



MINISTRY OF RAILWAYS

Dedicated Freight Corridor of India Limited (DFCCIL)

Bhaupur-Khurja Section of Proposed Eastern Dedicated Freight Corridor

Public Information Brochure

December 2011

This summary explains main features Social Impact Assessment carried out for Eastern Dedicated Freight Corridor (EDFC) Project, Phase 1 for Bhaupur-Khurja Section. This summary for Resettlement Action Plan is distributed to Public as an information dissemination process under the project by Dedicated Freight Corridor Corporation of India Limited(DFCCIL) as project implementing agency.

The Project Brief

Dedicated Freight Corridor Corporation of India Ltd. (DFCCIL), a Special Purpose Vehicle (SPV) of the Ministry of Railways, Government of India has planned Implementation of Dedicated Freight Corridors connecting Dadri to Rewari to Mumbai on the Western DFC Corridor and Ludhiana with Dankuni (Kolkata) on the Eastern DFC Corridor. As a first step in this direction, the Ministry of Railways (MOR) has decided to construct a Dedicated Freight Corridor (DFC) spanning the Mumbai to Delhi (Western DFC) and Delhi to Kolkata (Eastern DFC) along the legs of the golden quadrilateral. These two corridors – Western and Eastern will cover a length of approximately 3338 kms.

Eastern Corridor: This is a DFC with an initial route length of 1301 km and consisting of two distinct segments as an electrified double line of 897 km between Son Nagar and Dadri, and an electrified single line of approximately 404 km between Khurja and Ludhiana (Sahnewal Kalan). It has further been decided to extend the Eastern DFC to Dankuni in the Kolkata area, an additional route length of approximately 538 km making a total corridor length of about 1839 km.

Western Corridor: This is a double line DFC from Jawaharlal Nehru Port in Navi Mumbai to Tughlakabad/Dadri in the NCR of Delhi, running along the Indian Railways' JN Port, Vasai Road, Surat, Vadodara, Ahmedabad, Mahesana, Palanpur, Ajmer, Phulera, Ringus, Rewari, Dadri route over a route length of 1499 km.

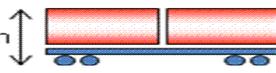
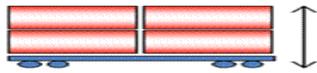
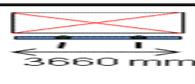
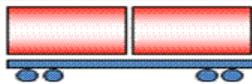
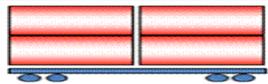
DFCCIL has sought World Bank Loan assistance for Implementation of Eastern Dedicated Freight Corridor (EDFC) for the development of Eastern Dedicated Freight Corridor from Mughal Sarai to Khurja in two sections e.g. Bhaupur - Khurja as phase I and Mughal Sarai - Bhaupur as phase II of the project. Bhaupur to Khurja Section has taken in first phase of World Bank Loan. As part of the project preparation, a Resettlement Action Plan (RAP) has been prepared to address the resettlement issues of the project to address the involuntary resettlement.

Salient Features

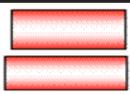
Dedicated Freight Corridors are proposed to adopt world class and state-of-the-art technology. Significant improvement is proposed to be made in the existing carrying capacity by modifying basic design features. The permanent way will be constructed with significantly higher design features that will enable it to withstand heavier loads at higher speeds. Simultaneously, in order to optimize productive use of the right of way, dimensions of the rolling stock is proposed to be enlarged. Both these improvements will allow longer and heavier trains to ply on the Dedicated Freight Corridors.

The following tables provide comparative information of the existing standards on Indian Railways and the proposed standard for DFCC

Upgraded Dimensions Of DFC

Feature	Existing	On DFC
Moving Dimensions		
Height	4.265 m 	 7.1 m for Western DFC 5.1 m for Eastern DFC
Width	 3200 mm	 3660 mm
Container Stack	 Single Stack	 Double Stack
Train length	 700 m	 1500 m
Train Load	 4,000 Ton	 15,000 Ton

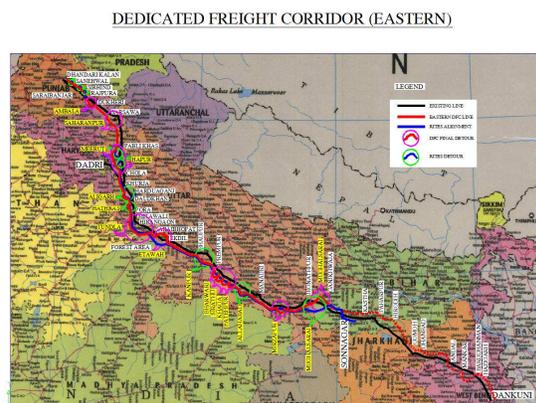
Upgraded Design Features Of DFC

Feature	Existing	On DFC
Heavier Axle Loads		
Axle Load	 22.9t/25t	 32.5t/25t for Track Superstructure
Track Loading density	 8.67 t/m	 12 t/m
Maximum Speed	 75 Kmph	 100 Kmph
Grade	Up to 1 in 100	1 in 200
Curvature	Up to 10 degree	Up to 2.5 degree
Traction	Electrical(25 KV)	Electrical(2x25 KV)
Station Spacing	7-10 Km	40 Km
Signalling	Absolute/Automatic with 1 Km spacing	Automatic with 2 Km spacing
Communication	Emergency Sockets/Mobile Train Radio	Mobile Train Radio

The Project Area

Total length of the Bhaupur-Khurja Corridor is 343 kms; out of which 236 kms are in parallel and 107 kms are in detour section. Resettlement Action Plan has been prepared in two parts e.g. 272 km for Bhaupur –Khurja section and 71 km for Kaurara- Chamrola Section (Tundla Re-Alignment).

The project area and length of alignment is shown in following Table.



Project Stretch (From-To)	Package No	Chainage km (From-To)	Distribution of length (km)		Total length
			Parallel	Bypass	
Bhaupur-Bhatuara	I	1040-1170	95	40	135
Kaist – Biruni and Kaurara- Chamrola Section(Tundla Re- alignment)	II	1170-1266	72	29	101
Jamal Nagar – Khurja	III	1266-1369	69	38	107
Total (Bhaupur-Khurja Phase-I)		1040-1369	236	107	343

Social Impact Assessment for the Project

Considering the scale, nature and extent of activities envisaged as part of DFC Project, a detailed Social Impact Assessment (SIA) has been carried out on the finalized alignment in order to ensure that all potential social issues or concerns associated with various project components are addressed and integrated into project's planning and design at an early stage in order to formulate the DFC Project in a more sustainable and effective manner. This assessment is also in line with the National Rehabilitation and Resettlement Policy (NRRP) 2007 and the World Bank operational policies relating to social safeguards.

- (i) **Census and Baseline Socio-Economic Survey:** Based on final alignments and detailed measurement survey of land and structure, a census and baseline socio-economic survey was carried out for Bhaupur – Khurja Section.
- (ii) **Stakeholders Consultation:** The SIA involved extensive Stakeholder Consultations (over 337) at individual and village levels. Additional consultations were carried out at the Tahsil level; and Focus Groups Discussions (FGDs) were carried out at critical locations. Follow-up consultations were also carried out to understand opinion and preferences of the PAPs on R&R entitlement, disbursement procedure and implementation arrangement. The objective of these consultations was to inform the affected people about the project, discuss project alternatives to minimize impact, identify and address critical issues and concerns of the affected people.

(iii) Survey of Secondary data and literature: The SIA survey formats were prepared to gather data on issues and aspects after a survey of the existing literature on the population profile including their demographic and social cultural status.

(iv) Minimizing Displacement: One of the objectives of the social assessment was to minimize displacement, and promote no-displacing or least displacing alternatives. To avoid displacement of people, technical steps undertaken by DFCC included consideration of alternative alignment, minimizing track distances at selected locations, and reducing embankment heights. (COI from 40 meters to 17 meters).

The steps taken to reduce corridor of impact to minimize displacement include the following.

- a) Reducing track distance between IR network and DFC network to minimum level of 6 meters, these locations are Maitha, Phaphoond, Mahrara, Kheria, and Durauchandpur.
- b) Ruling out service roads in the built-up stretches,
- c) Providing retaining wall/fencing of DFC at 4 meters distance from last track of DFC, 3 meters extra width (if land is available) from houses to retaining wall in order to provide access to local residents, if additional land is not available, with access to residents from other side of their house, which will be planned during implementation of the project.
- d) Re-modelling of yard and reducing distance between yard and DFC tracks.
- e) Alignment has been designed in such a way to avoid physical displacement of large number of people. Mostly the alignment of DFC project has been planned in parallel to existing Railway alignment. To avoid displacement of large number of people, short detours have been planned at 5 locations namely 1.Achalda, 2.Bharthana, 3.Etawah, 4.Hathras and 5.Aligarh.

(v) Analyses of Alternative Alignments: Alternative analysis of the proposed detour portion was carried out. The result of analysis of the alternative alignments indicates that bypasses have been proposed to avoid congestion and large scale of displacement of people. Analysis of these alternative alignments indicates that displacement and resettlement issues have been minimized under the project.

Implementation Plan

Land Acquisition: The proposed EDFC project has been declared as 'Special Railways Project' as per The Railways Amendment Act, (RAA) 2008 (section 2 of the Railways Act 1989). In EDFC Project, land acquisition process is going as per RAA, 2008. A flowchart of the land acquisition process is shown fig.

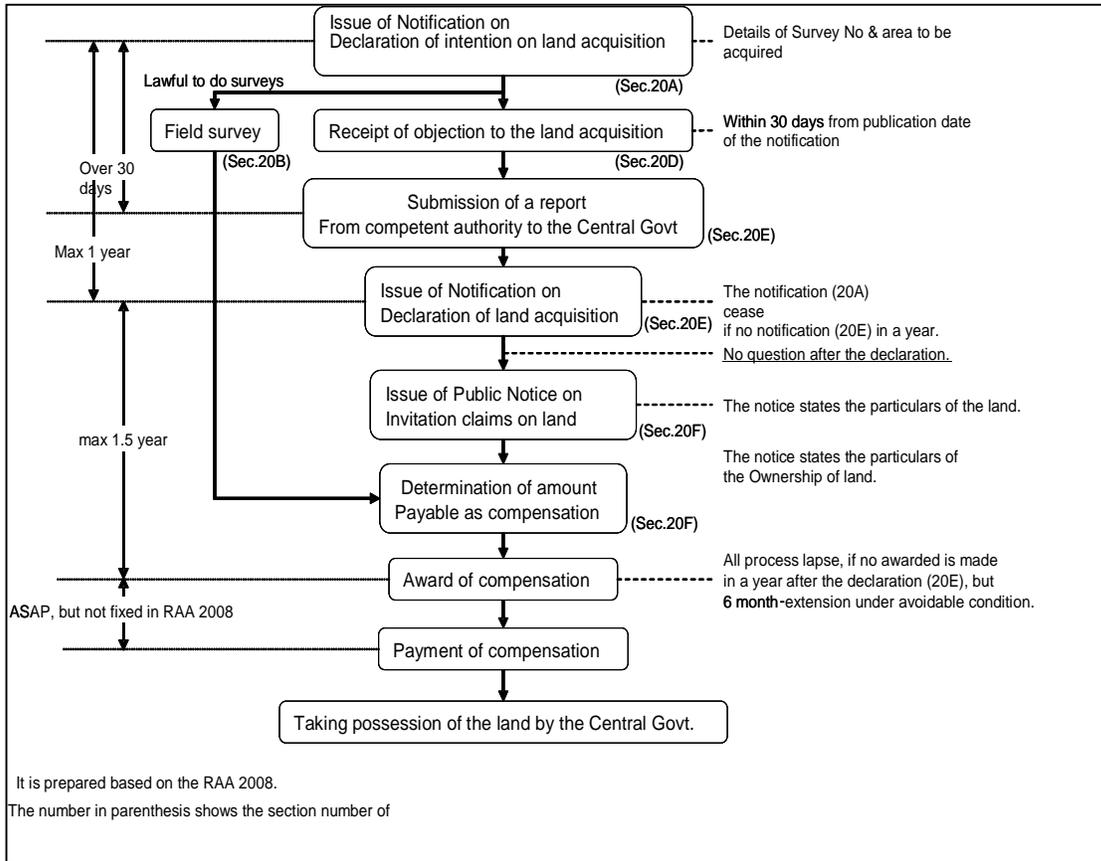


Fig.: Flowchart of the Land Acquisition Process under Railways (Amendment) Act, 2008

Entitlement Matrix: Project Affected Persons will be eligible for a combination of compensation and assistance measures depending upon the nature of ownership rights of lost assets, type of impact and their socio-economic status.

Entitlement Matrix

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
A. Loss of Private Agricultural, Homestead & Commercial Land				
1	Land on the Project Right of Way	Legal Title holders and Affected Parties with traditional land rights	1. Compensation at replacement cost 2. Resettlement and Rehabilitation	(i) Cash compensation for the land at market value, which will be determined as mentioned in note (A) (section 20 G of RAA 2008) (ii) 60% solatium on the compensation determined in (i) above (section 20F (9) of RAA 2008). (iii) In case where a State Government through any act or Gazette Notification or as approved by any authority of State Government (duly authorized for the purpose) as per their approved procedure has

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				<p>fixed a rate for compensation of land, the same may be adopted by the Competent Authority in determining the compensation for land in lieu of (i) & (ii) above.</p> <p>(iv) Additional ex-gratia amount of Rs 20,000/- for those losing land up to 1,500 sqmts; Plus @ Rs.15 per sqmt for area acquired above 1,500 sqmt (para 7.19 NRRP 2007)</p> <p>(v) If as a result of land acquisition, the land holder becomes landless or is reduced to the status of a "small" or "marginal" farmer, rehabilitation assistance equivalent to 750 days of minimum agricultural wages would also be given</p> <p>(vi) The Competent Authority may in case of doubt/conflicting claims of compensation of market value may take inputs from an independent evaluator also before deciding the award. Detailed procedure in this regard is in note B</p> <p>(vii) Policy for acquisition/compensation for residual land will be as per note C</p> <p>(viii) Refund of stamp duty and registration charges incurred for replacement land to be paid by the project; replacement land must be bought within a year from the date of payment of compensation to affected party as defined in section 20(H) of RAA 2008</p>
2		Registered tenants, contract cultivators & leaseholders	Compensation for standing crops at market rate	Registered tenants, contract cultivators & leaseholders are not eligible for compensation for land. They will only be eligible for compensation for standing crops at market rate if 3 months' advance notice is not served by EA.
3		Un-registered tenants, contract cultivators, leaseholders, sharecroppers	Compensation for standing crops at market rate	Un-registered tenants, contract cultivators, leaseholders & sharecroppers are not eligible for compensation for land. They will only be eligible for compensation for standing crops at market rate if 3 months' advance notice is not served by EA. In case of share croppers, compensation shall be in the ratio as

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				mutually agreed by the share croppers and land owners.
B. Loss of Private Structures (Residential/Commercial)				
4	Structure on the Project Right of Way	Title Holder/Owner	Compensation at replacement rate Resettlement Rehabilitation Assistance	<p>(i) Cash compensation for the structure at replacement cost which would be determined as per note D.</p> <p>(ii) Right to salvage material from the demolished structures.</p> <p>(iii) Three months' notice to vacate structures.</p> <p>(iv) Refund of stamp duty and registration charges for purchase of new alternative houses/shops at prevailing rates on the market value as determined in (i) above. Alternative houses/shops must be bought within a year from the date of payment of compensation to affected party as defined in section 20(H) of RAA 2008.</p> <p>(v) Resettlement & Rehabilitation Assistance as applicable as under:</p> <p>(a) Transition Allowance of Rs 4,000/- per household.</p> <p>(b) Each affected family getting displaced shall get a one-time financial assistance of Rs 10,000 as shifting allowance (para 7.10 NRRP 2007).</p> <p>(c) Each affected family that is displaced and has cattle, shall get financial assistance of Rs 15,000/- for construction of cattle shed (para 7.10 NRRP 2007).</p> <p>(d) Each affected person who is a rural artisan, small trader or self-employed person and who has been displaced shall get a one-time financial assistance of Rs 25,000/- for construction of working shed or shop (para 7.12 NRRP 2007).</p> <p>(e) House construction assistance for those living below poverty line equivalent to the latest construction cost of Indira Awas Yojana Scheme for Rural Areas and cost of house construction</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				under JNURM for Urban Areas
5	Structure on the Project Right of Way	Tenants/Lease Holders	Resettlement & Rehabilitation Assistance	<p>(ii) Registered lessees will be entitled to an apportionment of the compensation payable to structure owner as per applicable local laws.</p> <p>(iii) In case of tenants, three months written notice will be provided along with Rs 10,000 towards shifting allowance (NRRP 7.11).</p> <p>(iv) Three months' notice to vacate structures. In case notice is not provided, then three months' rental allowance will be provided in lieu of notice.</p>
C. Loss of Trees & Crops				
6	Standing Trees, Crops on Project Right of Way	Owners & beneficiaries of land	Compensation at market value	<p>(i) 3 months' advance notice to affected parties to harvest fruits, standing crops and remove trees</p> <p>(ii) Compensation to be paid at the rate estimated by:</p> <p>(a) the Forest Department for timber trees</p> <p>(b) State Agriculture Extension Department for crops</p> <p>(c) Horticulture Department for perennial trees</p> <p>(d) Cash assistance to title holders and non-title holders including informal settlers/squatters for loss of trees, crops and perennials at market value</p>
D. Loss of Residential/Commercial Structures to Non-Title Holders				
7	Structures on the Project ROW	Owners of structures identified as on date of notification (20A).	Compensation at replacement cost Resettlement & Rehabilitation Assistance	<p>(i) Encroachers (as defined in Note F) shall be given three months' notice to vacate occupied land or compensation for loss of crops or structures. If notice is not given cash assistance to squatters (as defined in Note F) for their structures at replacement costs which will be determined as mentioned in Note D</p> <p>(ii) Resettlement & Rehabilitation assistance as under:</p> <p>(a) Transition Allowance of Rs 4,000/- per household.</p> <p>(b) Shifting allowance of Rs 10,000 per household (para 7.11 NRRP 2007).</p> <p>(c) Assistance of Rs 15,000/- for loss of cattle shed (para 7.10 NRRP 2007).</p> <p>(d) If the affected party getting displaced is a rural artisan,</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
				<p>small trader or self-employed person assistance of Rs 25,000/- for construction of working shed or shop (para 7.12 NRRP 2007)</p> <p>(e) House construction assistance for those living below poverty line equivalent to the latest construction cost of Indira Awas Yojana Scheme for Rural Areas and cost of house construction under JNURM for Urban Areas</p>
E. Loss of Livelihood				
8	Households living on Right of way	Title Holders/ Non-Title holders/share-croppers, agricultural labourers and employees	Rehabilitation Assistance	<p>(i) Rehabilitation grant equivalent to 750 days of minimum agricultural wages to those families losing livelihood (NRRP para 7.14) <i>(land title holders availing assistance of 750 days minimum wages under section 1(v) above would not be eligible for this assistance)</i></p> <p>(ii) Training Assistance of Rs 4,000/- for income generation per household</p> <p>(iii) Temporary employment in the project construction work to Affected Persons with particular attention to APs Below Poverty Line (BPL) by the project contractor during construction, to the extent possible</p>
E1 Additional support to Vulnerable Group (as defined in Note E) & those Below Poverty Line				
9	Households affected by ROW	Households affected by ROW	Resettlement & Rehabilitation Assistance	One time additional financial assistance equivalent to 300 days of minimum wages
E2 Additional assistance to Scheduled Tribe affected families				
10	Affected Scheduled Tribes	Households affected by ROW	Rehabilitation Assistance	<p>(i) Each ST affected family shall get an additional one time financial assistance equivalent to five hundred days minimum agricultural wages for loss of customary rights or usage of forest produce (para 7.21.5 NRRP 2007)</p> <p>(ii) In case of land acquisition from each ST affected family, at least one third of the compensation amount due shall be paid to the affected families at the outset as first instalment and the rest at the time of taking over the possession of the land (para 7.21.4 NRRP 2007)</p>

Sl. No.	Application	Definition of Affected Persons	Entitlement	Details
F. Loss of Community Infrastructure/Common Property Resources				
11	Structures & other resources (eg land, water, access to social services etc) on ROW	Affected communities and groups	Reconstruction of community structure and common property resources	Reconstruction of community structures and replacement of common property resources in consultation with the community as appropriate
G. Temporary impact during Construction				
12	Land & assets temporarily impacted during construction	Owners of land & assets	Compensation for temporary impact during construction like disruption of normal traffic, damage to adjacent parcel of land/assets due to movement of heavy machinery and plant site.	The contractor shall bear the compensation cost of any impact on structure or land due to movement of machinery during construction or establishment of construction plant. All temporary use of lands outside proposed ROW to be through written approval of the landowner and contractor. Location of construction camps by contractors in consultation with DFCCIL

Notes to Entitlement Matrix

Note A

1. Compensation would be determined by Competent Authority as per provisions in RAA 2008, section 20 (G) which specifies the following criterion for assessing and determining market value of the land:

- (i) the minimum land value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated; or
- (ii) the average of the sale price for similar type of land situated in the village or vicinity, ascertained from not less than 50% of the sale deeds registered during three years, where higher price has been paid, whichever is higher.

2. Wherever the above provisions are not applicable, the concerned State Government shall specify the floor price per unit area of the said land based on the average higher prices paid for similar type of land situated in the adjoining areas or vicinity, ascertained from not less than 50% of sale deeds registered during the preceding 3 years where higher price has been paid, and the competent authority may calculate the value of the land accordingly (section 20(G) of RAA 2008 to be followed).

3. While determining the compensation amount, competent authority or arbitrator shall also take into account the following, as per provisions in section 20 F (8) of RAA 2008:

- (i) Damage, if any sustained by the person interested at the time of taking possession of the land, by reason of the severing of such land from other land.
- (ii) Damage, if any, sustained by the persons interested at the time of taking possession of the land, by reason of the acquisition injuriously affecting his other immovable property in any manner, or his earnings
- (iii) If, in consequence of the acquisition of the land, the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change.

4. Before assessing and determining the market value of the land being acquired, competent authority shall:

- (i) Ascertain the intended land use category of such land; and
- (ii) Take into account the value of the land of the intended category in the adjoining areas or vicinity.

5. In case where the right of the user or any right in the nature of an easement on, any land is acquired, an amount calculated at ten per cent of the compensation amount determined under section 20 F (1) of RAA 2008, shall be paid by the EA to the owner and any other person whose right in enjoyment of the land has been affected.

Note B

DFCCIL would also hire an Independent Evaluator registered with Government, who can assist to assess the replacement cost of land as follows and provide inputs to the competent authority:

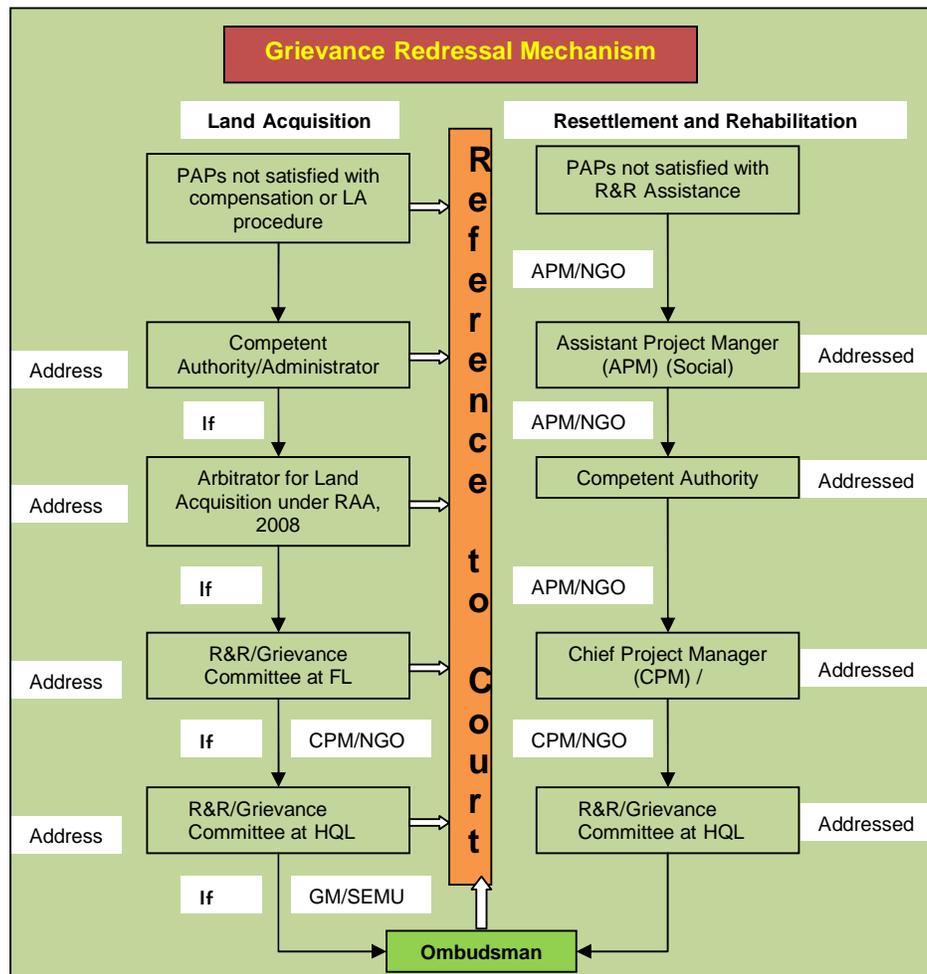
- (i) Appraise recent sales and transfer of title deeds and registration certificates for similar type of land in the village or urban area and vicinity
- (ii) Appraise circle rate in urban and rural areas of the district

Grievance Redress at Field Level: First, compliant resolution will be attempted at site (field level). Resettlement and Rehabilitation Committee at field level will be convened by the Chief Project Manager. The committee will comprise the following:

- District Collector of the concerned District, or his nominee (Chair);
- Concerned Competent Authority/Administrator (R&R) (invitee);
- Concerned Assistant Project Manager-Social (only to provide for secretarial service);
- Zillah Parishad Chairperson/his or her nominee and
- Representative from civil society/ a reputed local NGO.

Grievance Redress at Project Level: If no solution was reached at field level, a grievance can be lodged with of GRC at project level. This committee shall be a convened by the General Manager (SEMU). The committee will comprise the following:

- Director (Project Planning)
- Deputy General Manager-Grievance
- Social Specialist
- Representative of the MOR



Role of Arbitrator: The Arbitrator, who in this case is the Commissioner of the concerned revenue division have been duly appointed vide gazette dated July 15, 2010 to hear and redress grievances related to compensation payable under the RAA, 2008 to the PAFs.

An Ombudsman will be appointed by the MOR to hear and resolve grievances not addressed by the R&R Committees established by DFCCIL to the satisfaction of the concerned project affected person/ family upon receipt of request from him/her. Ombudsman will be in place by February 2011.

The PAP's can approach the Grievance Redressal Committee for the following matters of fact. :

1. Objection to the measurement of the acquired land.
2. Discrepancy in share certificate.
3. Dispute pertaining to the status of *small* and *marginal* farmer.
4. Dispute regarding the classification of *APL* OR *BPL* classification.
5. Interpretation of lease document for apportionment of compensation between registered lessees and structured owners.
6. Dispute regarding refunds of stamp duty and registration charges of new alternative house, shops and land.
7. Issues relating to temporary employment in the project construction work for BPL families by the project contractor during constructions to the extent possible.
8. Issues relating to re-construction of community structure and replacement of common property resources.
9. Issues pertaining to the compensation cost of any impact on structure or land due to movement of machinery during construction or establishment of construction plot.
10. Safeguarding the interest of vulnerable persons as disabled, destitute, orphans, widows, unmarried girls, abandoned women, above 50 years of age who are not provided or cannot immediately provided with alternative livelihood and who are not otherwise covered as part of family (Para 6.4 (v) NRRP-2007).
11. Dispute regarding cutoff date for PAP's.
12. Procedural delays in payment of compensation.
13. Any other issue with the permission of the Chairman of the Committee.