

**SOCIAL IMPACT ASSESSMENT STUDY  
DRAFT REPORT**

**LAND ACQUISITION FOR A PERMENANT VENUE FOR  
COCHIN BIENNALE AND OTHER TOURISM ACTIVITIES**

**30<sup>TH</sup> NOVEMBER 2018**

**Requiring Body**

**Kerala Tourism Department  
Thiruvananthapuram**

**SIA Unit**

**Rajagiri College of Social  
Sciences**

Rajagiri P.O Kalamassery  
Kochi, Kerala- 683 104  
Ph: 0484 2911330-332  
email:rossrajagiri@gmail.com  
www.rajagirioutreach.org

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## CHAPTER 1

# EXECUTIVE SUMMARY

### 1.1. Project and Public Purpose

The proposed land acquisition aimed to make a permanent venue for Kochi-Muziris Biennale and other tourism activities. The Kochi-Muziris Biennale (KMB) is an international exhibition of contemporary art hosted in the city of Kochi, India. The Biennale is a platform for new Indian and international aesthetics and art experiences, and seeks to sustain a space that protects and projects the freedom of artistic invention. The Kochi-Muziris Biennale (KMB) also seeks to invoke the historic cosmopolitan legacy of the modern metropolis of Kochi, and its predecessor, the ancient port of Muziris. The First Edition of the Kochi-Muziris Biennale was organized from 12th December 2012 to 17th March 2013 and exhibited artworks in venues spread across Fort Kochi and Ernakulam. This included existing exhibition sites, public spaces, heritage buildings and other non-traditional venues. Alongside the exhibitions, the Kochi Biennale Foundation organised an extensive public programs, seminars, workshops and a comprehensive & far-reaching educational programme. The three editions of the Kochi-Muziris Biennale since 2012 have ensured that Kochi occupies a prominent position in the global art calendar.

Kochi is the second-most-populous city / town in the state of Kerala which attracts a good number of tourists because of its cultural and aesthetic peculiarities. The Biennale draws artists, collectors, museum representatives, gallerists, technocrats, writers, filmmakers, art enthusiasts and students from around the world to the city of Kochi. As a result Kochi has become known as 'Biennale City' and even as the 'Art Capital'. The Biennale was aimed at not only transforming Kerala into a cultural hotspot of the country, but also

expected to benefit the entire country economically and socially. Public funding of the arts and culture can play a vital role in encouraging creative innovation.

Since the beginning of the Biennale in 2012, more than a million people have visited this contemporary art exhibition, making the Kochi-Muziris Biennale the largest art event in the region and one of the most significant events in the international art calendar. Considering the tourist attraction of Kochi and the importance of Kochi-Muziris Biennale, a permanent venue for this venture may help its smooth functioning and conduct every two years. It may also wave a path to improve tourism activities at Kochi and thus lead an economic enhancement of the country as a whole.

## 1.2. Location

The land proposed to be acquired belongs to Fort Kochi village in Ernakulam district and in Kochi Taluk.

## 1.3. Size and Attributes of Land Acquisition

Below mentioned table explains about the size and attributes of land acquisition

Table 1.3.1. : Size and Attributes of the Proposed Land

Sl.No.	Survey No.	Discription	Area proposed to be acquired (in hector)
1	3	Dry land	0.0162
2	4	Dry land	0.0121
3	7	Dry land	0.9551
4	402/10	Dry land	0.6191
5	1	Dry land	0.404
6.	403/2	Dry land	0.405

#### 1.4. Alternatives Considered

Kochi-Muziris Biennale has been conducting since 2012 in the proposed site which is a most suitable place for this purpose. Hence no alternatives were considered.

#### 1.5. Social Impacts

The land proposed to be acquired for the project is owned by M/s.DLF Aspinwall Hotels pvt. Ltd and M/s.DLF Cochin Hotels pvt. Ltd. They are the major project affected party and they will lose their property (land and structures) due to the project. Besides, 3 individuals are employed by the owning company as Care Takers nearly 10 years and is observed that they will lose their only source of means.

The proposed plots are with plenty of trees including coconut trees. Since the requiring body is not proposed to do any construction in the area, the trees are expected to be preserved and maintained.

Note: The above data is arrived as per the information provided by the respondents during the Survey. Supporting documents need to be verified during Land acquisition.

#### **1.6. Mitigation Measures**

It appears from the analysis and overview of the Act that the provisions of compensation for land acquisition under RTFCTLARR Act, 2013 will be sufficient to mitigate the impact. Speedy disbursement of compensation is preferred

## CHAPTER 2 DETAILED PROJECT DESCRIPTION

### **2.1. Background of the Project including Developers Background and Governance/Management Structure:**

Kerala, located on the south-western tip of India, enjoys unique geographic features that have made it one of the most sought-after tourist destinations in Asia. Fondly referred to as 'God's Own Country', Kerala was selected by the National Geographic Traveller as one of the 50 destinations of a lifetime and one of the 13 paradises in the world. An equable climate, serene beaches, tranquil stretches of backwaters, lush hill stations and exotic wildlife are the major attractions of this land.

Kerala Tourism Department, part of Ministry of Tourism is a major verticals under Government of Kerala. It is the prime regulatory agency that overviews and supervises entire tourism activities of the state. Kerala Tourism is ranked as one of the fastest growing tourism industries in the country and the ministry has been often adjudged as key department that aggressively worked on to make Kerala Tourism into top 100 superbrands. Unlike other departments, Tourism Department is considered as independent department and a field agency. It has its headquarters located at Park View, in Thiruvananthapuram. The Department is headed by a minister, supported by a Principal Secretary. In addition, the department has a Director and 2 Additional Directors. There is a council consisting of key tourist players and government officials, which advises the government. The current minister for Tourism is Sri. Kadakampally Surendran.

The Kochi-Muziris Biennale is an international exhibition of contemporary art and has been held in Kochi, Kerala since 2012. It is the largest art exhibition in India and the biggest contemporary art festival in Asia. It is an initiative of the Kochi Biennale Foundation with support from the Government of Kerala.

## **2.2. Rationale for Project**

Kochi attracts the tourists with its aesthetic heritage. Kochi-Muziris Biennale, an international exhibition of contemporary art has been held in Kochi, since 2012 and contributes immensely to the tourism in the state. Since the beginning of the Biennale in 2012, more than a million people have visited this contemporary art exhibition, making the Kochi-Muziris Biennale the largest art event in the region and one of the most significant events in the international art calendar. The Biennale draws artists, collectors, museum representatives, gallerists, technocrats, writers, filmmakers, art enthusiasts and students from around the world to the city of Kochi. As a result Kochi has become known as 'Biennale City' and even as the 'art capital'. A permanent venue for Kochi-Muziris Biennale and for other tourism activities may give better opportunities to advance the tourism in Kochi.

As per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) Section 2(vi), the project can be considered as a public purpose.

## **2.3. Details of Project - size, Location, Production Targets and Cost**

In total 1.6025 hectares of land is required as permanent venue and for other tourism activities. The affected area belongs to Fort Kochi Village in Kochi Taluk in Ernakulam district.

**Cost:** The total tentative cost of the project is expected to be Rs.80 crores as stated by the requiring body.

## **2.4. Examination of Alternatives**

Since Kochi-Muziris Biennale has been conducting in the proposed sites from 2012 onwards, no alternatives were considered.

## **2.5. Phases of the Project Construction**

The requiring body is not stated any new construction presently in the proposed land.

## **2.6. Core design Features, Size and Type of Facilities:**

*Not Applicable*

## **2.7. Need for Ancillary Infrastructural Facilities**

Not applicable

## **2.8. Work Force Requirements:**

Not applicable

## **2.9. Details of Studies Conducted Earlier**

Not applicable

## **2.10 Applicable Legislations and Policies**

The applicable laws on land acquisition, rehabilitation and resettlement for the land acquisition for a permanent venue for Kochi Musiris Biennale and for other tourist activities are as follows:

- The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
- Government of Kerala - Revenue Department -State Policy for Compensation and Transparency in Land Acquisition
- Right to Information Act, 2005

## CHAPTER 3

### TEAM COMPOSITION, STUDY APPROACH AND METHODOLOGY

As per the Notification No.C8-12097/17 dated 11.10.2018, Ernakulam District Administration has selected Rajagiri College of Social Sciences, Kalamassery as the SIA Unit to study the Social Impact Assessment of the land acquisition for a permanent venue for Cochin Biennale and other tourism activities at Fort Kochi

The objective of Social Impact Assessment (SIA) is to enumerate affected land and structures, affected families and persons, to identify social impacts, and to prepare Social Impact Management Plan (SIMP). In order to capture data for the present exercise, both primary as well as secondary sources were systematically tapped.

#### **3.1.Details of the Study Team**

The study team is headed by the Principal of Rajagiri College of Social Sciences who is the Chairman of SIA Unit. A team of 8 members having experience in conducting Social Impact Assessment Study and Socio Economic Surveys were assigned for field level data collection, monitoring of data collection and co-ordination of the study. Representatives from Revenue Department supported the investigators to identify the affected families. Details of the study team are mentioning in the table below:

*Table 3.3.1. Details of the Study Team*

Sl.No	Name	Qualification and Designation	Experience
1.	Dr.Binoy Joseph	MA(HRM), LLB, Ph.D. Chairman - SIA Unit(Principal, Rajagiri College of Social Sciences)	22 years in teaching, research and training
2.	MeenaKuruvilla	MSW Consultant SIA	30 years in development

			sector
3	Maria Tency.V.S	MA, DSS, Documentation Officer	26 years in development sector
4	Ranjith K U	DSS, Research Associate - SIA Unit	23 years in development sector
5.	Biju C.P	BA - Research Associate	23 years in development sector
6.	Sujith KU	MA, PGDAHS Research Associate	11 Years experience in development sector
7	Salim.P.	MBA	9 Years experience in development sector
8.	Ramadas P.D	B.Com, PGDTDM, HDCS	20 years in System and Finance Management

### 3.2 Methodology and Tools Used

Before preparing the Draft SIA study report, the study team acquired maximum information about the project with the support of requiring body. Kochi Biennale Foundation also helped the team by providing information about Kochi-Muziris Biennale. The team visited the project sites and studied about the land, inventories, structures and other productive assets in it. To assess the various impacts and to learn about the views of the affected party about the land acquisition, the team interviewed the representative of M/s.DLF Aspinwall Hotels pvt.Ltd. by using a specified questionnaire. The team also interviewed 3 staff who are working in the affected property for nearly 10 years.

### **3.3. Sampling Methodology Used**

Since the project needs to acquire only two properties, the sampling methodology is not suitable and the entire universe was studied.

### **3.4. Schedule of Consultations with Key Stakeholders:**

24.10.2018 : Meeting with Mr.K.Sivaprasad, Advisor &Incharge Kerala DLF

29.10.2018 &

12.11.2018 : Visited the Project sites

29.10.2018 : Meeting with Mr.N.P.Kurian, G.M., Kochi Biennale Foundation

17.11.2018 : Site visit along with the LA officials

### **Public Hearing:**

As per Form 5 Rule 14 (1) of the RTFCTLARR Act, 2013, a public/communityconsultation (Public Hearing) is scheduled on 4<sup>th</sup> December 2018 at Aspinwall building at Fort Kochi. Thequeries, clarifications and remarks at the meeting would be incorporated in the final report.

## **CHAPTER 4 LAND ASSESSMENT**

The land proposed to be acquired for the project is owned by M/s.DLF Aspinwall Hotels pvt. Ltd and M/s.DLF Cochin Hotels pvt. Ltd. The land is located in Fort Kochi region on the way to Mattanchery. Kochi is the second-most-populous city / town in the state of Kerala which is attracted by many national and international tourists.

### **4.1 Entire Area of Impact under the Influence of the Project**

Loss of land and property for the affected party which is a heritage property in Fort Kochi is the major impact of the land acquisition. The land in the survey Numbers 3,4,7 and 402/10 is a sea-facing heritage property. The large compound contains office buildings, a residential bungalow and a number of other structures. Large number of trees including around 15 coconut trees, mango trees etc exist in the property.

There are no structures in the land under the survey Numbers 1 and 403/2 and numerous soft wood trees are seen in the property. Both the properties have compound wall.

### **4.2. Total Land requirement for the project**

For making a permanent venue for biennale and for other tourism activities, 2 properties coming under 6 survey numbers are proposed to be acquired. The project requires 1.6025 hectares belongs to survey numbers 3,4,7 and 402/10 and 0.809 hectares belongs to survey numbers 1 and 403/2. Hence the total requirement of the project is 2.4115 hectares of land.

### **4.3. Present Use of any public, Utilized land in the vicinity of the Project Area**

The property which belongs to M/s. DLF Aspinwall Hotels pvt. Ltd and M/s. DLF Cochin Hotels pvt. Ltd. is a sea facing property, located across VypeenIsland.

The Fort Kochi beach, a tourist attractive place is located near to the property. Besides, the boat jetty and the bus station are sited in a walkable distance from the project land.

#### **4.4. Land Already Purchased, Alienated, Leased or Acquired, and the intended use for each Plot of land**

1 acre 29 cents attached to the proposed land to be acquired is already owned by the Government of Kerala.

The entire land proposed to be acquired is to use as a permanent venue for Kochi Muziris Biennale and other tourism activities of the Department of Tourism, Government of Kerala

#### **4.5. Quantity and Location of land Proposed to be acquired for the Project.**

In total, 2.4115 hectares of land is proposed to be acquired for the project. The proposed land is located in FortKochi region.

#### **4.6. Nature and Present use of the Affected Land:**

The affected land is categorized as “Purayidam” as per the revenue records.

The property was originally the business premises of Aspinwall & Company Ltd. and presently using the land and structures as venues for Kochi Muziris Biennale. The property remains unused in the rest of the time.

#### **4.7. Ownership Patterns**

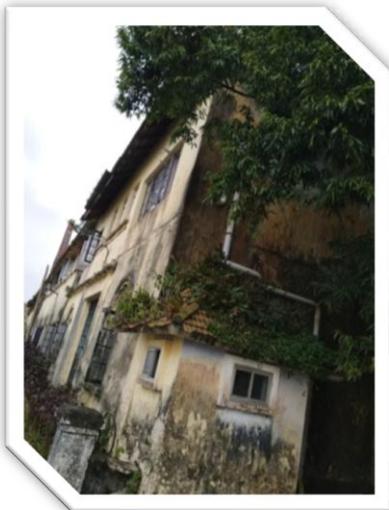
The properties are owned by M/s.DLF Aspinwall Hotels Pvt. Ltd and M/s.DLF Cochin Hotels Pvt. Ltd.

#### **4.8. Land Price and Recent Changes in Ownership**

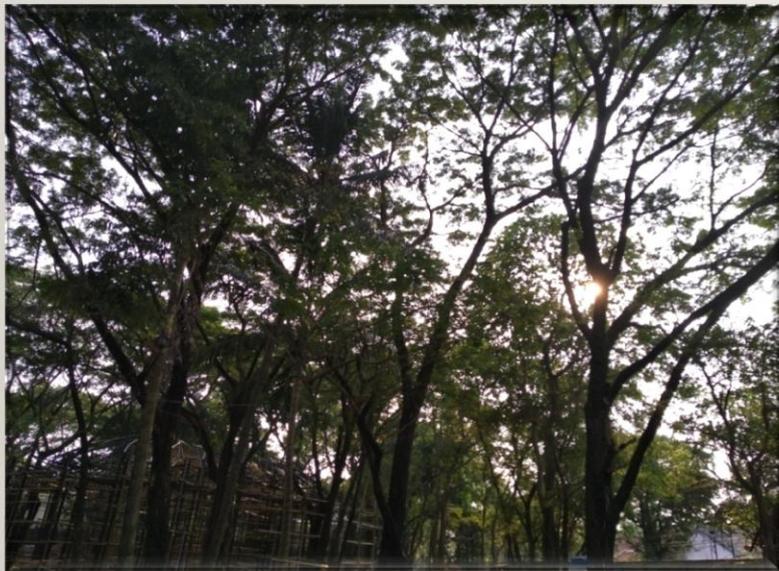
As per the information given by the respondents, no transactions had been taken place in the affected properties for the last three years.

The market price of land as per the information received from the local people is around Rs.25 lakhs per cent.

**The structures and trees in the land under the survey numbers:3,4,7 and 402/10**



The trees in the land under the survey numbers:1 and 403/2



## CHAPTER 5

### ESTIMATION AND ENUMERATION

This chapter comprises of the details of the families that are directly and indirectly affected by the project, extend of impact and the mitigation measures that the requiring body stated that it will introduce in project proposal.

#### **5.1 Affected Families of the Project**

M/s.DLF Aspinwall and Hotels Pvt.Ltd. and M/s.DLF Cochin Hotels Pvt. Ltd. are the directly affected parties of the project since they are losing their land and property.

The 3 care takers at the project sites who have been working there for more than 5 years will lose their job. So the families of these three should be considered as the affected families of the project. Their names and the year of joining are mentioning in the table below:

**Table No:5.1.1. : Livelihood Affected Families**

<b>Sl.No.</b>	<b>Name of the employee</b>	<b>Year of joining</b>
1	Mr.Stanley.P.M.	2007
2	Mr.Suresh.K.K	2008
3	Mr.Benny.K.J.	2012

1.

#### **5.2. Families which depend on common property Resources which will be affected due to land acquisition for their livelihood**

Not Applicable

#### **5.3. Detailed Mitigation Plan stated by the Requiring Body:**

Compensation as per the RTFCTLARR Act 2013

#### **5.4. Activities Carries out for Mitigation:**

As per RTFCTLARR Act 2013 Rajagiri College of Social Sciences has assigned to undertake the social impact assessment study of the land acquisition for making a permanent venue for Kochi biennale. SIA team had visited the site and met stakeholders and thereafter prepared a draft report about the social impact of the land acquisition. A Public Hearing is proposed to be held on 4<sup>th</sup> December 2018 for which notices has given to the affected company and families. It will be a platform for the affected party and families to express their anxieties and queries related to land acquisition which will be mitigated by the concerned authorities.

## CHAPTER 6

### SOCIAL IMPACT MANAGEMENT PLAN

#### INSTITUTIONAL FRAMEWORK

##### 6.1 Institutional Structures and Key Persons

RTFCTLARR Act, 2013 defines the **Administrator** appointed by the State Government would be the person responsible for Preparation of Rehabilitation and Resettlement Scheme for affected families of Land Acquisition. Subject to the superintendence/ directions / control of the appropriate Government and the Commissioner for Rehabilitation and Resettlement, the formulation, execution and monitoring of the Rehabilitation & Resettlement Scheme shall vest with the Administrator.

In the proposed land acquisition for a permanent venue for Kochi Biennale and other tourism activities, the major mitigation measures from the acquisition can be handled by providing the appropriate compensation under the RTFCTLARR Act, 2013.

As per G.O. (Ms) No.485/2015/RD, dated 23/09/2015, The Kerala State Policy for Compensation and Transparency in Land Acquisition, the District Level Fair Compensation, Resettlement and Resettlement Committee comprising :

- District Collector, Administrator for resettlement and rehabilitation,
- Land Acquisition officer,
- Finance Officer,
- Representatives of the requiring body to take financial decisions on its behalf,
- Representatives of Local Self Government Institution will monitor the Rehabilitation Action Plan. (No rehabilitation is required for this project)

## CHAPTER 7

### SOCIO-ECONOMIC AND CULTURAL PROFILE

#### 7.1. Demographic Details of the Population in the Project Area:

Nobody is staying in the project affected area.

But livelihood of the 3 families is being affected by the proposed land acquisition and the demographic details of that families are explaining in the table below:

#### Demographic Details

*Table 7.1.1 Age Group and Gender*

Age in years	Gender		Total
	Male	Female	
19-30	2	2	4
31-45		1	1
46-59	3	2	5
60 and above		2	2
Total	5	7	12

Table 6.1.1 reveals the age group distribution of the affected persons of the project. In total the 3 affected families 12 members. Among them 2 male members and 2 female members comes under the age group of 19-30. 1 female member is in the age group of 46-59. There are 3 male members and 2 female members falls under the age group of 46-59 and 2 female members are above 60 years old.

#### 7.2. Income and Poverty level of the affected Family:

2 family members are working in all these families. 2 families are getting a monthly income of Rs.25,000/- and 1 family reported that Rs.20,000/- as their monthly income. Out of the total population 6 are earning members and the other 6 are dependants.

#### 7.2. Land Use and Livelihood:

The property was originally the business premises of Aspinwall & Company Ltd. and presently using the land and structures as venues for Kochi Muziris Biennale. The property remains unused in the rest of the time.

## **CHAPTER 7**

### **SOCIAL IMPACT MANAGEMENT BUDGET AND FINANCING OF MITIGATION PLAN**

#### **7.1. Costs of all resettlement and rehabilitation costs**

Around Rs. 80 crores is the expected cost of the project as stated by the requiring body.

#### **7.2. Annual budget and plan of action**

Not Applicable

#### **7.3. Funding sources with breakup**

Not Applicable

**CHAPTER 8**  
**SOCIAL IMPACT MANAGEMENT PLAN MONITORING**  
**AND EVALUATION**

**8.1 Key Monitoring and Evaluative indicators**

Not Applicable

**8.2 Reporting mechanisms and monitoring roles**

Not Applicable

**8.3 Plan of independent evaluation**

Not Applicable