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RESEARCH ARTICLE

ROLE OF MONITORING AND EVALUATION IN SUCCESSFUL IMPLEMENTATION OF A RESETTLEMENT PLAN-A CASE STUDY OF QAZIGUND KULGAM ROAD SUBPROJECT IN KASHMIR

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ABSTRACT

Resettlement and Rehabilitation (RandR) form an important constituent of any developmental project – be it internally financed or externally funded. Since benefit to the people, who are at the centre of development process, is a prime concern for success or failure of any project, assessing the same remains a vital component of the project implementation. To measure implementation process of any RandR Project, with particular reference to the perceived benefit accrued to the people, Monitoring and Evaluation (MandE) is very crucial and important. The study intends to focus on the need and importance of MandE as a vital component of the whole project cycle with main emphasis on the Resettlement and Rehabilitation (RandR) aspects of the project.

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INTRODUCTION

The subproject selected for the study is in District Anantnag of Kashmir valley funded by Asian Development Bank (ADB) [1]. The Key issue that determined the selection of this subproject was that issues/grievances relating to entitlement of PAPs especially of encroachers were not addressed keeping in view ADB's policy on Involuntary Resettlement [2] and entitlement as mentioned in the Entitlement Matrix [3] adopted for the project. The issues stand aggravated because MandE of Resettlement Plan (RP) implementation had not been carried out in the subproject till date. The study intends to focus on the importance of MandE as a vital component of the whole project cycle and will emphasize the importance of the MandE to all persons concerned. The subproject involved acquisition of agricultural land measuring 7483.23 sq. m (0.748323 ha), few structures of different categories and trees (details in Table 2). These assets were legally owned by 49 families comprising of 188 persons. In addition to this few persons who had erected commercial structures on the encroached land along the subproject road were partly damaged/dismantled for the widening of the road without considering them for entitlements in accordance with the entitlement matrix. They were not designated as Project Affected Persons (PAPs) contrary to the ADB's policy on involuntary resettlement. These facts have gone unnoticed in the absence of a proper MandE mechanism set in place. Monitoring involves periodic supervision to ascertain whether activities are carried out in the manner as stated in the Resettlement Plan [6]. It is thus a crucial activity in involuntary resettlement as it helps to keep the programme on schedule in terms of declared mitigation measures and minimize anxiety [5] of the affected people. While as evaluation, is an assessment usually at the end of a project cycle to ascertain whether perceived benefit to the people in general, and mitigation measures planned for the affected persons in particular, have actually been achieved to attain the intended objectives.

A good monitoring and evaluation should assess project inputs and the number of persons/families affected and compensated and to confirm that their former standard of living is re-established [8]. Thus monitoring and evaluation are necessarily management tools in order to achieve declared goal of the R and R.

The study endeavors to highlight the importance of MandE in successful implementation of a Resettlement Plan (RP) to the highest satisfaction of the PAPs as per the Policy Objectives of the ADB's Involuntary Resettlement Policy. It attempts to highlight how a good monitoring and evaluation can result in cutting down on the grievances of the PAPs and also how the MandE should be perceived as a vital component of the whole project cycle.

Through monitoring and evaluation [7], we can:

- Review progress;
- Identify problems in planning and/or implementation;
- Make adjustments so that we are able to fill the gaps in planning and/or implementation.
- Make the use of learning in the future projects

Techniques or Methods

Both Primary and secondary sources of the data collection were used for the study.

Secondary sources of data collection:

Following were the secondary data sources collected for the case study

- JandK State Land Acquisition Act, 1990 [4]
- Record of Land ownership status of the PAPs from concerned Government Revenue Authority
- Sample Resettlement Actions for comparative analysis of the SRP of the subproject.

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- Short Resettlement Plan of the subproject under study [3]
- ADB's Hand book on Resettlement: A guide to good Practice [2]

Primary sources of data collection

Following were the Primary data sources collected for the study:

Census and socio economic questionnaire for all project affected persons/families (PAPs/PAFs)

After an informal visit to the subproject area and deliberating on the study requirements a Census and Socio Economic Questionnaire was framed. The questionnaire focused on collection of information on total number of the Affected Persons in the sub project, nature and magnitude of the asset loss incurred by respective families and other general details on overall pre-project living conditions of the people with special focus on the living conditions of the Vulnerable families. The queries on overall perception of people on the subproject were also included in the questionnaire. The questionnaire also contained queries on Socio Economic variables of the project affected people with special focus on income patterns, occupational background, economic opportunities and other general Socio Economic indicators.

Informal public consultation with the PAPs

In addition to the census and socio economic survey carried out in the subproject area; informal participatory public consultations with the PAPs in the subproject were carried and their view on the overall benefits of the project were sought. In addition to that grievances of the people concerning the project were also discussed. The people during the course of such participatory consultations had many valuable suggestions to share which can result in mitigating their grievances.

Interviews done with the representatives of the Executing Agency (EA) [1] and representatives from other officials regarding the overall condition of the PAPs was discussed. The officials were enquired on the various reasons for the overall dissatisfaction of the PAPs and various steps taken at their end to mitigate the grievances of the people. The officials also put forward their view point and discussed how some problems at the institutional level and at the co-ordination level especially with other departments like revenue etc were responsible for the problems faced by the PAPs. The representatives of the EA discussed some important measure that they told will be undertaken in near future to assure that all PAPs are compensated as per the entitlement matrix adopted for the project. They also told that all genuine grievances of the people will be met in shortest possible time as the agency has already devised an institutional mechanism for the purpose and concrete steps to ensure co-ordination with the concerned line departments have already been taken. In addition to this a Grievance Redressal Committee (GRC) has already been established at the district level with the primary objective of providing a mechanism to mediate conflict and disputes concerning compensation payments and cut down on lengthy litigation. The GRC will provide people, who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately. The committee is headed by the Deputy Commissioner (or his representative).

Transact Walk

A transact walk with some persons was carried out and was intended to know about the resources present, the impact of the subproject on the resources. The project being linear in nature does not have much impact because the ROW of the subproject road was available for majority of the portion. In km 1st the road was realigned as per the technical design and as such the agricultural land was affected for length of about 550 m.

RESULTS AND DISCUSSIONS

The Census and Socio Economic Survey of the Project Affected Households carried out in the subproject revealed that a total of 55 households were affected due to the subproject implementation. The details of the loss due to subproject implementation on the Affected Families (AFs) are presented in Table 1, their occupational background in Table 2 and income patterns in Table 3.

Table 1. Details of loss on affected families

Type of loss	Number	No. of AFs	Ownership
Agricultural	48 strips of land, 17 Land and trees	48	Private
(both fruit and non-fruit trees)	walnut trees, 01 Grape wine, 01 Plum tree and 184 non fruit trees		
Residential structures	02	02	Private
Commercial structures	05	05	Private
Boundary walls	02	Not Applicable	Govt.
Total		55	

Source: Census survey, July 2012

Table 2. Occupation of affected families

S. No.	Category	No. of AFs	%age
01	Farmer	22	40.00
02	Business	12	21.82
03	Govt. Service	15	27.27
04	Labour	02	03.64
04	Housewife	04	07.27
Total		55	100.00

Source: Census survey, July 2012

Table 3. Annual income patterns of the affected families

S. No.	Income level (In Rs/annum)	No. of AFs
1	Up to 25000	06
2	25001-50,000	29
3	50001-100000	12
4	Above 100000	08
Total		55

Source: Census survey, July 2012

The Census survey of the 55 households (including 06 encroachers who are not part of SRP-Short Resettlement Plan) carried in July 2012 revealed some facts about the participation in the information dissemination campaigns carried out by the executing agency in the subproject area and on compensation related issues. In addition to this the responses of the PAPs to various queries concerning the study have been provided in Table 4 below.

Consultations with the PAPs and Census survey of PAPs undertaken in the subproject area revealed a general dissatisfaction among the people in general and encroachers in particular on the *modus operandi* of the EA to mitigate the resettlement impacts in the subproject. The study revealed that the execution of work started much before award of compensation which is contrary to the policy objectives of the ADB's Involuntary Resettlement Policy [2]. The few encroachers who had erected residential and commercial structures along the subproject road have not been considered for any type of entitlement although there is provision for same in the entitlement matrix of the Loan 2151 under which this subproject falls. The structures erected by the encroachers along the road were removed by the district administration without giving the PAPs any prior notice. About 6 such structures (2 residential and 4 commercial) were partially damaged and thus adverse impact on 6 families was

Table 4. Queries/Issues discussed during field survey

Queries/Issues Discussed during field survey	Findings of the Survey	Remarks
Total number of affected households?	55 AFs	
No. of Households included in the SRP of the Sub project?	49 AFs	
No. of Households not including in the SRP?	06 AFs	Absence of legal Ownership/Encroachers
Information on Respective Entitlements Conveyed?	No	No such information campaign in the Sub project area carried by EA.
Whether SRP of the Sub project Disclosed?	No	EA has not done any disclosure at any location throughout the road stretch.
What was the procedure adopted to finalize the rates of Land?	PNC in case of people who have legal title ship only.	No encroachers called for any such PNC.
Have you received any compensation till date?	00 AFs.	Compensation amount lies with the concerned District Administration and same has not been disbursed as yet.
No. of Grievances filed by PAPs.	No.	The PAPs are unaware about the grievance Redressal mechanism although a GRC has already been established for the purpose.

envisaged and was left unmitigated which contradicts the requirements of the ADB's Resettlement Policy and agreed upon resettlement frame work of the ADB funded Project in Jammu and Kashmir. The PAPs were dissatisfied with the nature of the methods adopted for valuation of their affected land and other assets. The EA had initially arrived at the cost of the affected land by assessing sale deeds in the concerned revenue departments for last three years which are usually much lower than the actual prevailing rates. However as told by the representative of the EA the method has been of late changed and cost of land has been arrived through private negotiation. The PAPs were of the view that the valuation of the affected structures was done as per Basic Schedule of Rates by Road and Buildings Department through which depreciation cost and cost of salvageable materials of the structures is deducted which is contrary to the provisions of the entitlement matrix of the project. The entitlement matrix provides for the cost of the structures without depreciation at replacement value. People during the course of surveys and consultations have suggested that their affected structures should be compensation without any depreciation. Valuation for the affected fruit bearing trees has been done by the Horticulture department through their prevailing schedule while as the Entitlement Matrix [3] provides for 15 years production value of the fruit to be paid to the owner. People were of the view that the compensation to be paid for compensating their affected fruit bearing trees should be at par with what is provided in the entitlement matrix.

What is more important to note is that project nearing completion in terms of actual physical work on ground; internal monitoring of the RP Implementation has not been carried out by the executing agency. Neither has been any NGO for the implementation of SRP [3] selected till date which other wise would have been instrumental in highlighting the grievances of the PAPs. The loss for standing crops in case of acquisition of agricultural land was not taken into consideration. The people in general were of the view that participation of PAPs was lacking right from the inception of the project and executing agency is not serious about payment of compensation to the PAPs on time. Had there been timely Monitoring and Evaluation above discussed grievances of the people in general and the PAPs in particular would have been bought to surface and people could have been saved from a huge degree of inconvenience. Such a provision of monitoring would have suggested mitigative measures concerning each and every grievance and problem of the PAPs on time thus lot of effort and time both of people and of the executing agency could have been saved. This signifies the importance of the MandE for efficient and grievance free execution of the RP. The Short Resettlement Plan [3] of the subproject approved by ADB provides for an implementation schedule which has set a time frame for the stage wise implementation of the Resettlement and Rehabilitation activities specified under SRP. The agency is lagging this schedule as no implementing agency till date has been selected

by the EA. This is also aggravating the grievances of the PAPs. The other important thing to note is that the disclosure of the SRP has not been done and as such PAPs were not in a position to know about their respective entitlements in accordance with the entitlement matrix. The SRP of the subproject road which is available at ADB's Official Website [3] provides for a consolidated resettlement budget which although provides for mitigating every negative impact as per the provisions of the entitlement matrix but the actual grand situation is contrary to that. As responded by the people the actual cost of their affected structures likely paid to them has not been calculated at par with the provisions of entitlement matrix or even the Resettlement Budget contained in the SRP [3]. There is no mention about the assistance for those who lost their livelihood and as such is contradictory to the ADBs policy on Involuntary Resettlement, Resettlement Principles and Policy Framework and its compliance. The resettlement principles adopted for this Project recognize the State Land Acquisition (LA) Act 1990 [4] and the entitlement benefits as listed in the National Policy on RandR, (Govt. of India) and the ADB's Involuntary Resettlement Policy (1995).

The primary objective of SRP prepared for the subproject is to identify impacts and to plan measures to mitigate various losses due to the implementation of the subproject. The SRP is based on the general findings of the census survey, field visits, and meetings with various affected persons in the subproject area. Taking into account the various losses, the Entitlement Matrix provides for compensation and resettlement assistance to all affected persons in the subproject area.

In general terms, the people affected by the subproject will be entitled to the following types of compensation and assistance [3]:

- (i) Compensation for loss of frontage, residential and commercial structures at replacement value.
- (ii) Compensation for loss of land and crops/trees at replacement value,
- (iii) Assistance for restoration of income and livelihoods
- (iv) Additional assistance to vulnerable groups namely - Female-headed families, Scheduled Castes (SC), Scheduled Tribes (ST), other Backward Classes (OBC), those below poverty line, elderly and disabled.
- (v) Compensation/assistance for rebuilding/shifting of CPR.

The policy also asserts integrated income restoration measures for affected families losing their source of income and income opportunity. In case of land acquisition the date of notification for acquisition will be treated as cut-off date. For non-titleholders such as squatters and encroachers the date of project census survey will be considered as cut-off date. No person erecting any structure after census cut-off date will be eligible for compensation.

Although above discussed Resettlement Principles and Policy Framework has provision for compensating land, crops and affected structures at replacement value but the feedback received from the people reveals that same has not been followed in true spirit. Besides the Resettlement Framework [1] provides for assistance for restoration of income and livelihoods in case of any income disruption due to the sub project implementation which has not been adhered to in case of those affected families whose commercial structures (encroached) had been dismantled without any prior notice or considering them for any income restoration assistance as per the provisions of the entitlement matrix.

Compliance to stakeholder participation and requirement of RP disclosure

Although Consultations had to be carried out with the affected persons in the subproject with due consideration to Stakeholder consultations and community participation at different levels in the preparation of the SRP where in local peoples' awareness about the project, perceptions, advantages and disadvantages of the project as perceived by them as well as their suggestions for successful implementation of the project had to be availed. But study revealed that due stake holder participation throughout the project cycle was not deemed necessary by the executing agency which has resulted in the present grievances of the people. The SRP which was to be made available for disclosure to the people at the local level has not been done till date and thus people in general are unaware about the SRP that has been prepared for their rehabilitation.

Compliance to implementation arrangements and compensation/assistance disbursement to PAPs

Economic Reconstruction Agency (ERA) [1] is the Executing Agency (EA) for the ADB funded Project of which the subproject under study falls. The Project Management Unit (PMU)[1] has the primary responsibility of the RP implementation. The PMU is responsible for the identification, formulation and implementation of all subprojects including ensuring conformance with state, national and ADB social and environmental safeguards policies. The Design and Supervision Consultants (DSC) assists the PMU in meeting the safeguard requirements as agreed in the loan covenant and updation of the subproject RP in keeping with the agreed Resettlement Framework for the Project. An experienced NGOs/Agency has to be hired as part of the Project for assisting in implementation of RP. The PMU has to ensure monitoring any changes to subproject design which may require re-evaluation of the need for and adequacy of the RP. Provisions have to be made as part of the project to provide training and orientation in resettlement management to the NGO/Agency staff by Social and Resettlement Expert at the PMU level. Focus will be laid on issues concerning - principles and procedures of land acquisition, public consultation and participation; entitlements and compensation disbursement mechanisms; Grievance Redressal and monitoring of resettlement operation. Further, the PMU will ensure resettlement budgets are delivered on time to the entitled persons and the implementing NGOs/Agency for timely RP implementation.

The valuation of the acquired land and assets has to be done based on the principle of compensation at the replacement value of the affected asset. Compensation has to be paid for loss of income and subsistence from trees affected due to subproject. The compensation packages calculated as per the entitlement matrix shall reflect replacement value for all losses to both titled and non-titled owners and resettlement assistances and will be calculated in consultation with PAPs. Photo ID cards had to be prepared for entitled PAPs and distributed among them prior to disbursement of compensation. Those eligible for compensation will be given an advance notice of the date, time and place of payment through public announcements. Receipts should be signed by all those receiving compensation payments and Xerox copies of cheques will be retained for auditing purposes. The payment of compensation has to be monitored and

verified by NGO hired for the purpose. The agency along with the representatives of the affected families will ensure that all payments are made in a transparent manner. NGO will provide support to the PAPs so as to prevent any defrauding of PAPs by officials. All compensation and other assistances had to be paid to all PAPs prior to commencement of civil works. The Implementation Arrangements as discussed in the approved SRP provide for a speedy implementation of the RP to the fullest satisfaction of the PAPs. If the EA approaches the implementation strategy as per what is given in the RP it is expected that the institutional drawbacks within the executing agency will be mitigated and grievances of people in general will be satisfied in a more efficient manner and adherence to the provisions and requirements of ADB's Resettlement policy will be secured. The timely internal monitoring and involvement of an experience NGO to do RP implementation would have also been instrumental in minimizing the grievances of the PAPs. The agreed arrangements and mechanism of the compensation/assistance disbursement have to be followed to address the general dissatisfaction of the people and restore the disrupted social and economic living conditions of the people to the pre-project level.

Conclusions drawn from the study

The overall case study revealed that there has been a definite lack of co-ordination between the key stakeholders especially of the executing agency with the PAPs right from the inception of the subproject. The consultations with the people in the subproject area revealed that they were not consulted during the feasibility study stage of the project and were not fully made aware about the subproject to be taken in hand and hence they remained to a great extent ignorant about the project. The affected people were not made aware of their respective entitlements and kept ignorant of their due compensation in terms of their respective asset loss and due compensations. The entitlement matrix adopted for the project was not discussed with the people as is a requirement as per the Loan agreement of ADB's Loan 2151 under which Qazigund Kulgam Road is a subproject. It can also be concluded that the project being first of its kind in terms of it being externally funded both the officials at the exacting agency level as well as the people at the ground level were indifferent to their responsibilities and entitlements respectively. The executing agency on the one hand was not fully prepared to ensure compliance to the agreed upon resettlement frame work especially the participatory approach in dealing with the resettlement impacts of the subproject and they seemed to deal with the resettlement as they had been doing in the past while on the other hand people due to indifference from the executing agency did not come forward on time with their genuine demands as they were not aware the project being participatory in nature. Although the Short Resettlement Plan of the subproject has been prepared by the executing agency and stands approved by ADB yet its implementation by an experience NGO/agency has not been deemed necessary by the executing agency and that has definitely led to the problems that the people faced. One more important thing that can be concluded is the negative effect of absence of a proper monitoring and evaluation mechanism with the executing agency. Had there been proper monitoring and evaluation the grievances of the people to a great extent would have been solved in time and the resettlement issues of the subproject would have not been so grave.

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