

# **Terms of Reference for Implementation of Resettlement Action Plan (RAP), Indigenous Peoples (Tribal) Development Plan (IPDP) and HIV / AIDS Prevention Plan (HPP)**

## **I. BACKGROUND OF THE PROJECT**

The Government of Gujarat ("GoG"), through the Roads and Buildings Department ("R & BD"), has taken up the second Gujarat State Highway Project (GSHP-II), covering up-gradation, maintenance and improvement of identified core road network in the state. The GoG has proposed to take up this project with financial assistance from the World Bank. The improvements of 630 km in the project includes: (i) up-gradation corridors for a length of 350 km, involving the strengthening and upgrading of single/intermediate lane roads to standard 2-lane/ 2-lane-with-paved-shoulders / 4-lanes, and (ii) major maintenance, of the remaining 280 km. In line with the prioritization exercise, R & BD has selected seventeen sections / corridors, aggregating to about 630 km in length.

Keeping in view the adverse impact the project will have on the people due to the implementation of the project, the Project Implementing Unit (PIU) of R & BD will appropriately resettle and rehabilitate the project affected persons (PAPs) / project affected families (PAFs) in accordance with the Resettlement Action Plan ("RAP"), Indigenous Peoples (Tribal) Development Plan ("IPDP") and HIV / AIDS Prevention Plan ("HPP"), proposed for the purpose. For the implementation of the RAP, the PIU will appoint consultancy firm ("Consultant") having experience in carrying out such activities. The recruited consultancy firm shall associate with the Environmental and Social Management Unit ("ESMU") of PIU to implement the RAP, IPDP and HPP.

## **II. TASKS**

The consultant shall be responsible for the implementation of the RAP, IPDP and HPP that includes mitigating the adverse effects of the project. The consultant shall facilitate the land acquisition process on behalf of R&BD/GoG. In addition, remain responsible for the development of a comprehensive livelihood system to facilitate the PAPs to take advantages of the options available as per the RAP.

**Dissemination of Information.** Key task is to provide full information to the PAPs on the R&R policy, provisions, approach to land acquisition and R&R, time frame for implementation, roles and responsibilities of implementing agency and grievance redress mechanism.

**Consultant shall assist R&BD and GoG in all aspect of implementation of Indigenous Peoples Development Plan (IPDP) i.e. Tribal development plan proposed to be implemented under this project.**

## **III. TASKS**

### **Consultation**

The consultant shall educate the PAPs on their rights, entitlements and obligations under the RAP. It shall disseminate information to the PAPs on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant. It shall explain to the PAPs the need for land acquisition, the provisions of the policy and the entitlements under the RAP. This shall include communication to the roadside squatters and encroachers about the need for their eviction, the timeframe for their removal and their entitlements as per the RAP and IPDP.

### **Land Acquisition**

**The consultant will facilitate PAP in land acquisition process up to receipt of compensation cheques in consultation with R&BD.**

**Consultant will support land losers to complete the required documents to access compensation cheques.**

**Consultant will facilitate disbursement of compensation cheques.**

### **Verification**

The consultant shall undertake joint verification with the Field Offices of R&BD of the project affected persons (PAPs) to identify PAF eligible as per the cut-off date for R&R entitlement and shall update the database accordingly. The consultant shall verify the information already contained in the RAP and the individual losses of PAPs and validate the same and suggest suitable changes if required.

During the identification and verification of the eligible PAPs and PAFs, the consultant shall ensure that each of them are contacted and consulted. The consultant shall conduct consultation with the women including women headed households.

Verification exercise shall include actual measurement of the extent of total property loss / damage, and valuation of the same. Prepare & put up updated data base on individual losses required for preparation of micro-plans before ESMU - PIU. After getting approval of the same from ESMU - PIU, the consultant shall display the list of eligible PAFs in the affected villages for PAF's to verify. The PAFs will be provided 15 days time period to verify the list. This process will enable eligible PAFs to be included in the list. Consultant will accordingly update and finalise the list, if required in consultation with ESMU - PIU.

The consultant will identify and verify the community assets that are likely to be affected by the project.

The consultant will identify PAFs and /or community asset coming within the Right of Way (RoW) / Corridor of Impact (CoI) after the cut-off date, and notify the same to the field office of R&BD and shall remove such properties or community structure from the RoW, through appropriate consultation and shall inform them that any project benefits do not apply to them.

### **Distribution of Identity Cards**

After finalization of verification the consultant shall distribute Identity Cards to all PAPs. The identity card should include a photograph of the head of the PAF, the extent of loss, and entitlement i.e. Compensation and assistance, as applicable. The Identity Cards are to be signed by the responsible person at respective Field Offices of R&BD and counter signed by the R&R Specialist of Environmental and Social management Unit.

### **Prepare Micro Plan**

Consultant shall prepare Micro Plans that details out category of PAF, asset lost, compensation and all types of assistance, alternate livelihood options; details of resettlement, specific training requirement for skill up gradation and institutions responsible for training. A separate plan has to be prepared for shifting of community assets.

### **Training and Support for Income Restoration**

In addition to providing assistance given in the entitlement package, the consultant shall be responsible for training and assistance of PAPs in establishing linkages with government programmes.

The consultant shall train PAPs losing their livelihood for suitable income restoration programmes, depending on the skills and interest of the PAPs. The consultant shall prepare individual Income Restoration Plan, as a part of the Micro Plan. The consultant shall assist the PAPs to establish linkages with Government departments, district administration, etc., and ensure that the PAPs are included in the development schemes, as applicable especially with reference to vulnerable groups, in pension schemes for senior citizens, widow pensions, schemes for women or women headed households, schemes for handicapped persons etc. Consultant shall coordinate with the following training institutes as identified in the RAP.

- Education Department, Govt. of Gujarat (self-employment programmes for women).
- Tribal Development Department, Govt. of Gujarat (Vanbandhu Kalyan Yojana).
- Department of Social Justice and Empowerment; Scheduled Caste Economic Development Corporation (Economic Up liftment Schemes for Scheduled Castes and women).
- Commissionerate of Rural Development, Govt. of Gujarat

### **Disbursement of Assistance and Delivery of Entitlements**

The consultant shall assist ESMU in ensuring all the PAFs obtain their full entitlements under the RAP before being dispossessed; to ensure benefits due to the PAFs under the Resettlement Policy Framework (RPF) are provided to the PAFs. Where options are available, the consultant shall provide advice to PAPs on the relative benefits of each option. The consultant shall assist the PAPs in opening bank accounts explaining the implications, the rules and the obligations of a joint account and how she/he can access the resources she / he is entitled to.

### **Relocation**

The consultant shall assist the project authorities in ensuring a smooth transition guiding the PAFs through the resettlement period. In consultation with the PAFs, the consultant shall inform the ESMU about the date of relocation as suggested by PAF within stipulated time given in notice.

The consultant shall advise the PAPs on utilization of R&R benefits to create productive asset. Consultant will verify and prepare utilisation certificates for the assistance disbursed to PAFs. The funds will be disbursed against the approved plan for creating productive asset.

### **Grievance Redressal**

The consultant shall make PAPs aware of the grievance mechanism set out in the RAP and shall assist them to resolve the grievances. The consultant shall help the PAPs to file a grievance application.

The consultant shall record the grievance and bring the same to the notice of the Grievance Redress Committees (GRC) within 7 (seven) days of receipt of the grievance from the PAPs. It shall submit a draft resolution with respect to the particular grievance of the PAPs, suggesting solutions to concern officer of R&BD who in turn shall present them in the GRC meeting

The consultant shall assist R&BD and PAP in the GRC process.

### **Coordination between PAPs and the ESMU**

The consultant shall facilitate consultation between the PAPs and the ESMU and or concerned R&BD staff. This will be achieved through meetings with both the ESMU representatives and the PAPs as and when necessary which will be documented.

### **Conduct Public Information Campaign**

The consultant shall assist the ESMU to undertake public information campaign at the commencement of the project to inform the affected communities regarding the project RAP and the RPF.

### **Participation in Gram Sabhas**

The consultant may participate in Gram Sabhas of respective villages. Besides contacting PAPs on an individual basis to regularly update the baseline information, consultant shall inform the project details to the Gram Sabhas on a regular basis. Consultant shall encourage participation of PAPs in such meetings by discussing their problems regarding LA, R & R and other aspects relating to livelihood restoration.

### **Awareness Creation on Road Safety**

The consultant shall conduct Road Safety Awareness to the children of schools and community at large in the villages located along the Project Roads through IEC materials, signboards and interactive discussions.

### **Awareness Creation on HIV/AIDS Prevention**

Consultant shall carry out awareness programmes along the corridors at identified locations such as toll-plazas, construction camp sites and truck-parking lay-by in respective corridors. For the purpose, the IEC materials as well as technical advice from GSACS will be utilised in a timely manner.

The consultant shall ensure in collaboration with ESMU that medical facilities and health check-ups which may include diagnosing of STD/HIV for the workers are provided at the construction camps.

- Interaction with industrial units and sensitization
- Awareness programmes for migrants
- Facilitating medical health care services including STI treatment
- Interaction with CHCs, ICTCs
- Coordination with Target Intervention NGOs, Link Worker Schemes and other agencies working in the field of HIV/AIDS awareness and prevention
- Conduct sensitization programmes for R&BD personnel, contractors and other stakeholders
- Interaction with transporters and brokers
- To educate all PAPs / PAFs and all concern stakeholders regarding importance of periodic health check up
- Ensure availability of condoms (both socially marketed & govt.) through established condom depots

### **Consultation in Scheduled Areas**

Consultant shall carry out consultation in Scheduled Areas during project implementation, (i) consultation with affected households for livelihood restoration, and (ii) consultation with communities and key stakeholders (Tribal Development Department, Taluka Development Offices and other Development Agencies working for the welfare of Scheduled Tribes) to ensure broader community support for the project, and to aware all the above offices about Tribal Development Plan proposed to implement under the project.

### **Awareness Creation on Gender and other Social issues**

Consultant shall assist PIU in ensuring that the Contractors comply with applicable labour laws (including prohibition of child labour).

Consultant shall assist the ESMU in ensuring facilities for women such as (i) temporary housing - during the construction the families of labourers/workers are provided with suitable accommodation and facilities for other civic requirements, particularly health and sanitation; (ii) health centre - health problems of the female workers are taken care of through health centres temporarily set up for the construction camp where medicines and minimum medical facilities to tackle first-aid requirements or minor accidental cases are provided.

## **IV. CONDITION OF SERVICES**

### **Duration of Services**

The time line for initiating the RAP implementation will be provided by the PIU. From initiation, the duration of the services will be for three years. The consultant shall help the ESMU in all other matters deemed necessary to implement the RAP in its spirit and entirety.

All documents prepared, generated or collected during the period of contract, in carrying out the services under this assignment will be the property of R&BD. No information gathered or generated during and in carrying out this assignment shall be disclosed by the consultant without explicit permission of the PIU, R & BD, GoG.

### **Location of the Consultant**

In order to carry out the above tasks, employees of the consultant are to be stationed at a location mutually agreed with PIU if found necessary, besides central office at Ahmedabad / Gandhinagar.

### **Reporting**

Reports are to be submitted to ESMU. All supporting documents such as photographs, video graphs, primary and secondary information collected, etc., taken during the assignment shall be submitted in support of the reports, along with an electronic copy of the documents. The following deliverables has to be submitted.

**Inception Report:** The consultant shall submit to the ESMU an inception report detailing plan of action, manpower deployment, time schedule, and detailed methodology, within 21 days of the commencement of the assignment.

**Monthly and Quarterly Progress Reports:** The consultant shall also submit monthly progress reports on the activities carried out during that month and proposed activities for the next month. The monthly progress reports shall include data on input and output indicators as required by the ESMU, with work charts as against the scheduled timeframe of RAP implementation. All progress reports shall include data on input and output indicators as required by the ESMU. **Consultant shall also submit Quarterly progress report depicting all the aforesaid details.**

The monthly progress report shall have to be submitted on or **before third working day of every month.**

The quarterly progress report shall have to be submitted on or before **7<sup>th</sup> of the first month in the following quarter.**

### **Monthly Work Plan:**

The work plan for the each coming month shall have to be submitted in the monthly meeting along with that of the current month clearly showing site visits, targets v/s achievements, and various other elements.

The consultant shall document in full details, the consultation/counselling processes, and a full description of the training imparted (or facilitated) as part of the assignment. The progress achieved in land acquisition as per entitlements shall be documented and shall be submitted to the EMU / SMU as a part of the monthly progress report.

**Status Reports:** The consultant shall prepare and submit the status report in consultation with ESMU as and when asked by R&BD besides at every WB mission visit. Consultant shall also prepare PowerPoint presentation

on status report during WB mission visit in consultation with ESMU as and when required during the entire contract period.

**Draft Final Report:** Consultant shall submit a Draft Completion Report at the end of the contract period summarizing the actions taken during the project, the methods used to carry out the assignment, and a summary of support, compensation and assistance given to the PAPs (**a guideline content of the Final Report is given in Appendix**).

**Final Report:** Consultant shall submit final completion report complying all the remarks / comments of ESMU, PIU R&BD on Draft Final Report at the end of the contract period summarizing the actions taken during the project, the methods used to carry out the assignment, and a summary of support, compensation and assistance given to the PAPs (a guideline content of the Final Report is given in Appendix).

**Participation in Periodic Review Meeting of PIU:** Consultant's Team Leader shall participate in the periodic review meetings of the PIU to discuss about the progress of the assigned tasks, issues and constraints in carrying out any specific task, etc.

**Submission of Meeting Records:** Minutes of the meeting shall be prepared for all the meetings with EMU / SMU and PAPs, GRC Meetings, various consultations with the PAPs, consultations with respect to shifting of community assets, joint verification of affected land and structures, etc., shall need to be recorded and submitted to the EMU / SMU.

**Submission of Micro Plans:** All micro plans have to be submitted, with the status of disbursement and payment of compensation, on a monthly basis. Where changes occur during the project implementation, the consultant will update the relevant Micro Plans and resubmit them to the ESMU.

**Data, Services and Facilities to be provided by the Client:** The ESMU will provide to the consultant copies of the Resettlement Action Plan / Indigenous Peoples (Tribal) Development Plan / HIV-AIDS Prevention Plan, PAP database, land acquisition details, and any other relevant and available reports / data related to the respective project corridors.

#### **Time Schedule**

It is estimated that the consultancy services shall be required for a period of three years (36 months). The consultant shall carry out all assigned tasks based on the milestones as set out by the ESMU. The period of service shall be extended, if found necessary and on the basis of the performance of the consultant, for a period mutually agreed upon by both the parties (PIU and the consultant / the consultancy firm).

#### **Payment**

All payments will be linked to the completion of tasks as per milestones assigned by the ESMU. The payment to the consultant will be made against outputs as given below.

Sl. No.	Output	Payment Schedule
1	Upon Approval of Inception report (should be submitted within 1 month)	10% Total Contract value. At the end of first month from commencement of the services with Bank Guarantee of 10% of Contract value
2	Joint verification of assets within RoW, dissemination and distribution of Entitlement Matrix, issue of Identity card for eligible PAPs , Submission of monthly work plans, MPRs and a QPR (should be completed within 5 <sup>th</sup> month)	15% of the total contract value
3	Submission of Micro Plan for Title Holders/ Non-Title Holders and approval of the same by EMU / SMU, Disbursements of entitlement for PAPs, final data analysis report containing additional and or missing census details, Submission of monthly work plans, MPRs and QPRs. (should be completed within 9 <sup>th</sup> month)	30% of the total contract value
4	Training and need assessment for income restoration, submission of monitoring and evaluation schedule of PAPs on the implementation of RAP, Submission of monthly work plans, MPRs and QPRs. (should be completed within 24 <sup>th</sup> month)	15% of the total contract value

Sl. No.	Output	Payment Schedule
5	On approval of Draft final report summarizing the action taken and RAP implementation works to be fulfilled by consultant, Submission of monthly work plans, MPRs and QPRs(should be completed within 30 <sup>th</sup> month-)	15% of the total contract value
6	On approval of final report summarizing the action taken and RAP implementation works to be fulfilled by consultant, Submission of monthly work plans, MPRs and QPR, if any (should be completed within 33 <sup>rd</sup> month)	15% of the total contract value

#### **Team for the Assignment**

The NGO shall depute a team of professionals to the site. The constitution of the Core Team and their required qualification and experience shall be as follows.

Sl. No.	Position	Number of Position	Qualification/Experience
1	Project Manager / Team Leader	1	Project Manager / Team Leader should be a post-graduate, preferably in social sciences. S/he should have about 10 years' experience in implementation of R & R and rural development works. S/he should have held responsible position in the previous assignments and should possess participatory management skills. Knowledge of local language is necessary. The Project Manager must have been with the consultant / consultancy firm for at least 2 years.
2	Social Specialists cum Community Facilitators	2	Should be graduate or equivalent in social sciences with at least <u>five</u> years field experience. They shall have experience in implementation of R & R and rural development works, Knowledge of prevailing R&R policies including WB's R&R policies. Should have at least three years of experience in community consultation. Knowledge of local language and experience of working in the region desired. One person must be woman.
3	Land acquisition facilitator	1	Should be a retired revenue officer having knowledge of prevailing land acquisition Act and land acquisition process , prevailing R&R policies including WB's R&R policies and its implementation to be able to liason with the revenue department.
4	Land Acquisition Specialist	1	Should be a graduate or equivalent in social science with five years field experience in Land Acquisition should having knowledge of prevailing land acquisition Act and land acquisition process , to be able to liason with the revenue department.

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