

# **GUIDANCE NOTE ON URBAN RESETTLEMENT**

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for

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**DISCLAIMER:** This report has been prepared by Frédéric Giovannetti, consultant, as part of the Mumbai Urban Transport Project implemented by the Mumbai Metropolitan Region Development Authority with World Bank financing. This report has been prepared with World Bank funding including a grant from the Department for International Development (UK). The report represents the views of the author and not necessarily the views of the World Bank or the Government of Maharashtra.

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## Table of Contents

<b>1</b>	<b>BACKGROUND AND SCOPE OF THE GUIDANCE NOTE</b>	<b>4</b>
1.1	<i>SOUTH ASIAN SLUMS</i>	4
1.2	<i>THE NEED FOR RESETTLEMENT</i>	6
1.3	<i>THE NEED FOR THIS GUIDANCE NOTE AND ITS SCOPE</i>	6
1.4	<i>HOW THIS GUIDANCE NOTE WAS PREPARED</i>	8
<b>2</b>	<b>OVERVIEW OF THE RESETTLEMENT PROCESS</b>	<b>10</b>
<b>3</b>	<b>PLANNING RESETTLEMENT</b>	<b>11</b>
3.1	<i>EARLY STAGES OF PLANNING</i>	11
3.1.1	<i>Preliminary Scoping of Resettlement Issues</i>	11
3.1.2	<i>Design Optimization</i>	12
3.1.3	<i>The Outcome of These Initial Stages: a Preliminary Entitlement Framework and a Work Plan for Further Stages</i>	13
3.1.4	<i>The Issue of Early Disclosure and Consultation</i>	14
3.2	<i>GENERAL STRATEGY FOR DATA ACQUISITION AND MANAGEMENT</i>	15
3.3	<i>MANAGING BASELINE INFORMATION</i>	16
3.4	<i>ENGAGEMENT PLANNING</i>	18
3.5	<i>RESETTLEMENT PLANNING DOCUMENTATION</i>	18
<b>4</b>	<b>IMPLEMENTING RESETTLEMENT</b>	<b>19</b>
4.1	<i>ENTITLEMENT OPTIONS</i>	19
4.1.1	<i>Current Entitlement Policies of Maharashtra (Slum Rehabilitation Authority and MUTP)</i>	19
4.1.2	<i>Eligibility Criteria and Categorization of Eligible PAPs – Potential Alternatives and Improvements</i>	21
4.1.3	<i>Entitlements for Formal Owners – Potential Alternatives and Improvements</i>	22
4.1.4	<i>Award of TDR/FSI to Resettlement Colony Developers – Potential Alternatives and Improvements</i>	22
4.1.5	<i>Entitlements for Slum Dwellers – Potential Alternatives and Improvements</i>	23
4.1.6	<i>Entitlements for Businesses – Potential Alternatives and Improvements</i>	24
4.2	<i>GRIEVANCE MANAGEMENT</i>	26
4.2.1	<i>Principles and Overview</i>	26
4.2.2	<i>Typical Grievances in an Urban Resettlement Programme</i>	26
4.2.3	<i>First Tier (Internal) of Grievance Management</i>	28
4.2.4	<i>Second Tier (Independent) of Grievance Management</i>	29
4.3	<i>VULNERABLE PEOPLE</i>	29
4.3.1	<i>Overview</i>	29
4.3.2	<i>Identification of Vulnerable People</i>	30
4.3.3	<i>Assistance to Vulnerable People</i>	30
4.4	<i>LIVELIHOOD RESTORATION – REHABILITATION</i>	31
4.4.1	<i>Background</i>	31
4.4.2	<i>Potential Livelihood Restoration Activities</i>	31
4.4.3	<i>Livelihood Restoration Programs</i>	32
4.4.4	<i>Specificities of Medium Size Businesses</i>	32
4.5	<i>POST-RESETTLEMENT SUSTAINABILITY OF RESETTLEMENT SITES</i>	33
4.6	<i>MONITORING &amp; EVALUATION</i>	33
4.6.1	<i>Overview</i>	33
4.6.2	<i>Input and Output Monitoring</i>	36
4.6.3	<i>Outcome Monitoring &amp; Evaluation</i>	37

4.6.4	<i>Compliance Monitoring and Completion Audit</i> .....	38
4.6.5	<i>Financial Auditing</i> .....	39
<b>4.7</b>	<b>IMPLEMENTATION ARRANGEMENTS</b> .....	<b>39</b>
4.7.1	<i>Overview</i> .....	39
4.7.2	<i>Example of Organizational Arrangements</i> .....	41
<b>APPENDICES</b> .....		<b>42</b>
<b>APPENDIX 1 – DEFINITIONS – ACRONYMS</b> .....		<b>43</b>
	<i>DEFINITIONS</i> .....	<i>44</i>
	<i>ACRONYMS</i> .....	<i>45</i>
<b>APPENDIX 2 – GOOD PRACTICE EXAMPLES – SCOPING RESETTLEMENT ISSUES</b> .....		<b>46</b>
<b>APPENDIX 3 – APPROACH TO CENSUS AND SOCIO-ECONOMIC SURVEYS</b> .....		<b>49</b>
	<i>CENSUS</i> .....	<i>50</i>
	<i>Census Pre-Requisites</i> .....	<i>50</i>
	<i>Minimal Census Information</i> .....	<i>52</i>
	<i>Identification of PAPs</i> .....	<i>54</i>
	<i>Keeping Speculation and Corruption Under Control</i> .....	<i>55</i>
	<i>Implementing the Census</i> .....	<i>57</i>
	<i>SOCIO-ECONOMIC BASELINE SURVEYS</i> .....	<i>58</i>
	<i>Overview and Objectives</i> .....	<i>58</i>
	<i>Quantitative Household Survey</i> .....	<i>58</i>
	<i>Qualitative Methods</i> .....	<i>60</i>
	<i>Implementing the Socio-Economic Surveys</i> .....	<i>62</i>
<b>APPENDIX 4 – CENSUS DOSSIER</b> .....		<b>63</b>
<b>APPENDIX 5 – SCREENING AND SUPPORTING VULNERABLE PEOPLE – GOOD PRACTICE EXAMPLES</b> .....		<b>61</b>
<b>APPENDIX 6 – TABLE OF CONTENTS OF A RESETTLEMENT ACTION PLAN</b> .....		<b>64</b>
<b>APPENDIX 7 – CHECK-LIST FOR APPRAISAL OF A RESETTLEMENT ACTION PLAN</b> .....		<b>67</b>
<b>APPENDIX 8 – MAIN CONTRIBUTORS</b> .....		<b>71</b>

## LIST OF FIGURES

Figure 1: Increase in Greater Mumbai Population in the 20 <sup>th</sup> and 21 <sup>st</sup> centuries .....	4
Figure 2: The Resettlement Process .....	10
Figure 3: Grievance Management Mechanism .....	27
Figure 4: Example of Implementation Organization .....	41

## LIST OF TABLES

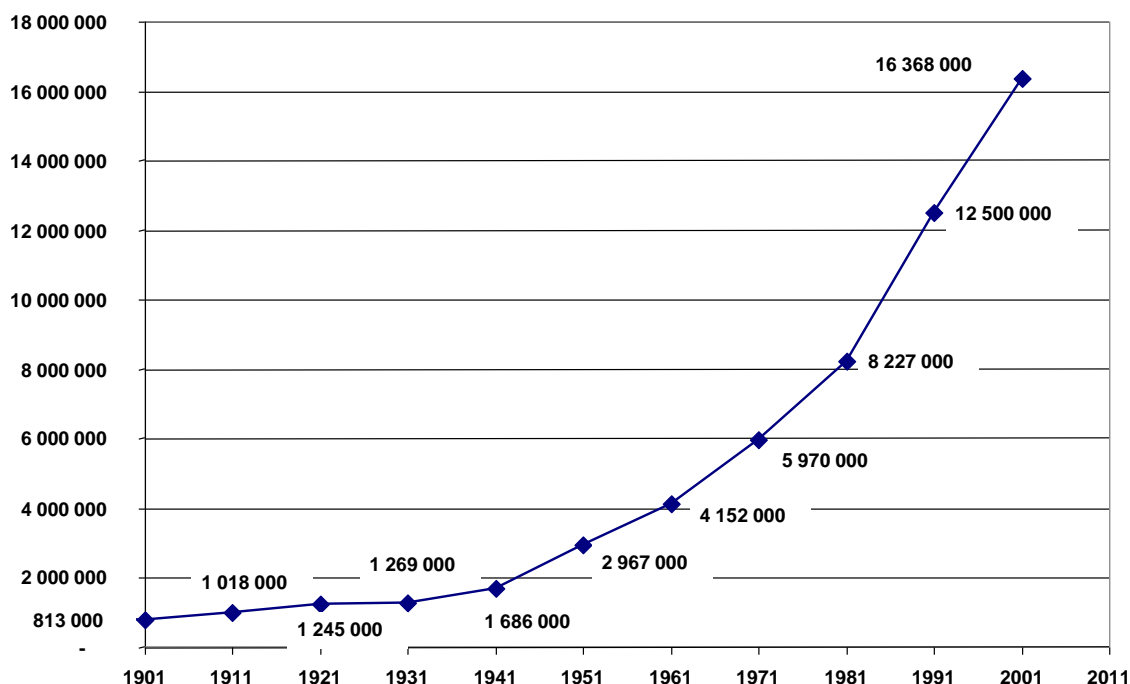
Table 1: Ten Largest Urban Agglomerations of India .....	4
Table 2: Example of a Preliminary Entitlement Framework .....	13
Table 3: Data Acquisition Strategy – Some Key Questions .....	15
Table 4: Main Eligible and Non Eligible Categories of PAPs.....	21
Table 5: Different Types of Monitoring & Evaluation Exercises .....	35
Table 6: Indicative List of Input and Output Indicators.....	36
Table 7: Indicative List of Outcome Indicators .....	37

## 1 BACKGROUND AND SCOPE OF THE GUIDANCE NOTE

### 1.1 SOUTH ASIAN SLUMS

While urbanization is a world demographic trend, South Asian cities have seen a dramatic expansion in the size of their population in the second part of the 20<sup>th</sup> century and the first years of the 21<sup>st</sup>. The following figure shows the increase in the population of Greater Mumbai since 1901: while the increase was modest, and mainly related with natural growth in the first decades of the 20<sup>th</sup> century – about 1.8% increase per year, there is a dramatic change from the forties, with a doubling of the population size, in average, every twenty years (between 3.5 and 4% increase per year).

**Figure 1: Increase in Greater Mumbai Population in the 20<sup>th</sup> and 21<sup>st</sup> centuries**



Source: Census of India – Numbers for 1991 and 2001 apply to Greater Mumbai (including Thané) – Numbers are rounded to the nearest thousand

As of the 2001 census, India had 34 cities of more than one million inhabitants. The ten largest urban agglomerations of India are shown in Table 1 below.

**Table 1: Ten Largest Urban Agglomerations of India**

Rank	City	State	Population (2001 Census)
1	Mumbai	Maharashtra	16,368,084
2	Kolkata	West Bengal	13,216,546
3	Delhi	Delhi	12,791,458
4	Chennai	Tamil Nadu	6,424,624
5	Bangalore	Karnataka	5,686,844
6	Hyderabad	Andhra Pradesh	5,533,640
7	Ahmedabad	Gujarat	4,519,278
8	Pune	Maharashtra	3,755,525
9	Surat	Gujarat	2,811,466
10	Kanpur	Uttar Pradesh	2,690,486

Most of this recent population increase is related with in-migration from rural areas. Upon arrival, these migrants tend to settle in urban slums, for lack of any other affordable housing solution. It is currently estimated that about 45% of the population of Greater Mumbai reside in urban slums, with almost comparable figures observed in other South Asian cities (Kolkata: 35%, Dhaka: 30%).

Estimates of the population density in South-Asian slums vary considerably, but it is conservative to think that a significant proportion of these settlements have a population density in excess of 80,000 people per square kilometre (in comparison, Greater Mumbai as a whole has a population density of about 20,000 people per square kilometre).

Sanitation and water supply conditions are usually inadequate in slums. The location of many slums in low areas that are prone to inundation makes access to proper sanitation even more difficult. Health and education facilities are typically insufficient in capacity and overwhelmed as a result.

In the last ten years, a huge disconnect between the cost of housing in the formal market and the income of the poor has appeared and widened, which makes slums the only affordable housing option for many people. Even people in the lower to mid middle class cannot afford the deposit required to rent an apartment on the formal market in Mumbai. In addition, many middle class slum residents find it more convenient to go to work of business wise. This makes the slums a socially diverse community, where some of the poorest and most vulnerable people can be found together with households with regular and not necessarily low income levels, such as civil officers, students or small businesspersons.

Many South Asian slums are home to a thriving economy, most – but not all – of which is informal. For instance, it is estimated that in the Mumbai slum of Dharavi (which according to some estimates is home to about 1 million people, reportedly making it the most populated slum area of Asia), there are about 15,000 small businesses and workshops, which for instance account for as much as 17% of India's leather product exports.

## 1.2 THE NEED FOR RESETTLEMENT

To anyone stuck in today's Mumbai traffic congestion, it is obvious that further economic and urban development requires significant upgrades to existing transport infrastructures and networks, including:

- the international airport,
- the suburban rail network,
- the surface and underground public transport system, including the metro, buses and tramways,
- existing roads and thoroughfares, which need to be widened and upgraded to accommodate higher speeds and reduce safety hazards for motorists, pedestrians and neighbours.

In addition to upgrading existing ones, new road links are also needed. Lastly, one of the main avenues for modernizing the urban fabric is through development zones, commercial parks, and similar areas designated by master planning as dedicated to modern urban development, including high rise buildings and office or housing compounds.

All of these developments entail displacement impacts. The population density in slums is such that the numbers of affected people are significant. For example, the World Bank funded Mumbai Urban Transport Project (MUTP) affects a total of about 20,000 households through its three main components, the Santa Cruz – Chembur Link Road (SCLR), the Jogeshvari – Vikhroli Link Road (JVLRL) and the rail components. The cost of Resettlement and Rehabilitation (R&R) in the MUTP is estimated at about USD 97 M, about 15 % of the total infrastructure cost. Such costs reflect the increasing complexity of dealing with resettlement issues in the current context of South Asian cities.

Yet the cost of not planning and implementing adequately the resettlement is becoming a large hindrance to development in terms of financial, economical and social costs. Difficulties arisen from the insufficient quality of resettlement along some stretches of the roads included in MUTP in Mumbai led to delays of over two years in the construction works, resulting in costs overruns, time loss for the commuters that are still obliged to use long detours or endure highly congested roads, and frustration of many residents and shops who are not sure if, when and how they will be impacted by the resettlement.

From another perspective resettlement can become an opportunity for life improvement for both people to be displaced and not to be displaced. Shops and residence located along the roads after construction will in general see their real estate value increase some times manifold, and many resettle people have benefitted from the resettlement thereby contributing to the economic growth of the city.

Therefore the situation appears ripe in large cities or metropolises in India to dedicate more attention to quality resettlement in urban areas, adopting a more balanced approach benefitting both the transport infrastructure users and the affected riparians, through a win-win approach.

## 1.3 THE NEED FOR THIS GUIDANCE NOTE AND ITS SCOPE

In addition to the direct cost of compensation and livelihood restoration, R&R can generate huge indirect costs too, particularly when inadequate planning or difficulties in engaging with specific affected groups result in construction delays. During the MUTP implementation for example, problems arose with affected shopkeepers because they were dissatisfied with the R&R package, which was mainly intended for affected residents and was based on a replacement apartment in a resettlement colony. These problems arose because shopkeepers had not been adequately identified or consulted with at the baseline stage, and no specific package had been devised for them. The negotiation with shopkeepers took time, amongst others because the Government of Maharashtra was initially unwilling to make the R&R package more flexible and accommodate the shopkeepers' needs. These delays had huge implications on the cost of infrastructure, with contractors unable to work, as well as more global economic implications, with for example longer periods of works impacting traffic and safety.

In Mumbai, the resettlement related delays in implementing the MUTP are covered by the local press almost on a daily basis. A perception has developed in the public that compliance with the World Bank resettlement policies is the main cause of the delays in the R&R implementation, hence in the construction of the MUTP infrastructure. One may of course disagree with this assessment, and argue that the main cause of the delays is poor planning of R&R components, bureaucratic hurdles or inadequate resources. Nevertheless the perception is widespread that things would be much easier if MMRDA, the implementing agency for the MUTP, would

have sourced funds from other lenders with more flexible resettlement requirements or none at all beyond sheer compliance with Indian laws and regulations.



Existing policies, whether those of India or those of the World Bank, are strongly biased towards rural resettlement. They were originally focused on the large hydropower projects of the eighties and nineties of the 20<sup>th</sup> century, which, attracting a lot of controversy and research, made it necessary for institutions to react through the development of advanced resettlement policies. Rural projects still attract significant attention from international social and economic researchers and NGOs, and abundant literature is available on resettlement and livelihood restoration examples and good practice as well as on the typical hurdles to avoid.

In addition, it is increasingly found that urban resettlement in large cities is as complex if not more than many rural resettlement projects: affected people have often developed sophisticated livelihood strategies, often based on informal activities that are location dependent just as much as rural livelihoods can be land dependent, and as a result, these livelihoods can be disrupted by physical displacement just as much as farming based households are. This particularly applies to the poorest in the community, whose livelihoods could for example be dependent on hawking near a particular place (a railway station, a bus stop) or recycling refuse from a particular dump. Such income streams are in fact very vulnerable to displacement.

But in contrast with “Rural to Rural” and “Rural to Urban” types of resettlement, which are quite well covered by research literature and policies, “Urban to Urban” resettlement is a relatively new area. “Urban to Urban” has tended to be regarded by specialists and institutions as “easier”: while it was amply recognized that rural livelihood restoration could be extremely difficult, it was also widely considered that urban resettlement was simply a matter of reconstruction, and specifically that livelihood restoration in urban settings was not a real issue.

The purpose of this guidance note is generally to bridge this gap, precisely to identify how to implement World Bank resettlement policies in the context of infrastructure projects affecting South Asian largest cities, with a focus on the impacts on poor areas and slums. The guidance note is intended as a tool to help decision makers in Government agencies and in the Bank, particularly in respect of the following main aspects:

- Methods to assess and evaluate resettlement issues,
- Development of appropriate packages, considering the legal and political context,
- Establishment of efficient implementation and management mechanisms, in terms of systems and in terms of resources and teams,
- Closure and post-resettlement aspects, with a perspective on precluding hardship on affected people as well as claims and grievances.

Special attention is given to the difficult issue of income restoration, including for business owners, as well as the longer term issue of the sustainability of new (often multi-story) communities of resettled people. The overarching aim of this exercise is to approach these issues in a way which will foster sustainable urban development; in short, to identify win-win outcomes including facilitation of the transition from the informal to the formal sector of the urban economy.

The ultimate goal is two-fold:

- Smoothen the implementation of large infrastructure projects in South-Asian metropolises,
- Improve resettlement with a focus on the poorest, who often are those most impacted by displacement and resettlement.

## 1.4 HOW THIS GUIDANCE NOTE WAS PREPARED

This guidance note results from a collaborative effort between the Government of Maharashtra, the World Bank and outside experts. While the guidance note is intended as a tool that can help decision makers in other areas of the world, Indian experience has been essential. Indian cities are confronted with displacement issues of massive scale and most of the major Indian municipalities or State Governments have developed their own set of policies and learnt the hard way what worked and what did not.

A workshop on issues and challenges in urban resettlement was organized September 10-13, 2006 in Thailand. This workshop included Bank staff from several regions, representatives from the Government of India and several Indian states, as well as Indian and international experts. The workshop was preceded by consultations with civil society organizations held by the Bank on September 4, 2006. A general consensus was reached on several critical issues. However, it was clear that further analysis and discussion was needed to drill down on specifics.

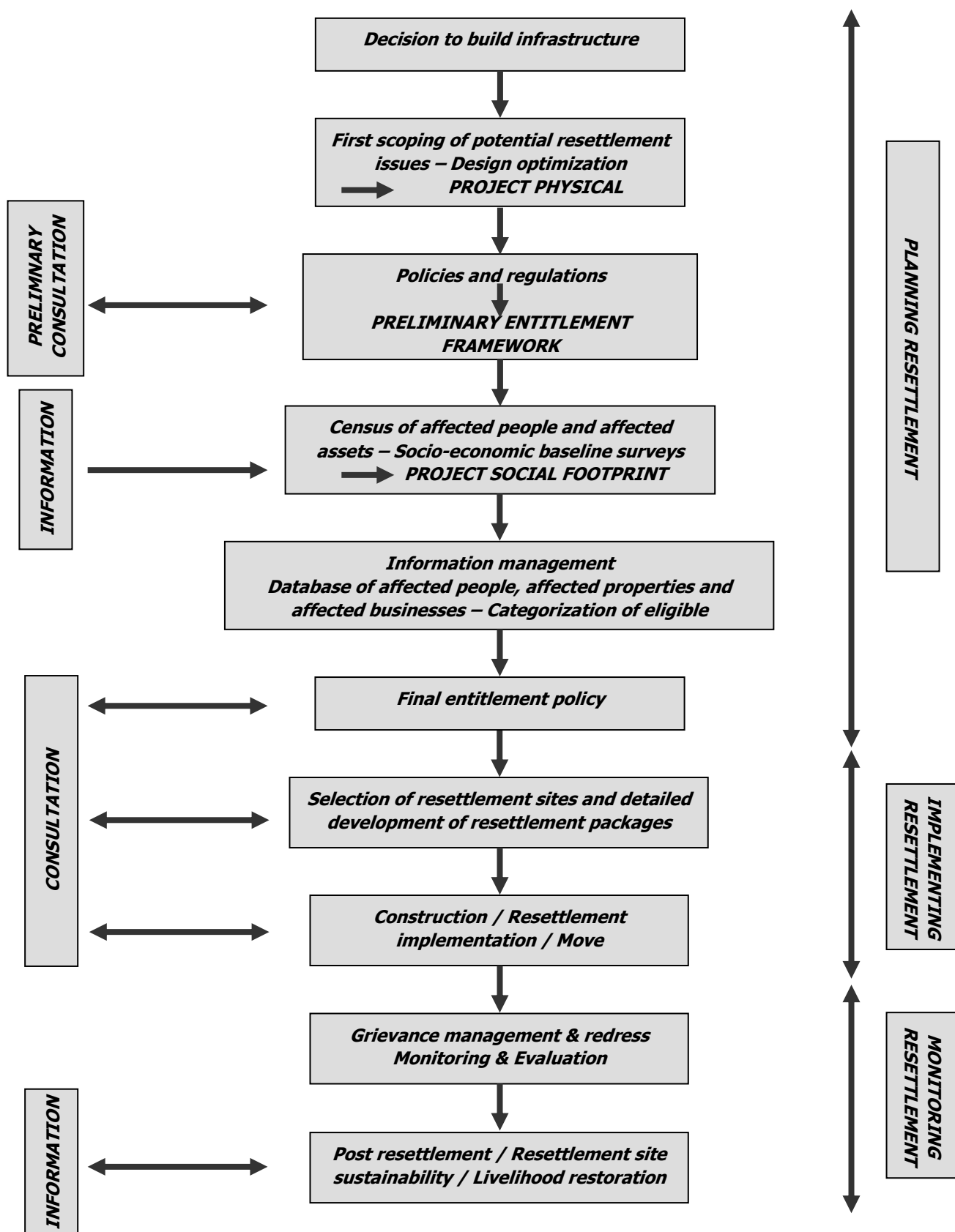
Based on this first review, a Terms of Reference was prepared for an external consultant to look further into these issues and prepare a first draft of the guidance note. A brief workshop was held in January 2008 in Mumbai to present the approach, and a review of how other major Indian cities handle resettlement took place in January and February 2008 (Hyderabad, Chennai, Delhi).

A second workshop was held in July 2008 to review a first draft of the guidance note developed by the consultant and arrive at this final version, with contributions from representatives of the Government of Maharashtra as well as from a broad range of experts bringing in experience from other Indian states.

## 2 OVERVIEW OF THE RESETTLEMENT PROCESS

The following figure presents the different steps in resettlement. Three main steps are distinguished, planning, implementing and monitoring, with sub-steps presented in detail in the graph below. In practice these different steps tend to overlap with each other in time.

**Figure 2: The Resettlement Process**



### 3 PLANNING RESETTLEMENT

#### 3.1 EARLY STAGES OF PLANNING

##### 3.1.1 Preliminary Scoping of Resettlement Issues

###### 3.1.1.1 Pre-Identifying Impacts

Practice shows that it is essential that potential displacement issues be identified as early as possible in the general process of project development. This should take place shortly after a preliminary decision to build the project has been made.

The objectives of this early and preliminary scoping should be the following:

- Generate a tentative estimate of the magnitude of the displacement and resettlement issues associated with the project, and thereby obtain a first order of magnitude of the potential cost of R&R,
- Categorize the different types of impacts and losses associated with the proposed footprint,
- Identify the most critical risks related with resettlement issues as well as potential “fatal flaws”,
- Consider less impacting alternatives.

Practice shows that this early review is best done by seasoned resettlement specialists with experience in gathering critical information quickly, and should utilize both desk and field methods. International lenders often provide for such a scoping stage to take place within the framework of their general due diligence process. In practice, it should include the following:

- Desk review, based on maps, satellite or aerial photographs<sup>1</sup>, and tentative routes or sites:
  - o Acquisition of maps and/or satellite or aerial photographs, and preliminary assessment of potential impacts of the proposed footprint,
  - o Rapid identification of possible alternative lesser impact sites or routes,
  - o Rapid identification of land tenure regimes in the proposed footprint (mainly formal ownership with titles or mainly informal),
- Field review:
  - o Preliminary identification of the type of housing (slum, formal, apartment blocks, detached houses), of the standing of the dwellings, of their pattern within the affected settlement,
  - o Confirmation in the field of the initial identification of land tenure regime with a focus on any informal regimes (squatters and tenants),
  - o Preliminary identification of activities (informal, formal, established shops or workshops with an indication of their size, pavement activities, hawkers...),
  - o Preliminary identification of any significant cultural structures (temples, mosques, churches, others),
  - o Preliminary estimate of the numbers of people / households affected, with a simple categorisation (activities, slum dwellers, formal dwellers, etc... - see the paragraph below),
  - o Particularly (but not only) for linear projects (road, rail, energy transmission), preliminary identification of social impacts on those who are not be displaced: what impact will the corridor have particularly in terms of connectivity between different areas, what economic and social impacts may the departure of those displaced have on those remaining (clientele, catchment areas of social, education and health infrastructure, etc...) – first approach of the “social footprint” of the project (see below section 3.1.2),
  - o Visit of alternative sites or routes and similar assessment of above mentioned parameters for these other options.

It is also important at this stage to assess physical or logistical obstacles that may curb further phases of investigation, particularly in view of the census and socio-economic baseline surveys. A practical example is the presence of structures with several floors, which has implications on how satellite imagery can be used as well as on the method of identification for PAPs.

Appendix 2 presents good practice examples of scoping approaches and the use of satellite imagery in real cases.

<sup>1</sup> *An easily accessible tool such as Google Earth can provide a level of accuracy that is often sufficient at this stage, but not always in very dense or complex urban settings. See an example in Box 3.*

### 3.1.1.2 Categorizing Impacts and Losses, Categorizing PAPs

At this stage, the reviewer in charge of the scoping should be able to categorize impacts and losses in a manner that makes it possible to prepare a preliminary entitlement framework (what mitigation for what loss or impact, see below section 3.1.3).

Typical categories of impacts and losses as they need to be identified at this stage include those affecting the following:

- Dwellings: formal, informal, apartments or houses, rented or owner-occupied, standing and size,
- Land, with its occupation regime,
- Businesses: small, medium, large, formal, informal, with their clientele in the affected area or elsewhere,
- Cultural structures: with a local or broader sphere of influence.

It is also important to understand the livelihood restoration requirements of different categories of PAPs: for instance, a basic understanding of the areas where people make a living should be developed. In terms of location of the resettlement site, businesspersons with shops or workshops in the affected area will not have the same needs as civil officers or students: the livelihood of businesspersons with activities at the site could be jeopardized by relocation to a completely different area of the city, whereas people commuting from the slum to a job in the centre would be only marginally affected. This will usually be done through chance interviews with residents met by the scoping team while walking through the slum. Whereas such methods have no statistical value, they can still be used to develop a basic qualitative understanding of the baseline conditions, which of course will need to be refined in further stages of socio-economic investigation.

The categorization of PAPs done at this stage can also be very useful when designing the methodology for the baseline survey, particularly the sampling strategy. These categories can be used as “strata” or sub-populations to draw a stratified sample of households that will be surveyed (see Appendix 3).

## 3.1.2 Design Optimization

### 3.1.2.1 Avoid or Minimize Resettlement

After the initial scoping of resettlement issues per the framework described in the previous section, communication should take place between the technical design teams and those in charge of social and resettlement issues in order to optimize the technical design of the Project from a resettlement and social perspective. The World Bank applicable involuntary resettlement policy states that “*Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs*”.

This will usually require a few iterations between the technical and the resettlement teams. Different routing and siting options will be compared from the following angles (insofar as resettlement aspects are concerned, and notwithstanding other comparison parameters such as technical or environmental ones):

- Numbers of affected people,
- Potential resettlement and expropriation cost,
- Complexity of the social issues associated with the resettlement (for example if a very vulnerable community is affected, or if cultural structures with a broad catchment area are affected),
- Social risks associated with resettlement (for example creating a split in the affected community between “haves” and “have-nots”, strong opposition of certain groups, public controversy).

### 3.1.2.2 Physical Footprint and Social Footprint

“Avoid or minimize” resettlement does not necessarily or only mean minimizing the numbers of affected people at any price. What must be minimized or avoided is resettlement and social impacts in a broader sense.

Environmental impacts such as noise or vibration may require buffer zones to be established, beyond the direct footprint of the infrastructure itself.

From a social perspective, for linear projects, the minimal Right-of-Way width is not always the best option, and there are instances where it is better to move slightly more people in order to avoid significant social and environmental impacts on both those who leave and those who stay.

In addition, affected people will sometimes request to be relocated as a whole community, which may require to resettle more people than just those who reside in the physical footprint. Although this is more likely to happen in rural areas, it could also be the case in urban areas, for instance where cultural resources of significance to an entire community are affected and relocated, or more generally where the social fabric is affected to such a level that mitigations are required for a whole community, not only for those physically affected.

Hence the need to consider both the “physical footprint” (including any buffer or safety zones that environmental or health & safety regulations may require), and a broader “social footprint”, which are not necessarily the same – and in fact in most cases in urban settings are quite different.

### 3.1.2.3 Project Phasing

Another common feature of urban infrastructure projects, particularly in the road sector, is that they are often designed in successive stages due to various administrative or technical reasons:

- For instance, ancillary infrastructure, such as interchanges with the existing network or necessary upgrades to neighboring streets, is not always included in the first drawings of the footprint,
- Successive phases, with potential gray areas at the limits between each one.

Where such phasing applies, the organizational arrangements for project implementation will need to ensure that the liaison between technical design and resettlement teams can be established or re-established at any time during project implementation.

## 3.1.3 The Outcome of These Initial Stages: a Preliminary Entitlement Framework and a Work Plan for Further Stages

### 3.1.3.1 Preliminary Entitlement Framework

Based on (i) the preliminary categorization of losses and impacts mentioned above in section and (ii) a detailed review of applicable policies and regulations, this preliminary entitlement framework will associate a compensation package to each identified loss or impact. An example of such a preliminary framework is given in the table below. It should be clearly understood by all parties that this is tentative and only intended as a preliminary stage, to be used for early consultation, the design of baseline surveys and generally for planning.

**Table 2: Example of a Preliminary Entitlement Framework**

<i>Affected Entity</i>	<i>Impact / Loss</i>	<i>Compensation Entitlement (Tentative)</i>
<i>Resident household owning a structure without title to either land or house (slum dwellers)</i>	<i>Loss of unauthorized dwelling in slum, regardless of size, of condition and of number of residents</i>	<i>Replacement apartment (225 sq.feet) in a resettlement colony of the affected household's choice</i> <i>OR</i> <i>Cash compensation in the amount of INR ***</i> <i>Moving allowance in the amount of INR ***</i>
	<i>Impact on livelihood</i>	<i>Livelihood restoration package to be tailored to household's abilities/skills and desires</i>
<i>Tenant in slum</i>	<i>Loss of shelter</i>	<i>Moving allowance in the amount of INR ***</i>
	<i>Impact on livelihood</i>	<i>Livelihood restoration package to be tailored to household's abilities/skills and desires</i>
<i>Resident household with title to land and house</i>	<i>Loss of titled land and legally sanctioned house</i>	<i>Expropriation compensation per Land Acquisition Act</i> <i>Moving allowance in the amount of INR ***</i>

<i>Affected Entity</i>	<i>Impact / Loss</i>	<i>Compensation Entitlement (Tentative)</i>
	<i>Impact on livelihood</i>	<i>Livelihood restoration package to be tailored to household's abilities/skills and desires</i>
<i>Business in structure without title</i>	<i>Loss of structure</i>	<i>Replacement business structure in a resettlement site of the operator's choice Moving allowance (to be tailored to the magnitude of the business)</i>
	<i>Loss of livelihood for owner and employees</i>	<i>Livelihood restoration assistance</i>
<i>Business without structure (pavement / hawkers)</i>	<i>Loss of livelihood for business operator</i>	<i>Moving allowance in the amount of INR ***</i>
<i>Business in structure with title</i>	<i>Loss of structure</i>	<i>Expropriation compensation per Land Acquisition Act Moving allowance (to be tailored to the magnitude of the business)</i>
	<i>Loss of livelihood for owner and employees</i>	<i>Livelihood restoration assistance</i>
<i>Cultural structure without title</i>	<i>Loss of structure</i>	<i>Cash compensation</i>
	<i>Loss of livelihood for owner and employees</i>	<i>Livelihood restoration assistance</i>

### 3.1.3.2 Work Plan for Further Stages

At this initial stage of scoping, it is advisable to prepare a detailed work plan so that the agency in charge can start planning resources and budget early enough in advance. This work plan (or scoping report) should include:

- A summary of observed issues and challenges, including an estimate of the numbers of affected people and affected businesses,
- The results of design optimization,
- The identification of any legal process that needs to be triggered, particularly if there are formal titles involved in the footprint and expropriation per the Land Acquisition Act has to be implemented,
- A description of the general strategy for data acquisition and management and a Terms of Reference for the census and baseline socio-economic surveys,
- The identification of any satellite imagery that needs to be purchased,
- An indicative schedule for implementation of the census and baseline socio-economic surveys and of legal proceedings involved in land acquisition, with identification of “critical path” tasks, as well as a budget for this component,
- A strategy for engagement, consultation and information (see below section 3.1.4 as well as further details on engagement planning in section 3.4),
- An indicative budget for the whole resettlement.

### 3.1.4 The Issue of Early Disclosure and Consultation

On the one hand, it is useful to start information of, and consultation with affected parties as early as possible in the process. On the other hand, broad disclosure of information related with a potential compensation program may trigger massive encroachment by outsiders opportunistically anticipating compensation on the pieces of land that are to be vacated.

Opportunistic influx is typically managed via a cut-off date; people having settled after the cut-off date are not eligible to compensation. The concept of cut-off date is certainly useful, but a pre-requisite for the cut-off to be effective is to have a comprehensive census available prior to the cut-off date. This is why the cut-off is usually the date when the actual census operations start (or end) in the field. At the early stages of scoping, which are addressed in this section, the census is not done yet, and usually it will not be done before another year or more.

This is therefore a delicate issue, where the implementing agency must be exerting judgment in devising its engagement and information strategy at this stage. The recommended course of action is to deliver only minimal information about a “potential” project in the area, working in priority with local authorities rather than with the general population. However, where a general cut-off applies such as that declared by the Slum Rehabilitation Authority for Mumbai slums, this caution will generally not be needed, and periodic engagement and consultation can be started from the scoping stage.

To preclude opportunistic encroachment, it is also critical to act quickly. Therefore public consultation at the stage of scoping should not be undertaken unless there is a good probability that further stages, particularly the census, can follow suit as soon as possible, within a few weeks as a maximum.

### 3.2 GENERAL STRATEGY FOR DATA ACQUISITION AND MANAGEMENT

Two main field exercises need to be carried out in order for the implementing agency to obtain all elements required for planning resettlement:

- A census, mainly intended at identifying the Project Affected Persons who live in the project footprint and what immovable assets they own or use,
- A socio-economic survey, mainly intended at understanding the socio-economic factors and constraints that will need to be considered when devising the details of the proposed resettlement packages.

It is important to have a clear view of the strategy that will be followed for data acquisition, including the census and the socio-economic survey, and its further management. Some key questions need to get an answer as early as possible in the process. Table 3 below presents these key questions, and the elements that will determine responses to these questions.

**Table 3: Data Acquisition Strategy – Some Key Questions**

<i>Key Question</i>	<i>Elements to Take in Consideration for the Answer</i>
<i>When should the census take place?</i>	<ul style="list-style-type: none"> <li>- <i>The census will generally be understood by residents as a guarantee that resettlement (and the related betterment they expect in relation therewith) will occur. Therefore the census should only take place once it is certain that the project will really happen. Expectations would otherwise be raised that may prove difficult to manage.</i></li> <li>- <i>The census must be undertaken quickly to avoid speculative influx into the project footprint by people seeking compensation and to avoid speculative attempts such as artificially splitting homesteads in an effort to maximize the number of resettlement packages for a given household.</i></li> <li>- <i>Unless applicable regulations provide otherwise, the census date will generally also be the cut-off date for eligibility. Only PAPs observed at the time of the census to occupy a dwelling or to be engaged in a business in the affected footprint will be eligible.</i></li> <li>- <i>Climate must be taken into consideration. It will usually be impractical to deploy surveyors during the monsoon.</i></li> <li>- <i>The pre-requisites for census implementation mentioned in Appendix 3 should be met.</i></li> </ul>



<b>Key Question</b>	<b>Elements to Take in Consideration for the Answer</b>
<i>Do we need to undertake the census and socio-economic survey at the same time and with the same resources?</i>	<p><i>There is no major disadvantage in disconnecting the two exercises and it will usually be more practical to implement them in different timeframes:</i></p> <ol style="list-style-type: none"> <li><i>1. The census must proceed quickly in order to avoid distortion caused by potential speculative in-flux,</i></li> <li><i>2. The socio-economic survey can proceed more slowly, in fact it is better to have a limited number of enumerators in the field at the same time to be able to keep control of them and to assure quality.</i></li> </ol> <p><i>The skills required are different (see details in Appendix 3).. The census mainly involves topographic surveyors with some limited socio-economic exposure, whereas the socio-economic survey involves social scientists with the ability to orient themselves in the field.</i></p>
<i>Do we need to survey all households?</i>	<p><i>The census (eg. the physical survey) must survey all affected households.</i></p> <p><i>The complete socio-economic survey needs not necessarily be administered to all affected households. Depending on the total number of affected households, a sampling rate of about 20% could be sufficient to get a proper understanding of the socio-economic dynamics of the affected settlement. If not all households are surveyed for socio-economic information, then the exhaustive census must include some basic socio-economic data.</i></p>
<i>Can we outsource the implementation of the census</i>	<i>Yes, as long as the contracting entity undertakes the work based on a clear and comprehensive Terms of Reference and is a reputable organization with a consistent track record in this area.</i>
<i>Can we outsource the implementation of the socio-economic baseline surveys</i>	<i>Ditto above.</i>
<i>How does the strategy for the Socio-Economic Survey impact the census?</i>	<i>See above. If the socio-economic survey addresses only a sample of affected households, then some basic socio-economic information must be included in the census survey.</i>

Appendix 3 presents details on the census and socio-economic surveys. Appendix 4 presents a sample dossier for the census and socio-economic investigations that can be used in urban South Asia.

### 3.3 MANAGING BASELINE INFORMATION

A database management system must be developed to manage baseline information, particularly census information that will need to be accessed, processed, changed, and generally managed during all project implementation, particularly in the active phase of resettlement and compensation. This database management system should integrate together both asset information and socio-economic data, as a minimum. In addition, information related with further implementation of the programme can be managed together as well, such as resettlement and compensation choices, compensation received and related administrative and legal documents grievances, consultation meetings and post-resettlement monitoring. The preparation of progress reports can also be an objective of the system.

Open source data management alternatives are increasingly found to provide state of the art solutions at lower cost than more conventional commercial solutions. Examples include PostgreSQL and MySQL. All information should be indexed using a unique household identification number.

Security should be an integral part of the system: the database management system should support roles and privileges for access control and data security to prevent frauds or misuse of the data. Auditing should be made possible through an “audit trail”: all interventions affecting data should be tracked through change tracking or logging functions to increase transparency and allow internal and external audits.

As a minimum, the functionalities of a resettlement oriented data management system should be the following:

- Issue identity cards of affected heads of household, including their digital photograph,
- Prepare lists of affected people, sorted by different criteria such as location, value of assets, compensation preferences, etc...,
- Prepare compensation documentation (compensation certificates, receipts, possibly cheques if applicable, allocation letters),
- Prepare lists of affected assets with their coordinates, photographs and owners or users,
- Prepare reports of summary baseline socio-economic information (vulnerable persons, occupations, income, location of activity),
- Consolidate household files with all relevant household related information and allow for further, household based, post resettlement monitoring of location in the resettlement site, compensation, livelihood in the post resettlement situation.

### 3.4 ENGAGEMENT PLANNING

It is recommended to establish a plan for consultation and disclosure well ahead of field activities, in practice at the early scoping stage as mentioned above in sections 3.1.3.2 and 3.1.4. This plan should address the following aspects:

- Identification of key stakeholders (organizations or people that may influence the process of resettlement and compensation, particularly at the planning phase – for example local politicians, local community or religious leaders, local journalists), and identification of key features in the affected groups (languages, existence of conflicts, social stratification);
- Consultation methods (public meetings, one-to-one interviews and meetings, focus groups) and media (newspapers, radio, television, websites), with an assessment of which methods and which media will reach which stakeholder groups;
- Consultation messages: as mentioned in 3.1.3.2, it is critical to devise a schedule of information and consultation (at what stage will the different messages be delivered: scoping, census and surveys, planning, and the different phases of implementation);
- Planning and timing of information disclosure, particularly in respect of the following:
  - o Disclosure of the cut-off date
  - o Disclosure of lists of affected people (how, what information, when), and the linkages with the grievance mechanism,
  - o Disclosure of the proposed entitlement matrix and compensation strategy (similarly how, what information and when).

Management of grievances is addressed in section 4.2.

### 3.5 RESETTLEMENT PLANNING DOCUMENTATION

Operational Policy 4.12, the World Bank's Involuntary Resettlement Policy, provides for three different resettlement instruments:

- A Resettlement Plan is required for all operations that entail involuntary resettlement;
- A Resettlement Framework (or Resettlement Policy Framework) is required for all operations that may entail involuntary resettlement;
- A Process Framework should be prepared for projects that involve restrictions of access, a situation that is unlikely to occur in urban settings.

In practice, the Resettlement Framework applies to projects where all displacement impacts cannot be identified at the time the project is submitted to the World Bank Board for approval. This is often the case when the design of the infrastructure that entails displacement is not final at the time the Board is convened, and/or when displacement impacts are assessed as minor at the scoping stage. A typical phasing in this case is the early preparation of a Resettlement Framework before the design is finalized, and the further development of a full Resettlement Action Plan once the census can be implemented based on a final design.

OP 4.12 Annex A defines in details the content of a Resettlement Action Plan (RAP) and Resettlement Framework (see Appendix 6). Appendix 7 proposes a check list to appraise the contents of a RAP.

## 4 IMPLEMENTING RESETTLEMENT

### 4.1 ENTITLEMENT OPTIONS

*This section discusses current entitlement policies in Maharashtra in sub-section, presents potential alternatives and improvements of eligibility criteria and describes entitlements for different categories of PAPs in further sub-sections.*

#### 4.1.1 Current Entitlement Policies of Maharashtra (Slum Rehabilitation Authority and MUTP)

##### 4.1.1.1 Acquisition of Titled Land

For acquisition of titled land, landowners and lessees are compensated as per the provisions of the Land Acquisition Act, 1894 (LA Act).

The facility of Transferable Development Rights (TDRs) is available as an alternative to compensation under the LA Act 1894, in accordance with Development Control Regulations. If the landowner whose land is reserved for a public purpose is prepared to surrender such land free of cost and free of encumbrances, he/she can opt for receiving TDRs equivalent to floor space which he/she could have constructed had the expropriated land not been reserved.

##### 4.1.1.2 Transferable Development Rights

In addition to the Transferable Development Rights (TDRs) given for expropriated land (see 4.1.1.1), TDRs are also available to developers who agree to build and hand over free of cost dwelling units for resettlement of slum dwellers in accordance with Development Control Regulations (DCRs). These TDRs are saleable in the market and can be used in areas specified in the DCRs.

For any floor space constructed for the slum dwellers and handed over free of cost for them, a TDR of equivalent floor space is granted. This floor space is restricted to a Floor Space Index (FSI) of 2.5 and consequently TDR available for constructed dwelling units is also restricted to 2.5. As an incentive to landowners in slums and developers to build dwelling units for slum PAPs, an additional FSI of 1.5 may be permitted. 0.75 of this additional FSI shall be used for resettling PAPs free of cost, and the balance FSI of 0.75 may be allowed for free sale.

##### 4.1.1.3 Resettlement Packages

The MUTP resettlement and rehabilitation policy envisions two main resettlement options for slum dwellers:

- The “Township/Sites and Services” option, in the form of project developed by the resettlement agency on a green-field site owned by the agency, with a fully developed plot of 25 square meters allocated one year ahead of the anticipated relocation date. The agency can develop some of the land in the township for higher income housing of non-PAPs and for commercial activities, and/or sell plots at market price for development by private developers of commercial estates and high-income housing, which helps recover the project cost. PAPs who opt for this option are entitled to a monetary compensation that represents the replacement cost of their shelter at the time of the baseline survey, so that they be able to rebuild a new structure on the serviced plot.
- The much more common “Resettlement Colony” option, also known as the “Slum Redevelopment Scheme” (SRD) option, whereby turnkey multi-storeyed buildings are built under the responsibility of the resettlement agency for the sole purpose of allocation to slum dwellers; the typical resettlement benefit allocated to slum dwellers is a tenement of 225 square feet (or 20.91 square meter) in a multi-storeyed building within the resettlement colony.

In addition, the following amenities are provided to resettlers:

- For the township/sites and services option, and in addition to the developed plot of 25 sq.m.:
  - o water supply at 90 lpcd<sup>2</sup>,
  - o pedestrian pathways according to DCRs,
  - o on plot toilet seat and water tap,
  - o community facilities like primary school, dispensary, playground, fair price shop as may be required, and site for religious places that existed in the old community.
- For the resettlement colony option:

<sup>2</sup> Litres per capita per day

- Applicable standards are defined based on the DCRs and the Development Plan;
- Usual standards include:
  - A recreational open space of 15 % of the plot area,
  - A water supply system delivering 135 litres per capita per day,
  - One balwadi (nursery) of 20.9 sq.m. for every 100 dwelling units
  - A minimum width of pathway is 1.5 m.

PAPs are reimbursed for transport of their belongings during the move, or transport means are made available to them for this purpose.

While most aspects above apply to the MUTP Project, the box below presents more details on the policy of the Maharashtra Slum Rehabilitation Authority (SRA), upon which the MUTP policy was based, with a few variations.

### **Main Aspects of the Resettlement & Rehabilitation Policy of the Slum Rehabilitation Authority of the State of Maharashtra**

#### **Eligibility, Cut-Off and Entitlements**

- *Every slum dweller whose name appears in the electoral rolls as on 01/01/1995 and who continues to stay in the slum is eligible for rehabilitation.*
- *Every eligible residential slum structure is provided with an alternative tenement admeasuring 225.00 sq. ft. preferably at the same site, irrespective of the area of slum structure.*
- *Every eligible slum structure that is being used for commercial purposes is granted an alternative tenement having area equal to the structure subject to an upper limit of 225.00 sq. ft.*

#### **Site Development with Involvement of Private Developers and Funding Mechanism Based on TDRs**

- *A minimum of 70% of eligible slum dwellers in a slum pocket come together to form a co-operative housing society for implementation of a Slum Rehabilitation Scheme (SRS).*
- *The slum dwellers appoint a developer for execution of SRS. The developer puts in resources in the form of money, men and material for construction of free houses for the slum dwellers. The developer enters into individual agreements with all the slum dwellers participating in the scheme. The underlying land is used as a resource for the SRS.*
- *The developer is compensated for his efforts in the form of free sale component. The developers are allowed to construct tenements for sale in the open market. The area allowed for sale in the open market is equal to the area of tenements constructed for Rehabilitation of slum dwellers.*
- *Floor Space Index (FSI) up to 2.5 is allowed for the SRS.*
- *The developer is required to construct the rehabilitation tenements on the plot itself. The balance FSI left is allowed for construction of free sale tenements. The spill over entitlement to the developer is permissible for sale in the form of transferable development right (TDR) in the open market. These transferable rights can be utilised on other non slum pockets subject to the provisions of D. C. Regulations.*
- *The plots which are reserved for public purposes and which are over run by slums can also be taken up for implementation of a Slum Rehabilitation Scheme.*

#### **Implementation**

- *The Slum Rehabilitation Authority is designated as a local planning authority to provide all the requisite approvals for SRS under one roof. The authority is mandated to act as a facilitating agency for implementation of the SRS.*
- *If needed, the developer provides temporary accommodation to the slum dwellers in a transit camp.*
- *Slum dwellers who do not agree to participate in the scheme are given notice and requested to participate, but if they refuse they are eventually evicted.*
- *Along with the free rehabilitation tenements, the developers also have to provide space for amenities like a creche (Balwadi), society office, welfare centre.*

Source: Slum Rehabilitation Authority of the State of Maharashtra ([www.sra.gov.in](http://www.sra.gov.in))

#### **4.1.1.4 Compensation for Economic Losses**

Affected people should be to the extent possible relocated to a location close to their previous dwellings, to maintain access to employment and income earning sources. According to MUTP policies, people who would

be affected by an increase in travel distance to their original place of work would be entitled to compensation (equivalent to the cost of three years of public transport season ticket).

For those affected people who would completely lose access to their previous occupation and their source of livelihood because of displacement, compensation equivalent to one year's income should be given based on previous incomes and rates determined by the implementing agency.

Rehabilitation should include information related with access to employment and training. Seed capital or other types of loans should be made available to PAPs during the rehabilitation phase.

#### 4.1.1.5 Assistance to Vulnerable People

Vulnerable households such as women headed households, handicapped and the aged should be extended an additional package of rehabilitation services to help them overcome the difficulties caused by resettlement. This can include:

- preference in allotment of dwelling units on the ground floor of apartment blocks for the handicapped,
- preference in sanctioning of loans from the fund mentioned below,
- further assistance to be defined on a case-by-case basis.

### 4.1.2 Eligibility Criteria and Categorization of Eligible PAPs – Potential Alternatives and Improvements

The current Maharashtra policies establish that informal slum dwellers registered in the electoral rolls as of 1<sup>st</sup> January, 1995 are eligible for rehabilitation (see Box 6 above). According to World Bank policy OP 4.12, eligibility of informal occupants is based on a project specific census<sup>3</sup>, and anybody found to occupy the project footprint at the time of the census should be eligible to project resettlement & compensation benefits. These two policies may appear somewhat contradictory. The concern of the Maharashtra Government is to avoid on going settlement in the slums, and it argues that most Mumbai slums residents are indeed aware of the 1995 cut off.

A potential solution would be the following:

- Residents able to demonstrate that they were residing in the slum prior to the 1<sup>st</sup> January, 1995 cut-off would be eligible to a full package (a resettlement tenement);
- Residents having settled after 1995 and before the project census would be eligible to a reduced package (for example they might receive compensation for the cost of removing their belongings and the cost of initial deposit, which would in effect cover the real cost of moving);
- Residents occupying the footprint after the census would not be eligible to anything.

A similar categorization could apply to businesses. If such criteria were adopted, the main eligible categories of people and/or properties would be as shown in the following table:

**Table 4: Main Eligible and Non Eligible Categories of PAPs**

Category of PAPs	Eligible Entity	Evidence of Eligibility or Non Eligibility
Formal owners with land titles	Per title deed (individual or joint ownership)	Deed
Pre 1995 informal residents	Household	01/01/1995 electoral roll
Post 1995 and pre census informal residents	Household	Project census
Post census informal residents	NOT ELIGIBLE	Project census
Pre 1995 businesses	Business owner or operator	Tax roll
Post 1995 and pre census businesses	Business owner or operator	Tax roll

<sup>3</sup> OP 4.12, para 14: "Upon identification of the need for involuntary resettlement in a project, the borrower carries out a census to identify the persons who will be affected by the project to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance".

Category of PAPs	Eligible Entity	Evidence of Eligibility or Non Eligibility
Post census businesses	NOT ELIGIBLE	Project census
Pre 1995 cultural structures	Religious or cultural society – Priests or imams	Cross-checked factual evidence and project census
Post 1995 and pre census cultural structures	Religious or cultural society – Priests or imams	Cross-checked factual evidence and project census
Post census cultural structures	NOT ELIGIBLE	Project census

#### 4.1.3 Entitlements for Formal Owners – Potential Alternatives and Improvements

Formal owners are compensated under the Land Acquisition Act, 1894. The typical entitlement envisioned by the LA Act is cash compensation against the market value of the land. Rates are updated and published yearly. Transferable Development Rights, as defined by Development Control Regulations (DCR), 1991, are an alternative form of compensation: *“In certain circumstances, the development potential of a plot of land may be separated from the land itself and may be made available to the owner of the land in the form of Transferable Development Rights”*.

TDR are awarded to owners of land reserved for a public purpose (such as a road or railway) in the form of Floor Space Index (FSI) usable elsewhere. This award entitles the owner of the land to FSI which he/she may use himself or transfer to any other person. This innovative system is most useful in a context where land is scarce and costly, and from the perspective of resettlement and compensation, no alternatives or improvements are needed.

#### 4.1.4 Award of TDR/FSI to Resettlement Colony Developers – Potential Alternatives and Improvements

Developers of a resettlement colony for slum dwellers can be granted TDR equivalent to the FSI built and handed over free of charge to slum dwellers. This again is in principle an excellent mechanism, which saves the State valuable resources by involving the private sector through an attractive incentive.

One downside of this system is the construction of homogeneous resettlement colony where all residents are former slum dwellers, with limited employment opportunities and little potential for business re-establishment, which jeopardizes livelihood restoration. The additional FSI granted to developers in compensation for the “slum resettlement FSI” tends to be developed elsewhere, in more valuable areas. However, diversifying the social mix of these housing developments would certainly improve potential for livelihood restoration of resettlers, with a more conducive environment for businesses and employment, particularly in the services and trade areas.

A significant improvement of the “slum resettlement FSI” system would be to make the award of additional FSI conditional to the following requisites:

- Additional FSI should be at least partly constructed in the same development as the “slum resettlement FSI”; this additional FSI would be sold on the market just like FSI built elsewhere;
- The percentage of FSI built in the resettlement development could be negotiated on a case-by-case basis with developers as this is likely to depend highly on the location of the resettlement colony and resulting real estate value; to have a significant impact on the social mix, it is recommended to aim for a minimum of 1 dwelling available for sale on the market for 2 dwellings reserved for slum dwellers. The apartments for sale should preferably be located in the same blocks as those for slum dwellers.

To get the new system started, lower percentages than that mentioned above (33%) could be adopted in an interim period, with the target of reaching a better social mix by gradually increasing the percentage after this improvement has been tested with developers, slum dwellers and potential buyers.

## 4.1.5 Entitlements for Slum Dwellers– Potential Alternatives and Improvements

### 4.1.5.1 *Introducing Cash Compensation with Adequate Safeguards*

The current system has little flexibility. In practice displaced slum dwellers are offered few alternatives, if any at all, to the standard 225 square feet tenement in the resettlement colony designated for them. The main purpose of this package is of course to take as many people as possible out of the slums, in a long term effort to eradicate slums.

But this offer may not match long term strategies and projects for some of the slum dwellers. For example, a family of rural origin headed by a person who is getting too old to work may want to return to their village if they are given the opportunity to improve their circumstances there.

One simple alternative could be to grant to households who would so desire cash compensation based on the construction cost of the 225 square feet tenement, with possibly a discount (for example 10%) to “incentivise” in-kind compensation and mitigate the downsides of cash (theft, misuse). Such cash compensation should be reserved to households who demonstrate that they really have a sound and sustainable project for using the cash (relocation elsewhere, establishment of a business) and that the household (or part of it) will not be left homeless. The standard package should remain a dwelling. Households willing to receive cash compensation could be reviewed and vetted by an ad-hoc committee.

### 4.1.5.2 *Beyond the “One Size Fits All” Approach*

The detailed study by the Tata Institute of Social Sciences of a sample of MUTP resettlers found that many people regret the smaller size of their new tenement as compared to their slum house. This has implications on privacy, particularly for larger households where several generations may coexist. These households could be interested in obtaining a larger apartment, provided a mechanism is in place to allow them to afford the extra cost.

In fact, this approach would result in having the 225 square feet tenement as a “safety net” that any eligible slum household would be eligible to, and to offer supplemental options for those who can afford them, while improving access to these other options through appropriate administrative and financial measures such as those described in more detail below (vouchers, loans).

### 4.1.5.3 *A Voucher Approach*

The voucher approach could be an improved variation of cash compensation. Any eligible household seeking an alternative to the resettlement colony 225 square feet tenement could be issued a voucher in an amount equivalent to the construction cost of this tenement. These vouchers should preferably be electronic, to avoid risks of loss, theft or misuse, and include secure identification information.

Vouchers could be used with agreed developers to purchase an apartment in any location. Upon presentation of the voucher, the developer would be paid according to an agreed schedule by the implementing agency. The affected household would be able to supplement the amount with their own money to purchase an apartment in a better location, of a larger size, or of an upgraded standing.

Such a mechanism would obviously require consultation with a few developers to obtain their participation in the system and certify them for cashing in of vouchers.

### 4.1.5.4 *Housing Loans for Slum Dwellers*

Another possibility opened by the voucher system is that it could pave the way for the voucher holder to secure a loan with a financial institution. The voucher could be used as a down payment, which the bank would complement by a loan. Details of the mechanism need to be reviewed, but in principle such a system could greatly help people access better housing, provided of course their economic capacity is sufficient to pay the loan back.

This would require negotiations with a few financial institutions that would be prepared to buy in this innovation.



#### 4.1.5.5 *Waiving the 10 Year Prohibition on Transactions?*

Allocation of a tenement to a household of slum dwellers in a resettlement colony is conditional to not selling or renting it for a period of 10 years. The allotment letter and further agreements make explicit reference to this prohibition. The objective is of course that people should get used to their new living conditions rather than cashing in on their apartment and returning to live in the slum.

However, a study by the Tata Institute of Social Sciences (TISS) on the MUTP resettlement colonies provides evidence that in spite of this prohibition, a significant proportion of the resettlement tenements are occupied by others than the initial beneficiaries two to three years only after the actual move. Of about 9,000 apartments surveyed in three different Mumbai developments, it was observed that about 14% of these were rented out to another household, and that about 1% had been sold out (this latter percentage is likely underestimated as obviously people would be reluctant to admit such transactions). TISS indicate that the probable reasons are:

- Attractive rents for owners in one of the resettlement colonies,
- One bedroom apartments are too small for a significant proportion of beneficiaries,
- The location does not please the eligible household, and they prefer to rent their apartment out.

One could therefore question whether the prohibition on transactions is really useful or effective. The best way to answer this question would be to run a test on one future development with no prohibition on transactions, and compare the results with TISS findings above.

### 4.1.6 **Entitlements for Businesses – Potential Alternatives and Improvements**

#### 4.1.6.1 *Overview*

Current practice is to allocate shops to businesses in the resettlement colonies. The typical shop is 225 square feet in size, like residential tenements. TISS reported evidence that significant numbers of these shops were not used (almost 60%). There are different reasons to that:

- Businesspersons are allocated a shop but no dwelling; they cannot commute from their residences (which have not changed) to the new site because of transportation issues;
- The new shops are too small (a 225 sq. feet shop is allocated regardless of the size of the previous shop or workshop);
- The new developments are not conducive for the type of businesses that people were involved in, which were highly dependent on location (road side enterprises).

The resettlement strategy for businesses has generated a paradox: displaced businesspersons are unhappy because they think the resettlement colonies are not well located for their businesses, whereas residents of the resettlement colonies complain about the lack of general shops in the new developments. This is in fact easy to understand: the businesses displaced from the road side in the slums were not the type of businesses that people need in a residential compound.

The practical lesson is that resettling all businesses together with residents does not work. Some businesses may be interested in moving together with residents (like general shops or certain workshops that are not location dependent) if their owners are also residents of the same slums. But other solutions have to be devised for the majority of affected businesses. Again, more flexibility is needed, as well as a better understanding of the unique characteristics of every affected business. There will not be one solution but a number of possibilities that the implementing agency and the affected business owner should be able to choose from.

#### 4.1.6.2 *Potential Solutions*

Alternative solutions for businesses include:

- Cash compensation and relocation at the business owner's initiative,
- A voucher mechanism similar to that described above in section 4.1.5.3, with relocation at the business owners' initiative in an agreed development of his/her choice,
- Collective relocation solutions (businesses along roads in slums are often grouped by professions – for instance a group of automotive spare parts dealers, a group of plywood dealers, etc...), including the development of specific trading centres in the resettlement sites or elsewhere.

Where businesspersons' associations exist, consultation with them is critical to reaching solutions acceptable to all parties. If such societies do not exist, a case by case consultation approach must be taken. This needs

resources and must be reflected in the organisational arrangements for project implementation: where numerous businesses are affected, a dedicated position within the agency in charge of resettlement and compensation activities to take care specifically of businesses.

A critical decision that the implementing agency will have to make is whether to negotiate or not. The ability to negotiate certainly provides flexibility. On the other hand, it opens the door to potential corruption attempts and in any case to allegations of corruption, even if such allegations are not founded. The key to this decision is the analysis of categories of businesses that the project will have to deal with: if there is a broad variation in the type and size of businesses, then negotiation will probably be the only way to reach compensation agreements that are tailored to each unique situation. If, on the contrary, there is a certain homogeneity in businesses, and standardized solutions can work, then negotiation could be ruled out.

#### *4.1.6.3 Cash Compensation and Voucher*

Cash compensation (and the voucher system, which is a variation thereof) raises the issue of assessing compensation, and thereby assessing losses. Usual practice of World Bank funded projects is to interpret the concept of “compensation at replacement cost” for businesses as the sum of the following components:

- Compensation of any immoveables at replacement value (including labour and transaction costs),
- Compensation for the loss of income experienced during the interruption of activity caused by the relocation – typically, for a small business, one can assume that in average a period of about three months is needed to fully re-establish the business in a new location,
- Compensation for the loss of income experienced by employees during this interruption period (again typically three months).

Another approach would be to allocate a value to a typical resettlement shop in a resettlement colony and to negotiate cash compensation (or value or voucher) based on this value.

#### *4.1.6.4 Developing Trading Centres in Resettlement Developments*

In addition to being used for disabled resettlers, the ground floor of resettlement developments can be dedicated to resettled shops, as long as such a location makes business sense for beneficiaries. This principle has already been developed in several blocks of Mumbai resettlement colonies. While many roadside type businesses may not find the resettlement colonies a good location, some resettled businesses could still thrive in this sort of environment, particularly those selling staples or engaged in general trade, or services such as telephone booths. The key to such developments is that not necessarily will the affected businesses settle in these shops, but others could. This might also be beneficial to housing societies, which are expected to ensure sustainable maintenance of the blocks, with the businesses potential higher contributors to maintenance costs than residents.

#### *4.1.6.5 Developing Trading Centres Outside of Resettlement Developments*

As mentioned in several occasions in this section, the resettlement colonies are not the best location for many of the affected businesses. The main factor that drives their slum location is not the slum itself, but rather the proximity of the road or other business factors such as proximity to a railway station. There is little rationale for them moving together with the slum.

One simple solution that could be explored is to relocate these businesses a few metres from their current location, behind the right-of-way limit, in the unaffected part of the slum. This would require displacing a few more residential structures from the slum, but might prove an effective and cheap solution. Business owners would be compensated for the loss of income experienced during the interruption, and the cost of displacing their structure (many of the structures used for workshops or shops observed along the roads in Mumbai could be salvaged and displaced at minimal cost). The impacts on the businesses’ activity would be minimal as their customers would easily find them, essentially in the same location as before.

Another solution is to develop dedicated trading centres in locations different from the resettlement colonies, which would meet business owners’ criteria in terms of potential clientele. It must be noted first that there is significant experience with similar projects elsewhere, particularly where a municipal authority builds a market to relocate roadside shops, kiosks and street vendors. The issue relocated businesses are faced with is almost always that of a considerable increase in fixed expenses compared with the previous situation. In fact, few are usually willing to move to such markets or trading centres because they fear their line of business cannot sustain the cost of an enhanced location with better services. This is not true of all roadside businesses though,

and some of the resettled businesses will certainly be able to accommodate the change and thrive in the new location.

Once again, the key words for addressing business relocation are flexibility and consultation. No solution should be planned, not to mention implemented, that has not been discussed beforehand with business owners.

## 4.2 GRIEVANCE MANAGEMENT

### 4.2.1 Principles and Overview

There are different ways to organize a grievance management system, and these options are presented further in this section, but whatever the details of the arrangement, the following principles should always be adhered to:

- Any grievance should be registered, acknowledged receipt of, and tracked until it is closed,
- The grievance management arrangement should include at least two tiers of extra-judicial review, with the first one internal to the implementing agency, and the second one either fully external or as a minimum with involvement of external parties,
- The RAP should commit to process the grievance in a reasonable period of time (usually one month),
- The overall objective is to avoid resorting to Justice for as many grievances as possible, based on the general idea that “a poor settlement is always better than a good trial”.

The following figure presents an overview of a typical two tiered grievance resolution mechanism.

Grievance management often turns out to be a massive task, and it is critical that the implementing agency be prepared to handle it. Ratios of one grievance to three compensation dossiers are not uncommon in areas where properties are not registered. In slums, in the absence of sanctioned titles or permits for land and structures, and in the absence of legal safeguards for transactions, fuzzy situations are many, such as properties which have been transferred without any documentation, or uncommon family compositions giving rise to difficult successions. Three factors are therefore critical to success:

- Resources required for grievance management must not be underestimated;
- The grievance management system must be in place as soon as the census starts;
- It must be integrated into the general data management system for the whole resettlement and compensation programme.

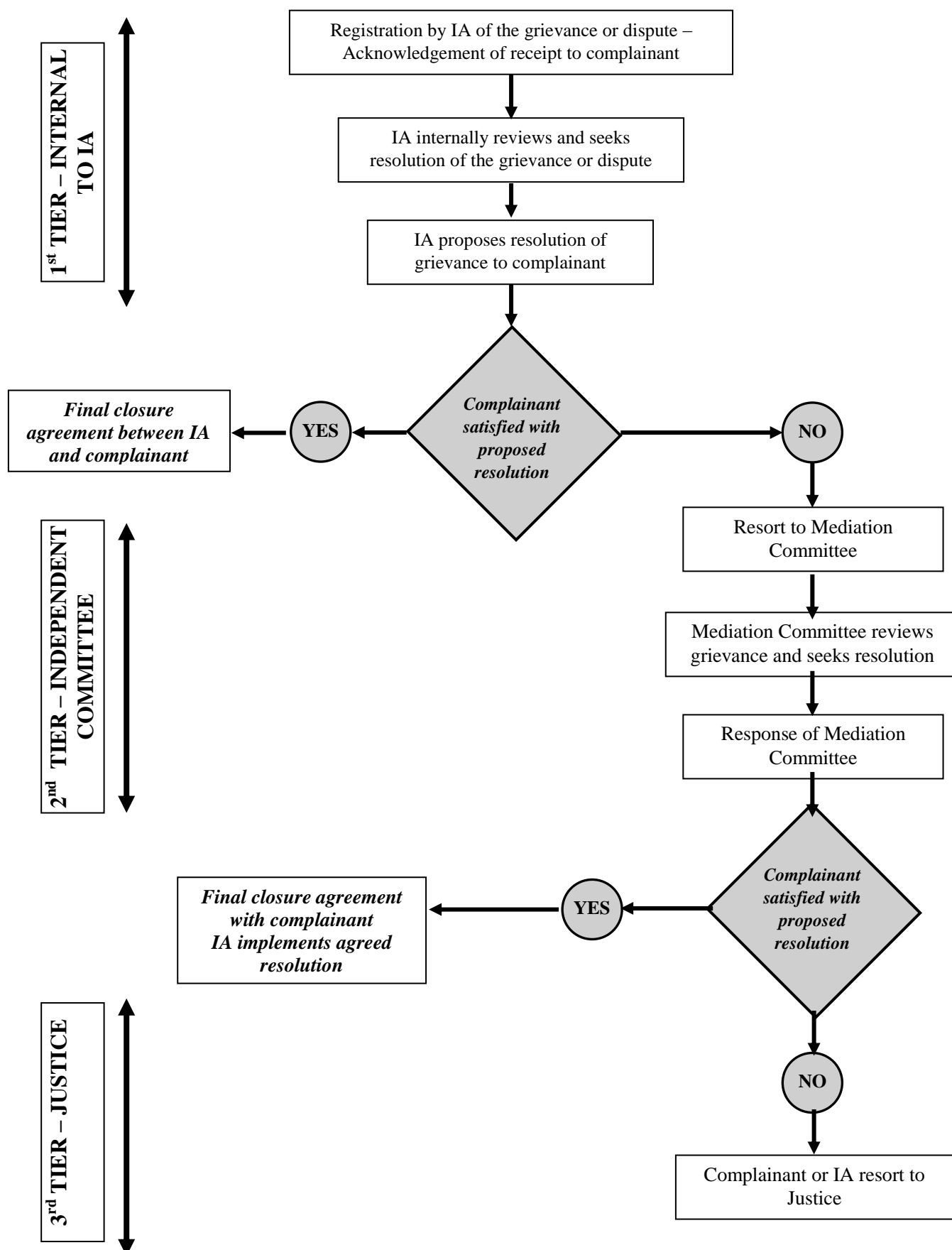
### 4.2.2 Typical Grievances in an Urban Resettlement Programme

In practice, grievances and disputes that are most likely to appear during the implementation of an urban resettlement programme are the following:

- Census and planning stage:
  - o Misidentification of properties (allocation of a property to the wrong owner due to deliberately misleading statements or mistakes by the census team);
  - o Disputes over plot limits, either between the affected person and the project, or between two neighbours;
  - o Dispute over the ownership of a given property (two or more individuals claim to be the owner of this property);
  - o Disagreement over the valuation (either the unit rate applied or the count) of a plot or house;
  - o Post cut-off establishment of a structure or other asset, whether deliberate (opportunistic occupation in anticipation of compensation) or not;
  - o Multiplication of households (where one household used to live, several suddenly appear);
  - o Confusion between legal occupants and informal occupants (somebody claims to be legal);
  - o Forged documents (identification, ownership or others);

**Figure 3: Grievance Management Mechanism**

IA: Implementing Agency



- Implementation stage:
  - o Successions, divorces, and other family issues, resulting in disputes between heirs or shareholders in the disputed property;
  - o Disagreement over resettlement measures, for instance the location of the resettlement site, the type, size or standing of proposed tenements;
  - o Disagreement over compensation for businesses (disputed valuation, resettlement package deemed inappropriate – location, tenement, or other issues);
  - o Disputed ownership or shared ownership of a business (for instance where the owner and the operator are different persons), which gives rise to conflicts over the compensation sharing arrangements;
  - o Disputes between occupants themselves or between occupants and the implementing agency over salvaging of materials in the displaced site
- Post-resettlement stage:
  - o Maintenance and guarantee issues in the new housing.

### 4.2.3 First Tier (Internal) of Grievance Management

The Implementing Agency should establish a register of grievances, which should be available to PAPs at its headquarters and in as many locations are needed to make the register easily accessible to PAPs. The existence of this register, as well as avenues and procedures to lodge a complaint (where, when, to whom, etc.), should also be broadly communicated by the IA.

As indicated above, a large number of grievances and disputes are related with census activities. It is therefore essential that the grievance registration mechanism be available to PAPs as of the commencement of census and surveying activities.

Grievances sent to the IA in written form should be acknowledged receipt of within 7 days and a response should be provided to the aggrieved party in a maximum of 30 days.

For each grievance, a grievance file should be opened, including the following elements:

- Initial grievance sheet (including the description of the grievance), with an acknowledgement of receipt handed back to the complainant when the complaint is registered;
- Grievance monitoring sheet, mentioning actions taken (investigation, corrective measures);
- Closure sheet, one copy of which will be handed to the complainant after he/she has agreed to the resolution and signed-off.

It is highly desirable that grievance files be in electronic from the very beginning, and in fact that grievance management be integrated into the general data management system for the project.

Grievance review will typically include the following steps:

- a. Allocation of the grievance to a designated officer for review and resolution proposal;
- b. Review of the implementing agency's census files;
- c. Review of disputed properties, disputed boundaries, or property characteristics in the field, as applicable, and hearing of interested parties (the complainant and third parties as need be);
- d. Meeting within the implementing agency of staff involved in the grievance resolution (including those who participated in the census if needed), and decision on proposed resolution;
- e. Vetting of the proposed decision by management;
- f. Drafting of a response letter to complainant.

Experience shows that it is critical for efficiency to clearly allocate any given grievance to a designated staff member in the IA's team, whose responsibility it will be to review the grievance and come up with a proposed resolution per steps b. to d. above.

In addition, for resettlement operations of a significant size, it will always be beneficial to have one officer (or more if the size of the affected group warrants) clearly tasked with making sure that grievances are timely resolved. This officer will not get involved in the very task of resolving the grievance itself (which typically will be assigned to one of the surveyors who did the census), but will administer the process of grievance resolution by carrying out the following tasks:

- Maintain the grievance registry,
- Ensure that grievances are acknowledged receipt of in the agreed timeframe (usually 7 days),
- Make sure that grievances are allocated to the right person for review and proposal of resolution,
- Make sure that group review occurs in the agreed timeframe (one month) once the officer in charge is ready to propose a resolution,
- Make sure that closure letters proposing a resolution to the complainant are timely sent to the complainant and acknowledged receipt of.

Close out of the complaint by the implementing agency does not necessarily mean that the complainant is satisfied with the proposed resolution: the Implementing Agency may decide that the complaint is not founded, and that RAP principles have been complied with. Close out means that the complainant agrees that the grievance has been reviewed and a resolution has been proposed. If the complainant is not satisfied with the proposed resolution, he/she may resort to the second tier of the grievance management mechanism.

The close out at the level of the first tier should be sanctioned by a document, whereby the complainant acknowledges receipt of the proposed resolution, mentions whether he/she is satisfied or not, and whether the grievance should be handed over to the second tier.

#### 4.2.4 Second Tier (Independent) of Grievance Management

The second tier aims at processing unresolved grievances and coming up with solutions, which if agreed will be binding to both the implementing agency and the complainant(s). The objective is to avoid resorting to justice, never a good solution for either party, and try to reach amicable settlements wherever possible. No grievance is considered by second tier unless it has already been reviewed by the first tier.

There are different ways in which this second tier can be organized:

- Independent, reputable NGO,
- Mediation Committee formed of highly regarded individuals.

The Mediation Committee could include as a minimum:

- Representatives of the local administration,
- Representatives of local NGOs and civil society, religious or cultural organizations working in the affected slum or nearby,
- Representatives of affected people,
- The grievance officer of the Implementing Agency and a more senior representative with decision making ability (such as the Resettlement & Rehabilitation Manager for example).

The committee meets as needed, depending on registered complaints and disputes. The grievance officer of the Implementing Agency should act as a secretary to the Mediation Committee, preparing meeting agendas and dossiers for consideration by the Committee, including results of the first tier proceedings and grievance field review. Aggrieved people can participate in hearings. Minutes of meetings should be prepared, and could be publicly disclosed (specific website for example).

Where amicable agreement is reached, it should be sanctioned by a memorandum of understanding signed by the parties, while the President of the Mediation Committee is responsible for monitoring the implementation of this MoU.

In case this mechanism does not allow reaching an amicable agreement, the aggrieved person can resort to Justice (and could at any time).

### 4.3 VULNERABLE PEOPLE

#### 4.3.1 Overview

**Vulnerable people** are people who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status, may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

Vulnerable people include, but are not limited to:

- disabled persons, whether mentally or physically;
- refugees and internally displaced people;
- seriously ill people, particularly people living with HIV/AIDS and other chronic illnesses;
- the elderly, particularly when they live alone;
- households whose heads are children;
- households whose heads are female and who live with limited resources;
- households who have no or very limited resources;
- widows and orphans.

### 4.3.2 Identification of Vulnerable People

Screening people for vulnerability can be challenging for the following reasons:

- Vulnerable people do not necessarily attend meetings with the project because they are marginalized and do not access information that would easily be available to other members of the affected community;
- Some vulnerable people do not have the capacity to understand communication messages related with resettlement or assistance;
- Screening people for vulnerability in a community that is generally stricken by poverty can give rise to discontent in the general population of the slum community (“everybody should be treated as vulnerable”).

Appendix 5 gives examples of a successful community based screening process devised by a slum resettlement project in Côte d’Ivoire, as well as another example in Ghana based on different principles. Key to these successes were the involvement of the community themselves and/or of external parties, such as representatives of the local social welfare service and local NGOs/CBOs, and the thorough investigation of potentially vulnerable peoples’ circumstances in their residences. It is to be noted though that in this example, people were invited to self register at the project’s offices, which may not work in other settings.

### 4.3.3 Assistance to Vulnerable People

Too often is assistance to displaced vulnerable people limited to some food aid. In fact much more can be done (and the box above also gives some examples), for instance the following:

- Assistance during the compensation and resettlement process:
  - o During the census,
  - o Individual meetings to explain eligibility criteria and entitlements,
  - o Specific resettlement packages (for instance prioritized allocation of ground floor apartments for physically impaired people),
  - o Payment process (making sure that compensation documents are well understood, that the vulnerable individual will be able to cash in cheques, etc...),
  - o In the post payment period to secure the compensation money and reduce risks of misuse or robbery;
- Assistance to moving:
  - o Removal of belongings,
  - o Salvaging of material in the old dwelling and transport or sale thereof,
  - o Transportation of the household themselves, with medical assistance if required,
  - o Taking of possession of the new tenement,
- Assistance during the post-resettlement period,
  - o Counselling in matters such as family, health, money management, and livelihood restoration,
  - o Check that the solidarity networks that the vulnerable person was relying on have been re-established or take measures if they have not: food support, health monitoring, etc.,
  - o Health care if required at critical periods or enrolling vulnerable households in a health insurance scheme,
  - o Prioritization for training courses to enhance employability and prioritization for employment where possible.

Experience shows that these activities are best implemented by NGOs, preferably with experience of dealing with vulnerable people, as they need flexibility.

The following box gives an example of a screening process and the resulting assistance measures developed by a resettlement project in Ghana.

## 4.4 LIVELIHOOD RESTORATION – REHABILITATION

### 4.4.1 Background

Many poor urban dwellers in South Asian cities have a location-sensitive source of livelihood, due to the following reasons:

- Their work, particularly in the informal economy, cannot easily be done elsewhere because it is closely linked to a certain clientele or a certain resource,
- If relocated to a distant location, the cost of long daily commutes between residence and work place would greatly affect their income, or the affected people could simply not afford it.

Slum dwellers live where they live because of many factors, but those related with livelihoods are often the most critical, such as the presence of potential customers for small businesses (along roads or close to railway stations for example), or the presence of natural or other resources (water for tanneries, clay for potteries, easy access to scrap or certain waste streams for recycling).

Wherever feasible, “in situ” resettlement must be preferred from a livelihood restoration perspective as most people will stay at, or close to, their previous location and livelihoods are little – if at all – disrupted. However, even in cases of “in situ” resettlement, businesses may have to be moved, particularly roadside enterprises if rights-of-way are widened, thus triggering the need for specific livelihood restoration programmes and monitoring.

When “in situ” resettlement is not practicable, it should not be assumed that livelihoods will be automatically restored in the resettlement location just because people can commute to their former place of employment or to another place that makes sense for their business activity. In fact, a good resettlement location from a livelihood restoration perspective is:

- Either one that allows an easy and inexpensive commute to employment areas, preferably to the area where the resettler was employed prior to the move. Access to cheap means of transportation from resettlement sites and minimal distance to economically active areas are therefore critical to livelihood restoration;
- Or one where similar employment and livelihood opportunities that existed in the previous location can be restored with equivalent potential.

Potential disruption to livelihoods caused by relocation must be thoroughly investigated during the planning stage. Wherever some level of disruption is experienced, the resettlement programme must include livelihood restoration activities and monitoring, as detailed in the following sections.

### 4.4.2 Potential Livelihood Restoration Activities

The most sustainable livelihood restoration programs are of course those which are based on restoring and enhancing previous sources of livelihoods without dramatic changes, by giving people the opportunity to stay engaged in similar activities as before. This is however not always possible: activities in slums are sometimes hazardous, not environmentally sustainable or prohibited. In addition, they may not make economic sense in the new location because the clientele or the source of raw material was closely linked to the previous location.

In contrast with rural areas, urban settings typically provide good opportunities for so called “Income Generating Activities”. Before devising a programme aiming at providing “Income Generating Activities” (IGAs), attention must be paid to the following factors:

- What is the existing skill base in the targeted groups (it is much easier, and quicker, to enhance existing skills than it is to create new abilities in people completely foreign to these new skills);
- What is the market potential for each of the IGAs to be supported, taking into consideration the characteristics of the new location if relevant and potential competition, with existing businesses or between the trainees themselves in the targeted group;
- Elementary business planning based on realistic business assumptions, including cash flow requirements, for each of the envisioned activities;
- Specific needs of more vulnerable groups.



Micro-credit can help in the perspective of affected groups' livelihood restoration. But micro-credit helps only if several conditions are met:

- Use experienced Micro-Finance Institutions, with a successful track record of dealing with small businesses in the affected areas,
- Integrate micro-credit as one of several tools (and not an end in itself) in a broader livelihood restoration strategy, which also includes sound and realistic business planning, skill/employability enhancement and training,
- Make sure that physical constraints to livelihood restoration (location, transportation, areas within the resettlement sites designated for markets and businesses) are addressed.

The resettlement sites themselves create opportunities for livelihood restoration, for example in the following sectors:

- Waste management, including cleaning of public spaces in the resettlement site, cleaning of sanitation facilities (gutters, drains, etc...), solid waste collection, recycling and disposal; waste management activities are useful in that they mainly provide unskilled unemployment; however, long term sustainability of these activities is often challenged by the resettled community's poor willingness to pay for the service at its cost; where such activities are envisioned, the following is required:
  - o Adequate management models, with a realistic share of responsibilities between resident societies, local government agencies and private operators, which needs to be sanctioned in clear and achievable agreements, particularly where local government agencies' intervention in the waste collection/treatment chain is required (such as collection and disposal of non recyclable waste for example),
  - o Specific areas where waste recycling activities can be conducted (to be included in the resettlement site design) in a manner that poses no safety or hygiene hazards,
  - o Specific awareness campaigns to enhance residents' willingness to pay,
  - o Realistic business planning, and
  - o Enforcement of sanitation regulations if waste management fails and waste accumulates
- Building maintenance, including repainting, lift maintenance, etc...: this area mainly provides skilled jobs, in limited numbers; again, organisational arrangements must be thoroughly planned, and where contractors are hired to perform such work on a regular basis, provisions must be made to prioritise affected groups for potential recruitment.

#### 4.4.3 Livelihood Restoration Programs

Any resettlement programme should include a livelihood restoration component, in addition to the components related to planning and physical reconstruction. Experience indicates that livelihood restoration programmes are often best implemented by NGOs, but other partners such as consulting companies, technical institutes or universities can also usefully contribute.

Implementing agencies should request proposals for livelihood restoration programmes from several organisations, based on Terms of Reference providing a general framework of objectives, indicative activities and progress/output/outcome indicators, while leaving some flexibility for innovative approaches.

#### 4.4.4 Specificities of Medium Size Businesses

Mid-size businesses such as those commonly found in, or in the vicinity of, the slums of large South Asian cities raise specific issues in terms of relocation and subsequent livelihood restoration:

- They are often very sensitive to location, particularly when they have been operating in a given location for a long time, and specifically for retail or whole sale activities, which often have a faithful, long term clientele basis,
- They are often part of an integrated chain within which they make sense because of their location (for instance, welders located near scrap metal dealers, timber retailers near sawmills, etc...),
- They have employees, who may or may not be resettled together with the business depending on the location of their residence,
- They may pose specific environmental (noise, effluents) or safety hazards, which are acceptable in their current location but would not be in a resettlement site.

The approach to relocation of businesses and their livelihood restoration requirements (including, where appropriate those of employees) should be based on case-by-case assessments and consultation/negotiations, as mentioned above in section 4.1.6. Where businesses can be categorised into homogeneous groups, which is often the case for slum-based enterprises, a specific relocation and livelihood restoration strategy can be devised for each group based on consultation on available options with representatives of each group. One key factor in planning and implementing resettlement solutions for businesses is to integrate the selection of resettlement sites and livelihood restoration requirements into one single approach, as both aspects are very closely interrelated.

## 4.5 POST-RESETTLEMENT SUSTAINABILITY OF RESETTLEMENT SITES

Long term sustainability of resettlement colonies and sites typically requires the following aspects to be given attention:

- Cleaning and solid waste management, and associated organisational and financial arrangements (see also 4.4.2 above):
- Maintenance of buildings, and related organisational and financial arrangements:
- Maintenance of public spaces within the colony and of community infrastructure such as public lighting, access streets run-off collection and evacuation, waste water treatment, etc..., and related organisational and financial arrangements.

For each of these aspects, the following questions need to be considered and resolved taking the unique local context (economic, social, organisational) of the resettlement site into consideration:

- Who takes ultimate responsibility for cleaning and solid waste management (a community based organisation or municipal or other agencies),
- Who operates the services (again a community based organisation, a municipal agency, a private operator) and according to what contractual arrangements with the responsible party,
- Who pays, how is the tariff for the service calculated, is there any temporary or permanent subsidisation for the service, and if yes is the subsidy source sustainable,
- What are the mechanisms of revenue collection and fund channelling.

Housing societies formed by residents on a block basis are a sound approach to the institutional challenges of long term site sustainability. However, not all needed services can be covered by block resident societies, particularly those that involve a group of blocks or the whole resettlement colony (drains, waste, etc...). Institutional and fund channelling solutions must be identified for these services too. They may rely on broader organizations grouping block societies at the level of the whole colony, on municipalities where these are in a position to provide these services, or on private operators<sup>4</sup>. A combination of “societies of societies”, with municipal technical support, procuring services from private operators, can be a sound solution. But it is not a simple one and prior adequate training and monitoring must be provided.

Feedback from housing societies in Mumbai also indicates that grouping people coming from the same neighbourhood in the resettlement blocks is a key factor of social cohesion and contributes positively to a better operation of housing societies.

Procurement of potentially lucrative services from private operators, in areas such as lift maintenance or solid waste collection and treatment/disposal, needs to be given attention too as such contracts are sensitive to potential corruption.

## 4.6 MONITORING & EVALUATION

### 4.6.1 Overview

Monitoring and Evaluation are key components of the resettlement process. The Monitoring and Evaluation process examines what worked with the resettlement process and why, what did not and why not, and what adjustments or changes need to be made.

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<sup>4</sup> *Private operators are not per se a universal solution, as the entities that procure their services need to have the capacity to perform sound procurement procedures, as well as a degree of technical and financial supervision.*

Monitoring<sup>5</sup> is the measurement through time that indicates the movement toward the objective or away from it. Evaluation and monitoring go hand in hand. Monitoring provides the raw data to answer questions. But in and of itself, it is a useless and expensive exercise. Evaluation is putting those data to use thus giving them value. Evaluation is where the learning occurs, questions are answered, recommendations made, and improvements suggested. Yet without monitoring, evaluation would have no foundation, have no raw material to work with, and be limited to the realm of speculation.

Some key points are that the monitoring measurements and evaluation are completed more than once over time, that monitoring is done for a specific purpose--to check on the process or object or to evaluate the condition or the progress toward a management objective--and that the results will effect an action of some kind.

Monitoring and Evaluation are typically divided into three components:

- Input monitoring,
- Output monitoring,
- Outcome evaluation.

Input (or progress) monitoring: Measures whether inputs are *delivered* on schedule and as defined in the Resettlement Action Plan. Inputs are the services, resources or goods that contribute to achieving outputs and, ultimately, desired outcomes. Input monitoring is done internally on an on-going basis, often as part of the project general management system or quality assurance system.

Output (or performance) Monitoring: Measures the direct measurable results of the inputs, for example the number of people receiving compensation or completing livelihood restoration training course. Input and output monitoring together keep track of project implementation *efficiency*, and indicate whether changes need to be made to make the program operate more efficiently. Output monitoring is done internally.

Outcome (or impact) Evaluation: Defines the extent to which the project inputs and outputs are achieving or are likely to achieve the objectives of a program. Resettlers having re-established employment or businesses established and earning acceptable returns over a reasonable period are examples of outcomes. Outcome evaluation, coupled with output monitoring results, indicate whether the program is genuinely working and should continue to be implemented as is, or whether fundamental changes have to be made. In other words, outcome evaluation looks beyond numerical compliance to the longer term impact of program inputs and outputs, to determine what works, what does not work, and what needs to be changed. Outcome evaluation is usually carried out by an external independent group, typically every 6 months during resettlement and annually for a reasonable period following resettlement.

Outcome evaluation often uses proxy (or indirect) indicators. Many people, for example, are reluctant to divulge their actual income. Proxy indicators can be used to help determine whether relocatees are reestablishing (or improving) their livelihoods and standard of living. These kinds of indirect indicators may include nutritional status, school attendance, or the purchase of “luxury” items such as scooters or televisions.

In addition, lenders often require Compliance Auditing, whereby an external group audits on a periodic basis whether the implementation of resettlement and compensation complies with these lenders’ policies. Compliance auditing is different from output monitoring. Compliance auditing often includes a Completion Audit, which checks whether all commitments and policies have been complied with after all PAPs have been resettled or compensated and their livelihoods are deemed restored.

The following table summarizes and illustrates these concepts.

<sup>5</sup> These definitions are those used by the US Environmental Protection Agency (US EPA): [www.epa.gov](http://www.epa.gov)

**Table 5: Different Types of Monitoring & Evaluation Exercises**

	<b><i>Input Monitoring</i></b>	<b><i>Output Monitoring</i></b>	<b><i>Outcome Evaluation</i></b>	<b><i>Compliance Auditing</i></b>
<b><i>Scope</i></b>	<i>Measures inputs into the resettlement and compensation program</i>	<i>Measures outputs of the resettlement and compensation program</i>	<i>Assesses whether desired objectives have been reached as they were set in initial commitments</i>	<i>Audits compliance with lenders' requirements, contained in lenders environmental and social safeguard policies (for instance the World Bank's OP 4.12)</i>
<b><i>Examples of indicators or typical questions</i></b>	<ul style="list-style-type: none"> <li>- Person-hours of project staff dedicated to census operations every month</li> <li>- Number of vehicles available for the program</li> <li>- Amounts paid in compensation every month</li> </ul>	<ul style="list-style-type: none"> <li>- Number of people having received cash compensation every month</li> <li>- Number of people resettled every month</li> <li>- Number of tenements made available to PAPs every month</li> <li>- Number of businesses re-established every month</li> <li>- Number of resettlers societies established and registered every month?</li> </ul>	<ul style="list-style-type: none"> <li>- Grievances, including outcomes of grievances and average time for processing and redress</li> <li>- What is compensation used for?</li> <li>- Are livelihoods of business employees restored?</li> <li>- Are people living in resettlement tenements those who were allocated the tenements?</li> <li>- Do the lifts work?</li> </ul>	<ul style="list-style-type: none"> <li>- Is compensation paid at full replacement cost (OP 4.12)?</li> <li>- Is compensation effected prior to taking of possession of affected property?</li> <li>- Have planning documents been meaningfully disclosed to the affected groups?</li> <li>- Has consultation taken place prior to finalizing resettlement and compensation strategies</li> <li>- Are livelihoods restored?</li> </ul>
<b><i>Examples of data collection and analysis methods</i></b>	<i>Monthly progress reports (technical and financial) prepared by the project implementation unit with a list of input indicators including 3 to 5 Key Performance Indicators (KPIs)</i>	<i>Monthly progress reports (technical and financial) prepared by the project implementation unit with a list of output indicators including 3 to 5 Key Performance Indicators (KPIs)</i>	<i>Six-monthly or yearly monitoring and evaluation reports prepared internally and including a list of indicators agreed with external evaluators – Analysis and evaluation by external evaluators</i>	<i>Quarterly (for larger resettlements) to six-monthly visits by a group of two experienced social auditors during the active phase of resettlement, then yearly visits until completion. Completion audit will include a comprehensive livelihood survey to be compared with baseline conditions</i>
<b><i>Responsibility</i></b>	<i><u>Internal:</u> Data is gathered and processed by project implementation unit</i>	<i><u>Internal:</u> Data is gathered and processed by project implementation unit</i>	<i><u>External:</u> based on internally gathered data (inputs and outputs) and supplemental external investigations such as random interviews or focus groups held by the external evaluators</i>	<i><u>External:</u> based on internally gathered data (inputs and outputs) and supplemental external investigations such as random interviews or focus groups held by the external evaluators</i>

The RAP or Resettlement Framework should present the Monitoring & Evaluation system committed upon by the borrower and the Project Implementation Unit. This presentation should be in the form of tables of indicators with frequencies and responsibilities (see Tables \*\* below as examples). Rather than being too ambitious, RAP authors must make sure that the Project Implementation Unit indeed has the capacity to measure and process the proposed indicators.

#### 4.6.2 Input and Output Monitoring

Input and output monitoring is usually quite straightforward. Experience indicates that the main challenge is to establish a reasonable list of simple indicators, making sure that the Project will actually be able to measure every indicator that is committed upon in the initial planning documentation (RAP) and that these indicators will actually be useful, usable and used. In other words, it is better to have 5 indicators that are consistently measured and used than 10 that are difficult to measure or not used. The following table presents a list of simple indicators that needs to be tailored to each situation, with a few that can be used as KPIs.

**Table 6: Indicative List of Input and Output Indicators**

<i>Indicator</i>	<i>Measured how</i>	<i>Frequency</i>	<i>KPI<sup>6</sup></i>
<b>Input indicators</b>			
<i>Overall spending</i>	<i>Financial records</i>	<i>Monthly</i>	<b>KPI</b>
<i>Distribution of spending by:</i> <i>Cash compensation</i> <i>Resettlement</i> <i>Rehabilitation - livelihood restoration</i> <ul style="list-style-type: none"> <li>• <i>Consultation and engagement</i></li> <li>• <i>Vulnerable people</i></li> <li>• <i>General implementation services &amp; overhead</i></li> </ul>	<i>Financial records</i>	<i>Monthly</i>	
<i>Number of full time staff dedicated to resettlement &amp; compensation, with distribution in-house / outsourced if applicable, and distribution by skill type</i>	<i>HR</i>	<i>Quarterly</i>	<b>KPI</b>
<i>Number of vehicles, computers, GPSs, and other equipment as applicable available to the resettlement &amp; compensation program</i>	<i>Count</i>	<i>Quarterly</i>	
<i>Number of PAPs by categories</i>	<i>Census and grievance management</i>	<i>Quarterly</i>	<b>KPI</b>
<b>Output indicators</b>			
<i>Number of tenements commenced to construct in the period</i>	<i>Construction</i>	<i>Monthly</i>	<b>KPI</b>
<i>Number of tenements delivered in the period</i>	<i>Construction</i>	<i>Monthly</i>	<b>KPI</b>
<i>Number of tenements allocated to PAPs in the period</i>	<i>Data management system</i>	<i>Monthly</i>	
<i>Number of PAPs having moved into their new tenement in the period</i>	<i>Data management system</i>	<i>Monthly</i>	<b>KPI</b>
<i>Number of PAPs having moved from their previous slum dwelling in the period</i>	<i>Data management system</i>	<i>Monthly</i>	
<i>Number of people having received cash compensation in the period with distribution by purpose and by classes of amounts</i>	<i>Data management system</i>	<i>Monthly</i>	
<i>Number of individual compensation agreements signed in the period</i>	<i>Data management system</i>	<i>Monthly</i>	
<i>Number of PAPs having received training in the period, with distribution by type of training</i>	<i>Data management system</i>	<i>Quarterly</i>	
<i>Number of businesses re-established in the period, with distribution as relevant</i>	<i>Data management system</i>	<i>Quarterly</i>	

<sup>6</sup> Key Performance Indicator

<i>Number of resettlers societies or cooperatives established and registered</i>	<i>Data management system</i>	<i>Quarterly</i>	
<i>Ratio of PAPs with permanent employment in the post resettlement situation against the pre resettlement situation</i>	<i>Data management system</i>	<i>Quarterly</i>	

Formats for inputting, calculating, processing and presenting these indicators can easily be prepared using a simple spreadsheet.

#### 4.6.3 Outcome Monitoring & Evaluation

The following table shows a number of indicators that can be used for outcome monitoring & evaluation.

**Table 7: Indicative List of Outcome Indicators**

<i>Indicator / Issue</i>	<i>Measured how</i>	<i>Frequency</i>	<i>KPI</i>
<b>GRIEVANCES</b>			
<i>Average time for grievance processing</i>	<i>Measure time interval between grievance registration and closure and time between grievance registration and first acknowledgement of receipt</i>	<i>Quarterly</i>	
<i>Number of open grievances and trend in time</i>	<i>Data Management System</i>	<i>Quarterly</i>	<b>KPI</b>
<i>Number of grievances opened in the period and trend in time</i>	<i>Data Management System</i>	<i>Quarterly</i>	
<i>Number of grievances closed in the period and trend in time</i>	<i>Data Management System</i>	<i>Quarterly</i>	
<b>COMPENSATION</b>			
<i>Average time for payment of compensation</i>	<i>Measure time between compensation agreement and payment</i>	<i>Quarterly</i>	<b>KPI</b>
<i>Has compensation been paid at full replacement cost? Is compensation updated to take account of increases in real estate value?</i>	<i>Compare results of real estate market survey for similar properties with compensation paid. Investigate whether recipients of cash compensation were able to purchase a similar property</i>	<i>Yearly</i>	<b>KPI</b>
<i>Use of compensation</i>	<i>What has compensation been used for? Survey of compensated households</i>	<i>Yearly</i>	<b>KPI</b>
<b>RESETTLEMENT</b>			
<i>Satisfaction with allocated tenements</i>	<i>Satisfaction survey</i>	<i>Yearly</i>	<b>KPI</b>
<i>Technical construction issues</i>	<i>Identify technical problems (roofs, potential leaks, water, sewage, etc...) in the first year after resettlement</i>	<i>Quarterly during the first year</i>	
<i>Maintenance issues</i>	<i>Identify technical problems in maintaining lifts, water systems, sewage systems, public spaces, roofs</i>	<i>Yearly or more frequently if need be</i>	
<i>Garbage collection, sanitation</i>	<i>Cleanliness of public spaces</i>	<i>Yearly</i>	
<i>Allocation of tenements</i>	<i>Are people living in allocated tenements those to whom they were initially allocated?</i>	<i>Yearly</i>	
<b>LIVELIHOOD RESTORATION (REHABILITATION)</b>			
<i>Business re-establishment</i>	<i>Have businesses been successfully re-established? Survey of activities and sales over a sample of businesses and comparison with baseline</i>	<i>Yearly</i>	

<i>Indicator / Issue</i>	<i>Measured how</i>	<i>Frequency</i>	<i>KPI</i>
<i>Employment of business employees in the relocated businesses</i>	<i>Are employees still employed in the relocated business? If no why? Survey of employees over a sample of businesses and comparison with baseline</i>	<i>Yearly</i>	
<i>Jobs and employability</i>	<i>Are affected wage earners still employed in their former jobs? Survey of employment over a sample of wage earners and comparison with the baseline</i>	<i>Yearly</i>	
<i>Income</i>	<i>Are incomes restored? Survey of occupations and income over a stratified sample of PAPs and comparison with baseline</i>	<i>Yearly and at Completion Audit</i>	<b>KPI</b>

#### 4.6.4 Compliance Monitoring and Completion Audit

##### 4.6.4.1 Compliance Monitoring

The objective of compliance monitoring is to check whether the implementation of the program complies with the Resettlement Action Plan and lenders' requirements (OP 4.12 in the case of the World Bank).

Compliance monitoring usually starts with a review of the Resettlement Action Plan. It is therefore beneficial that the compliance monitoring team (usually a team of two for larger resettlement programs) be on board as early as possible in the planning process, in practice when a draft RAP is available and before it is finalized.

The scope of work of compliance auditors should include the following tasks:

- General:
  - o Assess overall compliance with RAP commitments and lenders policies on Involuntary Resettlement;
  - o Verify progress on the recommendations the external compliance auditor made during previous visits;
  - o Interview a representative cross-section of affected households and enterprises:
    - to gauge the extent to which project affected people's standards of living and livelihood have been restored or enhanced,
    - measure whether they have been sufficiently informed and consulted with,
    - gather their opinions on entitlement delivery, resettlement housing and grievance management;
  - o Assess the ongoing level of project support in the affected groups;
- Resettlement and compensation process, delivery of entitlements:
  - o Review if entitlements are delivered implemented on time (as set out in the RAP implementation schedule) and, if not, whether delays are justifiable;
  - o Assess whether compensation is at replacement value;
- Livelihood restoration (rehabilitation):
  - o Assess the extent to which the quality of life and livelihoods of affected communities are restored, including the verification that measures to restore or enhance project affected peoples' quality of life and livelihoods are being implemented and the evaluation of their effectiveness;
  - o Review any livelihood restoration / rehabilitation programs and the extent to which they are assisting in providing alternative livelihoods for affected households to help offset the impacts of displacement;
- Monitoring & Evaluation:
  - o Review internal monitoring and reporting procedures to ascertain whether these are being undertaken in conformance with the RAP;
  - o Review internal monitoring records as a basis for identifying any potential areas of non-compliance, any recurrent problems, or potentially disadvantaged groups or households;
- Grievances:
  - o Review grievance records for evidence of significant non-compliance or recurrent poor performance in resettlement implementation or grievance management;
- Vulnerable people:
  - o Assess the vulnerable people screening, tracking and assistance systems, related records, and performance to determine compliance with RAP;

- Implementation:
  - Assess whether resources are adequate for implementing the RAP and any training or capacity building requirements;
  - Assess the data management system and its outcomes;
  - Compare actual progress with initial schedule;
  - Review any situations of corruption or extortion and the way they have been managed.

#### 4.6.4.2 Completion Audit

The goal of the completion audit is to verify that the RAP as implemented has been effective in restoring project affected peoples' standards of living and livelihoods. Accordingly, the completion audit has the following objectives:

- Assess the effectiveness of measures to avoid and minimize displacement impacts by comparing project "as built" impacts on land and people versus those documented in the RAP;
- Verify that all entitlements and commitments described in the RAP have been delivered;
- Determine whether RAP measures have been effective in restoring or enhancing affected peoples' living standards and livelihood;
- Check on any systemic grievances that may have been left outstanding;
- Identify any corrective actions necessary to achieve completion of RAP commitments.

Typically, the Completion Audit will focus on livelihood restoration. Methods to assess whether livelihoods are restored must be carefully devised. Like the initial baseline surveys, they are based on a combination of quantitative and qualitative methods, and on a comparison with the baseline data.

Where the baseline information is of adequate quality (e.g. complies with the recommendations in this document), the Completion Audit will be based on a comparison of the post-resettlement economic situation of affected households with the baseline data. This is done over a sample of affected households, the sampling being based on the same strategy as that used for the baseline. If the baseline information is not of adequate quality (for example if information on livelihoods and incomes has not been gathered in a comprehensive manner), an alternative strategy is to compare the livelihoods of resettled PAPs with those of a control group still living in similar conditions as those experienced by the resettlers prior to resettlement.

As typically the comparison between the post-resettlement and the baseline situations will be made over a period of four to eight years, macro-economic factors must be taken into consideration (for example inflation, real estate cost, general growth of the economy or recession, etc...).

In addition, the Completion Audit can utilize qualitative approaches to gather data and assess household standards of living. Particular attention must be paid to assessing the impact of RAP interventions on the circumstances of vulnerable households.

The Completion Audit can also draw on the findings of various project interim household monitoring surveys where such surveys are available.

The Completion Audit report would typically present conclusions on the effectiveness of livelihood restoration and identify any corrective measures that would be necessary to complete rehabilitation of PAPs.

#### 4.6.5 Financial Auditing

In addition to the social auditing process described above, routine Government and/or lenders procedures may require periodic financial auditing.

### 4.7 IMPLEMENTATION ARRANGEMENTS

#### 4.7.1 Overview

Successful implementation of resettlement and rehabilitation activities requires teams with a broad array of skills. If skilled personnel is necessary, it is, however, not sufficient. Implementation arrangements must also provide for adequate organization, sufficient material resources (computers, vehicles), clear lines of reporting, budgetary and financial autonomy of resettlement implementation units, and generally allow for flexibility in



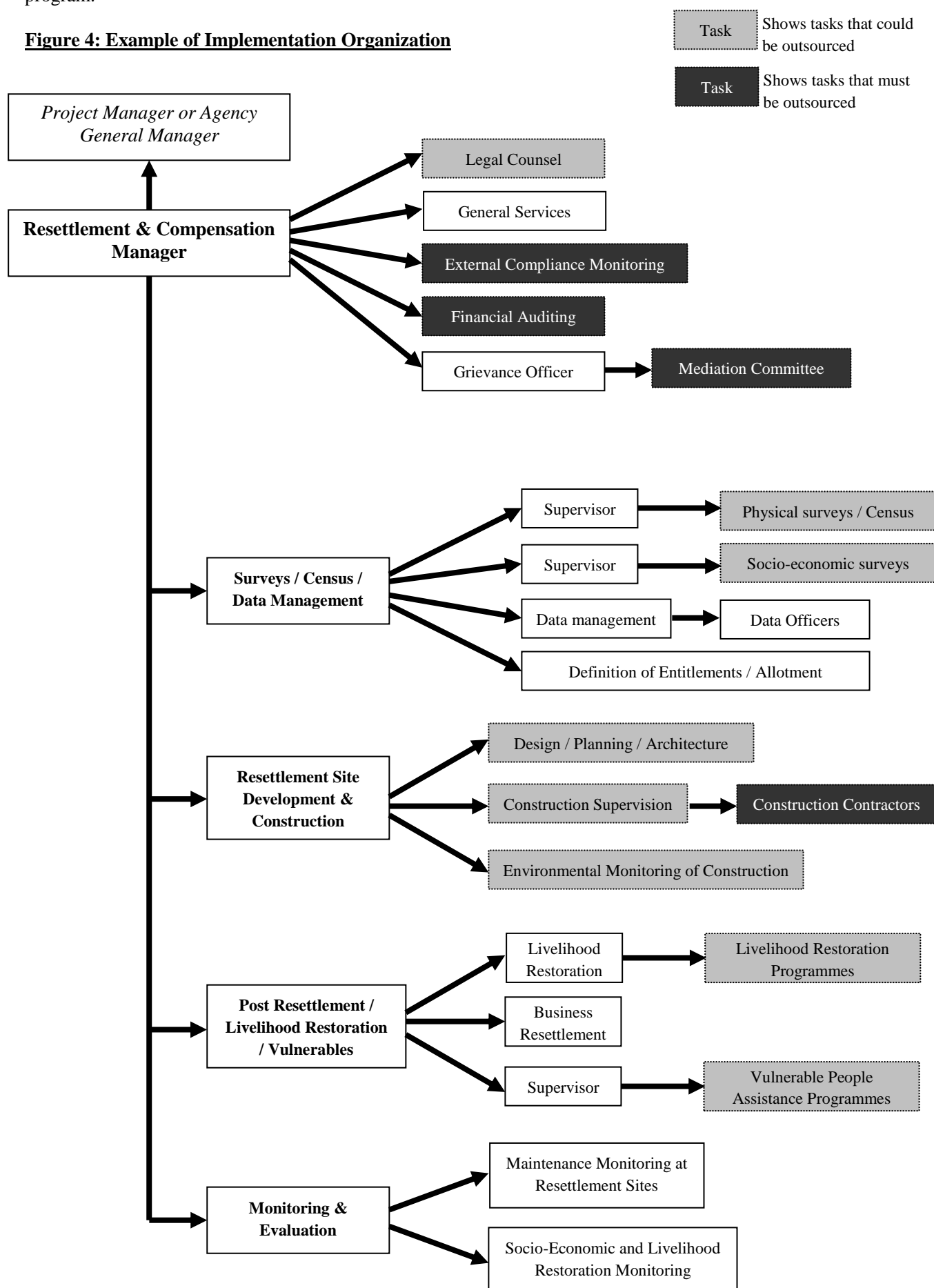
decision making and implementation. Costs must not be underestimated: adequately resourced implementation organizations typically cost about 12 to 15% of the total cost of the resettlement and compensation program.

Resettlement will generally be best managed by a dedicated autonomous unit within the project implementing agency, under a resettlement manager reporting directly to the project manager or to the agency's general manager. Where resettlement is implemented under the responsibility of a Government agency, it is critical that at the planning stage bureaucratic procedures be reviewed to ensure timely disbursement and effective decision making processes. It is not uncommon, for example, that compensation disbursement requires sign-off at different levels of the relevant Government, or that procurement of basic goods or services requires lengthy procedures. Such potential obstacles must be identified beforehand and tackled through adequate project operational procedures. The RAP process is not only about planning social mitigations, it is also about making sure that a proper execution plan is in place and that the different Government organizations that will be involved are comfortable with the proposed procedures so that they can actually implement them in the required timeframe.

### 4.7.2 Example of Organizational Arrangements

The following figure shows an example of organization for implementing a resettlement and compensation program.

**Figure 4: Example of Implementation Organization**



## **APPENDICES**

## **APPENDIX 1 – DEFINITIONS – ACRONYMS**

**DEFINITIONS**

<i>Compensation</i>	<i>Payment in cash or in kind for an asset or a resource that is acquired or affected by the project.</i>
<i>Cut-Off Date</i>	<i>Persons found to occupy the Project area after the Cut-Off Date are not eligible to Project compensation or other resettlement benefits. Similarly, fixed assets (such as built structures or crops) established after the Cut-Off Date will not be compensated. In practice, the Cut-Off Date is usually the date of completion of the census of people and inventory of assets in the Project-Affected Area, unless there are local legal provisions to another arrangement (which is often the case where expropriation is used for land acquisition).</i>
<i>Displacement (Economic)</i>	<i>Loss of income streams or means of livelihood resulting from land acquisition caused by the project. Not all economically displaced people need to relocate due to the Project.</i>
<i>Displacement (Physical)</i>	<i>Loss of shelter and assets resulting from the acquisition of land associated with the project, which requires the affected person(s) to move to another location</i>
<i>Expropriation</i>	<i>Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses</i>
<i>Floor Space Index (FSI)</i>	<i>The Floor Space Index (FSI) is the ratio of the total floor area of a building on a certain location to the size of the land of that location . Thus, an FSI of 2.0 indicates that the total floor area of a building is two times the gross area of the plot on which it is constructed.</i>
<i>Host Population</i>	<i>People living in or around areas to which people physically displaced by a project will be resettled who, in turn, may be affected by the resettlement or even be displaced themselves.</i>
<i>Project-Affected Person</i>	<p><i>Any person who, as a result of the land acquisition required by the project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, pasture or undeveloped/unused land), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily. Not all PAP need to move due to the Project. PAP may include:</i></p> <ol style="list-style-type: none"> <li><i>1 Physically Displaced People, i.e., people subject to Physical Displacement as defined hereunder,</i></li> <li><i>2 Economically Displaced People, i.e., people subject to Economic Displacement as defined hereunder.</i></li> </ol>
<i>Replacement Value</i>	<p><i>The market value of the assets plus transaction costs (taxes, registration fees, cost of transport associated with registration of new land and land transfer, etc...). The replacement value must reflect the cost at the time that the item must be replaced. With regard to land and structures, “replacement value” is defined as follows:</i></p> <ul style="list-style-type: none"> <li><i>- <u>Land in urban areas:</u> the market value of land of equal size and use, with similar or improved public infrastructure facilities and services, preferably located in the vicinity of the affected land, plus the cost of any registration and transfer taxes;</i></li> <li><i>- <u>Household and public structures:</u> the cost of purchasing or building a new structure, with an area and quality similar to or better than those of the affected structure, or of repairing a partially affected structure, including labour and contractors’ fees and any registration and transfer taxes.</i></li> </ul> <p><i>In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of the benefits to be derived from the Project deducted from the valuation of an affected asset.</i></p>

<i>Resettlement</i>	<i>Although resettlement sensu stricto means only the activities intended to relocate people to a new location, it often encompasses both the displacement and the resettlement sensu stricto.</i> <i>Resettlement per World Bank policies refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition.</i>
<i>Resettlement (Involuntary)</i>	<i>Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that results in displacement. This occurs in cases of: (i) lawful expropriation or restrictions on land use based on eminent domain; and (ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.</i>
<i>Resettlement Action Plan</i>	<i>The document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project</i>
<i>Transfer of Development Rights (TDR)</i>	<i>The Transfer of Development Rights (TDR) is a mechanism to relocate development potential (expressed in terms of FSI) from one property to another. TDR has been introduced in India in the early nineties as a mechanism to compensate expropriated land or enhance protection of historical buildings. In essence, a TDR is a certificate from the city administration whereby the landowner is compensated in kind if he/she surrenders some of their land to the government for purposes such as widening a road, creating a park or slum rehabilitation. These rights can be sold to developers or can be used for development by the landowner himself in a designated area (usually in the suburbs) in lieu of the plot that he/she has surrendered.</i>
<i>Vulnerable Groups</i>	<i>People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits. Vulnerable groups in the context of displacement also include people living below the poverty line, the landless, the elderly, women- and children-headed households, indigenous peoples, ethnic minorities, natural resource dependent communities or other displaced persons who may not be protected through national land compensation or land titling legislation.</i>

*Based on the IFC's "Handbook for Preparing a Resettlement Action Plan (2001), modified*

## ACRONYMS

FSI	Floor Space Index
IA	Implementing Agency
MMRDA	Mumbai Metropolitan Region Development Authority
MUTP	Mumbai Urban Transport Project
NGO	Non Governmental Organisation
OD	Operational Directive
OP	Operational Policy
PIU	Project Implementation Unit
SRA	Slum Rehabilitation Authority
TDR	Transfer of Development Rights

## **APPENDIX 2 – GOOD PRACTICE EXAMPLES – SCOPING RESETTLEMENT ISSUES**

## **An Example of Early Scoping of Resettlement Issues – Urban Ring Road in Eastern Europe**

### **Overview**

The proposed Right-of-Way (RoW) was visited during the reviewer's mission. Information gathered previously by the Project Information Unit, including a preliminary mapping of affected buildings (2005). Three sections can be distinguished along the route:

- A fully urbanized area from the starting point of the route on K\*\* Road to the Lake and Zoo,
- A mainly agricultural area between the latter and the community of S\*\*,
- The suburban community of S\*\*, where the route reaches the E\*\* Road.

### **From K\*\* Road (KP 0) to the Lake (KP 2+300)**

For the first kilometre from the proposed starting point on K\*\* Road, the RoW intersects an area of informal one-floor dwellings and smaller structures. According to the PIU, all of these dwellings are established without title. Families living there are obviously poor. Some houses are better though, with a few two-level structures. In addition, the RoW intersects fences or front yards of houses that otherwise would not be affected. A count of structures on the 2005 drawings indicates that about 105 structures between KP0 and KP1. It is tentatively estimated that about half of these structures would be residential, but this needs to be verified in the field when a census of residents is carried out.

Starting from KP1, the RoW is free of any notable building for about 200 metres. A sand and gravel retail business is established at KP1. At KP1+250 approximately, a seven-floor residential building has been recently erected and encroaches significantly onto the RoW. According to Municipality officials, this building has been established without permit and without title. It is virtually complete, with one flat apparently being occupied.

Further on, at KP1+420 approximately, a private high school (K\*\* college) also encroaches significantly onto the RoW. The high school altogether includes two major multi-storey buildings (outside of the RoW), as well as one ancillary one-floor structure and a fenced and asphalted playground, which both are within the RoW. Likewise, these structures appear not to be permitted or established on titled land.

From this college to the lake at approximately KP 2+300, the Right-of-Way goes through the existing grid of multi-storey buildings, and then through the botanical gardens until it reaches the Lake and the Zoo area. Only a few minor non residential – and illegal – structures are potentially affected in this area.

### **From the Lake to S\*\***

Starting from the Lake, the RoW affects the lower part of the zoo (gate, fence and recreational pond), then goes along a development of multi-storey buildings (to the South of the RoW), affecting ancillary structures (fences and minor utility buildings) within the compounds of two commercial recreational facilities (motel, bar). The RoW then reaches an agricultural area where fields will be affected but no structure.

### **S\*\* Area**

The S\*\* area could not be visited during this mission, and drawings appear not to be available for this area, making it difficult at this stage to identify the impact of route on properties. The impact is, however, significant, with between 30 and 50 residential houses potentially affected in S\*\*.

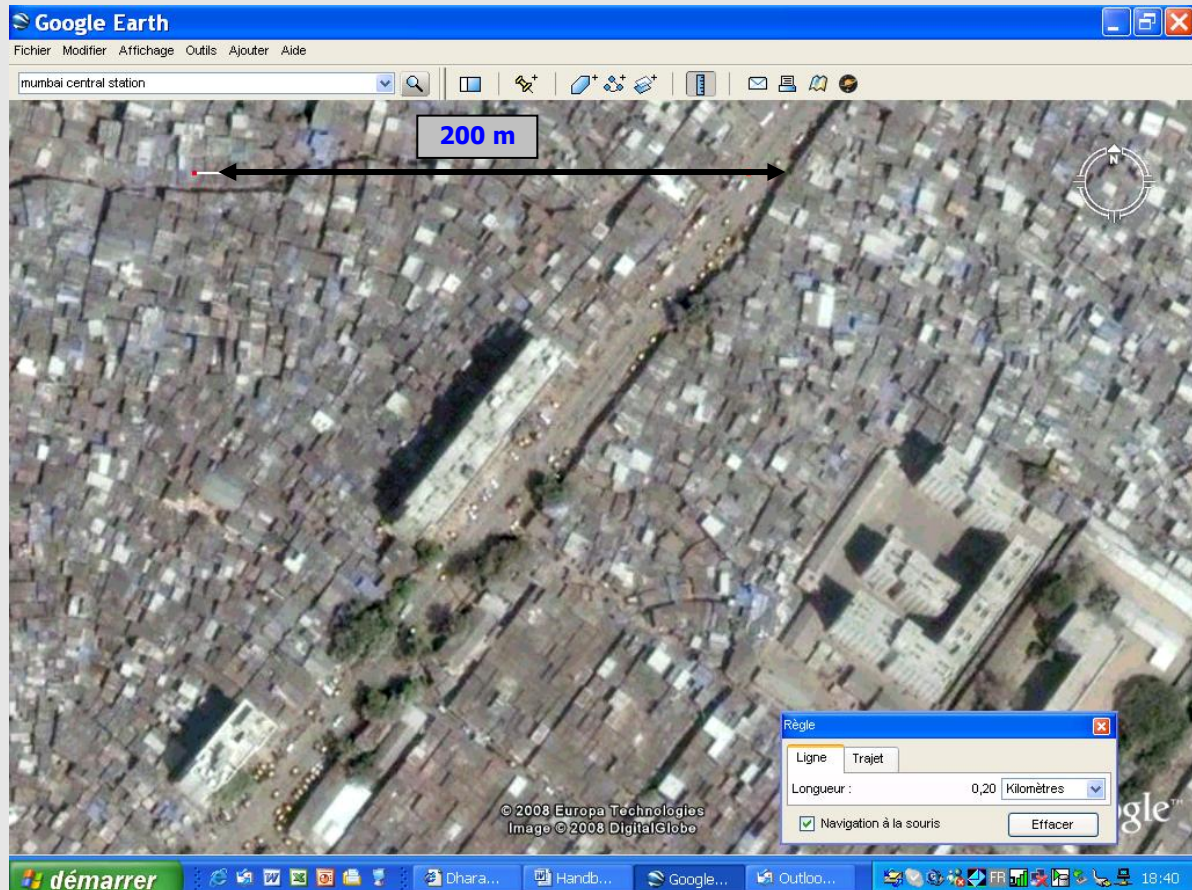
*Source: Frederic Giovannetti, Report for the European Bank for Reconstruction and Development – Urban Ring Road in a capital in Eastern Europe, 2008*



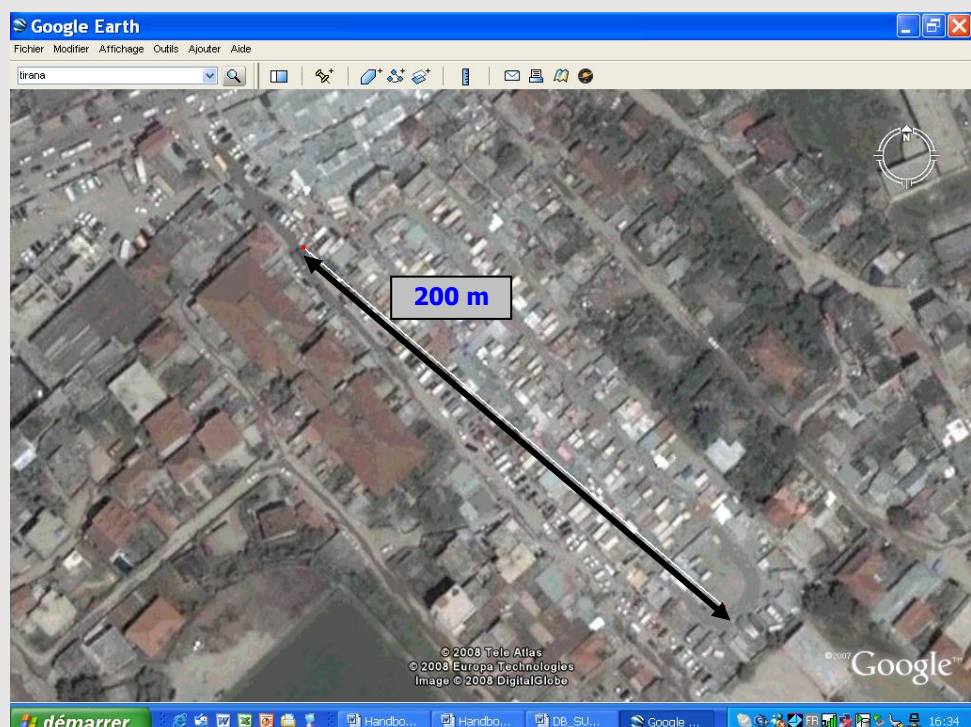
### Using Google Earth for Scoping Resettlement Issues at Early Stages of Resettlement Planning

The resolution of Google Earth varies depending on the images that are actually available for every area covered. In many cases, for major urban agglomerations of the world, the resolution is sufficient to be useful as a tool at scoping stage.

The image below is a screen copy from Google Earth showing a part of the Dharavi slum in Mumbai. To a certain extent, structures could be counted, but other details cannot be properly seen. While this is certainly useful at scoping stage, further census and surveys will need higher accuracy, either through the use of high resolution satellite imagery, or through conventional on-the-ground methods.



In this other example (Tirana, Albania), the resolution is better and all structures can be identified.



### **APPENDIX 3 – APPROACH TO CENSUS AND SOCIO-ECONOMIC SURVEYS**

## CENSUS

### Census Pre-Requisites

#### *Preliminary Entitlement Framework*

It is important to understand that the level and scope of the investigations included in the census of physical assets depend on the preliminary entitlement framework. This is why this preliminary entitlement framework must have been prepared before the census (see above section 3.1.3.1 and Table 2).

For example, if the entitlement framework provides that any slum resident will be eligible to a standard tenement regardless of the size of the dwelling they occupy in the slum (such as the 225 square feet tenement currently allocated per the Maharashtra slum rehabilitation policy), it does not make sense to undertake detailed measurements of the slum residents' current houses. That would be a waste of resources. If in contrast the entitlement framework would provide that the size of the resettlement tenement depends on the size of the current tenement, or has an option of cash compensation as an alternative to the allocation of an apartment (as in the example in Table 2), then the census will have to include detailed measurements of the current dwellings.

#### *Defining the Household*

The preliminary entitlement framework may relate some of the resettlement benefits with the size or composition of the household (such as the size of the resettlement tenement or the amount of the moving allowance). It is therefore critical to have a clear understanding of what a household is and who is a member of it and who is not. Having a clear definition of the household will also help to keep under control speculative attempts to artificially split dwellings in order to maximize compensation.

The draft Resettlement and Rehabilitation Bill (2007) does not define the “affected household” but uses the term of “affected family” instead. The “family” is defined in the Draft Bill (Article 3) as follows:

*quote*

*“family” includes a person, his or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother and other relatives residing with him or her and dependent on him or her for their livelihood; and includes “nuclear family” consisting of a person, his or her spouse and minor children;*

*unquote*

Many authors (and Governments through institutions in charge of censuses and statistics) have also attempted to define the household. An appropriate definition from a resettlement angle is that of the Oxford University Dictionary of Sociology: “A household is a group of persons sharing a home or living space, who aggregate and share their incomes, as evidenced by the fact that they regularly take meals together.”

Whatever the definition chosen for the household, more detailed and practical guidelines will be needed to apply it in practice. Below are some questions commonly raised during a census exercise in relation with the perimeter of a “household”, and the answers, which the Oxford definition quoted above would allow to provide.

### **Defining the Household**

<b><i>Question</i></b>	<b><i>Example of Answer</i></b>
<i>Is the married son of the household head, having a separate income but living and eating with his parents, to be considered as a separate household?</i>	<i>This individual meets one criterion of the definition above (lives in the same dwelling) and has a level of economic dependency (shares the household's meals) but also has some economic autonomy. The question therefore does not have a self evident answer, and should be given an answer through the entitlement framework. For instance, the Municipality of Moscow (Russia) has decided that under its resettlement programmes, any married child of legal age living with his/her parents was eligible to a specific resettlement package separately from the parents.</i>

<i>Question</i>	<i>Example of Answer</i>
<i>Is the son or daughter of the household head, a student, currently living in another city for his/her studies, a member of the household or not?</i>	<i>Although economically dependent, the son or daughter does not share the same dwelling as the rest of the household. They are not members of the household at the time of the census. Note, however, that a liberal entitlement framework could consider such individuals as members of the displaced household and include them in the count.</i>
<i>Is the grandmother, living in another house but economically dependent on the household head, and having all her meals with the household, a household member or not?</i>	<i>The grandmother is a separate household in spite of her economic dependency of her son's household because she does not share her dwelling with them.</i>
<i>Is the domestic worker informally employed by the household, a young girl coming from a destitute family from the same village as the household, a member or not?</i>	<i>She is a member of the household: she lives in the same dwelling, shares their meals and is economically dependent upon them.</i>
<i>Are two unrelated families sharing one slum house one or two households?</i>	<i>As long as they do not share income and meals, they should be considered as separate households even if they share their accommodation.</i>
<i>Is a couple a household if they are not legally married?</i>	<i>They are, as long as they share income and meals.</i>

It is important to note that answers above are examples. More liberal or more restrictive answers to the same questions can be adopted, taking consideration of applicable regulations, or through the entitlement framework devised for a specific project. But it is essential to have answers to these questions because they will inevitably arise.

If not all questions above have received an answer at the time when the census is undertaken, then the census forms will need to accommodate a specific space where particular circumstances of a given household will be described in as much detail as is required to eliminate any further ambiguity.

### *Maps*

Cartographic information must be prepared prior to the census. Ideally, the maps to be used during the census should be a superimposition of the footprint limits with a detailed mapping of the affected area. The box below presents an example in a poor urban setting in an African capital city, Dakar.

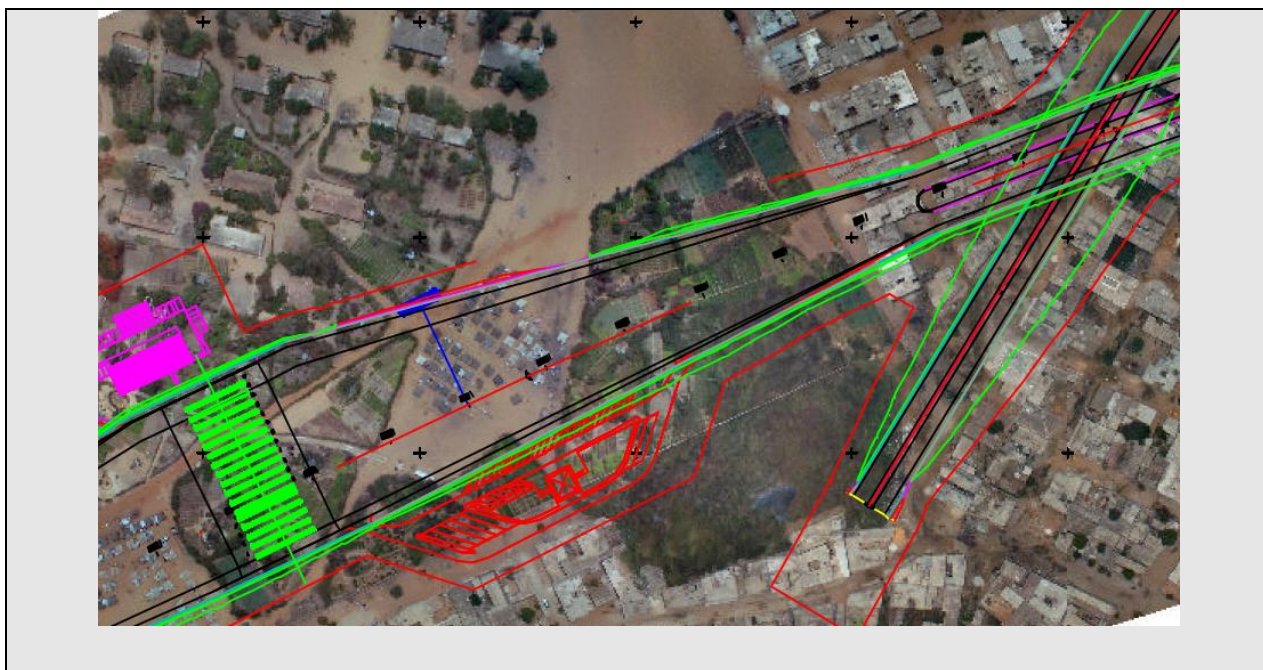
### **Using Geo-Referenced Aerial Photographs for the Identification of Affected Structures**

**In the example shown below, conventional aerial photographs (with a resolution of less than 0.5 metre) were taken using a local company just before the census was started. The photographs were processed to be ortho-rectified and geo-referenced, so that they could be superimposed in the same coordinate system to the project footprint, prepared by another company. This type of document can easily be printed in as many copies as the field enumerators will need, and can be enlarged to show details of about 50 centimetres (the real quality is significantly better than what is shown below).**

**Also notable in the example below is the inclusion of ancillary infrastructure in the project footprint, including the tolling station facilities as well as upgrades needed to crossing streets. If the design of such ancillary infrastructure cannot be available at the time that the census is undertaken, another campaign of surveys will need to be carried out later.**

**The resolution of conventional aerial photographs is excellent – usually significantly better than that of satellite imagery – and they provide thereby an excellent baseline of structures, which can be used all along resettlement implementation, particularly to address claims and to prevent opportunistic attempts to seek or maximize compensation.**





Source: Gordon Appleby for APIX “Agence Nationale de Promotion de l’Investissement et des Grands Travaux” Dakar, Sénégal, and the World Bank, *Resettlement Framework for the Dakar – Diamniadio highway (in French)*

## Minimal Census Information

### People

As a minimum and regardless of the provisions of the preliminary entitlement framework, the census should include the following:

- Identification of the head of household (see also section 0 below),
- Detailed composition of the household,
- Identification and exact location of the dwelling (number, coordinates, or location within a pre-determined grid – see below 0),
- Regime of occupation (resident owner, tenant, squatter,
- Brief description of the dwelling (materials, general standing – 3 to 5 categories of standing, size 3 to 5 categories of size, type of furniture),
- Photograph of the household members,
- Photograph of the affected structure(s).

As mentioned above, in the case where the socio-economic survey would address only a sample of households, the census, which has to include all affected households, will also need to address the following basic socio-economic questions:

- Location of professional activity for the different members of the household,
- Main income sources of the household,
- Main expenditure sources of the household,
- When did the household settle in the affected area,
- What are their plans for the future, in the event of relocation and if relocation would not happen,
- Relocation preferences (where, type of tenement),
- Evaluation of the level of vulnerability (presence of people with disabilities or chronic diseases in the household, identification of destitute households or individuals, etc...).

### Assets

Gathering additional information on physical assets, particularly the current dwelling, may be required if the preliminary entitlement framework foresees that certain entitlements (such as the size of the future tenement or if cash compensation based on the replacement value of the dwelling is envisioned) will depend on the current dwelling or generally on current structures.

In addition to the basic information mentioned in section 0, a more detailed description of the structures, including some basic measurements of the different rooms, may be needed.

### Valuation

Generally, where mainly slums are affected, it will not be necessary to perform a full valuation of the physical assets, because entitlements will usually not depend on the size or condition of the current structure. This is particularly the case under the current State of Maharashtra resettlement policies, whereby a standard tenement of 225 sq.feet is allocated to any displaced slum resident household regardless of their current structure.

Such valuation might, however, be required for assets held under formalized ownership, which would trigger a formal expropriation under the Land Acquisition Act. In such cases, an official valuation will have to be carried out through a certified valuer or surveyor.

The valuation exercise belongs, however, in expropriation procedures that are usually disconnected from the rest of the census. It will therefore usually not be required to perform these measurements and/or valuation in the same time period when the rest of the census is done.

World Bank Group applicable resettlement policy (OP 4.12) requires that compensation be at “full replacement cost”. OP 4.12 defines “Replacement cost” as follows:

#### *Quote*

*“the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account (for a detailed definition of replacement cost, see Annex A, footnote 1<sup>7</sup>)... Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard.”*

#### *Unquote*

For urban land, the full replacement cost is the current market value. A quick survey of recent transactions (in the last year or so) for similar pieces of land in the same area is usually sufficient to obtain this market price. Real estate agents can be a valuable source of information, as not all transactions are registered at their real price for tax reasons.

For non slum structures, the cost of reconstruction can be obtained from local contractors. The per square foot price of typical new structures is usually well known and such numbers can provide an adequate source of information for valuation purposes.

Obtaining the replacement cost for a slum structure can be more challenging, as these are often self-built or built outside of the formal economy, often in several phases of successive enhancement or enlargement, and ordinary contractors definitely find it difficult to give a quote for a comparable structure. Information should be obtained from owners, but in order for cost information not to be distorted by anticipation of compensation, it should rather be sought from owners in non affected slums. This typically allows to obtain orders of magnitude of real construction cost (in the case of self construction, the cost of labour should be added, based for instance on an estimate of the labour time involved and the minimal wage).

As provided under OP 4.12, the gap between full replacement cost and the depreciated value does not necessarily have to be paid in cash. Paying the difference in cash can in fact be legally challenging and create precedents which would likely make Government authorities reluctant. In any case, Government authorities will usually insist on making a clear difference between the compensation to which people are entitled per the law, and the top-up required to meet “full replacement cost” under World Bank policies. Documentation related with compensation, such as compensation agreements and receipts, should make this difference clear.

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<sup>7</sup> *For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.*

*For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes.*

Non cash forms of assistance can also be used to bridge the gap, such as:

- In-kind assistance (building materials – can make a real difference but is logistically challenging to organize in large resettlement programs – a voucher mechanism is the best option<sup>8</sup>),
- Salvaging assistance (people are allowed to salvage their houses and provided assistance – lorries – to do so),
- Training assistance (again a voucher mechanism can be used).

### *Businesses*

Businesses should be surveyed separately as such (the related affected household may be otherwise surveyed as a resident household if they are indeed residing in the footprint). The census of businesses should address the following aspects:

- Type of activity,
- Regime of ownership (the structure where the business is located and the business itself may have different owners – there might also be an owner – operator arrangement, even in the informal economy such arrangements are not uncommon and are sometimes documented),
- Employees (their names and circumstances should be recorded), with an estimate of their earnings,
- Sales, with a description of seasonal variations if relevant (the monsoon or other factors may impact the activity even in urban settings),
- Expenses,
- Estimate of income,
- Description and measurement of immovable assets (the building that hosts the business if any, as well as other immovables – such as a fence, a concrete pad or a pit used for engine oil change),
- Relocation preferences and generally projects related with the business.

As far as possible, the evaluation of business sales and income should be based on available documents at the time of the census. The business owner or operator should present available books, tax records, and generally any document that can help ascertain the volume of sales and income generated by the business. There is a risk of fraud if documents – potentially forged – are presented afterwards. If the business is completely informal and no record is available, an attempt at evaluating the volume of activity should be made (sales minus expenditures) based on two or more representative months of activity (or weeks, or days if the business is very small).

### **Identification of PAPs**

Identification of PAPs should be as secure as possible, to prevent potential fraud. Not all slum dwellers have reliable identity documents, and as in many poor areas worldwide, identification of individuals is challenging for several reasons:

- There is no proper, officially recognized register of residents;
- The spelling of names (and sometimes the very names themselves) are changing, sometimes inconsistent from one document to another;
- Some common family names are shared by lots of people;
- Addresses are not consistent or reliable.

Different solutions are being tried in India and elsewhere to enhance the security of PAP identification notwithstanding the absence or poor quality of identity documents:

- For the MUTP, the MMRDA in Mumbai issues a simple identification card, with full identity of all household PAPs, and a group photograph of all household members; it does not seem though that the identity card is related with information in the PAPs' database, particularly in respect with the photographs;
- Other projects elsewhere in the world issue identity cards either to each household head, or even to each affected individual, with a photograph of the PAP; security of these identity cards can be improved through printing techniques such as watermarking; while this is usually sufficient in rural areas where access to technology is somewhat problematic, it would probably not provide an adequate level of security in large cities or where large numbers of people are affected;

<sup>8</sup> *The implementing agency issues a voucher to the affected person, who can trade it against construction materials at designated dealers'.*

- The Tamil Nadu Slum Clearance Board (TNSCB) in Chennai is putting in place an experiment to identify PAPs securely through a biometric system, using fingerprints of the head of household as well as a simple facial recognition system based on the pupil to pupil distance; biometric information is available in the database of PAPs, and simple equipment (a fingerprint detector and a webcam) can be used at any time to compare actual information from a PAP to that in the database; this system is both relatively simple and cheap; the experiment is on-going with a local consulting firm, and a demonstration was successfully made to the team in charge of preparing this guidance note.

Experiments currently on-going at the Tamil Nadu Slum Clearance Board are promising. Such “high-tech”, albeit relatively simple and cheap solutions seem to provide a sound and secure identification solution, as long as they are fully integrated in the whole data management strategy.

### **Keeping Speculation and Corruption Under Control**

It is not uncommon that speculative efforts will be made by residents or outsiders to distort the census results in anticipation of increased compensation. Experience shows for instance that the following can happen, when information about a potential displacement and compensation program in a certain area begins to be broadly available:

- People who do not usually reside in the affected area try to settle in existing or newly erected structures;
- People who reside in the affected area suddenly enhance their existing structures, in size or in standing;
- People try to forge identity documents;
- Residents, whether “owners” or tenants, suddenly split their households and dwellings into several households or sub-tenements, in order to maximize the number of resettlement tenements allocated;
- Large numbers of trees are suddenly planted;
- Etc...

The most common way to avoid and manage potential speculation is through a project-specific cut-off date: whoever is observed to actually reside in the affected area prior to the cut-off date will be eligible to resettlement and compensation benefits. But the concept of cut-off does not make much practical sense unless there is a undisputable way to identify whether people are actually occupying the affected area at the cut-off date. This can be achieved as follows:

- Start the census in the field as soon as possible after the cut-off date (in practice, given the fluidity of population movements in large cities, one month is probably the maximum time that can elapse between the cut-off date and the census);
- Start a census with a pre-identification exercise over the whole affected area, which will be quicker to implement than the whole census, and which will immediately “freeze” observed structures as they are at the start of the census, even if the rest of the census takes some time to implement;
- High resolution imagery (aerial photographs taken on purpose for the particular project being considered will usually be preferable, as they have higher resolution and can easily be taken at a date of the Project’s choice – for example one month before the census starts);
- Have identification and security provisions in place, such as those described above to avoid mis-identification of PAPs and potential fraud on identification.

A specific issue observed in Indian slums is the opportunistic split into two or more households of families who previously lived together in one single dwelling. A makeshift partition is hastily put in place, and what is in effect one household (in the sense of the definition presented above) will shift into two “separate” households, with two resettlement or compensation entitlement packages instead of one. This can also be managed in the following ways:

- Common sense checks about the composition of the household and their neighbors;
- Material evidence such as water or power meters or tax records if such exist;
- Evidence from neighbors or community representatives.

Speculation is also fueled by corruption (“Please make sure I am included in the list and I’ll reward you” or “make sure I get something and I’ll include you in the list”). Managing speculation requires that corruption



prevention measures be taken, particularly in respect of the field personnel involved in the census and further census data management. Some such measures include:

- Internal quality control and assurance (daily verification of census forms by qualified supervisors);
- External auditing of the census (see Box below), with random checks on a periodic basis;
- Identification and clean-up of dubious records at the database inputting and management stages, after cross-checking in the field;
- Making sure that all personnel involved in the census is timely and adequately paid to minimize temptation.

Involvement of community leaders (see Box below), provided they are not themselves involved in or indirectly benefiting from speculation efforts, can often (but not always) be useful. The key message to community leaders is that speculation is detrimental to honest people, as it delays the project, makes it necessary to undertake troublesome checks, and jeopardizes trust between the affected community and the implementing agency.

### **Managing Speculation and Corruption during a Census in Uganda**

*The physical survey of people and assets impacted by a 100 km-long corridor for a 220kV transmission line was undertaken in 2006 and 2007 under the auspices of the Uganda Electricity Transmission Company Ltd (UETCL) and Bujagali Energy Ltd. The exercise was outsourced to a joint venture of two local surveying companies. The corridor is both rural and urban. Most assets affected are held under various informal regimes. There was previous experience in the area (albeit not with these service providers) that such valuation could largely be flawed, due to intense speculation (people hastily erect makeshift structures and plant as many trees as they can), as well as corruption through collusion between the affected people and the valuers. In a previous exercise in 1999, the total surface of all individual plots measured by the valuation team was about 40% higher than the actual project footprint, just because many plots had been declared as larger than measured by corrupt surveyors. The then project sponsor had to redo the valuation entirely with more supervision and safeguards against corruption and speculation. People were also very creative in their speculation attempts, for example nightly transporting tree saplings from one already valued field to one that remained to be valued.*

*In the 2006 / 2007 exercise, the following safeguards were put in place:*

- *Cut-off date declared at the start date of the census,*
- *Internal verification (daily checks by supervisors),*
- *External fortnightly audit, based on a random sample of plots, households and structures, that were visited by the auditor to make sure that information reported by the census and valuation team was correct; the auditors were from the client company;*
- *Grievance system, with two tiers, the first level being internal and the second one being administered by an NGO ("Witness NGO"),*
- *Involvement of neighbours to ascertain boundaries between plots and of community leaders to ascertain that people met were actual residents.*

*While this mechanism proved effective in preventing corruption, intense speculation was still observed in some villages, where news of the survey team arriving triggered hasty construction and planting of crops and trees well beyond normal densities. The census team was then instructed to count and survey everything that was observed in the field, but with proper qualifications on the actual inhabitability of the structures and the sustainability of the crops. Where speculation attempts are suspected, these cases are reviewed by a specific group including community and Project sponsor representatives, and compensation is either denied or paid accordingly.*

*Source: Frederic Giovannetti for Bujagali Energy Limited, "Resettlement and Community Development Action Plan", 2007*

Ultimately, it must be stated that it is usually impossible to manage all speculation attempts at the stage of the census. The last resort in managing speculation remains a sound and fair grievance mechanism. Regardless of the precautions that are put in place, some speculators will eventually be successful in receiving entitlements that were not intended for them.

## Implementing the Census

A key element of census implementation is acting quickly, which helps to manage potential speculation but also will avoid double counts, as any other type of census.

It is recommended, particularly if the census interests a large number of people / structures, to take the following steps before implementing the bulk of the census in the field:

- First step: Prepare a grid:
  - o Make sure that maps, preferably based on aerial photographs, are available before starting the census; in slums, an appropriate working scale is 1 to 2,000;
  - o Draw a simple square grid on the map of the affected area, identify on the map the coordinates of the grid corners, number each square in a logical system, and clearly allocate each square to a team; in slums, an appropriate grid size is 100m x 100m, or less if the slum is very dense;
  - o Identify and mark in the field the corners of the grid (this will usually require the intervention of a surveyor);
- Second step: Pre-identify structures and residents:
  - o Number the structures within the grid on the map of the affected area (this can be prepared before starting the census in the field); the numbering system should be such that any structure number includes the grid square number;
  - o Paint the numbers on the structures in the field;
  - o Pre-identify the name of the resident household head when painting the number on the house;
  - o Note any schedule constraint (for example: the person is absent during the day)
  - o Prepare a simple table (number / name of resident household head);
  - o Allocate each grid square and household to an individual in the census team;
  - o Prepare copies of forms, maps and tables of household head names for each team member;
- Third step: implement the census in the field; this should take place as soon as possible after the second step described above, no later than one or two days thereafter;
- Fourth step: quality control:
  - o Make sure that any form is reviewed by a supervisor for potential gaps and consistency checks no later than one day after it has been filled in; ideally this check should be made on the same day that the household has been visited;
  - o Clean up the census forms and prepare database inputting.

In some cases, it may be advisable to get affected people to review the forms and sign off on them just after they were filled in in the field. The downside is that forms cannot be further modified or cleaned up. Another possibility is to deliver later in the process a census card to every household head, which should be secure and will allow further access to information contained in the database through an identification number.

The level of staffing for the census needs to find the right balance between two antagonistic criteria:

- The census must proceed quickly,
- It is more difficult to keep control of numerous staff deployed at the same time in the field and the quality of the data may be affected if the level of control is not sufficient or consistent.

Census field staff should be organized in small teams of 3 to 6 individuals, with one supervisor for each team. The supervisor will be expected to organize the logistics (vehicles, forms, equipment) and to ensure quality control on the census forms.

While it is critical to act quickly, the staffing and timeframe should reflect quality control requirements based on a reasonable estimate of the number of households that one team can survey in one day. Initial testing can be used to tailor either the staffing or the timeframe to the actual progress.

Another factor is that it is counterproductive to launch the census if the footprint is not known with an acceptable level of accuracy. If for reasons related with the general project preparation, some details of the footprint cannot be defined at the time of undertaking the census, appropriate information must be delivered to local authorities, community leaders and the very affected people, to the effect that some may be surveyed who will end up not being affected, whereas others who have not been surveyed at the time of the main exercise could still end up being affected once the design is finalized. It is not uncommon that such situations give rise to claims (“I have been surveyed, therefore I should be compensated, even if I am not affected”). A waiver

can be included in the census form to this effect (“I understand that at the present stage this census is for investigation purpose only and that it does not necessarily make me eligible to compensation”).

Pre-election periods should be avoided to the extent possible, as it is almost certain compensation and resettlement issues will be used by politicians, which experience indicates is never desirable.

Lastly, it is essential that the grievance management mechanism be in place at the time the census is undertaken (see details in section 4.2).

## **SOCIO-ECONOMIC BASELINE SURVEYS**

### **Overview and Objectives**

The main objectives of the socio-economic baseline surveys are two-fold:

- Understanding the impact of the displacement in order to put appropriate mitigation in place, which will entail categorizing the affected persons, understanding their livelihood strategies and their economic determinants, as well as the social dynamics in the affected community,
- Creating a baseline set of socio-economic information, against the project impacts and progress will be measured, monitored and evaluated during and after implementation.

The socio-economic baseline surveys will typically use a combination of methods, both quantitative and qualitative:

- Quantitative household survey;
- Qualitative instruments, such as interviews with key informants, community profiles and focus group discussions.

While some of the principles of other methods, often used in rural areas for similar investigations, such as the Participatory Rural Appraisal or the Rapid Rural Appraisal, could be used in urban areas, there is little experience with them and their real relevance remains uncertain.

### **Quantitative Household Survey**

#### *Overview*

The quantitative household surveys have two broad objectives:

- To understand the local economy from the household perspective, including sources of monetary and non-monetary income and individual survival strategies,
- To generate a baseline description of pertinent demographic and social information, such as age, family size, birth, mortality, education and access to public services.

The survey data form the primary material for the evaluation of both direct and indirect impacts of the project, as well as the baseline information that will be used for subsequent mitigation planning, monitoring and evaluation.

#### *Sampling*

Obviously the simplest sampling strategy is to use a 100% sampling. This is certainly sound for smaller numbers of affected people (say in the hundreds), and eliminates any chance of controversy or criticism of the sampling method. However, where large numbers of people are affected (thousands and more), a 100% quantitative survey is too costly without necessarily bringing more valuable information than a sample.

When determining the sampling rate and generally the sampling methodology, assistance from a statistician will generally be required to ensure the robustness and representativeness of the sample. Some level of stratification<sup>9</sup> will usually be preferable. Sub-populations (strata) within the overall population of households will have to be identified in order to be able to draw a stratified sample. In the scoping stage (see 3.1.1.2), it is also recommended to establish a preliminary categorization within the affected population, to be used to devise a preliminary entitlement framework. Using similar categories for the stratification of the household sample as

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<sup>9</sup> *Stratification is the process of grouping members of the population into relatively homogeneous subgroups before sampling.*

those defined at scoping is the best approach. This will allow the generation of information for each of the main categories of the entitlement framework.

In each of the strata or sub-populations, random sampling is applied. Sub-populations for stratified sampling can be defined based either based on the preliminary categories mentioned above (from scoping), or based on one or two simple criteria such as:

- Geography (homogeneous areas within the slum),
- Type of dwelling, where clear categorizations of structures can be established according to size or standing (for example perennial materials or non permanent),
- Main source of livelihood (wage earners, self-employed, unemployed, businesspersons).

The stratification should remain simple and the number of sub-populations less than 10 in total. The sampling rate should be more or less the same for each sub-population, except for smaller strata where it may be needed to increase the sampling rate to achieve a reasonable level of significance (statistician's input desirable).

Typical sampling rates for stratified household surveys are overall between 10 and 20%, sometimes less for very large populations of more than 10,000.

As mentioned above in 0, if the quantitative household survey interests a sample of affected people rather than all of them, this will have implications upon the scope of the census: where only a sample is surveyed, then the census, which addresses all affected households, will have to include a few basic socio-economic questions (see 0), in order for the implementing agency to be able to create an exhaustive, albeit simplified baseline – particularly including basic information on income streams, resettlement preferences and potential vulnerability for all households.

### *Questionnaires*

Questionnaires used in resettlement household surveys are often too long and too complex. When adding a question to the questionnaire, social scientists should ask themselves the three following questions:

- Does this information really add value,
- What are the practical implications that we can deduct from this information,
- How shall we process it and present it?

The questionnaire must be simple, not too long (4 to 5 pages is ideal, 8 pages is a maximum). The language of the questionnaire should be consistent with that of the database (it will usually be English) to avoid potential misinterpretation would translation be required before encoding and inputting.

Another common mistake when preparing household questionnaires is to “reinvent the wheel” at every new survey. In fact, there are benefits in using a standardized, proven questionnaire such as those developed worldwide by Institutes of Statistics for periodic urban poverty surveys, with the few supplemental questions that are specific to displacement and resettlement related issues.

The household questionnaire must address the following aspects:

- Household composition and activities of every member,
- Income streams (nature, location of employment, evaluation of amounts, seasonality factors),
- Health status and vulnerability,
- Public facilities used by the household with location and distance (health, education, administration),
- Cultural places of significance to the household members,
- Relocation preferences (cash compensation or resettlement, if resettlement what kind of dwelling and where).

People who will take care of inputting and processing of the quantitative questionnaires should be involved in its development.

If a previously untested questionnaire is used, it should be tested over a small group of households before it is implemented on the full population. If this has to be done before the cut-off date or before information has been delivered to the affected population on the Project and its impacts, then it is advisable to implement this test on a different, non affected population to avoid the risks related with premature and partial disclosure of information to the affected population. The test of the questionnaire should also be used as a good opportunity

to train the enumerators. Translation issues must be given attention when practicing, and flaws should be fixed within a final version. It is not advisable to change the content or presentation of the questionnaire in the course of the survey, as this will later raise inputting and database issues. If critical questions appear in the course of the exercise to have been missed, then a separate addendum should be prepared.

## **Qualitative Methods**

### *Overview*

There is a tendency in resettlement oriented baseline socio-economic investigations to neglect qualitative methods, based on the false idea that these are not “scientific”. It is certainly true that qualitative methods do not generate statistics and numbers. However, qualitative investigations help identify social trends, perceptions, power struggles and power affiliations, which are often found to be essential to a sufficient understanding of the social dynamics of the affected groups, particularly in the perspective of the major changes entailed by displacement and resettlement.

Qualitative methods need the involvement of qualified, experienced and practical social scientists. Developing empathy with and understanding of the affected group is critical to success. They also require a real willingness to spend time with the affected group, as information will need to be gathered and cross-checked.

Qualitative methods most often used in resettlement oriented baseline surveys include key informant interviews, community profiles and focus group discussions.

### *Key Informant Interviews*

The key informant survey is a data collection technique appropriate to the study of intermediate-size population units, such as communities and villages, within a larger social milieu. In essence an interview subject is selected who is in a position to know key facts or interpret key characteristics about the population of interest, and this person is asked to characterize information about the community rather than provide their own personal viewpoints or characteristics. The objectives of key informant interviews for a resettlement baseline studies are to refine observations emerging from the other survey tasks, and to gather general community concerns about the project.

Key informants could include officials in public administrative positions, police or security representatives, public health and education officials working in the affected area, traditional chiefs and religious or cultural leaders. Priority questions and information needs should be developed that are applicable to all interviews, with particular areas of interest identified for each interviewee according to their position and knowledge of the community. Table 5 below presents examples of questions (intended for focus group discussions but many of these questions would be applicable to key informant interviews as well).

### *Community Profiles*

Although very different in many respect from rural communities, slums can to some extent be regarded as “communities”: people often share a common history, sometimes they share a common geographical origin (at least the first in-migrants settling in a given slum area), they share common infrastructure, they are faced with common difficulties in accessing services and housing, they may share a common political affiliation, and usually there is a level of social solidarity within the slum. If this does not apply to the slum as a whole, then smaller areas within the slum tend to function socially as communities.

The community profiles are a special set of information needs and data analyses that are intended to establish the structure of slum communities. Specific objectives are as follows.

- Establish the community’s historical, demographic, administrative, religious and political profile,
- Describe community organization, such as the existence and characteristics of community-based organizations, previous NGO or government economic development or rehabilitation interventions and any successful forms of self-help;
- Determine the boundaries of community as they are perceived by community members themselves;
- Assess the situation of internal community relationships, such as power sharing arrangements, the role of leaders (political, religious, cultural, CBO and NGO leaders), any conflicts internal to the community among communities.

### *Focus Group Discussions*

Focus group discussions address topics of concern particular to each project or intended activity with specific groups of population (age groups, gender groups, socio-professional groups). In the case of resettlement oriented baseline surveys, the main objective of the focus group discussions will be to gather views and concerns with regard to the proposed resettlement and rehabilitation program. Focus groups discussions are an effective tool for getting an adequate understanding of the socio-economic baseline conditions, but they can be very effectively used as a consultation tool on resettlement preferences too.

Participation in focus group discussions will be sought, for example, from men, women, youths, elders, business persons, and other homogeneous groups as applicable (for example people with large families as opposed to bachelors or young couples). Experience indicates that in the perspective of resettlement programmes, focus groups are particularly valuable as a tool to investigate compensation preferences of different social groups. The following table gives an example of questions that can be used for focus groups.

### **Framework for Resettlement-Oriented Focus Group Discussions**

<i><b>Issue to discuss</b></i>	<i><b>Examples of questions for discussions in focus groups</b></i>
<i>Importance of location of your residence and/or business</i>	<p><u>Wage earners:</u> Where do you work? What transportation services do you use? How much does transportation to your workplace cost? Could you easily work elsewhere? What is critical to you in terms of location of your residence?</p> <p><u>Businesspersons and self employed workers:</u> Where is your clientele from? Where do you get your supplies from? Where are your employees living? Where could you easily relocate your business or activity to?</p>
<i>Entitlements</i>	<u>All categories of participants:</u> Discuss the proposed entitlement matrix in focus groups
<i>Housing preferences</i>	<p><u>Male:</u> Rank critical criteria for housing and discuss (size, location, design, finish, utilities, services, etc...).</p> <p><u>Female:</u> Rank critical criteria for housing and discuss. In your current house, what sort of facilities do you use for cooking? How do you fetch water? What sort of bathroom equipment do you have? What sort of toilets do you have? What is necessary to your privacy? What do you think are the positives and negatives of multi-storey blocks? What do you think is necessary to your security?</p> <p><u>Elderly:</u> Rank critical criteria for housing and discuss.</p> <p><u>Youth:</u> Rank critical criteria for housing and discuss.</p>
<i>Social networks, project social footprint</i>	<u>All categories of participants:</u> Where do you shop? Where do you attend religious service? Where do you go in case you need administrative documents? Where do you go if yourself or a member of your family needs medical attention? Where do your children attend school? In case of hardship, whom do seek support from? Where do these people live? Describe the history of your residing here (when did you come, why, are you living close to your kin or people from the same village / area)? Have you moved several times since you live in Mumbai? What were the reasons for moving and the criteria to select a new location?
<i>Current community organization</i>	<p><u>All categories of participants:</u> Describe the societies and community based organizations that you are a member of (such as religious, cultural, sport, local business groups, credit, political, or other organisations). Where do members of these live? In addition to these in which you yourself are a member, what are the organisations that play an important role in the everyday life of the slum? Who are the individuals that you think can represent the slum? Why would you trust these particular individuals?</p> <p>Are there conflicts within the community? What is at stake (political power or affiliations, religion, economic predominance)?</p>

### Implementing the Socio-Economic Surveys

In many resettlement projects, the socio-economic surveys are implemented as a part of the census, by the same teams and within the same timeframe. In fact, experience indicates that the requirements of both exercises in terms of timing and in terms of skills are quite different:

- While it is critical that the census should progress quickly (cut-off), the socio-economic surveys need some time, particularly the qualitative investigations, to reach an adequate understanding of the affected people,
- Skills needed are different: social scientists usually make poor physical surveyors, and *vice versa*.

It is therefore better to do the census of affected people and affected assets first, and to carry out the socio-economic investigation later. This has other advantages:

- The sample for the socio-economic survey can be derived from information acquired in the census, particularly if a stratification approach is adopted,
- The socio-economic survey, which is quite demanding on people interviewed, is undertaken only once the project footprint has been refined and finalized, which saves costs and avoids disturbing people who would turn out not to be affected.

The socio-economic survey should also be preceded by information to local authorities and community leaders. A test of the instruments then needs to be carried out, which will allow for training of the field staff.

It is common to use sub-contractors to implement socio-economic surveys. This is usually not a bad idea, as it allows to use skills that are not necessarily present in implementing agencies. However, outsourcing implies supervising. It is therefore highly recommended that the implementing agency should have in house supervising capacity, with at least one experienced social scientist in place before the survey commences.

**APPENDIX 4 – CENSUS DOSSIER**

*Note: the census forms below do not necessarily fit every project. They are indicative and need to be tailored to the needs of every resettlement census.*



**HOUSEHOLD FORM NUMBER:**

Page 1

Enumerator:

Date: / /20

Signature:

Checked by:

Date: / /20

Signature:

Inputted by:

Date: / /20

Signature:

**1. IDENTIFICATION OF AFFECTED PROPERTY**

GPS Coordinates

Northing:

Easting:

Locality:

District:

Province:

Cadastral references of plot:

Section:

Number:

Type of property	Agricultural plot	Residential plot with residential building	Plot with business
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*Tick applicable box*

Related forms in the household dossier:

- Affected plot form number(s):
- Affected structure form number(s):
- Affected business form number(s):

Photograph of HHH: Camera or card number:

File name(s)

Downloaded and renumbered to:

By:

Date: / /

**2. IDENTIFICATION OF AFFECTED HOUSEHOLD**

Head of household: Full Name:

HHH's identity document: Type:

Number:

Issued on: / / In:

In the 1995 electoral roll: YES / NO

	Full name	Relationship with HHH*	Year of Birth	Sex	Occupation **	Usual residence
1		HHH		M F		
2				M F		
3				M F		
4				M F		
5				M F		
6				M F		
7				M F		
8				M F		

\*: 1: Spouse 2: Child

3: Parent

4: Grandparent

5: Grandchild

6: Other

\*\*: Codes of occupations

01: Farmer

06: Utility employee

11: Student in primary school

02: Agricultural labourer

07: Employee of private business

12: Pre-school age child

03: Housewife

08: Pensioner

13: Unemployed – does not work at all

04: Small self employed business person (except agric)

09: Student in University or other higher education

14: Unemployed – works occasionally

05: Government or local authority employee

10: Student in secondary or vocational school

15: Other (specify)

Educational status of HHH	Cannot read and write	Has completed primary	Has completed secondary	Has university degree
---------------------------	-----------------------	-----------------------	-------------------------	-----------------------

*Tick applicable box*

Observations:

**3. LIVELIHOOD**

In which of the following categories does the average total monthly income of your whole household fall:

1: Less than	2: Between and	3: Between and	4: Between and	5: More than
--------------	----------------	----------------	----------------	--------------

*In case there are several bread earners in the household, consolidate them together please*

Amongst the following, what are your main sources of income (1: highest – 0: not significant or not applicable)

Salaries	Agric. Production	Small business	Remittances
Pensions	Government or other assistance	Other (specify):	Other (specify):

Amongst the following, what are your main sources of expense (1: highest – 0: not significant or not applicable)

Food	Housing (mortgage or rent)	Utilities (water, power, telephone)	Taxes	Transport
Education	Health	Clothing	Other (specify):	Other (specify):

*Applies only to household expenses – small business expenses not to be considered here*

Do you produce some of your food needs: Yes / No

Specify what and how significant it is:

Are there periods of time when it is really difficult to meet basic needs: Yes / No

**4. VULNERABILITY ISSUES**

<b>Is anyone in the household suffering from one of the following problems:</b>	Physical handicap	Mental handicap	Chronic disease requiring regular medical attention	Chronic disease requiring hospitalization	Other problem: specify:
---	-------------------	-----------------	---	---	-------------------------

*Indicate number of affected household member per the table in section 3 in the relevant box*

Observations:

**5. COMPENSATION PREFERENCES**

## m2

Current usage	Mainly residential	Mainly agricultural	Forest	Pasture	Mainly business	Unused	Other (specify):
------------------	-----------------------	------------------------	--------	---------	--------------------	--------	------------------

## 2. SKETCH OF AFFECTED PLOT

A full-page view of a blank sheet of graph paper. The grid consists of thin, light gray horizontal and vertical lines forming small squares across the entire page. There are no margins, text, or other markings on the paper.

### 3. OWNERSHIP

<b>Regime of ownership and reference of documents</b>	With fully registered title	Title in progress	Formal lease of public property  Owner:	Formal lease of private property  Owner:
	Informal lease  Owner:	Other, specify:	Shared ownership YES / NO	If yes, other shareholders:

*Tick applicable box – and include reference and date of document presented by occupant in the relevant box*

**STRUCTURE FORM NUMBER:**

Page 1

Enumerator:

Date: / /20

Signature:

Checked by:

Date: / /20

Signature:

Inputted by:

Date: / /20

Signature:

**1. DESCRIPTION OF AFFECTED STRUCTURE**

Locality:

District:

Province:

Coordinates

Northing:

Easting:

Photograph of plot: Camera or card number:

File name(s)

Downloaded and renumbered to:

By:

Date: / /

Detached building: YES / NO

Apartment in larger house: YES / NO

Current usage	Mainly residential	Mainly agricultural	Industrial	Commercial	Recreational	Unused	Other (specify):
---------------	--------------------	---------------------	------------	------------	--------------	--------	------------------

*Tick applicable box - Provide details on usage below if necessary*

Outside dimensions: \_\_\_\_\_ m x \_\_\_\_\_ m Built in year: \_\_\_\_\_

General condition:

Outside: \_\_\_\_\_ Inside: \_\_\_\_\_

*1: new or very good 2: fair 3: poor 4: ruin, unusable*

Materials	Walls	Roof	Floor inside
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**2. FOR RESIDENTIAL STRUCTURES ONLY**

Living space: \_\_\_\_\_ m2

Number of rooms: \_\_\_\_\_

*Count lounges and bedrooms only, exclude kitchens, bathrooms and storage space*

Utilities	Connection to Public Water Network	Connection to Public Power Grid	Connection to Telephone Lines	Connection to Public Sewerage	Running water in house	Flush Toilet in house
	YES / NO	YES / NO	YES / NO	YES / NO	YES / NO	YES / NO

Heating system:

**3. REGIME OF OWNERSHIP / OCCUPATION**

Regime of ownership and reference of documents	With fully registered title	Title in progress	Formal lease of public property	Formal lease of private property
	Owner:	Owner:	Owner:	Owner:
	Informal lease	Other, specify:	Shared ownership YES / NO	If yes, other shareholders:
	Owner:			

*Tick applicable box – and include reference and date of document presented by occupant in the relevant box*

Building permit: YES / NO – Checked by enumerator: YES / NO

#### 4. SKETCH OF AFFECTED STRUCTURE

This image shows a full page of blank graph paper. The grid consists of thin, light gray horizontal and vertical lines that intersect to form small squares across the entire area. There are no margins, text, or other markings on the paper.

*Include relevant dimensions or approximate scale as appropriate*

**BUSINESS FORM NUMBER:**

Page 1

Enumerator:

Date: / /20

Signature:

Checked by:

Date: / /20

Signature:

Inputted by:

Date: / /20

Signature:

**1. DESCRIPTION OF AFFECTED BUSINESS**

Photograph of business: Camera or card number:

File name(s)

Type of business: \_\_\_\_\_ Year of establishment: \_\_\_\_\_

01: General retail

06: Artisanal workshop (specify activity)

11: Restaurant, bar, café

02: Specialized retail (specify area)

07: Transportation related activity (provide details)

12: Hotel, inn, guesthouse

03: Minimarket or supermarket

08: Services to agriculture

13: Other (specify)

04: Whole sale (specify area)

09: Construction contractor (specify area if needed)

05: Telephone booth / internet café

10: Petrol station

Provide details on business size and activity as appropriate:

Does the business use an affected structure or plot: Yes / No – **If Yes**, Structure or plot reference: \_\_\_\_\_

Other affected immoveables used by the business: \_\_\_\_\_

Example: Underground fuel storage

How many full time employees does the business have: \_\_\_\_\_ Part-time employees: \_\_\_\_\_

Include only those paid a salary, not including owners, operator or family helpers who are not paid a salary

Comments:

**2. LEGAL ASPECTS**

Business is formally registered: YES / NO

**IF BUSINESS IS FORMAL:**

Legal form of business: \_\_\_\_\_

Tax registration number: \_\_\_\_\_

Owners (shareholders): \_\_\_\_\_ Share: \_\_\_\_\_ %

\_\_\_\_\_ Share: \_\_\_\_\_ %

\_\_\_\_\_ Share: \_\_\_\_\_ %

\_\_\_\_\_ Share: \_\_\_\_\_ %

Operator if different from owner (name, address): \_\_\_\_\_

Above information is checked by enumerator from legal documents presented by owner: YES / NO

**IF BUSINESS IS INFORMAL:** Owner: \_\_\_\_\_

Operator: \_\_\_\_\_

**3. ECONOMICS OF THE BUSINESS**

In average over the last three years:

Typical sales	Typical expenses	Typical income

Specify unit and period (example: EUR / year)

Above numbers from documents: YES / NO If yes, what documents: \_\_\_\_\_

Comments:

## **APPENDIX 5 – SCREENING AND SUPPORTING VULNERABLE PEOPLE – GOOD PRACTICE EXAMPLES**



## Screening Vulnerable People in a Slum Resettlement Project in Abidjan, Côte d'Ivoire

*When the slum of Blingué in Abidjan, the capital city of Côte d'Ivoire, was partially displaced to make way for a toll road, attention was paid beforehand to the situation of a few vulnerable people. The slum community was generally poor and marginalized, and organized in a quite hierarchical manner, with most residents recognizing a chief and a small group of elders to represent them in their negotiations with the implementing agency. The Chief and elders were explained what the implementing agency would consider "vulnerable people", and requested to propose a list for screening by the agency. They initially came back after a few days of consultation with the community responding that "nobody is vulnerable here". When asked to reconsider the issue, they came up with a list of 6 households, including three elderly widows, one physically disabled woman living with a mentally impaired daughter, and one unemployed couple with 16 children. These households were surveyed by a social worker and their vulnerability was confirmed. Working in the community helped identify another two vulnerable households, which the "elders screening" had kept away from eligibility. The resettlement programme was based on self-reconstruction of the structures by the slum dwellers themselves on a serviced plot with security of tenure. Assistance measures were discussed with the vulnerable themselves and with community representatives. It was decided that the most appropriate measure would be to assist vulnerable people to reconstruct their structures. Workers were hired from the slum community to build houses for them. The initial reaction seems typical of a community where initially nobody wanted to be stigmatized as "vulnerable". But once the objectives of the screening and of the assistance were clarified, the community was able to identify those who were in real need of assistance, and it is remarkable that eventually, nobody questioned either the screening or the assistance..*

Source: F.Giovannetti (1998)

## Identifying and Assisting Vulnerable People in a Resettlement Project in Ghana

### Background

*NGGL, a subsidiary of Newmont Gold of the USA, is building and operating a gold mine in the Brong Ahafo region of Ghana. About 1,700 households are affected, of whom about 820 were residing in the area where the gold mine is located. These latter people have been displaced and either compensated in cash or resettled. The project takes place in a rural area near two mid-size towns. Many affected people were farming in the mine area but live in these small towns. NGGL started implementing its Vulnerable People Program in February 2006.*

### Overview of the Vulnerable People Screening Process

*A process to identify vulnerable people and ascertain their eligibility to participate in the program has been devised. It includes the following steps:*

- *Registration (voluntary), with a first quick review of the socio-economic situation of the household,*
- *More detailed review of their socio-economic situation at their residence,*
- *In-depth review of the vulnerability situation at their residence,*
- *Discussion of each case report at a Vulnerable Working Group made up of representatives from an international NGO which administers the programme, NGGL, and a local Community Based Organization ("Guards of the Earth and Vulnerable"); this working group decides on whether to accept or reject the case as a vulnerable household and also makes recommendations on support to be given,*
- *Submission of the situation of the vulnerable people and proposed recommendations for action to a dedicated Committee, which in addition to representatives of the working group also includes representatives of traditional chiefs (chair), and the Regional and District branch of the Department of Social Welfare.*
- *Implementation of the support measures as recommended by the Committee.*

*As of January 2007, about 2,000 households had self registered into the programme. From these, about 600 households had been screened into stage 2 above. Out of these, about 300 households have been approved by the vulnerable committee as being eligible for the program.*

### Support Measures to Vulnerable People

*Support measures to vulnerable people could include one or several of the following components:*

- *Food baskets comprising of different staples,*
- *Medical attention,*
- *Counselling services,*
- *Fast-tracked access to replacement agricultural land,*
- *Coverage of health expenses under the National Health Insurance scheme (a medical insurance system of the Government of Ghana, where NGGL registers the vulnerable household and covers the cost thereof) - all*

*households considered vulnerable are given this support,*

- *Training,*
- *Employment at NGGL (traffic wardens) if available,*
- *Micro-credit.*

*External monitoring of this programme indicates that the screening process is remarkably effective and that those receiving assistance are significantly more vulnerable than the rest of the community. It also indicates that the objectives of assistance are generally met, with younger vulnerable people (particularly poor female heads of households with several kids) usually able to take up training and improve their employability, while older people may have to stay on assistance for longer periods of time. People are reviewed on a periodic basis for vulnerability. For example, after two years of receiving assistance, about 50% of households receiving food baskets were removed from the programme, based on the assessment that they no longer the vulnerability criteria of the programme. External monitoring also found out that discontent was gaining ground in the general community as many were disappointed to have been screened out from the programme. Communication on its objectives was reinforced to try to counter this tendency.*

*Source: Newmont Ghana Gold Limited and Tasneem Salam (personal communication - 2007)*

## **APPENDIX 6 – TABLE OF CONTENTS OF A RESETTLEMENT ACTION PLAN**

## EXECUTIVE SUMMARY

- 1 SCOPE OF THE RESETTLEMENT ACTION PLAN – INTRODUCTION
  - 1.1 SCOPE AND CONTENTS OF THIS REPORT
  - 1.2 KEY DEFINITIONS
- 2 PROJECT DESCRIPTION AND PROJECT POTENTIAL IMPACTS
  - 2.1 PROJECT OBJECTIVES
  - 2.2 THE PROJECT FOOTPRINT AND ITS POTENTIAL LAND IMPACTS
  - 2.3 MINIMIZATION AND AVOIDANCE OF PROJECT DISPLACEMENT IMPACTS
- 3 LEGAL FRAMEWORK
  - 3.1 THE CONSTITUTION
  - 3.2 THE EXPROPRIATION LAW
  - 3.3 LAND TENURE REGIME
  - 3.4 LENDERS POLICIES ON INVOLUNTARY RESETTLEMENT
- 4 PRINCIPLES, OBJECTIVES, AND PROCESSES
  - 4.1 PRINCIPLES AND OBJECTIVES
    - 4.1.1 Applicable Regulatory Framework
    - 4.1.2 Minimization of Displacement
    - 4.1.3 Cut-Off Date and Eligibility
    - 4.1.4 Livelihood Restoration
    - 4.1.5 Compensation
    - 4.1.6 Consultation – Grievance mechanisms
  - 4.2 PROCESS OVERVIEW
    - 4.2.1 With Expropriation (formalized ownership)
    - 4.2.2 Without Expropriation (informal occupation)
- 5 BASELINE OF AFFECTED ASSETS AND AFFECTED PEOPLE
  - 5.1 CENSUS OF AFFECTED ASSETS AND AFFECTED HOUSEHOLDS
    - 5.1.1 Methodology
    - 5.1.2 Implementation
    - 5.2.3 Results
  - 5.2 SOCIO-ECONOMIC BASELINE SURVEYS
    - 5.2.1 Methodology
    - 5.2.2 Implementation
    - 5.2.3 Results
  - 5.3 AFFECTED LAND
    - 5.3.1 Estimates of Surfaces Potentially Required
    - 5.3.2 Categorization of Land Needs (Permanent, Temporary)
    - 5.3.3 Land Tenure Regimes
  - 5.4 AFFECTED STRUCTURES
    - 5.4.1 Estimates of Numbers of Affected Structures
    - 5.4.2 Categorization of Structures
    - 5.4.3 Structure Ownership Regime
  - 5.5 AFFECTED BUSINESSES
    - 5.5.1 Estimates of Numbers of Affected Businesses
    - 5.5.2 Categorization of Businesses
    - 5.5.3 Business Ownership Regime
  - 5.6 PEOPLE
    - 5.6.1 Estimates of Numbers of Affected People
    - 5.6.2 Economic and Physical Displacement
    - 5.6.3 Summary Socio-Economic Description and Categorization of Affected People
    - 5.6.4 Compensation Preferences

- 6 RESETTLEMENT AND COMPENSATION STRATEGY
  - 6.1 ENTITLEMENTS
    - 6.1.1 Eligibility to Compensation
    - 6.1.2 Entitlement Matrix
  - 6.2 VALUATION OF AFFECTED ASSETS
    - 6.2.1 Land
    - 6.2.2 Structures
    - 6.2.3 Crops and Trees
    - 6.2.4 Businesses
  - 6.3 RESETTLEMENT
    - 6.3.1 Reconstruction
    - 6.3.4 Livelihood Restoration
  - 6.4 CASH COMPENSATION
    - 6.4.1 Rates
    - 6.4.2 Payment
- 7 CONSULTATION AND DISCLOSURE
  - 7.1 MAIN RESULTS OF CONSULTATION CARRIED OUT FOR PREPARING THE RAP
  - 7.2 ENGAGEMENT PLAN FOR FURTHER STAGES
  - 7.3 DISCLOSURE
- 8 GRIEVANCE MANAGEMENT MECHANISMS
  - 8.1 REGISTRATION OF GRIEVANCES
  - 8.2 FIRST TIER OF AMICABLE SETTLEMENT
  - 8.3 SECOND TIER OF AMICABLE SETTLEMENT
  - 8.4 APPEAL TO COURT
- 9 VULNERABLE PEOPLE
  - 9.1 IDENTIFICATION OF VULNERABLE PEOPLE
  - 9.2 POTENTIAL ACTIVITIES IN ASSISTANCE TO VULNERABLE PEOPLE
- 10 MONITORING AND EVALUATION
  - 10.1 GENERAL OBJECTIVES OF MONITORING & EVALUATION
  - 10.2 AUDITING AND MONITORING DURING IMPLEMENTATION
    - 10.2.1 Scope and Content
    - 10.2.2 Reporting
  - 10.3 EVALUATION
- 11 IMPLEMENTATION RESPONSIBILITIES AND FUNDING
  - 11.1 IMPLEMENTATION RESPONSIBILITIES
  - 11.2 BUDGET AND ARRANGEMENTS FOR FUNDING
  - 11.3 TIME SCHEDULE

APPENDIX 1: DETAILED RESULTS OF THE CENSUS AND SOCIO-ECONOMIC SURVEY

APPENDIX 2: CENSUS DOSSIER AND METHODOLOGY

APPENDIX 3: TEMPLATE OF A CLAIM REGISTRATION AND FOLLOW-UP FORM

## **APPENDIX 7 – CHECK-LIST FOR APPRAISAL OF A RESETTLEMENT ACTION PLAN**

Topic / Question	Relevant for the Project	Adequately addressed in the RAP
<b>Avoid or minimise resettlement</b>		
1. Does the RAP provide evidence that displacement impacts were avoided to the extent practical?		
2. Does the RAP provide evidence that where displacement impacts are unavoidable they still have been minimised to the extent practical		
3. Are potential Project alternatives (routing, siting) considered and assessed in terms of displacement impacts, as well as compared to the selected option		
4. Does the analysis above also address ancillary infrastructure		
<b>Project Footprint – Socio-Economic Analysis of the Affected Community</b>		
5. Is the project physical footprint adequately described, including maps and/or aerial or satellite images, providing an accurate view of the baseline situation		
6. Is the project social footprint described, including a description of affected communities from a socio-political perspective		
7. Is the surface area needed for the project quantified		
8. Does it include temporary land needs		
9. Is the number of affected households and affected individuals assessed		
10. Are these households adequately categorised against the type of impacts they experience (physically displaced, economically displaced)		
11. Is the number of affected residential and non residential structures assessed		
12. Do numbers add up		
13. If there are uncertainties as to numbers are they justified, and are intervals of confidence on the above numbers assessed		
14. Is the census methodology described and does it appear adequate		
15. Is the socio-economic survey methodology described and does it appear adequate		
16. Does the socio-economic survey analysis provide all parameters relevant to resettlement planning (as a minimum: sound and comprehensive categorisation of households, household demography, occupations, location of employment areas, level of education, health status, potential conflicts within the community, summary political situation)		
17. Is there a description of further management arrangements for baseline information		
<b>Legal / Tenure / Informal occupation</b>		
18. Are the administrative subdivisions into which the affected area falls identified		
19. Is the local government system identified		
20. Is the legal basis of land tenure in the affected area identified and described		
21. Are affected people and affected assets categorised according to their mode of tenure (formal/informal)		
22. Are legal processes applicable to the compensation of legal occupants described		
<b>Entitlements</b>		
23. Are entitlements described for all categories of PAPs and all categories of losses, including informal occupants and tenants		
24. Is a reasonably justified cut-off date used to cut-off eligibility		

Topic / Question	Relevant for the Project	Adequately addressed in the RAP
25. Are eligibility criteria for access to compensation clearly spelled out		
26. Is compensation at replacement value		
<b>Resettlement Site Selection and Development</b>		
27. Were several sites considered and are they compared in the documentation, including from a livelihood restoration perspective		
28. Was in situ resettlement considered as a possible option		
29. Is the resettlement sites properly described, including with maps and/or aerial/satellite imagery		
30. Are relevant planning parameters of the resettlement site(s) development described (including access, power and water supply, public lighting, waste collection and disposal, etc...)		
31. Is basic social infrastructure provided in or near the resettlement site(s) – schools, kindergartens, police station, health centre, etc...		
32. Is the situation of the site in respect of existing public transportation lines described – Is the cost of commuting to the previous location and to the main centres of the city assessed		
33. Are the construction arrangements described		
34. Are the arrangements for technical supervision of construction described		
35. Is there an assessment of the potential impacts on host communities		
36. Are mitigation measures for any potential strain on local infrastructure described		
37. Is the permitting process described for the resettlement site(s)		
38. Are housing units allocated to resettlers described in terms of surface area, finish and amenities (drinking water, kitchen space, bathroom, toilets)		
39. Are collective amenities described		
40. Is the baseline environmental situation of the resettlement site(s) described		
41. Is there an environmental assessment of the resettlement site(s) development		
<b>Vulnerable People</b>		
42. Are potential vulnerable groups identified		
43. Is a policy for identification, screening and support to vulnerable people adequately described		
<b>Livelihood Restoration</b>		
44. Are potential opportunities for livelihood restoration in the resettlement sites(s) systematically explored and assessed from a long term sustainability perspective		
45. Is there a comprehensive livelihood restoration program addressing the different groups in the affected community		
46. Will affected people whose livelihoods are affected be proposed different rehabilitation options		
47. Are criteria for access to livelihood restoration programs clearly spelled out		
<b>Monitoring and Evaluation</b>		
48. Are monitoring and evaluation activities clearly identified and described, with related timelines and responsibilities		
49. Does the RAP provide a list of indicators, with frequencies of measurement		



<b>Topic / Question</b>	<b>Relevant for the Project</b>	<b>Adequately addressed in the RAP</b>
50. Within this general list, are Key Performance Indicators identified		
<b>Engagement with Affected Groups and Other Stakeholders</b>		
51. Is there an identification of stakeholders other than affected groups (such as Government at the different levels, political players, NGOs)		
52. Does the resettlement site selection process take consideration of the results of engagement with affected groups and is this properly documented		
53. Does the entitlement framework take consideration of the results of engagement with affected groups and is this properly documented		
54. If there is evidence that certain groups oppose the resettlement strategy, is a strategy in place to handle this opposition		
55. Are on going engagement strategies and arrangements identified and described for the whole duration of the resettlement program		
<b>Implementation Arrangements, Schedule, Budget</b>		
56. Does the RAP describe implementation arrangements for all main tasks under the resettlement program		
57. Is a realistic budget provided		
58. Does the RAP describe implementation arrangements for all main tasks under the resettlement program		
59. Is a detailed implementation schedule provided and is it described how it interacts with the implementation schedule for the main project that causes the resettlement		

## APPENDIX 8 – MAIN CONTRIBUTORS

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