayside amenities like bus stops, bus shelters, etc. and necessary safety zones.
- (vii) Cut-off Date: For title holders, the date of notification of intended acquisition under Section 15(2) of the TNHA, 2001 will be treated as the cut-off date, and for non-titleholders the start date of project census survey for the project will be the cut-off date.
- (viii) Encroacher: Any person illegally occupying public property by extending their land boundary or a portion of their building onto the RoW is an encroacher.
- (ix) Temporary Building: Temporary building means a temporary type of structure, which includes buildings with roofs constructed of thatch, galvanized iron or asbestos.
- (x) Severe Impact: An affected family suffering the following impacts are categorized as severe impacted affected family: (i) loss of place of dwelling, (ii) loss of place of business; and (iii) loss of livelihood.
- (xi) Marginal Farmer: A cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to one-half hectare;
- (xii) Minor Impact: An affected family suffering minor impact is one who is affected to a lesser degree than the severe impact defined above. Compensation for minor impacts will be limited to one-time payment of cash or giving advance notice.
- (xiii) Minimum Wages: The wages paid under MGNREGA in Tamil Nadu which is Rs.256/- for 2020-21. The wages will be revised annually in line with the notification issued by the Department of Rural Development, Ministry of Rural Development, Government of India
- (xiv) Non-Perennial Crop: Any plant species, either grown naturally or through cultivation that lives for a season and perishes with harvesting of its yields has been considered as a non-perennial crop in the project. For example, paddy, sugarcane, groundnut, etc.
- (xv) Perennial Crop: Any plant species that live for years and yields its products after a certain age of maturity is a perennial crop. Generally trees, either grown naturally or horticulturally and yield fruits or timber have been considered as perennial crop in the project. For example, tamarind, coconut, mango, teak, neem etc. are perennial crops.
- (xvi) Persons losing their livelihood: Persons losing their livelihood are individual members of the affected families, who are at least 18 years of age and are impacted by loss of primary

occupation or source of income and includes employees and labourers of severely affected families.

- (xvii) Private Property Owners: Private property owners are persons who have legal title to structures, land or other assets. These property owners are entitled to compensation under the Tamil Nadu Highways Act, 2001.
- (xviii) Displaced Families: Any family living, cultivating land or carrying on business, trade or any other occupation within the proposed RoW, who are impacted by the project and is either physically or economically displaced, are displaced families. All the members of a displaced families in the project will be treated as displaced persons.
- (xix) Permanent Buildings: Buildings of a permanent construction type with reinforced concrete or Madras terrace roofs.
- (xx) Replacement Cost: The amount required for an affected person to replace the lost asset through purchase in the open market.
- (xxi) Residual Land: Residual land can be defined as the remaining portion of land left with the owner of the land parcel after acquisition of land by the project.
- (xxii) Small Farmer: 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.
- (xxiii) Semi-Permanent Building: Buildings of a semi-permanent type with tiled roof and walls not of concrete or permanent brickwork.
- (xxiv) Severance of Land: Severance of land can be defined as division of a land parcel caused due to acquisition of land mainly for laying new project alignment, such as a bypass or a re-alignment.
- (xxv) Squatter: Any person occupying structures entirely within the RoW (with no legal rights to occupy that parcel of land) for residential and/or business purposes, is a squatter.
- (xxvi) Tenant: Any person by whom or on whose account rent is payable for any property.
- (xxvii) Women Headed Family (WHF): A family that is headed by a woman and does not have an adult male earning member is a Woman Headed Family. This woman may be a widowed, separated or deserted person.
- (xxviii) Vulnerable Families: Vulnerable Families includes but is not limited to the following categories: (i) Affected families falling under 'Below Poverty Line' (BPL) category, as identified by the Planning Commission of India's State specific rural poverty line and updated to current period using CPIRL; (ii) landless people; (iii) persons who belong to Scheduled Castes (SC) and Scheduled Tribes (ST); (iv) Women Headed Families; (v) Children and elderly people², including orphans and destitute; and (vi) Physically and mentally challenged / disabled people.

² PAPs up to 14 years have been considered as children, while those over 60 years of age have been considered as elderly people in the project.

Comparison between Asian Infrastructure Investment Bank ESF Requirements and RFCTLARR Act 2013 with Gap filling measures in CPRRP's Resettlement Planning Framework

SNo	Asian Infrastructure Investment Bank's Involuntary Resettlement Standards	Tamil Nadu Highways Act 2001	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Planning Framework of CPRRP
Objectives					
1	Avoid involuntary resettlement wherever feasible	x	✓	Social Impact assessment (SIA) should include: (i) whether the extent of land proposed for acquisition is the absolute bare minimum extent needed for the project; (ii) whether land acquisition at an alternate place has been considered and found not feasible [Ref: Section 4 sub-section 4(d) and 4(e)]	In Para 2.11, the principles of CPRRP resettlement planning framework addresses this requirement
2	If involuntary resettlement is unavoidable, minimise involuntary resettlement by exploring viable alternate project design	x	x		In Para 2.11, the principles of CPRRP resettlement planning framework addresses this requirement.
3	Where resettlement cannot be avoided, resettlement activities should be conceived and executed as a development programme by providing sufficient resources to enable affected person to share in project benefits.	x	✓	The cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading [Ref: Preamble of the RFCTLARR ACT]	In Para 2.11, the principles of CPRRP resettlement planning framework addresses this requirement
4	affected person should be meaningfully consulted and provided opportunities to participate in planning and implementing resettlement programs.	x	✓	Whenever a SIA is required, the appropriate Government shall ensure that a public hearing is held at the affected area, after giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families to be recorded and included in the SIA Report.	Consultations Section in Chapter-3 addresses the requirement

SNo	Asian Infrastructure Investment Bank's Involuntary Resettlement Standards	Tamil Nadu Highways Act 2001	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Planning Framework of CPRRP
				[Ref: Section 5]	
5	Affected person should be assisted in their efforts to improve their livelihoods and standards of living, or at least restore them, to pre-displacement levels or to pre-project levels	x	✓	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 [Ref: Preamble of the RFCTLARR ACT]	Provisions have been made in entitlement matrix to mitigate such impacts
Scope and Application					
6	Involuntary taking of land resulting in relocation or loss of shelter	x	✓		Provisions have been made in entitlement matrix to mitigate such impacts
7	Involuntary taking of land resulting in loss of assets or access to assets	x	✓	In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired' [Ref: Section 3 sub-section c (i)]	Provisions have been made in entitlement matrix to mitigate such impacts
8	Involuntary taking of land resulting in loss of income sources or means of livelihood, whether or not the affected persons must move to another place	x	✓	In the definition of affected family in includes '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; and further, a distinction is made between affected	Provisions have been made in entitlement matrix to mitigate such impacts

SNo	Asian Infrastructure Investment Bank's Involuntary Resettlement Standards	Tamil Nadu Highways Act 2001	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Planning Framework of CPRRP
				family and displaced family in the definition (i.e) a 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 [Ref: Section 3 sub-section c (ii) and k]	
9	Involuntary restriction of access to of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.	x	✓	In the definition of affected family in includes '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' [Ref: Section 3 sub-section c (vi)]	The project does not involve such impacts
Policy Applicability					
10	The policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing.	x	✓	The provisions of this Act relating to land acquisition, compensation, rehabilitation and resettlement, shall apply, when the appropriate Government acquires land for its own use, hold and control, including for Public Sector Undertakings and for public purpose (defined) However, for PPP projects and private companies requiring land for public purpose (defined), then prior consent of affected families is required. [Ref: Section 2 sub-section 1 and 2]	Para 1.4 in Chapter-1 addresses this requirement

SNo	Asian Infrastructure Investment Bank's Involuntary Resettlement Standards	Tamil Nadu Highways Act 2001	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Planning Framework of CPRRP
11	It also applies to other activities resulting in involuntary resettlement that are: (i) directly and significantly related to the Bank-assisted project; (ii) necessary to achieve its objectives as set forth in the project documents; and (iii) carried out, or planned to be carried out, contemporaneously with the project.	x	✓	Same as above	Para 1.4 in Chapter-1 addresses this requirement
Eligibility Criteria					
12	Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country)	x	✓	In the definition of affected family, it includes 'a family whose land or other immovable property has been acquired' [Ref: Section 3 sub-section c (i)]	Eligibility Criteria Section in Chapter-2 (para 2.15) addresses this requirement
13	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	X	✓	In the definition of affected family, it includes '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'; and also includes 'a member of the 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'. [Ref: Section 3 sub-section c(iii) and (v)]	Eligibility Criteria Section in Chapter-2 (para 2.15) addresses this requirement
14	Those who have no recognizable legal right or claim to the land they are occupying.	x	x		Eligibility Criteria Section in Chapter-2 (para 2.15) addresses this requirement

SNo	Asian Infrastructure Investment Bank's Involuntary Resettlement Standards	Tamil Nadu Highways Act 2001	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Planning Framework of CPRRP
15	Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.	x	x		Cut-off Date Section in Chapter-2 (para 2.16) addresses this requirement
Requirements					
16	Ensure affected persons are informed about their options and rights pertaining to resettlement	x	✓	Whenever a SIA is required, the appropriate Government shall ensure that a public hearing is held at the affected area, after giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families to be recorded and included in the SIA Report. [Ref: Section 5]	Disclosure Section in Chapter-3 addresses this requirement
17	Ensure affected persons are consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives	x	✓	Same as above	Consultations Section in Chapter-3 addresses this requirement
18	Ensure affected persons are provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.	x	x	Not explicitly stated	In Para 2.11, the principles of CPRRP resettlement planning framework addresses this requirement. Further, the entitlement matrix provides for compensation at replacement cost
19	If there is physical relocation, provide affected persons with (i) assistance (such as moving allowances) during relocation; and (ii) residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages,	x	✓	The Rehabilitation and Resettlement Award shall include all of the following:..... (c) particulars of house site and house to be allotted, in case of displaced families; (d) particulars of land allotted to the displaced families; (e) particulars of one time subsistence allowance and	The entitlement matrix provides for all assistances to mitigate physical relocation

SNo	Asian Infrastructure Investment Bank's Involuntary Resettlement Standards	Tamil Nadu Highways Act 2001	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Planning Framework of CPRRP
	and other factors is at least equivalent to the advantages of the old site.			transportation allowance in case of displaced families;..... [Ref: Section 31 sub-section 2(c), (d) and (e)]	
20	Particular attention to be 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, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation	x	✓ (partly)	The act provides for special provisions and assistance for scheduled caste and scheduled tribe in scheduled area. [Ref: Section 41] Further the act recognizes widows, divorcees and women deserted by families as separate families [Ref: Section sub-section (m)] The act does not recognize other vulnerable category and also SC/ST from non-scheduled areas.	Special provision for vulnerable have been provided in Entitlement matrix.
21	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.	x	x		Para 2.35 of resettlement planning framework stipulated that all compensation and assistance will be paid to APs at least 1 month prior to displacement or dispossession of assets. And affected families who are physically displaced, on receipt of payment, will be given 1-months' notice to vacate
22	Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.	x	✓	Land for land is recommended in irrigation projects and in projects where SC/ST is involved equivalent land.	Land for land has not been offered in this project as acquisition is linear and strips of land except in bypasses where

SNo	Asian Infrastructure Investment Bank's Involuntary Resettlement Standards	Tamil Nadu Highways Act 2001	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Planning Framework of CPRRP
				[Ref: Second Schedule S.No.2]	acquisition is significant. Even in bypasses, considering the limitation is providing suitable land for land, the option has not been considered.
	Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.	x	✓ (partly)	Not explicitly stated, but the method of valuation of land and considering the higher among the 2-methods, the multiplying factor and the 100 solatium with 12% interest will be near equivalent to replacement cost for land. For structure, tree and crops, valuation by appropriate authority will be near equivalent to replacement value, but is silent about depreciating. [Ref: Section 26 sub-section 1 and 2, Section 29 and Section 30]	Entitlement Matrix provides for the replacement cost for land and assets
23	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	x	✓	The appropriate Government shall ensure that the Social Impact Assessment study report and the Social Impact Management Plan, are prepared and 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. [Ref: Section 6 sub-section 1]	Consultations and Disclosure Sections in Chapter-3 addresses this requirement
24	Appropriate and accessible	x	✓	For the purpose of providing speedy disposal of disputes relating to land	The resettlement planning framework of CPRRP provides for

SNo	Asian Infrastructure Investment Bank's Involuntary Resettlement Standards	Tamil Nadu Highways Act 2001	RFCTLARR Act 2013	Remarks and provisions in RFCTLARR Act 2013	Measures to bridge the Gap in the Resettlement Planning Framework of CPRRP
	grievance mechanisms are established for these groups.			acquisition, compensation, rehabilitation and resettlement, establish, by notification, one or more Authorities to be known as "the Land Acquisition, Rehabilitation and Resettlement Authority" [Ref: Section 51 sub-section 1]	a project level GRC to resolve grievances as one step internal dispute resolution mechanism prior to referring/approaching the LARR authority.
25	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.	x	✓	In every resettlement area as defined under this Act, the Collector shall ensure the provision of all infrastructural facilities and basic minimum amenities specified in the Third Schedule of the RFCTLARR Act. [Ref: Section 32]	Development of Resettlement Sites Section in Chapter-3 and provisions in the entitlement matrix addresses this requirement

Outline of a Resettlement Plan

A resettlement plan is required for all projects with involuntary resettlement impacts. Its level of detail and comprehensiveness is commensurate with the significance of potential involuntary resettlement impacts and risks. The substantive aspects of the outline will guide the preparation of the resettlement plans, although not necessarily in the order shown.

- A. Executive Summary.** This section provides a concise statement of project scope, key survey findings, entitlements and recommended actions.
- B. Introduction and Project Description.** This section:
- (i) provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both and identify the project area;
 - (ii) describes the objectives of the Resettlement Plan; and
 - (iii) describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.
- C. Scope of Land Acquisition and Resettlement.** This section:
- (i) discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities;
 - (ii) describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project;
 - (iii) summarizes the key effects in terms of assets acquired and displaced persons; and
 - (iv) provides details of any common property resources that will be acquired.
- D. Socioeconomic Information and Profile.** This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including:
- (i) define, identify, and enumerate the people and communities to be displaced;
 - (ii) describe the likely impacts of land and asset acquisition on the people and communities displaced taking social, cultural, and economic parameters into account;
 - (iii) discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
 - (iv) identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.
- E. Information Disclosure, Consultation, and Participation.** This section:
- (i) identifies project stakeholders, especially primary stakeholders;
 - (ii) describes the consultation and participation mechanisms to be used during the different stages of the project cycle;
 - (iii) describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;
 - (iv) summarizes the results of consultations with displaced persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan;

- (v) confirms disclosure of the draft resettlement plan to displaced persons and includes arrangements to disclose any subsequent plans; and
 - (vi) describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with displaced persons during project implementation.
- F. Grievance Redress Mechanisms.** This section describes mechanisms to receive and facilitate the resolution of displaced persons' concerns and grievances. It explains how the procedures are accessible to displaced persons and gender sensitive.
- G. Legal Framework.** This section:
- (i) describes national and local laws and regulations that apply to the project and identify gaps between local laws and AIIB's policy requirements; and discuss how any gaps will be addressed.
 - (ii) describes the legal and policy commitments from the executing agency for all types of displaced persons;
 - (iii) outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided.
 - (iv) describes the land acquisition process and prepare a schedule for meeting key procedural requirements.
- H. Entitlements, Assistance and Benefits.** This section:
- (i) defines entitlements and eligibility of displaced persons, and describes all resettlement assistance measures (includes an entitlement matrix);
 - (ii) specifies all assistance to vulnerable groups, including women, and other special groups; and.
 - (iii) outlines opportunities for displaced persons to derive appropriate development benefits from the project.
- I. Relocation of Housing and Settlements.** This section:
- (i) describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);
 - (ii) describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs;
 - (iii) provides timetables for site preparation and transfer;
 - (iv) describes the legal arrangements to regularize tenure and transfer titles to resettled persons;
 - (v) outlines measures to assist displaced persons with their transfer and establishment at new sites;
 - (vi) describes plans to provide civic infrastructure; and
 - (vii) explains how integration with host populations will be carried out.
- J. Income Restoration and Rehabilitation.** This section:
- (i) identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources;
 - (ii) describes income restoration programs, including multiple options for restoring all types of livelihoods (e.g. project benefit sharing, revenue sharing arrangements,

joint stock for equity contributions such as land, discuss sustainability and safety nets);

- (iii) outlines measures to provide social safety net through social insurance and/or project special funds;
- (iv) describes special measures to support vulnerable groups;
- (v) explains gender considerations; and
- (vi) describes training programs.

K. Resettlement Budget and Financing Plan. This section:

- (i) provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of resettlement plans during loan implementation;
- (ii) describes the flow of funds (the annual resettlement budget should show the budget-scheduled expenditure for key items);
- (iii) includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs; and
- (iv) includes information about the source of funding for the resettlement plan budget.

L. Institutional Arrangements. This section:

- (i) describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan;
- (ii) includes institutional capacity building program, including technical assistance, if required;
- (iii) describes role of NGOs, if involved, and organizations of displaced persons in resettlement planning and management; and
- (iv) describes how women's groups will be involved in resettlement planning and management,

M. Implementation Schedule. This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction, and provide land acquisition process and timeline.

N. Monitoring and Reporting. This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of displaced persons in the monitoring process. This section will also describe reporting procedures.

Note: For detail documentation requirement, refer Asian Infrastructure Investment Bank's Involuntary Resettlement Standards (ESS2)

Appendix-V**Implementation Schedule**

1. An implementation schedule for land acquisition, payment of compensation and resettlement and rehabilitation activities in the project including various sub tasks and timeline matching with civil work schedule is provided in the work plan. The following are the key implementation activities that are presented in the work plan.

- (i) Updating of resettlement plan based on design changes;
- (ii) Approval of resettlement plan and disclosure;
- (iii) Appointment of NGO;
- (iv) Constitution and notification of GRCs;
- (v) LA Notification (Sec 15(2));
- (vi) Verification of affected persons and Notification of affected persons list;
- (vii) Obtaining options for resettlement and choice of resettlement site location;
- (viii) MIS in operational for tracking land acquisition and rehabilitation and resettlement Implementation progress;
- (ix) Structure Valuation;
- (x) LA Gazette Notification (Sec 15(1));
- (xi) Disclosure of Micro plan (list of eligible affected persons and their entitlements);
- (xii) Issue of Identity cards;
- (xiii) Rehabilitation and resettlement Award including assistance for non-title holders;
- (xiv) Relocation of CPRs;
- (xv) Payment of rehabilitation and resettlement assistance;
- (xvi) Development of resettlement sites;
- (xvii) Relocation of affected persons to resettlement sites;
- (xviii) Land acquisition award;
- (xix) Certification of payment of land acquisition compensation and rehabilitation and resettlement assistance for first milestone (50% of the land);
- (xx) Certification of payment of land acquisition compensation and rehabilitation and resettlement assistance for second milestone (remaining 50% of the land);
- (xxi) Concurrent monitoring;
- (xxii) External monitoring; and
- (xxiii) Impact Evaluation