

Land Acquisition and Resettlement Due Diligence Report

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IND: Kolkata Environmental Improvement Investment Program (TR2 SD23)

Prepared by Kolkata Municipal Corporation for the Asian Development Bank.

This due diligence report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

CURRENCY EQUIVALENTS

(as of 22 April 2016)

Currency unit	=	Rupee (INR)
INR 1.00	=	USD 0.01504
USD 1.00	=	INR 66.4893

ABBREVIATIONS

ADB	-	Asian Development Bank
KEIIP	-	Kolkata Environmental Improvement Investment Program
KMC	-	Kolkata Municipal Corporation

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I. INTRODUCTION

A. Background

1. On 26 September 2013, the Asian Development Bank (ADB) approved the provision of loans under a multitranche financing facility for the Kolkata Environmental Improvement Investment Program (KEIIP or the Investment Program) for an aggregate amount not to exceed \$400 million. The impact of the Investment Program will be improved access to water supply and sanitation in Kolkata Municipal Corporation (KMC). The outcome will be improved water supply, sewerage and drainage service quality and operational sustainability in selected areas of KMC. KEIIP has three outputs: (i) inefficient water supply assets rehabilitated; (ii) sewerage extension to peripheral areas continued;¹ and (iii) financial and project management capacity further developed. KMC is KEIIP's executing agency. A project management unit (PMU) created under KMC is implementing KEIIP.

2. The first loan under it, Tranche 1 or Loan 3053-IND, amounting to \$100 million, was approved by ADB on 22 October 2013, signed on 3 March 2014 and made effective on 30 May 2014. Project 1, supported by tranche 1, included subprojects for improvement of infrastructure, operations and sustainability in sewerage, drainage and water supply in KMC.

3. The proposed Project 2, supported by the proposed tranche 2 of KEIIP, will include physical and non-physical investments in water supply and sanitation improvement in KMC. Project 2 is aligned with improved access to water supply and sanitation in KMC as defined by the Investment Program.

4. A total of nine civil works packages for sewerage and drainage work are proposed under Project 2. These include: (i) sewerage and drainage work and construction of 1 pumping station in ward no. 114 (package TR-2 SD 09); (ii) development of sewerage and drainage network in Rania box catchment including outfall structure (package TR-2 SD 10); (iii) development of sewerage and drainage network in Rania box catchment and Vivekananda Road catchment including one combined pumping station and outfalls (package TR-2 SD 11); (iv) laying of a trunk sewer along James Long Sarani (package TR-2 SD 12); (v) development of sewerage and drainage network including outfall structures in wards 123 and 124 (package TR-2 SD 13); and (vi) sewerage and drainage network in boroughs XIII and XIV (package TR-2 SD 14); (vii) sewerage and drainage mains and 2 pumping stations (augmentation of Keorapukur MPS) in Tolly's Nullah/Keorapukur Sub-basin in Borough XIII (Ward 115 and part of Ward 122) (package TR-2 SD 19); (viii) sewerage and drainage mains and pumping stations in Churial Extension Catchment in Borough - XIII & XVI, covering part of wards 122, 123 and 124 (package TR-2 SD 22); and (ix) construction of new pumping station at Lalababu Nikashi/Bagjola Canal (package TR-2 SD 23).

B. Scope of this Report

5. This land acquisition and resettlement due diligence report is prepared for the proposed construction of a new pumping station at Lalababu Nikashi/Bagjola Canal under KEIIP Project 2, package-TR-2/SD 23.

¹ The 1899 Calcutta Municipal Act defined the administrative domain of the municipal authority as covering 25 wards and having an areal extent of 48.5 square kilometers. Many boundary changes followed, the latest one in January 1984 when Boroughs XI, XII, XIII, XIV and XV were annexed to KMC. These boroughs in the peripheral areas, are popularly known as "added areas".

6. A due diligence process was conducted to examine the land acquisition and resettlement issues in detail, in line with ADB SPS 2009. This report describes the findings and provides copies of relevant documents, resolutions, minutes of meetings and photographs. This land acquisition and resettlement due diligence report needs to be read along with the Resettlement Framework prepared for KEIIP.

7. Upon project implementation, the Officer designated for social safeguards at PMU will be required to undertake a review of this due diligence, prepare a confirmation letter or report documenting any modifications for the subproject and submit to ADB; and receive a 'no objection' confirmation from ADB prior to start of construction in the subproject.

II. SUBPROJECT DESCRIPTION

8. The new areas added to the city of Kolkata after 1984 ('added areas') have major sewage and drainage disposal problems. Major portions of the added areas are devoid of any organized drainage system and served only by surface drainage system carrying both sullage and storm runoff. The proposed subproject lays special emphasis on minimizing the drainage problems in a section of the added area, and aims to contribute to its overall environmental upgradation.

9. The proposed subproject component under package-TR-2/SD 23 comprises construction of a new pumping station at Lalababu Nikashi/Bagjola Canal.

10. The objective of the above-mentioned subproject component is: to provide relief from water logging conditions within the project area.

III. FIELD WORK AND PUBLIC CONSULTATION

A. Outline of Field Work

11. In December 2015 and January 2016, field inspection of the proposed pumping station site near the junction of Bagjola Canal and Lalababu Nikashi Khal, was undertaken. The field inspection helped establish that the proposed site of 0.52 acres is vacant, encroachment free, and unused, and helped confirm that the land belongs to the Railway Department. Since the vacant site belongs to government, no involuntary resettlement and/or indigenous peoples impacts are anticipated.

B. Stakeholder Consultation

12. KEIIP initiated dialogue with the key stakeholders (Eastern Railway and local community around the pumping station) in September 2015. A requisition letter for lease of 0.52 acres of land to KMC was first submitted to Eastern Railway on 3 September 2015, subsequent to which, the Railways wrote back to KEIIP regarding due procedure to be followed for the same. A joint survey of the site was undertaken and a map and drawing showing present status, prepared. The survey drawing along with *mouza* map, land value obtained from the Office of Sub-registrar, Finance Department, Government of West Bengal etc. were submitted to Eastern Railway on 06 January, 2016, and response is awaited.

13. Consultations were undertaken with 70 members (56% female) of the local community around the proposed pumping station site, who indicated that water-logging was one of the biggest problems in the surrounding areas. The community was happy to know about the

proposed pumping station and its anticipated benefits. People indicated willingness to cooperate during project implementation. The field visits and interactions helped ascertain that no permanent relocation or loss of land or structures to any private entity, or temporary or permanent economic impacts are anticipated as a result of the proposed subproject, as the pumping station is proposed on vacant, unused government land. Hence, further survey and inventories are not required.

Table 1: Summary of Community Consultation

**LALBABU NIKASHI, BAGJOLA CANAL
(PACKAGE SD - 23 OF TRANCHE II)**

Date	Location	No. of Participants				Participant Details	Topics Discussed	Issues Raised
		Male	Female	% of Female	Total			
29.01.16	LALBABU NIKASHI, BAGJOLA CANAL - 1	31	39	56%	70	MALE: retired persons, businessmen FEMALE: Housewives	1. Relevant information on the upcoming project 2. Benefits of the Pumping Station to resolve the issue of water logging. 3. No chance of structure loss. 4. Grievance redressal procedures. 5. Public participation and awareness.	1. Commencement date of project work and duration of the project work. 2. Massive waterlogging during heavy monsoon in the adjoining area of the proposed pumping station, and need for the proposed intervention. 3. Chances of damaging the existing water pipelines during the project implementation period.

IV. LAND AVAILABILITY AND RESETTLEMENT IMPACTS

A. Construction of Pumping Station

14. No private land acquisition or resettlement impacts are anticipated for construction of the proposed pumping station at Lalababu Nikashi/Bagjola Canal. All civil works will be within the 0.52 acres of unused land proposed to be leased from Eastern Railways. No additional land will be required for the proposed subproject and no income loss is anticipated due to the civil work undertaken. The site has an abandoned railway line belonging to the Railways running through it, which is proposed to be dismantled.

Figure 1: Survey Map showing location of Lalababu Nikashi/Bagjola Canal pumping station site

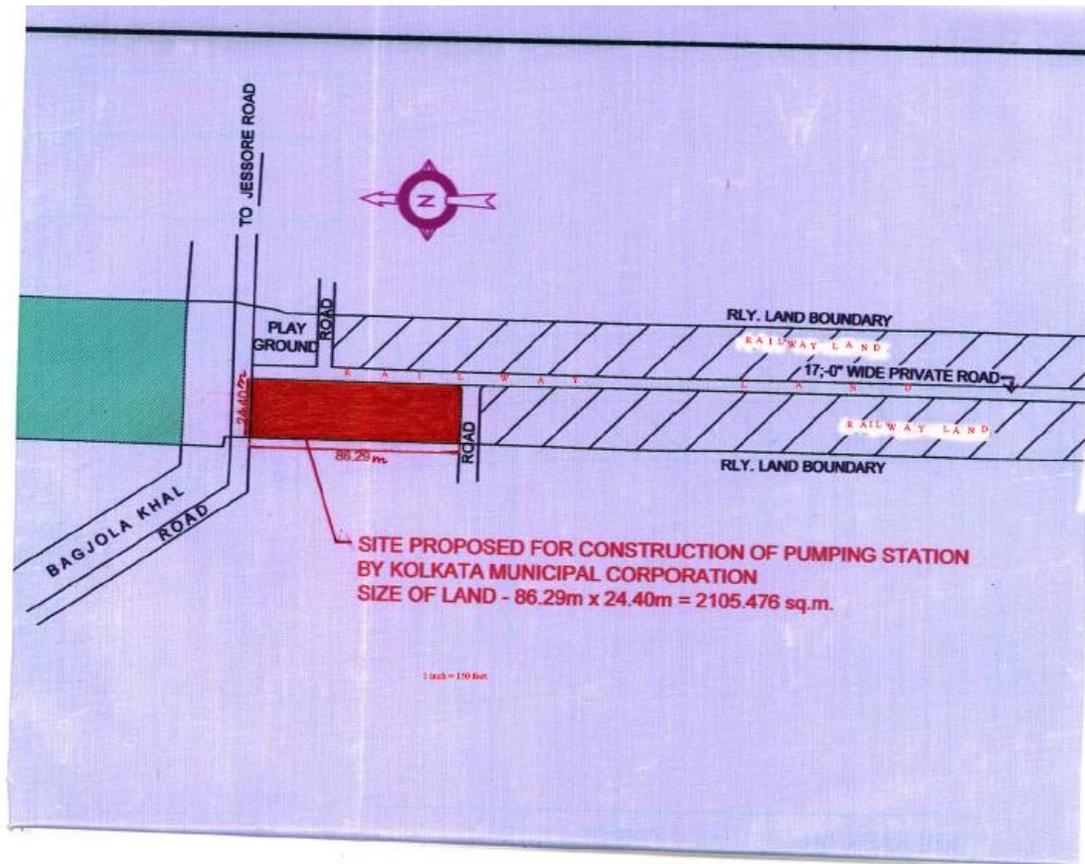
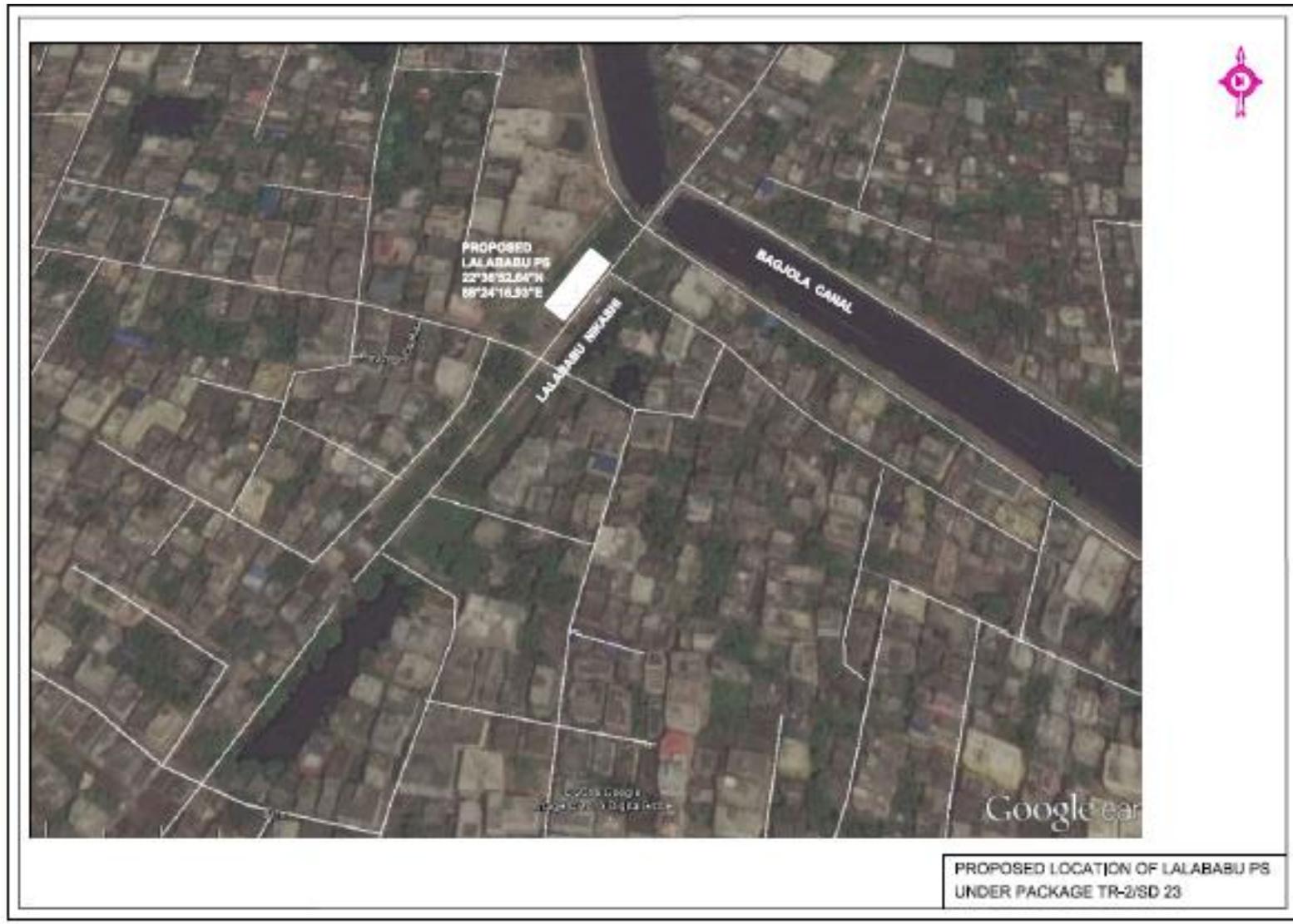


Figure 2: Google Earth Map depicting location of pumping station proposed under TR-2/SD 23



V. CONCLUSION

A. Summary and Conclusion

15. No significant IR impacts are assessed as the identified site for the proposed pumping station at Lalababu Nikashi/Bagjola Canal, is government land. Temporary disruptions to nearby communities and road users during transport of materials to the site are possible, and will be mitigated during construction by the contractor through a traffic management plan and simple measures such as proper stacking/storage of construction materials.

16. Cost likely to be incurred by the PMU for updating of this due diligence report, awareness generation, communication and grievance redress, inclusive of contingencies is INR 150000; cost of leasing the site from Eastern Railways is yet to be decided and communicated by the Railways. The report updating cost as well as the one-time and / or recurring lease rental as decided by the Railways, will be borne by the government.

B. Next Steps

17. The DDR needs to be updated with the following information:
- (i) No objection certificate obtained from Eastern Railways for execution of subproject activity, along with amount to be paid for lease rental to be appended to the due diligence report.
 - (ii) Site photographs before start of civil work, and during implementation.
 - (iii) Continued consultations with the community and record of their concerns and issues, if any.
 - (iv) ADB approval on the updated DDR/RP based on the final detail design and final assessment of IR impacts (permanent or temporary) at implementation stage needs to be obtained by the PMU prior to start of construction.

PHOTOGRAPHS**PHOTOGRAPH OF LALABABU PS SITE SD-23**

Note: No encroachers are present on the required site area at present; the site is presently unused by anybody. Steps to be taken to fence / protect the site from any potential encroachment prior to construction.



**COMMUNITY CONSULTATION NEAR
LALBABU NIKASHI, BAGJOLA CANAL – 1**

Land Ownership Certification of the Proposed Pumping Station Site



GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK LAND & LAND REFORMS OFFICER, BARRACKPORE-II
39F & 40F B.T.ROAD, P.O. PANIHATI, KOLKATA- 700114

MEMO NO.1015 / B.L.R.O./ BKP-II/ SODEPUR

DATE: 30 /07 / 2009

To
The Administrative Officer,
K.E.L.P.

Sub: Status of R-O-R.

Ref: His letter dated 29.07.2009.

Sir,

Reference above the desired information is depicted hereunder;

Mouza Kalidaha, J.L.No.-23, P.S. Dum Dum.

R.S. No.	Plot No.	R.S. No.	Khatian	Recorded Classification	Total Area of the Plot(In Decimal)	Recorded Raiyat
4635		352		Shali	37.00	Bela Bandopadhyay W/O Bimal Bharti Bandopadhyay
4636		277		Danga	10.00	Bela Bandopadhyay W/O Bimal Bharti Bandopadhyay
4637		2061		Shali	07.00	Bela Bandopadhyay W/O Bimal Bharti Bandopadhyay
4662		331		Danga	36.00	Bela Bandopadhyay W/O Bimal Bharti Bandopadhyay
4663		331		Pukur Par	25.00	Bela Bandopadhyay W/O Bimal Bharti Bandopadhyay
4664		331		Pukur	13.00	Bela Bandopadhyay W/O Bimal Bharti Bandopadhyay
4665		275		Danga	16.00	Bela Bandopadhyay W/O Bimal Bharti Bandopadhyay
4666		291		Danga	45.00	Bela Bandopadhyay W/O Bimal Bharti Bandopadhyay
5231		719		Rail Line	965	Eastern Railway

[Signature]
B.L. & L.R.O.

Letter from KEIP to Eastern railways seeking permission to lease land required for Pumping Station at Lalababu Nikashi/Bagjola Canal

Khafiz Ahmed, IAS
Municipal Commissioner



The Kolkata Municipal Corporation
Central Municipal Office
3, S. N. Banerjee Road, Kolkata - 700 013
Phone (Office): 2285-1014, 1234
Fax: 2285-1334

Ref : Con/Com/447 /2015-16

Date : January 04, 2016

To
The Divisional Railway Manager
Eastern Railway, Sealdah
Kaizar Street
Kolkata - 700014

Sub : Proposal for leasing out land for construction of Pumping Station

Ref : This office Memo No. Con/Com/137/2015-16 dt.03.09.2015 and your office Memo No. 338-W/2/Mias/L dt.30.10.2015

Sir,

In continuation to the memos under reference, it is brought to your kind notice that for the improvement of Sewerage and Drainage System certain comprehensive schemes, duly approved by the Govt. of West Bengal and The Asian Development Bank (ADB), had been taken up by Kolkata Municipal Corporation under Kolkata Environmental Improvement Investment Program (KEIIP). A detailed survey was made for selection of sites for execution of all such schemes. Accordingly for better and smooth discharge of accumulated water of huge area under Ward Nos. 2, 3 & 4 of Kolkata Municipal Corporation and part of South Dum Dum Municipality one of such sites is selected for construction of Pumping Station near the junction of Bagjola Canal and Lalababu Nikashi Khal.

On careful consideration of Mouza Map and Land Records it is evident that the selected site is forming a part of plot No. 5231 of Mouza Kalidaha, J. L. No. 23, P.S. Dum Dum and the same stands recorded in favour of Eastern Railway in Khatian No.719. Accordingly, a joint survey of site was made by the officials of your office and this office. Detailed survey of the site and its adjoining land was made and accordingly a Map and/or Drawing had been prepared showing present status vide Drawing No. 01/KMC/ERly./2015-16.

Contd....2



- 2 -

The land, shown in the said Drawing, being the only suitable site for the said Pumping Station, you are requested kindly to accord necessary permission to lease out 2105.476 sq. mtrs. Or 0.52 acres of land in the said plot in favour of Kolkata Municipal Corporation in the greater interest of public service.

It is further stated that the following papers and documents are enclosed herewith for favour of your kind perusal and taking early action in this regard.

- (i) Four copies of Drawing No. 01/KMC/ERdy/2015-16 on tracing cloth
- (ii) Five copies of blue print of the said Drawing
- (iii) Xerox copy of the concerned Mouza Map
- (iv) Land value derived from the website of Finance Department, Govt. of West Bengal (duly authenticated)
- (v) Estimated cost of the project on the said site.

Thanking you,


Yours truly,
(Khalil Ahmed)
Municipal Commissioner

Encls: as stated