

Resettlement and Rehabilitation (R & R) Policy of World Bank & Andhra Pradesh Government: A Comparative Analysis

Resettlement and Rehabilitation (R & R) have become the buzzwords in current global scenario because of developmental projects resulting in relocation/displacement of large number of people. Usually referred to as Project Displaced Families/Project Affected Families/Project Affected Persons, these vast number of people undergo trauma and pain as it involves leaving behind not only memories of living in the affected zone, but also decreased access to natural, social, economic and financial resources. Though there are debates in both academic and activist circles on various R & R issues and how they ought to be more inclusive, there is no consensus on the broad contours of uniform policy on R & R. In this context, the current document closely looks at the World Bank's Policy on Resettlement and Rehabilitation vis-à-vis the R & R Policy of Andhra Pradesh (2005) for a comparative analysis. The spheres which are of interest for the current analysis are: the policy specifications provided under each policy, governance issues highlighted and the gaps therewith (as seen in the field with particular reference to Andhra Pradesh). The significant differentiating points between the two documents are given below:

1. While the Andhra Pradesh Policy is formulated by the Government of Andhra Pradesh which specifically looks at the R & R activities of irrigation projects under Jalayagnam (other sectors like mining and nuclear power projects included later), the World Bank Policy seems to include wider gamut of activities which have received financial assistance from the Bank in different countries/regions across globe.
2. The Bank's R & R Policy is more donor/sponsor driven with the Bank providing guidelines to the national/regional governments (referred to as borrower) for different sectoral projects. In that sense the Bank only acts as a monitoring agency to see if the guidelines provided by its Policy are followed in word and spirit with limited role in its implementation. As Government of AP funds and implements Jalayagnam program, the focus of the state Policy is in its implementation by policy guidelines to field staff implementing in the districts as the State is responsible for implementing the policy across different project areas in the state.

3. The World Bank Policy is more generic in terms of providing guidelines to national/regional governing institutions as it is difficult to frame a generic policy applicable to diverse regional and political contexts. On the other hand, AP policy is specific to the region and is meticulous in providing guidelines for implementation across different project areas in the state. However, regional differences in implementation of the package exist within the state too (Guntur standing out as an exception in this regard).
4. Not only do both Policies explicit in recognizing inevitability of displacement of Project Affected Persons (PAPs), but also emphasize on minimizing displacement of PDFs. However World Bank document goes one step forward to recognize that replacement/relocation of Project Affected Persons (PAPs) is involuntary and causes severe stress for the Project Affected Families (PDFs) and poses economic, social and environmental risks¹.
5. The WB Policy, in order to lessen these damages argues for appropriate mitigation strategies to minimize the risk/disaster for the PAPs. Though both Policies recognize the need for a proactive engagement with the PDFs in the resettlement process, the World Bank document details out various steps/mechanisms by which this could be achieved².
6. As a funding agency, the Bank argues for the need of assessing direct socio-economic impacts that emerge out of the Bank's investments in projects that cause involuntary displacement which results in relocation of people³. To cater to the needs of relocated people, both policies emphasize on the need for a resettlement policy framework or resettlement plan in place to provide assistance to the PDFs during relocation and provide with residential housing plots (5 cents of housing plot in the A P Policy).

1. The economic risks are in terms of the production systems being dismantled thereby resulting in people being impoverished as their productive assets/income sources are lost. In addition, people are forced to move to environments (usually in the R & R centres) where their productive skills become less relevant (due to inadequate or unsuitable employment opportunities in the centres) thereby resulting in greater competition for scarce economic and social resources. Furthermore, displacement also results in weakening of community institutions and social networks and kin groups are dispersed resulting in loss of cultural identity, traditional authority and potential for mutual help.

²This could be achieved by assisting the PDFs in improving their livelihoods and their standards of living (or at least restore them) to pre-displacement levels. The World Bank document envisages active engagement of the local officials with the displaced people to inform them about their options and rights pertaining to resettlement. They are also consulted and offered choices and provided with technically and economically feasible resettlement alternatives. They are provided with prompt and effective compensation at full replacement cost for loss of assets attributable directly to the project.

³ The document envisages that the displaced persons are informed about their options and rights pertaining to resettlement, they are consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives and provided with prompt and effective compensation at full replacement cost for loss of assets attributable directly to the project.

7. Enumeration of the eligible PDFs is an important component for ensuring the effectiveness of R & R Policy, conducting the Socio-Economic Survey (SES) is an effective tool according to both the documents. While the WB Policy places onus on the national/regional governments for conducting the SES exercise, the Andhra Pradesh Policy provides the following guidelines:
 - a. SES data should contain the details of the members of families who are permanently residing, practicing any trade, occupation/vocation in the project affected area, agricultural and non-agricultural laborers, PAFs who are in possession of forest land in the affected zone prior to 13.12.2005, vulnerable people as elaborated in 11. The policy also recognizes the families which do not own any land and exist below poverty line, but have been living continuously for a period of 3 years prior to the date of notification in the affected zone.
8. The State Policy also provides the following timeframes for conducting the SES data in the affected zones:
 - a. It is mandatory that the SES is completed within 90 days from the date of declaration of an area as affected zone
 - b. The JC/PA shall publish the SES data in the Gram Panchayat to invite objections within 30 days of completion of the SES exercise
 - c. On receipt of objections and verifications, the JC/PA shall submit the final details of the SES data to the District Collector for approval. After this, necessary funds may be drawn from the relevant Heads of Account from the Commissioner, Resettlement and Rehabilitation (CRR)
 - d. Within 45 days of the receipt of the recommendations, the District Administration shall publish the survey details in the District Gazette, a copy of which is sent to the Gram Panchayat.
 - e. The Project Administrator has to ensure that the PDFs are settled in group(s) in sites (also referred to as R & R centres) within the existing Gram Panchayat. For this purpose, the Project Administrator needs to draw up a list of lands (within the same GP or adjoining GP) for resettlement of the PDFs.
9. The AP State Policy (2005) prescribes that 5-cent housing plot be given to all the PDFs in the rural areas and they also be provided with transportation

charges of Rs 5000, and financial assistance of Rs 15000 for cattleshed. In addition the BPL families are given financial assistance of Rs 53000 for house construction. Though the Policy prescribes that land be given for the land acquired, it is not followed in the State. Instead cash compensation is paid to the PDFs for the land acquired. In addition to these, the Policy also provides cash compensation under different heads to various eligible PDFs⁴.

10. A quick glance at the Andhra Pradesh R & R Policy (Chapter III and IV) shows that it has greater clarity on operationalizing the concepts used in the framework. While former document provides definitions of terms⁵ used in the Policy, the latter enumerates details of nuances of administering authority i.e., the Commissioner of Resettlement and Rehabilitation and his/her authorities, powers and functions. The World Bank Policy however specifies that the national/regional governments should be responsible for implementing the Policy stipulated by the WB (for obvious reasons).

11. Both these Policies stress on the need for providing compensation to the affected families for the lands acquired, though in different forms. While the WB Policy emphasizes on providing land for land acquired with a combination of productive potential, locational advantage to the displaced families. In case this is not possible then the non land based options with a focus on livelihood promotion should be undertaken. In contrast, the Andhra Pradesh Policy provides cash compensation for all land and structures acquired – subject to the decision of the District Collector.

12. In addition both Policies have recognized common vulnerable groups⁶ among displaced populations – families below poverty line, landless, elderly, women and children, indigenous people (tribals in AP R & R Policy) and ethnic minorities (WB Policy).

⁴ In addition the vulnerable persons are provided a monthly pension of Rs.500/-. Each non tribal PAF who is a member of a registered Fishermen co-operative Society/Fishing license holders in the affected zone and who lost fishing rights and livelihood shall get 500 days of minimum agricultural wages for loss of fishing rights. The non tribal families in the project affected areas having fishing rights in the river/pond/dam who is a member of registered Fishermen co-operative Society/Fishing license holders shall be given fishing rights in the reservoir. In addition the non tribals are also given benefits under the Andhra Pradesh R & R Policy.

⁵ Concepts covered in Chapter III are: Administrator for R & R, Affected Zone, Agricultural family, agricultural laborer, agricultural land, appropriate government, BPL family, Project, Commissioner for R & R, Family, Vulnerable Persons, Holding, Marginal farmer, non-agricultural labor, Notification, Occupiers, Other Traditional Forest Dwellers, Project Affected Family, Project Displaced Family, Resettlement Zone, Requiring Body, Small Farmer, Substantially affected, Tribal areas and Ombudsman

⁶ Vulnerable groups according to the AP State Policy include disabled, destitute, orphans, widows, unmarried major sons and daughters, abandoned/divorced women, persons above 50 years of age, persons who are not taken care by the family and cannot be provided with alternate sources of livelihood

13. One of the primary objectives of the World Bank Policy is to ensure that the displaced communities are consulted on resettlement options, offered opportunities to participate in planning, implementing and monitoring resettlement by making them members of appropriate grievance mechanisms. The AP State Policy also speaks of participation from the PDFs by making them members of the R & R Committee at the project level. However, from practical experience from the field (at least in Andhra Pradesh) indicates that the presence of the PDFs in these committees is only namesake without any significant contribution from their end.
14. Both the documents recognize the significance of institutionalizing grievance redressal mechanisms, the World Bank policy puts the onus on the National/regional governments to address these issues. The Andhra Pradesh Policy has different mechanisms at the state, district and project level for conflict resolution and grievance redressal.