

**Environmental and Social Management Framework
for**

**Bihar Kosi Basin Development Project,
Government of Bihar**

Under The World Bank Assistance

‘Converting Adversity into Opportunity’

**Revised and Updated on
April, 2023**

**Bihar Aapada Punarwas Evam Punarnirman Society
Patna**

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List of Acronyms

AESA	Agro Ecosystem Analysis
Ag. D	Agriculture Department
AFRD	Animal & Fisheries Resource Department
AME	Agri Man Ecology
APO	Accident Prevention Officer
ARAP	Abbreviated Resettlement Action Plan
ASA	Action for Social Advancement
BAPEPS	Bihar Apada Punarwas Evam Punarnirmanm Society
BCM	Billion Cubic Meters
BDO	Block Development Officer
BKBDP	Bihar Kosi Basin Development Project
BLARRP	Bihar Land Acquisition Resettlement and Rehabilitation Policy
BPNNL	Bihar Pul Nirman Nigam Limited
BRRDA	Bihar Rural Road Development Agency
BSPCB	Bihar State Pollution Control Board
Bt	Bacillus Thuringensis
CIPMCs	Central Integrated Pest Management Centers
CO	Carbon Monoxide
CUMECS	Cubic Meter per Second
DG	Diesel Generating
DMD	Disaster Management Department
DPR	Detailed Project Report
EA	Environmental Assessment
EIA	Environmental Impact Assessment
EMF	Environmental Management Framework
EMP	Environmental Management Plan
ERR	Economic Rate of Return
ESA	Ecologically Sensitive Area
ESMF	Environmental and Social Management Framework
ESC	Environmental and Social Checklist
ETL	Economic Threshold Level
FES	Foundation for Ecological Security
FFSs	Farmers Field Schools
FMIS	Flood Management Information System
FSL	Full Supply Level
GDP	Gross Domestic Product
GFCC	Ganga Flood Control Commission
GIS	Geo Information Systems
GoB	Government of Bihar
GoI	Government of India
GP	Gram Panchayat
GRC	Grievance Redressal Committee
GT	Grand Trunk
GWMS	Ground Water Monitoring System
HFL	Highest Flood Level
HIV / AIDS	Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome
IEC	Information Education and Communication
IPM	Integrated Pest Management

IRC	Indian Road Congress
LA	Land Acquisition
LPG	Liquid Petroleum Gas
MoEF&CC	Ministry of Environment, Forests and Climate Change
MSL	Mean Seal Level
MWRD	Minor Water Resources Department
NGOs	Non Government Organization
Nox	Nitrogen Oxide
NPM	Non Pest Management
NWDA	National Water Development Agency
O&M	Operation and Maintenance
OP	Operation Policies
PAF	Project Affected Families
PAP	Project Affected Persons
PD	Project Director
PDO	Project Development objective
PEC	Project Empowered Committee
PFR	Pre Feasibility Report
PIA	Project Implementation Agency
PMP	Pesticides Management Plans
PMU	Project Monitoring Unit
PPE	Personal Protective Equipment
PRADAN	Professional Assistance for Development Action
R&R	Rehabilitation & Resettlement
RAPs	Resettlement Action Plan
RCD	Road Construction Department
RoW	Right of Way
RWD	Rural Works Department
SA	Social Assessment
SCs	Schedule Castes
SES	Socio Economic Survey
SMP	Social Management Plan
SMS	Short Message Service
SPCB	State Pollution Control Board
STD	Sexually Transmitted Diseases
STs	Schedule Tribes
STW	Shallow Tube Wells
ToR	Terms of Reference
VECs	Valued Environmental Components
WB	The World Bank
WHO	World Health Organization
WRD	Water Resource Development

Executive Summary

The Project

The Government of Bihar (GoB) has received assistance from the World Bank, effective from January 2011, to address the emergency needs arising out of Kosi floods through Bihar Kosi Flood Recovery Project-I (BKFRP-I). As a sequel to this and to address long term challenges of flood management, GoB has sought further assistance for the Bihar Kosi Basin Development Project (BKBDP) with an objective to enhance resilience to floods and to increase agriculture production in the flood affected districts in the Kosi River Basin. This project is developed under a multi-sector framework, with investment activities aimed at reducing the volatility of agricultural outputs and increasing overall economic productivity in the Kosi River Basin. The project will comprise the following five components:

- Component 1: Improving Flood Risk Management, US\$ 100 million
- Component 2: Enhancing agricultural productivity & Competitiveness, US\$ 24.00 million
- Component 3: Augmenting connectivity, US\$ 173 million
- Component 4: Contingent Emergency Response, US\$ 0 million
- Component 5: Implementation Support, US\$ 12.00 million

Environmental and Social Management Framework

As part of BKFRP-I, has developed an ESMF considering the environmental and social safeguards issues of the project. This has further been updated incorporating the issues associated with project components of BKBDP in 2015. The ESMF was prepared based on available secondary information, field visits, discussions with project officials and other stakeholders. The ESMF is further being revised based on the revisions and changes made in various Environmental and Social policies, acts and regulations.

Environmental and Social Baseline

The ESMF analyzed the baseline historical, locational, geographic and physiographic profile of the project districts and the state of Bihar along with environmental and social features. In addition, flood related disaster risk profile of the project area was also analyzed. The analysis identifies the following:

- Rural roads in poor condition
- Damaged Bridges
- Poor Transportation Facilities
- Sand casting
- Soil erosion
- Damage to plantations
- Increasing salinity due to poor drainage
- Change in land-use due to sand casting

Laws and Regulations Related to Environmental and Social

Various laws, regulations and policies of Government of India, Government of Bihar and the World Bank, related to environmental and social issues were reviewed and the laws, regulations and policies relevant to the project were discussed. The relevant safeguard policies of the World Bank applicable to the project are:

- OP/ BP 4.01 Environmental Assessment
- OP/ BP 4.12 Involuntary Resettlement
- OP/BP 4.11 Physical Cultural Resources
- OP/ BP 7.50 Projects on International Waterways
- OP/BP 17.50 Policy on Disclosure of Information

The various policies, acts, rules and regulations promulgated by the central and state governments related to environment and social and relevant to present project are;

Environment

- The Environment (Protection) Act No.29 of 1986
- Water and Air (Prevention and Control of Pollution) Act, 1974 & 1981 (Central Act 6 of 1974) as amended in 1988
- Forest (Conservation) Act No. 69 of 1980 and amended in 1988
- National Forest Policy, 1988
- Joint Forest Management, 1993
- The Wildlife (Protection) Act 1972, Amendment 1991
- EIA Notification of MoEF 2006
- The Ancient Monuments, Archaeological sites and Remains Act, 1958
- Biological Diversity Act 2002
- Biological Diversity Rules 2004

This policy and regulatory analysis suggests that the proposed sub-projects does not fall under any of the project categories listed in Schedule-I of the Environmental Impact Assessment Notification and hence does not require environmental clearance of the Ministry of Environment and Forests, GOI. The project area has also not been notified as ecologically sensitive or fragile under the Environment Protection Act, 1986.

Social

- The Land Acquisition (LA) Act of 1894
- The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (GoI)
- Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rule, 2014 (27-10-2014) (GoB) First (Amendment) as on 02-02-2018 & Second (Amendment) as on 27-06-2018.
- Minimum Wages Act, 1948
- Contract Labour Act, 1970
- The Bonded Labour System (Abolition) Act, 1976
- Child Labour (Prohibition and Regulation) Act 1996 along with Rules, 1988
- Children (Pledging of Labour) Act, 1933 (as amended in 2002)
- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995

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- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996
 - Untouchability Offences Act, 1955
 - The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989
 - The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995
 - Bihar Privileged Persons Homestead Tenancy, 1947, 1949
 - Bihar Public Land Encroachment Act, 1956
 - Kosi Calamity Rehabilitation and Reconstruction Policy, 2008
 - Bihar Irrigation Act, 1997
 - Irrigation, Flood Management and Water Drainage Rules, 2003

The project activities however would require certain permissions, clearances and authorizations from competent authorities during the design, planning and implementation of the sub-projects. These are given below:

- Environment Clearance/NOC from state authorities (For sub-projects which requires such clearance, such as embankment works if their location and size requires)
- Transfer of Forest land
- Tree Cutting Permission
- Hot mix plants, Wet Mix Macadam plants, Crushers, Batching Plants
- Storage, handling and transport of hazardous materials
- Location/ layout of workers camp, equipment and storage yards
- Liquid and solid waste Discharges from Labour Camp
- Permission for borrow area and sand mining from river bed

Environmental and Social Impacts

The BKBDP and the concomitant sub-projects are yielding many positive and beneficial impacts on the target population and certain adverse impacts. Due to the likely small size of the sub-projects, adverse impacts, if any, would be at its minimum and localized. The impacts could occur during the construction phase and/or operation phase. In addition, the project is expected to contribute to the following positive impacts.

- Improved public safety
- Security during floods
- Less suffering during monsoons and adverse climatic conditions
- Better infrastructure and transportation facilities
- Improved access to services
- Productive use of time
- Improvements in income patterns
- Health and Environmental improvements
- Improvements in quality of life and human dignity
- Opportunities for social interaction
- Improved community participation and sense of ownership

The adverse environmental and social impacts due to sub-projects are summarized below:

Project Type	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1. Improving Flood Risk Management																		
1.1. Reinforcements of Flood control Infrastructure																		
1.1.a. Eastern Embankments (75 km), associated embankments (25 km), closing gaps in embankments*	L	S	L	M	L	L	L	M	L	L	L	L	L	L	L	L	L	L
1.1.b. Procurement of 12 No. Dredgers	L	L	M	M	L	L	L	M	L	L	L	S	L	S	L	L	L	L
1.2. Support to Strengthen Institutional Capacity to Manage Floods	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
2. Augmenting Connectivity																		
2.a. Upgrading of rural roads	S	S	L	M	M	L	L	L	L	L	L	L	L	L	L	L	L	M
2.b. Construction of small and medium bridges	M	M	L	M	M	M	M	L	L	L	L	L	L	L	L	L	L	L
3. Enhancing Agricultural Productivity and competitiveness																		
3. a. Alternate Livelihoods Promotion Through Animal Husbandry Activities	L	L	L	L	L	L	L	L	L	L	L	L	L	L	M	L	L	L
4. Contingency Emergency Response	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
5. Implementation Support	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L

Code	Impact	Code	Impact	Code	Impact
A	Land acquisition	G	Ground Water Quality	M	Bio-diversity
B	Involuntary Resettlement	H	Destruction of Habitat/Flora Fauna	N	Noise
C	Land Use	I	Insect and Pest Menace	O	Smell
D	Hydrology and drainage Pattern	J	Increased chemical pesticide/fertilizer use	P	Smoke
E	Water logging	K	Public Health	Q	Disturbance to Services
F	Surface Water Quality	L	Safety	R	Air Quality

Impacts: S - Significant M - Medium L - Low

Environmental and Social Management Framework (ESMF)

The ESMF provides the following due diligence process to ensure compliance with Bank safeguard policies and the environmental regulations of Government of India.

Screening

The sub-project screening process comprises analyzing the environmental and social profile of the sub-project influence area through an Environmental and Social Checklist (ESC) and impacts associated with the sub-project. The sub-project Implementing Agency carries out the screening of respective sub-projects with the facilitation support of the BAPEPS office

duly identifying the environmental and social issues of concern. The ESC and the screening recommendations are attached to the sub-project proposal/ concept note. These include categorization of sub-projects with potentially significant environmental / social issues for detailed environmental / social assessment. Based on the environmental and social information provided in the ESC, the proposed sub-projects are categorized as Ea/Eb and Sa/ Sb. This screening and categorization of sub-projects will be shared with the Bank team for its concurrence, before initiating EA/SA studies or the safeguard due-diligence process for the sub-projects.

Categorization

Based on the scale and size of environmental and social impacts, the ESMF categorize the sub- as under:

Environmental

Based on environmental impacts the sub-projects are categorized into two categories;

- 1) Ea, where there are significant adverse environmental impacts
- 2) Eb, where there are moderate to minimal adverse environmental impacts

The Ea category sub-projects require conducting a comprehensive Environmental Assessment (EA) and preparation of an Environment Management Plan (EMP) by Independent Consultants other than the DPR consultants for appraisal by BAPEPS and The World Bank. This EIA and EMP need to be disclosed in compliance with the disclosure policies of the Bank, before the commencement of the respective sub-project procurement process.

The Eb category sub-projects would require an environmental analysis and development of EMP, which is to be prepared by Design Consultants following the guidelines given in this ESMF. This EMP becomes a part of the DPR, which will be appraised by BAPEPS. If, under special circumstances, BAPEPS identifies a need for a limited environmental assessment, then it needs to be conducted.

Environment Impact Mitigation - Guidance

Environmental impact mitigation guidance has been included listing mitigation measures for the possible impacts caused by the sub-projects. This also includes the project phase, where each of the mitigation measures needs to be considered and also indicates the implementation responsibility. This guidance covers all impacts listed and gives the mitigation measures by phase of sub-project.

Social

Based on social impacts the sub-projects are categorized into two categories;

- 1) Sa, where there are more than 20 Project Affected Families (PAFs),
- 2) Sb, where there are less than 20 PAFs

The Sa category sub-projects require conducting a comprehensive Social Assessment (SA) and preparation of a Resettlement Action Plan (RAP) by Independent Consultants prior to preparation of Detailed Project Report (DPR) for appraisal by BAPEPS. This SIA and RAP need to be finalized and disclosed before the start of procurement for that sub-project.

The Sb category sub-projects need not conduct SA but prepare Abbreviated Resettlement Action Plan (ARAP), but need to include the Social Management Plan (SMP) which is to be prepared by Design Consultants following the guidelines given in this ESMF. This SMP becomes a part of the DPR, which will be appraised by BAPEPS. If, under special circumstances, BAPEPS identifies a need for a limited social assessment, then it needs to be conducted.

Resettlement Policy Framework

This Resettlement Policy Framework for BKBDP is drawn in accordance with the World Bank’s Safeguard Policy on Involuntary resettlement (OP 4.12). The framework has been developed based on the following policies/ legislations:

- The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(GoI)
- Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rule,2014 (27-10-2014) (GoB) First (Amendment) as on 02-02-2018 & Second (Amendment) as on 27-06-2018.
- Bihar Raiyati Land Perpetual Lease policy, 2014 (GoB)
- The Land Acquisition Act 1894
- The Asian Development Bank funded Bihar State Highways-II Project - Additional Financing, November 2011

This framework will act as guide for mitigating the social impacts that would be triggered by the sub-projects under BKBDP. The entitlement matrix applicable for the project is given below:

Impact Type	Entitled Entity	Entitlement as per Entitlement as per BRFCTLARR Rules 2014 (as amended from time to time) and World Bank’s OP 4.12
1. Loss of Land (Titleholders)		
1A. Loss of Agricultural Land	Affected Family (Titleholder)	<ul style="list-style-type: none"> • Cash compensation at replacement cost as determined according to BLARRR 2014 or replacement of land if available. Since the land value differs from place to place depending on location, use, fertility, water source, etc. the replacement value has to be market value as in open market on a willing seller and willing buyer basis. • If the residual plot is not viable and PAP becomes a marginal farmer, then any of the following three options are to be given to the PAP, subject to PAP’s acceptance: <ul style="list-style-type: none"> ○ Acquire the required land and pay compensation and assistance for the same. ○ If PAP so wishes acquire the remaining portion of the plot and pay compensation and assistance for the entire plot including residual part. ○ If PAP is from vulnerable group, compensation for the entire land by means of land for-land will be provided, if PAP

Impact Type	Entitled Entity	Entitlement as per BRFCTLARR Rules 2014 (as amended from time to time) and World Bank's OP 4.12
		<p>wants so, provided that land of equal productive value is available.</p> <ul style="list-style-type: none"> All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the IA.
1B. Loss of Residential/ Commercial land	Affected Family (Titleholder)	<ul style="list-style-type: none"> Cash compensation at replacement cost as determined according to BLARRR 2014 or replacement of land if available, only if the land acquired is a maximum of 5 Decimal. All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the IA.
2. Loss of Structures (Titleholders)		
2A. Loss of Residential / Commercial Structures	Affected Family (Titleholder)	<ul style="list-style-type: none"> Compensation of structure will be paid at the replacement cost to be calculated as per latest prevailing Basic Schedule of Rates (BSR) without depreciation. Assistance of Rs. 50,000/- towards temporary accommodation Transportation assistance of Rs. 50000/- One time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction. Right to salvage material from demolished structure and frontage etc. Rental assistance as per the prevalent rate in the form of grant to cover maximum three month rentals
2B. Loss of Rental Accommodation (Residential/ Commercial)	Tenants	<ul style="list-style-type: none"> Rental assistance for both residential & commercial tenants as per the prevalent rate in the form of grant to cover maximum three month rentals Additional structures erected by tenants will also be compensated and deducted from owner's compensation amount. One time Shifting assistance of 50,000/- Any advance deposited by the tenants will be refunded from owners total compensation package to the tenant on submission of documentary evidence. Right to salvage material from demolished structure and frontage etc. erected by tenants.
3. Loss of Structures Residential/ Commercial (Non-Titleholders)		
3A. Loss of Immovable and Pucca Structures (Residential/ Commercial)	Squatters/ Encroachers	<ul style="list-style-type: none"> Squatters and Encroachers will be notified and given one month time to remove their assets or harvest their crops. Compensation for loss of structure at replacement cost for Squatters/ Encroachers Vulnerable Squatters/ Encroachers will be provided compensation at replacement cost for loss of structures as described in section 29 of the

Impact Type	Entitled Entity	Entitlement as per Entitlement as per BRFCTLARR Rules 2014 (as amended from time to time) and World Bank's OP 4.12
		<p>RFCTLARR Act 2013</p> <ul style="list-style-type: none"> Shifting assistance of Rs. 50,000/- for Squatters/Encroachers. A subsistence allowance equivalent to 3,000/-per month for a period of one year from the date of award For Squatters and Encroachers right to salvage material from the demolished structure.
4. Loss of Crops and Trees	Titleholders Share Croppers Lease Holders	<ul style="list-style-type: none"> Advance notice to all to harvest crops, fruits and remove trees. In case of standing crops, cash compensation at current market prices for mature crops based on average production. For fruit bearing trees compensation at average fruit production for next 15 years to be computed at market value. For timber trees compensation at market price based on kind of trees.
5. Loss of Livelihood		
5A. Loss of Primary Source of Income	Titleholders Non-Titleholders Agricultural Labourers Share Croppers	<ul style="list-style-type: none"> Employment opportunity for PAPS in the sub-project construction work, if available and if so desired by them. National/State level job card under National Rural Employment Guarantee Program. Income generation skill upgrading vocational training of their choice at a rate of Rs. 25,000/- For Agricultural Labourers and Share Croppers an assistance of 200 days of wages at minimum wage rate
6. Common Property Resources		
6A. Loss of Common Property Resources	Community	<ul style="list-style-type: none"> Reconstruction, Commissioning and handing over to concerned departments/ community of all affected community property resources with community consultation and participation.
7A. Vulnerable PAPs	As per definition of vulneranle such as, destitute, abandoned women, unmarried girls, widows, STs, chronically ill,old persons,etc.	<p>One time assistance of Rs. 25,000/- over and above other entitlements. In addition to this SC & ST shall receive Rs.50,000/-</p> <ul style="list-style-type: none"> Handholding for ensured access to other government subsidies, schemes and services
8. Other Unforeseen/ Unanticipated Impacts		
8A.		<ul style="list-style-type: none"> Any unforeseen/ unanticipated impacts due to the

Impact Type	Entitled Entity	Entitlement as per BRFCTLARR Rules 2014 (as amended from time to time) and World Bank's OP 4.12
Unforeseen/ Unanticipated Impacts		sub-projects will be documented and mitigated based on the spirit of the principle agreed upon in this framework.

The ESMF is prepared consulting the The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(GoI), Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rule,2014 (27-10-2014) (GoB) and Bihar Raiyati Land Perpetual Lease policy, 2014 (GoB). Whenever there are any changes in LA and R&R Policy, the ESMF will be revised in light of that Policy.

Grievance Redressal

In order to address grievances related to land acquisition and resettlement and rehabilitation implementation, two bodies are to be established; R&R Committee at the state level and Grievance Redressal Committee at the district level. The former will be established under the chairmanship of Secretary/Principal Secretary, Planning, to monitor and review the progress of implementation of resettlement, in his capacity as Chairman. Project Director, BAPEPS will be convener of this committee. This committee should meet every quarter to review the progress made in the implementation of the RAPs and to solve any grievances of the PAPs. This committee will also provide policy related direction to the Grievance Redressal Cell and the participating departments with regard to Land Acquisition and Resettlement and Rehabilitation.

The Grievance Redressal Committee will be established at each district under the chairmanship of District Collector for redressal of grievances of the PAPs. The Superintending Engineer, WRD shall be the convener of these committees. At the district level, the NGO contracted by the project will provide support to these committees. District level head of all participating departments will be members along with a PAPs representative, NGO Chairperson and a prominent Social Worker of the district.

The PAP will have the option of seeking redress under the general legal environment consisting of court of law.

Monitoring and Evaluation

The ESMF requires detailed supervision, monitoring and evaluation of the impact of the project on the environment and social aspects. In order to carry out this, BAPEPS will have specific arrangements made at state and division/ district level. This includes appointment of an Environmental Specialist and Social Specialist for the project period. Further the BAPEPS will guide the District and Field level implementing agencies on how to implement the provisions of this ESMF. At the field level the staff of the implementing agencies (viz. RWD, WRD, BRPNL, Agriculture Dept and Animal & Fishries Resource Department etc.) has the experience of implementing projects concerning their departments and do land acquisition for their project. Implementation of the provisions of ESMF will be new to these staff and hence several orientations and trainings are proposed as a part of this ESMF to build their capacity. In order to achieve the objectives of this ESMF and to ensure the

safeguards are implemented in a proper manner, the following provisions are made in this ESMF:

- Independent Consultants for Quarterly Monitoring of ESMF and sub-project EMP implementation

Further the BAPEPS will incorporate the provisions of this ESMF as actionable points in the Project Operations Manual or other similar document for the project. These will be non-negotiable and will have to be followed by all the field units of the implementing agencies. The Environmental and Social Specialists will oversee the application of these provisions and guide the process and implementation of ESMF at field level, while at the same time building the capacity of the field units.

The following provisions include the arrangements made for the effective implementation of the ESMF:

Implementation of Sub-Project EMPs: The sub-project EMP implementation will be done by the respective project implementing agencies with the help of environmental and social specialists. In the event of sub-projects spread over a larger geo-graphic area, the project implementing agencies will designate suitable officers /engineers to implement the EMPs.

Implementation of ESMF and Safeguards Supervision: This is basically the responsibility of BAPEPS. While the compliance to ESMF will be ensured through review / appraisal of sub-project proposals and progress reports on implementation, all the sub-projects in implementation will be visited at regular intervals at least once in every three months by BAPEPS to check if all safeguard requirements are met and to identify any issues that need to be addressed. BAPEPS would submit quarterly progress reports to The World Bank on safeguards implementation.

Quarterly Monitoring: The concurrent internal environmental social monitoring will be done as part of the regular monitoring by the design and supervision consultants and implementing agencies. However, independent consultants appointed by BAPEPS, will do the quarterly environmental and social monitoring of selected sub-projects for safeguards compliance.

Stakeholder Involvement and Consultation

BAPEPS would engage Design consultants to prepare sub-project DPRs. These consultants would carry out public/ stakeholder consultations through specified mechanisms to ensure the upfront public/ stakeholder inputs in preparation of sub-projects. During sub-project implementation GPs, NGOs, Community Based Organisations (CBOs) will be involved. The stakeholder meetings would discuss the sub-project progress reports and make recommendations for sub-project control and modifications. These recommendations would be made use for future sub-project design.

Disclosure

BAPEPS has disclosed the draft ESMF on June 29, 2012 and the updated ESMF has been re-disclosed on January 4, 2015 and subsequently being updated in June, 2020. The summary of the ESMF has also been translated into local language (Hindi) and placed on the website. A copy of the ESMF and Resettlement Policy Framework and Entitlement Matrix is also available in all the District Collectors Offices of the project area.

The World Bank as per its disclosure policies has disclosed the draft ESMF at its infoshop on August 22, 2012 and the same will be replaced with the final ESMF. **This copy is the revised**

version of ESMF. All the EA/ SA along with EMP/ RAP of sub-projects are disclosed locally by BAPEPS.

Institutional and Implementing Arrangements

The BKBDP will be implemented in 5 flood prone districts of Kosi basin i.e. Saharsa, Supaul, Madhepura, Purnea and Araria. At the state level the Planning Department is the implementing agency and there are several participating departments implementing the project components. In order to coordinate the efforts of several participation departments, the Bihar Aapada Punarwas Evam Punarnirman Society (BAPEPS) has been established. The Project Management Unit (PMU) will be the BAPEPS. The Project Director BAPEPS will be the responsible for overall project implementation.

The Project Empowered Committee (PEC) will govern the overall project, and guide the PMU. The PEC will be constituted by the main implementing agencies, and chaired by the Development Commissioner GOB.

Field Level Management

The Office of BAPEPS will ensure coordination among the participating departments, monitoring and reporting functions. This office will have deputed or contracted experts sector and functional management area. BAPEPS will have one Environmental Specialist and one Social Specialist. The Environment and Social Specialists of the BAPEPS shall provide regular feedback to the respective implementing agencies and to the Project Director on the implementation of ESMF and other safeguard management plans. The Participating departments will be responsible for the execution of sub-projects. These departments through designated / appointed environmental and social specialist will ensure ESMF, including the EMPs and the RAPs are implemented on their sub-projects.

Capacity Building and Training

A capacity building strategy has been outlined in order to build environmental & social awareness and environmental & social management capacity in the project administration structure as well as in the intended target communities. This training program uses cascade approach. Various training Programs such as Orientation/ Learning Training Programs, Training on the ESMF, Training on Environmental and Social Management are planned. The total cost of training is estimated to be about Rs. 20 million

Total ESMF Budget

The total budget for environmental and social management activities such as Training and Workshops, Quarterly Environmental Social Safeguards Monitoring by Independent Consultants, Preparation of specific environment and social related community awareness materials, etc. under the proposed BKBDP has been worked out as Rs. 77 million.

1 Proposed Project

1.1 Background

Following major floods in the Kosi Basin in 2008, the Government of Bihar (GoB) requested assistance from the World Bank to address the emergency needs of the population, as well as the longer term challenges of flood management, vulnerability reduction, connectivity, and agriculture productivity. A first project, the Bihar Kosi Flood Recovery Project (BKFRP, US\$ 220 million) became effective in January 2011 and focuses on emergency needs through the reconstruction of damaged houses, rehabilitation of road infrastructure, and the strengthening of the flood control structures in the Kosi Basin. Two smaller project components are aimed at enhancing livelihood opportunities of the affected population and improving the emergency response capacity for future disasters. During the preparatory stage of the BKFRP, and after considering various possibilities, the Government of India (GoI), GoB and the Bank agreed on a phased approach to recovery and reconstruction. The first phase would provide timely and focused support for reconstruction efforts, and later phases would focus on a long-term program to support Bihar's need for flood management, increased agriculture productivity and improved connectivity. This proposed Phase II project will address longer term challenges as described above, and is prepared in the broader context of the State's five year plan for 2011-2016 and the preliminary results of the GoB's Agriculture Roadmap for 2012 to 2022. This Roadmap, which set ambitious targets for the holistic development of agriculture in the state, recognizes the need for coordinated action from multiple departments and proposes a multi-sector approach to increase agriculture productivity.

1.2 Project Description

The project is developed under a multi-sector framework, with investment activities aimed at reducing the volatility of agricultural outputs and increasing overall economic productivity in the Kosi River Basin. At the base level, the investments in flood control decrease volatility and better protect the Kosi Basin from flooding that damages livelihoods and agriculture. To augment the benefits of a more stable environment, the project also makes a series of investments to unlock the agricultural potential and more specifically in the area of animal husbandry and fisheries activities of the area. Investments in areas of animal husbandry and fisheries will improve farmer income and an improved road network will allow transport of harvests to a wider market. In addition, significant institutional strengthening and capacity building efforts will complement investments in physical infrastructure.

The project will serve as the convening mechanism between line departments to ensure synergies between these investments. Coordinating activities will ensure that flood protection enhanced lands, support is provided to animal husbandry and fisheries activities, and transport network improvements are put in place where there is demand to transport greater harvests.

1.2.1 Project Development Objective

Originally the project development objective (PDO) was to enhance resilience to floods and to increase agricultural production and productivity in the targeted districts in the Kosi River Basin, and to enhance Bihar's capacity to respond promptly and effectively to an eligible crisis or emergency. PDO got revised with the consent of World Bank in the month 28thMay, 2020 with objective which can be read as follows;

“ The objective of the project is to enhance resilience and connectivity to minimize impact from floods in the Targeted Districts in Kosi River Basin and to enhance Bihar's capacity to respond promptly and effectively to an Eligible Crisis or Emergency”

1.3 **Project Components**

The project will comprise the following five components:

1.3.1 Component 1 – Improving Flood Risk Management, US\$100 million (with US \$ 66.7 million IDA financing)

The objective of this component is to increase the capacity of the Water Resources Department (WRD) to manage flood risk and to decrease vulnerability to floods in the Kosi River Basin. This objective will be achieved by investing in flood management infrastructure to reduce vulnerability and by strengthening institutional capacity to better understand how the Kosi River system functions. The component is broken into two Sub-components.

1.3.1.1 Sub-component 1.1 - Reinforcement of flood control infrastructure (US\$95 million)

The objective of this subcomponent is to strengthen and reinforce the existing weak and vulnerable flood control infrastructure in the Kosi River Basin. Investments will primarily include: (i) restoration/strengthening critical stretches of Eastern and Western Kosi embankments, approximately 45 km; (ii) strengthening existing spurs that are severely damaged and protecting critical erosion-prone river banks; and (iii) procurement of dredgers for management of silt deposits in the river system. Alternative designs and construction materials including stone-filled machine-made gabions, Reno-mattresses, and geo-bags will be used for the infrastructure works to improve performance at competitive costs.

1.3.1.2 Sub -component 1.2 - Support to strengthen institutional capacity to manage flood risk (US \$ 5 million)

The objective of this subcomponent is to strengthen and complement state-level capacity to understand, and manage, flood risks. Under this component the project will finance establishment of Center of Excellence, procurement of RTDAS (Real Time Data Acquisition System) and

institutional strengthening. The project will ensure that the capacity building and community outreach process is gender-sensitive and gender-informed in its approach.

1.3.2 Component 2 – Enhancing Agricultural Productivity and Competitiveness, (US\$ 24.00 million with US \$ 16.00 million IDA Financing)

Increase the agricultural production and productivity by expanding farmer’s access to, and adoption of, innovative farm technologies and practices, and extending their linkages to market infrastructure, through:

1.3.2.1 Sub-component 2.1 – Intensification and Diversification of Agricultural Production Systems

Providing matching grants to Farmer Interest Groups(FIG’s) for financing their Business Plans for increased agricultural productivity, intensification, diversification and competitiveness, through: a) Demonstration and dissemination of use of new technologies; and b) Improved agricultural inputs and practices.

1.3.2.2 Sub-component 2.2 – Strengthening of Agricultural Value Chains

a) Mobilizing Farmer Interest Groups to form Producer Organisations;
b) Providing matching grants to Producer Organisations for establishing Agricultural Business Centre, including financing the respective ABC Business plans for produce aggregation and development of value added activities.

1.3.2.3 Sub-component 2.3 – Institutional Development for Market-led Extension

Strengthening the institutional capacity of the AFRD in the Targeted districts in order to promote the: a) Convergence among state and centrally sponsored interventions in the agricultural sector; b) Interdepartmental coordination at district ,block and village levels; c) Sectoral transformation from production – centred extension systems to market oriented ones; d) Field-tests and scale-up to climate resilient agricultural practices; e) Analysis of value chains, market conducts and farmers’ commercial options; and f) Establishment of partnerships with allied services such as financial institutions and insurance providers.

1.3.3 Component 3 – Augmenting connectivity, US\$ 173 million (with 115.33 million Bank Financing)

The objective of this component is to improve farmer’s access to markets through the expansion of the local road network that connects rural roads to the main road network that improves connectivity of habitations to the market centers. To achieve this objective, the component will be structured in three subcomponents. These activities will be a continuation of the initiatives started under BKFRP, and will include the same specifications, implementation arrangements, and bidding plans already in place.

1.3.3.1 Sub-component 3.1 – Construction of roads (**US\$80 million with US\$53.33 million Bank Financing**).

This subcomponent will finance the construction of linking roads to major roads and the upgrading of rural roads to provide small villages (population less than 500) greater access to local markets. The sub-component will be implemented in the targeted districts. An estimated 400 km of rural roads will be constructed as black top roads and will be built to the latest rural road standards followed under the GoI and Bank financed PMGSY Rural Roads Program.

1.3.3.2 Sub-component 3.2 - **Institutional strengthening activities at Rural Works Department will amount to US\$3.0million (with US\$ 2.0 million Bank Financing)**

This sub-component will focus on the development of asset management and maintenance system, as well as a road maintenance strategy. Activities will also be financed to support training in technical skills and management information systems for the staff of the Rural Works Department.

1.3.3.3 Subcomponent 3.3 – Construction of bridges (US\$90.0 million with US\$60.0 million Bank Financing).

This subcomponent will finance the construction of small and medium bridges to provide greater access to local markets. About 57 bridges will be constructed in the targeted districts. Bridges and culverts will be designed to withstand earthquake forces (per the guidelines of the Bureau of Indian Standards) and with regard to topography and hydrology (per the guidelines of the Indian Roads Congress, the Ministry of Road Transport and Highways, and projected demographic changes).

1.3.4 Component 4 – Contingent Emergency Response, US\$0 million:

Following an adverse natural event that causes a major natural disaster, the GoB may request the Bank to re-allocate project funds to support response and reconstruction. This component would draw resources from the unallocated expenditure category and/or allow the GoB to request the Bank to re-categorize and reallocate financing from other project components to partially cover emergency response and recovery costs. This component could also be used to channel additional funds should they become available as a result of the emergency.

1.3.5 **Component 5 – Implementation Support, US\$ 27.00 million (with US \$ 18 million Bank Financing)**

This component would finance activities required for project implementation that would include incremental operating costs of BAPEPS and the IAs. These funds are available to BAPEPS and Project Implementations Units of the IAs

to employ subject matter experts, consultants, safeguard and gender experts, financial management consultants/firms agents, and support staff to be housed within each IA and assist with the preparation, implementation, and supervision of project activities. In addition, training, exposure visits, documentation, and monitoring and evaluation, equipment like computer, furniture etc. and project offices, Project Management Consultants, MIS and Third Party Quality Audit (TPQA), internal & external audits, etc. will be financed out of this component. BAPEPS, in coordination with the IAs, will derive a detailed plan for each IA and help strengthening the PIUs for project implementation.

1.4 Objectives of This ESMF

The BKFRP-I had an ESMF prepared taking the environmental and social safeguards issues of the project into account. Presently, the BKBDP is a logical extension of phase I; the investments and components of phase II are more multi-sectoral and diverse. For this reason it is felt that the ESMF of phase I need to be revised appropriately for phase II. The present ESMF for BKBDP (phase II) is prepared to achieve this central objective. The activities taken up to revise the ESMF are as below:

- Determining key social and environmental issues associated with flood management in Greater Kosi Basin and possible activities that could be initiated by BAPEPS, both at the overall basin level as well as part of specific sub-projects;
- Identifying potential environmental and social impacts associated with such investments and recommending measures to enhance positive impacts and mitigate adverse impacts;
- Carrying out an analysis of various stake holders (including in particular the disadvantaged and voiceless) associated with the project, identifying their concerns with regard to environmental and social aspects, and recommending measures to mainstream these aspects into the project;
- Developing an Environmental and Social Management Framework (ESMF) for the project, for ensuring that environmental and social issues are effectively addressed in project design and implementation.
- Identifying additional detailed environmental and social studies that need to be conducted in the project.

1.5 Methodology

The methodology used for preparation of this ESMF is both participative and consultative. The data used for this ESMF has been mostly secondary; though some primary data is generated it is mostly qualitative using discussions during field visits. The same is described here:

- Compilation of Secondary information from Government of Bihar's various departments and several other sources like reports, publications, web sites, etc. This included the various environmental and social indicators of Bihar,

the relevant legal and regulatory provisions, status reports, etc. This data greatly helped in identifying the key issues.

- Field Visits to sample sub-project areas giving an understanding of the usual practices and process in use.
- Discussions with BAPEPS and participating departments at State and district level have helped in understanding the project requirements, existing environmental and social capacity, strategies for ESMF implementation, etc.
- Discussions with Communities gave an indication of need for the project, their readiness to participate in the project implementation, etc.
- Presentation in a stakeholder consultation workshop feedback and finalization gave indication of various gaps in the ESMF and need for detailing and fine-tuning.
- Disclosure of draft ESMF through the project website for comments and inputs from general public.

1.6 Organization of the Report

This report is organized into eleven sections apart from an executive summary and annexures.

First chapter gives introduction to this report which includes background, objectives, scope of the physical activities, need for environmental & social assessment and approach & methodology adopted for this study. Chapter two provides the geographic, physiographic, socio-economic and environmental profile of the Bihar It also presents flood situation in Bihar, floods caused by Kosi River and issues for the project. Third chapter deals laws and regulation related to the project environmental and social context and the World Bank safeguards.

Fourth chapter details the environmental and social impacts caused by the sub-projects to be taken up under BKBDP. Fifth chapter describes the environmental and social management framework proposed for the project which include sub-project categorization, summary of impacts, environmental and social impacts mitigation, sub-project cycle with respect to environment and social impact mitigation, monitoring and evaluation, stakeholder consultation, disclosure and updation of ESMF. Sixth chapter deals with institutional and implementation arrangements at state level and field level arrangements.

Seventh chapter deals with capacity building of stakeholder organizations and description of various training programs proposed including a budget. The eighth chapters provides guidance on environmental impacts mitigation duly giving mitigation measures for all possible impacts during various stages of sub-project cycle. Chapter nine provides social impacts mitigation guidance through a resettlement policy frame work detailing various methods of land procurement, entitlement matrix, etc. Chapter ten includes the Annexures. Eleventh chapter provides details of developing a methodology for Environment & Social Audit.

2 Environmental and Social Baseline

2.1 Introduction

This chapter provides the historical, locational, geographic and physiographic profile of Bihar along with environmental and social baseline. Along with these this chapter presents the state's flood related disaster risk profile.

2.2 Bihar – Geographic and Physiographic Profile

Bihar state is 12th largest in terms of geographical size (94,163 sq. km) and 3rd largest by population, 10.38 crores as per Census 2011, in the country. It is also known for its abundant natural resources, perennial rivers, fertile lands and a long glorious history. In spite of all these conditions, the state remained one of the poorest states in the country since independence. The poverty condition further deteriorated after the state's division in 2000. After the division the state retained almost 75 percent of the population, while it is left with only 54 percent of the land, thus inducing a lot of strain on the available resources.



Figure 1: Bihar Map

Bihar is located between 24°20'10" and 27°31'15"N latitude and 82°19'50"

and 88°17'40" E longitude in the eastern part of the country and situated at about 52.73 m height above sea level . It is an entirely land locked state and is surrounded by West Bengal in the east, Uttar Pradesh in the West and the State of Jharkhand in the South. In the North, Bihar shares its boundary with Nepal. Humid West Bengal in the east and the sub humid Uttar Pradesh in the West provides it with a transitional position in respect of climate, economy and culture. The Bihar plain is divided into two unequal halves by the River Ganga which flows through the middle from West to East. Close to 88% of the population lives in villages.

Table 1: Administrative Divisions		
Details	2001	2011
No. of Divisions	9	9
No. of Districts	37	38
No. of Sub-Districts	101	101
No. of Towns	130	199
No. of Villages	45,098	44,875
Percentage of urban population	10.46	11.30

Bihar lies in the tropical to sub tropical region. Rainfall here is the most significant factor in determining the nature of vegetation. Bihar has a monsoon climate with an average annual rainfall of 1200 mm. The sub Himalayan foothills of Someshwar and Dun ranges in Champaran constitute another belt of moist deciduous forests. These also consist of scrub, grass and reeds. Here the rainfall is above 1,600 mm and thus promotes luxuriant Sal forests in the favoured areas. The hot and dry summer gives the deciduous forests. The most important trees are Shorea Robusta (Sal), Shisham, Cedrela Toona, Khair and Semal. This type of forests also occurs in Saharsa and Purnia districts.

The topography of Bihar can be easily described as a fertile alluvial plain occupying the Gangetic Valley. The plain extends from the foothills of the Himalayas in the north to a few miles south of the river Ganges as it flows through the State from the west to the east. Rich farmland and lush orchards extend throughout the state. The major crops are paddy, wheat, lentils, sugarcane, jute (hemp, related to the marijuana plant, but a source of tough fibers for gunny bags). Also, cane grows wild in the marshes of West Champaran. The principal fruits are mangoes, banana, jack fruit and litchi. This is one of the very few areas outside China which produces litchi.

2.3 Socio-Economic Baseline of Bihar

The BKBDP will make investments in 5 flood affected districts of Kosi basin. These investments will be made in the districts of Araria, Madhepura, Purnia, Saharsa, and Supaul. The socio-economic information of these project districts is presented here. Wherever the information about all the Bihar districts is presented, then the project districts are highlighted in bold.

2.3.1 Demographic

Some of the important demographic indicators of Bihar and project districts are compared in the table below:

Table 2: Population Details

Item	Bihar	Araria	Madhepura	Purnia	Saharsa	Supaul
Area, Sq. Km	94,163	2830	1788	3229	1696	2420
Total population, Census 2011 (in millions)	103.80	2.83	1.99	3.26	1.89	2.22
Decadal growth rate (Census 2011) (%)	25.10	31.84	30.65	28.33	25.79	28.62
Crude Birth Rate (AHS 2010-11*)	28.90	30.90	30.10	27.60	32.1	28.50
Crude Death Rate (AHS 2010-11)	7.30	7.80	7.50	7.20	7.80	6.50
Natural Growth Rate (AHS 2010-11)	19.50	23.10	22.70	20.40	24.2	22.00
Infant Mortality Rate (AHS 2010-11)	52	61	64	71	62	64
Female Sex Ratio, Census 2011	916	921	925	914	906	929
Schedule Caste population ('000) (2001 Census)	13049		207	192	175	
Schedule Tribe population (2001 census)	758000		3,962	8,321	3,397	
Literacy rate (Census 2011) (%)	63.82		28.62	30.65	25.79	

According to the 2011 census, the population of the state of Bihar is 103,804,637 persons, consisting of 52.2% males and 47.8% females. The average population of a district of the state is 2,731,701. The population of the state is predominantly rural, with 89% of the population residing in rural areas. Patna (5772804) and Sheikpura (634927) are most populated and least populated districts of the state.

According to Census 2011 Bihar has recorded 25.07 percent decadal population growth. The district with highest decadal growth is Madhepura (30.65) and the district with lowest decadal growth is Gopalganj (18.83).

The urban decadal growth rate (35.11) is higher when compared to rural growth rate (23.9). From the data, it could be seen that decadal growth rate of urban females (37.07) is more than urban males (33.4), whereas the decadal growth rate of rural females (23.43) is lower than rural males (24.33). This could be a pointer towards increased acceptance of girl child (reduced female foeticide/ infanticide) and women empowerment in urban areas.

2.3.2 Households

S.No	Total	Number
1	No of occupied Residential houses	1,27,40,000
2	No. of House holds	1,37,44,000
3	Total Population	8,29,99,000
4	No. of persons per Household	6.04
RURAL		
5	No of occupied Residential houses	1,24,07,000
7	Total Population	7,43,17,000
8	No. of persons per Household	5.99

The household size in the state of Bihar roughly stands at 6 members per household. The number of members per household in rural areas is about 6, whereas in urban areas it is about 6.5.

2.3.3 Population by Religion

The population of Hindus in Bihar is about 83%, whereas the Muslim population is to 17%. The rest comprise 0.06% Christians, 0.02% Sikhs, 0.02% Buddhists, 0.02% Jains, while 0.05% belong to other religions about 0.06% did not state their religion.

S No.	Community	Bihar		India	
		Population ('000)	Percentage	Population ('000)	Percentage
1	Hindus	69077	83.23	827579	80.46
2	Muslims	13722	16.53	138188	13.43
3	Christians	53	0.06	24080	2.34
4	Sikhs	21	0.02	19216	1.87
5	Budhists	19	0.02	7955	0.77
6	Jains	16	0.02	4225	0.41
7	Other Religious persons	53	0.06	6640	0.65
8	Religion not stated	38	0.05	728	0.07
10	Bihar Total	82999	100	1028611	100

Source: Bihar at Glance 2009

2.3.4 Birth and Death Rates

The crude birth rate per 1000 population for Bihar is 26.7, whereas the same is 21.2 for urban and 27.5 rural. The crude death rate per 1000 population is 7.2, where as the same is 5.7 for urban and 7.4 for rural. The infant mortality rate per 1000 live births is 55, whereas the same is 56 for urban and 53 for rural. This data shows that there is significant difference in among rural and urban areas in terms of birth and death rates, as the urban data is more promising.

S. No.	Particulars	Rural	Urban	Combined
1	Crude Birth Rate per 1000 population	27.5	21.2	26.7
2	Crude Dearth Rate per 1000 population	7.4	5.7	7.2
3	Infant mortality Rate per 1,000 Live births	53	56	55

Source: Data on Sample Registration System, Registrar General of India, Min. of Home Affairs, Govt. of India, New Delhi and Annual Health Survey 2010-11

2.3.5 Scheduled Castes and Scheduled Tribes

The Scheduled Caste population of Bihar was 15.7% in 2001, as compared to 16.2% for India. The corresponding figures for 1991 were 15.5% and 16.5%. The Scheduled Tribe population was 0.9% in 2001, as compared to 8.2% for India in 2001. The state ranked 16th in the Scheduled Caste population and 27th in the Scheduled Tribe population in 2001.

	Total Population			Rural			Urban		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Schedule Caste	13048608	6784676	626393	12178555	6321221	5857334	870053	463455	406598
% age	15.7%	52%	48%	16.4%	51.9%	48.1%	10.0%	53.3%	46.7%
Schedule Tribe	758351	393114	365237	717702	371009	346693	40649	22105	18544
% age	0.9%	51.8%	48.2%	1.0%	51.7%	48.3%	0.5%	54.4%	45.6%

Source: Census 2011

The notified Scheduled Castes in Bihar are Bantar, Bauri, Bhangi, Bhogta, Bhuiya, Bhumji, Chamar, Mochi, Chaupal, Dabgar, Dasadh, Dhangad, Dharhi, Dhobi, Dom, Ghasi, Halalkhor, Hari, Kanjar, Kurariar, Lalbegi, Mehtar, Musahar, Nat, Pan, Pasi, Rajwar, Sawasi and Turi.

The notified Scheduled Tribes in Bihar are Assure, Baiga, Banjara, Bathudi, Bedia, Bhumij, Binjhia, Birhor, Birjia, Chero, Chik Baraik, Gond, Gorait, Ho, Karmali, Kharia, Kharwar, Khond, Kisan, Kora, Korwa, Lohara, Mahli, Mal Paharia, Munda, Oraon, Pahariya, Santal, Sauria Paharia and Savar. It needs to be noted that some of these groups now belong to the state of Jharkhand.

2.3.6 SC, ST and Minority Details in Project Area/ Districts

In terms of the proportion of SCs, Kaimur has the highest proportion (29.6%) followed by Banka (24.1%) and Samastipur (22.2%). Of the 38 districts, Patna has the least proportion of SCs (6.6%) followed by Munger (8.7). The maximum proportion of STs are in Katihar (5.9%) followed by Muzaffarpur (4.8) and Sheikpura (4.7%) and Purnia (4.4%). As far as minority community proportion is concerned, the state average is 16.6, whereas Siwan has the maximum (67.6%) followed by Madhubani (42.5%) and Purnea (41.1). of the 38 districts Kishanganj has the least population of minority community (4.4) followed by Nalanda (6.2).

Districts	Rural	SC (%)	ST (%)	Minority (%)
Bihar	89.5	13	0.1	22.7
Araria	93.9	13.9	1.4	41.4
Purnia	91.3	12.6	4.5	38.1
Supaul	94.9	18.9	0	11.8
Madhepura	95.5	20	0.1	9.5
Saharsa	91.7	14.8	0.7	10.1

Source: Census 2001

2.3.7 Mahadalits in Project Districts

The Government of Bihar has formed the State Mahadalit Mission for the development of the most deprived amongst the Scheduled castes. The Commission observed that out of the 22 scheduled castes in Bihar, 20 are acutely deprived in terms of educational, economic, socio-cultural and political status. The Commission identified these 20 castes primarily on the basis of their literacy rate. The literacy rate of Mahadalits is 16.7% against 28.5% of scheduled castes in Bihar. The table below gives the district wise proportion of Mahadalits. Bihar has 15.69% of Mahadalits. The top three districts in terms of Mahadalit proportion are Gaya (29.62%), Nawada (24.04%) and Aurangabad (23.46%).

2.3.8 Literacy

As per 2011 Census, the number of literates in Bihar is 54,390,254 taking the state's literacy rate to 63.82%. Out of these male literates are 73.4% and female literates are 53.3%. The urban literacy rate stands at 78.75% (Male 84.42% and Female 72.36%) compared to rural literacy rate of 61.83% (Male 71.9% and Female 50.82%).

Item/District	Absolute Literates			Literacy Rate		
	Persons	Males	Females	Persons	Males	Females
Bihar	54,390,254	32,711,975	21,678,279	63.82	73.39	53.33
Araria	1,195,768	727,643	468,125	53.53	62.30	43.93
Purnia	1,323,326	805,261	527,065	51.08	59.06	42.34
Supaul	10,76,133	6,72,945	4,03,188	59.65	71.65	46.63
Madhepura	8,58,886	5,33,342	3,25,544	53.78	63.82	42.75
Saharsa	8,29,206	5,21,560	3,07,646	54.57	65.22	42.73

Source: Census of India 2001

2.3.9 Economy

Bihar, once restricted to the lowest levels of development in the country, has not only grown consistently but also outperformed even the most developed states. It has clocked an annual growth rate of 14.15 per cent for the fiscal 2010-11, surpassing the GDP figures of some of the most developed states such as Gujarat, Maharashtra and Punjab. The state has witnessed a GDP growth rate of over 14 per cent thrice in the past five years. It has also made global headlines by getting into the World Bank Development Report 2009 as the fastest growing Indian state, followed by Chhattisgarh which saw its GDP grow at 11.57 per cent. Closely following the two are Tamil Nadu and Maharashtra with growth rates at 11.74 per cent and 10.47 per cent respectively.

The economy of Bihar is largely service oriented, but it has a significant agricultural base. The state also has a small industrial sector. As of 2008, agriculture accounted for 35%, industry 9% and service 55% of the economy of the state. Among all the sectors, the manufacturing sector performed very poorly in the state in between 2002-2006, with an average growth rate of 0.38% compared to India's 7.8%. Bihar was the lowest GDP per capita in India, although there are pockets of higher than average per capita income. Between 1999 and 2008, GDP grew by 5.1% a year, which was below the Indian average of 7.3%. More recently, Bihar's state GDP recorded a growth of 18% in between 2006 - 2007, and stood at 94,251 Crore Rupees (\$21 billion nominal GDP). In the five-year period of 2004-2009, Bihar's GDP grew at a stunning rate of 11.03%. This makes Bihar the fastest growing major state. In actual terms, Bihar state GDP was ranked second out of 28 states, next only to Gujarat.

2.3.10 Total workers

There were total 22.69 lakh workers working in 12.25 lakh Establishments of the State. The number of total workers grew by 1.62% during 1998-2005. Out of total workers, 14.05 lakh workers (61.90%) were in rural area while 8.65 lakh workers (38.10%) were in urban areas. The growth of workers in rural area for whole of the state was 15.06 percent as against decline of 17.07% in the urban areas.

District/Year	Rural		Urban		Total	
	1998	2005	1998	2005	1998	2005
Bihar	1220972	1404857	1012363	864699	2233335	2269556
Supaul	22763	25066	10151	8571	32914	33637
Madhepura	23047	19177	9622	7491	32669	26668
Saharsa	17714	23382	12152	14105	29866	37487
Araria	21098	21023	12542	10234	33640	31257
Purnia	20763	18563	9541	12935	30304	31498

Source: Fifth Economic Census 2005, DES, Govt. of Bihar

2.3.11 Agricultural/ Non-agricultural Distribution of Total Workers

The number of workers in the Agricultural Establishments in the State decreased from 64,010 in 1998 to 63,021 in 2005, a decline of 1.57%. The number of workers in the Non-Agricultural Establishments increased from 2169322 in 1998 to 2206535 in 2005 recording a growth of 1.72%. This is shown in the table below:

Agricultural		Non-Agricultural		Total	
1998	2005	1998	2005	1998	2005
64010	63021(-.57%)	2169322	2206535 (1.72%)	2233332	2269556 (1.62%)

Source: Fifth Economic Census 2005, DES, Govt. of Bihar

District/Year	Agricultural		Non-Agricultural		Total	
	1998	2005	1998	2005	1998	2005
Bihar	64010	63021	2169322	2206535	2233332	2269556
Supaul	637	229	32277	33408	32914	33637
Madhepura	265	852	32404	25816	32669	26668
Saharsa	1755	909	28111	36578	29866	37487
Araria	612	286	31456	323211	32068	323497
Purnia	321	701	26762	28971	29292	29672

Source: Fifth Economic Census 2005, DES, Govt. of Bihar

2.3.12 Income

There is a substantial gap in the per capita income of India (25661) and Bihar (9586). During period 2006-07 and 2008-09, the Per Capita Income of Bihar has grown by 17.37%, whereas during the same period that of India has grown by 13.64%.

Per Capita Income	At Constant Price in Rs. (Base Year 1999-2000)			At Current Price in Rs.		
	2006-07	2007-08 (Provisional)	2008-09 (quick)	2006-07	2007-08 (Provisional)	2008-09 (quick)
Per Capita Income, Bihar	8167	8703	9586	9817	11135	12643
Per Capita Income, India	22580	24295	25661	29524	33283	38084

Source: Bihar at Glance 2009

2.4 **Environmental Baseline of Bihar**

2.4.1 Water Resources

Bihar is richly endowed with water resources, both the ground water resource and the surface water resources. Not only by rainfall but it has considerable water supply

from the rivers which flow within the territory of the State. Ganga is the main river which is joined by tributaries with their sources in the Himalayas. Some of them are Saryu (Ghaghra), Gandak, Burhi Gandak, Bagmati, Kamla-Balan and Mahananda. There are some other rivers that start from the plateau area and meet in Ganges or its associate rivers after flowing towards north. Some of them are Sone, Uttari Koyal, Punpun, Panchane and Karmnasha. These rivers make the water available for irrigation purpose and also help in generating the hydro-thermal energy for the state. Apart from this they provide a medium for water transport, provide fishes for fishery industry and enrich the natural resources of state in many other ways. All the above rivers have their impact on the Bihar plain. State also has non-exhaustible source of ground water which is in use for drinking purposes, irrigation and industries. The details of the rivers flowing in Bihar are given below:

Table 13: Rivers flowing in Bihar

Name of the Basin	Catchment Area	Length of River in Bihar	Embankment Constructed	Flood Prone Area	Protected Area
	(Sq. Km)	(Km)	(Km)	(Sq.Km)	(Sq. Km)
Ganga	19322	445	596.92	12920	4300
Kosi	11410	260	387.51	10150	9300
Burhi Gandak	9601	320	704.26	8210	4010
Kiul Harohar	17225		14	6340	NIL
Punpun	9026	235	37.62	6130	260
Mahananda	6150	376	225.33	5150	1210
Sone	15820	202	59.54	3700	210
Bagmati	6500	394	400.79	4440	3170
Kamla Balan	4488	120	184.9	3700	2810
Gandak	4188	260	511.66	3350	3350
Ghaghra	2995	83	132.9	2530	790
Chandan	4093	118	83.18	1130	80
Badua	2215	130	NIL	1050	NIL
Lalbakeya			54.35		
Adhwara			181.5		
Bhuthi			54.7		
Total			3629.16	68800	29490

Surface water: The surface water resource in the state includes 69000 ha of ponds and tanks, 9000 ha of oxbow lakes, 7200 ha of reservoirs, 3200 km of rivers and 1lakh ha of riverine and other flood plains.



Groundwater: The annual replenishable ground water resource in the state is estimated to be 29.19 BCM. The net annual ground water availability is 27.42 BCM. The annual ground water draft is estimated to be 10.77 BCM making the stage of ground water development 39%. None of the administrative divisions (called blocks) in the state are classified as Over Exploited, Critical or Semi-critical with respect to the ground water status. The stage of ground water development exceeds 50% in Nalanda, Jehanabad, Begusarai, Siwan, Saran and Patna.

Water quality: Groundwater quality in parts of the state is affected by high Fluoride (4157 habitations), Iron (18673 habitations) and Arsenic (1590 habitations). The details of groundwater contamination are given below:

Contaminant	Districts affected
Fluoride (>1.5 mg/l)	Aurangabad, Banka, Buxar, Bhabua (Kaimur), Jamui, Munger, Nawada, Rohtas, Supaul
Iron (>1.0 mg/l)	Aurangabad, Begusarai, Bhojpur, Buxar, Bhabua (Kaimur), East Champaran, Gopalganj, Katihar, Khagaria , Kishanganj, Lakhiserai, Madhepura , Muzaffarpur, Nawada, Rohtas, Saharsa, Samastipur , Siwan, Supaul , West Champaran
Nitrate (>45 mg/l)	Aurangabad, Banka, Bhagalpur, Bhojpur, Bhabua, Patna, Rohtas, Saran, Siwan
Arsenic (>0.05 mg/l)	Begusarai, Bhagalpur, Bhojpur, Buxar, Darbhanga, Katihar, Khagaria , Kishanganj, Lakhiserai, Munger, Patna, Purnea,

Among the Kosi Basin Project Districts, some parts of Supaul District are having Fluoride in excess of 1.5 mg/l. Iron is present in more than permissible limits, i.e., above 1.0mg/l in some parts of Kosi Basin Districts, viz., Katihar, Khagaria, Madhepura, Saharsa, Samastipur and Supaul. Arsenic is found in excess (more than 0.05mg/l) in some parts of Kosi Basin Districts, viz., Darbhanga, Katihar, Khagaria and Samastipur. Flooding could be one of the many reasons for presence of contaminants in the groundwater in Kosi basin. District wise ground water quality maps are available at www.cgwb.gov.in.

2.4.1.1 Rainfall

The average annual rainfall of Bihar is 1271.9 mm and the average numbers of rainy days are 52.5. The Zone-II North East Alluvial Plains has the highest rainfall ranging between 1200-1700 mm, the Zone-I North West Alluvial Plains has rainfall between 1040-1450 mm, and the Zone-III and South Bihar Alluvial Plains has the lowest rainfall ranging between 990-1240 mm. The districts of Kishanganj, Araria, West Champaran and Purnia receive over 1400 mm rainfall. Patna and Nalanda receive less than 1000 mm of rainfall annually. The districts of Saran, Darbhanga, Patna and Muzaffarpur have a higher probability of drought (15% or more). The below table gives the season wise rainfall data and number of rainy days during the years 2004-05, 2005-06 and 2006-07.

June 2004 to September 2004	907.71
October 2004 to December 2004	60.07
January 2005 to February 2005	22.31
March 2005 to May 2005	38.58
Total Rainfall 2004-05	1002.5
Normal Rainfall 2004-05	1176.4
Average Rainy Days 2004-05	43.14
June 2005 to September 2005	768.3
October 2005 to December 2005	30.22
January 2006 to February 2006	0.1
March 2006 to May 2006	88.96
Total Rainfall 2005-06	887.59
Normal Rainfall 2005-06	1176.4
Average Rainy Days 2005-06	39.83
June 2006 to September 2006	903.02
October 2006 to December 2006	23.57
January 2007 to February 2007	30.17
March 2007 to May 2007	80.83
Total Rainfall 2006-07	1037.61
Normal Rainfall 2006-07	1176.4
Average Rainy Days 2006-07	44.8

Source: Directorate of Economics & Statistics, Bihar, Patna

The monthly average rainfall and potential evapo-transpiration in re-organized Bihar is given in the following graph:

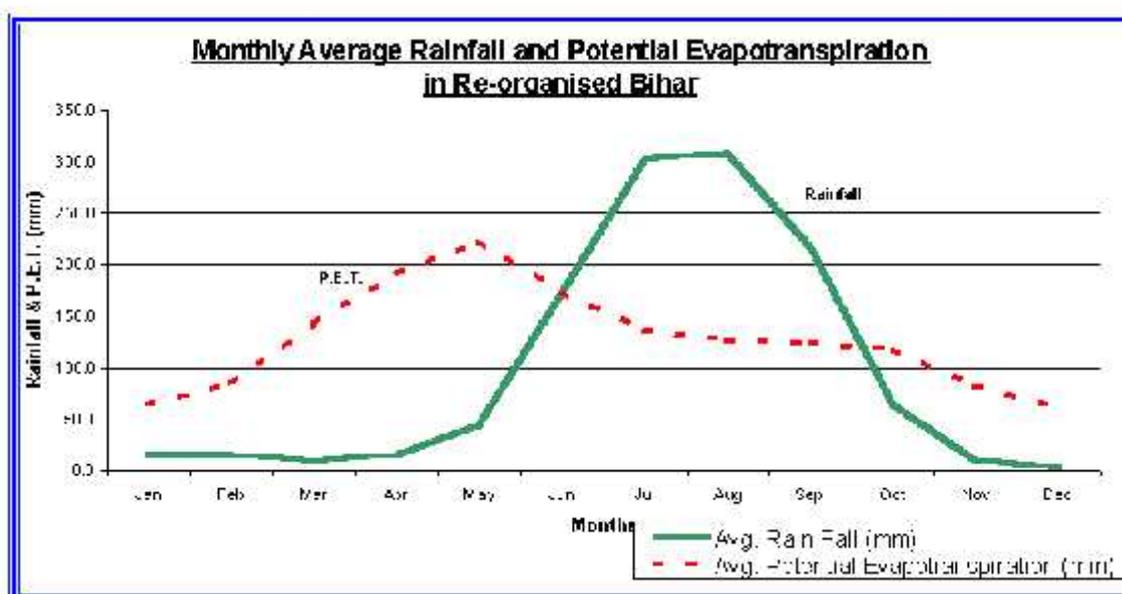


Figure 2: Monthly Avg. Rainfall and Potential Evopotrnspiration in Re-organised Bihar

2.4.1.2 Project District wise Rainfall

During 20015-16, among the 38 districts, Kishanganj (1553.4) had the highest actual rainfall and Rohtas (449.0) had the lowest rainfall. The project district wise normal and actual rainfall for the year 2015-16 is given in below table:

S.No.	District	NormalRainfall	ActualRainfall2015-16
1	Bihar	1207.8	776.7
2	Saharsa	1673.4	917.4.0
3	Supaul	1293.8	744.0
4	Madhepura	1382.3	809.9
5	Purnia	1595.0	883.3
6	Araria	1673.3	946.6

Source: Directorate of Economic and Statistis, Bihar, Patna

2.4.2 Agro-Climatic Condition

Bihar with a geographical area of about 94,200 sq.Km. is divided by river Ganges into two parts, the north Bihar with an area of 53,300 sq.km. and the south Bihar having an area of 40,900 sq.km. Based on soil characterization, rainfall, temperature and terrain, four main agro-climatic zones in Bihar have been identified each with its own unique prospects. These are:

1. Zone-I, NorthAlluvialPlain
2. Zone- II,NorthEastAlluvialPlain
3. Zone-III ASouthEastAlluvialPlain
4. Zone-IIIB, SouthWest AlluvialPlain

S No	Agro-climatic Zone	District
1.	Agro- climatic zone I (Northern West)	West Champaran, East Champaran, Siwan, Saran, Sitamarhi, Sheohar, Muzaffarpur, Vaishali, Madhubani, Darbhanga, Samastipur , Gopalganj, Begusarai
2.	Agro-climatic Zone II (Northern East)	Purnea, Katihar, Saharsa, Supaul, Madhepura, Khagaria , Araria, Kishanganj.
3.	Agro-climatic zone IIIA (Southern East)	Sheikhpura, Munger, Jamui, Lakhisarai, Bhagalpur & Banka.
4.	Agro-climatic zone IIIB (Southern West)	Rohtas, Bhojpur, Buxar, Bhabhua, Arwal, Patna, Nalanda, Nawada, Jehanabad, Aurangabad, Gaya.

Three (Madhubani, Darbhanga and Samastipur) of the Eight Kosi Basin Project Districts fall under Agro-Climatic Zone I (Northern West) and the remaining Five Project Districts (Katihar, Sharsa, Supaul, Madhepura and Khagaria) fall under Agro-Climatic Zone II (Northern East).

Agro climatic zone I and II are located north of the river Ganges where as the Zone III is located south of the river Ganges. Zone I is situated in the north western part of

the state whereas zone II is located in the north eastern part. Zone I and II is flood prone whereas zone III is drought prone. Potential wise all three agro climatic zones have vast untapped potential for increasing the productivity of foodgrain crops. Across the states soil texture varies from sandy loam to heavy clay. However the majority type belongs to loam category which is good for cropcultivation. The natural precipitation varies from 990 to 1700 mm. Most of the precipitation is received during the month of July to September. Soil pH varies from 6.5 to 8.4. There are three crop seasons, Kharif, Rabi and Zaid. Rice, wheat and pulses are grown in all the districts however the choice of the crop and croprotation varies across the agro climatic zone. Being located between 25 to 27 degree North latitude the climate of Bihar is of mostly sub-tropical. Nevertheless region close to Tropic of Cancer experiences tropical climate during summer. Like all the Indian states Bihar also reels under hot summer season during months of March to May. Average temperature is 35-40 degree Celsius throughout the summer months. April and June are the hottest months of the year. December to January is the winter season in Bihar because of its location is Northern hemisphere. The winter in Bihar is mild with average temperature being 5 to 10 degree Celsius. Bihar gets its maximum rainfall during South-West monsoon season which prevails from June to September. The average rainfall of Bihar is around 120cm. As far as soil resources are concerned Bihar has three types of soil: montane, alluvium and marshy/swampy soil of Tarai.

2.4.3 Physiography and Soil

The important physiographic features of the agro-climatic zones are given in the table below:

S No	Agro-climatic Zone	Soil	pH	Total Rainfall (mm)	Temperature (°C)	
					Max	Min
1.	Agro- climatic zone I (Northern West)	Sandy Loam, Loam	6.5 – 8.4	1040 – 1450 (1245.00)	36.6	7.7
2.	Agro-climatic Zone II (Northern East)	Sandy Loam, Clay Loam	6.5 – 7.8	1200 – 1700 (1450.00)	33.8	8.8
3.	Agro-climatic zone IIIA (Southern East & West)	Sandy Loam, Clay Loam, Clay	6.8 – 8.0	990 – 1240 (1115.00)	37.1	7.8

As mentioned above the Kosi Basin Project Districts fall under Agro-Climatic Zones I and II.

2.4.3.1 Agro-Climatic Zone-I

The lands of this zone which are alluvial plains are sloppy towards the south east direction with a very low gradient as evidenced by the direction in which the rivers flow. However, the rivers move east ward direction along the natural levee before they finally meet the Ganga. As a result, there are vast water logged areas in the districts of Saran, Vaishali and Samastipur. Due to near flatness of the landscape,

vast area gets flooded during rains. The north-eastern portion of this zone, the “Don Hills valleys” is glacial hills and valleys.

Except for the northern portion and portion in the west of the zone under the influence of Adhwara system of rivers, the entire zone is under the influence of rivers like Gandak, Burhi Gandak and Ghaghra, all of which originate in the lime rich foot hills of the Himalayas. Thus, the soil under the influence of Gandak, Burhi Gandak and Ghaghra are mostly calcareous having different amounts of lime in them. The soils of Siwan and Gopalganj districts with less rainfall and more pronounced dry seasons have developed salinity as well as alkalinity. Similarly, the soil of nearly flat lands of East and West Champaran and Muzaffarpur also salt affected. The soils of the northern part not under the influence of the above rivers are neutral, acidic or saline depending on the micro-relief and local physiography.

This zone has the following six broad soil association groups:

- i. Sub-Himalayan and forest soils
- ii. Recent alluvial tarai soils
- iii. Young alluvial calcareous soils
- iv. Young alluvial calcareous saline soils
- v. Young alluvial non-calcareous, non saline soils, and
- vi. Recent alluvial calcareous soils

As all the rivers and rivulets originate in the high Himalayas, dominated by mechanical weathering of rocks, the soils are mostly light to medium light textured except those away from the direct influence of the rivers. The upland soils are well drained to moderately well drain. The medium low lands and the low lands soils, although of good to moderate permeability, have become some what poorly drained due to high water table in the areas. The soils are moderately rich to poor in nitrogen (especially in Gopalganj and Siwan districts), moderate to very low in available phosphorus and medium to high in available potash. The soils are showing symptoms of deficiency of zinc and iron mostly induced by high available calcium.

2.4.3.2 Agro- Climatic Zone II

This zone, the alluvial plains of Kosi, Mahananda and its tributes and Ganga (an arrows trip in the south) is slightly undulating to rolling landscape mixed with long stretches of nearly flat landscape with pockets of areas having sub-normal relief. The area is full of streams with abandoned dead channels of Kosi River, which becomes notorious for its frequent and sudden change of courses forming small lakes and shallow marshes. In the south, in between the natural levees of Ganga, on the one hand and Kosi and Mahananda on the other, there are vast areas which remain water logged for a considerable part of the year. The general slope of the land is towards south east and the river sonreaching Ganga moves east ward for along distance before they meet river Ganga.

Unlike the rivers Gandak and Ghaghra, Kosi and Mahananda originate and have catchments in Himalayan region, which are not calcareous but rich in acidic

minerals. As a result, the soils of this zone are non calcareous, accumulation of sodium salts and sodium adsorption has taken place in areas where the drainage is poor. Salinity and alkalinity are, however, on an increase in Saharsa and western part of Purnea and Katihar districts. As both Kosi and Mahananda carry a tremendous load of sediments, the soils are mostly light textured except in back waters of river Ganga and Kosi.

Three broad soil association groups have been identified in this zone are:

1. Recent alluvial tarai soil
2. Recent alluvial noncalcareous soil, and
3. Recent alluvial calcareous soil

The soils are very light to medium textured except for those in between the natural levees of Ganga and Kosi and Mahananda and away from the influence of running water of the rivers. Even the heavy textured soils under the influence of Kosi and Mahananda have sandy sub stratum below 40 to 100 cm depths. The soils are mostly moderately acidic to neutral. Very acidic soils are found in north east parts with heavy rainfall and high permeability. The soils are excessively drained to poorly drain mainly depending on local physiography and depth of water table. With the introduction of irrigation without providing adequate drainage ways, the water table is rising and water logged areas and saline patches are increasing. The soils are very poor to poor in nitrogen especially with the very light textured soils, very poor to medium in available phosphorus and potash. Deficiencies of zinc and boron and toxicity of manganese have been recognized in these areas.

2.4.3.3 Agro-Climatic Zone III

This zone is the alluvial plains of river Ganga on its southern side and the sediments are received both from river Ganga and those flowing from the south having their origins in the Chota Nagpur Plateau, which rise abruptly from the plains. The land's slope is towards northeast with gentle slope gradient and moderate to low gradient. In the south of the natural levee of the Ganga, there is vast stretch of back waters known as "Tal" land extending from Buxar to Pirpaity, where most of the rivers and rivulets coming from the south get lost. The flood plains of Ganga, which get reworked and eroded and deposited at regular intervals, are lighter than "Tal" lands and are known locally as Diara lands.

The river originating from the Chotanagpur plateau brings a lot of fine sediments. The coarser sediments that they bring are either deposited in their beds or on their banks and as a consequence, the soils are mostly medium to heavy textured throughout the depth of the profiled. There are no marshy lands in this zone.

The main broad soil association groups recognized in this zone are:

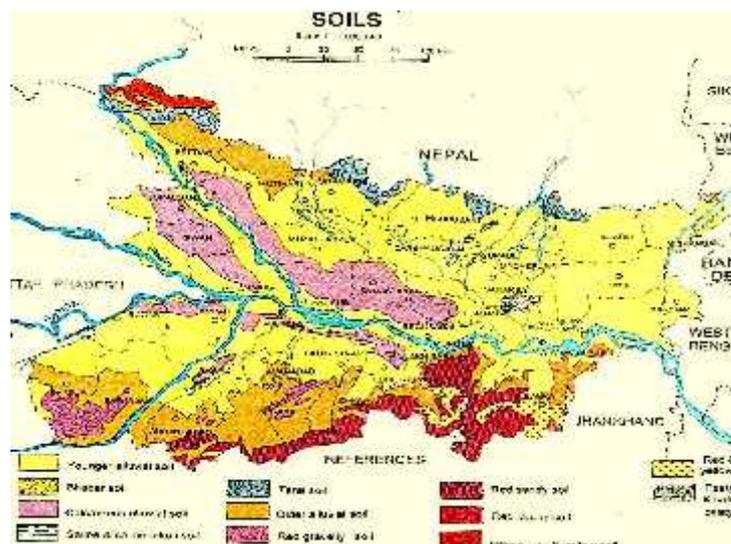


Figure 3: Soils in Bihar

1. Recent alluvial calcareous soils
2. Tal land soils, light grey, dark grey medium to heavy textured soils
3. Old alluvial reddish yellow, yellowish grey centenary soils
4. Old alluvial grey, grayish yellow, heavy texture soils with cracking nature
5. Recent alluvial yellowish to reddish yellow non calcareous non saline soils
6. Old alluvial yellowish to red yellow soils of foot hills
7. Old alluvial saline and saline alkali soils

The soils of this zone except that of 'Diara' area and 'Tal' lands are moderately well drained to some what poorly drained, moderately acidic to slightly alkaline and medium textured to heavy textured soils. The soils of paddy lands have developed impervious layer of varying thickness and imperviousness varies from simple semi-developed some what porous clay pans to practically very hard impervious thick layers with slicken side. The soils are poor to moderate in nitrogen and poor to moderately rich in available phosphorus and potash. The soils of medium low to low lands are comparatively more fertile. The soils of 'Tal' lands are highly clayey throughout their depths, grey to dark grey in colour, neutral to slightly alkaline in reaction. These soils are moderately rich in nitrogen, available Pand Kand very hard under normal conditions.

The Diara land soils with their undulating landscapes are generally very light to medium heavy textured but all under lainby sandy layers with in 80 to 100 cm of their surface and very well drained to moderately well drained, neutral to slightly alkaline in reaction. Their fertility status varies widely from poor to very fertile depending upon their physio graphic positions but all are under moisture stress due to the occurrence of sandy substratum.

Below table gives the total area, net sown area, irrigated area and main cropping systems by agro-climatic zone.

Agro-climatic zone	Districts	Total area (m ha)	Net sown area (m ha)	Irrigated area (mha)	Main cropping systems
Zone-I North- West Alluvial Plain	West Champaran, East Champaran, Gopalganj, Saran, Siwan, Sitamarhi, Muzaffarpur, Darbhanga , Vaishali, Samastipur , Sheohar, Madhubani	3.26	2.15 (66)*	0.86 (40)**	Rice-Wheat, Maize-Wheat, Maize-Arhar, Maize- Potato-Moong, Maize-Sweet Potato-Onion, Maize-Mustard-Moong,
Zone-II (North-East Alluvial plain)	Purnea, Katihar , Madhepura , Saharsa , Araria, Kishanganj, Supaul , Khagaria , Begusarai	2.08	1.21 (58)*	0.24 (20)**	Jute-Rice, Jute-Wheat, Jute-Rice-Wheat, Jute- Potato, Jute-Kalai-Wheat, Jute-Mustard, Jute-
Zone-IIIA (South Bihar Alluvial plain (East)	Banka, Munger, Jamui, Lakhisarai, Shekhpura, Bhagalpur	1.11	0.49 (44)*	0.21 (43)**	Rice-Wheat, Rice-Wheat- Moong, Rice-Gram-Rice, Rice-Potato-Onion, Rice-Mustard-Moong,
Zone-IIIB (South Bihar Alluvial plain (West)	Patna, Gaya, Jahanabad, Nawada, Nalanda, Rohtas, Bhojpur, Aurangabad, Buxar, Kaimur.	2.92	1.68 (58)*	1.37 (81)**	Rice-Wheat-Moong, Rice- Wheat-Rice, Rice-Gram- Rice, Rice-Gram-Moong
Total		9.37	5.53 (59)*	2.68 (48)**	

* Figures in parenthesis are % of geographical area.

** Figures in parenthesis are % of net area sown.

2.4.4 Land use

Bihar has a geographical area of about 94,200sq.km. The state is divided by river Ganges into two parts, the North Bihar with an area of 53,300sq.km. and the South Bihar with an area of 40,900sq.km. Of the total geographic area of 94.16 lakh ha, about 60% is cropped and only about 22% of the area is cropped twice. The gross and net sown area in the State is estimated at 77.18 lakh ha and 56.65 lakh ha respectively. The cropping intensity is 1.36. Forest area is limited (6.6%) and the area under pastures and grazing lands is extremely scarce (0.18%).

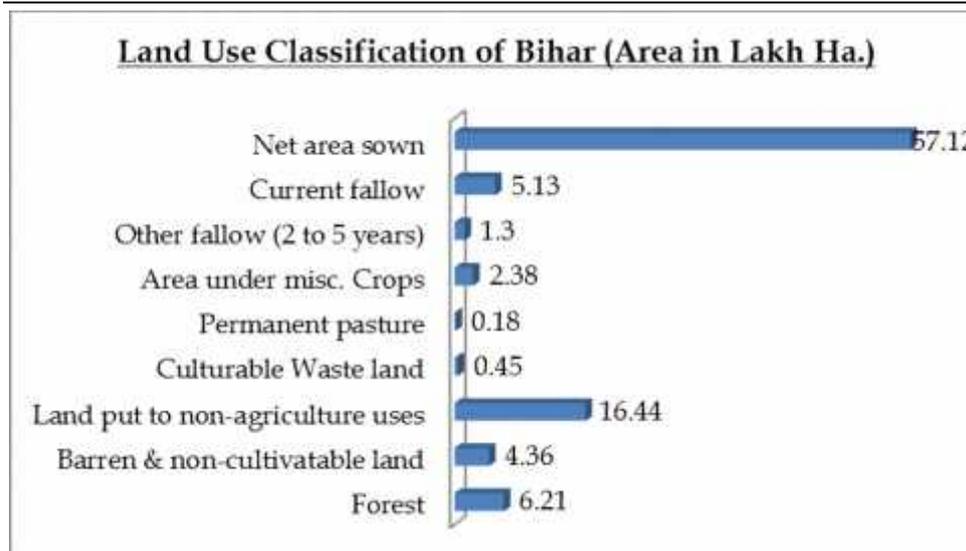


Figure 4: Land use Classification in Bihar

The districts of East and West Champaran, Rohtas, **Madhubani** and Purnea have the largest net sown area. However, interm softthenet sown area as a percentage of the district area Buxar, Bhojpur and Nalanda top the list with more than 75% while Jamui and Monghyr are at the bottom of the list with less than 40%. The extent off allow lands is the maximum in the districts of Gaya, Jamui, Purnea (while as percentage of the district area Sheikhpura, Jamui and Gaya have more than 20% area under fallows). Cropping intensity is highest in **Saharsa** (1.76), Sivhar and **Supaul** and lowest in Banka (1.07), **Darbhanga** and Patna. The districts with more than 50,000ha under forests are Bhabua, Jamui, West Champaran, Gaya, Rohtas and Nawadha. Only 9 districts have more than 500 ha under pastures and grazing lands with Gaya having the maxium area at 2192 ha (0.44%).

Wastelands are spread over an area of 6,841sq.km in Bihar accounting for 7.26% of the state's geographic area. Of the total wasteland in the state, land with scrub (dense and open) accounts for 3715 sq km (about 4%), water logged area (permanent and seasonal) accounts for 1564 sq km (1.66%) and degraded forestland with scrub accounts for about 1200 sqkm (1.27%). The districts of Jamui and Banka have more than 20% of their area under wasteland. Nalanda, Bhojpur, Buxarand **Khagaria** have the least extent of wastelands in the state. Jamui, Banka, West Champaran and **Katihar** have the maximum area under degraded scrub land. The districts most affected by permanent water logging are Saran, Siwan, Vaishali and Muzaffarpur and those affected by seasonal waterlogging are Purnia, **Madhepura** and **Saharsa**.

The land use details of Bihar and India are given in the table below for comparison.

Table 20: Land Use - India and Bihar ('000' Ha.)

Item/Land Use		1986-87		1991-92		1996-97		2001-02		2004-05		2005-06		2006-07	
		India	Bihar												
1	Forest	67416	609	68024	616	68750	616	69487	622		622		622		622
2	Area not available for cultivation	39729	1849	41013	1892	41543	2032	42136	2077		2082		2083		2083
(A)	Area under non-Agricultural uses	NA	1407	NA	1450	41543	1595	41780	1641		1646		1647		1647
(a)	Land Area	NA	1177	NA	1173	NA	1259	NA	1279		1285		1286		1286
(b)	Water Area	NA	230	NA	277	NA	336	NA	362		361		361		361
(i)	Perennial	NA	144	NA	182	NA	207	NA	207		207		207		207
(ii)	Temporary	NA	86	NA	95	NA	129	NA	155		154		154		154
(B)	Barren and Uncultivable land	NA	442	NA	442	NA	437	NA	436		436		436		436
3	Other uncultivable Land														
	excluding Fallow Land	NA	292	NA	299	-	296	-	299		302		303		304
(i)	Permanent pasture and other grazing land	12050	34	11676	28	11040	19	10581	18		17		17		17
(ii)	Land under Misc. trees, crops and groves	3623	190	3643	202	3567	226	3335	235		239		240		241
(iii)	Cultivable Waste Land	16410	68	15072	69	13947	51	13352	46		46		46		46
4	Fallow Land	23049	1032	24222	823	23218	872	24927	698		781		795		686
(i)	Fallow Land otherthan Current Fallow	9563	207	9848	184	9892	157	10254	135		133		129		120
(ii)	Current Fallow	13486	825	14374	639	13326	715	14673	563		648		666		566
5	Net Area Sown	142003	5577	141408	5731	142813	5542	141383	5664		5572		5556		5665
6	Total Cropped Area	177042	8133	182728	8052	189592	8064	190488	7897		7399		7396		7719
7	Area Sown morethan once	35039	2556	41320	2322	46779	2522	49105	2233		1827		1840		2054

Source: Directorate of Economics & Statistics, Bihar Patna.

2. Statistical Abstract (C.S.O.) 1982, 1984, 1989, 1992, 2000 to 2006.

2.4.5 Agriculture and Cropping patterns

Bihar, with its bountiful natural resources of fertile soil, abundant water, varied climate and rich cultural and historical heritage is one of the most fascinating states of India. Bihar is one of the states where agriculture is considered as the backbone of economic activity. About 80% of the land area is arable and supported with good monsoon rainfall. Though the agricultural practices are not well developed, but somehow support the life line through its products. The farmers are intelligent and hard working. Therefore agriculture has been described as the core competence of Bihar by the Hon'ble President of India. Agriculture is the vital source of wealth in Bihar. 76% of its population is engaged in agricultural pursuits. Bihar's productive contribution in food grain, fruit, vegetables, spices and flowers can increase manifold with improved methods and system management. Bihar has a total geographical area of about 93.60 lakh hectare, out of which only 56.03 lakh hectares is the net cultivated area and gross cultivated area being 79.46 lakh hectares. About 33.51 lakh hectare net area and 43.86 lakh hectare gross area receive irrigation from different sources. Principal food crops are paddy, wheat, maize and pulses. Main cash crops are sugarcane, potato, tobacco, oilseeds, onion, chillies and jute and. Bihar has notified forest area of 6,764.14 sq km, which is 7.1 per cent of its geographical area. There are four classes of crop period in Bihar;

1. Bhadai
2. Aghani
3. Rabi crop
4. Summer crop

Bhadai: This crop is sown in the month of May-June i.e., in pre-monsoon period and harvested during post monsoon period. It includes the crops such as rice, maize and jute and in some patches pulses and vegetables are also grown. The districts of Purnia, **Saharsa, Madhepura, Supaul**, Kishanganj, **Katihar** are the main areas where such crops yield. Marua is grown in the districts of Muzaffarpur, Vaishali, **Saharsa, Samastipur** and Sitamarhi. In the diara lands of Ganga and Kosi belt maize are grown.

Aghani: This is the main crop in Bihar. It contains all the crops which are sown during rainy season immediate after the on-set of monsoon. The main paddy crop is sown till August and harvested in the month of Nov.-Dec. That is why Bihar has its own well established rice culture. The main rice producing districts are **Purnia, Madhubani, Darbhanga, Sitamarhi, Saharsa, Rohtas**, etc. Two crops yield of paddy is usually practised because of the fact that a monsoon period prolongs over a wide range.

Rabi Crop: This is the winter crop usually sown in the month of Oct-Nov and harvested in the month of March-April. Wheat is the main product of this period along with other minor pulses and oil seeds.

Summer Crop: During this period summer paddy, vegetables oil seed, maize and pulses are grown.

2.4.5.1 Main Crops Yields

Paddy: Paddy is grown about a tune of 65.5 lakh MT each year. Three types of paddy are produced:

- Aghani Paddy (80% of the area)
- Boro Paddy (2% of the area)
- Summer Paddy (3% of the area)

The districts of Rohtas, Aurangabad, Bhabhua, Banka and Nalanda have the highest rice production (with productivity >2.3 tonnes/ha) while the lowest rice productivity is seen in Shivhar (0.52 tonnes/ha), **Samastipur** and Muzaffarpur.

Wheat: Wheat is the second most predominant product. It is produced in about 26.5 lakh ha land and the yield is of a tune of 35.7 lakh ton every year. In the past two decades the production in Bihar has increased many fold and it has attained the sixth position in the list of states producing wheat. The main wheat producing area is Ganga-Diara, **Kosi basin**, Begusarai district, area falling west of river Bagmati and in the districts of Buxar, Rohtas, Gaya, Jehanabad, Patna, Munger and Bhagalpur.

Rohtas, Gopalganj and Saran have the highest wheat production (with productivity >2.3 tonnes/ha) while the lowest wheat productivity is seen in Araria (0.7 tonnes/ha), **Katihar** and Kishanganj.

Maize: Maize is the third main crop of Bihar and is sown in 8% of the cultivable area. It is mainly grown in the area Southwest of Burhi Gandak River and in the districts of Saran, Gopalganj, Siwan, **Samastipur** and Purbi and Paschim Champaran. Approximately 18 lakh MT is produced every year.

The production of maize is the highest in **Khagaria**, **Samastipur** and Purnia (with productivity >3.5 tonnes/ha) while Jamui, Buxar and East Champaran have the lowest productivity of this crop.

Barley: Barley is grown in almost similar ground situation as that of maize. It is sown as mixed crop. Purbi and Paschim Champaran are the lead districts in its production.

Marua (Ragi): It is grown in the less fertile sandy soil and needs little water that is why its seed is sown in the month of June and transplanted after rainfall. It is the main food of labour and down trodden class of population. It is grown in the districts of **Saharsa**, **Supaul**, **Madhepura** and **Darbhanga**, etc.

Pulses: About 12-13 lakh ha land is used for growing such type of crops. The annual production is of to a tune of 10 lakh MT.

Main Cash Crops: It includes Sugarcane, Tobacco, Potato, Jute and Chilli. Sugarcane is grown in alluvial soil having lime as main ingredient. It is noted that area lying east of

Bagmati is not suitable for sugarcane cultivation. Broadly, it is the arealying Northeast of Bagmati River which is considered most suitable for sugarcane cultivation. Tobacco is grown in 14000 ha land and the production is of a tune of 17000 ton every year. It is grown mainly on the margin of river banks almost extending from Gandakriver in the west to eastern boarder of Bihar. Potato is the main cash crop and is grown almost in every district. Nalanda districtis considered as the leading producer of Potato. Jute is produced in the high rainfall and humid area of Bihar. It is grown at the margin of water bodies where pure water is vailable for washing. It is mainly grown in the districts of Purnia, Kishanganj, **Katihar Saharsa**, etc. Chilli is a product grown throughout the year in about 75,000 ha land.

2.4.5.2 Horticulture

Bihar ranks 8th with respect to the area (11.21 lakh ha) and 5th with respect to the production (173.35 lakh MT) of horticultural crops in the country. Major fruits grown in the state are Mango, Litchi, Guava, Pineapple, Banana, Aonla, Bel and Makhana. The prime fruit growing districts are Muzaffarpur, Vaishali, **Samastipur**, Bhagalpur, Banka, **Darbhanga**, Munger, Jamui, Gaya, Aurangabad, Nalanda, Patna, West Champaran, East Champaran, Kishangaj, Purnea, Araria, **Katihar** and **Khagaria**. The major vegetables grown on commercial scale in the state are Cauliflower, Potato, Okra, Brinjal, Onion, Chillies, Cabbage, Gourds, Peas, Cowpea and Melon.

Bihar has a net irrigated area of 34.61 lakh ha (61% of the net sown area of 56.65 lakh ha). Of the net irrigated area, 64% is irrigated by tube wells and 27% is irrigated by canals. Irrigation by tanks is less than 5%. The districts with the highest dependence on tubewells for irrigation (100%) are East Champaran, **Samastipur**, **Madhubani**, Araria, Kishenganj and Sivhar. Rohtas, **Darbhanga** and Bhojpur have less than 30% of their net irrigated area irrigated by tube wells. Canals account for more than 90% of the net irrigated area in Rohtas and for more than 70% area in Bhojpur.

2.4.5.3 Fertilizers and Pesticides

The use of nitrogenous fertilizers in Bihar is much higher as compared to the national average. The national averages for N, P and K stand at 77.9, 33.69 and 17.1 kg/ha respectively, while that of Bihar are 123.77, 33.37 and 21.83 kg/ha respectively. In the year 2009-10, the consumption of N, P, K fertilizers was 8.94, 2.47 and 1.67 MT respectively making the N:P:K ratio 8.04:1.98:1 (the optimum nutrient ratio recommended for Indian soils is 4:2:1). The consumption of chemical pesticides in Bihar in 2006-07 was 890 MT and in the previous year it was 875 MT.

Gross area under irrigation by crops in Bihar is given in table below:

S. No.	Crops	2003-04	2004-05	2005-06
1	2	3	4	5
1	Rice	1977	1631	1739308
2	Wheat	1878	1835	1826295
3	Barley	5	5	4259
4	Maize	352	359	391312
5	Gram	11	13	7210
6	Other Cereals and Pulses	7	14	11947
7	Other Food Crops	269	22	241953
8	Sugarcane	27	27	26999
9	Non-Food Crops	68	72	75404

Source: Directorate of Economics & Statistics, Bihar, Patna

Area and Production of horticultural crops for years 2005-06, 2006-07, 2007-08 and 2008-09 is given the table below:

S. No.	Particulars	2005-06		2006-07		2007-08		2008-09	
		Area	Prodn.	Area	Prodn.	Area	Prodn.	Area	Prodn.
1.	Fruits	276.44	3068.42	279.41	3426.48	286.24	3252.37	291.50	3853.88
2.	Vegetables	498.52	7656.43	501.31	7866.62	508.24	8048.09	519.12	8329.02
3.	Spices	NA	NA	11.10	12.30	12.25	14.10	12.75	14.98
4.	Flowers	NA	NA	0.297	NA	0.325	NA	0.337	NA
5.	Aromatic Plants	NA	NA	2.10	NA	2.45	NA	2.60	NA

The below table gives the detail of irrigated area from different sources like canal, tubewell and other sources by zone and district:

Name of District	Canal, ha.	Tubewell, ha.	Other Sources,	Total irrigated Area, ha.
Darbhanga	-	95736	6351	10208
Madhubani	-	41113	97438	13855
Samastipur	-	112387	-	11238
Katihar	-	129408	-	12940
Khagaria	-	76748	6645	8339
Supaul	67352	73678	1084	14211
Bihar total	1367664	2855202	343968	4566834
	29.95	62.52	7.53	100.00

The sown area, production and yield of various crops sown during years 2007-08, 2008-09 and 2009-10 are given in the table below:

Table 23: Area, Production & Yield 2007-08, 2008-09, 2009-10

Area in ha., Prod. In MT, Yield in kg/ha.										
S No.		2007-2008			2008-2009 (Last Est.)			2009-2010 (Forth Adv. Est.)		
	Crops	Area	Prod.	Yield	Area	Prod.	Yield	Area	Prod.	Yield
1	Aghani Rice	2842465	3967656	1396	2843335	4684428	1648	3079950	3461170	1124
2	Autumn Rice	524266	321220	613	546872	727684	1331			
3	Summer Rice	106284	183803	1729	105527	178240	1689	100330	159520	1590
	Total Rice	3473015	4472679	1288	3495734	5590352	1599	3180280	3620690	1138
4	W heat	2131232	4974663	2334	2158327	4410017	2043	2226680	4623000	2076
5	Autumn Maize	263299	321405	1221	244973	371822	1518	233910	422700	1807
6	Rabi Maize	214521	858285	4001	208511	752725	3610			
7	Summer Maize	180064	677319	3762	186971	589454	3153	418260	1291230	3087
	Total Maize	657884	1857009	2823	640455	1714001	2676	652170	1713930	2628
8	Jowar	3426	3762	1098	2399	2540	1059	3930	4310	1097
9	Bajra	3497	3858	1103	2969	3599	1212	4170	4990	1197
10	Ragi	13222	7998	605	11435	9296	813	10680	8760	820
11	Barley	15402	18513	1202	14592	15898	1090	12730	14140	1111
12	Small Millets	7000	5169	738	7832	5993	765	5080	3930	774
	Total other Coarse	42547	39300	924	39227	37326	952	36590	36130	987
	Total Coarse Cereals	700431	1896309	2707	679682	1751327	2577	688760	1750060	2541
	Total Cereals	6304678	11343651	1799	6333743	11751696	1855	6095720	9993750	1639
13	Gram	64105	63473	990	61214	56637	925	60330	60660	1005
14	Lentil	158487	126134	796	163773	128599	785	171730	147800	861
15	Khesari	98114	82348	839	97195	79791	821	92960	94790	1020
16	Pea	23288	25083	1077	23768	22865	962	23290	22850	981
17	Summer Moong	156044	93579	600	162666	108935	670	160690	94650	589
18	Other Rabi Pulses	3052	2261	0	4159	3082	741	3670	2700	736
	Total Rabi Pulses	503090	392878	781	512775	399909	780	512670	423450	826
19	Tur	30860	42667	1383	28139	33119	1177	35980	49910	1387
20	Moong	8834	5358	607	8587	5609	653	8980	5880	655
21	Urad	22366	17497	782	21444	17980	838	26370	22460	852
22	Ghaghra	994	885	890	0	0	0	2060	1360	660
23	Kulthi	13711	12739	929	11308	10404	920	12840	10750	837
24	Other kharif Pulses	1403	917	654	2116	1414	668	0	0	0
25	Total kharif Pulses	78168	80063	1024	71594	68526	957	86230	90360	1048
26	Total Pulses	581258	472941	814	584369	468435	802	598900	513810	858

27	Total Food grain	6885936	11816592	1716	6918112	12220131	1766	6694620	10507560	1570
28	Carstor seed	203	194	956	185	177	957	180	180	1000
29	Groundnut	1207	868	719	1734	857	494	1650	820	497
30	Sesamum	2832	2245	793	2298	1842	802	3230	2600	805
31	Sunflower	22052	30646	1390	22419	31062	1386	23760	31050	1307
	Rapeseed and									
32	Mustard	88126	87464	992	85265	81811	959	87220	90800	1041
33	Linseed	27507	22691	825	25957	21959	846	27100	22930	846
34	Safflower	115	92	800	215	172	800	220	170	773
35	Total oil seeds	142042	144200	1015	138073	137880	999	143360	148550	1036
36	Cotton*									
37	Jute**	131627	1242822	1700	131949	1054798	1439	127340	1161090	1641
38	Mesta**	22626	209564	1667	19019	165323	1618	19420	144310	1338
39	Jute and Mesta**	154253	1452386		150968	1220121		146760	1305400	
40	Sugercan	107039	4027229	37624	111902	4959918	44324	119420	4999620	41866
41	Onion	15216	136730	8.99	14775	137545	9.31	16230	155810	9.7
42	Potato	153909	1244108	8.08	151925	940496	6.19	154860	1259728	8.13
Production of Jute & Mesta in 000' Bales(1 bales = 180 kg) Yield of Potato & Onion in MT/ha										

2.4.6 Livestock

	Population in Lakhs		% of Bihar to India
	India	Bihar	
Cattle			
Milch Cattle	1852	105	5.6
Buffaloes	979	58	5.9
Sheep	615	3.5	0.56
Goats	1244	96	7.7
Pigs	135	6	4.4

Bihar has 5.6% of Cattle, 5.9% of buffaloes, and 7.7% of the goat population of the country. About 35 percent of rural households in Bihar own cattle, 20 percent own buffalo and 15 percent own sheep and goats. Of all rural households, owning cattle and/or buffalo in Bihar, more than three-quarters are either land less or have less than 1 hectare of land. Sheep and goats tend to be even more concentrated among landless and marginal rural households. The zone wise

livestock population is given in the table below.

Particulars	Zone-I	Zone-II	Zone-III	Statetotal
Crossbred cattle	539573	281134	453545	1274252
DesiCattle	2826252	2719420	3909193	9454865
Total cattle	3365825	3000554	4362738	10729117
Buffalo	2130182	1076687	2536178	5743047
Bovine	5496007	4077241	6898916	16472164
Goats	3323600	2915198	3251032	9489830
Sheep	94759	16168	271309	382236
Pigs	125038	98739	448604	672381
Poultry	4096458	5085370	4729951	13911379
Source: Livestockcensus2003				

2.4.6.1 Fodder

The estimated green fodder production from forests, permanent pastures, grazing lands and cultivated areas has declined from 13.77 lakh tonnes in 2000-2001 to 13.46 lakh tonnes in 2002-03. Dry fodder production (crop residue of cereals, pulses and oil seeds) over the same period declined from 195.23 lakh tonnes to 156.12 lakh tonnes. The area under pastures and grazing lands is extremely scarce (0.18% of the total geographic area). Gaya has the maximum area under pastures and grazing lands at 2192 ha. Of all rural households owning cattle and/or buffalo in Bihar, more than three-quarters are either landless or have less than 1 hectare of land. Sheep and goats tend to be even more concentrated among landless and marginal rural households.

2.4.7 Industries

There are 1674 factories registered in Bihar with 1438 of them in operation. These factories together put up a productive capital of Rs. 14,195 crores. These factories employ about 62,000 persons. While this data is as per annual survey of industries 2004-05, the situation is fast changing with several industrial and corporate houses choosing Bihar as their destination. The investment meet conducted during February 2012 at Patna was promising with several proposals made for investment. Bihar has emerged as brewery hub with major domestic and foreign firms setting up production units in the state. Three major firms, United Breweries Group, Danish Brewery Company Carlsberg Group and Cobra Beer, are to set up new units in Patna and Muzaffarpur during 2012.

Sl. No.	Item	Year			
		2001-02	2002-03	2003-04	2004-05
1	No. of registered factories	1478	1403	1460	1674
2	No. of factories in operation	1319	1229	1224	1438
3	Productive Capital (lakh Rs.)	822846	1160587	1172082	1419499
4	Number of persons employed	62618	54184	57404	61775
5	Ex-factory value of output (Gross) (Lakh Rs.)	671339	807680	887711	122169
6	Value added by manufacturer (Lakh Rs.)	77401	105921	80945	115415

Source: Annual Survey of Industries, CSO, Industrial Statistics Wing

The out turn of selected mineral in Bihar for the years 2003-04 to 2006-07 is given in below table:

Sl. No.	Minerals	2002-03	2003-04	2004-05	2005-06	2006-07
1	Limestones ('000)	448.00	241.00	244.00	313.00	436.00
2	Mica Crude	11.00	3.00	3.00	-	-
3	Quartzite	1265.00	7942.00	12987.00	17061.00	30850.00
4	Steatite	260.00	1265.00	846.00	1466.00	1633.00
5	Quartzite	-	1150.00	-	910.00	-

Source: (i) Indian Bureau of Mines Nagpur
(ii) Directorate of Economics & Statistics, Bihar, Patna

2.4.8 Forests

Only about 6.87% of the geographical area (6473sqkm) of the state of Bihar is under forests.



Figure 5: Bihar and national Forest Cover (%)

This consists of 76 sq km of very dense forests, 2951 sqkm of dense forests and 2531 sqkm of open forest. The forests of Bihar are of three types: Dry deciduous forest, Wet deciduous forest and Sub Himalayan and Tarai forest. The first type is found in and around Kishanganj

district, the second type is found in the Kaimur district and along the northern slope of Chotanagpur plateau, the third type is found around the Someshwar hills in Paschim Champaran district. The districts with more than 50,000 ha under forests are Bhabua, Jamui, West Champaran, Gaya, Rohtas and Nawadha.

2.4.9 Bio-diversity

Erstwhile Bihar, lying close to the foot hills of Nepal and covering an area of 1,73,877 sq km, harbours a very rich and diverse flora. Its unique phytogeographical position, topography and good precipitation are some of the important factors which are mainly responsible for high degree of plant diversity. The occurrence of different types of forests, ranging from subtropical to tropical and consequently the establishment of three National Parks and twenty Wildlife sanctuaries in the state, which constitute an important source of germplasm, are of considerable interest. Although the state has been botanically surveyed since 1848 and the Flora was published during 1921-1925 which included Bihar, Orissa and parts of West Bengal, but the complete Flora of Bihar itself is not in hand. Simultaneously, the natural vegetation since Haines' publication has been continuously and increasingly under pressure owing to developmental projects including mining activities and non-judicious exploitation of plant resources. These reasons coupled with the publication of a number of new plant records for the state warrant the need of fresh estimation of current status of floristic account of the state.

The jungles of Bihar abound in wildlife, though some of the notable game animals and birds like tiger, deer, buffalo, duck etc. are fast disappearing. In order to prevent the extinction of any species and to preserve them and maintain their balance with nature, thirteen wildlife sanctuaries have been set up. Three sanctuaries are in northern fringe of west Champaran district. As a result of strict management and proper protection given to wildlife, the present form has become much richer than the past and the difficult task of wildlife resuscitation and conservation has been greatly achieved, so that some of the

rare animals on the verge of extinction, such as elephant, gaur, etc. have considerably multiplied.

2.4.9.1 Ecologically Sensitive Areas

Bihar has 1 national park and 11 sanctuaries comprising a protected area of 3208.47 sqkm and a protected non-forest area of 76.30 sq. km. the details of the protected area are given below:

S.No.	Name of Park/Sanctuary	District	Type
1	Barela SAZS Sanctuary	Vaishali	Sanctuary
2	Bhimbandh Sanctuary	Monghyr	Sanctuary
3	Gogabil Pakshi Vihar	Katihar	Closed Area
4	Gautambuddha Sanctuary	Gaya	Sanctuary
5	Kaimur Sanctuary	Rohtas	Sanctuary
6	Kanwar Jheel Bird Sanctuary	Begusarai	Sanctuary
7	Kusheshwarsthan	Darbhanga	Closed Area
8	Nagi Dam Bird Sanctuary	Jamui	Sanctuary
9	Nakti Dam Bird Sanctuary	Jamui	Sanctuary
10	Rajgir Sanctuary	Nalanda	Sanctuary
11	Sanjay Gandhi Botanical Garden	Patna	Botanical Garden
12	Udaypur Sanctuary	West Champaran	Sanctuary
13	Valmiki National Park	West Champaran	National Park
14	Valmiki Sanctuary	West Champaran	Sanctuary
15	Vikramshila Gangetic Dolphin	Bhagalpur	Sanctuary

Among the above parks and sanctuaries only two falls under the project area; Gogabil Pakshi Vihar in Katihar District and Kusheshwarsthan in Darbhanga District and both are closed areas. Since these are closed areas no works related to project components, i.e., embankment, dredging, roads bore wells and agriculture, can be taken up here.

2.5 Floods in Bihar

The State of Bihar is highly flood prone. 30 of its 38 districts comprising 73 percent of its geographical area are flood prone and afflicted by floods almost annually, especially from the rivers west of the Kosi River. Bihar's hydrological vulnerability is aggravated by its flat topography, high rainfall (more than 2,500 mm annually and up to 80 percent of annual precipitation from June to 49 September), and high sediment loads of rivers. The plains of north Bihar are drained by many rivers with catchments in the Himalayas. Kosi, Gandak, Burhi Gandak, Bagmati, Kamala Balan, Mahananda and Adhwara Group

of rivers originate in Nepal and carry very high discharge and sediment loads. Since independence, Bihar had four other catastrophic flood events, in 1954, 1974, 1987, and 2004. However, the 2007 monsoon floods were Bihar's worst natural floods in 20 years, affecting more than 24 million people, killing nearly 1,000 people, and destroying over 700,000 homes. The timeline of past floods in Bihar is as follows:

- **1998:** Embankment damage along Burhi Gandak, Bagmati, Adhwara and Kosi rivers accounted for 381 deaths, asset damage worth Rs 1 billion and crops damage of Rs 3.67 billion.
- **1999:** Excessive precipitation in the catchments caused flooding of Kamala Balan and Kosi rivers. Crop damage was estimated at Rs 2.5 billion and property damage another Rs 0.5 billion.
- **2000:** Eastern Kosi Afflux Bund breached due to excessive discharge caused by heavy rainfall. This flooded 12351 villages. Crop damage was estimated at Rs 0.8 billion.
- **2001:** Breaches in Kosi, Bhutahi Balan, Bagmati and Burhi Gandak embankments. Crop and property damages were estimated at Rs 2.6 billion and Rs 1.8 billion respectively.
- **2002:** Kamala Balan left and Khiroi right embankment overtopped. The floods caused 489 deaths. Crop and property damages estimates stood at Rs 5 billion and Rs 4 billion respectively.
- **2003:** Ganga surpassed the 1978 HFL at Bhagalpur and the 1994 HFL at Patna.
- **2004:** Heavy rainfall caused 53 embankment breaches in Bagmati, Burhi Gandak, Kamala Balan, Bhutahi Balan and Adhwara rivers. 885 deaths were reported. Crop and property damages were assessed at Rs 5 billion and Rs 10 billion respectively.
- **2007:** Heavy rainfall caused 28 breaches in Burhi Gandak and Bagmati embankments causing extensive damage to life and property.
- **2008:** Eastern Kosi Afflux Bund breaches upstream and Kosi river floods five districts in north Bihar

In addition to floods, North Bihar is also vulnerable windstorms. The atrisk from floods districts are also exposed to geomorphological risks from earthquakes. Araria and Supaul lie in seismic hazard Zone V while Madhepura, Saharsa and Purnea lie in Zone IV. High hazard risk compounded by low human and economic development in the State, relatively insufficient capacity and other resources for proper planning and execution of disaster risk reduction programs, significantly increase vulnerabilities. During and after floods, water borne diseases are on the rise as observed by reporters.

2.5.1 Kosi River

Kosi originates at 7000 m above mean sea level (MSL) in the Himalayas. It enters India at Hanuman Nagar, Nepal and drains into the Ganga in Bihar, India. Its total catchment is 74,030 sq km of which 11,410 sq km is in India. The catchment area is home to 6.6 million people. The catchment has an annual average rainfall of 1456 mm and total discharge of 52,219 million cubic meters. Its main tributaries are Bagmati, Kamala Balan, Bhutahi

Balan, Trijuga, Fariani Dhar and Dhemama Dhar. Tectonic forces are elevating Kosi's gradient by 1 cm per year, aggravating erosion, inundation and sedimentation. Its annual sediment load is currently estimated at 100 million cubic meters. This is projected to grow six-fold to gradient elevation. As the gradient flattens in north Bihar, the river decelerates and deposits the sediment on its bed. This elevates the bed progressively, forcing the river to break out to lower terrain, which it again begins to elevate by siltation. Thus, one of the world's largest conical alluvial fan over 15,000 sq km has evolved over centuries. Kosi records a flow of over 25,000 cubic meters per second (cumecs) where it exits the Himalayan foothills, enough to flood the entire alluvial fan with 1.5 meters in a week. This is a rough index of the flood vulnerability of the Kosi catchment.

The Kosi River is the main cause of recurrent floods in north Bihar. The river runs through a steep gradient in Nepal. Rainfall in the Kosi catchment in Nepal overloads the barrage compelling release from the Barrage which causes floods and water-logging in north Bihar. The heavy discharge from the Barrage causes downstream Bagmati, Burhi Gandak and Ganga rivers to inundate. In addition, the discharge carries enormous amounts of sandy silt that gets deposited over arable land and renders it fallow.

The Kosi River presents a challenge in terms of long and recurring flood hazard. A major flood in 1953-54 led to the 'Kosi project' which was aimed at flood control and irrigation. The project led to the creation of a barrage and embankments on each side were designed to protect approximately 2800 sq. km of land in north Bihar and Nepal. Despite this intervention and a long history of flood control management in the basin for more than 5 decades, the river continues to cause extensive flooding due to breaches.

- **1963:** The first breach on the western embankment in Nepal
- **1968:** Five breaches in north Bihar
- **1971:** Collapse of the 1969-built Bhatania Approach Bund
- **1980:** Eastern embankment breach
- **1984:** Eastern embankment breach
- **1991:** Breach in the western embankment near Joginia in Nepal
- **2008:** Breach in eastern embankment

2.6 Conclusions from Baseline Information

The following conclusions are arrived after sifting through and assessing the baseline information:

- The Project area is socio-economically backward
- High population decadal growth rate
- Illiteracy in general
- Female illiteracy in particular
- Exclusion of Marginalised sections (in particular Mahadalits) from development

- Low per capita income
- Rural roads in poor condition
- Scarce health infrastructure
- Changing land use due to floods and river course change
- Sand casting due to floods
- Soil erosion due to floods
- Debris accumulation without disposal
- Damage to water management resources
- Damage to plantations
- Increasing salinity due to poor drainage
- Pressure on environmental resources in areas receiving the out-migration
- Environmental degradation due to pollution caused by reconstruction
- Change in land-use due to sand casting

2.6.1 Specific Sensitivities of Project Area

The Gogabil Pakshi Vihar in Katihar District and Kusheshwarsthan in Darbhanga District are the only sensitive areas which fall in project area, but both these are closed areas. But the proposed sub-projects are not located near these sensitive areas, as they are closed areas. Apart from these there is the presence of Gangetic Dolphins observed in stretches of Kosi river.

3 Laws and Regulations Related to Environment and Social

3.1 Introduction

This chapter deals with the laws, regulations and policies, of Government of India, Government of Bihar and the World Bank, related to environmental and social issues. Only the laws, regulations and policies relevant to the project are discussed here. This sections needs to be updated as when new laws, regulations and policies are made and enforced or the existing ones are revised.

3.2 Operational Policies and Directive of the World Bank

The relevant and applicable safeguards policies of the World Bank are also reviewed. The below table describes the relevant safeguard policies of the World Bank and discusses their applicability to the project.

Table 29: Operational Policy and Directives of World Bank

Policy	Key Features	Applicability to this project
OP/BP 4.01 Environmental Assessment	<p>Potential environmental consequences of projects identified early in project cycle.</p> <p>EAs and mitigation plans required for projects with significant environmental impacts or involuntary resettlement.</p> <p>EAs should include analysis of alternative designs and sites, or consideration of "no option"</p> <p>Requires public participation and information disclosure before Board approval.</p>	<p>Applicable.</p> <p>Specific interventions envisaged under the project such as those for flood control, irrigation and strengthening of transport network may have some potential adverse environmental impacts in their area of influence. Such impacts will depend upon the location, nature and magnitude of interventions - there will be clarity on this once the said details are known and the results from the environment screening process are available. OP 4.01 has been triggered to ensure that such investments are planned and designed to be sound and sustainable by integrating environmental dimensions into the over-all decision making process. Identification of any potential impacts and mitigation/enhancement measures to address likely impacts is proposed.</p>

Policy	Key Features	Applicability to this project
OP/BP 4.04 Natural Habitats	Prohibits financing of projects involving "significant conversion of natural habitats unless there are no feasible alternatives". Requires environmental cost benefit analysis. Requires EA with mitigation measures.	Applicable. The schemes to be taken up under the project would not convert or degrade natural habitats. However, assessment procedures and mitigation measures have been put into place through the ESMF so that any likely negative impacts on the natural environment are minimized. The framework proposes screening activities such as improvement/ strengthening of existing embankments, channel improvements, dredging and other flood protection works. Based on these screening exercises, environmental assessments for the respective sub-projects will analyze impacts on the natural habitats and formulate measures to avoid / mitigate impacts..
OP/BP 4.36 Forestry	Prohibits financing for commercial logging operations or acquisition of equipment for use in primary moist tropical forests.	Not Applicable. Proposed investments do not have any impact on forest habitats under the project areas.
OP 4.09 Pest Management	Supports environmentally sound pest management, including integrated pest management, but does not prohibit the use of highly hazardous pesticides. Pest management is the borrower's responsibility in the context of a project's EA.	Not Applicable
OP/BP 4.12 Involuntary Resettlement	Implemented in projects which displace people. Requires public participation in resettlement planning as part of SA for project. Intended to restore or improve income earning capacity of displaced populations.	Applicable. Some project interventions are likely to trigger issues such as those related to land acquisition, loss of assets and impact on livelihood sources. Identification of any potential impacts and mitigation measures to address likely impacts is proposed.

Policy	Key Features	Applicability to this project
OP/BP 4.10 Indigenous Peoples	Purpose is to ensure indigenous peoples benefit from Bank financed development and to avoid or mitigate adverse effects on indigenous peoples. Applies to projects that might adversely affect indigenous peoples or when they are targeted beneficiaries. Requires participation of indigenous peoples in creation of “indigenous people’s development plans”.	Not Applicable. Field visits and secondary information did not identify any indigenous peoples (IPs) in the project area and hence this OP is not triggered.
OP/BP 4.11 Physical Cultural Resources	Purpose is to assist in the preservation of cultural property, such as sites having archeological, paleontological, historical, religious and unique cultural values. Generally seeks to assist in their preservation and avoid their elimination. Discourages financing of projects that will damage cultural property.	Applicable. A few project interventions may be located close to sites, structures, natural/man-made features that have historical, archeological, religious or other cultural significance. Through screening and EA/SA process, the project's potential impacts on physical culturalresources will be determined and management measures, asrequired will be taken and integrated into the sub-project cycle. The ESMF also provides procedures to deal with chance finds during the sub-project implementation.
OP/BP 4.37 Safety of Dams	Applies to large dams (15 meters or more in height). Requires review by independent experts throughout project cycle. Requires preparation of EA and detailed plans for construction and operation, and periodic inspection by the Bank.	Not Applicable.
OP/BP 7.50 Projects on International Waterways	Covers riparian waterways that form boundary between two or more states, as well as any bay, gulf, strait or channel bordered by two or more states. Applies to dams, irrigation, flood control, navigation, water, sewage and industrial projects. Requires notification, agreement between states, detailed maps, and feasibility surveys.	Applicable. Some of the proposed sub-projects are going to be taken in Nepal side of Kosi River.

Policy	Key Features	Applicability to this project
OP/BP 7.60 Projects in Disputed Areas	Applies to projects where there are territorial disputes present. Allows Bank to proceed if governments agree to go forward without prejudice to claims. Requires early identification of territorial disputes and descriptions in all Bank documentation.	Not Applicable.

Other World Bank Policies important to Environmental Concerns is the BP 17.50. This policy deals with Disclosure of Operational Information. The Bank's Policy on Disclosure of Information, has been incorporated in the project implementation plan.

3.3 Policy and Regulatory Framework of GoI and GoB

This deals with various policies, acts, rules and regulations promulgated by the central and state governments related to environment and relevant to present project.

3.3.1 Environmental Regulation

Scope of relevant environment regulations and implications for the ESMF are furnished in the table below.

Table 30: Environmental Regulations

S.No.	Relevant Act	Scope of the Act	Implication for the EMF
1	The Environment (Protection) Act No.29 of 1986	<ul style="list-style-type: none"> ▪ Under this Act, the central government is empowered to take measures necessary to protect and improve the quality of the environment by setting standards for emissions and discharges; regulating the location of industries; management of hazardous wastes, and protection of public health and welfare. ▪ This encompasses all legislations providing for the protection of environment in the country. ▪ It includes the power to direct the closure, prohibition or regulation of any industry, operation or process by the government 	<ul style="list-style-type: none"> ▪ Relevant to sub-projects to be taken up, viz., roads, bridges, embankments, etc. activities ▪ Preservation of air and water quality ▪ Control of pesticides & insecticide runoff ▪ Control dust pollution due to quarrying, which might harm the vegetation

S.No.	Relevant Act	Scope of the Act	Implication for the EMF
2	Water and Air (Prevention and Control of Pollution) Act, 1974 & 1981 (Central Act 6 of 1974) as amended in 1988	<ul style="list-style-type: none"> ▪ This Act prohibits the discharge of pollutants into water bodies beyond a given standard and lays down penalties for noncompliance. ▪ Water act includes the maintenance or restoring the wholesomeness of the water ▪ Air act restricts the operation of any industrial plant in an air pollution control area without a valid consent 	<ul style="list-style-type: none"> ▪ Generally not relevant to project activities. ▪ Relevant to hot mix/batching plants/stone crushers which might be established for executing sub-projects.
3	Forest (Conservation) Act No. 69 of 1980 and amended in 1988	<ul style="list-style-type: none"> ▪ This Act restricts the powers of the state in respect of dereservation of forests and use of forestland for non-forest purposes. ▪ All diversions of forestlands to any non-forest purpose, even if the area is privately owned, require approval of the central government ▪ Leases of forest land to any organization or individual require approval of the central government ▪ Proposals for diversion of forest land for construction of dwelling houses are not to be entertained 	<ul style="list-style-type: none"> ▪ Generally not relevant to project activities ▪ Permission is to be obtained from the Forest Department when forest land is required for the project activities.
4	National Forest Policy, 1988	<ul style="list-style-type: none"> ▪ Protect and enhance the yields of non-timber forest products in order to generate employment and income for forest and village communities 	<ul style="list-style-type: none"> ▪ Generally not relevant to project activities. ▪ Relevant if employment generation is taken up in villages near forests.
5	Joint Forest Management, 1993	<ul style="list-style-type: none"> ▪ Induces people participation in forest management sharing mechanism to distribute the benefits of interventions carried out on common resources property, government lands, wastelands, etc. ▪ Benefits are categorized into two - ecological benefits and economic benefits 	<ul style="list-style-type: none"> ▪ Not relevant to project activities.

S.No.	Relevant Act	Scope of the Act	Implication for the EMF
6	The Wildlife (Protection) Act 1972, Amendment 1991	<ul style="list-style-type: none"> ▪ This Act provides for protection to listed species of Flora and Fauna in the declared network of ecologically important protected areas such as wild life sanctuaries and national parks. ▪ The wildlife protection act has allowed the government to establish a number of national Parks and Sanctuaries, over the past 25 years, to protect and conserve the flora and fauna of the state 	<ul style="list-style-type: none"> ▪ Not relevant to project activities. ▪ Relevant if any activities, viz., intra state linking of rivers crosses such areas. ▪ Preservation of bio diversity ▪ Ecologically sensitive areas, wild life sanctuaries and national parks should be avoided while selecting sites for project components. If this is not possible, permission should be obtained from the Forest Department and appropriate safeguards must be adopted.
7	EIA Notification of MoEF 2006	<ul style="list-style-type: none"> ▪ All projects listed under Schedule-I of the Notification require environmental clearance from the MoEF. The list of project categories under Schedule I of the Environmental Impact assessment Notification is available on the MoEF Website. 	<ul style="list-style-type: none"> ▪ These sub-projects do not require EIA. However, the EMF is designed to ensure that environmental safety measures are integrated into the project. ▪ For sub-projects like intra state linking of rivers where EA might be required will be dealt with by NWDA as mandated.
8	The Ancient Monuments, Archaeological sites and Remains Act, 1958	<ul style="list-style-type: none"> ▪ The Ancient Monuments and Archaeological sites should be protected from any developmental activity. The area within the radial of 100 m and 300m from the Protected Property are designated 	<ul style="list-style-type: none"> ▪ Deals with Cultural safeguards

S.No.	Relevant Act	Scope of the Act	Implication for the EMF
		as protected area and Controlled Area respectively. No development activity (including building, mining, excavating, blasting etc.) is permitted in the Protected Area and developmental activities likely to damage the protected property are not permitted in the Controlled Area without prior permission of the Archaeological Survey of India.	
9	Biological Diversity Act 2002 Biological Diversity Rules 2004	<ul style="list-style-type: none"> ▪ The Biological Diversity Act, which came into force in February 2003, aims to promote conservation, sustainable use and equitable sharing of benefits of India's biodiversity resources. It provides for establishment of a National Biodiversity Authority at national level, State Biodiversity Boards at state level and Biodiversity Management Committees at the level of Panchayats and Municipalities 	<ul style="list-style-type: none"> ▪ Not relevant to project activities, except for Livestock, Pisciculture, etc. ▪ Provides Ecological integration ▪ Increased ecological symbiosis (e.g. Pollination) increases production

This policy and regulatory analysis suggests that the proposed sub-projects to be taken does not fall under any of the project categories listed in Schedule-I of the Environmental Impact Assessment Notification and hence does not require any formal environmental clearance of the Ministry of Environment and Forests, GOI. The project area has not been notified as ecologically sensitive or fragile under the Environment Protection Act, 1986. Though the state of Bihar is dotted with a number of sites of religious, cultural and historical importance, wildlife sanctuaries and national parks, the proposed sub-projects are not expected to have any adverse impact on these sites. As only two of the protected areas Gogabil Pakshi Vihar (Katihar district) and Kusheshwarstan (Dharbhanga district) are located in the project districts and both are closed areas. Since these are closed areas no works related to project components, i.e., embankment, roads and animal husbandry, can be taken up. The project will also ensure that the requirements of activities in the influence areas of these protected areas are also followed in the design and implementation of sub-projects.

3.3.2 Social Regulation

The Land Acquisition (LA) Act of 1894

The Land Acquisition (LA) Act of 1984 is commonly used for acquisition of land for any public purpose. It is used at the State level with State amendments made to suit local

requirements. Expropriation of and compensation for land, houses and other immovable assets are carried out under the Land Acquisition (Amendment) Act, 1984. The Act deals with compulsory acquisition of private land for public purpose. The procedures set out include:

- Preliminary notification(Section 4)
- Declaration of Notification (Section 6)
- Notice to persons interested (Section 9)
- Enquiry and award (Section 11)
- Possession (Section 16)

The 1984 amendments to the LA Act addressed the matter of compensation and delays in payment. As regards, the level of compensation, the rate of solatium was increased from 15 per cent to 30 per cent. For delays, the amendment requires that:

- A time of one year was fixed for completing all formalities between the issuance of Section 4 and Section 6; and
- The compensation award must be determined within two years of the issuing of section 6 notification. Interest is payable at a rate of 12 per cent per year from the date of preliminary notification to the date of dispossession. These changes apply to cases before the Civil Courts even for awards made before the enactment of the amendments.

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCT in LARR), 2013

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCT in LARR Act - 2013) has been effective from January 1, 2014 after receiving the assent of the President of Republic of India. The Act replaced the Land Acquisition Act, 1894.

The Act has provisions to provide fair compensation to those whose land is taken away, brings transparency to the process of acquisition of land to set up infrastructural projects, factories or buildings, and assures rehabilitation of those affected. The Act is applied when Government acquires land for its own use, ii. with the ultimate purpose to transfer it for the use of private companies for States public purpose. The public purpose of Act includes public private partnership project, but excludes land acquired for stated national highways projects.

The new law clearly stipulates the pre-condition for acquisition of the land, that the state has to conduct a Social Impact Assessment (SIA) to identify the families who would be affected if the land is acquired. Rehabilitation and Resettlement package under the Act is inbuilt and mandatory on the part of the government:

No land can be acquired in Scheduled Areas without the consent of the Gram Sabhas and no one shall be dispossessed until and unless all payments are made and alternative sites for the resettlement and rehabilitation has been prepared.

Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rule, 2014 (27-10-2014) (GoB): In October 2014, Government of Bihar has formulated and adopted a policy called Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rule, 2014 (BLARRR-2014). The policy is according to provisions and entitlements laid down in RFCTLARR 2013. It comprises provision for compensation according to revised rate of land and additional facilities to be provided to the affected families. The main features of BLARRR, 2014 are discussed in details under legal framework.

Panchayati Raj Act

As per the 73rd constitutional amendment act, 1992, the panchayats as the local self-government are empowered to plan execute and monitor certain activities as per the activity mapping. The act strengthens the decentralized governance system and promotes bottom-up planning. As per the act, the GP level plans are to be prepared in Gram Sabha. The act is having both mandatory and discretionary provisions and of the mandatory provisions of the Panchayati Raj Act, the most critical are those that strengthen the structure of representative democracy and political representation at the local level.

One of the salient features of the mandatory provisions of the Act is establishment in every state (except those with populations below 2 million) of rural local bodies (panchayats) at the village, intermediate and district levels (Article 243B). The Article 243ZD, mandates the constitution of District Planning Committees to consolidate the plans prepared by both rural and urban local bodies in order to facilitate. This is an essential pre-requisite for each tier of the Panchayati Raj system to prepare plans for its areas, as defined through Activity Mapping, and then for all these plans, along with plans of municipalities, to be "consolidated" by the District Planning Committees (DPC) as mandated by Article 243 ZD of the Constitution.

Panchayats (Extension to the Scheduled Areas) Act, 1996

To mainstream the tribal in the development process, without disturbing or destroying their cultural identity and socio- economic milieu, a committee was constituted in 1994, called Bhuria Committee to examine various dimensions of self-rule for tribals, the constitutional requirements and to make recommendations for extending the provisions of the Constitution 73rd (Amendment) Act, 1992 to the Scheduled Areas. Following the recommendations of the committee, the Parliament extended the provisions of 73rd Amendment Act to the Scheduled Areas by passing Provisions of Panchayats (Extension to the Scheduled Areas) Act, 1996. The Panchayat (Extension to the Scheduled Areas) Act, 1996, commonly known as PESA, legally recognizes Scheduled Tribe's own systems of self-governance. The Gram Sabha of the village becomes the focal institution, endowed with significant powers. Under section 4(d) of PESA: "every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution."

PESA legally recognizes the right of tribal communities to govern themselves through their own systems of self-government and also acknowledges their traditional rights over natural resources. Under the Act the Gram Sabhas have roles and responsibilities in approving all development works in the village, powers to control institutions and functionaries in all social sectors and local plans, at appropriate level shall also have powers to manage minor water bodies; power of mandatory consultation in matters of land acquisition; resettlement and rehabilitation.

National Policy for Women

In 2016, Government of India in its Ministry of Women and Child Development formulated a draft women policy. The policy was formulated decade after the formulation of National Policy for the Empowerment of Women (2001). The objectives of the policy look at (1) creating a conducive socio-cultural, economic and political environment for women, (2) mainstreaming gender in all-round development processes / programmes, (3) a holistic and life cycle approach to women's health, (4) improving and incentivizing access of women / girls to universal and quality education, (5) improving participation of women in workforce etc. Different priority areas are identified in the policy that are contextually relevant for women, such as (1) health, food security and nutrition, (2) education, (3) economy (includes agricultural activities; poverty reduction; industry, labour and employment, service sector engagement etc.), (4) governance and decision making, (5) violence against women.

Other Applicable Acts

The following acts are applicable for the sub-projects to be taken up under the present project:

- Minimum Wages Act, 1948
- Contract Labour Act, 1970
- The Bonded Labour System (Abolition) Act, 1976
- Child Labour (Prohibition and Regulation) Act 1996 along with Rules, 1988
- Children (Pledging of Labour) Act, 1933 (as amended in 2002)
- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995
- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996
- Untouchability Offences Act, 1955
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995
- Bihar Privileged Persons Homestead Tenancy, 1947, 1949
- Bihar Public Land Encroachment Act, 1956
- Kosi Calamity Rehabilitation and Reconstruction Policy, 2008

- Bihar Irrigation Act, 1997
- Irrigation, Flood Management and Water Drainage Rules, 2003

3.3.3 Stake Holder Agencies

National Water Development Agency

The National Water Development Agency was set up in July, 1982 as autonomous society under the Societies Registration Act, 1860, to carry out the water balance and other studies on a scientific and realistic basis for optimum utilization of water resources of the peninsular rivers system for preparation of feasibility reports and thus to give concrete shape to Peninsular Rivers Development Component of National Perspective. In 1990, NWDA was also entrusted with the task of Himalayan Rivers Development Component of National Perspectives. The functions of NWDA are;

- To carry out detailed surveys and investigations of possible reservoir sites and interconnecting links in order to establish feasibility of the proposal of Peninsular Rivers Development and Himalayan Rivers Development components forming part of National Perspective for Water Resources Development prepared by the Ministry of Water Resources and Central Water Commission.
- To carry out detailed surveys about the quantum of water in various Peninsular River Systems and Himalayan River Systems which can be transferred to other basins/States after meeting the reasonable needs of basin/states in the foreseeable future.
- To prepare Feasibility Reports of the various components of the scheme relating to Peninsular Rivers development and Himalayan Rivers development.
- To prepare detailed Project Reports of river link proposals under National Perspective Plan for Water Resources Development after concurrence of the concerned States.
- To prepare Pre-Feasibility/Feasibility Report of the intra-state links as may be proposed by the States.
- To do all such other things the Society may consider necessary, incidental, supplementary or conducive to the attainment of above objectives.

Ministry of Water Resources in June 2005 conveyed the approval to identify Intra-State links in the States like Bihar and to prepare Pre-Feasibility/ Feasibility Reports of these links by NWDA. This work has now been added to the functions of NWDA after the approval in the Special General Meeting of NWDA Society held on 28th June 2006. Since then NWDA requested all the States/ Union Territories to inform the details of Intra-State links for further studies by NWDA. The Governments of Nagaland, Meghalaya, Kerala, Punjab, Delhi, Sikkim, Haryana, Union Territories of Puducherry, Andaman & Nicobar islands, Daman & Diu and Lakshadweep have indicated that there is no Intra-State link proposal concerning to their States/ territories. Govt. of Puducherry has send a proposal for one interstate link namely Pennaiyar-Sankarabarani link instead of intra-

state link proposal. Govt. of Puducherry has been informed accordingly. The States Governments of Bihar, Maharashtra, Gujarat, Orissa, Rajasthan, Jharkhand and Tamil Nadu have informed about the Intra-State proposals pertaining to their States.

Role of NWDA with the BKBDP

The functions of NWDA include the work of preparation of Detailed Project Reports (DPR) of various link proposals and Pre-feasibility Reports (PFR) and Feasibility Reports (FR) of intra-State links as proposed by the States have been included in the functions of NWDA.

With regard to the BKBDP, any sub-project dealing with river modification, river training and inter/ intra state links need to be referred to NWDA.

With regard to the state of Bihar, the following studies were taken up by NWDA and status is as follows:

- **Kosi-Mechi (entirely lies in India):** This Pre-feasibility Study was completed in 2008-09 and the same was sent to the state Government on 24th June 2009.
- **Barh-Nawada:** This Pre-feasibility Study taken up during 2009-10 is under Progress.
- **Kohra-Chandravat (Lalbegi):** This Pre-feasibility Study completed during 2009-10 and the same was sent to the state government on 30th October 2009.
- **Burhi Gandak-None-Baya-Ganga:** This Pre-feasibility Study completed during 2009-10 and was sent to the state government on 06th July 2009.
- **Burhi Gandak-Bagmati (Belwadhar):** This Pre-feasibility Study taken up during 2009-10 is under Progress.
- **Kosi-Ganga:** This Pre-feasibility Study initiated in 2009-10 and in Progress.

The Terms of Reference given to NWDA is quite comprehensive in terms of Environmental Impact Assessment. Presently with regard to Bihar and Kosi River the interlinking Detailed Project Reports being prepared by NWDA. Generally NWDA requires about 1 year to prepare Pre-Feasibility Reports, 2 to 3 years for preparation of Feasibility Reports and 3 to 4 years for preparation of Detailed Project Reports. In case urgent attentions is required the Director General need to be contacted.

Ganga Flood Control Commission

Ganga Flood Control Commission (GFCC), a subordinate office of Ministry of Water Resources, with its headquarter at Patna, was created in the year 1972 to deal with floods and its management in Ganga Basin States vide Govt. of India Resolution No. F.C. 47(3)/72 dated 18th April 1972, as secretariat and executive wing of Ganga Flood Control Board, headed by Hon'ble Union Minister of Water Resources, Chief Ministers of basin States or their representatives and Members of Planning Commission, are the members of the Board. Chairman, GFCC acts as the Member-Secretary of the Board. The Commission is headed by a Chairman, who is assisted by two full time Members, four Directors and 94 supporting staff. The representatives of the concerned Central

Ministries as well as Chief Engineers of the basin States are either part-time Members or permanent invitees of the Commission. The concerned Ganga Basin States are Bihar, Chhattisgarh, Haryana, Himachal Pradesh, Jharkhand, Madhya Pradesh, NCT of Delhi, Rajasthan, Uttaranchal, Uttar Pradesh and West Bengal. GFCC carries out several activities as outlined below:

- Preparation and updating of comprehensive plan of flood management.
- Techno-Economic Appraisal of Flood Management Schemes.
- Assessment of adequacy of waterways under road and rail bridges.
- Programming of implementation of flood management works.
- Framing of guidelines for quality control and maintenance.
- Monitoring of all flood management schemes funded by Central Govt. and important flood management schemes funded by State Government.
- Documentation and Dissemination of recommendations of special studies.
- Performance evaluation of completed Flood Management Schemes.
- GFCC has prepared a comprehensive plan for flood management for Kosi during 1986 and assessment of adequacy of waterways under existing Rail and Road Bridges of Kosi was completed 2002.

GFCC has done performance evaluation of flood management Kamla-Balan Embankment Scheme and Mahananda Embankment Schemes. Since its inception, several special studies on flood management were conducted by GFCC.

Role of GFCC with the BKBDP

All the sub-projects related to flood management prepared under the present BKBDP need to be appraised by the GFCC.

3.4 List of Statutory Clearances and Authorizations Required

It is expected that certain permission, clearances and authorizations need to be obtained from competent authorities during the design, planning and implementation of the sub-projects. This will depend mainly on the area, type, size and scope of the sub-project. This requirement is summarized below:

Table 31: List of Statutory Clearances and Authorization Requirement				
S. No	Clearance/ Authorization	Relevant Act	Competent Authority	Responsibility
1	Environment Clearance/NOC (For sub-projects which requires such clearance, ex.: could be embankment works if their location and size requires)	EIA Notification, 2006 (including amendments) issued under Environment Protection Act, 1986	State Pollution Control Board; MoEF, Govt. of India	BAPEPS/ Line Department

2	Forest clearance	Forest Conservation Act, 1980	State Forest Department, MoEF, Govt. of India	BAPEPS/ Line Department
3	Tree Cutting Permission	Forest Conservation Act, 1980	State Forest Department, MoEF, Govt. of India	BAPEPS/ Line Department
4	Hot mix plants, Wet Mix Macadam plants, Crushers, Batching Plants	Air (Prevention and Control of Pollution) Act, 1981 and Noise Pollution (Regulation and Control) Rules, 2000	State Pollution Control Board	Concerned Contractor
5	Storage, handling and transport of hazardous materials	Hazardous Waste (Management and Handling) Rules, 1989 and Manufacturing, Storage and Import of Hazardous Chemicals Rules, 1989	State Pollution Control Board	Concerned Contractor
6	Location/ layout of workers camp, equipment and storage yards	Environment Protection Act, 1986 and Manufacturing, Storage and Import of Hazardous Chemicals Rules, 1989	State Pollution Control Board	Concerned Contractor
7	Discharges from Labor Camp	Water (Prevention and Control of Pollution) Act, 1974	State Pollution Control Board	Concerned Contractor
8	Permission for sand mining from river bed	Environment Protection Act, 1986	Irrigation Department, GoB	Concerned Contractor

4 Environmental and Social Impacts

4.1 Prediction of Impacts

The BKBDP aims not only to provide safety and security from the flood to the affected population but also to improve the quality of living of the habitants of the project area. Hence, from the very project development objective, it can be seen that this project and the concomitant sub-projects are yielding positive and beneficial impacts on the target population. However, any and all development interventions will have both positive and negative impacts; keeping this in view the likely positive and negative impacts are listed below. The significance of these listed impacts would vary depending on the individual project, its size and location. The size of the projects would be small both physically and financially. Due to the likely small size of the sub-projects, adverse impacts, if any, would be at its minimum and localized for the following reasons:

- Proposed project itself is a mitigation measure for floods
- The sub-projects are proposed
- Likely inclusion of new sub-projects
- Significantly low social and environmental impacts
- Time lag between sub-project identification and implementation
- Prior experience of implementing BKBDP by BAPEPS
- Socially and Environmentally relevant policies of BAPEPS

The following environmental and social impacts are predicted based on the assessment. The impacts could occur during the construction phase and/or operation phase. These possible positive impacts are listed below:

- Improved public safety
- Security during floods
- Less suffering during monsoons and adverse climatic conditions
- Better infrastructure and transportation facilities
- Improved access to services
- Productive use of time
- Improvements in income patterns
- Health and Environmental improvements
- Improvements in quality of life and human dignity
- Opportunities for social interaction
- Improved community participation and sense of ownership

The negative environmental and social impacts for each type of sub-projects are summarized in the table below:

Project Type	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1. Improving Flood Risk Management																		
1.1. Reinforcements of Flood control Infrastructure																		

1.1.a. Eastern Embankments (75 km), associated embankments (25 km), closing gaps in embankments*	L	S	L	M	L	L	L	M	L	L	L	L	L	L	L	L	L	L	L
1.1.b. Procurement of 12 No. Dredgers	L	L	M	M	L	L	L	M	L	L	L	S	L	S	L	L	L	L	L
1.2. Support to Strengthen Institutional Capacity to Manage Floods	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
2. Augmenting Connectivity																			
2.a. Upgrading of rural roads	S	S	L	M	M	L	L	L	L	L	L	L	L	L	L	L	L	L	M
2.b. Construction of small and medium bridges	M	M	L	M	M	M	M	L	L	L	L	L	L	L	L	L	L	L	L
3. Enhancing Agricultural Productivity and competitiveness																			
3.a. Alternate Livelihoods Promotion through promotion of animal husbandry & fisheries activities	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	M	L	L	L
4. Contingency Emergency Response	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
5. Implementation Support	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L

Code	Impact	Code	Impact	Code	Impact
A	Land acquisition	G	Ground Water Quality	M	Bio-diversity
B	Involuntary Resettlement	H	Destruction of Habitat/Flora Fauna	N	Noise
C	Land Use	I	Insect and Pest Menace	O	Smell
D	Hydrology and drainage Pattern	J	Increased chemical pesticides/ fertilizers use	P	Smoke
E	Water logging	K	Public Health	Q	Disturbance to Other Services
F	Surface Water Quality	L	Safety	R	Air Quality

Impacts: S - Significant M - Medium L - Low

If the impacts are significant, then a detailed Environmental/ Social Assessment will be carried out and if they are medium, then an EA and EMP will be prepared as per the guidelines given in this ESMF.

These adverse environmental and social impacts are described in detail below:

4.2 Environmental Impacts

Since the sub-projects are has been finalized, mostly generic impacts which mostly could be caused by typical projects are listed under this section. However, certain specific impacts due to Embankments and Roads and Bridges projects are also listed below:

Specific Impacts due to Embankments

- Loss of trees due to tree cutting
- Impact on land and soil like loss of productive soil and soil erosion
- Impacts due to borrow areas and quarries
- Compaction and contamination of soil due to vehicular movements
- Impact on surface water bodies due to siltation
- Impacts on surface water quality of rivers and other water bodies
- Changes in hydrology and drainage
- Impacts on aquatic ecology due to deposition of debris and temporary sedimentation and turbidity
- Impacts due to construction debris/waste
- Health and safety of construction workers and local people/ community
- Impacts due to transportation and storage of construction materials
- Reduction in air quality due to construction activities
- Increase in noise levels during construction

Specific Impacts due to Roads and Bridges

- Loss of trees due to tree cutting
- Impact on land and soil like loss of productive soil and soil erosion
- Changes in land use
- Impacts due to borrow areas and quarries
- Compaction and contamination of soil due to vehicular movements
- Impact on surface water bodies due to siltation
- Impacts on surface water quality of rivers and other water bodies
- Changes in hydrology and drainage
- Impacts due to construction debris/waste
- Health and safety of construction workers and local people/ community
- Obstruction and disruption of traffic
- Impacts due to transportation and storage of construction materials
- Reduction in air quality due to construction activities
- Increase in noise levels during construction
- Loss/ impact on common property resources

The generic impacts for typical projects to be taken up under the project are listed below:

4.2.1 Impacts on Topography

There will not be major adverse impacts on the topography on account of the sub-projects to be proposed. Yet there might be the following temporary impacts, which could be mitigated using the specified mitigation measures.

- Erosion and sedimentation

- Temporary disruption of natural drainage pattern
- Loss of fertile top soil of the agriculture lands
- Accumulation of excess excavated earth in the area of construction and operation
- Excess earth and debris blockage and change in drainage pattern
- Changes to hydrological regime, increased flooding, siltation hampering stream flows, etc.

4.2.2 Impacts on Climate

No changes in climatic conditions or impacts on climate are anticipated due to the sub-projects to be proposed as part of the BKBDP.

4.2.3 Impacts on Surface Water

The sub-project activities during construction or operations are not expected to interfere with the surface water characteristic of the river or its tributaries. Hence, impacts on surface water are not anticipated. The following temporary impacts are identified.

- Impacts on water use (including indirect and cumulative impacts) due to increased water use from irrigation sub-projects
- Reduced flow to the downstream users at specific points due to temporary diversions
- Surface water pollution due to oil and grease from construction vehicles
- Degradation of river banks due to excavation and construction activities

4.2.4 Impacts on Ground Water

No Sub-project activities during construction or operations are expected to interfere with the ground water characteristic of the area. Hence, impacts on ground water are not anticipated.

4.2.5 Impacts on Air Quality

During the construction phase excavation process, suspended particulate matter and dust are major sources of pollution impairing air quality. However, on the construction sites the impact on air quality due to the sub-projects is likely to be higher. During construction and sometimes during operation, use of hot mix plants, generators, transportation and lifting machinery will be unavoidable. Emissions from the exhaust of these are likely to cause localized and temporary air quality impacts. Adequate dust suppression measures and protective measures to the work force will significantly reduce impacts. As the sub-projects to be proposed would be small by nature, the impact of air pollution will not be very significant. Since these impacts are temporary, adequate precautions during the construction period will mitigate them. There will not be any significant air quality impacts during the operation phase of the sub-projects. However, the following possible impacts are listed.

- Increased dust levels due to earth work excavation and construction activities
- Increased air pollution and smell
- Air pollution through ventilating shafts of machinery, plant and equipment

4.2.6 Impacts on Noise Levels

Movement of vehicles transporting construction material and noise generating activities at the construction site, are major sources of noise pollution during construction. Material movement and associated work are the primary noise generating activities on site. These will be distributed over the entire construction period. Construction activities are expected to produce noise levels that can affect the personnel working on site. Activities involving vehicles, plant and equipment in the close proximity of households will have an adverse impact due to noise pollution. These impacts are temporary and limited to the construction phase. Except during regular maintenance activities, no noise generating activities are envisaged during the sub-projects operation phase. Hence, no noise impacts are predicted. However; the some possible impacts are listed.

- Increased Noise Levels during Construction
- Noise due to movement of vehicles
- Increased Noise Levels during operation
- Noise impact due to operation of DG sets

4.2.7 Impacts on soils

No significant impact on soils is envisaged at the moment.

4.2.8 Impacts on Ecological Resources

The sub-project activities do not involve encroachment of sensitive environmental features, cutting of trees or removal of vegetation. The proposed sub-projects are not in an eco-sensitive zone or coastal zone. Hence, there will not be any adverse ecological impacts due to the project. However, the following impacts are enumerated, which need to be taken care of in the ESMF.

- Ecological impacts due to cutting of trees

4.2.9 Impacts on Bio-diversity

No adverse impacts are foreseen to the bio-diversity of the state due the sub-projects to be proposed. The framework however, proposes to screen bio-diversity impacts through a structured screening process and analyze the impacts as part of the environmental assessments for the respective sub-projects and recommend measures for avoidance / minimize impacts on bio-diversity.

4.2.10 Impacts on cultural resources

No adverse impacts are foreseen to the cultural resources or relics due the sub-projects to be proposed. The framework however, proposes to screen bio-diversity impacts through a structured screening process and analyze the impacts as part of the environmental assessments for the respective sub-projects and recommend measures for avoidance / minimize impacts on bio-diversity.

4.2.11 Other Issues

Visual impacts

- Disruption to visual resources
- Standing out as Eyesore in the surroundings
- Ugly and unsightly conditions

Damage

- Damage to road surface /other utilities

Hazards

- Digging of unplanned borrow pits on the road side causing inconvenience to public and leading to accidents

Nuisance

- Storage of materials causing disturbance to public and traffic
- Mosquito and fly nuisance

Disease

- Disease transmission and Public Health issues
- Spills of solid waste enroute construction sites

Other probable issues

- Plying vehicles on unpaved roads
- Stagnation of water inside facilities and on roads
- Tree branches obstructing the vision of the drivers of vehicles
- Oil spillages

4.3 Social Impacts

The proposed works may not have significant social impacts due to the nature, type and size of the works. However, the following social impacts could possibly arise out of the proposed projects:

- Deprivation and Displacement
 - Due to acquisition of private residential or agricultural or commercial land
 - Loss of assets/ infrastructure
 - Loss of Common Property Resources/ Community Assets
 - Loss of Livelihoods
 - Loss of access to houses/ businesses
- Inconvenience and nuisance to Public
 - Due to accumulation of excavated earth
 - Disturbance to traffic and resulting congestion
 - Disruption of utilities such as water, electricity, telephone, cable, etc.
- Social issues
 - Social disruption in the area of construction
 - Social unrest issues on construction sites
 - Regional labour issues
- Safety hazards
 - To the households in the neighborhood during construction

- Due to impact of vehicles on land outside RoW
- Due to risk of accidents
- Health Hazards
 - Due to stagnation of water leading to mosquito breeding and public health problems
 - Due to spread of AIDS at construction sites
 - Due to surface water pollution
 - Due to groundwater pollution

Implementing an appropriate Environment and Social Management Plan, and an R&R policy and entitlement framework along with proper implementation of the Environmental Social Management Framework could mitigate the above mentioned negative social impacts.

5 Environmental and Social Management Framework

5.1 Introduction

As mentioned in earlier chapters, BKBDP has several sub-projects. All these sub-projects are identified at this stage. Further the implementation of these sub-projects will take place over a period of time and this time lag will lead to changes in the environmental and social assessments. For such reasons preparation and implementation of an ESMF is proposed for this project.

5.2 Screening

During the screening, as a first step, the environmental and social impacts are identified through filling in an environmental and social checklist. The basic objective of the filling in this checklist is to collect basic information on environmental and social aspects of the proposed sub-project. Further the ESMF requires that basic environmental and social data pertaining to the proposed sub-project be compiled during the field data collection stage. For this purpose, a simple Environmental and Social Checklists (ESC) were formulated for various sub-projects. The ESC for Embankments and Roads and Bridges are furnished under Annexures 1. The sub-project Implementing Agency fills up this ESC with the facilitation support of the BAPEPS office duly identifying the environmental and social issues of concern. A supplementary note on environmental and social concerns will also be added to that ESC. The sub-project Implementing Agency will do the screening through collection of necessary filed data. These ESC are attached to the sub-project project proposal/ concept note.

During the screening process, the sub-projects are also categorized. The basic objective of this categorization is to ensure that sub-projects with potentially significant environmental/ social issues are identified at an early stage for detailed environmental/ social assessment. Further evaluation of all the available information on environmental and social aspects as provided in the ESC and assessment based on the level of expected environmental and social impacts (including any field visits if required), whether the proposed sub-project is qualified for categorization as Ea/Eb and Sa/ Sb takes place during this phase. As a part of ESMF process the screening and sub-project categorization will be cleared by The World Bank, before taking up EA/SA. This is further detailed in the paragraphs below.

5.3 Categorization

In order to give an indication of scale and size of environmental and social impacts, the projects are categorized. This categorization is required to carry out the appropriate level of assessments for different types of sub-projects based on the nature, scale and magnitude of their social and environmental impacts. Categorization would help in focussing time and effort in sub-projects that have significant impacts. The social and environmental categorization of sub-projects is proposed to be as under:

5.3.1 Environmental

Based on environmental impacts sub-projects are categorized into two categories;

- 1) Ea, where there are significant adverse environmental impacts
- 2) Eb, where there are moderate to minimal adverse environmental impacts

The Ea category sub-projects require conducting a comprehensive Environmental Impact Assessment (EIA) and preparation of an Environment Management Plan (EMP) by Independent Consultants prior to preparation of DPR for appraisal by BAPEPS. This EIA and EMP need to be disclosed before the start of procurement for that sub-project.

The Eb category sub-projects need not conduct an EIA, but require an EMP, which is to be prepared by Design Consultants following the guidelines given in this ESMF. This EMP becomes a part of the DPR, which will be appraised by BAPEPS. If, under special circumstances, BAPEPS identifies a need for a limited environmental assessment, then it needs to be conducted.

5.3.2 Social

Based on social impacts the sub-projects are categorized into two categories;

- 1) Sa, where there are more than 20 Project Affected Families (PAFs),
- 2) Sb, where there are less than 20 PAFs

The Sa category sub-projects require conducting a comprehensive Social Assessment (SA) and preparation of a Resettlement Action Plan (RAP), as per format attached in Annexures, by Independent Consultants prior to preparation of Detailed Project Report (DPR) for appraisal by BAPEPS. This SIA and RAP need to be disclosed before start of procurement for that sub-project. It may be noted that if more than 20 PAFs are there in a sub-project, then a RAP need to be prepared.

The Sb category sub-projects need not conduct SA but need to prepare an Abbreviated Resettlement Action Plan (ARAP), as per format attached in Annexures 1, and need to include the Social Management Plan (SMP) which is to be prepared by Design Consultants following the guidelines given in this ESMF. This SMP becomes a part of the DPR, which will be appraised by BAPEPS. If, under special circumstances, BAPEPS identifies a need for a limited social assessment, then it needs to be conducted.

5.4 **Summary of Impacts and Categorization**

A summary of likely impacts due to the sub-projects is given in below table for reference.

Social and Environmental Impacts on Projects

Impacts: S - Significant M - Medium L - Low

Table 33: Social and Environmental Impacts on Projects

Project Type	Social Category	Envi. Category	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
			1. Improving Flood Risk Management																	
1.1. Reinforcements of Flood control Infrastructure																				
1.1.a. Easter Embankments (75 km), associated embankments (25 km), closing gaps in embankments*	Sa*	Ea*	L	S	L	M	L	L	L	M	L	L	L	L	L	L	L	L	L	L
1.1.b. Procurement of 12 No. Dredgers	Sb	Eb	L	L	M	M	L	L	L	M	L	L	L	S	L	S	L	L	L	L
1.2. Support to Strengthen Institutional Capacity to Manage Floods	Sb	Eb	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
2. Augmenting Connectivity																				
2.a. Upgrading of rural roads	Sa	Eb	S	S	L	M	M	L	L	L	L	L	L	L	L	L	L	L	L	M
2.b. Construction of small and medium bridges	Sb	Eb	M	M	L	M	M	M	M	L	L	L	L	L	L	L	L	L	L	L
3. Enhancing Agricultural Productivity and competitiveness																				
3.a. Alternate Livelihoods Promotion through promotion of animal husbandry & fisheries activities	Sb	Ea#	L	L	L	L	L	L	L	L	L	L	L	L	L	L	M	L	L	L
4. Contingency Emergency Response	Sb	Eb	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
5. Implementation Support	Sb	Eb	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L

Code	Impact	Code	Impact	Code	Impact
A	Land acquisition	G	Ground Water Quality	M	Bio-diversity
B	Involuntary Resettlement	H	Destruction of Habitat/Flora Fauna	N	Noise
C	Land Use	I	Insect and Pest Menace	O	Smell
D	Hydrology and drainage Pattern	J	Increased chemical pesticides/ fertilizers use	P	Smoke
E	Water logging	K	Public Health	Q	Disturbance to Other Services
F	Surface Water Quality	L	Safety	R	Air Quality

* - To be decided, whether Ea/ Eb and Sa/ Sb, based on the magnitude if impacts due to sub-project by BAPEPS during screening
- if agro based livelihoods like dairy, sugar plant, breweries, etc. are proposed

5.5 Environmental Impacts and Mitigation

As a part of preparation of ESMF, secondary research was undertaken to predict/ estimate the nature, scale, magnitude and scope of the environmental impacts due to the sub-projects. The environmental impacts were analyzed vis-à-vis the various sub-projects under BKBDP. The sub-project categorization as Ea or Eb was done on the basis of this analysis. After identifying the impacts, the mitigation measures were also determined. These mitigation measures were included as guidance in this ESMF. These have not been included here to avoid repetition. This guidance table also includes information on whether these mitigation measures have to be undertaken in the planning/ design, construction and operation phases. However, each category of sub-projects needs to incorporate mitigation measures given below:

5.5.1 Ea Category

For Ea category sub-projects, a social and environmental consultant, independent of the design consultants, need to be engaged to carry out an Environment Impact Assessment and prepare an Environment Management Plan. In this regard BAPEPS need to prepare a Terms of Reference (ToR) for the environmental consultants for EIA of this category of projects. This ESMF needs to be shared with these consultants for following the procedures and using the relevant information in their assessment. This EIA and EMP need to be prepared in consistent with 'Category A' projects of The World Bank, shall carry out at least two consultations during the process and shall be disclosed (both locally and at the Bank Infoshop) before the start of procurement for that sub-project.

5.5.2 Eb Category

For Eb category sub-projects, the design consultants would have to prepare the EMP. BAPEPS need to share this ESMF containing the impacts and mitigation measures with the design consultants for them to use in the preparation of the EMP that needs to be submitted along with the DPR. BAPEPS will ensure that the Terms of Reference for the Design Consultants will include these.

5.6 EMP to be Part of Contract Documents

In case of Ea and Eb sub-projects, BAPEPS need to ensure that the EMP is provided as a part of the contract documents to the contractor facilitating its integration into the main works.

5.7 Social Impacts and Mitigation

As mentioned earlier, all the sub-projects under the BKBDP aim at improving safety and security of the target population from floods and improving their living standards. Many of the sub-projects under BKBDP are mere rehabilitation/ strengthening/ improvement/ augmentation/ extension to the existing infrastructure and systems. These investments would improve the performance of

the existing infrastructure and systems. The financial and physical size of the sub-projects would be comparatively small. This makes the significance of the social impacts, if any, to be low. However at this stage, it is not possible to identify as to how many and who will be affected by which sub-project. The individual sub-projects proposals will mention the number and categories of the population likely to be affected. Hence, a Resettlement Policy Framework is prepared for the following reasons:

- Most sub-projects are mere rehabilitation of existing infrastructure
- The sub-projects has been finalized/ proposed
- Likely inclusion of new sub-projects
- Time lag between sub-project identification and implementation

The proposed Resettlement Policy Framework would address these impacts. BAPEPS will screen all the sub-projects prior to approval to ensure their consistency with the Resettlement Policy Framework provided as guidance.

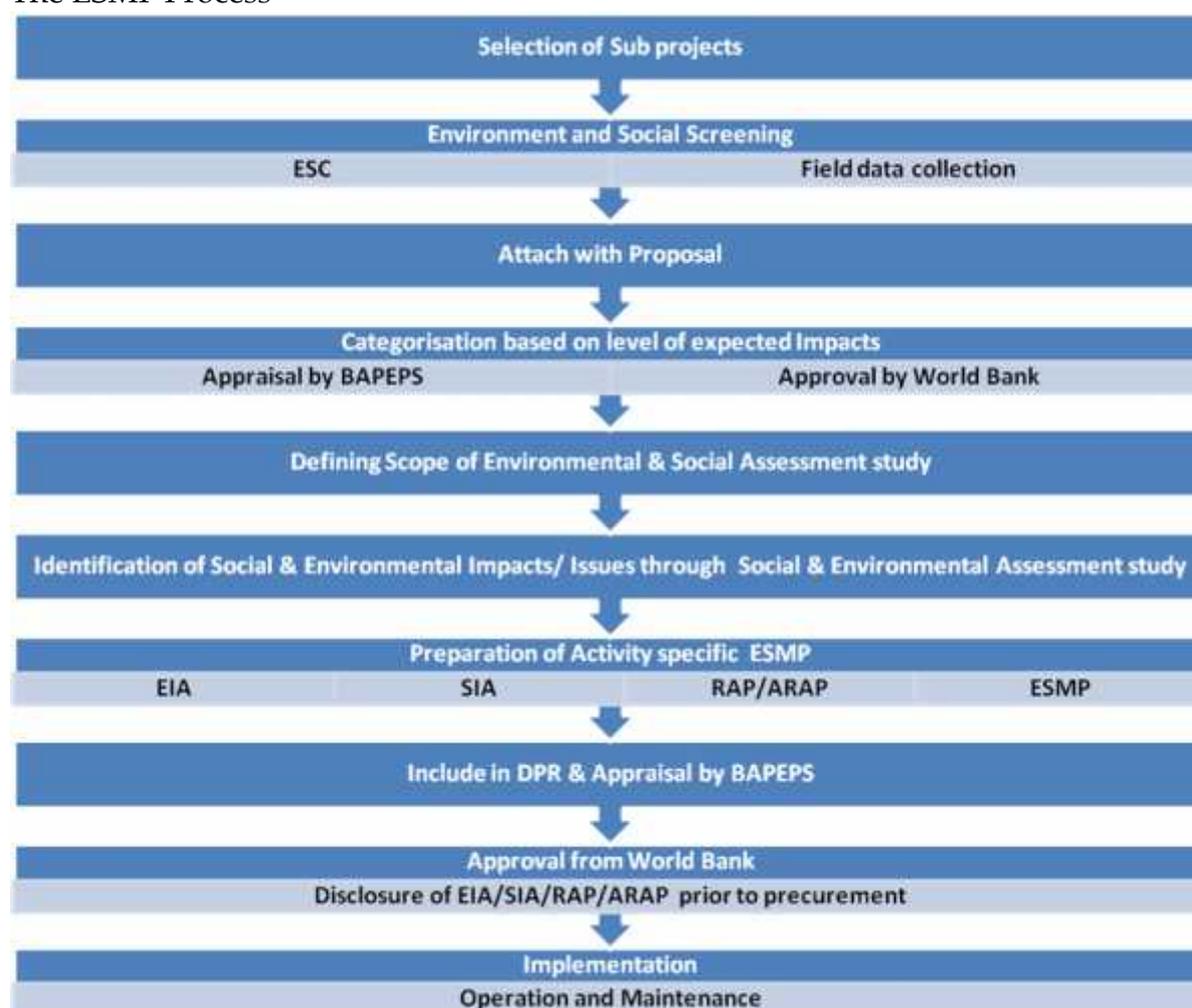
5.7.1 Sa Category

As mentioned in para 5.3.2 for Sa category sub-projects, if the number of PAFs exceeds 20, then BAPEPS would ask the concerned department to conduct a comprehensive Social Assessment with the involvement of a consultant independent of the design consultants and prepare a Resettlement Action Plan (RAP), as per format attached in Annexures before project appraisal. This SIA and RAP need to be disclosed before the start of procurement for that sub-project.

5.7.2 Sb Category

As mentioned in para 5.3.2 for these category sub-projects, BAPEPS will ensure that an Abbreviated Resettlement Action Plan (ARAP) is prepared as per format attached in Annexures and the project proposals prepared by design consultants would include measures to mitigate adverse impacts as per the Resettlement Policy Framework. BAPEPS will ensure that the Terms of Reference for Design Consultants will include these.

The ESMF Process



5.8 Sub-project Cycle and Environmental and Social Requirements

The environmental and social required to be fulfilled during the sub-project cycle; i.e., during pre-planning, planning, implementation and Operation and Maintenance (O&M) are listed in the below table.

Table 34: Environmental and Social Activities and Responsibilities to be fulfilled during the sub-project cycle

Phase	ESMF Activity	Objectives	Process	Tools to be used	Responsibility	Result
Preplanning	Identification Environmental and Social Checklist	To collect basic information on environmental and social aspects of the proposed sub-project.	The ESMF requires that basic environmental and social data pertaining to the proposed sub-project be compiled at the field data collection stage. For this purpose, a simple Environmental and Social Checklist (ESC) and a simple Socio-Economic Survey format were formulated for sub-projects. The formats for the ESC are furnished under annexures. The sub-project Implementing Agency fills up the ESC with the facilitation support of the BAPEPS office duly identifying the environmental and issues of concern. Supplementary notes on environmental and social concerns be added to those checklists.	Transect walk, E & S Checklist, Public consultation	NGO and /or Implementing Agencies	ESC prepared and attached with the project proposal / concept note

Phase	ESMF Activity	Objectives	Process	Tools to be used	Responsibility	Result
Planning	Screening and Categorization Environmental and Social classification of the sub-project	To ensure that sub-projects with potentially significant environmental/ social issues are identified at an early stage for detailed environmental/ social assessment.	Evaluate all the available information on environmental and social aspects as provided in the ESC and assess, based on the level of expected environmental and social impacts (including any field visits if required), whether the proposed sub-project is Ea/Eb and Sa/ Sb. For Eb and Sb, the design consultants will prepare EMP along with the DPR.	Stakeholder consultation, Field survey and studies	BAPEPS Field Office Design Consultants	Sub-project classified as Ea/Eb and Sa/Sb. As a part of ESMF process the screening and sub-project categorization need to be cleared by The World Bank, before taking up EA/SA.
Planning	Preparation Environmental and Social Assessment and Management Plans	To conduct Environmental/ Social Assessment and Prepare Management Plans for integration into sub-project DPR	For Ea/ Sa category sub-projects for which detailed environmental/ social assessment is required, this EA/SA and preparation of EMP/ RAP/ ARAP will be done by consultants independent of the Design Consultants.	ESMF guidelines, Formats attached in annexure 2, 6 of ESMF	Independent Consultants	EA/ SA done. EMP/ RAP/ ARAP Prepared and disclosed prior to start of procurement for that sub-project. EMP/RAP/ARAP/EA/SA will be cleared by the Bank prior to disclosure.

Phase	ESMF Activity	Objectives	Process	Tools to be used	Responsibility	Result
Planning	Appraisal Environmental and Social appraisal	To ensure that relevant environmental and social issues have been identified and appropriate mitigation measures have been designed to address them.	For Eb and Sb sub-projects, there shall be no separate environmental / Social appraisal but environmental / social aspects shall be included in the normal appraisal and evaluation process for the proposed sub-project, based on the ESC included in the DPR. All these sub-projects need to follow the mitigation measures detailed in the ESMF Guidance. This will be ensured by the BAPEPS office. For projects requiring a detailed Environmental / Social Assessment, including evaluation of environmental/ social impacts, risk assessment if needed, and design of mitigation measures, will be done by the BAPEPS Environmental	ESMF Guidelines, Formats annexed with ESMF document	BAPEPS Environmental Specialist Social Specialist	Environmental and social appraisal of the project is made and approval of proposed sub-project, with decision to (i) accept scheme as submitted, or (ii) accept scheme with modification suggested in the environmental/ social appraisal.

Phase	ESMF Activity	Objectives	Process	Tools to be used	Responsibility	Result
			and Social specialists.			
Planning	Approval Environmental and Social approval required	To ensure that mitigation measures and their cost are integrated in scheme design and implementation plans	Approval for the sub-project will not be accorded without the appraisal by BAPEPS and the review of ESA by the The World Bank	ESMF guidelines	BAPEPS	Technical Sanction for sub-projects with environmental and social mitigation measures and accordingly its costs are integrated in sub-project design and implementation plans.
Implementation	Implementation Implementation of Environmental and social mitigation measures.	To ensure that the prescribed environmental and social mitigation measures (including construction stage) are implemented.	The prescribed environmental and social mitigation measures (including construction stage measures) as identified through the environmental and social appraisal process are adequately implemented. Implementation Completion Report (ICR) for sub-project will need to include an Environmental Compliance Certificate and Social Compliance Certificate given by the Gram Panchayat	ESMF guidelines	NGO Gram Panchayat BAPEPS	ICR with environmental and social compliance information.

Phase	ESMF Activity	Objectives	Process	Tools to be used	Responsibility	Result
			indicating that the mitigation measures identified in the appraisal (including construction stage) have been implemented.			
O&M	<p>Supervision, Monitoring and Evaluation Environmental supervision, monitoring and evaluation IEC and capacity building on environmental and social issues.</p>	<p>To ensure that environmental and social aspects are integrated in the O & M phase.</p>	<p>Monitoring of indicators will be conducted as per project monitoring protocol. Supervision will be conducted by the designated environmental officers of the implementing agencies for all the sub-projects. All sub-projects will be monitored by BAPEPS. Capacity building and IEC activities are undertaken to enable effective implementation of the ESMF including assessment procedures, supervision, monitoring, etc. as well as for community awareness and</p>	MIS	BAPEPS NGO External Consultants	<p>BAPEPS will submit quarterly reports to The World Bank on Safeguards Implementation. Quarterly monitoring reports by Independent Consultants. Periodic environmental and social supervision reports.</p> <p>Training and IEC activity reports.</p>

Phase	ESMF Activity	Objectives	Process	Tools to be used	Responsibility	Result
			sensitization. This will be done by the NGO and in turn the NGO will be trained by BAPEPS.			

5.9 Monitoring and Evaluation

The ESMF requires detailed supervision, monitoring and evaluation of the impact of the project on the environment and social aspects. In order to carry out this, BAPEPS have specific arrangements made at state and division/ district level. Further the BAPEPS instructed the District and Field level implementing agencies on how to implement the provisions of this ESMF. At the field level the staff of the implementing agencies (viz. RWD, WRD, BRPNNL, AFRD etc.) have the experience of implementing projects concerning their departments and do land acquisition for their project. Implementation of the provisions of ESMF will be new to these staff and hence several orientations and trainings are proposed as a part of this ESMF to build their capacity. In order to achieve the objectives of this ESMF and to ensure the safeguards are implemented in a proper manner, the following provisions are made in this ESMF:

- Independent Consultants for Quarterly Monitoring of ESMF

The BAPEPS will be in charge of implementing the ESMF. The Environmental and Social Specialists of BAPEPS will guide and oversee the implementation of the ESMF at field level in BKBDP. This overall guidance will be given by them. Further the BAPEPS will incorporate the provisions of this ESMF as actionable points in the Project Operations Manual or other similar document for the project. These will be non-negotiable and will have to be followed by all the field units of the implementing agencies. The Environmental and Social Specialists will oversee the application of these provisions and guide the process, while at the same time building the capacity of the field units.

At the field level the designated environmental engineers of the implementing agencies / the supervision consultants will ensure the implementation of the ESMF.

The following provisions include the arrangements made for the effective implementation of the ESMF:

5.9.1 Environmental supervision

This is basically done by BAPEPS. All the sub-projects will be visited at regular intervals by BAPEPS to check if all safeguard requirements are met and to identify any issues that need to be addressed. BAPEPS would submit quarterly progress reports to The World Bank on safeguards implementation.

5.9.1.1 Environmental and Social Parameters

Once every year, the BAPEPS will prepare a report of the environmental and social situation in the project districts including data and analysis of relevant parameters as given below:

- Environmental parameters
 - Rainfall

- Water quality
 - Soil erosion
 - Soil quality
 - Sand casting
 - Sedimentation in water bodies
 - Changes in land use
 - Introduction of new breeds of livestock, etc.
- Social parameters
- Adequacy of entitlements
 - Amount of land acquired/ required
 - Payment of compensation and entitlements before displacement or taking over of the asset
 - Time taken for land acquisition
 - Number of grievances registered and resolved
 - Number of court cases
 - Income restoration
 - Land holding status
 - Literacy
 - Housing
 - Ownership of household assets
 - Water supply
 - Sanitation
 - Latrine usage
 - Empowerment, etc.

This report also should give a listing of relevant new legislation and regulations that have a bearing on the environmental social performance of the project. BAPEPS will submit this report to The World Bank. The ESMF will be suitably revised annually on the basis of this document by the BAPEPS.

5.9.2 Quarterly Monitoring

The concurrent internal environmental social monitoring will be done as part of the regular monitoring by the design and supervision consultants and implementing agencies. However, independent consultants appointed by BAPEPS, will do the quarterly environmental and social monitoring of sub-projects for safeguards compliance.

5.9.3 Monitoring Plan

Given in the table below are indicators for project investments, for which monitoring need to be taken up by BAPEPS in a regular manner.

Table 35: Indicators for project investments

Project Components	Monitoring Indicators	Frequency	Agency
1.0 Improving Flood Risk Management 1.1. Reinforcements of Flood control Infrastructure 1.1.a. Easter Embankments (75 km), associated embankments (25 km), closing gaps in embankments 1.1. b. Procurement of 12 No. Dredgers 1.2. Support to Strengthen Institutional Capacity to Manage Floods 1.3. Flood Mitigation Works (to be identified)	Environmental parameters <ul style="list-style-type: none"> • Rainfall • Water Availability in downstream sources • Water quality - Surface and Groundwater • Soil erosion • Soil quality • Sand casting • Sedimentation in water bodies • Debris deposits on lands • Changes in land use • Introduction of new crops • Introduction of new breeds of livestock • Yield of Milk Social parameters <ul style="list-style-type: none"> • Adequacy of entitlements • Payment of compensation and entitlements before replacement • Time taken for land acquisition • Number of grievances registered and resolved • Number of court cases • Income patterns • Land holding status • Income from land • Changes in occupations 	<ul style="list-style-type: none"> • Quarterly by Independent Consultants • Annually by BAPEPS 	<ul style="list-style-type: none"> • BAPEPS guiding the collection of information on indicators • Independent Quarterly Monitoring Consultants • NGO collecting information at field level • Implementing Agencies/ Departments for department specific information
2. Augmenting Connectivity 2.a. Upgrading of rural roads 2.b. Construction of small and medium bridges			
3. Enhancing Agricultural Productivity and competitiveness 3.c. Alternate Livelihoods Promotion through promotion of animal husbandry & fisheries activities			
4. Contingency Emergency Response			

Table 35: Indicators for project investments			
Project Components	Monitoring Indicators	Frequency	Agency
5. Implementation Support	<ul style="list-style-type: none"> • Literacy • Nutrition • Housing status • Ownership of household assets • Water supply coverage • Sanitation coverage • Latrine usage • Length of rural in roads • Journey time • Empowerment of Women and Mahadalits <p>Other</p> <ul style="list-style-type: none"> • No. of training programs conducted • No. of personnel trained • Trainees' understanding training content • Achievement of learning objectives • Application of methods, tools and techniques learnt during training • Adherence to contract conditions and standards • Absence of inconvenience, nuisance, complaints • No. of sub-projects completed without time and cost overruns • Adherence to project guidelines 		

5.10 Stakeholder Consultation

As a part of ESMF preparation sample sub-projects that were identified for investments in the first phase were visited and stakeholders were consulted. The information gathered during these consultations was incorporated in the environmental and social assessment, and in the ESMF as appropriate. The field visits were conducted during 12-23 February 2012, 10-12 April 2012 and 7-10 August 2012. Apart from the field visits, several meetings were held with the participating departments during which their experiences, views, opinions and perceptions were gathered and these were incorporated into this ESMF.

The issues presented in these sections are the summary of those consultations. The lists of participants during these consultations are given in annexure 6 along with some photographs of these consultations.

Further a Stakeholder Consultation Workshop with the participating departments and other stakeholders were conducted during 10 April 2012 to gather their feedback on the ESMF and accordingly the ESMF was revised.

5.10.1 Stakeholder Involvement and Consultation

BAPEPS/Implementing Agency would engage Design consultants to assist them in preparing the sub-project DPRs. In the ToR for these consultants, there is an explicit requirement for the consultants to carry out public/ stakeholder consultations. This is a mechanism to ensure the upfront public/ stakeholder inputs in the preparation of the sub-projects.

For Category Ea and Sa sub-projects, BAPEPS would have to engage independent consultants to prepare the SA / RAP and EIA / EMP respectively. In the ToR for the preparation of these outputs, public/ stakeholder consultations form an integral part. For such type of sub-projects obtaining consent of the local agencies and necessary clearances from competent authorities is mandatory and should form part of the EA/ SA. These EA/ SA will be reviewed by The World Bank.

During sub-project implementation GPs, NGOs, Community Based Organisations (CBOs) will be involved. Project monitoring reports would be disseminated in the public consultation meetings in the GPs. The stakeholder meetings would discuss the sub-project progress reports and make recommendations for sub-project control and modifications. These recommendations would be made use for future sub-project design. Consultations are required for preparation of all safeguards mitigation documents and these consultations should be an on-going activity of the project.

Table :36 Stakeholder consultation – Key activities through the Project cycle

Project Stage	Stakeholders	Consultation Activities	Remarks
Pre implementation stage	Public, concerned Govt. departments, management unit of projects of the sub-project area	Consultation for sharing the purpose and type of intervention, for collecting baseline information of the proposed sub project area	Incorporation of stakeholder inputs in preparation of SA/RAP/ARAP and EIA/EMP is necessary.
Implementation stage	Relevant GPs, community of sub-project area, management unit of project, concerned govt. departments	<ul style="list-style-type: none"> i) environmental & social impacts due to proposed interventions, monitoring report of project ii) understand their concerns. 	Stakeholders views/concerns / perceptions helps in understanding the effectiveness of ESMP implementation and need for any further measures required to be taken up to address any issue. This will also help in annual Environmental & Social

		Through out the project cycle this consultation will continue.	audit.
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5.11 Disclosure

5.11.1 State Level

BAPEPS and the implementing agencies shall disclose this entire ESMF at their website. The summary of the ESMF need to be translated into local language (Hindi) and placed on the website. The Resettlement Policy Framework will be disclosed along with the entitlement framework, though this is a part of the ESMF, these documents shall be separately identified and disclosed in the BAPEPS website. These two documents shall also be translated into Hindi and made available at the BAPEPS's website.

5.11.2 District Level

BAPEPS has also arranged to disclose the final versions of the ESMF and Resettlement Policy Framework and Entitlement Matrix in all the District Collectors Offices and the local offices of the implementing agencies. These would be in place once the final versions are ready. When this document is updated, then the copies in the different locations would also be updated.

5.11.3 Disclosure by The World Bank at the Infoshop

The World Bank will disclose this ESMF and any future EA/ SA along with EMP/ RAP at the infoshop for downloading and reference by interested parties.

During the implementation phase, all the sub-project ESAs shall be disclosed by BAPEPS and the implementing agencies both at the local level and at the state level. This ESA s will also be disclosed at the Infoshop of The World Bank.

5.11.4 Grievance Redressal Mechanism

BAPEPS has developed a grievance redressal mechanism which will look into all aspects of sub-projects and their activities apart from R&R related grievances. The Resettlement Policy Framework can be referred for details on Grievance Redressal Mechanism.

6 Institutional and Implementation Arrangements

6.1 Introduction

The BKBDP will be implemented in identified five flood prone districts of Kosi basin. This project will focus on increasing the safety and security of the flood prone population and at the same time will focus on increase the quality of life of them.

At the state level the Planning Department is the implementing agency and there are several participating departments implementing the project components; viz.,

- Water Resources Department (WRD) implementing the flood management and irrigation works and capacity building initiatives for Flood Management
- Bihar Rajya Pul Nirman Nigam Limited (BRPNL) will construct the bridges on the Major District & Rural Roads.
- Rural Works Department (RWD) that will implement rural road works.
- Animal and Fisheries Resource Department will implement the component related to Livestock and Fisheries under the component “Enhancing Agricultural Productivity and Competitiveness”.
- Disaster Management Department (DMD) for coordinating the disaster management efforts and building disaster management capacity.

In order to coordinate the efforts of several participation departments, the Bihar Aapada Punarwas Evam Punarnirman Society (BAPEPS) has been established. Principally implementation will be at the level of the Planning Department, but also beyond, with regards to any convergence with other programs, under other departments and other related government and research agencies. Also the leadership for the components will be shared across concerned agencies, where the BAPEPS will play a greater role in managing all components, in particular planning, coordination and monitoring.

6.2 State Level Management

6.2.1 BAPEPS, Project Management Unit (PMU)

The **Project Management Unit (PMU)** will be the BAPEPS. The Project Director BAPEPS will be the responsible for overall project implementation. For effective day to day co-ordination of project implementation the PD will be assisted by the Deputy Directors, and other functionaries. PMU would contract any additional experienced agency to provide additional technical support for planning and implementation or especially with regards to managing convergence, and linking into overall disaster management planning.

The BAPEPS is headed by a Project Director. This society will be primarily responsible for the implementation of the project. Ex-Officio Chairperson of the Society is the Development Commissioner, Government of Bihar. The Project

Director is supported by Deputy Director (Projects), Deputy Director (Finance) and Deputy Director (Administration). The DD (P) will have the support of several Managers experts in the field of Project Implementation, Procurement, Quality Control, Environment and Social Safeguards, MIS and reporting, etc. The DD (F) will be supported by Accounts & Finance Officer and DD (A) will be supported by Administrative Officer and Administrative Assistants etc. BAPEPS may utilize the services of consultants based on needs and requirements. However it will be ensured that BAPEPS will have functional and management teams comprising of the Project Managers, Engineers, Specialist of Environment & Social Management, Agriculture, Animal Husbandry, Disaster Management, Road & Bridges and MIS; Procurement Specialists, Financial Specialist, and support staff. BAPEPS shall implement the sub project activities through the relevant line departments.

6.2.1.1 Functions of BAPEPS

The primary functions of BAPEPS will be:

- To prepare the Bihar Kosi Basin Development Project (BKBDP) - Kosi - II and implement the same.
- To coordinate with the World Bank and line agencies in both preparation and implementation phase and be singularly responsible for reporting to the Bank on project progress, procurement control, financial management, audit & disbursement aspects, results monitoring and evaluation of the project and ensuring that the project is implemented in accordance with agreed procedures and guidelines of the Bank (Procurement, Financial, Environment, Social etc.)
- Coordination with line agencies, progress monitoring and acting as Employer under the contracts.
- Procurement Control (Approval of Bidding Documents and approval of contract award recommendations from the implementing agency that come through nodal officers).
- Quality assurance through third party audits and social audit.
- Ensuring compliance with agreed ESMF, implementation procedures and other Bank requirements.
- Payments Payments through modalities adopted for BKBDP i.e. Parent-Child fund transfer system. and Financial Management.
- Financial audit and reporting to Bank.
- Maintaining MIS and Quarterly reporting.
- Appointment of technical assistance consultants and management of consultancies.

BAPEPS will also hire support consultants using pre-agreed Terms of References, for:

- Financial Management support
- Quality Audit of Works

- Conducting environmental assessments for all the sub-projects as per the agreed terms of reference, as per the ESMF
- Independent Environmental and Social Monitoring Consultants
- Impact Evaluation and Assessment

6.2.2 Executive Committee of BAPEPS

The Executive Committee (EC) of BAPEPS will govern the overall project, and guide the PMU. The EC will be constituted by the main implementing agencies, and chaired by the Development Commissioner GOB. The committee will have Secretary i) Planning ii) WRD iii) RCD iv) RWD v) BRPNL, vi) DoAg vii) AFRD viii) DMD ix) PD, BAPEPS, etc. as members, while the PD, BAPEPS will be the member Secretary. There shall also be representation by civil society experienced in participatory and integrated disaster management. The EC will provide overall guidance on policy aspects relating to project development, integration between departments and on convergence. It will also look into mid-course correction, and issuing guidelines for smooth implementation of the project. Also, the EC has the powers of the State Cabinet in matters relating to financial and administrative sanctions, recruitments, and entrustment of works and assignments. It will approve the overall annual implementation plan, and procurement of goods (by the line departments) exceeding Rs. 10 million, and works and services (required by the line departments) exceeding Rs. 1 million.

6.3 **Field Level Management**

6.3.1 BAPEPS Office

The Office of BAPEPS will ensure coordination among the participating departments, monitoring and reporting functions. This office will have deputed or contracted experts sector and functional management area. BAPEPS will have one Environmental Specialist and one Social Specialist. They will work as a team. The functions of this team are:

- Ensuring overall implementation of the ESMF in the project.
- Coordinating on a day-to-day basis with the implementing departments for implementation of the ESMF.
- Advising and assisting the BAPEPS and implementing departments during the appraisal of the sub-projects to be taken up.
- Acting as an early warning system for the BAPEPS with regard to the actions to be taken as per the ESMF.
- Preparing regular periodic reports on the environmental and social compliance for the BAPEPS for its own use or for transmission to the World Bank

- Ensuring that recommendations from supervision and monitoring are integrated into the project and the ESMF is updated periodically as necessary.
- Recruiting external agency for conducting Environmental and Social Audit once in a year and ensure that the relevant recommendations are integrated into the project.
- Conducting environmental supervision of sub-projects on a quarterly/ half yearly basis.
- Ensuring availability of required human resources for implementation of ESMF.
- Arranging funds required for implementing the provisions of ESMF by coordination with the BAPEPS.
- Taking all those actions which are necessary for effective implementation of the ESMF.
- Training and orientation of the PMU and implementing agency teams on the requirement, application and implementation of the ESMF.
- Reviewing the monitoring reports submitted by the implementing agencies to check compliance with the ESMF, including EMP and the RP, as applicable to the sub-component/activity.
- Regularly visit project sites to review compliance of ESMF.
- Provide guidance and inputs to the BAPEPS and implementing agency teams on environment and social management aspects.
- Act as a single point of contact for resolving queries related to environment and social issues.

The Environment and Social Specialists of the BAPEPS shall provide regular feedback based on the field visits, monitoring activities undertaken and third party audits to the respective implementing agencies and to the Project Director.

6.3.2 Sub-Project Implementing Agencies

The Participating departments will be responsible for the execution of the contracted work either through the contractors. The concerned department will ensure during the day-to-day functioning and contract administration that the ESMF, including the EMPs and the RAPs are implemented on their respective sub-projects. The tasks of the line departments/implementing agencies will include, but will not limit to:

- Planning and Design: Preparation of DPRs, cost estimates and bidding documents. Support preparation of the EA / EMP and SA/ RAP documents along with DPRs, as applicable either internally or through external consultants. Preparation of environment and social checklists and their integration into DPRs and Bid Documents.
- Procurement: Receipt of tenders; opening and preparation of preliminary bid evaluation reports jointly with BAPEPS Representatives; review and check by nodal officers and forwarding to BAPEPS for final decision.

- Implementation: Contract Management (acting as 'Engineer' under the contract).
- Supervision: Quality assurance. Regular on-site supervision for compliance of the EMP and the RAP.
- Reporting: Work Progress Reporting. ESMF implementation progress reporting. Provide reports on status and progress on EMSF implementation from time to time (as decided) to the PMU.
- Financial: Payments through modalities adopted for BKBDP i.e. Parent-Child fund transfer system.

6.3.3 Design (and Supervision) Consultants

The design (and supervision) consultants are contracted by BAPEPS for sub-projects' planning and design and for implementation supervision. They will have one Environmental Engineer and a Social Scientist in their team. Their ToR should include the following:

6.3.3.1 Environmental

- To ensure compliance of the Environmental Management Plan (EMP) by regular monitoring and issuing instructions to the contractor(s) for remedial actions as appropriate. If the contractor fails to respond to repeated requests / reminders, to bring to the notice of the participating department.
- To prepare monthly reports on EMP compliance that would be submitted to the participating department and BAPEPS. To highlight any deviations related to legal compliance, if any, in these reports.
- To develop, organize and deliver onsite contractor staff training programs to improve EMP implementation.
- To hold regular consultative meetings with the stakeholders in order to learn and be able to address their concerns.
- To coordinate and contract the periodic environmental monitoring (air, noise, water, etc.) to appropriate agencies, and to initiate suitable follow-up action.
- To guide the contractor on liaising with Government Agencies such as the Pollution Control Boards and Forest Department in order to obtain the required clearances and to ensure that the contractor activities are carried out in line with any conditions placed.
- To ensure adoption of good construction-related safety practices are adopted during the construction phase.

6.3.3.2 Social

- To act as an early warning system to the participating department and BAPEPS to ensure compliance with the R&R policy / RAP by regular monitoring. Issuing instructions to the involved agencies and contractor(s), when contractor is involved, for remedial actions as appropriate. If the

agency / contractor(s) fails to respond to repeated requests / reminders, to bring it to the notice of the participating department and BAPEPS.

- To prepare monthly reports on RAP compliance that would be submitted to the participating department and BAPEPS. To highlight any deviations related to legal and R&R policy compliance, if any, in these reports.
- To develop, organize and deliver on site training programmes to participating department and BAPEPS and other involved staff to improve RAP implementation.
- To hold regular consultative meetings with the stakeholders in order to learn and be able to address their concerns.
- To coordinate and contract the periodic external interventions (ex.; training) through local outstanding NGOs and other institutions to appropriate agencies, and to initiate suitable follow-up action.
- To guide the participating department and BAPEPS staff on liaising with Government Agencies for providing support to PAPs, and to ensure that the support is carried out in line with the R&R policy.

6.3.4 Independent Environmental Social Safeguards Quarterly Monitoring Consultants

The concurrent internal environmental social monitoring will be done as part of the regular monitoring by the design and supervision consultants and implementing agencies. However, independent consultants appointed by BAPEPS, will do the quarterly environmental and social monitoring of sub-projects for safeguards compliance. The Independent Environmental and Social Quarterly Monitoring Consultant will have the following functions:

- Review all project documents related to Environment and Social issues including Checklists, EA/ SA Reports, EMPs/ RAPs, Quarterly progress reports, aid memoirs, all statutory and regulatory requirements and safeguards, etc.
- Check and verify the compliance of sub-project activities with the ESMF and statutory and regulatory requirements.
- Check for any good practices in ESMF implementation and document them.
- Evaluate the environmental and social training programs and their outcomes
- Give recommendations to improve compliance on environment and social management aspects during planning, design and implementation of sub-project activities/works.
- Prepare report on compliance with ESMF and other statutory/regulatory requirements duly incorporating good practices and recommendations.

7 Capacity building and Training

7.1.1 Introduction

The launch of BKFRP-I, has given BAPEPS and the participating departments some exposure to the environmental and social safeguards issues. But the interactions with them reveal that, this mere exposure is not enough for preparing and implementing environmental and social management plans. They need to have awareness, sensitivity, skills and experience regarding the environmental and social aspects of sub-projects planning and implementation.

For sustainability and seamless adaption of the environmental and social principles and safeguards by all the implementing partners, awareness creation and capacity building becomes necessary. This is best done with the assistance of experts. Hence a few of the known expert agencies are proposed for this task. It may be noted that some staff of GoB might have the skills and capacity to help build the environmental and social awareness and capacity of implementing partners.

This capacity building and IEC strategy has been outlined as part of the ESMF program developed for the project aims at building environmental and social awareness and environmental and social management capacity in the project administration structure as well as in the intended target communities. Capacity building for environmental and social management will be integrated with overall capacity building component of the project.

7.1.2 Objectives

The objectives of the capacity building initiatives are:

- To build and strengthen the capability of BAPEPS, participating departments, and other partners (NGOs) to integrate sound environmental and social management into sub-project implementation.
- To orient the BAPEPS staff, participating departments and NGOs at district level and communities to the requirements of the project's ESMF.

7.1.3 Approach

Systematic capacity building initiatives need to be introduced only after completion of training needs assessment. The training should be of cascade mode. All the trained staff and others will in turn conduct further trainings at district, block and village levels. However, since capacity building goes beyond mere imparting training, institutionalization of best practices becomes a prerequisite for improved sub-project environmental and social management. The training outcomes like trainees' understanding of the training content, achievement of learning objectives, application of methods, tools and techniques learnt during training etc. need to be monitored and audited. This will be done by the Quarter monitoring consultants,

7.1.4 Institutions for Training

In view of the specialized training and capacity building envisaged under the ESMF of the project, it is necessary to identify nodal training institutes that will work closely with BAPEPS for conceptualizing, designing, conducting and managing training programs on the ESMF. Some such specialized institutions are:

- Selected Expert Staff of Participating Departments (viz., RCD, RWD, WRD, BRPNL, AFRD, etc.)
- Selected Expert Staff of Disaster Management Department, Environment and Forest Department, Mines and Geology Department, etc.
- Bihar Institute of Public Administration
- Indian Institute of Technology, Patna
- A.N. Sinha Institute of Social Studies
- Bihar State Pollution Control Board
- Engineering Staff College of India, Hyderabad
- Administrative Staff College of India, Hyderabad
- Other Identified Consultants

7.1.5 Details of Training Programs

7.1.5.1 T1. Orientation/ Learning Training Programs

Purpose of the training:

- To orient the project staff at the project launch towards the environmental and social issue of the project
- To orient the project staff about the ESMF and its importance, provision and implications. There after annual orientation cum experience sharing and learning training programs will be conducted.
- To re-orient the project staff on the ESMF and to share their experiences in implementing the ESMF
- To draw lessons learnt during the implementing the ESMF and to incorporate them into the ESMF revision.

Participants: All Key officials of the project including BAPEPS, participating departments, NGO and State Level Environmental and Social Specialist. BAPEPS will be responsible for selection of suitable candidates for the training, and the expense will be borne by the overall project capacity building budget.

Schedule: The training will include a project launch training workshop and annual re-orientation and learning workshops, on environmental and social assessment and management. These training programs will be for duration of 1-2 days each. These will total to 6 training workshops.

7.1.5.2 T2. Training on the ESMF and Mitigation Plans

Purpose of the training:

- To equip with knowledge and skills necessary for undertaking environmental and social appraisal as per the requirements of the ESMF and preparation of mitigation plans
- To prepare for undertaking periodic supervision of implementation of environmental and social mitigation plans and performance of sub-projects
- To prepare for implementing Community Based System for Environmental and Social Monitoring

Participants: Key officials of the project including BAPEPS, participating departments, NGO and State Level Environmental and Social Specialist. BAPEPS will be responsible for selection of suitable candidates for the training, and the expense will be borne by the overall project capacity building budget.

Schedule: The training will include an annual orientation workshop, one main and annual refresher training workshops on environmental and social assessment. The main and refresher training programs will be for duration of 2-3 days each, whereas the initial orientation workshop will be of one day duration. 2 main training programs will be conducted during the first year and 1 refresher program per year will be conducted for the next 4 years. This will total to 6 programs and 6 workshops.

7.1.5.3 T3. Training on Environmental and Social Management

Purpose of the training:

- To equip with knowledge and skills necessary for meaningful participation in the environmental and social appraisal as per the requirements of the ESMF
- To prepare for planning and monitoring implementation of environmental and social mitigation measures identified through the appraisal process
- To equip with skills necessary for Community Based Environmental and Social Monitoring

Participants: NGOs, Participating Department Staff, GP Representatives.

The BAPES branch office will be responsible for selection of suitable candidates for the training, and the expense will be borne by the overall project capacity building budget.

Schedule: The training will include an annual orientation workshop, one main and annual refresher training workshops on environmental and social management. The main and refresher training programs will be for duration of 2-3 days each, whereas the initial orientation workshop will be of one day duration. Considering that there

are 10 districts in the project area, 1 main program for each two districts in the first year and 2 refresher programs for all districts per year during subsequent 4 years will be conducted. Including the main and refresher programs, the total T2 training programs will be about 13 for the project duration.

S. No.	Topics	Number of Trainings
1	T1 - Orientation and Learning Training	6
1	T1 - Environmental and Social Management Framework	6
2	T2 - Environmental and Social Management	13
	Total	25

About 20 to 30 trainees would participate in each of the training programs. It is intended that these trained persons will in turn provide onsite training to Participating Departments' Staff, NGOs, resource persons, etc. onsite at district/ block level.

7.1.6 Training Budget

The total estimated cost of training on environmental and social management for members of BAPEPS, Participating Departments' Staff, NGOs, etc, under the proposed BKBDP is presented in the table below:

S. No.	Training	No. of Programs	Estimated Unit Cost in Rs.	Total Cost In Rs.
1	T1	6	1,50,000	9,00,000
2	T2	6	10,00,000	60,00,000
3	T3	13	5,00,000	65,00,000
4	Workshops (State)	6	2,00,000	12,00,000
5	Workshops (District)	13	1,00,000	13,00,000
6	Provision for other Training, Expenses, etc.			41,00,000
7	Total			2,00,00,000

Budget

The total administrative budget for environmental and social management activities under the proposed BKBDP has been worked out as Rs. 7.7 crore. The cost of implementing the proposed mitigation measures is not included in this costing. The cost of mitigating environmental and social impacts need to be included in the respective sub-projects' budgets. The detailed breakup of the administrative budget is presented in the table below.

S No.	Activity	Amount in Rs.
1	Training and workshops (as estimated)	2,00,00,000
2		
3	Quarterly Environmental Social Safeguards Monitoring by Independent Consultants for 6 Years @ Rs. 30 Lakhs per year	1,80,00,000
4	Preparation of specific environment and social related community awareness materials @ 10 lakh per district for 8 districts and 50 lakh at state level	1,30,00,000
5	Sub Total	51,00,00,000
6	Contingencies @ 10%	51,00,000
7	Total	5,61,00,000.00
	Say	Rs. 5.6 Crores

8 Environment Impact Mitigation

8.1 Introduction

This guidance includes a section listing mitigation measures for the possible impacts caused by the sub-projects. This also includes the project phase, where each of the mitigation measures needs to be considered and also indicates the implementation responsibility.

8.2 How to use this Section

8.2.1 For Ea sub-projects

This category of sub-projects requires a full-fledged EA that is to be done by environmental consultants separate from design consultants. The impacts and mitigation measures given in this section should be used to identify the key issues.

8.2.2 For Eb sub-projects

For this category of sub-projects, the design consultants have to prepare an EMP. This mitigation measures section should be referred to develop the EMP by the design consultants to prepare a table of mitigation measures in the sub-project EMP. The subsequent guidance document provides sample EMP for a typical rural roads project.

8.3 Anticipated Environmental Impacts and Mitigation Measures

Environmental impacts should be assessed considering present environmental setting of the sub-project area, nature and extent of the proposed activities. Suitable approach and methodology should be adopted to ascertain likely impacts both during design and construction and operation stage.

8.3.1 Climate Change

8.3.1.1 Design and Construction Phase

Cutting of trees will be encumbered at the sub-project sites will have minor to negligible impact on microclimate of the region. The compensatory plantation will rather improve the microclimate of the region. The effect of global climate change to the sub-project, particularly predicted extreme rainfall is recognized considering that majority of sub-project area is prone to flooding. However, there are no studies yet available about the effect of climate change on rainfall or flood pattern of the area which makes it difficult to recommend specific climate proofing measures.

8.3.1.2 Mitigation Measures

All efforts shall be made by the contractor to minimize cutting trees up to final stage of project implementation. The sub-projects envisage plantation of trees as a compensatory plantation as in compliance to prevailing guidelines of State's Forest Department on 1:3 basis. The contractor will be responsible to coordinate compensatory plantation which will include meetings, actions and discussions with concerned authorities. Besides, additional plantation is recommended near sensitive locations, embankments and wherever additional land is available with participating department.

8.3.1.3 Operation Stage

The sub-projects are mostly located in open agricultural land, which will provide adequate dispersion of gaseous emissions from vehicles and equipment. Further, extensive plantation will ameliorate/enhance the micro-climate. No adverse climatic changes/impacts are anticipated during operation stage other than CO₂ emission from vehicles and equipment.

8.3.2 Natural Hazards

The area is largely protected from flood after construction of embankments along Kosi River. The sub-projects run mostly parallel to the river for significant length. Hence no over topping may take place. As per local people the embankments are used for safety during floods. These issues need to be taken care of in finalizing the formation level for roads and other assets and design of structures.

The project area is located in seismic zone III and IV that is high to very high damage risk zone. This may cause failure of civil structures in the event of earth quake if design consideration related to seismicity is not adequately taken into consideration. All civil structures especially bridges shall be constructed as per latest seismic zone requirement.

8.3.2.1 Mitigation Measures

- Provisions of adequate cross drainage structures, like culverts/balancing culverts/ causeway and road side drainage with suitable out fall shall be made to avoid flooding/water logging. Formation levels for roads and structures shall be decided considering the siltation rate of the river. The design discharge shall be evaluated for flood of 50 year return period for calculation of waterway and design of foundations.
- Relevant IS codes shall be adopted while designing the civil structures to sustain the earth quake of highest magnitude in Seismic zone III and IV.

8.3.3 Air Quality

8.3.3.1 Design and Construction Phase

The potential sources of air emission during the construction phase of the project are: (i) dust from earth works (during site preparation), (ii) Emissions from the operation of construction equipment and machines, (iii) Fugitive emissions from vehicles plying on the road, (iv) Fugitive emissions during the transport of construction materials, (v) Air emissions other than dust arise from combustion of hydrocarbons particularly from the hot mix plants, and (vi) Localized increased traffic congestion in construction areas. Most of the emissions will be in the form of coarse particulate matter and will settle down in close vicinity of construction site. Installation of crusher unit will also lead to air pollution. Hot mix plant will generate carbon monoxide (CO), un-burnt hydrocarbon, sulphurdioxide, particulate matters, and nitrogen oxides (NO_x) emissions. This may affect the air quality of near by areas especially due to emission discharge from low height stack. However, this will be a temporary phase and hence, no significant impact is envisaged.

8.3.3.2 Mitigation Measures

- The stone aggregate will be sourced from licensed quarries. No new quarries shall be open for the project. The pollution related aspects to these quarries are independently complied by the quarry owner. The aggregate will be transported in the covered trucks through existing network of roads.
- Vehicles delivering loose and fine materials like sand and aggregates shall be covered
- Loading and unloading of construction materials in covered area or provisions of water fogging around these locations.
- Storage areas should be located downwind of the habitation area.
- Water shall be sprayed on earthworks periodically
- Regular maintenance of machinery and equipment. Vehicular pollution check shall be made mandatory.
- Mixing plants and asphalt (hot mix) plants shall be located at least 1 km downwind of the human settlements. The asphalt plants, crushers and the batching plants shall be sited at least 500 m in the downwind direction from the nearest settlement and that too only after receiving a No-Objection Certificate from the BSPCB. Hot mix plant shall be fitted with stack of adequate height as may be prescribed by SPCB to ensure enough dispersion of exit gases.
- Bitumen emulsion and bitumen heaters should be used to extent feasible.
- Only crushers licensed by BSPCB shall be used.
- LPG should be used as fuel source in construction camps instead of wood and tree cutting shall be restricted.

- Water sprinkling of unpaved haulage roads.
- Mask and other PPE shall be provided to the construction workers
- Diesel Generating (DG) sets shall be fitted with adequate height as per regulations (Height of stack = height of the building + $0.2 \sqrt{KVA}$).
- Low sulphur diesel shall be used in DG sets as well as machineries.
- Air quality monitoring should be carried out during construction phase. If monitored parameters are above the prescribed limit, suitable control measures must be taken.

8.3.3.3 Operation Phase

Vehicular emission and transport of sand through uncovered vehicles will be the main source of pollution during operation stage. The sub-project is mostly located in open agricultural land which will provide adequate dispersion dynamics of gaseous pollutants. Moreover, majority of the traffic on the sub-projects will be diverted traffic from the existing roads.

8.3.3.4 Mitigation Measures

- Transport of sand through uncovered vehicles shall be restricted.
- Plantation is one of the preferred solutions to check air pollution. Plants serve as a sink for pollutants, reduce the flow of dust. Tree plantation along road sides and other places shall include pollution absorbent species.
- Road signs shall be provided reminding the motorist to properly maintain their vehicles to economize on fuel consumption and protect the environment.
- Free flow of vehicles and improved road conditions will restrict the air pollution in settlement areas. Paved shoulder shall be maintained.
- The concerned department shall continue to promote the proper operation and maintenance of vehicle fleets regardless of size and type of vehicle consistent with the manufacturer recommended engine maintenance programs. This will include provision of road signs and distribution of flyers to remind drivers on the benefits of a well maintained engine. Promotion of ways to reduce emissions through replacement of old with new and more efficient vehicles, converting to cleaner fuels, installing emission control devices, regular maintenance and repair, and avoiding overloading of trucks.
- Driver education will be promoted on the benefits of driving practices that can reduce fuel consumption and promote safety when driving within the speed limits and avoiding sudden acceleration.

8.3.4 Noise

8.3.4.1 Design and Construction Phase

Ambient noise level may increase temporarily in the close vicinity of various construction activities, maintenance workshops and vehicles and earth moving equipment. These construction activities are expected to produce noise levels in the range of 80–95dB (A) (at a distance of about 5m from the source). Although this level of noise is higher than the permissible limit for ambient noise level for residential/commercial levels but will occur only intermittently and temporarily. This noise level will attenuate fast with increase in distance from noise source. Impact due to noise during construction activities will be minimal to inhabitants since most of the built-up areas are small villages and spaced at considerable distances from each other. However, there might be some noise sensitive locations especially schools that are close to the work sites where noise level may increase due to use of construction equipment and increased traffic.

8.3.4.2 Mitigation Measures

- Stationary noise making equipments shall be placed at un-inhabited places; noise level will be one of the considerations in equipment selection which will favour lower sound power levels.
- On areas near schools, several approaches to reduce noise will be employed by the Contractor to ensure compliance with noise standards. These approaches include the timing of noisy construction activities during night time and weekends when there are limited activities by the sensitive receptor, concurrent noisy operations may be separated to reduce the total noise generated, and if possible re-route traffic during construction to avoid the accumulation of noise beyond standards.
- If the above mentioned schemes prove to be inadequate, the provision of temporary noise barriers shall be made near identified sensitive locations or near the source during construction. If temporary noise barriers are not feasible then timing for construction activities shall be regulated.
- Protection devices (ear plugs or earmuffs) shall be provided to the workers operating in the vicinity of high noise generating machines.
- Construction equipment and machinery shall be fitted with silencers and maintained properly.
- Noise measurements should be carried out to ensure the effectiveness of mitigation measures.
- Multi layered plantation shall be initiated during construction near the structures coming close to the sub-project. This will serve as mitigation for operation phase.
- Develop a mechanism to record and respond to complaints on noise.

8.3.4.3 Operation Phase

During the operational phase, movement of traffic will be the prime source of noise. Traffic congestion and pedestrian interferences increase the use of horns. The noise level at near by schools, religious place may cause nuisance and irritation.

8.3.4.4 Mitigation Measures

- Effective traffic management and good riding conditions shall be maintained to reduce the noise level through out the stretch and speed limitation and honking restrictions may be enforced near sensitive locations.
- The effectiveness of the multi layered plantation should be monitored and if need be, solid noise barrier shall be placed.
- Create awareness amongst the residents about likely noise levels from road operation at different distances, the safe ambient noise limits and easy to implement noise reduction measures while constructing a building close to the road.

8.3.5 Impact on Land and Soil: Loss of Productive Soil and Land Use Change

8.3.5.1 Design and Construction Phase

The sub-projects might require conversion of some agricultural land. The exact requirement of land is yet to be assessed as this ESMF is being prepared. No encroachment to sensitive areas like forest or any other sensitive land is involved due to the sub-projects. Minor impacts on agricultural yield are anticipated due to the sub-projects. But, the benefits to the individual farmers accrued against reduced yield may get compensated through enhanced flood protection and accessibility to the commercial market.

In addition to above, land may be required for access roads and construction camp for the duration of construction period. This will also result in loss of soil productivity.

8.3.5.2 Mitigation Measures

- The top soil from the productive land shall be preserved and reused for plantation purposes. It shall also be used for embankment slope top cover for growing vegetation to protect soil erosion.
- It shall be ensured that the land taken on lease for access road and construction camps is restored back to its original and use before handing it over back to land owner.

8.3.5.3 Operation Phase

The better protection from floods and access can lead to conversion of agriculture land for residential and commercial purposes close to roads. This may result in loss of productive land and agricultural produce.

8.3.5.4 Mitigation Measures

- The EA may explore the feasibility of restricting about 50m-100m area either side of the road as no development zone on the line restriction are imposed for National Highways in India.

8.3.6 Soil Erosion

Soil erosion is mainly anticipated near embankments, bridge locations, along steep and uncompacted embankment slope, earth stock-piles and wherever vegetation is cleared. Soil erosion may have cumulative effect that includes siltation, embankment damage, drainage problem and the like. The intensity of soil erosion at different locations will be influenced by the lithology, topography, soil type and climatic condition (mainly rainfall) and drainage pattern.

8.3.6.1 Mitigation Measures

- Bank protection measures shall be taken at erosion prone areas.
- The protection measures may include use of geo-textiles matting.
- Provision of side drain to guide the water to natural outfalls.
- Stone pitching where ever necessary.
- When soil is spread on slopes for permanent disposal, it shall be buttressed at the toe by retaining walls.
- Side slopes of the embankment shall not be steeper than 2H: 1V.
- Turfing of embankment slopes shall be done along the stretch. Provision shall be made for slope protection frames, dry stone pitching, and masonry retaining walls as may be required.
- Though terrain is mostly flat in the project area. However, all steep cuts shall be flattened and benched. Retaining wall on both sides shall be provided. Shrubs shall be planted immediately in loose soil area.
- Longitudinal side drains shall be intercepted by 'mitre' drains serving as outlet channels to reduce the erosion.
- IRC: 56-1974 recommended practice for treatment of embankment slopes for erosion control shall be taken into consideration.
- Soil erosion shall be visually checked on slopes and high embankment areas. In case soil erosion is found, suitable measures including bio-turfing shall be taken to control the soil erosion.

8.3.6.2 Operation Phase

Soil of steep slopes of embankment and near bridge approaches may erode the embankment formation due to unexpected heavy rainfall. Soil erosion condition may arise if borrow areas are not stabilized/restored properly. Regular monitoring for effectiveness of soil erosion measures like turfing and stone pitching shall be carried. Suitable strengthening measures shall be taken to prevent reoccurrence of soil erosion at existing erosion prone locations and prevent erosion at newer locations.

8.3.7 Borrow Areas and Quarries

The project area is in general a flat terrain though sloping.

All borrow should identified by the concerned departments. Some local farmers might be ready to provide earth from their field on adequate compensation. However, it is recommended that borrowing from agricultural land shall be minimized to the extent possible. Further, no earth shall be borrowed from already low lying areas. The dredging and use of dredged material if involved may have its impact in terms of localised sedimentation level increase and dispersion of pollutants present in the dredged material in the river water.

Borrow areas if left un-rehabilitated may pose risk to people, particularly children and animals of accidentally falling into it as well as become potential breeding ground for mosquitoes and vectorborn diseases.

Illegal quarrying may lead to unstable soil condition; destroy the landscape of the terrain, air and noise pollution. Opening of new quarries is not envisaged due to the proposed sub-projects. Quarry material will be sourced from existing near by quarries.

8.3.7.1 Mitigation Measures

- Borrow pits shall be selected from barren land/wasteland to the extent possible. Borrow areas should not be located on cultivable lands except in the situations where land owners desires to level the land. The top soil shall be preserved and depth shall be restricted to the desired level.
- Borrow areas should be excavated as per the intended endues by the owner. The Indian Road Congress (IRC):10-1961 guideline should be used for selection of borrow pits and amount that can be borrowed.
- Borrow pits along the road shall be avoided. Accumulation of water along embankment to reach up to capillary fringe level shall be prevented.
- The dredged material from the river bank shall be tested for presence of heavy metals and other pollutants before its reuse.
- The depths in borrow pits to be regulated so that the sides shall not be steeper than 25%. To the extent borrow areas shall be sited away from

habituated areas. Borrow areas shall be levelled with salvaged material or other filling materials which do not pose contamination of soil. Else, it shall be converted into fish pond in consultation with fishery department and land owner/community.

8.3.8 Compaction and Contamination of Soil

Soil in the adjoining productive lands beyond the RoW, haulage roads, and construction camp area may get compacted due to movement of construction vehicles, machineries, and equipments, due to construction camps and workshops. Approach road either paved or unpaved is available for most of the bridge approaches as it is mostly old bridges being rehabilitated. However, for some bridges approach road has to be constructed.

Soil may get contaminated due to inappropriate disposal of liquid waste, (lubricating oil and fuel spills, waste oil and lubricant and vehicle/equipment washing effluent) and solid waste (fuel filters, oily rags) likely to be generated from repair and maintenance of transport vehicles, construction equipment and machinery. Soil may also get contaminated due to inappropriate disposal of domestic solid waste and sewage from construction camps and use of flyash.

8.3.8.1 Mitigation Measures

- Fuel and lubricants shall be stored at the pre defined storage location. The storage area shall be paved with gentle slope to a corner and connected with a chamber to collect any spills of the oils.
- All efforts shall be made to minimize the waste generation.
- Unavoidable waste shall be stored at the designated place prior to disposal. To avoid soil contamination at the wash-down and re-fuelling areas, "oil interceptors" shall be provided. Oil and grease spill and oil soaked materials are to be collected and stored in labelled containers (Labelled: WASTE OIL; and hazardous sign be displayed) and sold off to SPCB/MoEF authorized re-refiners.
- To prevent soil compaction in the adjoining productive lands beyond the RoW, the movement of construction vehicles, machinery and equipment shall be restricted to the designated haulage route.
- Approach roads shall be designed along the barren and hard soil area to reduce the compaction induced impact on soil.
- The productive land shall be reclaimed after construction activity.
- Septic tank or mobile toilets fitted with anaerobic treatment facility shall be provided in the construction camps.
- Domestic solid waste at construction camp shall be segregated into biodegradable and non-biodegradable waste. The non-biodegradable and recyclable waste shall be sold off. Efforts shall be made that bio-degradable waste shall be composted in the mechanised and movable composter by the

contractor. Non-biodegradable and non-saleable waste shall be disposed off to authorised land fill site.If land fill site not available then burial of the waste in a secured manner shall be ensured.

8.3.8.2 Operation Stage

No impact on soil is anticipated during operation phase of the s u b - projects except near lowlying areas, embankments and near bridge approaches where unexpected rainfall may erode the embankment formation and deterioration of borrow areas if not rehabilitated properly.

8.3.8.3 Mitigation measures

- Monitoring of borrow areas rehabilitation plan in tune with the proposed rehabilitation plan.
- Regular monitoring of side drains and cross drainage structures to check blockade.

8.3.9 Ground water

8.3.9.1 Design and Construction Stage

Water will be mainly required for compaction of formation and for domestic purpose in the workers camp. Water for construction purpose and domestic water requirement for workers camp will be mainly sourced from ground water. Groundwater resources are not scarce in the project area. Contractor must ensure safe drinking water to the workers. Further, depth to water table in some parts is depleting annually. Hence, uncontrolled abstraction can further deteriorate the situation. Contamination of ground water is not envisaged since all construction camps will have septic tanks or mobile toilets depending on the number of workers in each camp.

8.3.10 Loss of Drinking water Sources

The sub-projects may cause loss of several hand pumps/wells located in the proposed RoW. Efforts shall be made to retain all those structures located outside the formation width.Any such impacted structures shall be suitably relocated in close coordination with concerned department. New ground water abstraction structures shall be dug up considering the hydro-geological condition of the area after a proper surveys and studies.

8.3.10.1 Mitigation Measures

- Requisite permission shall be obtained for abstraction of ground water by the contractor.
- The contractor shall make arrangements for water required for construction

in such away that the water availability and supply to nearby communities remain unaffected.

- Contractor shall arrange safe drinking water for workers.
- Water intensive activities shall not be undertaken during summer period to the extent feasible.
- Ground water recharge structures shall be incorporated in the design or borrow areas shall be rehabilitated as fish pond which will also recharge the aquifer. Other options may include construction of some checkdams etc.

8.3.10.2 Operation Stage

No impact is anticipated on ground water during operation phase.

8.3.11 Impact on Surface Water Bodies

8.3.11.1 Design and Construction Stage

All the sub-projects are located in the close vicinity of Kosi River. However, no loss of any water body is envisaged due to the project.

8.3.11.2 Mitigation Measures

- Although there is no impact on water bodies, the project will augment the ground water scenario and fish culture as well by rehabilitating the borrow areas for fish culture.

8.3.12 Siltation and Surface Water Quality of Rivers and other Water Bodies

8.3.12.1 Design and Construction Stage

There are no major bridges proposed under the project. Further, all proposed bridges are minor bridges proposed are of open type and hence siltation due to bridge work will be minimal. Bridge works on the water courses where water is found only during irrigation period will further avoid siltation if construction debris/other waste are cleared immediately after construction. Soil erosion has direct bearing on siltation. The siltation likely to be caused due to bank erosion has already been addressed above in soil erosion section. But temporary pollution water course from spillage of chemicals and oil at construction sites and waste from construction camps may occur.

Accidental oil and chemicals spills can contaminate the water

8.3.12.2 Mitigation Measure

- Required mitigation suggested in soil erosion section shall be taken into consideration.
- Bridge construction activity is not recommended during sowing and irrigation period of crops.
- All chemicals and oil shall be stored away from water and concreted platform with catchment pit for spills collection.
- All equipment operators, drivers, and warehouse personnel will be trained in immediate response for spill containment and eventual cleanup. Readily available, simple to understand and preferably written in the local language emergency response procedure, including reporting, will be provided by the contractors.
- Silt fencing and/or brush barrier shall be installed for collecting sediments before letting them into the water body. Silt/sediment should be collected and stock piled for possible reuse as surfacing of slopes where they have to be re-vegetated.
- All wastes arising from the construction should be disposed in an environmentally accepted manner so as not to block the flow of water in the channels. The wastes should be collected, stored and transported to the approved disposal sites.
- No vehicles or equipment should be parked or refuelled near water-bodies, so as to avoid contamination from fuel and lubricants.
- The slopes of embankments leading to water bodies should be modified and re-channelized to prevent entry of contaminants.
- Chute drains shall be provided to drain surface run off and prevent erosion from slopes.
- Substructure construction should be limited to the dry season and cofferdams may be constructed and utilized to lift the spoil directly out of it and carried to the river bank for land disposal.
- Large construction camps shall be avoided along the embankment and road alignments and located away from habitation and river. Construction labourers shall be preferably from local population. Sewage from labour camps will be treated through septic tanks. No untreated sanitary waste water shall be discharged into surface waterbodies.

8.3.12.3 Operation Stage

No major or long-term impact is anticipated during the operation phase on the surface water bodies due to the project implementation activities. Oil-contaminated runoff from the roads during monsoon will have minimal impacts considering their low concentration. However, since the project area is prone to siltation due to recurring floods, regular checks shall be done along the alignment to ensure that flow of water is maintained through cross drains and other channels to avoid their blockade/choking. Regular visual checks shall be made to observe any incidence of blockade of drains. Regular checks shall be made for soil erosion and turfing conditions of river training structures for its effective maintenance.

8.3.13 Hydrology and Drainage

8.3.13.1 Design and Construction Stage

Diversion of water channels during construction of cross drainage structures or otherwise is not envisaged. However, a set of measures recommended maintaining good hydrological and drainage conditions are:

- Adequate cross drainage structures shall be provided to avoid natural flow of water with smooth vertical geometry is recommended.
- Cross-drainage structures shall be designed corresponding to the design discharge, highest flood level/ Full Supply Level (HFL/FSL), waterway, clear span, scour depth, velocity and afflux etc.
- Provision of road side drain shall be designed considering the presence of canal running alongside the project road for a considerable length.
- Elaborate drainage system shall be provided to drain the storm water from the roadway and embankment and to ensure minimum disturbance to natural drainage of surface and subsurface water of the area.
- The design of drainage system such as surface and sub-surface drainage shall be carried out as per IRC: SP: 42 and IRC: SP: 50. Surface runoff from the mainhighway, embankment slopes and the service roads shall be discharged through longitudinal drains, designed for adequate cross section, bed slopes, invert level sand the out falls.If necessary, the walls of the drains shall be designed to retain the adjoining earth.

8.3.13.2 Operation Stage

Regular removal/cleaning of deposited silt from drainage channels/canals and outlet points before the monsoon season. Rejuvenation of the drainage system by removing encroachments/ congestions shall be ensured.

8.3.14 Impact on Biological Environment

8.3.14.1 Terrestrial Ecology

There are no national parks, wild life sanctuaries, reserved forests or any other similar eco-sensitive areas in the sub-projects' area. However, the state government has notified the plantation alongthe roads, canals, and railways as protected.Presently, the plantation along the state highway is under protected status and hence permission has to be obtained for felling of trees.The impact and mitigation due to tree cutting has been discussed in following paragraphs.

8.3.14.2 Design and Construction Stage

One month before the construction starts, clearing and grubbing will be performed by the contractor. All trees within the RoW with 300mm diameter at 1m above the

ground will be cut, including the removal of stumps. All stumps and roots of trees of girth more than 33 mm at above 1m from the ground level will be culled.

Loss of any rare, threatened or endangered species is not envisaged due to the sub-projects. The cutting of trees will have minor to negligible impact on local environment. Moreover, this will be temporary since large number of trees have been planned to be planted on both sides of the road. This will improve the local climatic conditions in long term.

8.3.14.3 Mitigation Measures

- Requisite permission from forest department shall be obtained for cutting of road side trees.
- The project envisaged plantation along both sides of road shall be based on IRCSP: 21 specifications. This will include the compensatory plantation as per prevailing guidelines of State's forest department on 1:3 basis. Additional plantation shall be done on embankments to enhance the aesthetics and check soil erosion. All tree plantations will be carried out in close consultation with forest department.
- All efforts shall be made to avoid cutting of few large size sacred trees located at sub-projects' sites.
- The removal from site and disposal of materials from clearing and grubbing which are unusable or cannot be auctioned will be disposed off- site by the Contractor in compliance to local ordinances.
- Arrange of 10-15m centre to centre is recommended for spacing of trees (parallel to the road). Set back distance of trees in different situations shall be based on IRC: SP: 21 and IRC: 66. The distance between the kerb, if any, and the nearest edge of tree trunk shall be at least 2m. The plantation in median shall comprise shrubs whose height would normally not exceed 1-1.5m and shall be as per IRCSP: 21.
- For safe traffic operation, vertical clearance between the crown of the carriageway and lowest part of the overhang of the tree available across the road way shall conform to the standards laid down in IRC: SP: 21. The pit size, fencing, watering and manuring requirements shall also conform to the above standard. Excess use of pesticides shall be restricted. Planting shall be such that it does not obstruct the visibility of traffic from any side and shall be pleasing.

8.3.14.4 Operation Stage

Positive impacts on terrestrial ecology are expected during the project operation due to the increase in vegetation and landscaping. The Project will coordinate with the local communities to maintain and enhance the trees planted along the roads. "No adverse impact is anticipated during operation stage except accidental damages or absence of proper tree management".

8.3.14.5 Mitigation Measures

- Arrangement shall be made to ensure survivability of the tree plantation.
- The Social Forest Department or Divisional Forest Offices shall be consulted or involved in this program. The tree survivability audit shall also be conducted at least once in a year to assess the effectiveness of the program.

8.3.15 Aquatic Ecology

8.3.15.1 Design and Construction Stage

There is no river or major water body being crossed by the sub-projects proposed except water courses. Bridges proposed on the water courses are open type and hence no impact on aquatic life is envisaged due to bridge construction activities. Temporary sedimentation followed by increased turbidity may pose adverse impact on aquatic life during the construction stage.

8.3.15.2 Mitigation Measures

- Construction of bridges is not recommended during sowing and irrigation period when water is flowing in the water courses.
- Good construction practices shall be adopted to prevent increase in siltation level of the water.
- Borrow areas shall be rehabilitated as fish ponds to promote fisheries activities in the area.

8.3.15.3 Operation Stage

No impact is envisaged during operation phase of the project and hence no mitigation proposed. However, periodic surveillance shall be conducted to check erosion and siltation in major water bodies.

8.3.16 Management of Silt/ Sediments from Dredging and Embankments

- To avoid impacts on aquatic/ river environment, the dredging/ work on river front including works on embankments shall not be carried out during the fish breeding season (during the months of April and May) and during extreme weather conditions.
- Spillage of fuel / engine oil and lubricants from the construction site are a source of organic pollution which impacts aquatic life, particularly benthos. This should be prevented by suitable precautions and also by providing necessary mechanisms to trap the spillage.
- Temporary colonies of the construction workers should be established 500 m away from the bund and adequate sanitation and waste disposal facilities should be provided to avoid impacts on the river environment.
- The construction activities like dredging, berthing structure will be carried

out in the confined manner to reduce the impacts on river environment.

- The construction of any facilities like sheds, garages, etc., near banks will be carried out in the confined manner to reduce the impacts on land environment.
- The construction waste including the debris shall be disposed safely in the designated areas and in no case shall be disposed in the river environment.
- Vessels operating during construction phase such as dredger shall be equipped with spill response kits.
- To assess the impacts on river environment river water and benthos, samples shall be analysed on a quarterly basis during construction phase and necessary mitigation measures shall be implemented, as directed by the engineer in charge.
- Suitable fences shall be erected for near water construction areas to minimise rock fall / spillage of construction waste into the river environment;
- Dredging and construction activities to be scheduled and planned to minimise impacts on fishermen and their livelihood activities;
- Total Suspended Solids (TSS) in river water to be monitored at various locations in and around the dredging/construction work areas in order to assess the sediment transport and the resultant impacts. River water quality is indicative of impacts on river ecology and should be assessed as provided in the environmental management plan.
- Waste consignment shall be maintained to ensure that the dredged material is disposed at the designated site as per the procedures stipulated in the EIA / EMP of the project.
- Hazardous materials like diesel, LPG and paints, etc., required during various stages of construction should be stored as per the explosives act of GoI and necessary permissions / authorizations shall be secured prior to the deployment of such material.
- Disposal of dredge spoils shall be carried out the designated site as per the stipulated guide lines.
- Aqueous discharge in to river during dredging, shall be prevented
- Disposal of sewage from the construction work area in to river, shall be prevented with suitable wastewater treatment measures
- Strict management of the aquatic environment should be followed during the construction phase through waste control, use of minimum disturbance techniques during construction for ensuring minimal changes to the aquatic environment.
- After completion of the construction activities adequate clean-up of the area should be undertaken and all discharged materials should be removed from the site. The aesthetic quality of the surroundings should be restored.
- Green belt shall be developed by planting of trees and plants along the entrance to the dredging areas and embankments.
- Implementation of necessary drainage facilities including catch pits or sedimentation tanks will be made for collection of wastewater prior to

discharge. No stagnant pools shall be allowed to form in the construction site. ii) Treatment of wastewater shall follow applicable environmental regulations.

- The dredged material shall be used as fill material for the project site and the remaining material shall be disposed in the designated site identified for the purpose. The dumping and refilling sites need to be identified and clearly indicated in the dredging layout. The disposal shall be carried out in line with the guide lines provided for the purpose and shall avoid any impacts on soil, ground water and other environmental resources.

8.3.17 Management of Construction Debris/Waste

Debris will generated due to dismantling of existing structures in some sub-projects as determined by the Contractor and approved by the concerned departments. Quarry dust and waste iron bars or damaged support structures constitutes significant debris.

Mitigation for solid waste management from construction camp has been given in construction camp section.

8.3.17.1 Mitigation measures

- The existing bitumen surface can be utilized for paving of cross roads, access roads, and paving works in construction sites and camps, temporary traffic diversions, and haulage routes.
- All excavated materials from road way, shoulders, verges, drains, cross drainage and the like will be the property of the concerned department and will be used for backfilling embankments, filling pits, and landscaping.
- Unusable debris material should be suitably disposed off at pre- designated disposal locations, with approval of the concerned authority. The bituminous wastes shall be disposed in secure land fill sites only in environmentally accepted manner. For removal of debris, wastes and its disposal MOSRTH guidelines should be followed.
- Unusable and surplus materials, as determined by the Project Engineer, will be removed and disposed off-site.
- The locations of dumping sites should be selected with following considerations.
 - Unproductive/waste lands shall be selected for dumping sites.
 - Away from residential areas and located at least 1000m downwind side of these locations,
 - Dumping sites donot contaminate any water sources, rivers etc,
 - Dumping sites have adequate capacity equal to the amount of debris generated.
 - Public perception and consent from the village Panchayats about the location of debris disposal site has to be obtained before finalizing the location.
- Form works will be re-used to the extent possible, more than 20 times as

dictated by good practice. All stripped form works will be examined for any damage and rectified in the workshop for re-use. Rectification includes plugging holes, and straightening bent steel props.

8.3.18 Land scape Degradation

- Carry plantation work on open sites
- Do not dump waste along settlement or access route
- Frame muck disposal program and implement it
- Frame quarry & borrow area rehabilitation program and implement it
- Develop green belts along approach road
- On completion of the works all the temporary structures may be cleared away, all rubbish disposed, excreta and disposal pits or trenches filled in and effectively sealed off and the whole site.

8.3.19 Cultural Properties

The cultural properties located close to the sub-projects are likely to be impacted by Construction activities. Hence most of these properties need to be protected /saved during finalization of the sub-project itself.

8.3.19.1 Planning Stage - Mitigation Measures

Measures for mitigation of impacts on cultural properties during project preparation shall be as per the following steps:

- Identification of all significant cultural properties should be done
- Assessment of likely impacts on each cultural property due to project implementation
- The extent of impact on the identified culture property should be assessed and possible measures for avoidance should be devised based on the site investigation.
- In case impact is not avoidable, then identification of alternative routes or possibility of relocation of the culture property shall be assessed in consultation with the local public.
- In case relocation is unavoidable, the site for relocation should be identified in consultation with local people and the size of relocated structure should at least be equal to the original structure.
- A detailed design of the relocated structure and its site plan along with the necessary BoQ are to be presented DPR.
- The relocation shall be carried out before the start of the sub-project work.
- It must be ensured by the IA that the required BoQ is incorporated into the contract document.
- While doing investigation the following information needs to be collected on each of the identified cultural practices
 - Location

- Direction with respect to sub-project or a common reference
- Distance of the structure from sub-project activities
- Type of Property eg: temple/mosque/shrine/dargah, etc
- Plan of the structure
- Importance of the structure – historical/social/archeological
- Ownership of the property
- Probable loss to the property
- Specific periods/durations in which large congregations as festivals/mela take place causing hindrance to vehicular movement
- Choice of community, issue of relocation

8.3.19.2 Construction Stage – Mitigation Measures

Major impacts on the properties during this stage are mainly due to movement of construction machinery as well as due to construction activity near the cultural property. Following are precautionary measures that need to be undertaken by the contractor while working near these structures:

- Provision of temporary barricades to isolate the precincts of the cultural property from the construction site to avoid impacts.
- Restrict movement of heavy machinery near the structure.
- Avoid disposal or tipping of earth near the structure.
- Access to these properties shall be kept clear from dirt and grit.
- During earth excavation, if any property is unearthed and seems to be culturally significant or likely to have archeological significance, the same shall be intimated to the Engineer. Work shall be suspended until further orders from PIU. The State Archeological Department shall be intimated of the chance find and the Engineer shall carry out a joint inspection with the department. Actions as appropriate shall be intimated to the Contractor along with the probable date for resuming the work.
- The IA must ensure that the contractor implements the precautionary measures as suggested.

8.3.19.3 Post Construction Stage – Mitigation Measures

- Immediately after completion of construction, the Contractor will affect clearance of the precincts of cultural properties.
- In case access to any of the cultural properties is severed during construction, it needs to be restored at the earliest.
- The IA shall certify relocated structure construction quality and restoration of access, as the case may be, before payment is made to the Contractor.

8.3.20 Socio-economic Impacts

8.3.20.1 Design and Construction Phase

The only irreversible impact is loss of agricultural land. Other losses like loss of common property resources, problem in accessibility and community linkage, health and safety during and after construction, and temporary change in demographic configuration are mitigable with minor to negligible residual impacts.

8.3.21 Impacts due to Construction Camp and Immigration of Workers

8.3.21.1 Design and Construction Stage

Poor siting and improper management of construction camp may lead to several adverse impacts on environment viz. (i) loss of vegetation due to use of wood as fuel source for cooking (ii) deterioration in nearby surface water bodies' quality (iii) compaction and contamination of soil due to uncontrolled disposal of solid waste (iv) Poor sanitation may result to transmission of communicable diseases among the workers and the host communities. This include the possible spread of sexually transmitted disease, diseases from improper handling and supply of food stuffs, poor water supply, insect-borne diseases, and alcoholic and drug.

8.3.21.2 Mitigation measures

- Construction camp shall be sited at such locations so as to utilise the existing infrastructure. No productive land should be utilised for construction camp. All sites must be graded, ditched and rendered free from depressions to avoid water stagnation. Accommodation and ancillary facilities including recreational facility for workers shall be erected and maintained to standards and scales approved by the resident engineer. All camps should maintain minimum distance of 500m from habitation and water bodies.
- All construction camps shall be provided sanitary latrines and urinals with provision of septic tanks attached with soakpits. Storm water drains shall be provided for the flow of used water outside the camp. Drains and ditches shall be treated with bleaching powder on a regular basis. Garbage bins must be provided in the camp and regularly emptied and disposed off in a hygienic manner. LPG cylinders shall be provided as fuel source for cooking to avoid any tree cutting.
- At every work place, the Contactor will ensure, in collaboration with local health authorities that a readily available first-aid unit including an adequate supply of sterilized dressing material and appliances shall be provided. Work places remote and far away from regular hospitals shall have indoor health units with one bed for every 250 workers. Suitable transport shall be provided to approach the nearest hospital. At every work place ambulance containing the prescribed equipment and nursing staff shall be provided.
- The Contractor will ensure the good health and hygiene of all workers to prevent sickness and epidemics. These include the HIV/AIDS prevention

program to reduce the risk and transfer of HIVvirus between and among the workers and community, promote earlydiagnosis and assist affected individuals. Activities under the program include monthly information, education, and consultation communication campaigns to workers, drivers, delivery crew, and communities on the risk, dangers, and impacts of STD and HIV/AIDS.

- The Contractor will ensure that sufficient supply of suitable and hygienically prepared food at reasonable price is available to the workers.
- The Contractor will provide adequate and safe water supply for the use of the workers.
- The Contractor will ensure that all precautions to protect the workers from insect and pest to reduce the risk to health. This includes the use of insecticides which should comply with local regulations.
- No alcoholic liquor or prohibited drugs will be imported to, sell, give and barter to the workers of host community.
- Migrant workers may be the potential carriers of various diseases. Local community may get exposed to the diseases carried by migrant workers. Regular health check-up and immunization camps shall also be organized for the workers and near by population.
- Safety of Construction Workers and Health and Safety Risks to Local Community

8.3.21.3 Design and Construction Stage

The following safety aspects viz.(i)safety of construction workers,(ii) safety of road users including pedestrians and cyclists (iii) safety to cattle; (iv) safety of local community (iv) unsafe/hazardous traffic conditions due to construction vehicle movement need to be considered during design and construction stage, and (v) conduct of safety audit.

Children are one of the most vulnerable to injury from collisions with moving vehicles due to their lack of understanding of traffic hazards, behaviour while at play, and their small size makes it difficult for the motorist to see.

8.3.21.4 Mitigation measures

- During the construction phase, contractors shall be required to adoptand maintain safe working practices. Internationally accepted and widely used safety procedures should be followed during (i) construction works (ii) handling of large construction equipments and machineries, (iii) handling of chemicals and hazardous materials and inflammable substances(iii) welding(iv) electrical works etc.
- Contractor shall arrange all PPEs for workers, first aid and fire fighting equipments at construction sites. An emergency plan shall be prepared duly approved by the engineer incharge to respond to any instance of safety hazard.The contractor will be required to appoint anAccident Prevention

Officer(APO) who will conduct regular safety inspections at construction sites.The APO will have the authority to issue instructions and take protective measures to prevent accidents.

- To avoid disruption of the existing traffic due to construction activities, comprehensive traffic management plan shall be drawn up by the concessionaire.Traffic in construction zones shall be managed in as per the provisions of IRCSP 55.
- Provision of temporary or permanent barriers like fence or plants to avoid pedestrian crossing except at designated crossing points
- Installation of speed bumps to control speed near designated pedestrian crossing areas.
- After construction is completed in a particular zone, it shall be opened for normal operation. Prior to the beginning of normal operation, those parts of the diversions as will not eventually form part of the Project Highway shall be closed to prevent any movements not permitted under the normal operation of the Project Highway.
- Use of retro-reflectorized traffic signs, thermoplastic road marking paints, delineators, traffic cones, empty bitumen drums, barricades, and flagmen will be used to ensure traffic management and safety. Conduct of regular safety audit on safety measures adopted during construction. The audit will cover manpower and their safety, machinery, temporary works, equipment and vehicles, materials storage and handling, construction procedures, environment, site safety guidelines, and miscellaneous services.

8.3.21.5 Operation phase

Other issues related during operational phase are monitoring of emergencies and establishing procedures to carry out rescues during accidents and oil spillage.

8.3.21.6 Mitigation Measures

It is proposed to explore the feasibility of providing the following facilities:

- Phone booths for accidental reporting and ambulance services with minimum response time for rescue of any accident victims.
- Tow-away facility for the break down vehicles.

8.3.22 Obstruction and Disruption of Traffic

8.3.22.1 Construction Phase

Disruption of access to infrastructure or social resource due to construction activity will cause nuisance and to ascertain extent additional cost to the public in terms of

longer travel period due to diversion or heavier traffic. It will also pose risk of accident to motorist at night if these blockages and disruption are not clearly demarcated.

8.3.22.2 Mitigation Measures

- The contractor will submit a Traffic Plan to the Project Engineer at least two weeks before the construction starts that will result to obstruction. The plan will include a drawing of temporary diversions and details of arrangement. A section of the Traffic Plan will be a Control Plan that detail show the safety of the pedestrians and workers and delineation of the road way at night. This Plan will recommend for approval the safe and convenient temporary diversion of traffic during construction, design of barricades, delineators, signs, markings, lights, and flagmen, among others.
- For widening of existing carriageway and part of it will be used for passage of traffic, paved shoulder will be provided on one side of the existing road by the contractor with the following minimum requirements:
- The surface used by the through traffic will be firm bituminous compacted surface free of defect.
- The maximum continuous length over which construction under traffic may take place is limited to 750 meters.
- Construction activity will be restricted to only one side of the existing road.
- On stretches where it is not possible to pass the traffic on the part width of existing carriage way, temporary paved diversions will be constructed.
- These paved diversions will comply with standards on junctions and temporary cross drainage.
- Transportation of quarry material to the dumping sites through heavy vehicles shall be done through existing major roads to the extent possible. This will restrict wear and tear to the village/minor roads. Small vehicles/unmotorised vehicle can also be used for its further transportation to the construction sites from dumping sites.

8.3.23 Transports and Storage of Materials

The construction material primarily will consist of aggregate, sand, cement, bitumen, lubricating oil and fuel for vehicle and construction equipments. These will be primarily stored temporarily at construction camps. The oils, fuels and chemicals will be stored on concreted platform with spills collection pits. The cement will be stored under cover. All these temporary storage are as will be located at least 150 m away from the habitat. The likely impacts due to transportation and storage including fugitive emission have already been covered under different section above.

8.3.24 Impact on Land and Private Properties

The assessment made by the resettlement expert shall be referred for exact loss of private properties and measures to compensate such losses. Environmental screening of resettlement sites, if required for the project, shall be carried out. Besides monetary compensation for any loss of private trees, compensatory afforestation and extensive plantation has been incorporated in the EMP to have long-term environmental benefits.

Income restoration measures/livelihood options for vulnerable group/resource poor sections and other affected persons as recommended by social development/resettlement expert shall be implemented.

8.3.25 Impact on Common Property Resources

Adjustments to the designs have been made to minimize the loss to any such facilities. Any such structures even falling within RoW but out of required formation width shall be saved. Alternate access has to be provided to these structures during construction stage. All community structures likely to be dismantled shall be suitably relocated.

9 Resettlement Policy Framework

9.1 Introduction

This Resettlement Policy Framework for BKBDP is drawn in accordance with the World Bank's Safeguard Policy on Involuntary resettlement (OP 4.12) and from the National and State policies. The framework comprises of the following sections:

- Land Requirement
- Usual Practice
- Options for BKBDP
- Categories of PAFs
- Legal Framework
- Entitlement Matrix
- Grievance Redressal
- Consultation

The frame work has been developed based on the following policies/ legislations:

- The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(GoI)
- Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rule,2014 (modified on 27-10-2014) (GoB)

This framework will act as guide for mitigating the social impacts that would be triggered by the sub-projects under BKBDP.

9.1.1 Objective of RPF

The primary objective of this RPF is to mitigate for all land and related impacts and to provide better standard of living to the project affected persons or at least restore their standard of living to that of before project. If the affected persons belong to Below Poverty Line (BPL) category before the project, then this RPF aims to bring them Above Poverty Line (APL). The other objectives of this RPF are to

- Avoid or minimize involuntary resettlement where feasible, exploring all viable alternative project designs.
- Assist displaced persons in improving their former living standards, income earning capacity, and production levels, or at least in restoring them.
- Encourage community participation in planning and implementing resettlement.
- Provide assistance to affected people regardless of the legality of land tenure.

The following guidelines will be followed during implementation:

- Compensation and Rehabilitation assistance will be paid before displacement.
- Compensation will be at replacement cost.
- No civil works will be initiated unless compensation for land and assets and rehabilitation assistance is provided to all eligible PAPs.
- Livelihood assistance will be given in form of Income Generation Assets (IGA) to be chosen by the PAPs.
- NGO will provide information to the PAPs on alternative income generation activities suitable for the area and help them in making choices.
- The NGO and BAPEPS will monitor the provision of the IGA.
- The NGO will monitor the performance of the IGA and report to BAPEPS.

9.2 **Definitions of Terms Used in RPF**

1. **Agricultural land** means lands being used for the purpose of :(i) agriculture or horticulture; (ii) raising of crops, grass or garden produce; and (iii) land used by an agriculturist for the grazing of cattle, but does not include land used for cutting of wood only;
2. **Assistance** refers to the support provided to PAPs in the form of ex-gratia payments, loans, asset services, etc. in order to improve the standard of living and reduce the negative impacts of the project.
3. **Below poverty line or BPL Family** means below poverty line families as defined by the Planning Commission of India, from time to time, and those included in the State BPL list in force; for the purpose of monitoring the impacts of the project on the living standards of the project affected persons BPL cut-off of Rs.36, 000 has been used.
4. **Compensation** refers to the amount paid for private property, structures and other assets acquired for the project.
5. **Cut off Date:** The date of Preliminary Notification u/s 11(I) of RFCTLAR Act, 2013 will be the cut off date where the land acquisition will be required. In case of squatters and encroachers and unauthorized occupants the date of socio-economic survey will be considered as the cut off date for entitlements under the project.
6. **Encroachers** are those persons who have extended their building, business premises or work places into government lands. Assistance will be provided to these persons, based on their loss.
7. **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;

8. **Government** refers to the Government of Bihar
9. **Land acquisition or acquisition of land** means acquisition of land under the **Land Acquisition Act, RFCTLARR 2013**
10. **Marginal farmer** means a cultivator with an unirrigated land holding up to one hectare or irrigated land holding up to half hectare;
11. **Major Impacts:** are those persons who loose their total house or livelihood, or those who become marginal farmers
12. **Minor Impact:** all other impacts which will belimited to one-time payment of cash or giving advance notice.
13. **Minimum Wages:** The wage of a person for his/her services/labour as fixed by the Labour Bureau, Department of Labour, GoB.
14. **Non-Perennial Crop:** Any plant species, either grown naturally or through cultivation that lives for a season and perishes with harvesting of its yields has been considered as a non-perennial crop in the project. For example, paddy, sugarcane, groundnut, etc.
15. **Notification** means a notification published in the Gazette of India, or as the case may be, the Gazette of State;
16. **Perennial Crop:** Any plant species that live for years and yields its products after a certain age of maturity is a perennial crop. Generally trees, either grown naturally or by horticultural and yield fruits or timber have been considered as perennial crop in the project. For example, tamarind, coconut, mango, teak, neem etc. are perennial crops.
17. **Project Affected Family (PAFs)** means- (i) a family whose primary place of residence or other property or source of livelihood is adversely affected by the acquisition of land for a project or involuntary displacement due to any other reason; (ii) any tenure holder, tenant, lessee or owner of other property, who on account of acquisition of land (including bagar Hukum or other property) in the affected area of otherwise, has been involuntary displaced from such land or other property; (iii) any agricultural or non-agricultural labourer, landless person (not having homestead land, agricultural land, or either homestead or agricultural land), rural artisan, small trader or self-employed person; who has been residing or engaged in any trade, business, occupation or vocation continuously for a period of not less than five years in the affected area, and who has been deprived of earning his livelihood or alienated wholly or substantially from the main source of his trade, business, occupation or vocation

because of the acquisition of land in the affected area or being involuntarily displaced for any other reason;

18. **Project-Affected Persons (PAPs)**, any persons who have economic interests or residence within the project impact corridor and who may be adversely affected directly by the project. Project-affected persons include those displaced, those losing commercial or residential structures in whole or part, those losing agricultural land or homesteads in whole or part, and those losing income sources as a result of project action.
19. **Replacement Cost** of the acquired assets and property is the amount required for the affected house hold to replace/reconstruct the lost assets through purchase in the open market. Replacement cost will be calculated at PWDs current Schedule of Rates without depreciation. Replacement cost will be in line with the provisos of the Entitlement Matrix of the project.
20. **Small farmer** means a cultivator with an un-irrigated land holding up to two hectares or with an irrigated land holding up to one hectare, but more than the holding of a marginal farmer.
21. **Squatter** means those persons who have illegally occupied government lands for residential, business and or other purposes. They are not eligible for compensation but will qualify for assistance from the project.
22. **Tenants** are those persons having *bonafide* tenancy agreements, written or unwritten, with a private property owner with clear property titles, to occupy a structure or land for residence, business or other purposes. They are eligible for certain compensation or assistance as per the existing norms and practice.
23. **Vulnerable groups**: persons such as disabled, widows, or persons above sixty years of age, who are not provided or cannot immediately be provided with alternative livelihood, people falling under below the poverty line, women headed households, SC, ST, OBC community and who are not otherwise covered as part of a family.
24. **Women Headed Household**: A household that is headed by a woman and does not have a male earning member is a Woman Headed Household. This woman may be a widowed, separated or deserted person.

9.3 Land Requirement

BKBDP proposes various types of sub-projects to be taken up. These sub-projects will require land depending on their type and size. The land requirement would vary across sub-projects and locations.

The type and size of the sub-projects dictate the land requirement. The extent of land required would vary across the sub-projects and can't be estimated at this stage.

An indication of the type of sub-projects by project component and their additional land requirements are given in the table below:

Table 40: Type of sub-projects by project component and their additional land requirements

Component	Type of Physical Works to be undertaken/hardware to be provided	Land Requirement	Need of Private land Acquisition
1. Improving Flood Risk Management	1.1. Reinforcements of Flood control Infrastructure 1.1.a. Easter Embankments (75 km), associated embankments (25 km), closing gaps in embankments 1.1.b. Procurement of 12 No. Dredgers 1.2. Support to Strengthen Institutional Capacity to Manage Floods 1.3. Flood Mitigation Works (to be identified)	Sub-projects to be taken up under 1.1.a will not require any additional land as these are not Greenfield projects but improvements/ strengthening / restoration of existing works. Subprojects under 1.1.b are only procurement of dredging equipment and would require any land. Subprojects under 1.2 does not require any land and under 1.3 are yet to be identified.	Flood protection works like spears are built on the riverside of the embankment and may not necessitate any private land acquisition. Flood moderation works like linking of rivers/ streams, drainage schemes, if take up, might require private land acquisition, in some cases.
2. Augmenting Connectivity	3.a. Upgrading of rural roads 3.b. Construction of small and medium bridges	Sub-projects under this component would require additional land. The sub-projects under 3.a. envisage upgrading of the present roads to better roads. Presently the rural roads have a carriage width of about 3 m and this would be upgraded to 3.75 m. This may required some additional land, particularly in stretches where the road is in embankment. In case of rebuilding/ replacing the existing old/ collapsed bridges under 3.b., additional land may not required, unless the size of the bridges is modified. Construction new of bridges would need land on both sides of the stream/ river.	When widening the roads, replacing old dysfunctional bridges and construction of new bridges, private land might be required.

]3. Enhancing Agricultural Productivity and competitiveness	3 a. Alternate Livelihoods Promotion through animal husbandry and fisheries activities. 3 b. Construction of training centers and AEHM lab	Sub-projects 3a. Under this component are beneficiary driven and will be carried out at their own land so there is no question of acquisition of private land. Under subproject 3b. The construction activity is planned to be undertaken on Govt land so no question of acquisition of pvt land.	Not Required
4 - Contingent Emergency Response	Procurement of goods, works, and consultant services required to support the immediate emergency response and recovery needs, in case of a major disaster	Land is not required on permanent basis	Not required
5 - Implementation Support	No Physical Works	Land not required	Not required

9.4 Usual Practice And Previous experience with BKFRP (Phase I)

GoB is implementing similar projects on a regular basis, which require land, of which the ownership could be either public or private. Accessing public land is easier, but arrangements will have to be made for securing privately owned land. When additional lands are required, GoB, as a first step, would try and secure public lands where feasible and available. If private lands are required, then GoB would resort to, either through voluntary donation or by outright purchase or through using LA Act.

9.4.1 Voluntary Donation for Rural Roads

Wherever there is requirement of additional land for rural roads, the Rural Works Department has procured these lands through voluntary donations. As there is good demand for reasonable rural roads, many times the Gram Panchayat and the villages have come forward to donate any additional land. As the demand outstrips supply, cases of hindrance to rural roads construction for want of additional land were not heard.

In the case of Rural Roads under the present project, it is rather simple for the GoB, as the requirements are not only minimal but also that:

- almost all villages do have an existing road (sometimes in bad condition and not properly motor-able) and the project intervention will be restricted to improving/strengthening the existing road which would mean land requirement will be nil or limited;
- most of these rural roads do have sufficient RoW; and
- in case, it becomes inevitable, the local communities will secure lands either through voluntary donations subject to fulfillment of certain conditions or outright purchase or acquisition using RFCTLARR act 2013/ BRFCTLARR Rules 2014.

Most community members of the en-route villages, along the rural roads to be taken up under the project, welcome inclusion of their road in the project and are upbeat about the up-coming road. Their expression of their pent-up jubilation was justified as a new good road would put an end to the following:

- Presently the roads are too bad to traverse. Since the roads are not in motorable condition, no buses ply on these roads, the villagers are left to fend for themselves.
- The journeys are tortoise like taking considerable amounts of time to traverse just a few kilometres, making them rethink, whether it is sending children to school or visiting a hospital.

-
- The roads are very dusty, whenever vehicles ply on these road, dust flies around making people to cover their mouths, noses and sometime eyes to avoid dust which is a serious health hazard.
 - Villagers say they suffer crop loss due to settlement of dust upto about 50 m on both sides of the roads and the crop loss could be upto 20%

With several benefits to accrue due to the proposed roads, the villagers are ready to remove any encroachments and even donate land if necessary. As such there are not many encroachments along these roads. Even if there are some, they are not permanent or pucca structures but mostly bamboo poles erected to provide shade for the animals or bamboo fencings. There are very few kiosks along these roads and these are mostly movable. These encroachments took place mostly for the simple reason that the villagers did not foresee any attempt to rehabilitate the roads. These structures are either movable or could be disbanded and reassembled. Hence, there may not be much of a problem in procuring/ acquiring the additional land required for rural roads.

9.4.2 Direct Purchase

During the earlier phase of BKFRP, there are instances, where for house construction for landless families, GoB has also purchased private lands and transferred these to the beneficiaries. In one such case, the entire transaction of identification of land and transferring it to the beneficiary took 15 days.

9.5 Options for BKBDP

However, keeping in mind any eventuality, the following options are proposed for procuring/ acquiring private lands:

- Voluntary Land Donation
- Land acquisition using RFCTLARR Act 2013 and BRFLTLARRR 2014

9.5.1 Voluntary Land Donation

BKBDP will leave no stone unturned to completely avoid or at least minimize land acquisition. Whenever there is additional land requirement, BKBDP will interact with the land owners and facilitate voluntary donation of land required for taking up sub-projects under the project. This use of voluntary donation option will be limited to small strips of land for rural roads and small plots of land for other sub-projects. Under no circumstances, the titleholder will be subjected to any pressure, directly or indirectly, to part with the land. These actions are expected to minimize adverse impacts on the local population and help in project benefits reaching all sections of community.

BKBDP will ensure that the process of voluntary donation of land will be meticulously documented at all levels to avoid confusions, misunderstandings, litigations, etc. at a

later stage. A format for this purpose is enclosed in the Annexures. This process will be taken up mainly at three levels as described below:

Level	Process	Output	Responsibility
GP/ Village Level	Based on the revenue survey, lands will be identified and the list of titleholders will be prepared. This will be done by GP with the help of Social Worker (SW) of NGO and GP Secretary. GP motivates the title holders for voluntary land donation required for the project. The SW will help in this process and will document the willingness to donate land by the titleholders in the presence of the Sarpanch and GP Secretary in the form of a Willingness Letter. The list of such persons will be displayed at the Gram Panchayat Office.	Willingness Letters	Sarpanch, GP, SW, GP Secretary, and affected persons (Titleholder/ Encroachers)
Block Level	BDO or concerned Revenue Official surveys the land and demarcates the extent of area required. The survey will identify if the land is public, private or encroachment. Based on the survey, maps are prepared. The entire process will be carried out along with GP, SW, and GP Secretary. The maps will be signed by Sarpanch, GP Secretary, and concerned Revenue Officer.	Survey map signed by relevant persons indicating the extent of land required.	BDO, Surveyor, Sarpanch, GP Secretary, SW
District Level	Formalize relinquishment of land rights where concerned local people voluntarily donate their private land for the project for public purpose.	Effect Changes in Land Revenue Records	District Collector, BDO

Original copies of all documentation of voluntary donation of land will be kept with the Block Development Officer with copies at GP. Complete documentation along with a copy of the final document will be sent to BAPEPS for records and for inspection at a later date. In order to make this process transparent, the following rules are prescribed:

- The Titleholder should not belong to the vulnerable sections/ BPL category.
- Identification of vulnerable PAPs: The vulnerability shall be assessed by the project based on the census of the affected persons. The following categories of PAFs/ PAPs shall be entitled for support as vulnerable groups:
 - BPL households (with a valid proof), as per the State poverty line for rural areas;
 - BPL households without a proof of the same and belonging to the following social categories (i) Women headed households with women as sole earner (ii) Scheduled Caste/Scheduled Tribe and (iii) Handicapped person, and is subject to any of the following impacts;

- Loses land holding,
- Loses shelter and
- Loses source of livelihood.
- The project provides for targeted support/ assistance to the vulnerable groups.
- The Titleholders should be holding more than the minimum prescribed land, i.e., 1 hectare of wet land and 2 hectares of dry land after donation.
- The impacts must be minor. The voluntary donation should not be more than 10 percent of the area of that particular holding of the Titleholder in that category of land (dry, wet or commercial/ residential). This should not require any physical relocation of the Titleholder. The land donated should not be more than 1 acre in case of dry land, 0.5 acre in case of wet land and 0.25 acre in case of commercial/ residential.
- The land must be jointly identified by the GP, and SW and BAPEPS Representative or other implementing agencies or project authorities. However the project technical authorities should ensure that the land is appropriate for sub-project purposes and that the sub-project will not invite any adverse social, health, environmental, safety, etc. related impacts by procuring this land.
- The land in question must be free of squatters, encroachers, or other claims or encumbrances.
- Verification of the voluntary nature of land donations must be obtained from each of the persons donating land. This should be in the form of notarized witnessed statements.
- In case of any loss of income or physical displacement is envisaged, verification of voluntary acceptance of community-devised mitigatory measures must be obtained from those expected to be adversely affected.
- The land title must be vested in the GP and appropriate guarantees of public access to services must be given by the private titleholder.
- The Titleholder donating land should be provided access on priority basis, subject to eligibility, to the Government housing/ poverty reduction/ livelihoods/ etc. programs operating in the area.
- The Titleholder donating land should be made to understand that they will have equal access to the infrastructure built on the donated land like any other community member and that they cannot claim for any priority treatment.
- Grievance mechanisms must be available.

LEGAL FRAMEWORK

Introduction

The legal framework and principles adopted for addressing resettlement issues in the BKBDP project have been governed by the existing national level legislation & policies of the Government of India (GOI), state level legislation and policies of the Government of Bihar and legal framework of World Bank. Prior to the preparation of the Resettlement Plan, a detailed analysis of the existing national and state policies was analysed and reviewed. ARAP/RAP prepared for the scheme is based on the review and analysis of all applicable legal and policy frameworks of the country and WB policy requirements. The salient features of the national and state level legislations and their applicability for the BKBDP project are outlined below;

National level Legal and Policy Frameworks

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCT in LARR), 2013

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCT in LARR Act - 2013) has been effective from January 1, 2014 after receiving the assent of the President of Republic of India. The Act replaced the Land Acquisition Act, 1894.

The aims and objectives of the Act include: (i) to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the constitution of India, a humane, participative, informed and transparent process for land acquisition for industrialization, development of essential infrastructural facilities and urbanization with the least disturbance to the owners of the land and other affected families; (ii) provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition; (iii) make adequate provisions for such affected persons for their rehabilitation and resettlement; (iv) ensure that the affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith.

Section 26 of the Act defines the method by which market value of the land shall be computed under the proposed law. Schedule I outlines the proposed minimum compensation based on a multiple of market value. Schedule II through IV outline the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule I.

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Ordinance, 2015: With an intention to overcome the procedural difficulties in land acquisition for important national projects, President of India has also issued an amendment ordinance on 30th May 2015.

The main features of the ordinance among others are as following:

The Chapter II and III of the RFCT in LARR Act - 2013 regarding *determination of social impact assessment and public purpose and special provision to safeguard food security* shall not apply to the project such as (a) vital to national security or defence of India and every part thereof, including preparation for defence or defence production; (b) rural infrastructure including electrification; (c) affordable housing and housing for the poor people; (d) industrial corridors ; and infrastructure and social infrastructure projects including projects under public private partnership where the ownership of land continues to vest with the Government.

The five year period set by the principal Act in Section 24 under sub-section (2), for lapse of 1894 Act shall exclude the cases where acquisition process is held up on account of any stay or injunction issued by any court or the period specified in the award of a Tribunal for taking possession.

The five year period set by the principal Act for any land acquired and unused is now will be *a period specified for the setting up of any project or five years, whichever is later.*

Bihar State Legal and Policy Frameworks

Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2014 (Government of Bihar Department of Revenue and Land Reforms Notification No-1401, Dated-27/10/2014)

The legislations and policy concerning the land acquisition and resettlement by State Government of Bihar are discussed in the following section.

In exercise of the powers conferred by sub-section (2) of Section 109 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013), the Governor of the State of Bihar notified the rules to apply for land acquisition in the state where the State Government will be the requiring body as defined by the prime Act.

Appointment of Social Impact Assessment agencies/institute as per the Government of Bihar Department of Revenue and Land Reforms Notification No-647, Dated-09/05/2014.

In exercise of the powers conferred under section 109 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the Governor of the state of Bihar **has made few rules to** amend the Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2014. These rules may be called The Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) rules Act, 2018. It shall extend to the whole of the state of Bihar. Till date two amendments has been made.

In first amendment (through notification no. 14/D.L.A bhu-arjan evam punarwas(niti-14) 32/2014 (khand-1)- 114/R. dated-02-02-2018) rule 4 of the said rule, 2014:

(1) The sub-rule (2) and (3) of rule 4 of the said Rules,2014 are hereby deleted.

(2) The following provision will be added in sub rule 4(6) of rule 4 of mention rule 2014: "Proviso" the Director, Land Acquisition, Bihar will re-allocate, as per need, the amount of contingency charges available in a district to another District land Acquisition offices and Directorate of land Acquisition, Bihar, Patna with the approval of the Principal Secretary, Revenue and land Reforms Department.

Through second amendment (through notification no. 14/D.L.A bhu-arjan evam punarwas(niti-14) 32/2014 (khand-1)- 219/R. dated-27-06-2018) (1) sub-rule (9) of rule - 4 of Bihar Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2014(as amendment from time to time) shall be substituted by the following: "(9) in the matter of land acquisition for projects, proposal-wise/village -wise establishment charges(administrative cost) and contingency charges shall be determined in following manners. a) Establishment charges (administrative cost) shall be 2.00 (two) percent of the compensation amount. b) Contingency charges shall be 0.5 (point five) percent of the compensation amount.

Note: This provision would not be effective in such cases in which estimate/award has been sanctioned at the level of competent authority.

Bihar Raiyati Land Lease Policy 2014 (No. 14 / D.L.A (Lease) - Policy -69/2014 – 1440/R) with Amendment Rules April-2018.

Till March, 2021, this policy was being followed. However, following a policy decision taken by the Government in the meeting held on 17th of March 2021 under the Chairmanship of Secretary, Planning and Development cum Project Director, BKBDP and in presence of Secretary, RWD, Bihar; Co-Chairman BRPNL; MD, BRPNL; Chief Engineer, LAEO cum Deputy Director (Projects) and Executive Engineer, BRPNL, this policy is no longer followed and only BRFCTLARR, 2014 is being followed to address all Land acquisition related issues in the project.

In exercise of the powers conferred under section 104 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement

Act, 2013, the State Government of Bihar has announced its state policy for taking land on perpetual lease from the raiyats for the works of public purposes as an option for public projects of infrastructure and public purposes. The subsequent amendment of this policy in April 2018 specifies the limit of purchase of land under this policy is up to 25 Acres and empowers the Executive Engineers to register the land in their name. (Format of form of perpetual lease for Raiyati land, Schedule (part-I) specification of the land with the tree, structures etc. thereon and Schedule (part-II) the specification of terms & conditions related to Bihar Raiyati Land Lease Policy 2014 is attached as annexure-

Comparison of Government and World Bank Policies

The new act 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', which has integrated provisions of National Rehabilitation and Resettlement Policy,(NRRP, 2007) with that of The Land Acquisition Act (LAA) of 1894 (as amended in 1984), recognizes titleholders and non-titleholders affected by land acquisition area notified under the Act. Whereby, squatters and encroachers on existing government land are excluded from the purview of the act.

RFCT in LARR Act - 2013 has come into effect from January 1, 2014. This Act is both complement the revision of the NRRP (2007) and decrease significantly the gaps between the LAA and WB's policies. The Act also expands compensation coverage of the principal act by requiring that the value of trees, plants, or standing crops damaged must also be included and solatium being 100% of the all amounts inclusive. The Act furthermore has match World Bank's requirements for all compensation to be paid prior to project taking possession of any land.

Therefore, the RFCT in LARR Act - 2013 has established near equivalence of the government's policies with World Bank's policy. Adoption of the below principles for the project has ensured that both are covered in their application to this project.

Table : 42 Key Differences in RFCTLAR&R Act 2013 and the World Bank policy on involuntary resettlement

Issues	World Bank OP 4.12	RFCTLAR&R	Measures taken to address in ESMF
1. Linkages with other projects	OP 4.12 applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It	No such provision	The ESMF will be applicable for all components of the project that or any linked project necessary to achieve

	<p>also applies to other activities resulting in involuntary resettlement, that in the judgment of the Bank, are</p> <p>(a) directly and significantly related to the Bank-assisted project,</p> <p>(b) necessary to achieve its objectives as set forth in the project documents;</p> <p>and</p> <p>(c) carried out, or planned to be carried out, contemporaneously with the project.</p>		its objective.
2. Affected area	Involuntary take of land resulting in loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood	<i>Section 3(b)</i> : Area notified for 'acquisition'	Provisions of OP 4.12 will be Applicable
3. Affected family for entitlement	All families, including tenure holder, tenant, lessee or owner of other property whose primary place of residence or other property or source of livelihood is adversely affected by the acquisition of land for the project or involuntarily displacement due to other reasons	<i>Section 3 (a)</i> : whose land and other immovable property acquired. <i>(b) & (e)</i> : Family residing in affected area such as labourers, tenants, dependent on forest and water bodies, etc whose primary source of livelihood is affected due to	

		<p>acquisition (c) Scheduled tribes and other forest dwellers whose rights recognized under the Forest Dwellers Act 2006. (f) Family assigned land by state or central government under any schemes (g) Family residing on any land in urban area that will be acquired or primary source of livelihood affected by acquisition.</p>	
4. Cut-Off date	Date established by the borrower and acceptable to the Bank. It is the date of census.	Section 3 c (ii), (iv) (vi): Families residing for preceding 3 yrs or more prior to “acquisition of land”.	Provisions of OP 4.12 will be followed as RFCTLAR&R Act has no such provision for people living on public land.
5. Consultation	Consultation a continuous process during planning and implementation	Section 4(1) date issued for <i>first consultation</i> with PRIs, Urban local bodies, Municipalities, etc. to carry out SIA. Section 5: Public hearing of SIA in affected area. Provide adequate publicity of date and time.	Provisions of OP 4.12 will be followed. The draft and final SIA will be disclosed in public as per the provision given in RFCTLAR&R Act, 2013.
6. Census and preparation of R&R schemes	To be part of RAP including both titleholders and non-titleholders	Section 16 (1) (2): carry out census of affected people and their assets to be affected, livelihood loss and common property to be affected; R&R scheme including	RFCTLAR&R Act takes only title holders into account. Provision of OP 4.12 to be followed.

		time line for implementation.	
7. Information dissemination and Public hearing - Stage III	Consultation throughout the process is mandatory	<i>Section 16(4) & (5):</i> mandatory to disseminate information on R&R scheme including resettlement area and organize public hearing on the Draft R&R scheme in each Gram Sabha, Municipality and consultations in Scheduled area as required under PESA.	Provisions of OP 4.12 to be followed.
8. Valuation of structures	Full Replacement cost	<i>Section 29 (1)</i> without deducting the depreciated value.	Provisions of OP 4.12
9. Acquisition for emergency purpose	Not permeable in bank funded projects	<i>Section 40(5) :</i> 75% additional compensation will be paid over and above the compensation amount	Provisions of OP 4.12 will be followed.

R&R Policy Framework for the Project

Based on the above analysis of government provisions and World Bank policy, the following resettlement principles are adopted for this Project:

Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.

Measures to avoid and minimize involuntary resettlement impacts include the following:

- (i) explore alternative alignments or locations which are less impacting,
- (ii) ensure the appropriate technology is used to reduce land requirements,

(iii) modify the designs, cross sections, and geometrics of components to minimize the ROW and ensure involuntary resettlement is avoided or minimized.

Carry out meaningful consultations with displaced persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations.

Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of displaced persons. Support the social and cultural institutions of displaced persons and their host population.

Improve, or at least restore, the livelihoods of all displaced persons through; (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, and (iii) prompt compensation at full replacement cost for assets that cannot be restored.

Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.

Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.

Ensure that project affected persons without titles to land or any recognizable legal rights to land are eligible for relocation and rehabilitation measures, except land.

Prepare a resettlement plan elaborating on the entitlements of project affected persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. This resettlement plan will be approved by WB prior to contract award.

Disclose a draft resettlement plan, including documentation of the consultation process, before project appraisal, in an accessible place and a language(s) understandable to project affected persons and other stakeholders. Disclose the final resettlement plan and its updates to project affected persons and other stakeholders.

Pay compensation and provide other resettlement entitlements implement the resettlement plan under close supervision throughout project implementation.

Monitor and assess resettlement outcomes, their impacts on the standard of living of project affected persons, and whether the objectives of the resettlement plan have been achieved or not. This could be assessed by taking into account the baseline conditions and the results of resettlement monitoring. Disclosure of the time to time monitoring reports will be updated on BAPEPS website.

Valuation of Assets

The valuation of affected land and structures will be governed by the following process: Land surveys for determining the payment of compensation would be conducted on the basis of circle rate, updated official records and ground facts. The land records containing information like legal title, Khasra /plot no./Total Khatiyani /Area to be acquired and classification of land(agriculture or residential etc.) will be updated expeditiously for ensuring adequate cost compensation and allotment of land to the entitled displaced persons. Records as on the cut-off date will be taken into consideration during determining the current use of land. The land will be acquired as per the provisions of RFCT in LARR Act, 2013/BLARR, 2014.

The methodology for verifying the replacement cost for each type of loss will calculated as per the provision made in the RFCT in LARR Act -2013/BLARR,2014, which take account of circle rate/market value, additional solatium, transitional value etc.

Valuation of Land:

The District Collector shall determine the market value of the land with assessment of (a) the market value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or (b) the average sale price for similar type of land situated in the nearest village or nearest vicinity area; or (c) consented amount of compensation as agreed upon, whichever is higher.

Where the market value as per above section (1) cannot be determined for the reason that: (a) the land is situated in such area where the transactions in land are restricted by or under any other law for the time being in force in that area; or(b) the registered sale deeds or agreements to sell for similar land are not available for the immediately preceding three years; or(c) the market value has not been specified under the Indian Stamp Act, 1899; the appropriate authority, the State Government concerned shall specify the floor price or minimum price per unit area of the said land based on the

Price calculated in the manner specified in the above section (1) in respect of similar types of land situated in the immediate adjoining areas.

The current circle rate/market value calculated as per the cost inflation index of current year divided by base year and derived factor is multiplied with circle rate of base year. The value of land as per the revised circle / market rate is obtained after multiplying the cost of land multiplying with area to be acquired.

Valuation of Building and Structure:

The cost of buildings will be estimated based on updated Basic Schedule of Rates (BSR) as on date without depreciation. For the affected structures belong to non-titleholders, no Solatium will be added to the estimated market value of the structure as it is provided to only the titleholders under the provision of RFCT in LARR Act - 2013/BLARR,2014. During valuation of structure/building following parameters should be taken in to account:

- From where they use to buy materials
- Type of shops
- Distance to be travelled
- Sources (local or foreign) and the cost of various materials
- Who will built the structures (owner or contractor) and whether they will use the hired labor or their own labor;
- Obtaining cost estimates by meeting at least three contractors/suppliers in order to identify cost of materials and labor
- Identifying the cost of different types of houses of different categories and compare the same with district level prices.
- Calculation of the labor cost even if the structure is constructed by the household only without hiring any labour.

Even after payment of compensation, PAPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. In case of any structures not removed by the PAPs in stipulated 60 days period, a notice to that effect will be issued intimating that PAPs can take away the materials so salvaged within 48 hours of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice.

Valuation of Trees:

Compensation for trees will be based on their full replacement cost. The District Collector for the purpose of determining the market value of trees and plants attached to the land acquired, use the services of experienced persons/agencies in the field of agriculture, forestry, horticulture, sericulture, or any other field, as may be considered necessary by him.

Trees standing on the land owned by the government will be disposed off through open auction by the concerned Revenue Department/ Forest Department. PAPs will be provided with an advance notice of three months prior to relocation. Further, all compensation and assistance will be paid to PAPs at least 60 days prior to displacement or dispossession of assets.

For temporary impact on land and common resources, any land required by the project on a temporary basis will be compensated in consultation with landowners and will be restored to previous or better quality.

Procedure for Land Acquisition under the Project

The land acquisition in this project context will be accordingly the RFCT in LARR Act – 2013 / BLARR, 2014. The process for land acquisition in the context of this project will be as follows:

- Submission of requisition for land acquisition along with other required document to concerned District Authority.
- Notification by Government for commencement of consultation and SIA.
- Completion of SIA study culminating in SIA report.
- Conduct public hearing for SIA
- Constitution of SIA Group to appraise SIA study report.
- Submission of appraisal of SIA report and recommendations by expert group.
- Updation of land records by Land Acquisition Authority
- Hearing of objection as per the Act.
- Preparation of R&R Scheme and declaration that land is required for public purpose u/s 19.
- Hearing of objection as per the provision of the Act.
- Declaration of final award by collector.
- Payment of full amount of compensation
- Payment of monetary part of R&R.
- Taking possession and registration of the land acquired.
- Displacement of affected families (if applicable).

ENTITLEMENTS, ASSISTANCE AND BENEFITS

Introduction

The project will have three types of project affected persons (PAPs) (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all three types of displaced persons. The project involves land acquisition and therefore, titleholders as well as non titleoldrs will be affected. The Resettlement Action Plan (RAP) describes provision for all type of PAPs and formulated the entitlement matrix in accordance with the R & R measures.

Cut-off-Date for Entitlement

In case of land acquisition, the date of publication of preliminary notification for acquisition under section 11 of the RFCT in LARR Act - 2013 and provision under BLARR, 2014 will be treated as the cut-off date. For non-titleholders, the cut-off date will be the start of the census survey conducted for the said project. PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. The cut-off date for non-titleholders will be officially declared by the Implementing Agency (IA) along with the disclosure of RAP. They, however, will be given sufficient advance notice, requested to vacate the premises and dismantle affected structures prior to project implementation. Their dismantled structures materials will not be taken for public use or seized.

Project Entitlement

In accordance with the R&R measures, all project affected households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. The project affected persons will be entitled to the following five types of compensation and assistance packages:

- Compensation for the loss of land, crops/ trees at their replacement cost;
- Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- Assistance in lieu of the loss of business/ wage income and income restoration assistance;

-
- Assistance for shifting and provision for the relocation site (if required), and
 - Rebuilding and/ or restoration of community resources/facilities.
 - Compensation for the loss of trees at their replacement cost;

Loss of land will be compensated at replacement cost plus refund of transaction cost (land registration cost, stamp duties etc) incurred for purchase of replacement land. PAPs with traditional title/occupancy rights will also be eligible for full compensation for land at replacement value. The replacement of land option will be considered by the District Collector while acquiring land where ever feasible alternate land is available. All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the IA. Each families losing land will be entitled for following assistances.

- One time resettlement allowance of Rs. 50,000.
- One time assistance option from: (i) Where jobs are created through the project, employment for at least one member of the affected family with suitable training and skill development in the required field.

Loss of Structures will be compensated at replacement value with other assistance **to the titleholders**. The details of entitlement will be as:

- Compensation of structure will be paid at the replacement cost to be calculated as per latest prevailing Basic Schedule of Rates (BSR) without depreciation. Assistance of Rs. 50,000/- towards temporary accommodation
- Transportation assistance of Rs. 50000/-
- One time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction.
- Right to salvage material from demolished structure and frontage etc.
- Rental assistance as per the prevalent rate in the form of grant to cover maximum three month rentals

Loss of Structures will be compensated at replacement value with other assistance to the non-titleholders. The details of entitlement will be as:

- Compensation for loss of structure at the replacement cost to be calculated as per latest prevailing basic schedules of rates (BSR) without depreciation.
- **Vulnerable Squatters/Encroachers will be provided compensation at replacement cost for loss of structures as described in section 29 of the RFCTLARR Act 2013**
- Right to salvage materials from structure and other assets with no deductions from replacement value.
- One time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction
- One time shifting assistance of Rs. 50,000 towards transport costs etc.

-
- A subsistence allowance equivalent to 3,000/-per month for a period of one year from the date of award

Loss of livelihood due to loss of primary source of income will be compensated through rehabilitation assistances. There are both titleholders and non-titleholders in this project losing primary source of income. Details of entitlements for the above categories are described below:

- One time financial assistance of minimum Rs. 25,000.
- Skill up-gradation training to PAPs opted for (one member of the affected family) income restoration.
- Preference in employment under the project during construction and implementation.

Loss trees and crops will be compensated by cash compensation. The entitlements to the PAPs losing trees will be compensated for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops.

Additional assistance to vulnerable households (Vulnerable households includes below poverty level (BPL), SC, ST, women house hold(WHH), non-titleholders, disabled and elderly) will be paid with special assistance as detailed below. The following provision in addition to the compensation for lost assets will ensure that the vulnerable people affected under the Project will be able to improve their standard of living or attain at least national minimal level.

- One time lump sum assistance of Rs. 25,000 to vulnerable households. This will be paid above and over the other entitlements.
- Receive preference in income restoration training program under the project.
- Preference in employment under the project during construction and implementation according to their acquired skills.

Loss of community infrastructure/common property resources (CPR) will be compensated either by cash compensation at replacement cost to the community (registered trust, society or village committee as appropriate) or reconstruction of the community structure in consultation with the affected community. CPR clearing and reconstruction including any ceremonial/religious expenses to relocate such structures will be undertaken by civil works contractors, and the associated costs are incorporated in their contracts.

Temporary Impacts on agricultural land due to plant site for contractor etc will be eligible for cash compensation for loss of income potential including:

- Any land required by the Project on a temporary basis will be compensated in consultation with the landholders.
- Rent at market value for the period of occupation
- Compensation for assets at replacement cost
- Restoration of land to previous or better quality
- Location of construction camps will be fixed by contractors in consultation with Government and local community.
- 60 days advance notice regarding construction activities, including duration and type of temporary loss of livelihood.
- Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity.

Any unanticipated impacts due to the project will be documented during the implementation phase and mitigated based on provision made in the Entitlement Matrix of this **RPF**

Entitlement Matrix

An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with National/ State Laws and World Bank's policies (refer to **Table 49**). Appropriate compensation and assistance will be fully paid prior to any physical or economic displacement.

All compensation and other assistances will be paid to all PAPs prior to commencement of the works. After payment of compensation, PAPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. The cost of salvaged materials will not be deducted from the overall compensation amount due to the PAPs. A notice to that effect will be issued intimating that PAPs can take away the materials. Details related to the entitlements are presented in the matrix below.

Table 43: Entitlement Matrix

Impact Type	Entitled Entity	Entitlement as per BLARRR 2014
1. Loss of Land (Titleholders)		
1A. Loss of Agricultural Land	Affected Family (Titleholder)	<ul style="list-style-type: none"> • Cash compensation at replacement cost as determined according to BLARRR 2014 or replacement of land if available. Since the land value differs from place to place depending on location, use, fertility, water source, etc. the replacement value has to be market value as in open market on a willing seller and willing buyer basis. • If the residual plot is not viable and PAP becomes a marginal farmer, then any of the following three options are to be given to the PAP, subject to PAP's acceptance: <ul style="list-style-type: none"> ○ Acquire the required land and pay compensation and assistance for the same. ○ If PAP so wishes acquire the remaining portion of the plot and pay compensation and assistance for the entire plot including residual part. ○ If PAP is from vulnerable group, compensation for the entire land by means of land for-land will be provided, if PAP wants so, provided that land of equal productive value is available. • All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the IA.
1B. Loss of Residential/ Commercial land	Affected Family (Titleholder)	<ul style="list-style-type: none"> • Cash compensation at replacement cost as determined according to BLARRR 2014 or replacement of land if available, only if the land acquired is a maximum of 5 Decimal. • All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the IA.
2. Loss of Structures (Titleholders)		
2A. Loss of Residential / Commercial Structures	Affected Family (Titleholder)	<ul style="list-style-type: none"> • Compensation of structure will be paid at the replacement cost to be calculated as per latest prevailing Basic Schedule of Rates (BSR) without depreciation. Assistance of Rs. 50,000/- towards temporary accommodation • Transportation assistance of Rs. 50000/- • One time financial assistance of Rs. 25,000 to the families losing cattle sheds for reconstruction. • Right to salvage material from demolished structure and frontage etc. • Rental assistance as per the prevalent rate in the form of grant to cover maximum three month rentals
2B. Loss of Rental	Tenants	<ul style="list-style-type: none"> • Rental assistance for both residential & commercial tenants as per the prevalent rate in the form of grant to cover maximum three month rentals .

Impact Type	Entitled Entity	Entitlement as per BLARRR 2014
Accommodation (Residential/ Commercial)		<ul style="list-style-type: none"> Additional structures erected by tenants will also be compensated and deducted from owner's compensation amount. One time Shifting assistance of 50,000/- Any advance deposited by the tenants will be refunded from owners total compensation package to the tenant on submission of documentary evidence. Right to salvage material from demolished structure and frontage etc. erected by tenants.
3. Loss of Structures Residential/ Commercial (Non-Titleholders)		
3A. Loss of Immovable and Pucca Structures (Residential/ Commercial)	Squatters/ Encroachers	<ul style="list-style-type: none"> Squatters and Encroachers will be notified and given one month time to remove their assets or harvest their crops. Compensation for loss of structure at replacement cost for Squatters/Encroachers Vulnerable Squatters/Encroachers will be provided compensation at replacement cost for loss of structures as described in section 29 of the RFCTLARR Act 2013 Shifting assistance of Rs. 50,000/- for Squatters/Encroachers. A subsistence allowance equivalent to 3,000/-per month for a period of one year from the date of award For Squatters and Encroachers right to salvage material from the demolished structure.
4. Loss of Crops and Trees	Titleholders Share Croppers Lease Holders	<ul style="list-style-type: none"> Advance notice to all to harvest crops, fruits and remove trees. In case of standing crops, cash compensation at current market prices for mature crops based on average production. For fruit bearing trees compensation at average fruit production for next 15 years to be computed at market value. For timber trees compensation at market price based on kind of trees.
5. Loss of Livelihood		
5A. Loss of Primary Source of Income	Titleholders Non-Titleholders Agricultural Labourers Share Croppers	<ul style="list-style-type: none"> Employment opportunity for PAPS in the sub-project construction work, if available and if so desired by them. National/State level job card under National Rural Employment Guarantee Program. Income generation skill upgrading vocational training of their choice at a rate of Rs. 25,000/- For Agricultural Labourers and Share Croppers an assistance of 200 days of wages at minimum wage rate
6. Common Property Resources		
6A. Loss of Common	Community	<ul style="list-style-type: none"> Reconstruction, Commissioning and handing over to concerned departments/ community of all affected community property resources with community consultation and participation.

Impact Type	Entitled Entity	Entitlement as per BLARRR 2014
Property Resources		
7A. Vulnerable PAPs	As per definition of vulneranle such as, destitute, abandoned women, unmarried girls, widows, STs, chronically ill,old persons,etc.	<p>One time assistance of Rs. 25,000/- over and above other entitlements. In addition to this SC & ST shall receive Rs.50,000.00</p> <ul style="list-style-type: none"> Handholding for ensured access to other government subsidies, schemes and services
8. Other Unforeseen/ Unanticipated Impacts		
8A. Unforeseen/ Unanticipated Impacts		<ul style="list-style-type: none"> Any unforeseen/ unanticipated impacts due to the sub-projects will be documented and mitigated based on the spirit of the principle agreed upon in this framework.

Notes:

- The above rates are of **RFCTLARR Act 2013**.
- The ESMF is prepared using RFCTLARR Act 2013**. Whenever there is a new LA and R&R Policy, the ESMF will be revised in light of that Policy.

9.6 Grievance Redressal

This section deals with the Dispute Redressal Mechanism, the Grievance Redressal Cell and the legal options available to the PAPs.

9.6.1 R&R Committee (RRC)

In order to address grievances related to land acquisition and resettlement and rehabilitation implementation, two bodies are to be established; R&R Committee at the state level and Grievance Redressal Committee at the district level. The former will be established under the chairmanship of Principal Secretary, Planning, to monitor and review the progress of implementation of resettlement, in his capacity as Chairman. Project Director, BAPEPS will be convener of this committee. The composition of the committee will be with the following members:-

1. Heads of Participating Departments (ex. RWD, RCD, BRPNNL WRD, AFRD, etc.)
2. A senior representative, one each from BC&EBC Welfare and SC&ST Welfare
3. A senior representative of the Revenue Department
4. A senior representative of Disaster Management Department
5. A representative of the PRIs
6. A Prominent Academician (Social Scientist)
7. A prominent woman development professional
8. A representative of a prominent voluntary organization
9. A representative of PAPs who can articulate well

This committee should meet every quarter to review the progress made in the implementation of the RAPs and to solve any grievances of the PAPs. This committee will also provide policy related direction to the Grievance Redressal Cell and the participating departments with regard to Land Acquisition and Resettlement and Rehabilitation.

9.6.2 Grievance Redressal Committee (GRC)

The Grievance Redressal Committee will be established at each district under the chairmanship of District Collector for redressal of grievances of the PAPs. The Superintending Engineer, WRD shall be the convener of this committees. At the district level, the NGO contracted by the project will provide support to these committees. District level head of all participating departments will be members along with a PAPs representative, NGO Chairperson and a prominent Social Worker of the district.

Thus, grievance mechanism will be available at two levels: (i) state level, and (ii) district level.

Macro level issues, at the village level, beyond the purview of the 'District' shall be addressed by the GP, NGO and the project staff.

It is proposed that the PAPs first register the grievances with the NGO. After receipt of grievance, the NGO should take them to the committee to take up the matter during the next immediate meeting and initiate measures for redressal. No grievance can be kept pending for more than a month which means the committee has to meet every month. Implementation of the redressal rests with the BAPEPS. In case the aggrieved party is not satisfied with the proposed redressal measures, it can take approach the state level committee. If the aggrieved party is not satisfied with the decision of state level committee, it can approach the court of law.

Level	Agency	Time period for redressal of grievances	Issues likely to emerge	Responsibility
Village	Gram Panchayat	Maximum of one week	<ul style="list-style-type: none"> ▪ Encroachment ▪ Land acquisition ▪ Livelihood Assistance ▪ Compensation ▪ Inclusion of households 	GP, NGO, Project Staff
District	Grievance Redressal Committee	Maximum of one month		District Collector as Chairperson and Superintending Engineer, WRD as Convener in charge of the subject
State	R&R Committee	Maximum of three months		Principal Secretary, Planning as Chairman, Project Director, BAPEPS as Convener

9.6.3 Legal Options to PAPs

The PAPs will have two kinds of options for addressing their grievance s relating to the Land Appropriation. One is the grievance redressed mechanism incorporate in this framework as above. The other is the general legal environment consisting of court of law to address their grievance. These options will be disclosed to the PAPs during the public consultation process.

9.7 Consultation

BKBDP will ensure the participation of the PAPs and other stakeholders through periodic consultations for planning and monitoring project activities. Consultations will be held at regular intervals with Project Affected Persons, GP members, Women, etc. The following consultations will be carried out during the project cycle.

- Estimation of land requirement; Title holder, extent, location, etc.
- Identification and verification of Encroachers/ Squatters
- Socio-economic survey for preparing the baseline of the displaced/affected families
- Motivation of titleholders and encroachers to facilitate the Land Acquisition process and voluntary land donations

- Implementation of the IEC/ Communication plan for awareness creation about project activities
- Identifying livelihood support programs for PAPs

In order to keep the momentum of consultation, activity specific consultations and a quarterly consultation will be held with all stakeholder groups.

9.7.1 Stakeholder Participation

BKBDP recognizes the fact that PAPs are important stakeholders of the project. Hence, the GPs would ensure that these stakeholders are consulted on issues and they participate in all the sub-project activities including planning and implementation of RAP (if any). The GPs would address the PAPs legitimate concerns and provide opportunities and avenues for consultation and their participation. In order to provide a sense of ownership and ensure sustainability, the PAPs would be a part of the decision making process, where appropriate. The project has a commitment for community participation in each of the sub-projects taken up. Participation of affected community is ensured through a number of mechanisms such as:

- The PAPs as members of the GPs will be involved in the identification of R&R issues and affected people.
- The preparation and implementation of the RAPs will be done with the active involvement of PAPs.
- PAPs with grievances have opportunities to approach GRC and RRC if required for their redressal
- The list of PAPs will be displayed at the Village level.

9.8 **Special Attention to Women and Other Vulnerable Groups**

The vulnerable groups include Scheduled Castes, Women Headed Households, Destitutes, Below Poverty Line families, Old Aged, Chronically Ill and Orphans. It is envisaged that in the course of conducting Social Assessment and preparing and implementing Resettlement Action Plans, interests of these vulnerable groups would be adequately addressed and protected. Information on Vulnerable Groups

as per the available experience, like in other projects, in these sub-projects as well, women are likely to experience differential socio-economic setbacks due to their disadvantaged positioning within socio-economic structures and processes. This is likely to be manifested most in the loss of common property resources as a result of their displacement. In order to mitigate such impacts the NGO during verification and socio-economic survey shall collect information on the following:

- Number of women headed households and Scheduled Caste households and other vulnerables
- Socio-demographic characteristics of affected women and tribals and other vulnerables

- Health status including number of children per woman
- Women's role in household economy by collecting information on usual activity; occupation; etc
- Time Disposition
- Decision making power among women PAPs

As women are often the worst victims of transition between displacement and resettlement, they have to be integrated in the project as full-fledged participants taking part in all the stages of the project starting from planning through implementation and on to the post-project stages. This is the only way to make sure that the process of resettlement and rehabilitation an exercise in equitable distribution of resources and benefits in a gender sensitive manner.

9.8.1 Actions to be taken

NGO has to perform following tasks:

- Ensure participation of vulnerable in project activities
- Ensuring facilities in construction camps
- Carrying out other responsibilities towards vulnerable groups

Participation

Participation and engagement of women and other vulnerable can be ensured specifically in the following ways:

- Allow women to take part in the consultation process.
- Ensure that the women are consulted and invited to participate in group-based activities, to gain access and control over the resources. Compensation for land and assets lost, being same for all the affected or displaced families, special care needs to be taken by the NGOs for women groups, while implementing the process of acquisition and compensation as well.
- Ensure that women are actually taking part in issuance of identify cards, opening accounts in the bank, receiving compensation amounts through cheques in their name etc. This will further widen the perspective of participation by the women in the project implementation. While registering properties make sure they are registered in both the spouses' names.
- Provide separate trainings to women groups for upgrading the skill in the alternative livelihoods and assist throughout till the beneficiaries start up with production and business.
- Initiate women's participation through Self-Help Group formation in each of the villages affected by the project. These groups can then be linked to special development schemes of the Government.
- Encourage women to evaluate the project outputs from their point of view and their useful suggestions should be noted for taking necessary

actions for further modifications in the project creating better and congenial situation for increasing participation from women.

- Devise ways to make other vulnerable to participate in the project activities.

All these done in a participatory manner might bring sustainable results in terms of income restoration of women as a vulnerable group.

Involvement during Construction

Wherever possible, women's involvement in construction activities should be encouraged in order to help them have access to benefits of project activities. The construction works starts after the R&R activities are over and sites are clear of any encroachment and other encumbrances. The construction contractors set up their construction camps on identified locations, where labour force required for the construction activities will be provided with temporary residential accommodation and other necessary infrastructure facilities. The labour force required for the construction activities has to be of a highly skilled nature, as there is a lot of mechanised work in construction of sub-projects. In addition, there is also a requirement of unskilled labour, where women can certainly contribute.

Apart from this, women as family members of the skilled and semi-skilled labourers, will also stay in the construction camps and will be indirectly involved during the construction phase. The families of labourer will include their children also. The construction contractors are expected to bring along skilled labour where as local labour available will be used for unskilled activities. The labour force, both migratory as well as local will have male as well as female members.

Ensuring Facilities in Construction Camps

Foreseeing the involvement of women, both direct and indirect in the construction activities, NGO shall ensure certain measures that are required to be taken by the construction contractor towards welfare and wellbeing of women and children during the construction phase such as:

- (a) Temporary Housing:** During the construction the families of labourers/workers should be provided with residential accommodation suitable to nuclear families.
- (b) Health Centre:** Health problems of the workers should be taken care of by providing basic health care facilities through health centres temporarily set up for the construction camp. The health centre should have at least a doctor, nurses, General Duty staff, medicines and minimum medical facilities to tackle first-aid requirements or minor accidental cases, linkage with nearest higher order hospital to refer patients of major illnesses or critical cases. The health centre should have MCW (Mother and Child Welfare) units for treating mothers and children in the camp. Apart from this, the health centre should provide with regular vaccinations required for children.
- (c) Day Crèche Facilities:** It is expected that among the women workers there will be mothers with infants and small children. Provision of a day

crèche may solve the problems of such women, who can leave behind their children in such a crèche and work for the day in the construction activities. If the construction work involves women in its day-night schedules, the provision of such a crèche should be made available on a 24-hour basis.

The crèche should be provided with at least a trained ICDS (Integrated Child Development Scheme) worker with '*Ayals*' to look after the children. The ICDS worker, preferably women, may take care of the children in a better way and can manage to provide nutritional food (as prescribed in ICDS and provided free of cost by the government) to them. In cases of emergency, a trained ICDS worker can tackle the health problems of the children much more efficiently and effectively and can organise treatment linking the nearest health centre.

- (d) **Proper Scheduling of Construction Works:** Owing to the demand of a fast construction work, it is expected that a 24 hours-long work-schedule would be in operation. Women, especially the mothers with infants, should to be exempted from night shifts as far as possible. If unavoidable, crèche facilities in the construction camps must be extended to them in the night shifts too.
- (e) **Education Facilities:** The construction workers are mainly mobile groups of people. They are found to move from one place to another taking along their families with them. Thus, there is a need for educating their children at the place of their work. Wherever feasible, day crèche facilities may be extended with primary educational facilities or some kind of informal education facilities could be created at the construction camp.
- (f) **Control on Child Labour:** Minors, i.e. persons below the age of 14 years, should be restricted from getting involved in the constructional activities. It will be the responsibility of NGO and social and environmental officers of BAPEPS to ensure that no child labourer is engaged in the activities. Exploitation of women is very common in such camps. NGO shall keep strong vigilance to ensure cessation of such exploitation.
- (g) **Special Measures For Controlling STD, AIDS:** Solitary adult males usually dominate the labour force of construction camps. They play a significant role in spreading sexually transmitted diseases. In the construction camps as well as in the neighbouring areas, they are found to indulge in high-risk behaviour giving rise to STDs and AIDS.

While it is difficult to stop such activities, it is wiser to make provisions for means of controlling the spread of such diseases. NGO shall conduct awareness camps for the target people, both in the construction camp and neighbouring villages as well. NGO shall have to tie up SACS for awareness and IEC materials, and supply of condoms at concessional rate to the male workers may help to a large extent in this respect.

Other Actions

- Cases of compensation to vulnerable should be handled with care and concern considering their inhibited nature of interaction.
- All compensations and assistances would be paid in a joint account in the name of both the spouses; except in the case of women headed households and women wage earners.
- NGO shall prepare a list of able bodied and willing women PAPs for constructional activities and hand over the same to IAs to be forwarded to contractor.
- At least one third of the NGO staff should be woman. The proposed women personnel shall be available to work at site for at least 50% of the duration of the contract.
- Women may be replaced during the period of contract, only with women persons of equivalent qualifications and experience.
- Same wage rate for men and women ensured
- Scheduled tribe population identified and they should be given first preference in selection for any project benefit, viz., agriculture demonstration plots, shared tube wells, rehabilitation of silted lands, livelihoods, etc.
- The petty contracts arising out of the sub-project should considered entrusting to SHGs on community contract basis
- While selecting community members for training at lease one-third of them should be women and vulnerables.

9.9 Means of Disclosure

This RPF will be kept at the District Library, District Collector's Office and Block Development Office for interested persons to read and copy. This RPF will be made available at the project web site as well. A summary of each RAP prepared for any sub project, will be displayed at the Gram Panchayat Offices of the concerned villages. This summary will include the details such as names of titleholders and/or encroachers, voluntary donations made, detail of acquisition, land rate, rehabilitation assistance, etc. This summary will be displayed at the Block Development Offices and at the District Collectors offices too. Apart from this, all the RAPs will be placed on the project web site.

10 Annexures

10.1 Annexure 1: Environmental and Social Screening Checklist - Embankments

A. Environmental Screening

Part a: General Information

1. Location of the sub-project	
• Name of Sub-Project	
• Name of the State	Bihar
• District	
• Block	
• Village	
2. Implementing Agency Details (sub-project level)	
• Name of the Department/ Agency	
• Name of the designated contact person	
• Designation	
• Contact Number	
• E-mail Id	

Part b: Environment Screening

Question	Yes	No	Details
1. Is the sub-project located in whole or part within a radius of 1 km from any of the following environmentally sensitive areas?			
a. Biosphere Reserve			If yes, mention name and distance.
b. National Park			If yes, mention name and distance.
c. Wildlife/Bird Sanctuary			If yes, mention name and distance.
d. Game Reserve			If yes, mention name and distance.
e. Tiger Reserve/Elephant Reserve			If yes, mention name and distance.
f. Wetland			If yes, mention name and distance.
g. Natural Lake			If yes, mention name and distance.
h. Swamps/Mudflats			If yes, mention name and distance.
i. World Heritage Sites			If yes, mention name and distance.
j. Archaeological monuments/sites (under ASI's central/state list)			If yes, mention name and distance.
k. Reservoirs/Dams			If yes, mention name and distance.
2. Is the sub-project located in whole or part within a radius of 500 m from the following features?			
a. Reserved/Protected Forest			If yes, mention name and distance.
b. Migratory Route of Wild Animals/Birds			If yes, mention name and distance.
c. Area with threatened/rare/endangered fauna (outside protected			If yes, mention name and distance.

d.	Area with threatened/rare/ endangered flora (outside protected			If yes, mention name and distance
e.	Habitat of migratory birds (outside protected areas)			If yes, mention name and distance
f.	Historic Places (not listed under ASI - central or state list)			If yes, mention name and distance
g.	Regionally Important Religious Places			If yes, mention name and distance
h.	Public Water Supply Areas from Rivers/Surface Water Bodies/ Ground Water Sources			If yes, mention name and distance
3. Information related to sub-project impacts:				
Will the construction, operation or decommissioning of this sub-project cause changes to or has impacts on the following?				
1.	Land Use			If yes, give full details.
2.	Water			If yes, give full details.
3.	Air			If yes, give full details.
Will the construction, operation or decommissioning of this sub-project produce, cause or release any of the following?				
4.	Solid waste			If yes, give full details.
5.	Noise/ vibration/ light/ heat energy/ electromagnetic radiation			If yes, give full details.
6.	Accidents			If yes, give full details.
Other				
7.	Are there any areas around the project location which are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the sub-project?			If yes, give full details.
8.	Any other impacts?			If yes, give full details.

Part c: Transect Walk Map

While filling in this data sheet, the implementing agency should hold a consultation with the local community through the Gram Panchayat in order to determine and sort out issues of land availability (including forest land), moderate any adverse social and environmental impacts and elicit necessary community participation in the programme. For this purpose the implementing agency should organise an informal 'Transect Walk' and prepare a map (Not To Scale) of this and attach the same to this data sheet. The following points should be borne in mind while preparing this map.

- The Transect walk shall be undertaken by the Officer filling in this data sheet, accompanied by the Sarpanch of the Panchayat/ Ward Member and other community members after adequate advance publicity. The local Forest official may also be associated if forest land is involved.
- During the Transect Walk, issues relating to land requirements for the embankment and its impact on landowners, encroachers, squatters, etc. need to be discussed with members of the local community present. Collect all land related revenue records, maps and gazettes for supporting the claims and attach to this report. To this check list attach a typical cross section of the structure at its widest and note the land required.
- Environmental impact on vegetation, land, soil and water etc. shall be identified and noted for resolution.

- During the walk, due opportunity shall be given to interested persons to put forward their points of view.
- At the end of the walk and after recording the issues that arose during the walk, the action taken/ proposed to resolve the issues be noted. This shall be recorded by the Secretary of the Panchayat and countersigned by the Sarpanch/ Ward Member. A copy of this document shall be attached to the data sheet.
- During or after (as convenient) the Transect Walk, a map (Not To Scale) with the embankment alignment, the environmental features along the embankment, ownership of land need to be prepared. Identify all structures, viz., places of worship, schools, hospitals, common property resources and forest land etc. and locate on this Transect Walk Map.
- To this map attach some (a minimum of four on right side and four on left side and one each at the beginning and ending) photographs showing and highlighting the most critical places.

Part d : Result/Outcome of Environmental Screening Exercise		
1.	No EIA Required	
2.	EIA Required	
3.	Regulatory Clearance Required	If yes, mention type of clearance required.

B. Social Screening

Part a: Social Impacts Information

1. Land Requirement for the sub-project:

Details	Unit	Quantity
Government Land	Acres	
Private Land	Acres	
Title Holders	Number	
Non-Titleholders - Encroachers	Number	
Non-Titleholders - Squatters	Number	

2. Agricultural Land affected due to sub-project:

Details	Unit	Quantity
Total Affected	Number	
Title Holders	Number	
Non-Titleholders - Encroachers	Number	
Non-Titleholders - Squatters	Number	
BPL Families losing Agricultural Land	Number	

3. Dwellings affected due to sub-project:

Details	Unit	Quantity
Total Affected	Number	
Title Holders	Number	
Non-Titleholders - Encroachers	Number	
Non-Titleholders - Squatters	Number	
BPL Families losing Dwellings	Number	

4. Commercial properties affected due to sub-project:

Details	Unit	Quantity
Total Affected	Number	
Title Holders	Number	
Non-Titleholders - Encroachers	Number	
Non-Titleholders - Squatters	Number	
BPL Families losing Commercial Properties	Number	

5. Common Property Resources Affected: (Please give each type by number)

Type	Unit	Quantity
	Number	

S No	Items	Results
1.	Total no of HH affected due to proposed project activity (Single or multiple impacts)	
2.	Total no of vulnerable HH affected due to proposed project activity (Single or multiple impacts)	
3.	Total number of Community Property Resources affected	

Part b: Right of Way Table (A table giving the availability of government land on both sides of centre line of the embankment need to be presented at every 100 m interval for the entire embankment and certified by the concerned Superintending Engineer)

S.No.	Chainage, km	Government Land from Centre line of Embankment		Proposed Embankment Base Width		Additional Land Requirement		Remarks
		Left	Right	Left	Right	Left	Right	
1	0.000							
2	0.100							
3	0.200							
4	0.300							

Part c : Result/Outcome of Social Screening Exercise

1.	No SA Required	
2.	SA Required	

10.2 Environmental Social Checklist – Roads and Bridges

A. Environmental Screening

Part a: General Information

1. Location of the sub-project	
• Name of Sub-Project	
• Name of the State	Bihar
• District	
• Block	
• Village	
2. Implementing Agency Details (sub-project level)	
• Name of the Department/ Agency	
• Name of the designated contact person	
• Designation	
• Contact Number	
• E-mail Id	

Part b: Environment Screening

Question	Yes	No	Details
1. Is the sub-project located in whole or part within a radius of 1 km from any of the following environmentally sensitive areas?			
l. Biosphere Reserve			If yes, mention name and distance.
m. National Park			If yes, mention name and distance.
n. Wildlife/Bird Sanctuary			If yes, mention name and distance.
o. Game Reserve			If yes, mention name and distance.
p. Tiger Reserve/Elephant Reserve			If yes, mention name and distance.
q. Wetland			If yes, mention name and distance.
r. Natural Lake			If yes, mention name and distance.
s. Swamps/Mudflats			If yes, mention name and distance.
t. World Heritage Sites			If yes, mention name and distance.
u. Archaeological monuments/sites (under ASI's central/state list)			If yes, mention name and distance.
v. Reservoirs/Dams			If yes, mention name and distance.
2. Is the sub-project located in whole or part within a radius of 500 m from the following features?			
i. Reserved/Protected Forest			If yes, mention name and distance

j.	Migratory Route of Wild Animals/Birds			If yes, mention name and distance
k.	Area with threatened/rare/ endangered fauna (outside protected areas)			If yes, mention name and distance
l.	Area with threatened/rare/ endangered flora (outside protected areas)			If yes, mention name and distance
m.	Habitat of migratory birds (outside protected areas)			If yes, mention name and distance
n.	Historic Places (not listed under ASI - central or state list)			If yes, mention name and distance
o.	Regionally Important Religious Places			If yes, mention name and distance
p.	Public Water Supply Areas from Rivers/Surface Water Bodies/ Ground Water Sources			If yes, mention name and distance
3. Information related to sub-project impacts:				
Will the construction, operation or decommissioning of this sub-project cause changes to or have impacts on the following?				
1.	Land Use			If yes, give full details.
2.	Water			If yes, give full details.
3.	Air			If yes, give full details.
Will the construction, operation or decommissioning of this sub-project produce, cause or release any of the following?				
4.	Solid waste			If yes, give full details.
5.	Noise/ vibration/ light/ heat energy/ electromagnetic radiation			If yes, give full details.
6.	Accidents			If yes, give full details.
Other				
7.	Any other impacts?			If yes, give full details.

Part c: Transect Walk Map

While filling in this data sheet, the implementing agency should hold a consultation with the local community through the Gram Panchayat in order to determine the most suitable alignment, sort out issues of land availability (including forest land), moderate any adverse social and environmental impacts and elicit necessary community participation in the programme. For this purpose the implementing agency should organise an informal 'Transect Walk' and prepare a map (Not To Scale) of this and attach the same to this data sheet. The following points should be borne in mind while preparing this map.

- The Transect walk shall be undertaken by the Officer filling in this data sheet, accompanied by the Sarpanch of the Panchayat/ Ward Member and other community members after adequate advance publicity. The local Forest official may also be associated if forest land is involved.
- During the Transect Walk, issues relating to land requirements for the road/ bridges and its impact on landowners, encroachers, squatters, etc. need to be discussed with members of the local community present. Collect all land related revenue records, maps and gazettes for supporting the claims and attach to this report. To this check list attach a typical cross section of the structure at its widest and note the land required.

- Environmental impact on vegetation, land, soil and water etc. shall be identified and noted for resolution.
- During the walk, due opportunity shall be given to interested persons to put forward their points of view.
- At the end of the walk and after recording the issues that arose during the walk, the action taken/ proposed to resolve the issues be noted. This shall be recorded by the Secretary of the Panchayat and countersigned by the Sarpanch/ Ward Member. A copy of this document shall be attached to the data sheet.
- During or after (as convenient) the Transect Walk, a map (Not To Scale) with the road/ bridges alignment, the environmental features along the road/ bridges, ownership of land need to be prepared. Identify all structures, viz., places of workshop, schools, hospitals and other common property resources, forest land, etc. and locate on this Transect Walk Map.
- To this map attach some (a minimum of four on right side and four on left side and one each at the beginning and ending) photographs showing and highlighting the most critical places.

Part d : Result/Outcome of Environmental Screening Exercise		
1.	No EIA Required	
2.	EIA Required	
3.	Regulatory Clearance Required	If yes, mention type of clearance required.

B.Social Screening

Part a: Social Impacts Information

1. Land Requirement for the sub-project:

Details	Unit	Quantity
Government Land	Acres	
Private Land	Acres	
Title Holders	Number	
Non-Titleholders - Encroachers	Number	
Non-Titleholders - Squatters	Number	

2. Agricultural Land affected due to sub-project:

Details	Unit	Quantity
Total Affected	Number	
Title Holders	Number	
Non-Titleholders - Encroachers	Number	
Non-Titleholders - Squatters	Number	
BPL Families losing Agricultural Land	Number	

3. Dwellings affected due to sub-project:

Details	Unit	Quantity
Total Affected	Number	
Title Holders	Number	
Non-Titleholders - Encroachers	Number	
Non-Titleholders - Squatters	Number	

BPL Families losing Dwellings	Number	
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4. Commercial properties affected due to sub-project:

Details	Unit	Quantity
Total Affected	Number	
Title Holders	Number	
Non-Titleholders – Encroachers	Number	
Non-Titleholders – Squatters	Number	
BPL Families losing Commercial Properties	Number	

5. Common Property Resources Affected: (Please give each type by number)

Type	Unit	Quantity
	Number	

S No	Items	Results
6.	Total no of HH affected due to proposed project activity (Single or multiple impacts)	
7.	Total no of vulnerable HH affected due to proposed project activity (Single or multiple impacts)	
8.	Total number of Community Property Resources affected	

Part b: Right of Way Table (A table giving the availability of government land on both sides of centre line of the road need to be presented at every 100 m interval for the entire road and certified by the concerned Superintending Engineer)

S.No.	Chainage, km	Government Land from Centre line of Road		Proposed Road Base Width		Additional Land Requirement		Remarks
		Left	Right	Left	Right	Left	Right	
1	0.000							
2	0.100							
3	0.200							
4	0.300							

Part c : Result/Outcome of Social Screening Exercise

1.	No SA Required	
2.	SA Required	

10.3 Annexure:2 Draft Terms of Reference for Environmental Assessment of Restoring Kosi River Embankments

1.0 INTRODUCTION

1. Bihar is India's most flood-prone state, with 76 percent of the total population of Bihar and 73 percent of total landmass north of the Ganges living under a recurring threat of floods. The plains of Bihar are drained by a number of rivers that have their catchments in the steep Himalayas. As a result, North Bihar has recorded the highest number of floods in India during the last 30 years, and cause serious damages to the economy and population.
2. Kosi River, known as "the sorrow of Bihar," due to frequent floods, affects sizable populations and destroys swaths of crops regularly. On August 18, 2008, the Kosi River breached a portion of the Kosi embankment system in Nepal that is managed by the GoI. The breach led to severe flooding that affected over 3.3 million people and caused over \$1.2 billion in damage. According to official estimates, more than 330,000 houses, 1,800 km of paved and unpaved roads, and 1,100 bridges were destroyed. Approximately 600,000 acres of crops were ruined, impacting close to 500,000 farmers. Over one million people were evacuated, and about 440,000 people received accommodations in 360 relief camps.
3. Following this flood, the GoB requested financial assistance from the World Bank to address the emergency needs of the population, as well as the longer term challenges of flood risk management, vulnerability reduction, connectivity, and agriculture productivity. The Bank and the GoB agreed on a phased approach to recovery and reconstruction: first phase to provide timely and focused support for reconstruction efforts, and later phase(s) to focus on a long-term program to support the GoB's development objectives. The first project, the Bihar Kosi Flood Recovery Project (BKFRP) is currently under implementation and focuses on emergency recovery needs through the: (i) reconstruction of damaged houses, (ii) rehabilitation of transport infrastructure, (iii) strengthening of the flood control measures in the Kosi River Basin; and, (iv) livelihood restoration and enhancement of affected population.
4. In the second project, which is now being developed, involves multi-sector engagement focused on reducing risk and vulnerability by improving flood risk management capacity in order to unlock the agricultural potential of the State. This approach involves reinforcement of flood control infrastructure, the kosi embankments and their management. Considering the nature of these investment and possible impacts on the natural environment (physical and aquatic), the implementing agency Bihar Apada Punarwas Evam Punarnirman Society (BAPEPS) intends to carry out a comprehensive Environmental Assessment (EA) of the proposed restoration of embankments, develop and implement a suitable Environmental Management Plan (EMP) to mitigate the identified impacts.

2.0 OBJECTIVES

5. The objectives of the proposed EA for the restoration of Kosi Embankments will be to
 - Identify potential environmental impacts due to the proposed restoration of Kosi Embankments and recommend specific measures to avoid / mitigate the impacts
 - Formulate an implementable Environmental Management Plan (EMP) integrating the measures to avoid the identified impacts and an appropriate monitoring and supervision mechanism to ensure EMP implementation.
6. The specific EMP developed as part of the EA will be fully integrated into the respective contracts and BOQs for the construction and maintenance of Kosi Embankments.

3.0 AN OUTLINE OF TASKS TO BE CARRIED OUT

7. As outlined in the project objectives, the scope of the study essentially comprises of carrying out an Environmental Assessment and preparation of Environmental Management Plan for the proposed restoration of kosi embankments. The EA will be carried out addressing all the environmental aspects associated with the restoration of embankments, fully complying with the Environmental and Social Management Framework (ESMF) of BKRF and Safeguard Policies (OP 4.01 and others)¹ The World Bank. The scope of carrying out the EA for will include but not limited to the following:
 - i) **Brief Description of the proposed Restoration of Kosi Embankments** comprising the alignment, details of restoration proposals, implementation plans and other related information.
 - ii) **Detailed Environmental Profile of the Project Influence Area** (within 5 km on either side of the alignment of the embankments) with details of all the environmental features such as Reserve Forests, Sanctuaries / National Parks, Rivers, Lakes / Ponds, Religious Structures, Archeological monuments, Natural Habitats, Schools, Irrigation Canals, Utility Lines, other sensitive receptors, etc. The environmental profile shall be presented on a suitable map clearly indicating the location of each of features in relation to the alignment of the embankments.
 - iii) **Detailed Field Reconnaissance of the Proposed Alignment**, with strip maps presenting all the environmental features and sensitive receptors (trees and structures in the ROW of the embankments, Structures Reserve Forests, Sanctuaries / National Parks, Rivers, Lakes / Ponds, Religious Structures, Archeological monuments, Natural Habitats, Schools, Irrigation Canals, Utility Lines, other sensitive structures) along the corridor of the embankments. The environmental features shall be clearly recorded on the

¹ The safeguard policies of The World Bank can be accessed at <http://www.worldbank.org/safeguard>

strip maps indicating their distance from the centre line of the proposed alignment. The methodology proposed for presenting the environmental profile and preparation of strip maps shall be clearly detailed out by the consultant in his technical proposal.

- iv) **Detailed Base Line Environmental Monitoring** of various Environmental Attributes such as ambient air quality, noise levels, water quality (surface & groundwater), ecological profile, etc. The monitoring surveys shall be carried out for one or two seasons depending on the sensitivity of the environmental attribute (such as settlements, schools, cultural/ heritage sites, etc.) and the possible impacts of the project on the same. Base line surveys should specifically focus on the ecological and environmental features of the project area and the investigations should be carried out in such a way that the complete profile of the project area is developed for assessing the future impacts due to the proposed project. The approach to developing the environmental profile of the project area shall be detailed out in the technical proposal of the consultant and actual survey program shall be submitted in the inception report of the study.
- v) **Assessment of Environmental Impacts** of the project, **including analysis of alternatives** shall be carried out for both 'with the project' and 'without the project' scenarios.

The assessment should clearly focus on various construction activities of restoring the embankments and their impacts on physical, ecological and socio-economic environment. The impacts shall be predicted for all the alternative scenarios using analytical / modeling tools of impact prediction and ensure that they are comprehensive in their coverage.

This task should also evaluate the impacts during construction phase of the project, such as development of borrow areas, quarry sites, material storage yards, plant / equipment sites, debris disposal sites, construction / labor camps, health and safety aspects, etc. While evaluating the impacts, the consultant will also prioritize environmental issues by establishing linkages with the activities during both design and implementation stage.

- vi) **Measures for the Mitigation of Environmental Impacts and opportunities for enhancement, with associated detailed cost estimates** (wherever applicable), for all the impacts identified. The measures for the mitigation of impacts should consider options such as modifications in alignment, reduction of RoW and engineering measures to avoid impacts on the natural environment, conservation of archeological / heritage structures, etc. Opportunities for enhancement of environmental resources, cultural properties or common property resources shall also be explored and appropriate measures shall be recommended for implementation. All the recommended mitigation and enhancement measures shall be supported by detailed cost estimates, bill of quantities and necessary drawings for the implementation of the same.
- vii) **Public Consultation and Disclosure** of the project and its impacts shall be carried out as per the operational policies (OP 4.01 and others) of The World

Bank. This shall include conducting public consultation with all stake holders immediately after commencing the project to identify the environmental concerns in the project area. Inputs from these consultation shall be considered in assessing the environmental impacts, designing EMP and associated monitoring mechanisms. After the draft EA report, another consultation shall be carried out to ensure that all the critical environmental concerns are adequately addressed in the EA and share how stake holders concerns have been incorporated in the project design or addressed in the EMP. The consultation should take place at appropriate places, so as to ensure that all the stake holders in the project area have reasonable opportunity to attend such consultations. All the consultations shall be documented in detail with information on minutes of the consultation, details of people attended the consultation, issues raised and shall be supported by photographs.

- viii) **Environmental Management and Monitoring Plan**, comprising a set of remedial (prevention, mitigation and compensation) measures shall be developed by the consultant and ensure that these are commensurate with nature, scale and potential of the anticipated environmental impacts. The components of EMP shall be supported by detailed cost estimates, bill of quantities and necessary drawings (wherever necessary) for implementation. The EMP should also include a monitoring and supervision plan for the implementation of EMP and shall clearly identify the responsibilities of the contractors and BAPEPS.
- ix) **Institutional Mechanism** for the implementation and monitoring of EMP, shall also be formulated in the EA study and the mechanism should clearly identify the role of all the agencies involved in the project implementation

4.0 STUDY OUTPUTS AND TIME LINES

8. The study is expected to be carried out over a period of 20 weeks and shall comprise the following outputs.
- **Inception Report** to be submitted within two weeks of commencement of the assignment, outlining the detailed approach and methodology, schedule of monitoring surveys and field activities
 - **Interim Report** to be submitted within eight weeks of the commencement of the project, summarizing the details of field surveys carried out and the progress of various activities
 - **Draft Environmental Assessment Report**, to be submitted within sixteen weeks of commencement of the project, with a detailed assessment of environmental impacts and the proposed Environmental Management Plan
 - **Final EA Report** to be submitted within twenty weeks of commencement of the project, duly incorporating the comments and suggestions of the BAPEPS/ The World Bank.

5.0 CONSULTANT QUALIFICATIONS AND STUDY TEAM

-
9. The consultants should have adequate experience in Environmental Assessment of water resources projects, especially with regard to flood protection and embankment construction activities.
 10. The consultant's team should comprise the following specialists in their team.
 - **Team Leader** with about 15 years of experience in conducting EA studies for water resources projects with focus on flood control and embankment construction.
 - **Senior Environmental Engineer** with about 10 years of experience in conducting EA studies for water resources projects with focus on flood control and embankment construction and with skills sets of working on various modeling / analytical tools.
 - **Environmental Scientist / Ecologist** with about 7 years of experiences in conducting environmental and ecological surveys / investigations.

Depending on the project area profile, the consultant should draw necessary inputs from bio diversity specialist, hydrologist and social development specialists.

10.4 Annexure: 3 Draft Terms of Reference for Consulting Services for Independent Consultant –Annual Environment and Social Audit

1. The Bihar Kosi Basin Development Project (BKBDP) is the second of the World Bank's larger support to the GoB on improved flood management on the Kosi Basin and focuses on tackling the longer-term challenges of enhancing capacity to manage floods and investing in economic development through investments in flood management, agricultural productivity, and connectivity to improve farmer's access to markets focusing on the flood affected districts of Supaul, Saharsa, Madhepura, Araria and Purnia. The BKBDP project started in the month of March 2016 and the completion period of this project is set in the month of March 2023.

To implement the BKBDP project, the **Bihar Aapda Punarwas Evam Punarnirman Society (BAPEPS)** set up under the Planning and Development Department, Government of Bihar (GoB) is project implementing entity and entrusted as PMU with assigned work related with development and implementation of proposed projects under different components and to ensure quality completion of project within schedule time frame.

2. Project Development Objective

The project development objective of BKBDP is to enhance resilience to floods and to increase the production of agriculture in the greater Kosi River Basin.

3. Environment and Social Management Framework

From the project description, project development objectives and project components (Sections 1.1 and 1.2 of this document), it can be seen that the project would largely yield positive and beneficial impacts on the target population. However, some of the project interventions may also result in adverse impacts on the community in terms of loss of private land and structures, impacts (either permanent or temporary) on income and livelihoods and access to resources, etc. Keeping in mind the need for proactive environmental and social (E&S) risk management that follow the national and state E&S laws and regulations and applicable World Bank Operational Policies on E&S safeguards, the project has developed an Environment and Social Management Framework (ESMF). The ESMF has been disclosed on project website, www.bapeps.in. The ESMF outlines down the principles and procedures for management of environmental and social impacts caused due to project interventions taken up by the Project Management Unit (PMU) and Implementing Agencies (IAs) under BKBDP and applies to all sub-projects activities taken up under BKBDP.

4. Need for Annual Environment and Social Audit

The ESMF requires that potential environmental and social risks related to any activity or intervention taken up under the project are identified *before* their commencement and that these risks are proactively managed and mitigated by the PMU and PIUs throughout the project cycle as per the principles and processes outlined in the ESMF. Further, since BKBDP is an environmental category 'A' project, as per the project agreement an annual E&S Audit of the sub-projects (to be undertaken by an independent agency) is a key requirement. The E&S Audits are a critical input to project planning, design, implementation and operations & maintenance and is expected to inform the

concerned stakeholders – namely, the GOB, the PMU, PIUs and the World Bank – about the following:

- (a) the extent to which the project is compliant with its ESMF,
- (b) opportunities and challenges faced by the PMU and PIUs in managing E&S risks in the project,
- (c) a comprehensive action plan to address non-compliances (if any) with its ESMF and
- (d) a roadmap for more effective and proactive compliance with the ESMF.

BKBDP was approved by the World Bank's Board of Directors in December 2015 and became effective from March 2016. The expected closing date of the project is March 2023. While, ideally, the annual E&S Audits ought to have begun from March-April 2017, for various reasons, this did not happen. BKBDP wishes to start the annual E&S Audits from 2020-21 and carry out three annual audits – in FY 2020-21, FY 2021-22 and FY 2022-23. Since the project is commencing the annual E&S Audits well into the 5th year of project implementation, *the first* E&S Audit is additionally expected to advise whether the project ESMF (which was developed and approved before the project got the World Bank Board's approval in 2015) needs to be updated to ensure compliance with changes (if any) with national and / or state environmental, social, labor and health and safety (HS) laws and regulations.

Moreover, this E&S Audit is expected to cover *all activities under each sub-project* that are under implementation as well as those that are under planning for implementation at a future date. The E&S Audits of the project for FY 2021-22 and FY 2022-23 will be based on a selection of a sample activities / interventions under the sub-projects with appropriate changes in the scope of work and timelines for these audits.

5. Objectives of ESA

The objectives of the E&S Audit are:

1. To review and verify compliance with ESMF during project planning, design, implementation and post implementation.
2. To review and verify compliance with screening, ESMPs, and all specific safeguard documents of respective subprojects.
3. To review and verify compliance at subproject level with statutory requirements related to social and environmental aspects including clearances.
4. To verify whether the PMU and Project Implementation Units (PIUs) have recruited qualified, experienced staff to manage E&S risks in the project and sub-projects and whether these staff have received adequate capacity building support to enable them to perform their duties effectively.
5. To assess the effectiveness of implementation of ESMF as well as safeguard documents specific to the subproject activities and reporting any gaps.
6. To review and verify how well the environmental management systems are performing and how well the social safeguards and social management plans are being implemented.
7. To review and verify integration of social and safeguard recommendations into subproject plans and design as well as in bidding documents.
8. To identify and document best practices in environment and social safeguards

compliance.

9. To assess institutional and administrative effectiveness and make recommendations on improving ESMF compliance performance.
10. To make recommendations to improve ESMF implementation.
11. To advise whether the project ESMF needs to be updated or not.

The PMU (i.e. BAPEPS) will co-ordinate with the respective PIUs and provide the E&S Auditors all information sought by the auditors to meet the requirements of the E&S Audit. The selected E&S Auditors are expected to prepare and submit an initial document request list to BAPEPS and the BAPEPS will make every effort to provide the necessary information to the E&S Auditors at the start of the assignment. Through the course of the assignment, the E&S Auditors can seek more information and BAPEPS is obligated to provide the same to the auditors in good faith and without prejudice. The E&S Auditor will verify, and if and as required, validate information provided to them by the PMU through analysis of the information provided and primary field surveys, observations and stakeholder consultations. Key stakeholders that must be consulted in the course of the E&S Audits include, but are not restricted to – Project Affected Persons (PAPs), elected members of the Gram Panchayats in which project activities are being (or are planned to be) implemented, the Third Party Quality Assurance (TPQA) consultants, Non-Governmental Organizations (NGOs) and Community Based Organizations (CBOs) that have expressed interest and / or concern about the project, the State Pollution Control Board and other departments / agencies of GOB that are directly or indirectly involved in the implementation of the project.

6. Scope of Annual Environment and Social Audit:

The firm selected for the E&S Audit of the project will conduct an independent review of the process and outputs of the Environmental and Social Safeguards management of the project. As mentioned in Section 2.0 of this document, a total of 3 E&S Audits are envisaged till the end of the project. The scope of work of the first E&S Audit (i.e the E&S Audit for FY 2020-21) will cover all activities / interventions implemented under all the sub-projects of BKBDP. Thereafter, the E&S Audits for FY 2021-22 and FY 2022-23 respectively will need to focus on a sample of activities under the sub-projects. The sampling methodology for the E&S Audits for FY 2021-22 and FY 2022-23 needs to be outlined by the consultants in their technical proposal.

The scope of the E&S Audit includes, but is not limited to:

1. Review and evaluate the methodology followed for environmental and social data collection, screening, categorization, analysis, preparation of mitigation plans and implementation of mitigation plans for sub-projects;
2. Review the adequacy of the procedure followed for consultation and meetings, as laid down in ESMF, with the local community in the project area, affected people and any other stakeholders, and incorporation of suggestions/ feedback received during these consultations in the final design based on technical feasibility;
3. Assess whether and the extent to which ESIA findings are mainstreamed in the relevant project cycle, M&E, Extension Work, reporting, training and Capacity Development etc.
4. Verify whether required safeguard instruments (viz. ARAPs / RAPs (if OP 4.12 is

- triggered), ESIAAs, ESMPs, etc.) have been prepared based on initial E&S screening of sub-projects and whether plans based on these instruments have been implemented as per principles and processes laid out in the ESMF;
5. Provide a status and outcomes of the implementation of E&S risk mitigation plans as per safeguards instruments for each sub-project.
 6. If found that sub-projects have not implemented measures as outlined in the ESMF and other sub-project specific safeguards instruments, recommend remedial measures to ensure compliance.
 7. To check for compliance with mandatory clearances from the statutory authorities. Verify that Environmental and Social Management Plans (ESMP) and Abbreviated Resettlement Action Plans (ARAPs) or Resettlement Action Plans (RAPs) where applicable, have been incorporated into bidding documents.
 8. Review institutional arrangements for implementation, monitoring & reporting of Environmental and Social components/ activities and identify gaps/ areas that need improvement including capacity building requirements.
 9. Carry out field visits to sub-projects to assess how environmental and social issues have been addressed on the ground.
 10. Identify and document good practices from proactive sub-projects which can be replicated across the state and sector.
 11. Prepare an E&S Audit report that clearly specifies (i) the deviations in implementing environmental and social measures, if any, (ii) enhancement and positive measures to be taken at the sub-project level, if any, and (iii) recommendations for further improvement of environmental and social management practices at the sub-project level.
 12. Present the findings of the E&S Audit with the Project Management Unit (PMU), Project Implementation Units (PIUs) and the District Executing Agencies as well as to site staffs. Organize workshop to share and discuss findings and recommendations.

7. Detailed tasks:

The tasks for the E&S Audit of BKBDP must include, but not limited to, the following² :

² Please note that the outlining of the tasks is to ensure that interested firms are made aware of and adhere to the *minimum* expectations from them. Interested firms are encouraged to detail out a robust approach and methodology for the E&S Audit of the project and suggest additional tasks that they think will help meet the requirements of the assignment better

7.1 Developing a methodology for the E&S Audit

Building on the experiences of the original project, the Consultants will develop a simple and practical methodology to assess compliance with ESMF. This methodology could be a combination of tools for primary data collection (for example, observation checklist to be used on field visit to sub-projects) as well as secondary data on type and distribution (geographical, temporal) of sub-projects. Indicators those are relevant for assessing impacts (both of individual sub-projects and cumulative impacts of sub-projects) for specific types of sub-projects, such as bridges, road construction / protection works, riverbank protection works (including construction of embankments), public buildings, etc. should be identified. This would include but will not be limited to the following tasks.

1. Develop the procedure and processes for conducting the E & S Audit.
2. Determine and outline the sources for data collection and methods for data verification.
3. This methodology should be finalized in close consultation with the environmental and social Experts at the PMU/ PIU.
4. Prepare a detailed sampling plan (with names of specific sub-projects) for field visits based on the indicative guidelines given in this ToR. This sampling plan will be developed in close coordination with Environmental and Social Experts at the PMU/ PIU. Develop audit tools, audit formats and indicators.

10.5 Annexure 4: Format for Voluntary Land Donation

Voluntary Donation of Land On a Rs. 10/- Stamp Paper

1. This deed of voluntary donation is made and executed on day of between Sri/SmtS/o W/o..... Age..... Occupation resident of herein after called the "Title holder" on one part. This expression shall mean and include his legal representatives, successors - in-interest, heirs, assignees, nominees etc.

AND

Sri S/o W/o Aged..... Designation..... herein after called the "Recipient" which term denotes to "for and on behalf of Bihar Aapada Punarwas Evam Punarnirman Society, Government of Bihar" on the other part and shall mean and include his successors -in-office, nominees and assignees etc.

2. Whereas, the details of the Location of the, land are given below:

Location Details	
Village	
Gram Panchayat	
Block	
District	
Title Holder/ Encroacher Details	
Name of Title Holder	
Father/ Husband's Name of Title Holder	
Status:	Title Holder
Age:occupation: Residence:	
Gender:	
Schedule -Land Details/Structure	
Land in Question	
Area	
Location	
North Boundary	
East Boundary	
West Boundary	
South Boundary	

Note: Detailed Map to the scale is appended.

3. Where as the Title Holder is presently using/ holds the transferable right of the above mentioned piece of land in the village mentioned above.

4. Whereas the Title Holder testifies that the land is free of encumbrances and not subject to other claims/ claimants.
5. Whereas the Title Holder hereby voluntarily surrenders the land/structure without any type of pressure, influence or coercion what so ever directly or indirectly and hereby surrender all his/her subsisting rights in the said land with free will and intention.
6. Whereas the Recipient shall construct and develop infrastructure facilities under the project, Bihar Kosi Flood Recovery Project-II, and take all possible precautions to avoid damage to adjacent land/structure/other assets.
7. Whereas both the parties agree that the infrastructure so constructed/developed shall be for the public purpose.
8. Whereas the provisions of this agreement will come into force from the date of signing of this agreement.

Signature of Title Holder		Signature of BDO	
Name of Title Holder		Name of BDO	
Date		Date	
Identified by			
1. Name:	Signature:		
2. Name:	Signature:		
Witnesses			
Signature of Gram Panchayat President			
Gram Panchayat President Name			
Signature of GP Secretary			
Name of GP Secretary			
Signature of BAPEPS Representative			
Name of BAPEPS Representative			
Designation of BAPEPS Representative			

**10.6 Annexure 5: FORMAT OF FORMS RELATED WITH PROCESS
OF LAND ACQUISITION PROCESS UNDER BLARRR,2014**

FORM IV

[See sub-rule (4) of rule 6]

Social Impact Management Plan

- (a) Approach to mitigation.
- (b) Measures to avoid mitigate and compensate impact.
- (c) Measures that are included in the terms of R&R and compensation as outlined in the Act. (d) Measures that the Requiring Body has stated it will introduce in the Project Proposal.
- (e) Additional measures that the Requiring Body has stated it will undertake in response to the findings of the SIA process and public hearings.
- (f) The SIMP must include a description of institutional structures and key person responsible for each mitigation measure and timelines and costs for each activity.

FORM -V
PART-A
PRIOR WRITTEN CONSENT OR DECLARATION FORM
(See sub-rule (1) of rule 18)

S.No.	Details of the Person Concerned	
1	Name of the person(s) in whose name the land is registered:	
2	Name of the spouse:	
3	Name of father/ mother:	
4	Address:	
5	Village/Mohalla:	
6	Gram Panchayati/Municipality/Township:	
7	Anchal/Sub-Division:	
8	District:	
9	Name of other members in the family with age: (including children and adult dependents)	
10	Extent of land owned	
11	Area for the Acquisition	
	Khata and Plot No	
	Disputed lands if any	
12	Parches/leases/grants, if any	
13	Any other right, including tenancy, if any:	
14	Regarding the acquisition of my land by the government, I wish to state the following (please circle one of the below):	
	I have read/read out the contents of this consent form and explained to me in --- ----- language and I do not agree to this acquisition/ I agree to this acquisition.	
	impression and date:	_____ Signature/ Thumb of the affected family(s)

Note 1: All information about what will be given to this land owner in exchange for their land and to resettle them must be provided prior to seeking any signature on this form. These terms and conditions must be attached to the form.

**Signature of
official
signed form**

**Date and
designated district
receiving the**

Note 2: It is a crime under law to threaten any person or to cause them any harm if they refuse to give consent or if they choose to state that they do not give consent on this form. This includes any threat or act that causes them to lose money, that hurts them physically or that results in harm to their family. If any such threat has been made this form is null and void.

PART-B

FORMAT FOR GRAM SABHA RESOLUTION

(See sub-rule (1) of rule 20)

We, the undersigned members of the Gram Sabha of
..... within _____ Panchayat
of

Anchal district, wish to state that the following certification is based on the information supplied by the administration and officials. If this information is incomplete or incorrect and/or if any consent has been obtained through any use of threats, fraud or misrepresentation, it is null and void. On this basis this gram sabha hereby certifies.

that it CONSENTS / REFUSES TO CONSENT to the proposed _____ project, which will involve the:

- * Acquisition of ----- acres of private land
- * Transfer of ----- acres of government land to the project
- * Transfer of ----- acres of forest land to the project

The terms and conditions of compensation, rehabilitation and resettlements benefits and social impact mitigation measures agreed to by the Requiring Body (state the name) are attached.

The Gram Sabha also states that any consent is subject to all of its residents receiving title to all of their individual and community rights over forests and forest lands, including their titles for forest land that they have been cultivating, ownership titles for all forms of minor forest produce that they use, and titles to protect and manage their community forests.

[Note: This will have to be certified by this Gram Sabha separately.]

Date and signatures/thumb impressions of Gram Sabha members:

Date and Signature of designated district officer
on receipt of the Resolution

FORM VI
Government of Bihar
Revenue & Land Reforms Department
(Directorate of Land Acquisition)
or
Collector/Additional Collector -cum- Appropriate Government
Preliminary Notification
(Under Section-11(1) of the Act-30/2013)

Whereas it appears to the Government of Bihar/Collector that a total of
acre land is required in the Village P.S. P.S.
No.----- Circle-----District----- for public purpose, namely, project

....., -----
----- Social Impact Assessment Study was
carried out by state SIA Unit and a report submitted. The summary of the Social Impact
Assessment Report is as follows:-----

----- A total of
..... families are likely to be displaced due to the land acquisition. The reason
necessitating such displacement is given below. Additional Collector is appointed as
Administrator for the purpose of rehabilitation and resettlement of the affected
families. Therefore it is notified that for the above said project in the Village of -----
-----P.S.----- P.S. No.----- Circle-----
District----- a piece of land measuring, more or less ----- acre
viz, ----- hectare of standard measurement, whose detail
description is following, is under acquisition:

Sl. no.	Khata no.	Survey Plot no.	Type of Title	Type of Land	Area under Acquisition (in acre)	Name & Address of person interested	Boundary (Plot No.)			
							N.	S.	E.	W.

This notification is made under the provisions of section-11(1) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act no. 30/2013), to all whom it may concern.

A plan of the land may be inspected in the office of the District Land Acquisition Officer, on any working day. The Government of Bihar/Collector -cum- appropriate Government is pleased to authorize the District Land Acquisition Officer, and his staff to enter upon and survey land, take levels of any land, dig or bore into the sub-soil & do all

other acts required for the proper execution of their work as provided and specified in section-12 of the said Act.

Under section- 11(4) of the Act, no person shall make any transaction or cause any transaction of land i.e. sale/purchase, specified in the preliminary notification or create any encumbrances on such land from the date of publication of such notification without prior approval of the district Collector.

Objections to the acquisition, if any, may be filed by the person interested within 60 (sixty days) from the date of publication of this notification as provided under section- 15 of the Act before District Land Acquisition Officer,

*Since the land is urgently required for the project, hence the State Government has decided to not carry out the Social Impact Assessment Study.

By order of the Governor/Collector

FORM VII
Revenue & Land Reforms Department
(Directorate of Land Acquisition)

or

Collector/Additional Collector -cum- Appropriate Government
Declaration

(Under Section-19(1) of the Act-30/2013)

Whereas it appears to the Government of Bihar/Collector that a total ofacre land is required in the Village P.S.
P.S. No.----- Circle-----District----- for public purpose, namely, for the project,

Therefore declaration is made that a piece of land measuring, more or less..... acre viz; hectare of standard measurement is under acquisition for the above said project in the Village
P.S.----- P.S. No.-----Circle----- District----- whose detail description is as following:

Sl. no.	Khata no.	Survey Plot no.	Type of Title	Type of Land	Area under Acquisition (in acre)	Name & Address of person interested	Boundary (Plot No.)			
							N.	S.	E.	W.

This declaration is made after hearing of objections of persons interested and due enquiry as provided u/s 15 of the Act No-30/2013. The number of families likely to be resettled due to Land Acquisition is for whom **Resettlement area** has been identified, whose brief description is as following:-

Village P.S. P.S. No.----- Circle-----
-----District----- Area ----- acre. Viz, hectare.

Mines of coal, iron-stone, slate or other minerals lying under the said land or any particular portion of the said land, except such parts of the mines and minerals which may be required to be dug or removed or used during the construction phase of the project for the purpose of which the land is being acquired, are not needed.

A plan of the land may be inspected in the office of the District Land Acquisition Officer ----- on any working day.

A summary of the Rehabilitation and Resettlement Scheme is given below:
.....

By order of the Governor/Collector

FORM VIII
{see rule 28 (5)}

Name of the Project:-

L.A. Case N0:-

Format for Developmental Plan under R and R scheme for SC/ ST families displaced due to Land Acquisition.

Sl. No	Name of the claimant/ family head	Permanent Address	Entitlements	Remarks
			<ol style="list-style-type: none">1. Land up to one acre for agricultural, horticultural, cattle grazing field per family shall be provided.2. Provision of dwelling housing unit per family- Indira Awas, Drinking Water facility, toilet etc.3. One time financial assistance of Rs One Lakh Fifty Thousand per family shall be given.4. For landless laborers employment shall be provided under MNREGA and any other job providing scheme.5. Skill development through different training programs for the youth of affected family.6. Subsistence grant for displaced family allowance equivalent to Rupees Three Thousand per month for a year should be granted from the date of award.7. For cattle shed and petty shop each effected family shall be provided minimum Rupees Twenty Five Thousand.	

FORM IX
LAND ACQUISITION AWARD

(Under section 23 & 30 of Act 30 of 2013)

L.A. Case N0:-

1.	Name of the Project -
2.	Number and date of Declaration under which the land is to be acquired-
3.	Number and date of publication of Declaration in Official Gazette-
4.	Area of the land under acquisition (in acre)-
5.	Number of field plots on the survey map, the village in which situated with the number of mile plan, if any-
6.	Description of the land, i.e., whether fallow, cultivated, homestead, commercial, etc. If cultivated, how cultivated?-
7.	Names & Number of persons interested in the land and the nature of their respective interests-
8.	Amount allowed for the land itself, without trees, buildings etc., if any-
9.	Amount allowed out of such sum as compensation for the tenant's interest in the land-
10.	Basis of calculation -
11.	Amount payable for damages u/s 13, if any-
12.	Description of damages u/s 28, if any-
13.	Amount allowed for houses, structures or any other immovable things-
14.	Amount allowed for standing crops & trees-
15.	Solatum amount u/s 30(1) -
16.	Additional compensation on the market value of land u/s 30(3)-
17.	Additional compensation u/s 40(5) in cases of urgency, if applicable -
18.	Total compensation amount (including value of land, assets & damages)-
19.	Amount of interest u/s 80, if any-

20.	Particulars of abatement of Government revenue, or of the capitalized value paid, the date from which the abatement takes effect-
21.	Award u/s 23 and 30-

22. Details of individual Awards

Apportionment of the Amount of Compensation

Sl. No.	Area under Acquisition (in acre)	Total Compensation Amount	Name of claimants	Bank Ac/No.	Amount Payable to each (in Rs.)	Remarks
1	2	3	4	5	6	7

23. Date on which possession of land was taken u/s 38(1) & 40(1) of Act 30/2013.

If u/s 40 (1), the number and date of the order of appropriate government giving authority to do so.

Date:-

Collector

**FORM-X
REHABILITATION AND RESETTLEMENT AWARD**

(See 2nd schedule of the Act)

L.A. Case N0:-

1	Name of the Project -							
2	Number and date of declaration under which the land is to be acquired.							
3	Situation and extent of the land in acres, the number of field plots on the survey map, the village in which situated with the number of mile plan if any.							
4	Description of housing units, I.A.Y, transportation cost, housing allowances, annuity, employment, subsistence grant, grant for cattle shed and petty shop, one time resettlement allowances, etc.							
5	Name/Names of persons interested in the land and the nature of their respective claim for rehabilitation & resettlement.							
6	Apportionment of the amount of compensation. (Area in acre)	Sl. No	Name of Claimants / affected family	R & R Entitlements	Bank A/c No.	Amount Payable to each	Non-Monitory entitlements	Remarks
				House to be allotted Land to be allotted Fishing rights Transportation cost Housing Allowances Annuity Employment				

				Substance grant				
				Cattle shed cost				
				Petty shop cost				
				One time resettlement allowances				
				Other Components , if any				

7. In case, matters specified above are not applicable to any affected family, the same shall be indicated as “not applicable”.

8. Date on which R & R entitlements given to the affected family -

Date-.....

Administrator

Collector

Commissioner

FORM XI

{See rule 30 (2) & Third Schedule of Act - 30/2013}

Format for Provision of Infrastructural Amenities under R and R Scheme for families displaced due to Land Acquisition.

Name of the Project:

L.A. Case N0:-

Sl. No.	Components	Details of Infrastructural Amenities
1.	Roads	
2.	Drainage	
3.	Drinking water	
4.	Drinking water for cattle	
5.	Grazing land	
6.	Fair Price Shops	
7.	Panchayat Ghars	
8.	Post Offices	
9.	Fertilizer storage	
10.	Irrigation facilities	
11.	Transport facilities	
12.	Burial or cremation ground	
13.	Toilet points	
14.	Electric connections	
15.	Nutritional services	
16.	Schools	
17.	Sub-health centre	
18.	Primary Health Centre	
19.	Playground	
20.	Community centre	
21.	Places of worship	
22.	Separate land for tribal institutions	
23.	Timber forest produce	
24.	Security arrangements	
25.	Veterinary service	

Administrator

Collector

Commissioner

Templates

FORM OF RATE REPORT

Name of the Project:-

L.A. Case N0.:-

Village Thana..... Thana No..... Anchal..... District.....

1	Name of the project for which land is being acquired.	
2	Name of the requiring body.	
3	Date of filing requisition.	
4	Date of Notification of SIA u/s. 4(2) of the Act.	
5(a)	Date of the publication of Notification u/s 11(1).	
(b)	Date of publication of Declaration u/s 19(1).	
(c)	Date of issue of notices u/s 15(1).	
(d)	Date of issue of notices u/s 21(1).	
(e)	Date of receipt of order u/s 38 (1) & 40(1).	
6(a)	Date on which the Requiring Authority took possession of the land under acquisition.	
(b)	By agreement with interested persons in anticipation of formal requisition under the Act, or	
(c)	Under section 38(1) of the Act.	
(d)	Under Section 40(1) of the Act.	
7	Area under acquisition (in acre) and details of qualitative classification of land under acquisition.	
8	Basis of classification of the land under acquisition.	

9	Designation of the officer, who inspected and verified the land for classification.	
10	Has the classification been decided by the committee headed by the district Collector, in case of dispute on classification of land	
11	Highest sale value of the land	
12	Lowest sale value of the land	
13	Number of discounted sale figures, if any, u/s 26(1) (Exp-4)	
14	MVR of the land u/s 26(1)(a)	
15	Average sale price of the land u/s 26(1)(b)	
16	Consented amount u/s 26(1)(c) , if applicable	
17	Rate proposed for the different classes/types of land under acquisition.	
18(a)	How the rates have been determined u/s. 26 of the Act, explain briefly	
(b)	Any other way, such as agreement between the interested person and the requiring body	

(c)	Rate per acre by adding multiplier factor for land under acquisition	
(d)	The statement of sale figure or deeds preceding 3 years from the date of SIA notification u/s. 4(2) should be attached	
19	Number of houses/ structures and its valuation on the basis of attached Form 9(A)	
20	Number of wells, tanks, boring and its valuation on the basis of attached Form 9(B)	
21	Number of standing trees and plants and its valuation on the basis of attached Form 9(C)	
22	Value of damages done to standing crops on the basis of attached Form 9(D)	
23	Value of land as determined u/s 26	
24	Value of houses, structure, tank, wells, trees, crops, etc. i.e. Amount of damages u/s 13&28	
25	Total value of land including all asset attached to the land u/s 27 with amount for damages u/s 13&28	
26	Solatium Amount u/s 30(1)	
27	Additional Compensation on market value of land u/s 30(3)	
28	Additional Compensation u/s 40(5) in cases of urgency, if applicable	
29	Total Compensation Amount	

30	Rents of the land under acquisition (-) cost of collection Rent X 25 year =	
31	Establishment charges	
32	Contingency charges	

**District Land Acquisition
Officer**

Additional Collector

Collector

10.7 Annexure 6: Format for Preparation of Resettlement Action Plan

1. Introduction

1. Brief Introduction of the sub-project
2. Description of Component(s) that cause land acquisition/alienation and resettlement
3. Overall Estimates of Land Acquisition and R&R

2. Measures to Minimise Resettlement

1. Description of Efforts Made for Minimizing Displacement
2. Description of the Results of these Efforts
3. Description of Mechanisms to Minimize Displacement and Loss of Livelihood/Income during Implementation

3. Census and Socio-Economic Surveys

1. Provide the results of the census and socio-economic surveys
2. Identify all categories of impacts and the extent of impact on each affected

4. Consultation and involvement of PAPs

1. Describe various Stakeholders
2. Summarize process of consultation on the results of socio-economic surveys
3. Describe the need and mechanisms to conduct updates to socio-economic surveys
4. Describe how this process of consultation would be continued through implementation and monitoring
5. Describe the plan for disseminating information to Project Affected Persons

5. Entitlement Framework

1. Provide a definition of PAFs and PAPs together with their categorization based on impacts
2. Describe R&R entitlements for each category of impact
3. Describe method of valuation used for affected land, structures and other assets
4. Using Entitlement Matrix, present a table of all PAFs/PAPs and their losses/impacts and entitlements

6. Relocation (if applicable)

1. Does the Project need community relocation sites? If yes, have they been inspected and accepted by PAPs?
2. Have the Project Affected Persons agreed to the strategy for housing replacement? Will new housing be constructed/allocated? If PAPs are to

construct houses, explain if compensation entitlement for housing is sufficient to help them construct houses.

3. List of proposed sites along with number of affected families to be relocated
4. Describe respective mechanisms for (i) procuring/acquiring/alienating ; (ii) developing and (iii) allotting resettlement sites
5. Provide detailed description of arrangements for development of resettlement sites including provision of social infrastructure
6. Describe the feasibility studies conducted to determine the suitability of the development of sites.

7. Income Restoration

1. Are the compensation entitlements sufficient to restore income streams for each category of impact? If not, what additional economic rehabilitation measures are necessary?
2. Briefly spell out the restoration strategies for each category of impacts, and describe institutional, financial and technical arrangements/aspects involved
3. Describe the process of consultation with PAPs to finalize strategies for income restoration
4. How do strategies for restoration vary with the area/locality of impact
5. If income restoration involves change in livelihoods or other economic activities allow substantial amount of time for capacity building, accessing institutional funds/credits/markets, preparation and implementation. Work out the rate of returns for each of the economic activities opted by the entitled person.
6. How are the risks of impoverishment proposed to be addressed?
7. Explain the main institutional and other risks for effective implementation of plans for restoration of livelihood
8. Describe the process for monitoring the effectiveness of income restoration activities

8. Institutional Arrangements

1. Describe institution(s) responsible for: (a) delivery of each item/activity in the entitlement policy; (b) implementation of resettlement and rehabilitation programs and (c) coordination of all other activities as described in the Rehabilitation Action Plan
2. State how coordination issues will be addressed in cases where resettlement and rehabilitation are spread over a number of institutional/departmental jurisdictions
3. Indicate the agency that will coordinate all implementing agencies – do they have the necessary mandate and the resources
4. Describe the external (non-Project) institutions/departments involved in the process of resettlement and restoration of income such as land development, land allocation, credit, training for capacity building and the mechanisms in

place to ensure adequate cooperation and performance of these institutions/departments

5. Describe the results of the institutional capacity assessment and give the institutional development plans including staffing schedule and training requirements
6. Discuss institutional capacity for, and commitment to, resettlement and rehabilitation

9. Monitoring and Evaluation

1. Describe the internal monitoring process
2. Define key monitoring indicators for resettlement, rehabilitation and participation and provide a list of these indicators which would be used for internal monitoring
3. Describe institutional (including financial) arrangement
4. Describe frequency of reporting and contents of reports
5. Describe the process for integrating feedback from internal monitoring into implementation
6. Describe financial arrangements for external monitoring including process for awarding and maintenance of contracts for the entire duration of R&R
7. Describe the methodology for external monitoring
8. Describe frequency of external reporting and its contents

10. Redressal of Grievances

1. Describe the structure and process of grievances mechanisms at various levels including step-by-step process for registering and addressing grievances and provide specific details regarding registering complaints, discussing them with PAPs, response time, communication modes etc.
2. Describe the mechanism for appeal
3. Describe the provision, if any, to enable PAPs to approach civil courts in case these provisions fail.

11. Implementation Schedule

1. List the chronological steps in implementation of R&R Action Plan including identification of agencies responsible for each activity along with a brief explanation of each activity
2. A month-wise implementation schedule (Gantt chart) of activities to be taken as part of R&R Action Plan
3. Description of the linkage between R&R implementation and initiation of civil works for each of the Project component

12. Costs and Budgets

1. Clear statement of financial responsibility and authority
2. List the sources of funds for R&R and describe the flow of funds

3. Indicate if costs of R&R are included in the overall Project costs
4. Identify R&R costs, if any, to be funded by the WB
5. Provide a cost-wise, item-wise budget estimate for the entire R&R costs including administrative expenses, monitoring and evaluation and contingencies
6. Describe the specific mechanisms to adjust cost estimates by *inflation* factor
7. Describe provisions to account for different types of contingencies

Format for Preparation of Abbreviated Resettlement Action Plan

1. Introduction

1. Brief Introduction of the sub-project
2. Description of Component(s) that cause land acquisition/alienation and resettlement
3. Overall Estimates of Land Acquisition and R&R

2. Census and Socio-Economic Surveys

1. Provide the results of the census and socio-economic surveys
2. Identify all categories of impacts and the extent of impact on each affected

4. Consultation and involvement of PAPs

1. Describe various Stakeholders
2. Summarize process of consultation on the results of socio-economic surveys
3. Describe the plan for disseminating information to Project Affected Persons

5. Entitlement Framework

1. Describe R&R entitlements for each category of impact
2. Describe method of valuation used for affected land, structures and other assets
3. Using Entitlement Matrix, present a table of all PAFs/PAPs and their losses/impacts and entitlements

6. Income Restoration

1. Are the compensation entitlements sufficient to restore income streams for each category of impact? If not, what additional economic rehabilitation measures are necessary?
2. Briefly spell out the restoration strategies for each category of impacts, and describe institutional, financial and technical arrangements/aspects involved
3. Describe the process of consultation with PAPs to finalize strategies for income restoration
4. If income restoration involves change in livelihoods or other economic activities allow substantial amount of time for capacity building, accessing institutional funds/credits/markets, preparation and implementation. Work out the rate of returns for each of the economic activities opted by the entitled person.
5. How are the risks of impoverishment proposed to be addressed?

7. Institutional Arrangements

1. Describe institution(s) responsible for: (a) delivery of each item/activity in the entitlement policy; (b) implementation of resettlement and rehabilitation programs and (c) coordination of all other activities as described in the Rehabilitation Action Plan

8. Monitoring and Evaluation

1. Describe the internal monitoring process

9. Redressal of Grievances

1. Describe the structure and process of grievances mechanisms at various levels including step-by-step process for registering and addressing grievances and provide specific details regarding registering complaints, discussing them with PAPs, response time, communication modes etc.
2. Describe the mechanism for appeal
3. Describe the provision, if any, to enable PAPs to approach civil courts in case these provisions fail.

10. Implementation Schedule

1. List the chronological steps in implementation of R&R Action Plan including identification of agencies responsible for each activity along with a brief explanation of each activity

11. Costs and Budgets

1. Clear statement of financial responsibility and authority
2. List the sources of funds for R&R and describe the flow of funds
3. Indicate if costs of R&R are included in the overall Project costs
4. Identify R&R costs, if any, to be funded by the WB
5. Describe the specific mechanisms to adjust cost estimates by *inflation* factor
6. Describe provisions to account for different types of contingencies

10.8 Annexure 7 : Consultations: Participants and Photographs

Consultations in the field

Date	14 Feb 2012	14 Feb 2012	18 Feb 2012
Village	Morsand Kumhra Tola	Kankar Ghat	Telihar
Participants	Mr. Mahendra Giri Mrs. Mahendra Giri Mr Arjun Singh Mr. Rambrij Paswan Mrs. Bimla Devi Mr. Barun Kumar Mr. Vijay Kumar Singh Mrs. Gita Devi Mrs. Shanti Devi Mrs. Manita Devi Mrs. Sohadia Devi Mrs. Shobha Devi Mrs. Munna Devi Mrs. Raju Kumar Mrs. Dileep Kumar Mr. Mahender Mahato	Mr. Lal Babu Yadav Mr. Saibal Sada Mr. Vijay Mahato Mr. Dasarath Sani Mr. Rajender Sani Mrs. Laxmi Devi Mrs. Vakil Devi Mr. Chandra Bhushan Sharma Mr. Ravindra Jadav Mr. Ram Binod Mahato Mr. Viajay Kanth Yadav Mr. Raj Kumar Sani Mr. Dinesh Sani Mr. Jagadish Sani Mr. Mahaveer Sani Mr. Jagdhar Sadar Mr. Siya Charan Mathur Mr. Syam Sundar Jadhav Mr. Phuloo Thakur Mr. Bhajani Pandit Mr. Hardeo Pashma Mr. Ram Sunder Yadav Mr. Ram Babu Jadav	Mr. Suman Kumar Mr. Bahadur Singh Mr. Shankar Thakur Mr. Chhattru Thakur Mr. Bilas Thakur Mr. Narain Singh Mr. Khochal Singh Mr. Suresh Singh Mr. Umesh Singh Mr. Ganesh Singh

Consultation on 08 August 2012 in the Field by NGO

3/16/12

उत्तरांचल प्रदेश 8/08/2012 के खोजों में नतीजा है
 निम्नलिखित विवरणों में से प्रत्येक को एक प्रस्तावित सूची में शामिल किया गया है
 3. 32 विभागों में कुल विभागों में से कुछ विशेष Environment
 and Social Security character होगा और कुछ विशेष विभागों
 विशेष/विभागीय विशेष विभागों को भी 4) अल्प/परिचालित
 विशेष-संस्थाओं विशेष संस्थाओं में विशेष (विशेष विभागों)
 शामिल है और कुछ को भी विशेष विभागों/विभागों में
 शामिल है जो कि विशेष विभागों में है।

1. विशेष (विभागीय) विभाग, विभागों -
2. विशेष विभागों विशेष विभागों - 14-16 विशेष
3. विशेष विभागों -
4. विशेष विभागों -
5. Akhilesh Kumar
6. विशेष विभागों -
- 7.
- 8.
- 9.
10. राजकिशोर साह, फलामा समिति (विभाग) विशेष (16/10)
11. विशेष विभागों
12. विशेष विभागों
13. विशेष विभागों
14. विशेष विभागों
15. विशेष विभागों
16. Narash Pal "Narash"
17. विशेष विभागों
18. विशेष विभागों
19. विशेष विभागों
20. विशेष विभागों
21. विशेष विभागों

Consultation at Patna on 10 April 2012 at WRD

Participants:

Mr. Shanker Jha, APD, BAPEPS
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Mr. Vijay Kumar Sinha, EE, Flood Monitoring
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Mr. M.S. Hussain, OSD, RWD
Mr. Ramshish Sharma, AE, RWD



**10.9 Annexure 8: LIST OF PARTICIPANTS OF TWO DAYS TRAINING CUM ORIENTATION WORKSHOP HELD AT PATNA on Date: 30th and 31st August, 2016
TOPIC OF THE WORKSHOP : ENVIRONMENT & SOCIAL MANAGEMENT, PROCUREMENT, CONTRACT AND FINANCIAL MANAGEMENT
JOINTLY ORGANISED BY BAPEPS & WORLD BANK
ASHOKA HALL, HOTEL MOURYA, PATNA**

Objective of the Workshop: To ensure that during implementation of “Bihar Kosi Basin Development Project” neither flood mitigation measures nor social & environment are compromised. To make familiar with environment & social management, procurement, contract and financial management practices as per the Bank policies and guidelines.

List of participants:

Name of participants	Department	Designation	Email ID
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Shri N.N. Mandal	Bihar Aapda Punarwas Evam Punarnirman Society (BAPEPS)	Additional Project Director, BAPEPS	
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