



**ASOM MALA PROGRAM**  
**Government of Assam**  
**Public Works Roads Department (PWRD)**



**Project Title:** Program Coordination and Management Consultancy (PCMC) for Asom Mala

Task 3: Preparation and Implementation of Asom Mala Program and Projects under it & Task 4: Other Tasks related to the Program

# Resettlement Planning Framework (Revision 3)

for  
Assam Secondary Road Network  
Improvement Project (ASRIP)  
under Asom Mala Program

July, 2021

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## ABBREVIATIONS

ADC	: Autonomous District Council
AIIB	: Asian Infrastructure Investment Bank
APL	: Annual Patta Land
ARAMS	: Assam Road Asset Management System
ARNIP	: Assam Road Network Improvement Project
ASRIP	: Assam Secondary Road network Improvement Project
ASRP	: Assam State Roads Project
BPL	: Below Poverty Level
CE	: Chief Engineer
CSC	: Construction Supervision Consultant
DF	: Displaced Family
DP	: Displaced Person
DPR	: Detailed Project Report
EA	: Executing Agency
EAP	: Externally Aided Project
EIA	: Environmental Impact Assessment
EM	: Entitlement Matrix
ESIA	: Environmental Social Impact Assessment
ESMPF	: Environmental and Social Management Planning Framework
ESMP	: Environmental and Social Management Plan
FGD	: Focus Group Discussion
GBV	: Gender based violence
GOA	: Government of Assam
GOI	: Government of India
GRC	: Grievance Redress Committee
GRM	: Grievance Redress Mechanism
IP	: Indigenous People
IPP	: Indigenous People Plan
IPPF	: Indigenous Peoples Planning Framework
IR	: Involuntary Resettlement
INR	: Indian National Rupee
MDB	: Multilateral Development Bank
MDR	: Major District Road
NGO	: Non-Governmental Organization
NH	: National Highway
PCMC	: Project Coordination and Management Consultancy
PIU	: Project Implementing Unit
PMU	: Project Management Unit
PPE	: Personal Protective Equipment
PPL	: Periodic Patta Land
PPP	: Private Public Partnership
PWD	: Public Works Department



PWRD	: Public Works Roads Department
RFCTLARR	: Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement
RIA	: RP Implementation Agency
RP	: Resettlement Plan
RPF	: Resettlement Planning Framework
ROW	: Right of Way
R&R	: Rehabilitation & Resettlement
SAR	: Social Assessment Report
SC	: Scheduled Caste
SES	: Socio-Economic Survey
SH	: State Highway
SIA	: Social Impact Assessment
SLPL	: Short Lease Patta Land
ST	: Scheduled Tribe
TOR	: Terms of Reference
ULB	: Urban Local Body
WHO	: World Health Organisation

# 1 INTRODUCTION

## 1.1 Project Background

The state of Assam is in northeastern India, situated in the south of the eastern Himalayas in the Brahmaputra and Barak River valleys. Assam covers an area of 78,438 sq. km. Assam has a road network of about 3,900 km of National Highways (NH); 7,547 km of State Highways (SH) and Major District Roads (MDR) and 36,544 km of Rural Roads. The road network of Assam also caters to other six northeastern states of Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland and Tripura and provides regional interconnectivity to the nations of Bangladesh, Bhutan, Myanmar and India. The majority of the roads are being maintained and managed by the Public Works Roads Department (PWRD), Government of Assam (GOA).

PWRD, GOA has developed a Road Asset Management System for Assam (ARAMS) in 2015-16, to rationalize decision-making for prioritizing and planning of road rehabilitation and maintenance activities. ARAMS also estimates long-term funding requirement for preserving the road assets at an acceptable service level.

The Government of Assam has initiated a flagship program, named Asom Mala as a long-term programme for fueling economic growth as well as improving the road infrastructure towards Sustainable Development Goals and achieving Assam Vision 2030. The Asom Mala program is planned to have a) Planning and Construction of project roads, b) Road sector strengthening and institutional development and c) Road safety improvement.

Asom Mala program would be a large and prestigious long-term road infrastructure development program which in addition to State funded works, would also include several Externally Aided Projects (EAP) under its umbrella like the Asian Development Bank (ADB) aided Assam Road Network Improvement Project (ARNIP), Asian Infrastructure Investment Bank (AIIB) aided Assam Secondary Road Network Improvement Project (ASRIP), etc., and may also include PPP projects.

There are 31 roads with a length of about 1,342 km spread across 27 districts of Assam, as selected through ARAMS for the Asom Mala program. The roads are further divided among districts and distributed into 5 groups for DPR preparation.

## 1.2 Project Description

The Assam Secondary Road Network Improvement Project (ASRIP), to be financed under Asian Infrastructure Investment Bank (AIIB), will help enhance road connectivity, safety, and climate resiliency in project districts of Assam, and support modernization of the PWRD's asset management system.

### 1.2.1 Project Objective

The overall objectives of the program include: a) Improvement of SH & MDR network for fueling economic growth and bringing the state road infrastructure at par with Southeast Asian countries; b) Provide quality inter-linkage roads between the National Highways and rural roads network as well as facilitate seamless multi-modal transportation; and c) Interconnect economic growth centers, develop transportation corridors and improve inter-state connectivity with optimal quality.

The sub-project roads of ASRIP are mostly in Upper Assam, and these alignments provide strategic connectivity in the following aspects:

- ▶ Connectivity to urban growth centers, tourist centers, industrial centers
- ▶ Enhancement of regional connectivity together with National Highways
- ▶ Improving connectivity of the Majuli island, which is not connected with road network

The ASRIP also proposes to establish involvement and active participation of the road users/public in the project, so that the people feel the ownership of the project, from base line to post implementation stage. The suggestions and value additions of stakeholders will be addressed all through the implementation of the program. Social Connect and reach out with hassle free and minimum disputes alternatives will be planned well prior to the development, through various means.

### 1.2.2 Project Components

The PWRD GOA have identified 7 roads of about 245 km, divided into 8 civil work contracts, to be rehabilitated in Assam Secondary Road Network Improvement Project (ASRIP) under Asom Mala program. Another 38 roads of about 750 km roads have identified for road safety enhancement of existing roads within ASRIP. The proposed sub-project roads of ASRIP are summarized in **Table 1** and detailed in **Appendix S1**.

ASRIP comprises two components, Component A: focuses on the physical improvements on the State Highway (SH) and Major District Road (MDR) in Upper Assam & Component B: focuses on the soft measures to enhance PWRD's capacity to manage their assets efficiently.

- i. Component A: Improvement on road connectivity, resilience and safety. About 1000 km of road sections of existing SH and MDR are proposed in this component for improvement, including construction of two bridges. The design of the improvements and new construction pays special attention on the climate adaptation and road safety measures. To ensure sustainability, maintenance is proposed to be part of each construction contract.
  - a. Sub-Component A.1: Rehabilitation of secondary road network. This Sub-component includes rehabilitation and capacity augmentation of around 260 km roads in the Upper Assam districts, including construction of two bridges. The main rehabilitation works include enhancement of road subgrade, selective road widening, paving, drainage, slope protection, and road signage and safety improvements. Both climate resilient and safety features will be considered for the rehabilitation. The roads list for rehabilitation will be finalized during appraisal. Sub-component A.1 mainly includes civil works. These two bridges, within Assam, connect Majuli island with Lakhimpur district of Assam, over Subansiri River and Luit River, which are tributaries to the Brahmaputra River.
  - b. Sub-Component A.2: Road safety enhancement. This sub-component aims to integrate road safety enhancement measures along the existing 750 km of secondary road network in Upper Assam, identified through PWRD's asset management system as alignment without any road safety measures. The sub-component would support safety audits and improved design along these alignments and upgrade the existing asset management platform to incorporate road safety management. This sub-component would entail civil works, goods and consultancy services. The anticipated safety measures include, but not limited to, road markings, signage, pavement rehabilitation, crash barriers, traffic calming facilities, streetlights, guardrails, pedestrian paths, road widening and road alignment adjustments.
- ii. Component B: Modernization of PWRD's asset management system and capacity building. Modernization and maintenance are the key issues of Road Asset Management. Rehabilitation of roads and safety enhancement of the existing network will have to be supported by proper maintenance of the created assets by combining engineering disciplines with solid business practices. Modernization of road asset management will benefit PWRD with stronger institutional capacity to plan, procure and execute.

**Table 1: Proposed sub-projects for ASRIP**

Component	Name of Subproject	Roads (Nos.)	Length(Km)
A.1	Rehabilitation of Secondary Road Network	7 <sup>1</sup>	245.00
A.2	Road Safety Enhancement	38	750.00
B	Modernization of PWRD's asset management system and capacity building	-	-
<b>Total Sub-projects of ASRIP</b>		<b>45</b>	<b>995.00</b>

Source: PMU, Asom Mala, May 2021

Another road of Kamarbandha to Nakachari of about 35 km under sub-component A.1 of Rehabilitation of Secondary Road Network is yet to be identified.

### 1.2.3 Proposed Improvements

The construction of sub-project road works will include geometric improvement in terms of horizontal and vertical alignment improvement, as well as widening to two lanes with or without paved shoulders depending on the necessity and feasibility. Roads are to be improved mainly following the existing alignment, with realignments or new alignments at some stretches. New Reinforced Concrete Construction (RCC) bridges would be constructed wherever required and existing structurally weak bridges in poor condition would be rehabilitated. Road safety audits will be carried out and counter measures will be identified and put in place to enhance safety. Economic analysis would be carried out for each project road to ensure viability of road improvements works.

Preparation of Detailed Project Reports (DPR) would include social and environmental assessments and Environmental and Social Management Plans, as per the applicable guidelines. It would include land acquisition plans for improving horizontal alignment and widening of the roads, prepared based on revenue records and non-cadastral lands.

## 1.3 Key Social Issues and Likely Adverse Impacts of the Project

The possible adverse impact of the project land acquisition are:

- ▶ Loss of land (agricultural/ homestead/ commercial/ fallow land etc.)
- ▶ Temporary loss of access
- ▶ Disproportionate impacts on vulnerable groups including women, indigenous people ,income below the poverty line and PWDs
- ▶ Loss of structures (residential/ commercial/ residential cum commercial) of titleholders and non-titleholders
- ▶ Loss of community/ religious land and structures and other community properties
- ▶ Loss of livelihoods, including the loss of tenancy and loss of employment opportunities
- ▶ Loss of trees and crops

The design finalization and social survey are yet to be completed in some sub-project roads. Respective Resettlement Plans will present social issues and likely adverse impacts of the sub-project roads.

## 1.4 Need for Resettlement Planning Framework (RPF)

This Resettlement Planning Framework (RPF) is prepared to mitigate possible social impact in the Project's proposed alignments/subprojects. The RPF is prepared to describe the approach, principles, and procedures that will be followed to manage all unavoidable physical and economic displacement. The RPF

<sup>1</sup> The 7 roads of ASRIP has been divided in 8 nos. of civil works contracts.



is the precursor to the preparation of a full/final Resettlement Plan (RP). The RP will be prepared in accordance with laws and regulation of the Government of India, state government of Assam and AIIBs Environmental and Social Standard 2: Involuntary Resettlement. Moreover, the purpose of the RPF is to provide preliminary information about the potential resettlement impacts and management measures to mitigate the adverse impacts of resettlement to relevant government entities and stakeholders. The following sections of the RPF discusses about evaluation of impacts of proposed alignments/subprojects, methodologies for conducting Social Impact Assessment (SIA) and Resettlement Plan (RP), due diligence, broad R&R principles adopted for the project and institutional arrangement for implementation of RAP.

## 2 LEGAL AND REGULATORY FRAMEWORK & AIIB'S ESP

### 2.1 Policy and Legal Framework

The Policy and Legal Framework on the land and social impact of ASRIP will be based on:

- a. Assam Government Direct Purchase Policy, 2021
- b. Assam Government Policy on conversion of Eksonia Land to Periodic Patta Land.
- c. Assam Land Acquisition Notification No. RLA 300/20013/Pt-II/7 dated 22<sup>nd</sup> December 2014;
- d. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARR) 2013;
- e. Assam RFCTLARR Rules 2015;
- f. Resettlement Policy Framework (Addendum) for Assam State Roads Project, February 2018;
- g. AIIB's Environmental and Social Framework including Environmental Social Standards (ESS) of Environmental and Social Assessment and Management (ESS 1), Involuntary Resettlement (ESS 2), and AIIB's Policy on Project-affected People's Mechanism.

#### 2.1.1 Direct Land Purchase Policy of Assam

The required additional private land for Asom Mala will be preferably acquired as per the provisions of the Direct Purchase Policy of Assam, 2021, which is named as "Land acquisition through direct purchase by way of negotiated settlement as first option, for improvement and upgradation of State Highways and Major District Roads under Asom Mala Program and Externally Aided Projects (EAP)", as notified in the Assam Gazette Notification No. DA5R.80/2020/3 dated 20<sup>th</sup> January 2021. The Direct Purchase Policy is appended as **Appendix S2**.

The private land for linear projects of ASRIP will be acquired through Direct Purchase with approved principles and guidelines. It will fast track the land acquisition process from about 54 months (on normal Acquisition process) to about 6 months (Direct Purchase)

The important steps and salient features of the Direct Purchase Policy are:

- ▶ The PWRD will finalize the minimum land requirement and give requisition to the concerned Deputy Commissioner/ District Collector (DC) in Form-A (Form-1 previously).
- ▶ The Policy constitutes a District Level Land Purchase Committee (DLLPC) with concerned DC as Chairman and Additional Deputy Commissioner (Revenue) as Member Secretary. The DLLPC have Revenue officials, representation from PWRD, PWD (Building) and may also have representation from other required departments.
- ▶ The Revenue Circle Officer will conduct joint inspection of the requisite land along with representation from PWRD. The area of the land and immovable properties attached on it will be measured, mapped and ownership details will be updated.
- ▶ The DLLPC will invite the land owners and a list of land owners agreed for Direct Purchase will be published inviting objections, within 1 month, regarding interest and ownership of the land etc.
- ▶ DLLPC will prepare the valuation of land and assets, as per provisions of Section 26 to 30 & Schedule I of RFCTLARR Act 2013 with multiplier of market rate defined in Assam. The land owners will get an incentive of additional 25%, inclusive of R&R Benefits, on the compensation calculated.

- ▶ A pre-informed negotiation(s) with the respective land owners will be carried out by DLLPC. The settlement reached in the negotiation shall be recorded in Agreement. The land will be possessed and registered through paying the negotiated price through electronic transfer to their respective bank accounts.
- ▶ In the event of any owner refusing to sell the land, any unresolved disputed ownership or court cases, the respective land will be acquired through regular land acquisition process of Assam.

### 2.1.2 Conversion of Eksonia Land to Periodic (Myadi) Patta Land

Eksonia<sup>2</sup> Land can be converted to Periodic Patta Land (PPL) Land by applying before the concerned Circle Officer under whose jurisdiction the Eksonia land falls on plain paper affixing appropriate Court fee clearly mentioning the land schedule. In rural areas however, provisions for initiating suo-moto conversion process has also been made where the concerned Land Recorder (Lot Mandal) shall submit conversion proposal to the Circle Officer.

There are certain restrictions on the conversion of the Eksonia Land:

- ▶ No portion of the annual lease falling within 22.5 metres (75 ft.) from the centre line of PWD Roads/ NH will be converted into periodic.
- ▶ No portion of the annual lease falling within 15 metres (50 ft.) from the centre line of roads, other than PWD/ NH, will be converted into periodic.
- ▶ Areas falling within the mining lease shall not be converted into periodic.
- ▶ Lands falling near the registered beel and fishery must not be converted into periodic.
- ▶ Minimum area allowed to be converted into periodic is up to the ceiling limit in rural areas which is inclusive of the area already held or converted into periodic lease.
- ▶ Land falling within the radius of 10 KMs from the boundary in case of Guwahati Municipal Corporation and 3 KMs in case of other Municipal and Revenue town should not be converted by the Circle Officer.

The Eksonia Holder needs to pay premium for conversion of his Eksonia land to Periodic Patta (Ownership) land. The rate of premium for conversion, as per the Revenue and Disaster Management Department of Govt. of Assam, is presented in **Table 2**.

**Table 2: Conversion Rate of Eksonia Land to Periodic Patta Land**

Sl. No.	Purpose	Guwahati City	Other Municipal Towns	<10 km of Guwahati and <3 km of other Municipal Towns	Rural Areas
1	Residential	50% of Market Rate	50% of Market Rate	50% of Market Rate	Rs. 40 per Bigha
2	Commercial	100% of Market Rate	100% of Market Rate	100% of Market Rate	75% of Market Rate
3	Agricultural	-	-	50% of Market Rate	Rs. 20 per Bigha

Source: Website of Revenue and Disaster Management, Govt. of Assam, <https://landrevenue.assam.gov.in/information-services/conversion-of-land-from-annual-patta-to-periodic-patta>, dated 8<sup>th</sup> July 2020

In case of acquisition of Eksonia Land, the Eksonia Holder is entitled to get the market value of the land deducting the amount payable as conversion premium.

<sup>2</sup>The Eksonia Land is the land settled for one year mostly in Villages as Annual Patta land (APL) or three years mostly in Towns, as Short Lease Patta Land (SLPL). The Eksonia Land holder are not a Land Holder but a Settlement Holder only to whom settlement of land is offered only for one year or three years, in rural and urban areas respectively. Except for the hereditary right, the Settlement Holders has no transferable right over the Eksonia Land.

### **2.1.3 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013**

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (RFCTLARR) provides government policy for land acquisition as well as rehabilitation and resettlement. It replaces the Land Acquisition Act, 1894 and National Rehabilitation and Resettlement Policy, 2007 and the effective date is 1<sup>st</sup> January 2014.

The RFCTLARR Act 2013 has four schedules for minimum applicable norms for compensation based on market value, multiplier and solatium; resettlement and rehabilitation (R&R) entitlements to land owners and livelihood losers; and facilities at resettlement sites for displaced persons, besides providing flexibility to states and implementing agencies to provide higher norms for compensation and R&R. It also provides the baseline for compensation and has devised a sliding scale which allows States to fix the multiplier on basic rate of land depending on distance from urban centers. The aims and objectives of the Act are as follows:

- ▶ To ensure, gentle, participative, informed and transparent process for land acquisition.
- ▶ Provide just and fair compensation to the displaced families whose land has been acquired or proposed to be acquired or already affected by such acquisition.
- ▶ Make adequate provisions for displaced persons for their rehabilitation and resettlement.
- ▶ Ensure that outcome of obligatory acquisition should be such that the displaced persons become partners in development activities, which would lead to an improvement in their post-acquisition social and economic status.

Schedule I of the RFCTLARR outlines the proposed minimum compensation based on a multiple of market value. Schedule II outline the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation as per Schedule I. An extract of the RFCTLARR Act 2013 is enclosed in **Appendix S3**.

### **2.1.4 Multiplier on Market Value of Land in Assam**

The Government of Assam notified, through Notification No. RLA 300/2013/Pt-II/7 dated 22<sup>nd</sup> Dec. 2014 that, the factor by which market value of land determined is to be multiplied will be equal to 1.5 (one and half times) if the radial distance of the land is up to 10 km from the urban area and equal to 2 (two times) if the radial distance of the land is beyond 10 km from the urban area. The said notification is appended as **Appendix S4**.

### **2.1.5 Assam RFCTLARR Rules, 2015**

The Assam Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015 (Assam RFCTLARR Rules 2015), based on provisions of RFCTLARR Act 2013, has been in effect since 31<sup>st</sup> July, 2015 to the whole state of Assam. The Rule defines the following sections of:

- ▶ Requirement of consent from the displaced persons
- ▶ Update of government's land records before the acquisition
- ▶ Details in compensation amount (multiplier, etc.).

### **2.1.6 Resettlement Policy Framework (Addendum) for Assam State Roads Project, February 2018**

The Government approved the land and resettlement and rehabilitation (R&R) policy framework and Entitlement Matrix indicating range of compensation/ assistance to the various impact categories vide Notification No. RBPC. 723/2010/75 dated 17<sup>th</sup> April 2012. The R&R policy framework has been revised by amending the Entitlement Matrix in February 2018. The revised entitlement provisions provided in the

Addendum is applicable retroactively for land notified for acquisition after 1<sup>st</sup> January 2014. The Addendum to Resettlement Planning Framework for Assam State Roads is appended as **Appendix S5**.

The salient features of entitlement and eligibility of Compensation and R&R Assistance provisions in the revised R&R Policy for Assam State Roads Project are:

- ▶ Titleholder Displaced families
  - Land Acquisition through Assam Land Act, 1964 but compensation on RFCTLARR Act 2013.
  - Provision of 25% additional value of the partially affected structure.
  - Annuity or lumpsum of employment benefits to those become landless or already be marginal land owners and who lose more than 1 hectare of unirrigated or half hectare of irrigated land.
- ▶ Tenants
  - Rental assistance for 6 months @ Rs. 2,000/- or Rs. 3,000/- pm for rural and urban Residential Persons along with shifting assistance of Rs. 10,000/-
  - One time grant @ Rs. 25,000/- for commercial tenants and entitlements of Residential Tenants.
  - One-month notice or compensation for lost crop at market value of the yield determined by the Agricultural Department for Agricultural tenants.
- ▶ Non-titleholder
  - Replacement cost of affected structure without depreciation, right to salvage materials and advance notice for harvesting crops for Encroachers.
  - Shifting allowances of Rs. 10,000/- in addition to the entitlements of the Encroachers for Squatters with Transitional allowances @ Rs. 12,000/- for Vulnerable Squatters.
  - Mobile Vendors or kiosks are entitled to shifting allowances of Rs. 10,000/- only.
- ▶ Others
  - Rs. 25,000/- of subsistence allowance for livelihood losers.
  - Affected Community assets to be reconstructed.
  - Unforeseen impacts to be documented and mitigated on the principles of framework.

## **2.2 Policies of the Asian Infrastructure Investment Bank (AIIB)**

### **2.2.1 Environmental and Social Framework (ESF), February 2016 (Amended February 2019)**

The objectives of the Environmental and Social Framework of AIIB (Feb 2016 amended Feb 2019) is to ensure the environmental and social soundness and sustainability of Projects and to support the integration of environmental and social considerations into the Project decision-making process and implementation. The ESF

- ▶ Provides a mechanism for addressing environmental and social risks and impacts in Project identification, preparation and implementation;
- ▶ Provides a framework for meaningful consultation, disclosure of environmental and social information, and grievance redress mechanism in relation to Projects; and
- ▶ Improves development effectiveness and impact to increase results on the ground, both short and long term.

The ESF sets forth mandatory environmental and social requirements through the Environmental and Social Standards (ESSs) of i) Environmental and Social Assessment and Management (ESS 1), ii) Involuntary Resettlement (ESS 2) and iii) Indigenous Peoples (ESS 3). Environmental and Social Standards 2 on Involuntary Resettlement mandates that: (i) involuntary resettlement should be avoided wherever possible, to minimize involuntary resettlement by exploring project alternatives; (ii) where avoidance of involuntary resettlement is not feasible, to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; (iii) to improve the overall socio-economic status of the displaced poor and other vulnerable groups; and (iv) to conceive and implement resettlement activities as sustainable development programs, by providing sufficient resources to enable the persons displaced by the project to share in project benefits. ESS 2 applies if the Project's screening process reveals that the Project would involve Involuntary Resettlement, including Involuntary Resettlement of the recent past or foreseeable future that is directly linked to the Project.

The salient features of the AIB Environmental and Social Framework and ESS2: Involuntary Resettlement are as follows:

- ▶ **Screening & Categorisation:** The AIB screens and categorizes each project to determine the nature and level of required environmental and social review, type of information disclosure and stakeholder engagement for the Project. The categorization takes into consideration the nature, location, sensitivity and scale of the Project, and is proportional to the significance of its potential environmental and social risks and impacts. The project will also fall in this category if the impacts may affect an area larger than the sites or facilities subject to physical works and may be temporary or permanent in nature. The project may be categorized as: i) Category A, if it is likely to have significant adverse impacts that are irreversible, cumulative, diverse or unprecedented. ii) Category B, if it has limited number of potentially adverse impact limited to the project area, few of them are irreversible or cumulative. iii) Category C, if there are minimal or no adverse impacts.
- ▶ **Involuntary resettlement.** This covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land or access to land and natural resources, loss of assets or access to assets, income sources, or means of livelihood) as a result of; (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers such displacement whether these losses and involuntary restrictions are full or partial, permanent or temporary in nature. The Client should improve, or at least restore, the livelihoods of all persons displaced by the Project through: (i) where possible, land-based resettlement strategies when affected livelihoods are land-based or where land is collectively owned; or cash compensation at replacement value for land, including transitional costs, when the loss of land does not undermine livelihoods; (ii) prompt replacement of assets with assets of equal or higher value; (iii) prompt compensation at full replacement cost for assets that cannot be restored; and (iv) capacity building programs to support improved use of livelihood resources and enhance access to alternative sources of livelihood. Include transaction costs in determining compensation. Examine the opportunities for provision of additional revenues and services through benefit-sharing, as the nature and objectives of the Project may allow.
- ▶ **Resettlement Plan (RP).** A Resettlement Plan is prepared for a project involving involuntary resettlement. The RP encompasses the social risks and impacts and provides specialized guidance to address the specific issues associated with involuntary resettlement, including land acquisition, changes in land use rights, displacement and need for livelihood restoration. The RP elaborates the displaced persons' entitlements, income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time-bound implementation schedule. Involve affected persons in consultation on the resettlement plan and disclose the draft resettlement documentation. The resettlement plan complements the broader coverage of social risks and impacts in the environmental and social assessment and provides specialized guidance

to address the specific issues associated with involuntary resettlement, including land acquisition; changes in land use rights, including customary rights; physical and economic displacement; and potential design adjustments that may reduce resettlement requirements. In some cases, with the Bank's prior approval, resettlement actions may be part of an overall community development plan, where the Client takes special efforts to ensure people who are displaced receive appropriate benefits through such a plan. When displacement is only economic, prepare a livelihood restoration plan. Provide measures to be taken in case of disputes over compensation.

- ▶ **Non-titled displaced persons:** AIBB requires the Client to ensure that displaced persons without title to land or any recognizable legal rights to land, are also eligible for and receive, resettlement assistance and compensation for loss of non-land assets, in accordance with cut-off dates established in the RP/ RPF, and that they are included in the resettlement consultation process.
- ▶ **Negotiated Settlement:** Develop procedures in a transparent, consistent and equitable manner if land acquisition or changes in land use rights are acquired through negotiated settlement under the Project, to ensure that those people who enter into negotiated settlements maintain the same or better income and livelihood status. For this Project, an independent external party will be engaged to document the negotiation and settlement procedures. The independent external party is an entity or person not involved in the day to day implementation of the project, for example, an academic professor, local NGO representative, a local expert on related field, etc.
- ▶ **Information Disclosure:** The relevant information about social risks and impacts of the Project have to made available in the Project area in a timely and accessible manner, and in form and language(s) understandable to the project affected people, other stakeholders and the general public, so they can provide meaningful inputs into the design and implementation of the project.
- ▶ **Meaningful Consultations:** Carry out meaningful consultations with persons to be displaced by the Project, host communities and non-governmental organizations, and facilitate their informed participation in the consultations. Consult with all persons to be displaced on their rights within the resettlement process, entitlements, resettlement options and grievances, and future participation process. Ensure their involvement in planning, implementation, and monitoring of the Resettlement Plan. Project to pay particular attention to consult and communicate with vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples and those without legal title to land to ensure that their concerns and aspirations are accounted for in designing mitigation measures.
- ▶ **Grievance Mechanism:** Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of persons displaced by the Project and inform them of its availability. Scale the grievance mechanism to the risks and impacts of the Involuntary Resettlement. The grievance mechanism may utilize existing formal or informal grievance mechanisms, provided that they are properly designed and implemented, and determined by the Bank to be suitable for the Project; these may be supplemented, as needed, with Project-specific arrangements. Design the mechanism to address displaced persons' concerns and complaints promptly, using an understandable and transparent process that is gender-sensitive, culturally appropriate and readily accessible to all affected people. Include provisions to protect complainants from retaliation and to remain anonymous, if requested. Disclose reports on grievance redress and outcomes.
- ▶ **Monitoring and Supervision:** Closely supervise implementation of the Resettlement Plan throughout Project implementation. Using suitably qualified and experienced experts, monitor and assess resettlement outcomes under the Project, their impacts on the standards of living of displaced persons and whether the objectives of the Resettlement Plan have been achieved, by considering the baseline conditions and the results of resettlement monitoring. Disclose

monitoring reports. Consider the use of suitably qualified and experienced third parties to support monitoring programs.

- Project Affected Peoples' Mechanism (PPM) of AIIB: The PPM has been established by AIIB to provide an opportunity for an independent and impartial review of submissions from Project-affected people who believe they have been or are likely to be adversely affected by AIIB's failure to implement its Environmental and Social Policy in situations when their concerns cannot be addressed satisfactorily through a project-level GRM or AIIB Management's processes. Information on AIIB's PPM is available at: <https://www.aiib.org/en/policies-strategies/operational-policies/policyon-the-project-affected-mechanism.html>

## 2.3 Comparative Analysis of National, State and AIIB's Requirements

A comparison between Government Statutes and AIIB policy has been carried out and the gap-filling measures are summarized and presented in **Table 3**.

**Table 3: Comparison between AIIB Policy with RFCTLARR Act 2013**

Sl. No.	Aspect	AIIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
1	Existence of Policy Framework	If the Project is likely to involve Involuntary Resettlement but consists of a program or series of activities whose details are not yet identified at the time the Project is approved by the Bank: prepare an RPF. Prepare the Resettlement Plan or abbreviated Resettlement Plan, as described in AIIB ESF, as early as possible during development of the activities, in conformity with the RPF approved by the Bank.	The Administrator for R&R is required to prepare Rehabilitation and Resettlement Scheme covering details of impacts and R&R entitlements for affected people (Clause 16).	The Resettlement Planning Framework (RPF) for ASRIP under Asom mala program is prepared.
2	Project Screening	Screening of proposed project using potential environmental and social risks and impacts to determine the nature and level of required social review, type of information disclosure and stakeholder engagement. Projects are categorized as A, B, C and FI based on potential social risks and impacts	There is no provision for screening and categorization for deciding depth of social assessment. However, provision exists {Clause 7 (5)} for post SIA appraisal of SIA Report by Expert Group to ensure public purpose and that potential benefits outweigh the social costs and adverse social impacts.	AIIB have initially categorized the Project of ASRIP in category A for their social and environmental impacts based on initial assessments on a number of sub-projects and the potential number of PAPs.  Sub-projects will be further screened on their land acquisition and resettlement risks and impacts.
3	Assessment of Alternatives	Assessment of alternatives under ESS 1: Environmental and Social Assessment and Management. Examination to avoid or minimize social impacts.	The SIA is expected {Clauses 4 (4) & 8 (2)} to ascertain that land to be acquired is absolute bare minimum and Govt. to ensure minimum displacement of people and minimum adverse impact on affected individuals.	Assessment of alternatives to avoid or minimize the Environmental and Resettlement impact to the feasible alternative is provisioned in the Detailed Project Report (DPR), Resettlement Plan, and the Environmental Impact Assessment.
4	Social Impact Assessment	Project Executing Agency to conduct social impact assessment relating to the risks and impacts, and design appropriate measures to avoid, minimize, mitigate, offset or compensate	It is obligatory for the Government if it intends to acquire land for a public purpose to carry out a SIA study in consultation with concerned local Govt., at village level or ward level in the affected area {Clause 4 (1)}, which also involves	Social Impact Assessment (SIA) is provisioned with SIA Report at each and every sub-project

Sl. No.	Aspect	AIIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
		for them.	public hearing, publication and appraisal. The RFCTLARR Act 2013 detailed preparation of SIA study under Chapter 2, Section 4 through 9.	
5	Livelihood Restoration Assistance for displaced persons	Improve or at least restore the livelihoods of all displaced people, and payment at replacement cost	Livelihood Restoration Allowances would be provided to only the Titleholder affected families, losing livelihood, as per Schedule 2 of RFCTLARR Act 2013	The Titleholder as well as Non-Titleholder affected persons have been entitled with Livelihood Restoration Allowances in the Entitlement Matrix
6	Improve standard of living of displaced vulnerable groups	AIIB ESF provisioned for improve or at least restore the standard of living of the displaced vulnerable group	The affected Titleholder Scheduled Caste or Scheduled Tribe vulnerable families are provisioned with Vulnerable Assistance Allowances in Schedule 2 of RFCTLARR Act 2013	The Entitlement Matrix covers all the vulnerable affected families (Non-Titleholder and Titleholders under normal Acquisition other than Direct Purchase) of Below Poverty Level <sup>3</sup> , Scheduled Tribes, Women Headed Households, Elderly Persons living alone, People with disabilities (PWDs)categories with Vulnerable Assistance
7	Compensation for Persons without Title or Legal Rights	Persons displaced by the Project who are without title to land or any recognizable legal rights to land, are eligible for, and receive, resettlement assistance and compensation for loss of non-land assets, in accordance with cut-off dates established in the Resettlement Plan.	RFCTLARR Act 2013 does not provide any compensation for persons without Title or Legal rights	Follow provisions indicated in the AIIB ESF. The Entitlement Matrix will provide non-land based compensation and resettlement assistance for the non-titleholder DPs at par with the titleholder DPs.
8	Negotiated Settlement	Develop procedures in a transparent, consistent and equitable manner if land acquisition or changes in land use rights are acquired through negotiated settlement under the Project, to ensure that those people who enter into negotiated settlements maintain the same or	RFCTLARR Act 2013 provisioned for Negotiated Settlement	Use of independent external party or RP Implementation Agency to document negotiated settlement and procedures.

<sup>3</sup> The Below Poverty Level (BPL) is per person per day consumption of Rs. 32 and Rs. 26 in urban and rural areas respectively, as per the Tendulkar Expert Group Report (2009).

Sl. No.	Aspect	AIIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
		better income and livelihood status.		
9	Requirement to prepare and implement Resettlement Plan	AIIB ESF requires to prepare and implement Resettlement Plan for sub-projects that involves land acquisition. The RP elaborates the displaced persons' entitlements, income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time-bound implementation schedule.	RFCTLARR Act 2013 provisioned preparation of Social Impact Assessment, Rehabilitation & Resettlement Scheme for Land Acquisition.	Resettlement Planning Framework provisioned preparation and implementation of Resettlement Plan for sub-projects involuntary resettlement.
10	Cost of Resettlement	<p>AIIB ESF requires that a resettlement plan elaborates on displaced persons' entitlements, income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time-bound implementation schedule. The Budget to include the full costs of proposed measures proposed in the resettlement plan, and the indigenous people's plan.</p> <p>Where Involuntary Resettlement risks and impacts are highly complex and sensitive, consider implementation of a social preparation phase to build the capacity of vulnerable groups to address resettlement issues, consisting of consultation with affected people and the host population before key compensation and resettlement decisions are made. The cost of social preparation is included in the resettlement budget.</p>	<p>The Cost of Resettlement will be provided by the project authority/ execution department/ agency.</p> <p>17. (1) Upon the publication of the preliminary notification under sub-section (1) of section 11 by the Collector, the Administrator for Rehabilitation and Resettlement shall conduct a survey and undertake a census of the affected families, in such manner and within such time as may be prescribed, which shall include—(a) particulars of lands and immovable properties being acquired of each affected family;(b) livelihoods lost in respect of land losers and landless whose livelihoods are primarily dependent on the lands being acquired;</p> <p>(c) a list of public utilities and Government buildings which are affected or likely to be affected, where resettlement of affected families is involved;</p> <p>(d) details of the amenities and infrastructural</p>	Resettlement Planning Framework has provisioned of the Cost of Resettlement from the Executing PWRD, GoA

Sl. No.	Aspect	AIIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
			facilities which are affected or likely to be affected, where resettlement of affected families is involved; and (e) details of any common property resources being acquired.	
11	Payment of compensation before taking over of land and assets	Pay compensation and provide resettlement entitlements before any physical or economic displacement under the Project.	RFCTLARR Act 2013 provisioned to taking over land and assets only after paying the compensation of land and assets of titleholders.	No gap
12	Supervision and monitoring	Closely supervise implementation of the Resettlement Plan throughout Project implementation.  Using suitably qualified and experienced experts, monitor and assess resettlement outcomes under the Project, their impacts on the standards of living of displaced persons and whether the objectives of the Resettlement Plan have been achieved, by considering the baseline conditions and the results of resettlement monitoring.  Disclose monitoring reports.  Use of suitably qualified and experienced third parties to support monitoring programs.	RFCTLARR 2013 provisioned for Supervision and Monitoring of Land Acquisition, Rehabilitation and Resettlement through designated officers.	RPF provisioned close Supervision and Monitoring of the Resettlement Plan throughout the Project Implementation through Institutional Arrangement of the project stakeholders.  The Consultancy of RP Implementation Assistance have also been provisioned in the RPF for implementation, PIU & PMU for internal monitoring and supervision.  A Third-Party Monitoring and Evaluation Consultant/s will be engaged through Independent Qualified and Experienced Agencies.
13	Consultation with stake holders	Project Executing Agency to engage in meaningful consultation with stakeholders during the Project's preparation and implementation phases, in a manner commensurate with the risks to, and impacts on,	Whenever a Social Impact Assessment is required to be prepared under section 4, the appropriate Government shall ensure that a public hearing is held at the affected area, after giving adequate publicity about the date, time	No gap between ESF and RFCTLARR. Meaningful consultation with stakeholder will be carried out throughout the project cycle and ensuring that the concerns and aspirations of the vulnerable groups are considered.

Sl. No.	Aspect	AIIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
		those affected by the Project. The consultation covers Project design, mitigation and monitoring measures, sharing of development benefits and opportunities on a Project-specific basis, and implementation issues.	and venue for the public hearing, to ascertain the views of the displaced families to be recorded and included in the Social Impact Assessment Report.	
14	Cut-off Date	Conduct land survey and census as early as possible in Project preparation to establish clear cut-off dates for eligibility and to prevent encroachment.	Those living 3 years prior to acquisition will be considered for benefits.	Cut-off date for the Titleholders as well for the Non-Titleholders have been defined in the RPF.
15	Preparation of R&R Compensation and assistance	Project Executing Agency to ensure that all displaced persons including DPs without title to land or any recognizable legal rights to land, are eligible for, and receive, resettlement assistance and compensation for loss of land assets and non-land assets, respectively.	The second schedule mentioned that resettlement entitlement will benefit the families whose livelihood is primarily dependent on land acquired.  But RFCTLARR Act 2013 does not specify to compensate or Resettlement assistance the non-title holders.	The Entitlement Matrix will cover adequate compensation and Resettlement assistance for the non-titleholder DPs at par with the titleholder DPs, but other than land compensation, for these categories.
16	Public Disclosure	Project Executing Agency to ensure that relevant information about social risks and impacts is made available in the project area in a timely and accessible manner, and in a form and language understandable to the DPs, other stakeholders and general public.	Provisions for Publication of SIA study under Section 6, Publication of the Rehabilitation and Resettlement Scheme under Section 18 and 19.  The approved Rehabilitation and Resettlement Scheme is required to be made available in the local language to the local government and in the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and is also required to be published in the affected areas and uploaded on the website of the Government (Clause 18).	In addition to the disclosure of the approved Resettlement Plan in English and Assamese, reports of RP implementation will also be carried out.

Sl. No.	Aspect	AIIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
17	Grievance Redress Mechanism	Project Executing Agency to establish a suitable grievance mechanism to receive and facilitate resolution of the concerns or complaints of people adversely affected by social impacts of project and inform DPs of availability of mechanism.	<p>The Act has a detailed grievance redress mechanism proposed at all levels starting from the gram sabha up to the Government level.</p> <p>The Act envisages establishment of Land Acquisition Rehabilitation and Resettlement Authority in each State by the concerned State. Government to hear disputes arising out of projects where land acquisition has been initiated by the State Government or its agencies (Chapter VIII).</p>	A Grievance Redress Mechanism, from village level to state level, will be put in place to hear and consider grievances of DPs. The decisions taken by Grievance Redress Committees about eligibility and entitlements are enforced.
18	Monitoring	Project Executing Agency to implement project in compliance with Social Management Plan and to furnish AIIB with periodic monitoring reports on Project Executing Agency's performance under the project	<p>The Act provides for National Monitoring Committee for rehabilitation and resettlement and reporting requirements (Chapter VII)</p> <p>The Central Government may, whenever necessary for national or inter-State projects, constitute a National Monitoring Committee for reviewing and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act.</p>	For project with appropriate monitoring and reporting mechanism and frequency will follow AIIB ESF based on sub-project categorization.

It can be concluded that the AIIB ESF and the RFCTLARRA are considerably equivalent for the titleholder affected persons/ families. The Non-titleholder affected families are considered in the AIIB ESF but not considered in the RFCTLARRA. The Entitlement Matrix of this Resettlement Planning Framework will also consider the eligibility and entitlement of the Non-Titleholder affected families.

## **2.4 Land Acquisition and Involuntary Resettlement Principles**

The Land Acquisition in the ASRIP will follow the Direct Purchase Policy of Assam.

The Involuntary Resettlement Principles of the Non-Titleholder affected families and of those Titleholder affected families, whose land are acquired through Assam RFCTLARR Rules 2015 in exceptional cases, is presented in the next chapter.

## 3 PRINCIPLES AND SCOPE OF RESETTLEMENT PLANNING FRAMEWORK (RPF)

### 3.1 Principles of RPF

The Resettlement Planning Framework (RPF) will outline the principles for land acquisition, compensation and assistance for affected people. It will guide the Project in screening and categorizing resettlement impacts due to the land acquisition, planning, social impact assessments, consultations and grievance redress, institutional arrangements, and other processes to be followed. The entitlement matrix recognizes that the lack of title or customary rights recognized under law will not be a bar to entitlement and has special provisions for non-titled persons.

### 3.2 Scope of RPF

This RPF will be the basis for undertaking detailed Social Impact Assessment (SIA) and Resettlement Plan (RP) for all the proposed sub-projects under categories A or B or those subprojects whose activities entails involuntary resettlement as per AIIB Guideline. This RPF will be reviewed and approved by AIIB and approved by Government of Assam. All Resettlement Plans will be reviewed and approved by AIIB and disclosed in PWRD, GoA and AIIB websites in English and Assamese.

The scope of Resettlement Planning Framework (RPF) and Resettlement Plan governing land acquisition and implementation of measures under the Project are to: (i) avoid involuntary resettlement wherever possible; (ii) minimize involuntary resettlement by identifying non-displacing or least displacing sub-projects with feasible design alternatives; (iii) improve or at least restore, the livelihoods of all displaced persons; and (iv) ensure all compensation and resettlement assistance is paid to the displaced persons prior to their respective displacement.

The specific scope of RPF will:

- ▶ Identify and finalize the eligibility and the entitlements of the various possible Displaced Persons through the Entitlement Matrix. Specify the process to screen and categorize the land acquisition and resettlement impacts and identify the requirements for assessment, and planning, including arrangements for meaningful consultation with displaced people and other stakeholders, information disclosure requirements.
- ▶ Lay out the principles and objectives governing the preparation and implementation of RAPs and ensures consistency with AIIB policy requirements; and compare applicable national laws and regulations of AIIB and outline measures to fill identified gaps.
- ▶ Evaluate the client's capacity to implement national laws and AIIB's requirements and identify measures for capacity building to ensure adequate Client's capacity;
- ▶ To provide guidelines for preparing a Social Due Diligence<sup>4</sup>, Social Impact Assessment, and Resettlement Plan for the Displaced Person for improving or at least retaining the living standards of the displaced persons/ families in the post-acquisition and resettlement period.
- ▶ To outline the entitlements for the Displaced Persons for payment of compensation and assistance for establishing the livelihoods

<sup>4</sup>The social due diligence (or audit) will be an exercise for the land used for existing roads and for the process undertaken under the direct purchase policy before the finalization of the RP. The gaps and legacy issues identified will require the identification of corrective actions to close out the issues.

- ▶ To provide in detail implementation arrangements including SIA, preparation and finalization of the subproject RPs, consultation, grievance redress, disbursement of compensation and resettlement and rehabilitation benefits, and monitoring and implementation,
- ▶ To set out communication mechanism to establish harmonious relationship between PWRD, GOA and Displaced Families (DFs)
- ▶ To provide guidelines for expeditious implementation of R&R
- ▶ Specify implementation procedures, including the budget, institutional arrangements, and capacity development requirements;
- ▶ Specify monitoring and reporting requirements;
- ▶ Discuss responsibilities of the client and relevant entities in relation to the preparation, implementation, and progress review of social documents of subprojects;

### 3.3 Definitions

The definitions of the terms used in the Resettlement Planning Framework are provided below:

- ▶ **Agricultural Land:** Land used in agriculture and other related activities is known as agricultural land. This includes land used in agricultural operations, dairy farming, poultry farming, pisciculture, sericulture, seed farming, breeding of live stocks, nurseries growing medicinal herbs, garden produce, grazing of cattle etc.
- ▶ **Assistance:** All supporting mechanisms viz monetary help, extension of services, training of staffs and assets given to Displaced Families constitute assistance in this project.
- ▶ **Corridor of Impact (Col):** The corridor of impact is the width of land required for the actual construction of the road, including carriageway, shoulder, embankments, longitudinal drainage, utility strip, wayside amenities like bus stops, bus shelters, etc. and necessary safety zones recommended in the improvement proposal.
- ▶ **Cut-off Date:** The Cut-off Date is defined as the date, after which any families of Titleholders and Non-Titleholders entering into the project area, will not be eligible for any entitlement and assistance from the project. The date of general notice by District Level Land Purchase Committee (DLLPC) in Direct Purchase Policy or Preliminary Notification, u/s 11(1) of RFCTLARR Act 2013 will be treated as the cut-off date of Titleholder affected families whose land will be acquired through Direct Purchase or usual land acquisition process respectively. The Cut-off Date for Non-Titleholder Displaced families will be defined as the date of Social Census Survey for the sub-project.
- ▶ **Displaced Family (DF):** Any family/ household living, cultivating land or carrying on business or trade or any other occupation within the Corridor of Impact (Col) and are impacted by the project and displaced physically (relocation, loss of residential land, or loss of shelter) is called Displaced Family.  
 Any family/ household living, cultivating land or carrying on business or trade or any other occupation within the Corridor of Impact (Col) and are economically impacted (loss of agricultural or non-residential or barren land, assets, access to assets, income sources or means of livelihood) by the project is called Economically Displaced Family.
- ▶ **Displaced Person (DP):** In the context of involuntary resettlement, Displaced Persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) because of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

- ▶ **Eksonia Land<sup>5</sup>:** Eksonia Land is any land settled for one year mostly in Villages (Annual Patta) or three years mostly in Towns (Short Lease Patta). Annual patta/lease means a patta/lease granted for one year only and confers no right in the soil beyond a right of user for the year for which it is given. It confers no right of inheritance beyond the year of issue. It confers no right of transfer or of sub-letting and shall be liable to cancellation for any transfer or sub-letting ever during the year of issue provided that the State Government may waive their right to cancel an annual patta/lease and may direct in those cases in which the land is mortgaged to Government or to a State Sponsored Co-operative Society
- ▶ **Encroacher:** Any entity who built his/ her structure in whole or in part of an adjacent land to which s/he has no title.
- ▶ **Family:** Family includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on him/ her, provided that widows, divorcees and woman deserted by families shall be considered separate families. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family. (*Ref. Clause 3(m) of RFCTLARR Act 2013*)
- ▶ **Kiosk:** Kiosk is a small, separated garden pavilion or small booths place open on some or all sides offering goods and services. The Kiosk can be shifted without dismantling/ reconstructing any part of it.
- ▶ **Land Owner:** Land Owners are as per recorded in revenue records, or Land occupiers with claims/ rights recognized under State/ Central laws, including who is entitled to granted Patta rights on the land under any laws of the State including Eksonia Land
- ▶ **Periodic Patta (Myadi Patta) Land:** A periodic patta or lease except in the case of town land means a lease granted for a period longer than one year and in case of town lands, a lease for a period longer than three year. Subject to and so far as is consistent with any restrictions, conditions and limitations contained therein, a periodic lease, the terms of which is not less than ten years, conveys to the lessee the rights of a land holder as defined in the Assam Land Revenue Regulation.
- ▶ **Replacement Cost:** Replacement cost is the amount of money to be required by any displaced person to replace the existing asset with an equally valued or similar asset at the current market price. It includes the transaction costs and taxes, if any.
- ▶ **Residual Land:** Residual land can be defined as the remaining portion of a land parcel left with the owner after the involuntary acquisition of land by the project authority.
- ▶ **Squatter:** Those persons who have occupied public/ government lands with no recognizable rights for residential or commercial or both purposes. The families, who have built their own structures on the land of the landlords with some financial arrangements, which are not properly documented or legalized, are also considered as squatters.
- ▶ **Tenant:** A tenant is someone who pays rent for the place where they reside in, or for land or buildings that they use. The family residing/ occupying in the structures with some financial arrangements with the landlords, which may not be properly documented or legalized, are also considered as tenants.
- ▶ **Wheeler Vendor:** A Vendor operating in a cart like structure on two or more wheels. Wheelers are used mainly by mobile hawkers.
- ▶ **Women Headed Household (WHH):** A household that is headed by a woman is called a Woman Headed Household. The aforesaid woman may be a spinster or a widow or separated or deserted by her husband.
- ▶ **Vulnerable Group/ Persons:** Vulnerable group/ persons are those with challenges that make them at higher risk of falling into poverty compared to others in the projects area. The Vulnerable

<sup>5</sup> Reference: "Revenue Audit Manual on Assam Land Revenue" by Office of the Principal Accountant General (Audit), Assam, 2007



Group/ Persons include the following categories: (i) DFs falling under 'Below Poverty Line' (BPL) category; (ii) persons who belong to Scheduled Castes (SC) and Scheduled Tribes (ST); (iii) Women Headed Households; (iv) Elderly<sup>6</sup> people living alone; and (v) Physically and mentally challenged / disabled people.

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<sup>6</sup> All the persons having age of 60 years or more

### 3.4 Entitlement Matrix

An Entitlement Matrix envisages all affected households and persons losing assets and livelihood and defines the entitlement of compensation and resettlement assistance depending on the nature of ownership rights on lost assets and extent of the impacts including socio-economic vulnerability of the displaced persons.

The Entitlement Matrix, summarizing all possible types of losses and corresponding nature and scope of entitlements, in accordance with the principles of this Resettlement Planning Framework, is presented in **Table 4**.

**Table 4: Entitlement Matrix**

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
<b>Direct purchase by negotiated settlement through the State Policy of “Direct Purchase Policy of private Land for Linear Projects of Asom Mala and EAP”</b> Direct purchase of Land with negotiation through District Level Land Purchase Committee (DLLPC) headed by the Deputy Commissioner, Additional Deputy Commissioner (Revenue) as Member Secretary and comprising officials of the revenue, public works (buildings) and land acquisition departments.				
1.	<b>Titleholder -</b> Titleholder/Land owners and Interested persons (Eksonia holder/ Land occupiers with claims/ rights recognized under State/ Central laws, whose rights on the land assigned under any laws of the State, etc.	<b>A. Loss of Land</b> (Homestead Land, Commercial Land, Agricultural Land or Vacant Plot)	1. The base rate of land (Sub-section (1) of Section 26 of RFCTLARR Act 2013) will be determined by the highest value among: <ul style="list-style-type: none"> <li>▪ 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;</li> <li>▪ The average sale price of similar type of land situated in the nearest village or nearest vicinity area; and</li> <li>▪ Consented amount of compensation as agreed upon under sub-section (2) of section 2 of RFCTLARR Act 2013 in case of acquisition of lands for private companies or for public private partnership projects</li> </ul> 2. The market value of land shall be multiplied by a factor through Notification No. RLA 300/2013/Pt-II/7 dated 22nd Dec 2014 of Govt. of Assam (Sub-section (2) of Section 26 of RFCTLARR Act 2013), of <ul style="list-style-type: none"> <li>▪ 1.00 (One) for land in urban areas or,</li> <li>▪ 1.50 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or,</li> <li>▪ 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area</li> </ul> 3. In case of acquisition of Eksonia Land, situated under permissible limits as per the Revenue and Disaster Management Department of Govt. of Assam,	The land owners will get an incentive of 25%, on the compensation calculated as per provisions of Section 26 to 30, Valuation of immovable assets & Schedule I of RFCTLARR Act 2013. The Price of Direct Purchase (P) will be: $P = 2.5 \times \{(R \times M \times A) + (B + O)\} + [0.12 \times Y \times (R \times M \times A) + (B + O)]$ Where: R is the base rate of Land M is the Multiplier A is the affected area B is the market value of Buildings O be cost of all immovable assets & standing crops Y is the proper or improper fraction of year from date of notification to award of compensation

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>the Eksonia Holder is entitled to get the compensation of the landowner as described above, subject to conversion of the Eksonia land to Myadi Patta Land, as specified by the Revenue and Disaster Management Department of Govt. of Assam.</p> <p>4. Solatium will be 100% on the compensation calculated as specified above.</p> <p>5. The land owner will also get an additional incentive of 25% on total compensation after Solatium, calculated as specified above</p> <p>6. The land value defined u/s 26 of RFCTLARR Act 2013, will also attract an amount calculated @ 12% per annum for the period commencing on and from the date of notification<sup>7</sup> till the date of award (Ref. sub-section (3) of Section 30 of RFCTLARR Act 2013).</p>	<p>Compensation shall not account for any depreciation.</p> <p>The Eksonia holder, whose Eksonia land cannot be converted to Myadi Patta Land, will be considered as Leaseholder.</p>
		<b>B. Loss of Structure and other immovable assets including Trees and standing crops, attached to the land</b>	<p>1. Replacement value of building and other immovable property and assets attached to the land will be calculated by the competent Engineer or any other specialist in the relevant field (Ref. sub-section (1) of Section 29)  <u>Or,</u> A few typical specifications of different categories of all possible immovable assets, attached to land may be defined. The guidance price of these typical assets may be prepared and vetted through appropriate authority. The valuation of immovable assets attached to the land will be calculated on pro-rata basis of the guidance price, without depreciation, of the respective asset.</p> <p>2. Market Value of trees and plants attached to the land will be calculated by the experienced persons in the field of agriculture, forestry, horticulture, sericulture or any other relevant field, as the case may be (Ref. sub-section (2) of Section 29).</p> <p>3. Market value of standing crops damaged during the process of land acquisition will be calculated by the experienced persons in the field of agriculture (Ref. sub-section (3) of Section 29).</p> <p>4. Solatium will be 100% on the compensation calculated as specified above.</p> <p>5. The land owner will also get an additional incentive of 25% on total compensation after Solatium, calculated as specified above</p>	<p>Compensation Building/ structures will be determined by PWD (Building) Department. Valuation for trees on timber value to be determined by the Forest Department; and compensation for perennial crops and fruit trees to be determined by Agricultural Department.</p>

<sup>7</sup>General Notification to the landowners as per Section 4.4 (Step 4) of the Notification No. DA5R.80/2020/3 dt 20 Jan, 2021 by the District Level Land Purchase Committee..

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			6. Right to salvage materials in favour of the owner of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self.	
		<b>C. Rehabilitation &amp; Resettlement Assistance</b>	The Rehabilitation and Resettlement Benefit will be deemed included in the additional 25% allowances on Direct Purchase Price.	The direct purchase price shall be fixed on negotiations and mutual consent. Hence no rehabilitation and resettlement benefits shall be payable to land owners under Direct Purchase.
<b>Land through regular Land Acquisition process</b> in the event of any owner refusing to sell the land or any of the owners has objected or not interested with the direct purchase through negotiation or for unresolved dispute of ownership or court cases, the respective land may be acquired through regular land acquisition process of Assam Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules 2015 & RFCTLARR Act 2013				
<b>2.</b>	<b>Titleholder</b> - Land Owners as recorded in revenue records, or Eksonia holder/ Land occupiers with claims/ rights recognized under State/ Central laws, whose rights on the land assigned under any laws of the State	<b>A. Loss of Land</b> Homestead Land, Agricultural Land or Vacant Plot	<p>1. Replacement of land for land, where feasible. Provision of stamp duty, land registration fee, capital gains tax, value added tax incurred for replacement land, and other charges related to the replacement of the land</p> <p><u>OR,</u></p> <p>2. Land will be acquired under Assam RFCTLARR Rules 2015 and Compensation at Replacement Value of land, (<i>calculated through RFCTLARR Act 2013 and Resettlement Planning Framework for ASRP 2018</i>) will be the highest among:</p> <p>a) The base rate of land (Sub-section (1) of Section 26 of RFCTLARR Act 2013) will be determined by the highest value among:</p> <ul style="list-style-type: none"> <li>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</li> <li>The average sale price of similar type of land situated in the nearest village or nearest vicinity area; or Consented amount of compensation as agreed upon under sub-section (2) of section 2 of RFCTLARR Act 2013 in case of acquisition of lands for private companies or for public private partnership projects,</li> </ul>	<p>If land for land is offered, title will go to both husband and wife. Retitling to be completed before project completion.</p> <p>If B is the base rate of land, M is the Multiplication factor &amp; A is the affected area, then the compensation L will be, <math>L = 2 \times (B \times M \times A)</math>.</p> <p>If the Award of the compensation is after Y years from the date of SIA notification, then L will be incremented at 12% per annum to <math>L_y</math>, <math>L_y = L + (0.12 \times Y \times L)</math></p> <p>The expression of urban will be within the administrative border of any Municipality or Municipal Corporation</p>



Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>b) The market value of land shall be multiplied by a factor through Notification No. RLA 300/2013/Pt-II/7 dated 22nd Dec 2014 of Govt. of Assam (Sub-section (2) of Section 26 of RFCTLARR Act 2013), of</p> <ul style="list-style-type: none"> <li>▪ 1.00 (One) for land in urban areas or,</li> <li>▪ 1.50 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or,</li> <li>▪ 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area</li> </ul> <p>c) In case of acquisition of Eksonia Land, situated under permissible limits as per the Revenue and Disaster Management Department of Govt. of Assam, the Annual Patta Holder is entitled to get the compensation of the land as described above, subject to conversion of Eksonia Land to Myadi Patta Land as specified by the Revenue and Disaster Management Department of Govt. of Assam.</p> <p>d) If the left-over land plot is non-feasible or non-economic or unusable or if the land owner desires that the whole land to be acquired, the PWRD GOA or the Deputy Commissioner/ District Collector may acquire the total land of the land owner</p> <p>e) If the damage (if any) sustained by the landowner, at the time of the Deputy Commissioner/ District Collector taking possession of the land, by reason of severing such land from his other land and where land has been bisected by the acquisition an amount calculated at ten (10) per cent of the amount determined under sl. a) and b) above shall be paid.</p>	Bank account will be in the name of husband and wife.
		<b>B. Loss of Structure and other immovable assets including Trees and standing Crops, attached to the land</b>	<p>1. Replacement with a constructed house as per Prime Minister <i>Gramin Awas Yojana</i> (PMGAY) specification for rural areas or constructed house, not less than 50 square meter plinth area in urban areas, where feasible (<i>Ref. Schedule II of RFCTLARR 2013</i>). Provision of stamp duty, other fees payable for registration of house allotted and any other tax and other costs incurred for replacement house</p> <p><u>OR,</u></p>	

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>2. a) Market value of building and other immovable property and assets attached to the land will be calculated by the competent Engineer or any other specialist in the relevant field (Ref. sub-section (1) of Section 29)</p> <p>Or, A few typical specifications of different categories of all possible immovable assets, attached to land may be defined. The guidance price of these typical assets may be prepared and vetted through appropriate authority. The valuation of immovable assets attached to the land will be calculated on pro-rata basis of the guidance price, without depreciation, of the respective asset.</p> <p>b) Market Value of trees and plants attached to the land will be calculated by the experienced persons in the field of agriculture, forestry, horticulture, sericulture or any other relevant field, as the case may be (Ref. sub-section (2) of Section 29).</p> <p>c) Market Value of standing crops damaged during the process of land acquisition will be calculated by the experienced persons in the field of agriculture (Ref. sub-section (3) of Section 29).</p> <p>d) Solatium will be 100% on the compensation calculated as specified above.</p> <p>e) The land owner will get additional 25% value on the replacement cost of the affected part of the structure without solatium, for any partially acquired structure (if the remainder is still viable).</p> <p>f) Right to salvage materials in favour of the structure owner of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self within the stipulated period.</p> <p>g) Fees, taxes, stamp duty, and other charges related to replacement structure</p> <p>h) At least 90 days advance notice to shift</p>	<p>Compensation Building/ structures will be determined by PWD (Building) Department. Valuation for trees on timber value to be determined by the Forest Department; and compensation for perennial crops and fruit trees to be determined by Agricultural Department.</p> <p>Ascertain work schedules to consider avoiding harvest season</p> <p>Request for harvesting prior to acquisition to be accommodated to the extent possible</p> <p>Undertake valuation of standing crops and perennial crops, and trees, and finalize compensation rates in consultation with affected people.</p> <p>Payment of compensation to the joint husband and wife bank account.</p> <p>The viability of the remainder structure will be certified by the PWD (Building) Department</p>

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
		<b>C. Rehabilitation &amp; Resettlement Assistances<sup>8</sup></b>	<ol style="list-style-type: none"> <li>1. Employment opportunity or Payment of lumpsum amount of Rs. 5,70,000 (Rupees five lakhs seventy thousand only) or Annuity of minimum of Rs. 2,280 (Rupees two thousand two hundred eighty only) per month per family for twenty years with appropriate indexation to the Consumer Price Index for Agricultural Labourers, as per Schedule 2 of RFCTLARR Act 2013, will be provided to all those landowner families, whose livelihood is primarily dependant on land acquired</li> <li>2. One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any</li> <li>3. One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family</li> <li>4. Subsistence allowance of Rs. 3,420/- (Rupees three thousand four hundred twenty only) per month for one year, or, Rs. 41,040/- (Rupees forty-one thousand forty only) one-time, for each displaced family, require to relocate</li> <li>5. Any displaced family losing cattle sheds and/ or Petty Shops are entitled for at least Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed and/ or Petty Shops respectively Or, If Displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 28,500/- (Rupees twenty-eight thousand five hundred only).</li> <li>6. If the displaced family faced displacement or resettlement from any other project or this project previously, the displaced family will be entitled for</li> </ol>	<p>Financial assistance and/or all R&amp;R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> $\text{Inflation Rate} = 100 \times \frac{\text{CPI}_{\text{Apr 2021}} - \text{CPI}_{\text{Jan 2014}}}{\text{CPI}_{\text{Jan 2014}}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ <p>where, <math>\text{CPI}_{\text{Jan 2014}} = 139.7</math> &amp; <math>\text{CPI}_{\text{Apr 2021}} = 159.3</math> in Assam with Base Year 2012 = 100<sup>9</sup></p> <p>In addition to the Rs. 57,000 provided to all vulnerable affected people, the Vulnerable affected households will:</p> <ol style="list-style-type: none"> <li>1. Receive preference in income restoration training program under the project</li> <li>2. Preference in employment under the project during construction, in accordance with qualification required.</li> <li>3. Assistance to access to basic utilities and public services.</li> </ol>

<sup>8</sup>Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

<sup>9</sup> Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 ([http://mospi.nic.in/sites/default/files/press\\_release/t4\\_12mar14.pdf](http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf)) and of May 2021 ([http://www.mospi.nic.in/sites/default/files/press\\_release/CPI%20Press%20Release%20May2021.pdf](http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf))

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>an additional compensation equivalent to that of the compensation and assistance determined for all the cases as described above under Sl. 2A, 2B &amp; 2C (1 through 7) for their second or successive displacements</p> <p>7. Three (3) months' advance notice to affected parties to harvest crops, fruits, flowers or product and by-products from the affected trees/ crops etc.</p>	
3.	<b>Agricultural Tenants, Sharecroppers &amp; Leaseholders of Land including Holders of Eksonia, which cannot be converted</b>	<b>A. Loss of Leased/ Sharecropping/ Tenancy Land</b>	<p>Landowners will reimburse tenants, sharecroppers and leaseholders with respective land rental deposit for unexpired tenancy/ lease, if any.</p> <p>Employment opportunity or Payment of lumpsum amount of Rs. 5,70,000 (Rupees five lakhs seventy thousand only) or Annuity of minimum of Rs. 2,280 (Rupees two thousand two hundred eighty only) per month per family for twenty years with appropriate indexation to the Consumer Price Index for Agricultural Labourers, as per Schedule 2 of RFCTLARR Act 2013, will be provided to all those landowner families, whose livelihood is primarily dependant on land acquired.</p>	<p>Users of Eksonia land, whose land cannot be regularised by whatsoever the reason, will also be considered as Leaseholder.</p> <p>The RP Implementation Agency will verify the reimbursement of rental deposit for unexpired tenancy/ lease, if any.</p>
		<b>B. Loss of Structure and other immovable assets including Trees and standing Crops, attached to the land</b>	<ol style="list-style-type: none"> <li>Three months' advance notice to affected parties to shift and harvest crops, fruits, flowers or product and by-products from the affected trees/ crops etc.</li> <li>Cash compensation at replacement value, for loss of immovable assets, and market value for standing crop/ trees/ horticulture, as estimated u/s 29 of RFCTLARR Act 2013 &amp; calculated by: <ul style="list-style-type: none"> <li>Concerned PWD (Building) for Building/ structure and other immovable assets attached with the land</li> <li>Concerned Forest Department or similar authority for Timber trees</li> <li>Concerned State Agriculture Extension Department or similar authority for standing crops</li> <li>Concerned Horticulture Department or similar authority for horticulture and/ or perennial trees</li> </ul> </li> <li>Right to salvage materials in favour of the structure owner of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self within the stipulated period.</li> </ol>	

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			4. Fees, taxes, stamp duty, and other charges related to replacement structure	
		<b>C. Rehabilitation &amp; Resettlement Assistances<sup>10</sup></b>	<ol style="list-style-type: none"> <li>One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any</li> <li>One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family</li> <li>Livelihood restoration of Rs. 41,040/- (Rupees forty-one thousand forty only) one-time, for each displaced family (<i>in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013</i>)</li> <li>Any displaced family losing cattle sheds, if any, are entitled for at least Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed.</li> <li>If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,040/- per family and it will be borne by the Project Authority.</li> </ol>	<p>Financial assistance and/or all R&amp;R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> $\text{Inflation Rate} = 100 \times \frac{CPI_{Apr\ 2021} - CPI_{Jan\ 2014}}{CPI_{Jan\ 2014}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ <p>where, <math>CPI_{Jan\ 2014} = 139.7</math> &amp; <math>CPI_{Apr\ 2021} = 159.3</math> in Assam with Base Year 2012 = 100<sup>11</sup></p>
4.	<b>Non-titleholders (Encroacher or Squatter)</b>	<b>A. Loss of Land</b> Land used residential/commercial or any other purpose	<ol style="list-style-type: none"> <li>No entitlement for loss of land, in which the Encroacher has extended their land boundary onto the existing government land or RoW, for residential or commercial or residential-cum-commercial or any other purposes.</li> <li>No entitlement for loss of land, in which the Squatter have occupied public/ government lands, without any formal agreement, for residential or commercial or residential-cum-commercial or any other purposes.</li> </ol>	
		<b>B. Loss of Structure and</b>	<ol style="list-style-type: none"> <li>At least 3 months advance notice to shift or to demolish the partial structure.</li> </ol>	The replacement cost of structure and other immovable assets shall be determined in

<sup>10</sup> Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

<sup>11</sup> Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 ([http://mospi.nic.in/sites/default/files/press\\_release/t4\\_12mar14.pdf](http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf)) and of May 2021 ([http://www.mospi.nic.in/sites/default/files/press\\_release/CPI%20Press%20Release%20May2021.pdf](http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf))

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
		other immovable assets including Trees and standing Crops, attached to the land	<ol style="list-style-type: none"> <li>Encroachers and squatters shall be paid the replacement cost of affected part of the structures and all other immovable assets attached to the land.</li> <li>Right to salvage materials without any fee or charge in favour of the structure owner/occupier of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self within the stipulated period.</li> </ol>	accordance with the typical specifications for immovable assets as defined and approved by Appropriate Authority defined u/s 29 of RFCTLARR Act 2013.
		C. Rehabilitation & Resettlement Assistances <sup>12</sup>	<ol style="list-style-type: none"> <li>One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any for families getting physically displaced (require relocation).</li> <li>One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family</li> <li>Subsistence allowance @ Rs. 3420/- per month or one-time allowance of Rs. 41,040/- (Rupees forty-one thousand forty only) to displaced family (<i>in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013</i>)</li> <li>Any displaced family losing cattle sheds and/ or Petty Shops, or the displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, if any, are entitled for at least Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) or, any amount specified as the appropriate Government.</li> <li>If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,000/- per family and will be borne by the Project Authority.</li> </ol>	<p>Financial assistance and/or all R&amp;R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> $\text{Inflation Rate} = 100 \times \frac{\text{CPI}_{\text{Apr 2021}} - \text{CPI}_{\text{Jan 2014}}}{\text{CPI}_{\text{Jan 2014}}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ <p>where, CPI<sub>Jan 2014</sub> = 139.7 &amp; CPI<sub>Apr 2021</sub> = 159.3 in Assam with Base Year 2012 = 100<sup>13</sup></p>
5.	Tenants and Leaseholders of	A. Loss of Land	No entitlement for loss of land, in which the Tenants or Leaseholders occupy their residential or commercial or residential-cum-commercial structure under	

<sup>12</sup>Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

<sup>13</sup> Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 ([http://mospi.nic.in/sites/default/files/press\\_release/t4\\_12mar14.pdf](http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf)) and of May 2021 ([http://www.mospi.nic.in/sites/default/files/press\\_release/CPI%20Press%20Release%20May2021.pdf](http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf))

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
	<b>Residential/ Commercial or Residential-cum-Commercial structures</b>	Homestead Land/ Commercial Land	tenancy/ lease holding with some financial arrangements with the landlords, which may or may not be properly documented or legalized.	
		<b>B. Loss of Structure and other immovable assets</b>	<p>1. Structure owners will reimburse tenants and leaseholders with rental deposit for unexpired tenancy/ lease for fully impacted structure  <u>Or</u>, Lease/ Rental agreement with reduced rent/ lease rate in appropriate to be continued after reconstruction of the partly affected but feasible remaining structure, as the case may be</p> <p>2. Replacement cost of part or whole of structure constructed by the tenant/ leaseholder, and this will be deducted from the compensation amount of the owner.</p> <p>3. Right to salvage material of the portion constructed by tenant/leaseholder</p>	
		<b>C. Rehabilitation &amp; Resettlement Assurances<sup>14</sup></b>	<p>1. Three months' advance notice to affected parties to vacate the building/structure (residence, shop, etc.)</p> <p>2. On time Rental Allowances @ of Rs. 2,600/- (Rupees two thousand six hundred only) per month in rural areas and Rs. 3,900/- (Rupees three thousand nine hundred only) per month in urban areas, for 6 (six) months (Ref. Addendum to Resettlement Planning Framework for ASRP, Feb 2018 &amp; regular rental increment of 10% per year)</p> <p>3. One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, belongings and cattle, if any (Ref. Schedule II of RFCTLARR 2013) for physically displaced family.</p> <p>4. Tenants of Commercial or Residential-cum-Commercial structures will be entitled for one-time financial grant of Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) for loss of trade/ self-employment</p> <p>5. Tenants of Commercial or Residential-cum-Commercial structures will be entitled Livelihood restoration of Rs. 41,040/- (Rupees forty-one thousand</p>	<p>Financial assistance and/or all R&amp;R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> $\text{Inflation Rate} = 100 \times \frac{\text{CPI}_{\text{Apr 2021}} - \text{CPI}_{\text{Jan 2014}}}{\text{CPI}_{\text{Jan 2014}}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ <p>where, CPI<sub>Jan 2014</sub> = 139.7 &amp; CPI<sub>Apr 2021</sub> = 159.3 in Assam with Base Year 2012 = 100<sup>15</sup></p>

<sup>14</sup>Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

<sup>15</sup> Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 ([http://mospi.nic.in/sites/default/files/press\\_release/t4\\_12mar14.pdf](http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf)) and of May 2021 ([http://www.mospi.nic.in/sites/default/files/press\\_release/CPI%20Press%20Release%20May2021.pdf](http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf))

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>forty only) one-time, for each displaced family (<i>in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013</i>)</p> <p>6. If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,000/- per family and will be paid by the Project Authority.</p>	
6.	<b>Any persons, other than the persons mentioned above, losing his/ her Livelihood/ source of Income</b>	<b>Rehabilitation &amp; Resettlement Assistances<sup>16</sup></b>	<p>1. Livelihood restoration of Rs. 41,040/- (Rupees forty-one thousand forty only) one-time, for each displaced family (<i>in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013</i>)</p> <p>2. If Displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 28,500/- (Rupees twenty-eight thousand five hundred only).</p> <p>3. If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,000/- per family and will be borne by the Project Authority.</p>	<p>Financial assistance and/or all R&amp;R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> $\text{Inflation Rate} = 100 \times \frac{\text{CPI}_{\text{Apr 2021}} - \text{CPI}_{\text{Jan 2014}}}{\text{CPI}_{\text{Jan 2014}}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ <p>where, CPI<sub>Jan 2014</sub> = 139.7 &amp; CPI<sub>Apr 2021</sub> = 159.3 in Assam with Base Year 2012 = 100<sup>17</sup></p>
7.	<b>Any families operating their Agricultural Land, Residence and/ or Commercial establishments etc. adjacent to project road</b>	<b>Loss of Permanent/ Temporary Access</b>	<p>1. Three months' advance notice to affected parties</p> <p>2. Provision of proper alternate access or temporary access during the duration of the temporary loss of access, as the case may be</p> <p>3. Contractor's actions must ensure there is no income/ access loss through provision of access etc.</p> <p>4. Restoration/ enhancement of the affected access, land, structure, utilities and common property resources</p>	

<sup>16</sup>Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

<sup>17</sup> Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 ([http://mospi.nic.in/sites/default/files/press\\_release/t4\\_12mar14.pdf](http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf)) and of May 2021 ([http://www.mospi.nic.in/sites/default/files/press\\_release/CPI%20Press%20Release%20May2021.pdf](http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf))

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
8.	Owners with legal or legalizable title, tenants/ leaseholders	Temporary Loss of Land	<ol style="list-style-type: none"> <li>Three months' advance notice to affected parties</li> <li>Rent at market price or mutually agreed land rental value during the duration of the temporary loss of land</li> <li>Restoration of the affected land to pre-project level or better</li> </ol>	Any land required by the project on temporary use will be compensated in consultation and negotiation with the landowner.
9.	Business owners, Traders, Self-employed, tenants/ leaseholders, employees/ workers, kiosks/ vendors	Temporary Loss of Livelihood/ source of Income	<ol style="list-style-type: none"> <li>Provision of one-month advance notice to affected parties, including the duration and type of disruption</li> <li>Assistance to mobile vendors/ hawkers to provide temporarily shifting locations for their continued economic activity</li> <li>For construction activities involving unavoidable livelihood disruption, Cash compensation on minimum wage or average earning per month for the loss of income/ livelihood for the duration of disruption to ensure there is no income or access loss</li> <li>Restoration of affected land, structure, utilities</li> </ol>	
10.	Loss of CPR	Community Assets	<p>The affected Common Property Resources, other than religious and Community Structures, will be replaced or rehabilitated or reconstructed as required in agreement with the local community in alternate land by the Project through contractor.</p> <p><u>Or</u>, Cash compensation of the replacement value of the CPR structure (including the religious structures and community structures) for the re-construction or rehabilitation as per agreed mechanism between the Project Authority and the concerned community.</p>	<p>Alternate land will be explored (may be offered by the community or Gram Panchayat land or any other land agreed upon).</p> <p>The RP implementation agency in consultation with the local community and Project Authority shall facilitate the process of rehabilitation or reconstruction of CPRs.</p>
11	All vulnerable displaced persons	Vulnerable Affected Person	<ol style="list-style-type: none"> <li>One Time lumpsum Assistance of Rs. 57,000 (Rupees fifty-seven thousand only)</li> <li>Priority in income restoration training programs</li> <li>Priority in employment under the project during construction as qualified</li> <li>Assistance to basic utilities and public services.</li> </ol>	<p>The Executing Agency shall verify the vulnerable families be identified during the census and implementation of the project.</p> <p>Kiosk shall not be considered under vulnerable category.</p>
12.	Any person or family or CPRs with unforeseen loss	Any other unforeseen impacts	Any unforeseen impacts, if any, will be documented and incorporated in the Entitlement Matrix and will be mitigated based on the principles agreed upon this framework.	

There shall be no income tax deductions on the Compensation and R&R Assistances of displaced families in line with Sec. 96 of the RFCTLARR Act.

### 3.5 Process for Preparation and Approval of SIA and RP

The detailed Social Impact Assessment (SIA) will be carried out based on census (100%) of Affected Families and their affected assets and socio-economic information of impacted Affected Families gathered through sample surveys (100% of physically displaced families and 25% of the rest of the affected families). The SIA will be taken up for each sub-project to determine the magnitude of displacement and potential losses, and identify vulnerable groups and indigenous peoples, if any. The Resettlement Plan (RP) will be prepared based on the findings of the SIA and the guidelines of the Resettlement Planning Framework (RPF). The RP shall ascertain the magnitude of impact, conduct of consultations and engagements, institutional arrangements, cost of resettlement, and formulate a resettlement and rehabilitation plan for implementation, among others.

#### 3.5.1 Reconnaissance Survey

An initial Reconnaissance Survey has to be undertaken for the existing and proposed alignment on each of the proposed sub-projects. Some random consultations and interviews with the local people will be carried out to identify potential impacts and risks. Alternate alignments options have to be preliminarily explored. All the sub-projects will have to be screened for identification of social impacts. Possible suitable modifications to the design/ alignment, cross section/ detours, will be taken into consideration to minimize adverse social impacts.

#### 3.5.2 Subproject Screening and Categorisation

The AIIB requires screening and categorization of each sub-project to determine the nature and level of required environmental and social review, type of information disclosure and stakeholder engagement for the Project. The categorization takes into consideration the nature, location, sensitivity and scale of the Project, and is proportional to the significance of its potential environmental and social risks and impacts. The project will also fall in this category if the impacts may affect an area larger than the sites or facilities subject to physical works and may be temporary or permanent in nature. The project may be categorized as: i) Category A, if it is likely to have significant adverse impacts that are irreversible, cumulative, diverse or unprecedented. ii) Category B, if it has limited number of potentially adverse impact limited to the project area, few of them are irreversible or cumulative. iii) Category C, if there are minimal or no adverse impacts. iv) Category FI, if the project financing structure involves the provision of funds to or through a financial intermediary (FI) for the project. The Executing Agency will be responsible for the Resettlement Planning and overall land acquisition activities. The EA will inform AIIB on the subproject information including land requirements, potential impacts, and proposed categorization for the subprojects.

#### 3.5.3 Negotiated Settlement

AIIB supports the negotiated settlement and requires that the Project develop procedures in a transparent, consistent and equitable manner if land acquisition or changes in land use rights are acquired through negotiated settlement under the Project, to ensure that those people who enter into negotiated settlements maintain the same or better income and livelihood status. For the Project, an Independent External Party shall be engaged to document the negotiation and settlement process that will be carried out in each of the subprojects. The process of negotiated settlement will continue to follow the principles set forth in the RPF on replacement cost of land and assets, meaningful consultation, grievance redress mechanism, and systematic documentations.

If the process of negotiated settlement fails, then the Client will resort to acquiring the land through the Assam RFCTLARR Rules 2015, which is prepared on the provisions of RFCTLARR Act 2013. The RFCTLARR Act 2013 is in conformity with AIIB's ESS 2.

### 3.5.4 Secondary Information

The Secondary Information base of the affected area will be collected as a pre-requisite for conducting the primary household surveys, relevant information is to be collected from secondary sources. These include: a) Revenue records maintained at respective authority, regarding land details for ascertaining of ownership of affected properties and minimizing resettlement; b) Census records for demographic information; c) Information on various vulnerable population; d) Information and identification of indigenous peoples, if any and e) Local organizations to involve them and integrate their activities in the Rehabilitation and Resettlement programs for the unavoidable displaced population. The resource base including land, water and forest, etc. with an assessment of its development and ecological potential in the pre-project conditions.

### 3.5.5 Census Surveys

Based on the final detailed design of the subproject, a census and socio-economic survey shall be conducted. The census survey will cover all (100%) of the potentially affected public and private properties within the project impact area and cover immovable property owned by displaced families as well as Common Property Resources (CPRs) and other affected properties and other resources. These surveys would be carried out in association with local and host communities.

The census will identify all affected peoples including the titleholder, tenant/ leaseholder, sharecropper and non-titleholders displaced families/ persons, if any. During such census, those displaced persons who are dependent on the acquired land for their livelihood, shall also be identified and listed along with their identified income from the affected property.

- ▶ The census will identify vulnerable displaced persons and their respective vulnerable status.
- ▶ The census will also identify and clarify indigenous people and their impact for the project.
- ▶ The following procedure have to be adopted in carrying out the census survey:
- ▶ Identification of Corridor of Impact (Col) of the final alignment, which will minimize the socio-environmental impact with feasible alternatives.
- ▶ Verification of legal boundaries of project area, and documentation of existing structures, land plots, and other physical assets within the Col.
- ▶ All encroachments, private, public and Eksonia land holdings and others assets in the project area is to be documented; Assets, structures, land holdings, trees, etc. and photograph of Displaced persons to be recorded; and
- ▶ All information is to be computerized; photography/ video recordings to be used to document existing structures.

The baseline census survey shall cover information on the various categories of losses and other adverse impacts likely to occur under the project; The census shall identify potentially affected populations with special attention to vulnerable groups; and assessment on the value of various assets to be made.

### 3.5.6 Socio-Economic Survey

The socio-economic information of impacted Affected Families will be gathered through sample surveys (100% of physically displaced families and 25% of the rest of the affected families). . The survey will cover the following: (i) preparation of accurate socio-economic benchmark of existing/ pre-project scenario of the sub-project area; and (ii) analysis of social structures and income resources of the population.

The socio-economic survey will benchmark the socio-economic baseline of indicators of displaced persons. This will serve as a benchmark for monitoring the socio-economic status of displaced persons and assess the impacts of the Investment Programs on the affected community and people.

The sample socio-economic survey will also collect gender-disaggregated data to address gender issues in resettlement, including the risks of Gender-Based Violence (GBV) on women and girls.

### 3.5.7 Due-Diligence of Existing RoW/ Land

A procedure of conducting due diligence/audit of the existing ROW/land for the existing roads to be upgraded and if there were any additional lands acquired before approval of AIIB loan. The due diligence will assess any gaps or legacy issues and shall recommend corrective actions. If there are gaps, non-compliances or legacy issues with the past land acquisitions procedures associated with the subproject, a corrective action plan should be prepared to guide the subproject in addressing such gaps and legacy issues. This section should be included as a subsection of the SIA. Social due diligence will need to be conducted for the project (roads)/ lands that are already existing and need to be upgraded, to identify any legacy issues and corrective action to close them down; and on the process /activities conducted on implementing the direct purchase agreement ahead of the AIIB Loan agreement. The Social Due Diligence has to be conducted and integrated as part of the SIA, and where gaps are identified in the implementation vis a vis the GOI and GOA laws, RFP and ESP requirements, identify corrective actions and implement them together with the RP.

### 3.5.8 Data Management

**Data Collection:** Each of the affected properties will be surveyed and the structure/land likely to be affected by the project must be numbered, documented and photographed, preferably in the AutoCAD along with the topographical survey data.

**Data Analysis:** The analysis would cover the following: population, population density, age, sex ratio, literacy rates/education, gender issues, tribal issues, religious groups, income, occupation and poverty line.

**Data Update.** Since there is generally a time gap between the census and land acquisition procedure, it implies that actual physical relocation of displaced persons may be delayed. Therefore, it is suggested that Implementing Agency, responsible for implementation of Resettlement Plan, would conduct a rapid appraisal to continuously verify and update information.

## 3.6 Compensation, Livelihood Restoration and Relocation

### 3.6.1 Compensation and Valuation of Lost and Affected Assets

The Deputy Commissioner/ District Collector and Additional Deputy Commissioner (Revenue) of the respective district is the authority to finalize the valuation of the land and immovable assets including the standing crops and trees for land acquisition. The valuation will follow sections 26 to 30 & Schedule I of RFCTLARR Act 2013 along with Multiplication factor of Assam (Notification No. RLA 300/2013/Pt-II/7 dated 22nd Dec 2014) in following procedures:

- i. The requisition of required land for the project will be prepared on available records of land collected from the Revenue Department and submitted to the respective Deputy Commissioner by Chief Engineer (EAP).
- ii. The ownership, category, area etc. of the affected land and immovable properties and standing trees, crops have been verified, measured and mapped through Joint Measurement Survey at site by the Revenue officials along with representatives of PWRD and PWD (Building) Department.
- iii. The base rate of land (Sub-section (1) of Section 26 of RFCTLARR Act 2013) will be determined by the highest value among:
  - ▶ 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;

- ▶ The average sale price of similar type of land situated in the nearest village or nearest vicinity area; and
  - ▶ Consented amount of compensation as agreed upon under sub-section (2) of section 2 of RFCTLARR Act 2013 in case of acquisition of lands for private companies or for public private partnership projects
- iv. The market value of land shall be multiplied by a factor (Sub-section (2) of Section 26 of RFCTLARR Act 2013), of i) 1.00 (One) for land in urban areas or, ii) 1.5 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or, iii) 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area (Ref. Notification No. RLA 300/2013/Pt-II/7 dated 22nd Dec 2014 of Govt. of Assam)
- v. Market value of building and other immovable property and assets attached to the land will be calculated by PWD (Building) department as per current PWD Schedule of Rates, without any depreciation.
- vi. Compensation for trees based on timber value at market price will be determined by the Revenue Department and Forest Department. Compensation for perennial crops, fruit trees and horticulture, at Net Present Value on remaining productive years will be determined by the Agriculture Department and Revenue Department.
- vii. A Solatium of 100% on the compensation amount of land, immovable assets attached with the land and standing crops will be added to determine the total compensation.

### 3.6.2 Direct Purchase Policy of State

In the States policy of Direct Purchase of land, the affected land, immovable assets and other assets attached with the land will be evaluated by the District Level Direct Purchase Committee (DLLPC) according to sections 26 to 30 & Schedule I of RFCTLARR Act 2013 along with Multiplication factor of Assam. The Landowners under the Direct Purchase will also have an incentive of 25% over and above the evaluated compensation.

The land owners will get an incentive of 25%, inclusive of R&R Benefits, on the compensation calculated as per provisions of Section 26 to 30, Valuation of immovable assets & Schedule I of RFCTLARR Act 2013, as he has readily agreed to be a part of the project.

The Price of Direct Purchase (DP) will be:

$$DP = 2.5 \times \{ (R \times M \times A) + (B + O) \} + [ 0.12 \times Y \times \{ (R \times M \times A) + (B + O) \} ]$$

Where: R is the base rate of Land, M is the Multiplier, A is the affected area, B is the market value of Buildings, O be cost of all immovable assets & standing crops & Y is the year from date of notification to award of compensation

The Direct Purchase method will be all encompassing and inclusive of all compensation and R&R benefits, as specified in 2<sup>nd</sup> Schedule of RFCTLARR Act 2013 or in R&R benefits of AIIBs for Titleholders. The purchase price of land shall be fixed based on negotiations and mutual consent, hence no separate rehabilitation and resettlement benefits shall be payable to the land owners.

If, however, negotiation fails under the Direct Purchase process, the project will acquire land for the subproject following Assam RFCTLARR Rules 2015 based on RFCTLARR Act 2013, which is in conformity of AIIB ESF ESS 2 and shall adopt the procedures set in the RPF and what is indicated in the Entitlement Matrix.

Land acquisition and resettlement impacts of the project will be compensated in accordance with the entitlement matrix. All compensation and assistance will be paid to displaced persons prior to displacement or commencement of civil works.

### 3.6.3 Livelihood Restoration

Each displaced person whose income or livelihood is affected by a sub-project will be assisted to improve or at least restore this livelihood to pre-project level. Livelihood restoration allowance for the Displaced Persons have been provisioned in the Entitlement Matrix. The Project Implementation Unit (PIU) with support from RP Implementation Agency, will verify and assess the respective member of the DFs, on training need of him/ her or any of his/ her family members, to develop appropriate income restoration program. If the DP opted for livelihood training for any of his/ her family member, up to Rs. 36,000/- the amount same as livelihood restoration allowance/ subsistence allowance, will be paid to the respective Training Agency, as training fees, provided over and above of all other Resettlement Assurances.

The PIU with support from the RP Implementation Agency, will examine local employment opportunities and identify possible income restoration options. Suitable trainers, local resources or preferably, training through National Skill Development Corporation (NSDC)/Assam Skill Development Mission (ASDM)/Assam Urban Livelihood Mission/ Assam Rural Livelihood Mission, as they have plethora of training modules for plenty of livelihood sectors, expertise and eligibility.

### 3.6.4 Relocation

The relocation of the displaced families will be facilitated through 3 months' advance notice to the displaced families and providing R&R assurances to the entitled families before their relocation. The PIU assisted by the RP Implementation Agency (RIA) will assist the displaced families for their respective relocation.

The affected CPRs under the road utilities, e.g., bus stand, passenger sheds, public toilets etc. will be rebuilt through the civil construction of the project itself. The affected CPRs falling under the categories of the public utilities of Wells, Handpumps etc. will be relocated in the remaining government lands. The affected CPRs falling under the categories of the institutes will be relocated/ reconstructed through the responsible persons group/ relevant institutes committees.

No Resettlement sites have been considered in this project, as it requires additional land acquisition and thus increase in displaced families for acquisition of land for resettlement sites.

## 3.7 Resettlement Plan (RP)

A Resettlement Plan (RP) will be prepared for each sub-project as per each civil works contract packages. The RP will be prepared on the findings of impact of SIA and suggested mitigation measures as per provisions and guidelines of the approved Resettlement Planning Framework (RPF) prepared for ASRIP, by ascertaining cost of resettlement and formulate a rehabilitation and Resettlement Plan for implementation for each sub-project falling under Involuntary Resettlement category A or B as per AIIB Guideline. The draft RP shall be reviewed and endorsed by AIIB before finalization and disclosure in the Client's and AIIB's website in English and Assamese language.

The Resettlement Plan will include the Social Impact, Entitlement Matrix, Resettlement Budget, Implementation Plan, Grievance Redress Mechanism, Monitoring and Evaluation of Resettlement Implementation etc. The outline of Resettlement Plan is appended as **Appendix S6**.

## 4 STAKEHOLDERS, MEANINGFUL CONSULTATION AND DISCLOSURE

### 4.1 Stakeholders

A stakeholder is either an individual, group or organization who is impacted by the outcome of the project and have an interest in the project. There are a lot of people involved in getting a project from inception to a successful completion. Over the course of a project, one stakeholder might be more valuable in terms of the project objections than another, whereas some stakeholders might demand more attention than others. The first step of the stakeholder engagement activities is the identification and characterization of the Project stakeholders.

#### 4.1.1 Category of Stakeholders

The Stakeholders has been categorized in four categories:

- i. Primary Stakeholders: The directly affected persons, e.g., Titleholders, Non-titleholders (Encroachers, Squatters), economically displaced persons (Small Business Enterprises, Tenants, Employees etc.), affected communities, affected CPR users etc. are identified as Primary Stakeholders.

There is also a sub-category of Vulnerable Groups under the Primary Stakeholder. Vulnerable Groups are groups of persons that experience a higher risk of poverty, social exclusion, discrimination and violence than the general population, including, but not limited to, ethnic minorities, migrants, people with disabilities, isolated elderly people, women and children. The Vulnerable Group/ Persons can be classified as, Project affected persons falling under: 1) Scheduled Tribes (ST), 2) Scheduled Caste (SC), 3) Below Poverty Level (BPL), 4) Women Headed Household, 5) Elderly people living alone, 6) Physically or Mentally challenged/ disabled persons, 7) Children and 8) Persons with economical vulnerability.

- ii. Implementer: The officials of the Implementation Authority (PWRD, GoA), officials of local administrative authorities viz., District Administrations, Local Administrations and local leaders are identified as Secondary Stakeholders. The Officials of the various Consultants, sub-consultants, Contractors, sub-contractors, who are and will be involved in the project, are also identified as Secondary stakeholders.
- iii. Promoters: The officials of other line departments viz., Forest, Land Revenue, etc. and any other person, who may have interest in the project are considered as Tertiary Stakeholders.
- iv. Funders: The institution and officials of the institution, who are financing/ loan financing the project.
- v. Other Stakeholders: Relevant Civil Society Organizations

#### 4.1.2 Stakeholder Management

Some stakeholder categories having “high level of interest” and “high ability to influence/impact the project” will require regular and frequent engagement, typically face-to-face and written, and at least several times per year. Whereas, categories with medium interest or medium influence will require regular engagement (e.g., twice a year), typically through written information. Other will require infrequent engagement (e.g., once a year), typically through indirect written information (e.g. mass media). The

**Figure 1**

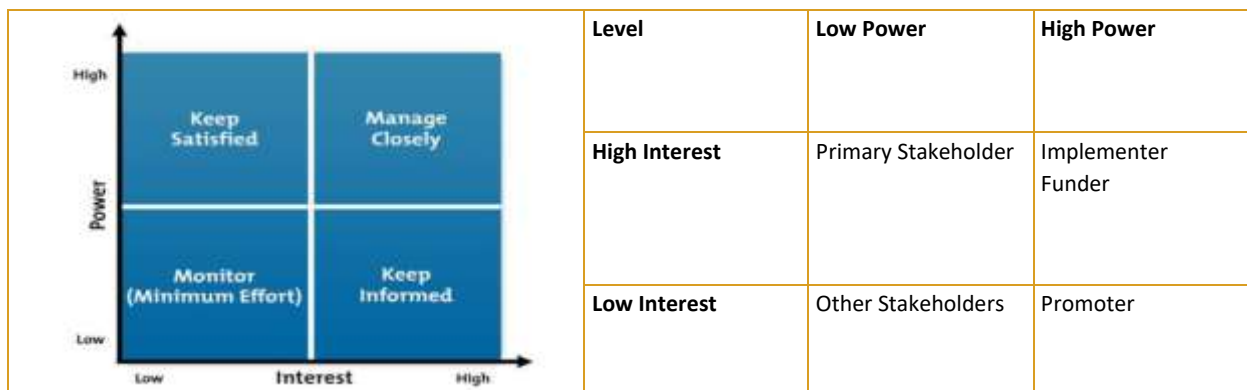


Figure 1 presents the level of power/ interest and stakeholder prioritization in the project.

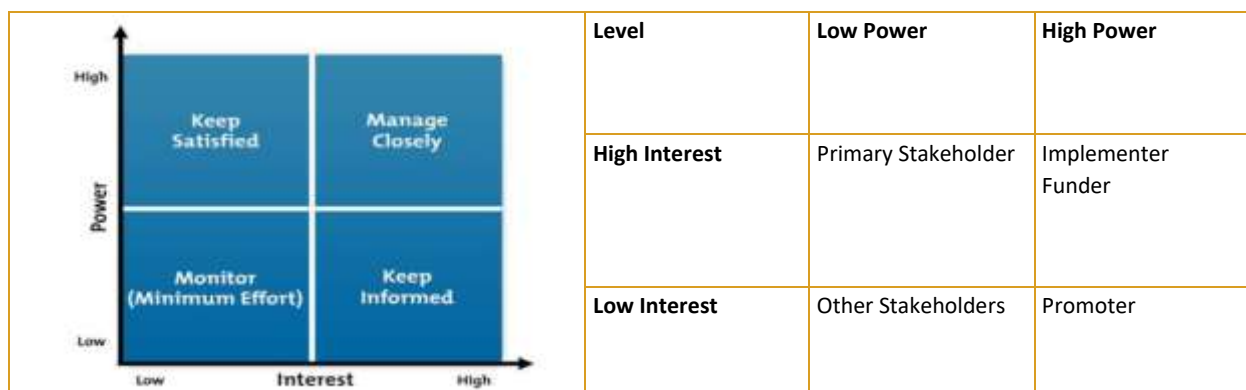


Figure 1: Power/ Interest and Stakeholders prioritisation

Social inclusion includes systematic engagement with vulnerable groups. The vulnerable and marginalized groups were specifically enabled to participate in the meaningful consultations through:

- ▶ Arrangement of the Public Consultation Venue in suitable places, which are commonly known to all the Stakeholders and also in the very convenient place to reach by the vulnerable and disabled people.
- ▶ Special care has been taken to arrange the Venue in a way to ascertain the attendance of women face no hesitation.
- ▶ The Public Consultations are also arranged in daytime, excepting the usual peak time of their daily economic and personal activities, to facilitate that all interested persons including the women, children and disabled persons to attend.
- ▶ The Public Consultations are also arranged in normal local holidays to ascertain that the vulnerable or marginalized peoples get assistance from other persons to reach and attend.
- ▶ Pre-informed Consultation also facilitated the social inclusion of the vulnerable groups including women, disabled persons to have information at ease.
- ▶ Focus Group Discussion with the Vulnerable People, Tribal Communities and Females will be performed as feasible.
- ▶ In view of the ongoing COVID-19 Pandemic situations and certain restrictions thereof, small group techniques, web-meeting/ telephonic consultation and contact less/ gathering less adhering COVID-19 restrictions consultation techniques have to be adopted.

## 4.2 Meaningful Consultation

Meaningful consultation is a process that involves the public in providing their views and feedback on project proposal to consider in the decision-making. Approaches to public consultation in this project have ranged from short-term programs to meet the regulatory requirements to a longer-term focus on relationship building and proactive risk management.

Meaningful Consultation activities provide specific stakeholder groups with relevant information and opportunities to voice their views on the project. The activity types and their frequency are adapted to the three main project stages: project preparation (including design, procurement of contractors and supplies), construction, and operation and maintenance. **Table 5** presents the stakeholder engagement activities to undertaken for the project, though constrained with the outbreak and containment of COVID-19 pandemic.

**Table 5: Meaningful Consultation activities by project phase**

Stage	Target Stakeholders	Topic(s) of Engagement	Method(s) used	Location/ frequency	Responsibilities
Stage 1: Project Preparation (ESIA, ESMP, RP preparation & Disclosure)	<b>Primary Stakeholder</b> <ul style="list-style-type: none"> <li>Affected Persons</li> <li>Other Interested Groups dwelling in adjacent villages</li> <li>Vulnerable DPs, if any</li> </ul>	<ul style="list-style-type: none"> <li>Assistance in gathering official documents for land ownership and uses</li> <li>Project scope and rationale</li> <li>Environmental &amp; Social principles</li> <li>Livelihood restoration options</li> <li>Grievance mechanism process</li> <li>ESIA, ESMP, RP preparation &amp; disclosure</li> </ul>	<ul style="list-style-type: none"> <li>Public meetings with facilitating women and vulnerable</li> <li>Face-to-face meetings</li> <li>Mass/ social media communication (as and when needed)</li> <li>Disclosure of written information: banners, brochures, posters, flyers, website</li> <li>Maintaining COVID-19 restriction &amp; PPE</li> </ul>	<ul style="list-style-type: none"> <li>Local Project Office for disclosure of ESIA, ESMP, RP etc.</li> <li>Survey of PAPs in affected villages</li> <li>Communication through Local Panchayat, Key Persons, mass communication, social media etc.</li> </ul>	<ul style="list-style-type: none"> <li>Project Authority &amp; PCMC</li> <li>DPR Consultant</li> <li>Other Consultants, if any</li> </ul>
	<b>Promoter Group</b> <ul style="list-style-type: none"> <li>Panchayat Offices</li> <li>Local Administration</li> <li>Government Departments etc.</li> </ul>	<ul style="list-style-type: none"> <li>Project information scope and rationale and E&amp;S principles</li> <li>Coordination activities</li> <li>Resettlement &amp; Livelihood Restoration Policies</li> <li>Grievance mechanism process</li> <li>ESIA, ESMP, RP preparation and disclosure</li> </ul>	<ul style="list-style-type: none"> <li>Public meetings, trainings/ workshops</li> <li>Mass/ social media communication</li> <li>Disclosure of written information: Brochures, posters, flyers, website</li> <li>Maintaining COVID-19 restriction &amp; PPE</li> </ul>	<ul style="list-style-type: none"> <li>Project meetings in respective offices &amp; in Public Consultations</li> <li>Meetings in affected Villages, as needed</li> <li>Communication through Letters, documents, telephone, video conference, e-mails, mass media, social media (as needed)</li> </ul>	<ul style="list-style-type: none"> <li>Project Authority &amp; PCMC</li> <li>DPR Consultant</li> <li>Other Consultants, if any</li> </ul>
	<b>Implementer Group</b> <ul style="list-style-type: none"> <li>Officials of PWRD, GoA</li> <li>Consultants &amp; Sub-Consultants</li> <li>Contractors &amp; Sub-Contractors, if any at this stage</li> </ul>	<ul style="list-style-type: none"> <li>Project information scope and rationale and E&amp;S principles</li> <li>Coordination and management strategies and activities</li> <li>Resettlement &amp; Livelihood Restoration Policies</li> <li>Grievance mechanism process</li> <li>ESIA, ESMP, RP preparation and disclosure</li> </ul>	<ul style="list-style-type: none"> <li>Face-to-face meetings in small groups</li> <li>Trainings/ workshops/ presentations, if required</li> <li>Invitations to public/ community meetings</li> <li>Disclosure of written Documents, Brochures, posters, flyers, presentations, website</li> <li>Maintaining COVID-19 restriction &amp; PPE</li> </ul>	<ul style="list-style-type: none"> <li>Project meetings in respective offices &amp; in Public Consultations</li> <li>Communication through Letters, documents, telephone, video conference, e-mails, mass media, social media (as needed)</li> </ul>	<ul style="list-style-type: none"> <li>Project Authority &amp; PCMC</li> <li>DPR Consultant</li> <li>Other Consultants, if any</li> </ul>

Stage	Target Stakeholders	Topic(s) of Engagement	Method(s) used	Location/ frequency	Responsibilities
STAGE 2: Project Construction and mobilization activities	<b>Primary Stakeholder</b> <ul style="list-style-type: none"> <li>Affected Persons</li> <li>Other Interested Groups dwelling in adjacent villages</li> <li>Vulnerable DPs, if any</li> </ul>	<ul style="list-style-type: none"> <li>Grievance mechanism</li> <li>Environmental and social impacts (ESIA, ESMF, RP and community concerns)</li> <li>Livelihood opportunities</li> <li>Project status</li> </ul>	<ul style="list-style-type: none"> <li>Maintaining COVID-19 restriction &amp; PPE</li> <li>Public meetings, open houses, trainings/ workshops facilitating women and vulnerable participation</li> <li>Individual outreach to PAPs, as needed</li> <li>Disclosure of written information, brochures, posters, flyers, website</li> <li>Information boards or desks</li> <li>Notice board(s) at project office and site</li> <li>Grievance mechanism</li> </ul>	<ul style="list-style-type: none"> <li>Quarterly meetings in affected villages during construction season</li> <li>Communication through CLO, Letters, telephone, e-mail, mass communication, social media, as needed</li> <li>Notice boards updated weekly</li> <li>Brochures in local offices</li> </ul>	<ul style="list-style-type: none"> <li>PIU &amp; RP Implementation Agency (RIA)</li> <li>Authority Engineer/ Supervision consultants</li> <li>Contractor/ subcontractors</li> <li>GRC, if required</li> </ul>
	<b>Promoter Group</b> <ul style="list-style-type: none"> <li>Panchayat Offices</li> <li>Local Administration &amp; Police</li> <li>Stakeholder Government Departments</li> <li>NGOs</li> </ul>	<ul style="list-style-type: none"> <li>Project scope, rationale and E&amp;S principles</li> <li>Grievance mechanism</li> <li>Livelihood Restoration/ Employment opportunities</li> <li>Progress and Status on ESMP, Livelihood Restoration</li> <li>Overall Project Status and Progress</li> </ul>	<ul style="list-style-type: none"> <li>Maintaining COVID-19 restriction &amp; PPE</li> <li>Face-to-face meetings with small groups</li> <li>Joint meetings with different departments/ stakeholders</li> <li>Joint public/ community meetings with PAPs</li> <li>Telephonic, e-mail, social media communications</li> <li>Documents, Letters, photographs etc.</li> </ul>	Monthly during construction season or as and when needed	<ul style="list-style-type: none"> <li>PIU &amp; RIA</li> <li>Authority Engineer/ Supervision consultants</li> <li>Contractor/ subcontractors</li> </ul>
	<b>Implementer Group</b> <ul style="list-style-type: none"> <li>Officials of PWRD, GoA</li> <li>Consultants &amp; Sub-Consultants</li> <li>Contractors &amp; Sub-Contractors</li> </ul>	<ul style="list-style-type: none"> <li>Project scope, rationale and E&amp;S principles</li> <li>Grievance mechanism</li> <li>Training on Livelihood Restoration/ Employment opportunities</li> <li>Progress and Status on ESMP, Livelihood Restoration</li> <li>Coordination and management strategies and activities</li> <li>Overall Project Status and Progress</li> </ul>	<ul style="list-style-type: none"> <li>Maintaining COVID-19 restriction &amp; PPE</li> <li>Face-to-face meetings with small groups</li> <li>Trainings/ workshops/ presentations, if required</li> <li>Invitations to public/ community meetings</li> <li>Disclosure of written Documents, Brochures, posters, flyers, presentations, website</li> <li>Information boards or desks</li> <li>Notice board(s) at project office and site</li> <li>Grievance mechanism</li> </ul>	Weekly during construction season or as and when needed	<ul style="list-style-type: none"> <li>PIU &amp; RIA</li> <li>Authority Engineer/ Supervision consultants</li> <li>Contractor/ subcontractors</li> <li>GRC, if required</li> </ul>

### 4.3 Information Disclosure

Information will be disseminated to displaced persons at various stages of the project through project selection, preparation and project implementation period. For the benefit of the community in general, and displaced persons, in particular, a summary of the Resettlement Planning Framework and respective Resettlement Plan of the sub-project will be made available in vernacular language during consultation meetings and will be disclosed in public places prior to project appraisal. This will enable stakeholders to provide inputs on the resettlement process, prior to award of civil work contract.

Information dissemination is the means by which facts are distributed to the public at large. Oral and visual communications were the first means humans used to distribute information, followed by written communication. All means of communication stem from these basic means.

Traditional and social media represent the two-general form by which humans disseminate information in contemporary society. Traditional media include phones, television, oral communication and print publications. Social media encompasses text messages, WhatsApp, Facebook, microblogs, and online news outlets. Improvements in technology have made these outlets increasingly popular and have become the main ways of distributing information because of the speed in which dissemination occurs. Traditional media, while slower, is still an effective way of communication.

The key to effective distribution of information is the proper matching of the medium to the message. Always adopt a method that will work for the intended audience. Information used for dissemination can be divided into various types. Not all types of information are relevant to communities as a whole but are of interest to a targeted audience and depend on the audience's level of education and literacy and problems that may be relevant to them. That's why traditional media must be used in some circumstances, even though it is slower than outlets on the internet. Many senior citizens, for example, only use the internet for certain functions, if at all. Therefore, if the audience is seniors, it may be needed to use traditional outlets such as radio, television and even print newspapers. Sometimes other means of hard copy, such as notices, brochures are appropriate as give away where the targeted audience can read the information at a later date.

Information dissemination and Public Consultation methods will chronologically follow the basic methods of:

- ▶ Meeting and discussion with the Project Officials
- ▶ Introduction and discussion with Panchayat Pradhan
- ▶ Meeting and discussion with State level and District level stakeholders
- ▶ Meeting and discussion with Block level stakeholders
- ▶ Meeting and discussion with Gram Panchayat officials
- ▶ Discussions with the Panchayat Members, Key personnel and local leaders of respective villages
- ▶ Information dissemination of Public Consultations through Notices in Vernacular (Assamese) in Gram Panchayat Notice Board, Venue of the Public Consultation, Market and other prominent places of the villages
- ▶ Information and invitation to Public Consultation to the local people through the Panchayat Members, local leaders and local key personnel
- ▶ Publicity of the Public Consultation meeting through mobile public address system
- ▶ Individual verbal campaign with the villagers' gatherings in market places and local tea stalls, especially in the weekday evenings
- ▶ Other IEC materials like Newspaper advertisements, posters, banners, when required

Publicity through social media platform viz., WhatsApp, Facebook, online video, etc. may also be planned for the young generation, as the smart phone penetration among the local people is very low but the young generation are starting to use it.

Respective Resettlement Plan will be disclosed to the affected community, detailing information including measurement of losses, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments, and displacement schedule by the PMU/PIU. This will be done through public consultation and distribution of brochures, leaflets in vernacular language. Copies of the Resettlement Plan in vernacular language will also be made available at: (i) offices of the PMU and PIU; (ii) the Deputy Commissioners Office; and (iii) local level offices. A report of disclosure, giving details of date and location will be shared with the AIIB.

The Resettlement Planning Framework and the Resettlement Plans will be placed on the official website of the State Government and the official website of AIIB after approval and endorsement of the Resettlement Planning Framework and Resettlement Plan by PMU and AIIB. Furthermore, there will be a notification on the start date of sub-project implementation. The notice will be issued by the PMU in local newspapers a month ahead of the implementation works. **Table 6** provides a summary of the consultation and disclosure activities to be undertaken.

**Table 6: Summary of Consultation and Disclosure Activities**

Sub-project Phase	Activities	Details	Responsible Agency	Audience and Target
Sub-project initiation phase	Mapping of the sub-project area	Subproject area to be mapped, clearly showing survey numbers of titleholders of land/property proposed for acquisition.	PIU in coordination with district collector's office and other local bodies.	Urban local bodies, planning department, Local committee member, survey and land revenue department
	Stakeholder identification	Cross-section of stakeholders to be identified to facilitate their participation in the subproject.	RP Implementation Agency/ PIU along with officials from the district Collector's office to identify all stakeholders.	All likely stakeholders i.e., displaced persons, implementation agencies, line departments
	Sub-project information dissemination; disclosure of proposed land acquisition and subproject details	Leaflets containing information on subproject to be prepared. Public notice will mention the names and survey numbers of titleholders of land/property proposed for acquisition along with subproject details. Notice will be issued in local newspapers.	PIU will approach district collector with required details and will be involved in information dissemination. PIU will be assisted by RP Implementation Agency for leaflet preparation. Notice will be issued from the District collector's Office.	Deputy Commissioner/ District Collector, Revenue Department
	Stakeholder meetings	Meetings at community/household level with titleholders of affected land/property and their family members during project scoping.	PIU will be assisted by officials from District collector's office. Local revenue officials will facilitate meetings to disclose the information to displaced persons.	Officer of District Collector's Office, displaced persons, NGOs and community- based organizations.
RP preparation phase	Socioeconomic impact assessment	Surveys and individual consultations to be	PIU will be assisted by DPR Consultants to	Local committee member, displaced

Sub-project Phase	Activities	Details	Responsible Agency	Audience and Target
	and 100% census surveys	conducted. Summary Resettlement Plan to be disclosed in local language through printed materials in accessible locations to displaced persons, particularly those who are vulnerable, and other stakeholders.	conduct consultations and surveys.	persons' representatives and other local level organizations.
	Formulating compensation measures and rehabilitation measures	Based on census surveys, the entitlements will be shared through discussions, and sharing Resettlement Plans with displaced persons.	PIU will be assisted by DPR Consultants, who will conduct all required discussions/meetings/workshops and will invite all secondary stakeholders.	Local committee members, displaced person representative, women's groups, NGO, community-based organization.
	Disclosure of final entitlements and rehabilitation packages	Web disclosure of the Resettlement Plan. Circulating copies of Resettlement Plans to all stakeholders, including displaced persons, translating summary. Resettlement Plan in local language before conducting final disclosure meeting. Conducting public meetings for Resettlement Plans approval by displaced persons.	RP Implementation Agency appointed by PMU will undertake all activities related to circulation of Resettlement Plan. RP Implementation Agency will arrange public meeting of all stakeholders with displaced persons for Resettlement Plan approval. All the comments and suggestions made by displaced persons will be documented.	All Stakeholders
RP Implementation Phase	Disclosure of final Resettlement Plan approved by AIIB to all important stakeholders.	Final Resettlement Plan endorsed by government and reviewed and approved by AIIB, to be updated/disclosed on the executing agency's website. Ensure the availability of copy of the approved Resettlement Plan at PMU and district collector's office.	Executing agency to provide AIIB with Resettlement Plan for review and approval prior to contract award. PMU and PIU to disclose on the web.	All affected people
	Relocation and rehabilitation, livelihood restoration (including consultation with DPs).	Addressing any issues which arise during shifting, or relocation or deciding on the choices of training programs or availing eligible assistance.	RP Implementation Agency will continue the process of consultation.	Displaced Persons.

## 5 INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS

### 5.1 Institutional Arrangements

The Government of Assam's Public Works Roads Department (PWRD) will be the executing agency. The Chief Engineer (EAP) will be the Project Director (PD) of Project Management Unit (PMU). PD PMU will be assisted by an Assistant Executive Engineer as Nodal Officer of Asom mala program. **Figure 2** shows the implementation arrangement for Asom Mala Program.

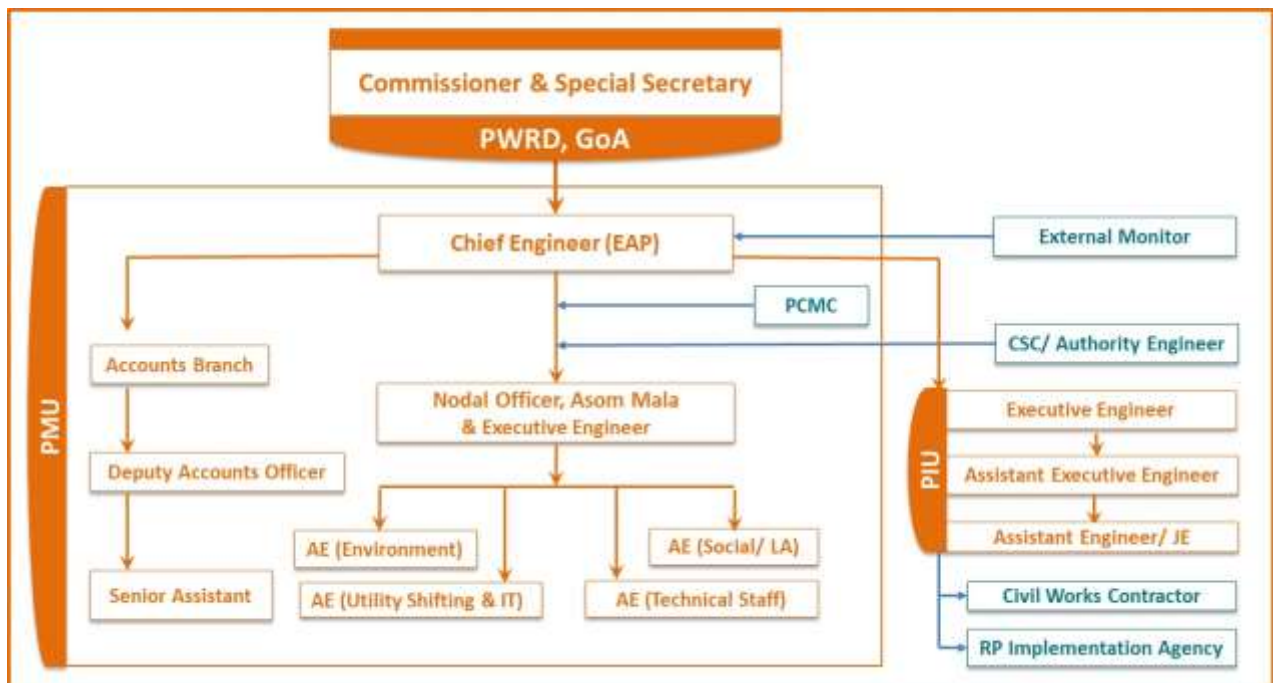


Figure 2: Implementation Arrangement for Environmental and Social Safeguards

### 5.2 Program Management Unit (PMU)

The PMU will be responsible for overall execution and technical supervision, monitoring, and financial control of the project. The PMU will be assisted by Program Coordination and Management Consultant (PCMC).

The PMU will be responsible for the following:

- ▶ appointing Independent External Monitors, RP Implementing Agencies, Authority Engineers, Contract Supervision Consultants, Civil work contractors, other Implementing Agencies for PIU level/ Contract level/ Sub-project level/ PMU level, as and when where required;
- ▶ Liaising with district administration for direct purchase or land acquisition
- ▶ Preparation of Environmental and Social Management Planning Framework (ESMPF), Resettlement Planning Framework (RPF), Indigenous Peoples Planning Framework (IPPF) for ASRIP projects of Asom Mala program;
- ▶ Review and approving of Resettlement Plan (RP), Environmental Management Plan (EMP) and all other social and environmental safeguards documents and reports;

- ▶ Ensuring timely disbursement of compensation and assistance to the displaced persons in close coordination with the concerned line departments;
- ▶ Monitoring of implementation and monitoring of RP and EMP;
- ▶ Proactive and timely measures to address all social and environment safeguards including measures and clearances;
- ▶ monitoring, addressing and resolving grievances;
- ▶ ensuring availability of budget for implementation activities; and
- ▶ ensuring disclosure of relevant frameworks, implementation and management plans and monitoring documents.

The PMU will seek government clearances for submission and disclosure of the social and resettlement monitoring report to AIB. It will also coordinate with national and state agencies to resolve inter-departmental issues, if any.

### **5.3 Project Implementation Unit (PIU)**

PWRD had already established separate state road divisions in districts/ divisions. These will be responsible to implement all the project related activities in their respective districts/ divisions including the road strengthening and widening works, implementation of road rehabilitation works, land acquisition and forest clearances, preparation and implementation of performance-based or other maintenance contracts, implementation of activities under the road safety component, and coordination with local administration and local communities to seek their support.

The PWRD's Superintending Engineers (SEs) in the field will closely monitor and guide the field divisions in implementing all the project related activities in their respective jurisdiction. The SEs will undertake quarterly management meetings with the contractors; coordinate with district administration, forest department, water supply, electricity, and revenue departments to resolve any land acquisition, site readiness, material availability, and law and order or social issue.

The PIUs will be assisted by RP Implementation Agency (RIA) to implement safeguard activities. The PIU will undertake internal monitoring and supervision and record observations throughout the project period to ensure that the safeguards and mitigation measures are provided as intended.

### **5.4 Program Coordination and Management Consultant (PCMC)**

A Program Coordination and Management Consultant (PCMC) has been mobilized to provide high quality technical advice and implementation support to PWRD for all the project components under Asom Mala program. The PCMC will support the Program Management Unit (PMU) for all aspects of Asom Mala program.

A Social Specialist will also be appointed as part of the PCMC team to (i) prepare RPF and IPPF for ASRIP; (ii) provide advice on policy reforms, if required; (iii) review the Social Assessment and Resettlement Plans prepared by the DPR Consultants in the planning phase; (iv) assist in the monitoring and supervision of ongoing subprojects and implementation of Resettlement Plan and IPP, if required; (v) monitor the implementation of R&R scheme carried out by the PIU level RP Implementation Agencies; and (vi) ensure all subprojects meet safeguard requirements as agreed in the loan covenant and in line with this Resettlement Planning Framework. In addition, (s)he shall play a central role in ensuring capacity building on resettlement management of the PMU, RP Implementation Agencies and line departments through capacity development support and training.

## 5.5 Construction Supervision Consultant (CSC)/ Authority Engineer (AE)

The Authority Engineer is the supervising authority for contractors that follow the EPC modality. They are also responsible for reviewing and approving the detailed engineering design prepared by the EPC contractor. The Construction Supervision Consultant is the supervising authority for contractors following item rate contract. Other than the difference mentioned above, the following are the responsibilities of the AE and CSC:

- ▶ Review the Social and Environmental safeguard documents and reports to understand the background of social and environmental issues of the respective project corridor
- ▶ Review required sub-plans such as traffic management plan, health and safety plan, waste management plan etc. prepared by the contractor
- ▶ Provide on-site training and technical guidance to the contractor workers as necessary
- ▶ Review the monthly reports prepared and submitted by the contractor
- ▶ Where necessary identify the need for corrective actions and issue official notices to the contractor to implement the corrective actions with clear timeline
- ▶ If there are any complaints or grievances, facilitate consultations with the respective complainant and ensure the grievances are addressed in accordance with the GRM system
- ▶ Regularly convene meetings to discuss progress or issues on social and environment safeguards to ensure that all parties (contractor, PIU, PCMC) are on the same page on requirements and milestones for safeguards

## 5.6 RP Implementation Agency (RIA)

An RP Implementation Agencies will be hired to assist PIU to, (i) implement the Subproject Resettlement Plans (ii) conduct consultations and create public participation in the project and conduct verification surveys and (iii) update respective Subproject Resettlement Plan and Indigenous Peoples Plan, if required, in line with the Resettlement Planning Framework and Indigenous Peoples Planning Framework, respectively.

The PMU shall ensure that adequate resources are allocated to the RIA and a detailed work plan will need to be submitted by the RIA in the Inception Report. An indicative TOR for the RIA is included in **Appendix S7**.

## 5.7 Implementation Schedule

The RP implementation schedule will vary from subproject to subproject. In general, the project implementation will consist of the three major phases, namely subproject preparation, land acquisition and rehabilitation of DPs. In line with the principles laid down in this RPF, the PMU and PIU, assisted by RIA, will ensure that project activities are synchronized between the Resettlement Plan implementation activities as well as the subproject implementation and ensure that no physical or economic displacement of displaced households will occur until: (i) compensation at full replacement cost has been paid to each displaced person for project components or sections that are ready to be constructed; (ii) other entitlements listed in the Resettlement Plan are provided to the displaced persons; and (iii) a comprehensive income and livelihood rehabilitation program, supported by adequate budget, is in place to help displaced persons, improve, or at least restore, their incomes and livelihoods. Furthermore, all RPs will be revised during detailed design, and the updated RPs will be approved by government and AIIB and disclosed prior to implementation. An indicative implementation schedule with key tasks is provided in **Appendix S8**.

## 5.8 Grievance Redress Mechanism

### 5.8.1 Introduction

A project-specific Grievance Redress Mechanism (GRM) will be established to receive, acknowledge, evaluate and facilitate the resolution to the complainant with corrective actions proposed using understandable and transparent processes on the social and environmental aspects that are gender responsive, culturally appropriate and readily accessible to all segments of the affected people. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. Records of grievances received, corrective actions taken and their outcomes shall be properly maintained. The complainant may take recourse to the Court of law, if dissatisfied with the verdict of the GRM.

### 5.8.2 Land Acquisition, Rehabilitation and Resettlement Authority

For speedy disposal of disputes relating to land acquisition, compensation, rehabilitation and resettlement, the Government of Assam has established the Land Acquisition Rehabilitation and Resettlement Authority. The GoA with the consent of the Guwahati High Court has declared courts of the respective District Judges to act as Land Acquisition, Rehabilitation and Resettlement Authority. The authority consists of one person called the Presiding Officer of the Authority who is appointed by the GoA in consultation with the Chief Justice of the Guwahati High Court through notification in official gazette. He shall hold the office for 3 years and shall be supported by Registrar and other officers.

The Authority shall, for the purposes of its functions under this Act, shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908. The Authority shall dispose any matter within six months from the date of its receipt. All proceedings before the Authority shall be judicial proceedings and shall take place in public. No civil court (other than the High Court or the Supreme Court) shall have jurisdiction to entertain any dispute relating to land acquisition in respect of which the Collector or the Authority is empowered by or under this Act, and no injunction shall be granted by any court in respect of any such matter. Applications first go to Collector and within 30 days s/he can refer (if required) to the Authority. Such application can also be made within six weeks by the applicant (if s/he or his/ her representative is personally present) after the date of award, and in other cases within six months. Collector may also accept any application within one year if s/he feels appropriate. Interests are payable for delayed and excess payments.

### 5.8.3 Grievance Redress Mechanism

The grievance redress mechanism and procedure are depicted in **Figure 3**. The project-specific GRM is not intended to bypass the government's own redress process; rather it is intended to address affected people's concerns and complaints promptly, making it readily accessible to all segments of the affected people, and is scaled to the risks and impacts of the project.

The PMU and PIUs, supported by RP Implementing Agencies, will make the public aware of the GRM through public awareness campaigns. The grievances can be raised through various methods:

- ▶ Modules in e-portal/ website of Asom Mala;
- ▶ Dropping complaints in grievance boxes placed in the offices of a) PMU, b) respective PIUs and c) Implementing Agencies;
- ▶ E-mails to respective email address;
- ▶ SMS or WhatsApp to respective mobile number(s) dedicated for GRM and
- ▶ Using the complaint register and complaint forms (**Appendix S9**) available at the office of PMU/ PIU/ RP Implementing Agency.

All the documents will be made available to the public including information on the contact number, e-mail addresses, addresses of the respective offices of PMU/ PIU/ RP Implementing Agency and contact person for registering grievances, and will be widely disseminated throughout the project area by the safeguard officers in the PMU and PIUs assisted by the RP Implementation Agencies.

**First Level:** When grievances arise, complainant may contact the respective person of the subproject Contractor and/ or the subproject site engineers. Each subproject will have a site level resolution, of which complaints will be addressed within 15 working days. The subproject contractor will inform within the day the RP Implementation Agency on the complaint received by the subproject contractor. The RP Implementation Agency will be responsible to assist the Affected Persons or Community to be heard, and will be responded by the Contractor/ CSC/ Authority Engineer, as the case may be. The RP Implementation Agency will maintain the records of complaints and the outcome of the solutions.

**Second Level:** The complainant may contact PIU/ RP Implementing Agency to file complaints on non-resolution at the subproject site level. The address and contact number of the PIU office will be provided in the project information leaflet. The PIU, assisted by RP Implementing Agency, is the second level of GRM which offers the fastest and most accessible mechanism for resolution of grievances. The PIU, assisted by RP Implementation Agency, will be designated as the key officers for grievance redress. Resolution of complaints will be done within 15 working days. At this stage, the RP Implementation Agency will inform the PIU for additional support and guidance in grievance redress matters, if required. Investigation of grievances will involve site visits and consultations with relevant parties (e.g., persons, community, contractors, traffic police etc.). Grievances will be documented and details of the complainant (name, address, date of complaint, etc.) will be included, unless anonymity is requested. A tracking number will be assigned to each grievance. The local GRC will meet as necessary when there are grievances to be addressed. The local GRC will suggest corrective measures at the field level and assign clear responsibilities for implementing its decision within fifteen (15) working days. The contractor will have observer status on GRC.

**Third Level:** The Resettlement Officer and Environmental Officer of PMU will activate the third level of GRM. The PIU assisted by the RP Implementation Agency will refer the unresolved issues (with written documentation) to the PMU. The complainant can also directly place his/ her grievances to the PMU. The PMU, assisted by PCMC, will enquire about the grievances and the unresolved complaints will be heard in the Grievance Redress Committee (GRC). The displaced person/ complainant representatives can also present his/her concern/issues, if required. The process will facilitate resolution through mediation.

**Fourth Level:** If a grievance cannot be resolved directly by the Contractors (first level), the PIUs assisted by RP Implementing Agency (second level) or PMU and GRC, assisted by PCMC (third level), the case will be escalated to the Land Acquisition and Resettlement and Rehabilitation Authority of the State (fourth level), which will give a decision within 6 months. At any point in the redressal process the aggrieved person can approach the Land Acquisition and Resettlement and Rehabilitation Authority.

Alternatively, the displaced person can also seek alternative redress through the appropriate court of law.

If unsatisfied with the decision, the existence of the GRC will not impede the complainant's access to the Government's judicial or administrative remedies.

#### **5.8.4 Grievance Redress Committee (GRC)**

A Grievance Redress Committee (GRC) will be established at the PWRD state level and at the PIU level to assure accessibility for DPs. The GRCs are expected to resolve grievances of the eligible persons within a stipulated time period of 15 working days at the PIU level and a month at the PMU level.

The functions of the GRC are as follows: (i) resolve problems quickly and provide support to complainant/ affected persons/ affected communities arising from various issues of water supply, waste disposal, traffic interference and public safety as well as social and resettlement related issues such as land acquisition,

temporary or permanent access control; asset acquisition; and eligibility for entitlements, compensation and assistance; (ii) reconfirm grievances of persons/ communities, categorize and prioritize them and aim to provide solutions within stipulated time; and (iii) report to the aggrieved parties about developments regarding their grievances and decisions of the GRC.

The PIU level (second level) GRC will comprise of the:

- ▶ Representative of PIU, above the rank of Sub-Divisional Officer
- ▶ Resettlement Officer, PIU supported by RP Implementation Agency
- ▶ Environmental Officer, PIU supported by RP Implementation Agency
- ▶ A representative from local person of repute and standing in the society or elected representative from Panchayet/ Zilla Parishad/District Council.
- ▶ Women representative from a relevant agency which could be from the government, or RP Implementation Agency or local community
- ▶ A representative from Vulnerable Affected Persons
- ▶ A representative of the local Deputy Commissioners office (land), if the grievance is of land acquisition related issues
- ▶ A representative of local Pollution Control Authority (for environmental issues related grievances)
- ▶ A representative from IP community for IP related issue, if any.

The PMU level (third level) GRC will comprise of the:

- ▶ Chief Engineer (EAP), PWRD, GoA or any authorised person, who should not be below the rank of Executive Engineer
- ▶ Nodal Officer, Asom Mala – Member Secretary
- ▶ Resettlement Officer, PMU assisted by PCMC
- ▶ Environmental Officer, PMU assisted by PCMC
- ▶ Representatives from local person of repute and standing in the society or elected representative from Panchayet/ Zilla Parishad/ District Council
- ▶ Representative from the PIU, assisted by RP Implementation Agency
- ▶ A representative from IP community for IP related issue, if any
- ▶ Representative from local forest authority, if grievances of forest aspects
- ▶ Representative from Pollution Control Board, if grievances of environmental aspects
- ▶ Representative of the Land Revenue department, if grievances of land related issues

### **5.8.5 Grievance Redress Process**

The Grievance Redress Process is presented in **Figure 3**.

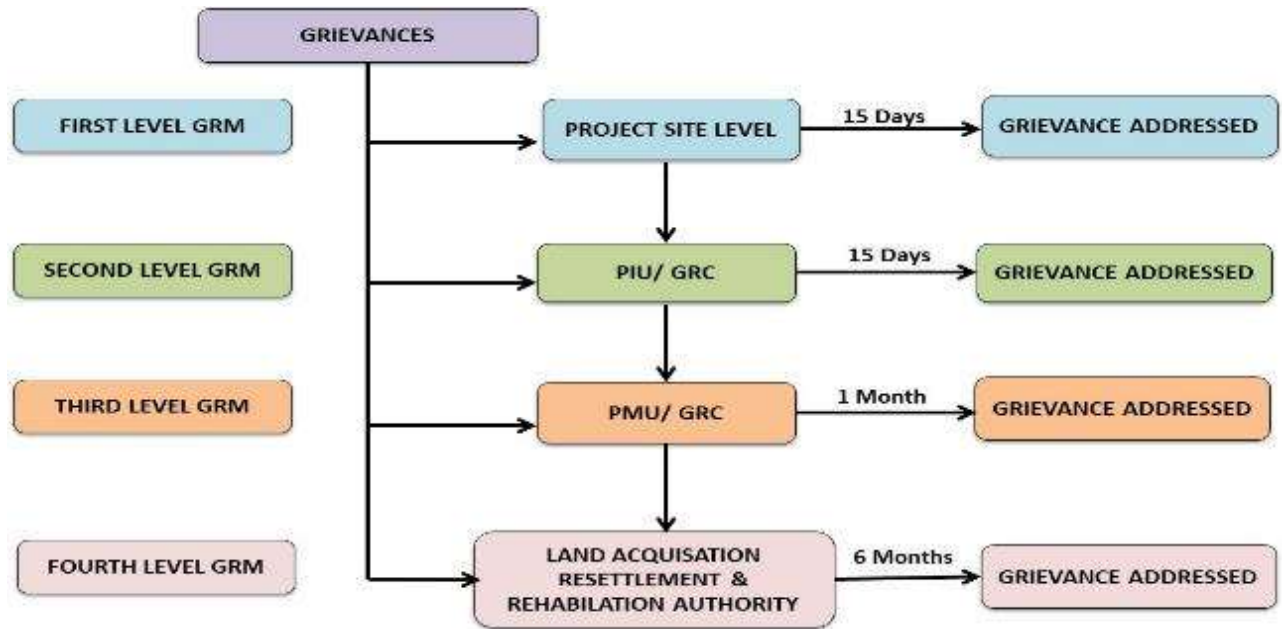


Figure 3: Social and Environmental Grievance Redress Process

#### 5.8.6 GRM Process Flow

The process flow of the GRM at each stage for receiving and handling any comments pertaining to the Project are outlined below and graphically presented in **Figure 4**.

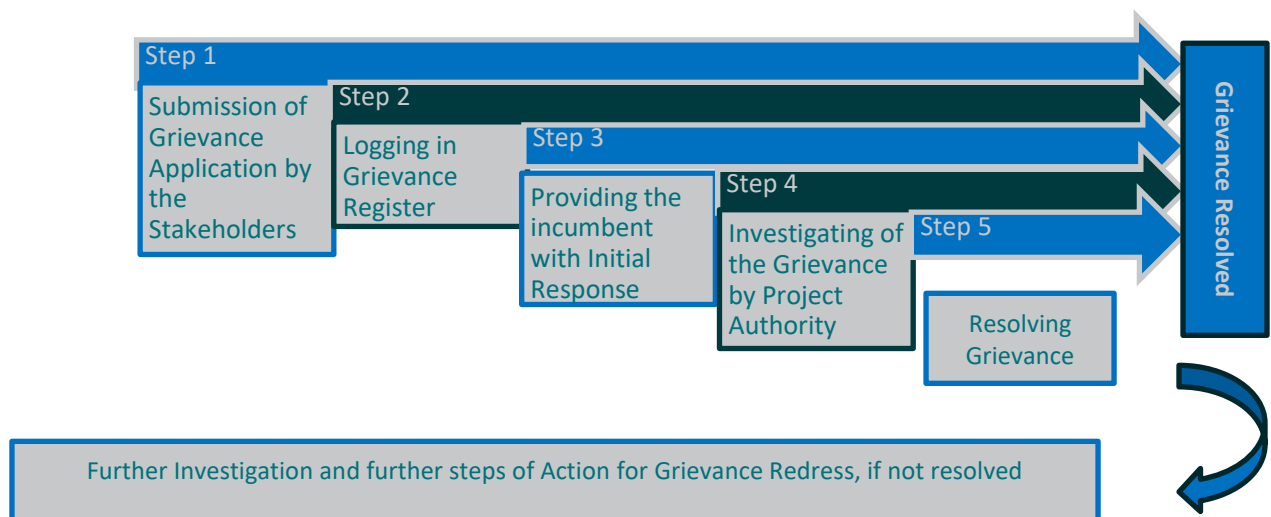


Figure 4: GRM Process Flow

The grievances will be documented and personal details (name, address, date of complaint, etc.) will be included unless anonymity is requested. A tracking number will be assigned to each grievance, including the following elements:

- ▶ initial grievance sheet with an acknowledgement of receipt to the complainant;
- ▶ grievance monitoring sheet with actions taken (investigation, corrective measures); and
- ▶ closure sheet, one copy of which will be handed over to the complainant after he/she has agreed to the resolution and signed off.

The updated register of grievances and complaints will be available to the public at the PIU/ PMU offices. Should the grievance remain unresolved, the person can seek alternative redress through the appropriate court of law which will be the last level recourse.

The local communities in project areas shall be informed on grievance redress procedure and contact persons for lodging complaint/s. All the parties involved in project implementation i.e. contractor, CSC/AE, and PIU shall maintain complaint registers at their respective offices.

All costs involved in resolving the complaints (meetings, consultations, communication, and information dissemination) will be borne by the PMU.

## 5.9 Monitoring and Evaluation

### 5.9.1 Internal Monitoring

Internal monitoring will be undertaken by the PMU with assistance from PCMC. Internal monitoring will ensure land acquisition and resettlement activities implemented as per the approved Resettlement Plans in accordance with the Resettlement Planning Framework. The PIU, assisted by RIA, will prepare quarterly progress reports and submit to the PMU. The PMU will prepare semi-annual monitoring reports and submit to AIIB. These reports will describe the progress of the implementation of resettlement activities and any compliance issues and corrective actions. These reports will closely follow the involuntary resettlement monitoring indicators agreed in the approved Resettlement Plan.

Internal monitoring will include:

- a. **Administrative monitoring:** daily planning, implementation, feedback and troubleshooting, individual DP database maintenance, and progress reports
- b. **Socio-economic monitoring:** case studies, using baseline information for comparing DP socio-economic conditions, evacuation, demolition, salvage materials, morbidity and mortality, community relationships, dates for consultations, and number of appeals placed; and
- c. **Impact evaluation monitoring:** Income standards restoration and socio-economic conditions of affected persons. Monitoring and evaluation documenting progress on RP implementation and completion reports will be provided to PMU for review and approval from AIIB.

### 5.9.2 External Monitoring

For subprojects with significant adverse safeguard impacts, the PMU will hire qualified and experienced external experts to verify its monitoring information<sup>18</sup>. An important function of the external monitoring expert is to advise the PMU on safeguard compliance issues. If significant non-compliance issues are identified, the PMU is required to prepare a corrective action plan to address such issues. The PMU will document monitoring results, identify the necessary corrective actions, and reflect them in a corrective action plan. Sample TOR for External Monitor is provided in **Appendix S10**.

## 5.10 Institutional Capacity Development Program

The capacity development programs need to be conducted to facilitate implementation of the Project in accordance with AIIB safeguard requirements. The PMU will be responsible for training of staffs of PWRD and PIU on resettlement planning and implementation, social protection, addressing grievances, addressing gender issues, monitoring, reporting and disclosure requirements.

The Social Specialist of PMU/ PCMC will provide a training and capacity building program on resettlement management on issues concerning: (i) principles and procedures of land acquisition; (ii) public consultation and participation; (iii) entitlements and compensation disbursement mechanisms; (iv) grievance redress;

<sup>18</sup>Experts not involved in day-to-day project implementation or supervision.

(v) monitoring of resettlement operation and (vi) disclosure methods. Specific modules customized for the available skill set shall be devised after assessing the capabilities of the target participants and the requirements of the project. Institutional capacity building programs will involve trainings on environmental and social safeguard (ESS) for the PMU/PIU/ CSC staff and the Contractor's employees. PCMC will provide trainings to PIU/ PMU staff on ESS work including AIIB's requirements in preparation and implementation of required documentation.

## 5.11 Disclosure of Project Safeguard Documents

Information will be disseminated to displaced persons at various stages of the project through project selection, preparation and project implementation period. For the benefit of the community in general, and displaced persons, in particular, a summary of the Resettlement Planning Framework and respective Resettlement Plan of the sub-project will be made available in vernacular language.

The Copies of the Resettlement Planning Framework, Indigenous Peoples Planning Framework, Resettlement Plan and Indigenous Peoples Plan, if required will also be made available at: (i) offices of the PMU and PIU and (ii) in the dedicated website of Asom Mala. A report of disclosure, giving details of date and location will be shared with the AIIB. The template for project information and disclosure of the Resettlement Plan is given in **Appendix S11**.

## 5.12 Revision/ Modification of RPF

The Resettlement Planning Framework for ASRIP may be modified on the requirement of the project, requirements/ suggestions from AIIB and requirement on the directives from the State Government. The RPF and any further amendments/ modifications will be endorsed by the AIIB and approved by the Government.

## 5.13 Resettlement Budget

Detailed budget estimates for each Resettlement Plan and Indigenous Peoples Plan, if required, will be prepared and will be included in the overall tranche of project budget. The budget shall include: (i) All costs of Direct Purchase; (ii) Cost of land acquisition and R&R Assurances, if any; (iii) Resettlement & Rehabilitation Assurances for Non-titleholders, if any; (iv) livelihood and income restoration of Affected Persons; (v) cost of RP Implementation Agency; (vi) cost for Grievance Redress Mechanism; (vii) Cost of consultation/disclosure and (viii) monitoring and evaluation costs. A sample table of RP Budget, is presented in **Table 7**.

**Table 7: Sample Table for RP Budget**

Sl. No.	Item	Area	Base Amount	Factor	Amount	Total Amount
<b>1.</b>	<b>Direct Purchase</b>					
A1	Urban Private Land	xxx ha	Rs. xxxx	1.0	Rs. Xxx	
A2	Pvt. Land within 10 km of Urban	xxx ha	Rs. xxx	1.5	Rs. xxx	
A3	Rural Private Land	xxx ha	Rs. xxx	2.0	Rs. xxx	
B	Cost of Structure	xxx sqm	Rs. xxx		Rs. xxx	
C	Trees & other immovable Assets		Rs. xxx		Rs. xxx	
E	Total (A1+A2+A3+B+C+D)				Rs. xxx	
F	Solatium (100% of E)				Rs. xxx	
G	Total Cost of Acquisition (E + F)				Rs. xxx	
H	Direct Purchase Allowance (25% of G)				Rs. xxx	
I	Cost of Direct Purchase(G + H)					Rs. XXX
<b>2.</b>	<b>LA through RFCTLARR Act 2013</b>					
A1	Urban Private Land	xxx ha	Rs. xxxx	1.0	Rs. xxx	

Sl. No.	Item	Area	Base Amount	Factor	Amount	Total Amount
A2	Pvt. Land within 10 km of Urban	xxx ha	Rs. xxx	1.5	Rs. xxx	
A3	Rural Private Land	xxx ha	Rs. xxx	2.0	Rs. xxx	
B	Cost of Structure	xxx sqm	Rs. xxx		Rs. xxx	
C	Trees & other immovable Assets		Rs. xxx		Rs. xxx	
E	Total (A1+A2+A3+B+C+D)				Rs. xxx	
F	Solatium (100% of E)				Rs. xxx	
G	Total Cost of Acquisition (E+F)					Rs. XXX
<b>3.</b>	<b>Compensation of Non—Titleholders</b>					
A.	Loss of Structure				Rs. xxx	
B.	Loss of Trees & other immovable assets				Rs. xxx	
C.	Total (A+B)					Rs. XXX
<b>4.</b>	<b>R&amp;R Assistances</b>					
A	Titleholders under LA through RFCTLARR Act 2013				Rs. xxx	
B	Non-Titleholders				Rs. xxx	
C	Livelihood Losers				Rs. xxx	
	Total (A+B+C)					Rs. XXX
5.	CPR Relocation/ Enhancement					Rs. XXX
6.	Vulnerability Allowances					Rs. XXX
7.	Temporary Impacts					Rs. XXX
8.	Expenses for Training					Rs. XXX
<b>9</b>	<b>Total LA &amp; R&amp;R Assistances (1+2+3+4+5+6+7+8)</b>					<b>Rs. XXX</b>
<b>10.</b>	<b>Implementation Arrangements</b>					
A	Documentation of Direct Purchase				Rs. xxx	
B	RP Implementation Agency				Rs. xxx	
C	External Monitoring Consultant				Rs. xxx	
D	GRM Expenses				Rs. xxx	
E	Other Administrative Expenses				Rs. xxx	
	Total (A+B+C+D+E)					Rs. XXX
11	Contingency (15% of 9+10)					Rs. XXX
<b>12</b>	<b>Total R&amp;R Budget (9+10+11)</b>					<b>Rs. XXX</b>

The disbursement of compensation for land acquisition of assets will be carried out by the Deputy Commissioner's office, and calculated as per the basis given in the Entitlement Matrix. In the case of assistance, the PMU may directly pay into the individual accounts of affected persons. The RP Implementation Agency will be involved in facilitating the disbursement process and rehabilitation program, and will facilitate opening bank accounts for the affected persons who do not have bank accounts.

## APPENDICES



### **Appendix S1: Details of Sub-projects of ASRIP**

Sl. No.	Name of Subproject	Length (Km)
<b>Component A.1: Rehabilitation of Secondary Road Network</b>		
1.	Majuli to Bhogalmara via Dhunaguri (incl. 2 RCC Bridges)	19.40
2.	Dhodar Ali (Kamargaon to Kamarbandha)	42.14
3.	Dhakuakhana to Telijan	32.78
4.	Sarthebari Rampur Pathshala	17.65
5.	Sivasagar to Chumoni	18.40
6.	Moran to Disang Kinar Bangali	46.58
7.	Disang Kinar Bangali to Kathalguri	23.96
8.	Balighat Tiniali Amguri Nakachari	44.00
	<b>Total of Sub-component A.1</b>	<b>245.00</b>
<b>Component A.2: Road Safety Enhancement</b>		
1.	Gogamukh Bahbari Road	13.20
2.	Ghilamara Khalihamari Bardoloni Road	7.40
3.	Akajan (NH 52) - Likabali Road	11.90
4.	Naharkatia Tingkhong Road	18.80
5.	Naoholia Tipam Road	20.40
6.	Mancotta Saraighat Road	32.20
7.	Chabua Tengakhat Road	13.80
8.	Namrup Rangasowal Road	24.50
9.	Dhodar Ali Road (Dillighat Joypur)	16.00
10.	Daria ali Kania chapori Road (Mohbondha Ali)	12.70
11.	Pulibar to Badulipar Road (Gohain Ali)	20.10
12.	Barpathar Jamuguri Golaghat Road	28.90
13.	Silonijan Barpathar Sarupathar Naojan Bokajanghat Road	20.70
14.	Sarupathar Kachomari Uriamghat tiniali Road	19.50
15.	Jorhat Kamarbandha Nagabat (K.B. Road) Road	15.30
16.	Dergaon Golaghat Merapani Road	49.80
17.	Bokajan Uriamghat Tiniali Wokha Road	31.50
18.	Nimatighat Ladoigarh Samtal Road	26.60
19.	Jorhat Nimatighat Road	13.30
20.	Kanichapori Kakodonga Road (Mohbondha Ali)	11.10
21.	Dhodar Ali Road (Kamarbandha -Amguri)	52.20
22.	Jorhat Kamarbandha Nagabat (K.B. Road) Road Part 2	15.40
23.	Pahumara Kimin (Dejoo Kimin Road)	17.00
24.	North Lakhimpur Dhalghat Ghunasuti Dhokuakhana Matmaraghat Road Part2	23.70
25.	Sonari Bhojo Kakoti Bari Khamungaon Road (Rajgarh Bhojo Ali)	15.20
26.	Deesang Sapekhati Road (Pithaguti Sapekhati)	15.10
27.	Bogabagh T.E. Dillighat Road (Lahdoigarh Ali 2)	18.20
28.	Simaluguri Naginimara Road	13.60
29.	Joysagar Namti Kharikatia Deopani Road (Kharikatia Ali)	19.40
30.	Joysagar Nazira Athkhel Road (Bor Ali Geleki Ali) Part 1	15.90
31.	Joysagar Nazira Athkhel Road (Bor Ali Geleki Ali) Part 2	13.70



Sl. No.	Name of Subproject	Length (Km)
32.	Garmur Solapathar Road (Rajgarh Road)	20.00
33.	Kakoti Bari Kachumari Banamali Moran Road (Mahmora Ali Kasomari Bonmali Moran Bonomali)	23.80
34.	Dhodar Ali Road (Amguri - Dillighat)	27.70
35.	Panitola Dinjan Tinsukia Road	24.70
36.	Mirigaon Borgora Chapakhowa Road	5.20
37.	Margherita Deomali Road	13.20
38.	Jagun Kharsang Miao Road	8.30
	<b>Total of Sub-component A.2</b>	<b>750.00</b>

Source: PWRD, GOA, March 2021

**Appendix S2: Direct Purchase Policy of Assam, 2021**

পঞ্জীকৃত নম্বৰ - ৭৬৮/৯৭

Registered No.-768/97



**THE ASSAM GAZETTE**

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 53 দিশপুৰ, শুক্ৰবাৰ, 22 জানুৱাৰী, 2021, 2 মাঘ, 1942 (শক)

No. 53 Dispur, Friday, 22nd January, 2021, 2nd Magha, 1942 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

PUBLIC WORKS ROADS (DEVELOPMENT A-1 BRANCH) DEPARTMENT

**NOTIFICATION**

The 20th January, 2021

No. DA5R.80/2020/3.-The Governor of Assam is pleased to order "Land acquisition through direct purchase by way of negotiated settlement for improvement and upgradation of State Highways and Major District Roads under Asom Mala Program and Externally Aided Projects (EAPs)" as enunciated in the enclosed document in Annexure 1. It will come into force with effect from the date of publication in the Assam Gazette and will remain in operation till such time as the State Government may consider fit and proper. The Government also reserves the right to make any amendment to the Policy from time to time.

Annexure-1

Land acquisition through Direct Purchase by way of negotiated settlement for improvement and upgradation of State Highways and Major District Roads under Asom Mala Program and Externally Aided Projects

1. Government of Assam has initiated the flagship program Asom Mala for improvement and widening of State Highways and Major District Roads. It would be a large and prestigious long-term road infrastructure development program which in addition to State funded works, would also include several Externally Aided Projects (EAP) under its umbrella. The works under Asom Mala would involve big highway contracts with substantial land acquisition. The readiness criteria for EAPs require completion of 50% of land acquisition for a project before loan negotiation. Ministry of Road Transport & Highways (MoRTH) stipulates 90% land availability before starting the works.
2. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARRA) enacted by Government of India, with effect from 1<sup>st</sup> January 2014, superseded all previous land acquisition Acts and Rules in India. It includes provision for Rehabilitation and Resettlement (R&R) of project affected families and persons in addition to cost of acquiring land. The State of Assam made the Assam RFCTLARR Rules 2015 on the provisions of the RFCTLARR Act, 2013 with a number of sequential compulsory processes, involvement of number of bodies as well as statutory waiting time between different processes. Acquisition of land as per the general procedure laid down in the said Act and Rules require a very long time from Notification to possession of land.
3. Asom Mala being a flagship programme of Government of Assam, calls for expeditious acquisition of land for speedy implementation of the programme. Section 46(1) of the RFCTLARRA has been considered for direct purchase of land for the programme.
4. Government of Assam has adopted land acquisition through Direct Purchase by way of negotiated settlement for improvement and upgradation of State Highways and Major District Roads under Asom Mala Program and Externally Aided Projects. The important steps and features of the Direct Purchase include the following:
  - 4.1. Step 1: The Requisitioning Department i.e. PWRD shall finalise the minimum extent of land required for each road project under Asom Mala and EAP. The Requisitioning agency shall give the requisition to the concerned Deputy Commissioner/District Collector (DC) in Form-A.
  - 4.2. Step 2: A District level Land Purchase Committee (DLLPC) under chairmanship of concerned DC is to be constituted for direct purchase of land as well as fixation of market value, etc. The DLLPC will be constituted of the following concerned persons:
    - Deputy Commissioner/District Collector – Chairman
    - Additional Deputy Commissioner (Revenue) – Member Secretary
    - Executive Engineer, PWRD – Member
    - Executive Engineer, Building, PW (Bldg & NH) Deptt. – Member
    - Revenue Circle Officer - Member
    - Sub-Registrar - Member
    - Representatives from other departments, as decided by the Convener

- 4.3. Step 3: Concerned Revenue Circle Officer, concerned Executive Engineer of PWD (Building) along with representative of Requiring Department will conduct joint inspection of the requisite land. The area of the land and immovable properties attached on it will be measured and mapped.
- 4.4. Step 4: General notice shall be issued by the District Level Land Purchase Committee inviting the attention of the land owners regarding purchase of the land.
- 4.5. Step 5: The owners of the land who may agree to sell the land may be identified and a list may be prepared after ascertaining the actual owner of the land.
- 4.6. Step 6: The list may be published inviting objections, if any, regarding interest and ownership of the land, etc. There may be one (1) month of waiting period for receiving objections from the Land Owners, if any.
- 4.7. Step 7: DLLPC will prepare the valuation of land and assets. The requisitioning agency may also define a few typical immovable assets of different categories and fix the guidance price through appropriate authority. This price of the assets attached to the land may be calculated on pro-rata basis on typical immovable assets mentioned above.
- 4.8. Step 8: The valuation of the land and assets, if any thereon, the particulars of the land, name of owners, etc. shall be prepared.
- 4.9. Step 9: The Direct Purchase Price shall be 25% higher on the compensation calculated as per provisions of Section 26 to 30 & Schedule I of RFCTLARR Act 2013 with multiplier of market rate of land defined through the Assam Land Acquisition Notification No. RLA 300/2013/Pt-II/7 dated 22nd December, 2014 (in compliance with Section 26 (2) and Serial 2 of First Schedule of RFCTLARR Act 2013). The R&R benefit will be deemed included in it.
- 4.10. Step 10: On completion of the Statutory waiting period specified in step 6, the DLLPC will inform the respective land owners, who are interested or not raising any objections for Negotiation.
- 4.11. Step 11: Pre-informed negotiation(s) with the respective Land Owners will be carried out by DLLPC.
- 4.12. Step 12: The settlement reached in the negotiation shall be recorded as Agreement through Form-B and Form-C for land owners and for interested persons other than land owners, if any, respectively. An undertaking may be signed by the land owners declaring that they will not claim for payment of higher compensation in any court of law or any other forum and shall abide by the sale agreement finalized by the DLLPC. The land owners and other interested persons have to provide their electronic transfer details through electronic transfer mode.
- 4.13. Step 13: The Deputy Commissioner/ District Collector may requisition necessary funds from the Requiring Department.
- 4.14. Step 14: The Deputy Commissioner/ District Collector shall make an Award according to the terms of such Agreement by the DLLPC. The possession of the Land is taken through paying the negotiated Price directly to the land owners or interested persons other the land owner, if any, through electronic transfer to their respective bank accounts.

- 4.15. Step 15: The list of the rightful land owners so prepared may be communicated to the concerned Sub-Registry Office for registration of Conveyance Deed. The Stamp duty in the Indian Stamp Act, 1899, will be exempted, in respect of instrument executed by, or on behalf of, or in favour of Government.
- 4.16. Step 16: The concerned Deputy Commissioner/ District Collector will transfer the land in favour of the Requisitioning Agency.
- 4.17. Step 17: In the event of any owner refusing to sell the land or any of the owners has objected or not interested with the direct purchase through negotiation, the respective land may be acquired through land acquisition process of Assam Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules 2015.
5. The cost of Direct Purchase Price and process of Direct Purchase shall be borne by the Requisitioning Agency.
6. The Direct Purchase method will be all encompassing and inclusive of all compensation and R&R benefits, as specified in 2nd & 3rd Schedule of RFCTLARR Act 2013 or in R&R benefits of Multilateral Development Banks for Titleholders. The price of land shall be fixed based on negotiations and mutual consent, hence no separate rehabilitation and resettlement benefits shall be payable to the land owners.
7. The Rehabilitation & Resettlement and Entitlements for non-Titleholders shall be considered separately, if applicable as per the guidelines of External Funding Agencies for EAPs.
8. The formats for application and other requisition forms are enclosed as *Annexure 2*. The procedure for calculating the Direct Purchase Price of land, and other properties attached with it, is provided in *Annexure 3*.

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Annexure 2

Form-A  
Requisition for Land Acquisition

No. : \_\_\_\_\_ Date \_\_\_\_\_

From : <Designation>  
< Requiring body>

To : <The Deputy Commissioner/ District Collector>  
<District Name>

The undersigned is in requirement of \_\_\_\_\_ acre(s) of land for \_\_\_\_\_ project/ purpose and the details are furnished in Appendix 1, 2 & 3 along with two copies of tracing map showing the full/ parts of lands are required.

It is certified that the required land will be demarcated on the field and all further necessary information and assistance will be provided on the date/ time appointed/ stipulated by you.

The requisite Price for direct purchase finalised through negotiation will be deposited in your office as and when required.

Enclosure: Appendix 1, 2 & 3 & two copies of Tracing Map in 1:3960 scale.

Yours faithfully,

<Designation>  
<Requiring Body>

Memo No. \_\_\_\_\_ Date \_\_\_\_\_

Copy to:

1. The Commissioner and Special Secretary to the Government of Assam, PWRD for favour of kind information.
2. The Commissioner and Secretary to the Government of Assam, Revenue Department, for favour of kind information.

<Designation>  
<Requiring Body>

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**Appendix 1 to Form A**  
**Requisition for Land**

(i) Name of the District \_\_\_\_\_

(ii) Name of the Project \_\_\_\_\_

(iii) Details of Requisition of Land

District \_\_\_\_\_ Revenue Circle \_\_\_\_\_

Sl.	Village/ Ward	Rural/ Urban	Mouza	Dag No.	Area to be acquired	Boundaries			
						N	S	E	W

(iv) Total Area under Requisition (Acres) \_\_\_\_\_

(v) Are any religious structures, grave yard or tomb etc. are required for Acquisition? (Yes/ No) \_\_\_\_\_

(vi) If yes, reasons for such inclusion of religious structures

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<Designation>  
 <Requiring Body>

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Appendix 2 to Form A  
Certificate with Requisition for Land

Name of the Project \_\_\_\_\_

- (1) Certified that the project for which the land is required has administratively approved vide Department Letter No.: \_\_\_\_\_ dated \_\_\_\_\_ for direct purchase through negotiations with the land owners.
- (2) The estimated cost of the land is of Rs. \_\_\_\_\_ and necessary budget was sanctioned and funds are available towards cost of acquisition through direct purchase.
- (3) The Department undertakes to pay full amount in case of award by the District Level Land Purchase Committee (DLLPC), Rehabilitation and Resettlement Authority/ High Court/ Supreme Court as and when asked to do so by the Deputy Commissioner/ District Collector/ Appropriate Government.

<Designation>  
<Requiring Body>

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**Form-B: Agreement with Land Owner**

An agreement made this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ between \_\_\_\_\_ hereinafter called the 'owner' (which expression shall unless repugnant to the context or meaning thereof include his/ her heirs, executors) and the Requisitioning Agency represented by \_\_\_\_\_ hereinafter called the 'Requisitioning Agency', on the other part and recommended by District Level Land Purchase Committee (DLLPC).

**AND WHEREAS** the right, title and interest of the owner/ owners in the following land/ lands hereinafter called the said land/ lands is/ are as specified below:

Persons being the absolute owner/ owners of the property or having an interest therein capable of leading ownership ultimately hereinafter mentioned and hereby conveyed in the following shares, that is to say:

- (1) \_\_\_\_\_ S/D/W of \_\_\_\_\_ Share \_\_\_\_\_
- (2) \_\_\_\_\_ S/D/W of \_\_\_\_\_ Share \_\_\_\_\_
- (3) \_\_\_\_\_ S/D/W of \_\_\_\_\_ Share \_\_\_\_\_

**AND WHEREAS** the Owner and the Requisitioning Agency agreed for payment of compensation at Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) as a Lump-sum deal for an extent of covering Acres \_\_\_\_\_ in \_\_\_\_\_ Village/ Ward of \_\_\_\_\_ Mouza/ Municipality/ Municipal Corporation \_\_\_\_\_ Sub-division \_\_\_\_\_ District. The lump-sum deal represents the market value of the land including value of any immovable property/ assets attached to the said land and value of standing tree and crops, solatium, etc. under the Act and over and above of these, there are incentive of direct purchase which also includes the Rehabilitation and Resettlement costs and also apportion the same among themselves as herein after provided.

**AND WHEREAS** the Owner have no intention to raise any dispute regarding the contents and manner of this Agreement and the owner have no intention of making a reference to any court or authority, as far as the compensation, contents and manner of the Agreement are concerned.

**Signatures of the Land Owners**

- 1.
- 2.
- 3.

**Signature of Requisitioning Agency**

**Attested by Member Secretary**  
**District Level Land Purchase Committee**

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Form-C: Agreement with Interested Persons other than the Land Owner

An agreement made this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ between \_\_\_\_\_ one part 'Persons interested' (which expression shall unless repugnant to the context or meaning thereof include their successors and assignees) and the Requisitioning Agency represented by \_\_\_\_\_ hereinafter called the 'Requisitioning Agency', on the other part and recommended by District Level Land Purchase Committee (DLLPC).

AND WHEREAS the right, title and interest of the owner/ owners in the following land/ lands hereinafter called the said land/ lands is/ are as specified below:

Where the land/ lands are held by the interested party/ parties under the owners named herein above with respective terms and nature of interest:

- (1) \_\_\_\_\_ S/D/W of \_\_\_\_\_ Definite Terms and nature of interest \_\_\_\_\_
- (2) \_\_\_\_\_ S/D/W of \_\_\_\_\_ Definite Terms and nature of interest \_\_\_\_\_
- (3) \_\_\_\_\_ S/D/W of \_\_\_\_\_ Definite Terms and nature of interest \_\_\_\_\_

AND WHEREAS the Owner and the Requisitioning Agency agreed for payment of compensation at Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_) as a Lump-sum deal for an extent of covering Acres \_\_\_\_\_ in \_\_\_\_\_ Village/ Ward of \_\_\_\_\_ Mouza/ Municipality/ Municipal Corporation \_\_\_\_\_ Sub-division \_\_\_\_\_ District. The lump-sum deal represents the Rehabilitation and Resettlement benefits as per the provisions.

AND WHEREAS the interested parties have no intention to raise any dispute regarding the contents and manner of this Agreement and the owner have no intention of making a reference to any court or authority, as far as the compensation, contents and manner of the Agreement are concerned.

Signatures of Persons interested in land

- 1.
- 2.
- 3.

Signature of Requisitioning Agency

Attested by Member Secretary  
District Level Land Purchase Committee

### Calculation of Direct Purchase Price

The Compensation of Land Acquisition as per Section 26 to 30 of the RFCTLARR Act 2013 is shown below:

#### 1. Section 26 of RFCTLARR Act 2013

- a) The base rate of land (*Sub-section (1) of Section 26 of RFCTLARR Act 2013*) will be determined by the highest value among:
  - 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;
  - The average sale price of similar type of land situated in the nearest village or nearest vicinity area; and
  - Consented amount of compensation as agreed upon under sub-section (2) of section 2 of RFCTLARR Act 2013 in case of acquisition of lands for private companies or for public private partnership projects
- b) The market value of land shall be multiplied by a factor (*Sub-section (2) of Section 26 of RFCTLARR Act 2013*), of i) 1.00 (One) for land in urban areas or, ii) 1.5 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or, iii) 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area (*Ref. Notification No. RLA 300/2013/Pt-II/7 dated 22<sup>nd</sup> Dec 2014 of Govt. of Assam*)

#### 2. Section 29 of RFCTLARR Act 2013

- a) Market value of building and other immovable property and assets attached to the land will be calculated by the competent Engineer or any other specialist in the relevant field (*Ref. sub-section (1) of Section 29*).
- b) Value of trees and plants attached to the land will be calculated by the experienced persons in the field of agriculture, forestry, horticulture, sericulture or any other relevant field, as the case may be (*Ref. sub-section (2) of Section 29*).
- c) Value of standing crops damaged during the process of land acquisition will be calculated by the experienced persons in the field of agriculture (*Ref. sub-section (3) of Section 29*).

#### 3. Section 30 of RFCTLARR Act 2013

- a) A Solatium of 100% on the compensation amount of land, immovable assets attached with the land and standing crops will be added to determine the total compensation (*Ref. sub-section (1) of Section 30 of RFCTLARR Act 2013*)
- b) Individual awards detailing the particulars of compensation and details of payment of compensation as specified in Schedule I of the RFCTLARR Act 2013 will be issued (*Ref. sub-section (2) of Section 30 of RFCTLARR Act 2013*)
- c) The land value defined u/s 26 of RFCTLARR Act 2013, will also attract an amount calculated at 12% per annum for the period commencing on and from the date of notification till the date of award (*Ref. sub-section (3) of Section 30 of RFCTLARR Act 2013*).

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#### 4. Simple valuation of immovable assets attached to the land

To facilitate quicker and simpler valuation on immovable assets on the land to be acquired, a few typical specifications of different categories of all possible immovable assets, attached to land may be defined. The guidance price of these typical assets may be prepared and vetted through appropriate authority. The valuation of immovable assets attached to the land will be calculated on pro-rata basis of the guidance price, without depreciation, of the respective asset.

#### 5. Direct Purchase Price

The land owners will get an incentive of 25%, inclusive of R&R Benefits, on the compensation calculated as per provisions of Section 26 to 30, Valuation of immovable assets & Schedule I of RFCTLARR Act 2013, as he has readily agreed to be a part of the project.

The Price of Direct Purchase (DP) will be:

$$DP = 2.5 \times \{(R \times M \times A) + (B + O)\} + [0.12 \times Y \times \{(R \times M \times A) + (B + O)\}]$$

where:

R is the base rate of Land

M is the Multiplier

A is the affected area

B is the market value of Buildings

O be cost of all immovable assets & standing crops

Y<sup>1</sup> is the year from date of notification to award of compensation

The Direct Purchase method will be all encompassing and inclusive of all compensation and R&R benefits, as specified in 2nd Schedule of RFCTLARR Act 2013 or in R&R benefits of Multilateral Development Banks (MDBs) for Titleholders. The purchase price of land shall be fixed based on negotiations and mutual consent, hence no separate rehabilitation and resettlement benefits shall be payable to the land owners.

<sup>1</sup> Whole number or proper or improper fraction, as the case may be

**RAJESH KEMPRAI,**  
Commissioner & Special Secretary to the Government of Assam,  
Public Works (Roads) Department.

### **Appendix S3: Summary of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013**

1. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been effective from January 1, 2014 to the whole of India. The Act repealed the Land Acquisition Act, 1894.
2. The aims and objectives of the Act include: (i) to ensure, in consultation with institutions of local self-government and Gram Sabha 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 displaced families; (ii) provide just and fair compensation to the displaced families whose land has been acquired or proposed to be acquired or are affected by such acquisition; (iii) make adequate provisions for such displaced persons for their rehabilitation and resettlement; (iv) ensure that the cumulative outcome of compulsory acquisition should be that displaced persons become partners in development leading to an improvement in their post- acquisition social and economic status and for matters connected therewith or incidental thereto.
3. Section 27 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 VI outline the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule.
4. Preparation of Social Impact Assessment Study under section 4(1): it is obligatory for the appropriate Government intends to acquire land for a public purpose to carry out a Social Impact Assessment study in consultation with concern Panchayat, Municipality or Municipal Corporation, as the case may be, at village level or ward level in the affected area. The Social Impact Assessment study report shall be made available to the public in the manner prescribed under Section 6.
5. **Notification under Section 11 (1):** Whenever, it appears to the appropriate Government that land in any area is required or likely to be required for any public purpose, a notification to that effect along with details of the land to be acquired in rural and urban shall be published in the official Gazette in two daily newspapers circulating in the locality of such area of which one shall be in the regional language; in the local language in the *Panchayat*, Municipality or Municipal Corporation, as the case may be and in the officers of the District Collector, The Sub-divisional Magistrate and the *Tehsil*; uploaded on the website of the appropriate Government in the affected areas.
6. **Hearing of Objection under section 15 (1):** any person interested in any land which has been notified under sub-section (1) of section II, as being required or likely to be required for a public purpose, may within sixty days from the date of the publication of the preliminary notification makes his/ her objection, if any, to the collector in writing and shall be heard by the collector or by any person authorized by him/her in this behalf or by an Advocate. After hearing all such objections and after making such further inquiry, if any, as he/she thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section II, or make different reports in respect of different parcels of such land, to the appropriate Government, containing his/her recommendations on the objections, together with the records of the proceedings held by him/her along with a separate report giving therein the approximate cost of land acquisition, particulars as to the number of displaced families likely to be resettled, for the decision of that Government.
7. **Publication of declaration and summary of Rehabilitation and Resettlement under Section 19 (1) :** when the appropriate Government is satisfied, after considering the report, if any, made under sub-section (2) of Section 15, that any particular land is needed for a public purpose, a declaration shall be made to that effect, along with a declaration of an area identified as the “resettlement area” for the purpose of rehabilitation and resettlement of the displaced families. It is obligatory for the State

to publish declaration in the official Gazette; in two daily newspapers circulating in the locality of such area of which one shall be in the regional language; in the local language in the *Panchayat*, Municipality or Municipal Corporation, as the case may be and in the offices of the District Collector, The Sub-divisional Magistrate and the *Tehsil*; uploaded on the website of the appropriate Government; in the affected areas.

8. After declaration the Collector shall take order for acquisition. The Collector then causes the land to be marked out, measured and planned. The Collector then causes public notice to be given at convenient places on or near the land to be taken, stating the intention of the Government to take possession of the land, and that claims to compensation may be made.
9. **Enquiry and Land Acquisition award by Collector under Section 23:** on the day so fixed, or any other day to which the enquiry has been adjourned, the Collectors shall proceed to enquire into the objections (if any) which any person interested has stated pursuant to a notice given under section 21, to the measurements made under Section 20, and into the value of the land at the date of the publication of the notification, and into the respective interest of the persons claiming the compensation and rehabilitation and resettlement, shall make an award under his/ her hand of:
  - i. the true area of the land;
  - ii. the compensation as determined under Section 27 along with Rehabilitation and Resettlement award as determined under Section 31 and which in his/her opinion should be allowed for the land, and;
  - iii. the apportionment of the said compensation among all the persons known or believed to be interested in the land, of whom, or of whose claims, he has information, whether or not they have respectively appeared before him.
  - iv. **Period within which an Award shall be made:** under Section 25, it is obligatory for the Collectors to make an Award within a period of twelve months from the date of publication of the declaration under Section 19 and if no Award is made within the period, the entire proceedings for the acquisition of the land shall lapse.
10. **Determination of market value of land by Collector under Section 26 (1):** The Collector shall adopt the following criteria's in assessing and determining the market value of the land, namely:
  - i. 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
  - ii. the average sale price for similar type of land situated in the nearest village or vicinity area; or
  - iii. consented amount of compensation as agreed upon under sub-section (2) of section 2 in case of acquisition of lands for private companies or for public private partnership projects. Wherever is higher.
11. **Determination of amount of Compensation under section 27:** The Collector having determined the market value of the land to be acquired shall calculated the total amount of compensation to be paid to the landowner (whose land has been acquired) by including all assets attached to the land.
12. **Determination of value of things attached to land or building under section 29 (1):** The Collector in determining the market value of the building and other immovable property or assets attached to the land or building which are to be acquired, use the services of a competent engineer or any other specialist in the relevant field, as may be considered necessary by him/her. Under Section 29 (2), the Collector for the purpose of determining the value of trees and plants attached to the land acquired, use the services of experienced persons in the field of agriculture. In the same manner, the Collector under Section 29(3), for the purpose of assessing the value of standing crops damaged during the process of land acquisition, may use the services of experience persons in the field of agriculture.

- 13. Rehabilitation and Resettlement Award for displaced families by Collector under Section 31(1) of Section V:** The Collector shall pass Rehabilitation and Resettlement Awards for each displaced family in terms of the entitlements provided in the second schedule. As per Section 31 (1), the Rehabilitation and Resettlement Award shall include all the following, namely;
- i. rehabilitation and resettlement amount payable to the family;
  - ii. bank account number of the person to which the rehabilitation and resettlement award amount is to be transferred;
  - iii. particulars of house site and house to be allotted, in case of displaced families;
  - iv. particulars of the land allotted to the displaced families;
  - v. particulars of one-time subsistence allowance and transportation allowance in case of displaced families;
  - vi. particulars of payment for cattle shades and petty shops;
  - vii. particulars of one-time amount to artisans and small traders;
  - viii. details of mandatory employment to be provided to the members of the displaced families;
  - ix. particulars of any fishing rights that may be involved;
  - x. particulars of annuity and other entitlements to be provided;
  - xi. particulars of special provisions for the scheduled caste and the scheduled tribes to be provided.
- 14. Special powers in case of urgency to acquire land in certain cases under Section 40 (1):** in case of urgency, whenever the appropriate Government so directs, the Collector, though no such award has been made, may, on the expiration of thirty days from the publication of the notice mentioned in section 21, take possession of any land needed for a public purpose and such land shall thereupon vest absolutely in the Government, free all encumbrances.
- 15. Special Provision for Scheduled Caste and Scheduled Tribes under Section 41 (1):** as far as possible, no acquisition of land shall be made in the Scheduled Areas. As per section 41 (2), where such acquisition does take place it shall be done only as a demonstrable last resort. As per section 41 (3), in case of land acquisition in Scheduled Area, the prior consent of the concern *Gram Sabha* or the *Panchayats* or the autonomous District Councils shall be obtained.
- 16.** In case of a project involving land acquisition on behalf of a Requiring Body which involves involuntary displacement of the Scheduled Caste or the Scheduled Tribes families, a Development Plan shall be prepared (section 41 [4]). As per section 41 (5), the Development Plan shall also contain a program for development of alternate fuel, fodder and non-timber forest produce resources on non-forest lands within a period of five years.
- 17.** In case of land being acquired from members of Scheduled Caste or the Scheduled Tribes, at least one-third of the compensation amount due shall be paid to the displaced families initially as first installment and the rest shall be paid after taking over of the possession of the land. The displaced families of the Scheduled Tribes shall be resettled preferably in the same Scheduled Area in a compact block so that they can retain their ethnic, linguistic and cultural identity.
- 18.** Under Section 42 (1), all benefits including the reservation benefits available to Scheduled Caste and the Scheduled Tribes in the affected areas shall continue in the resettlement area.

**Appendix S4: Assam Land Acquisition on Factor/ Multiplier of Acquired Rural Land**

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Registered No.-768/97



**THE ASSAM GAZETTE**

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

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No. 295 Dispur, Tuesday, 23rd December, 2014, 2nd Pausa, 1936 (S.E.)

GOVERNMENT OF ASSAM  
ORDERS BY THE GOVERNOR  
REVENUE & D.M. (L.R.) DEPARTMENT : : LAND ACQUISITION BRANCH

**NOTIFICATION**

The 22nd December, 2014

No RLA.300/2013/Pt-II/7 - Whereas sub-section (1) of section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) (hereinafter referred to as "the said Act") the Collector has to determine the market value of the land to be acquired;

And whereas, as per sub-section (2) of section 26 of the said Act, the market value calculated as per sub-section (1) of section 26 of the said Act shall be multiplied by a factor as specified in the First Schedule of the said Act;

And whereas, as per the First Schedule of the said Act, the manner of determination of value of land in case of rural areas is 1.00 (one) to 2.00 (two) which is based on the distance of project from Urban area, is to be notified by the appropriate Government;

And whereas, as per sub-clause (i) of clause (e) of section 3 of the said Act, the Government of Assam is an appropriate Government in relation to the land situated within the territory of the State of Assam; and

Now, therefore, in exercise of the powers conferred under sub-section (1) and (2) of section 26 read with First Schedule of the said Act, and of all other powers enabling on its behalf, the Government of Assam hereby notifies that when the land to be acquired is situated in rural area, the factor by which the market value as calculated by the Collector as per sub-section (1) of section 26 of the said Act, will be **equal to 1.5 (one and half times)** if the radial distance of the land is up to 10 Km. from urban area and **equal to 2 (two times)** if the radial distance of the land is beyond 10 Km from urban area.

S. C. DAS,  
Addl. Chief Secretary to the Govt. of Assam,  
Revenue & D.M. Department, Dispur.

## **Appendix S5: Addendum to R&R Policy Framework of Assam State Roads Project, Feb 2018**

*RP&F for Assam State Roads Project February, 2018  
PWD, Government of Assam*

# **ASSAM STATE ROADS PROJECT**

## **Addendum to Resettlement Policy Framework**

### **1. INTRODUCTION**

The Policy and Legal Framework relating to land and resettlement and rehabilitation (R&R) of Assam State Roads Project was promulgated and in operation since year 2012 for the project. The Government approved the R&R policy framework and Entitlement Matrix indicating quantum of compensation/assistance to the various impact categories vide notification no. RBPC.723/2010/75 dtd 17th April, 2012. The land acquisition process for the project are being followed under the provision of the Land Acquisition Act. 1894 and 95% land for the project have already been acquired.

The revision of policy however becomes necessary as the Government of India has brought in force a new act viz, the "Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act. 2013" (RFCTLARR) with effect from 1-1-2014. The existing project R&R Policy including Entitlement Matrix has therefore been revised incorporating and in compliance to the provisions of the RFCTLARR. Since the LA process following the RFCTLARR Act. 2013 will take considerable time and the project is in advance stage, the land acquisition for the project will follow the process of Assam Land (Requisition & Acquisition) Act. 1964 by amending the Entitlement Matrix ensuring that the compensation and R&R assistance are as per prescribed in the RFCTLARR Act. 2013. The land will be acquired following the process of Assam Land Act, 1964 but the compensation and R&R assistance will be paid as per the amended entitlements presented below. The revised entitlement provisions provided in this Addendum is applicable retroactively for land notified for acquisition after January 1, 2014.

### **2. THE KEY PROVISION OF ASSAM LAND (REQUISITION AND ACQUISITION) ACT, 1964.**

The Assam Land (Requisition and Acquisition) Act. 1964 has come into force from 3<sup>rd</sup> August, 1964. If the opinion of the State Government or any person authorized in his behalf by the state Government it is necessary so to do, for maintaining supplies and services essential to the life of community or for providing proper facilities for accommodation, transport, communication, irrigation, flood control and anti erosion measures including embankment and drainage or for providing land individually or in groups to landless, flood affected or displace person, the state Government or the person so authorized, as the case may, may, by order in writing, requisition any land and may make such further orders as appear to it or to him be necessary or expedient in connection with the requisition.

1. When it is necessary to requisition any land, the person interested in the land shall be informed of the intension of requisitioning his land in the form of a notice in Form "A". The person interested may make written representation, if any, against it within 15 days from

the date of receipt of such information.

2. An order of requisition under S.3(1) shall be in Form "B"
3. An order S.4(1) of the Act. Shall be in Form "C" where the surrender or delivery of possession is to be made to any person other than the collector, the later shall issue an order authorizing the person before an order for surrender or delivery of possession is issued.
4. Where any land has been requisitioned under S.3, the state Government may acquire such land under S. 6(1) or S.9(1) publishing notice in official Gazette in Form "D" or Form "F"
5. After the publication of a notice under S.6(1) or S.9(1), the collector shall cause public notice to be given at convenient place, stating that the State Government has acquire the land, and that claims to compensation for all interest in such land may be made to him.

### **3. THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT (RFCTLARR) ACT, 2013**

The Right to fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (2013) is applicable to the whole of India except the state of Jammu and Kashmir. The provisions of this Act relating to land acquisition, compensation, rehabilitation and resettlement, shall apply, when:

- Government acquires land for its own use, hold and control, including land for Public sector undertakings.
- Government acquires land with the ultimate purpose to transfer it for the use of private companies for stated public purpose
- Government acquires land for Public Private Partnership Projects.
- Schedule I outlines the proposed minimum compensation based on a multiple of market value.
- Schedule II through VI outlines the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule I.

Below elaborates some important provisions:

- Section 16 of the Act briefs on the preparation of RAP, publication and public hearing of RAP. Relevant points include: (a) Upon the publication of the preliminary notification by the collector, the Administrator for Rehabilitation and Resettlement shall conduct a survey and undertake a census of the affected families.
- A draft Rehabilitation and Resettlement Scheme shall be prepared by the Administrator which shall include particulars of the R&R entitlements of PAPs. The draft shall include time limit for implementing the Scheme. The Scheme shall be discussed in the concerned Gram Sabha or Municipalities.

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- A public hearing shall be conducted after adequate publicity about the date, time and venue in the affected area. Following the public hearing, the Administrator shall submit the draft Scheme along with a specific report on the claims and objections raised in the public hearing to the Collector.
- As per Section 25, the Collector shall make an award within a period of twelve months from the date of publication of the declaration and if no award is made within that period the entire proceedings for the acquisition of the land shall lapse, provided that the appropriate Government shall have the power to extend the period in circumstances justifying the same and any such decision to extend the period shall be recorded in writing and be notified and uploaded on the website of the authority concerned.
- Section 25, 29 and 30 of the Act briefs on the methodology of determining the market value of the land and other properties.
- After determining the total compensation to be paid, a "Solatium" as prescribed in the Act shall be added to the compensation.

**Issues and Quantum of LA:** After the effectiveness of RFCTLARR from January 1, 2014, the balance land remained to be acquired is 5.6 hectares. Differential compensation amount to be paid is for 13.5 hectares of land as the awards for this quantum of land was declared after January 1, 2014.

#### 4. ENTITLEMENT MATRIX FOR RESETTLEMENT AND REHABILITATION

Following the principles and requirements of new LA and R&R Act 2013 (RFCTLARR), a revised Entitlement Matrix has been prepared for the project and presented in **Table 1**.

**Entitlement Matrix (Table-1)**

Sl. No.	Category	Type of Loss	Entitlements	Details
1	Private Property	Loss of Land (Agricultural, Homestead, Commercial)	<p>a. Land will be acquired under Assam Land (Requisition &amp; Acquisition) Act, 1964 and compensation will be paid as per the provisions of RFCTLARR Act, 2013.</p> <p>b. Annuity/ lump sum or employment benefits as per schedule 2 of RFCTLARR Act 2013, will be provided to all those who become landless or already be marginal land owners and also those who lose more than 1 hectare of unirrigated or half hectare of irrigated land</p>	Higher of (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years;

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Sl. No.	Category	Type of Loss	Entitlements	Details
				Market value to be multiplied by factor 1.5 (one and half times) for land within the radial distance of 10 km from the urban area and 2 (Two times) if the radial distance of the land beyond 10 Km from the urban area. Plus 100 % solatium and 12% interest from date of preliminary notification to award.
2	Private Property	Loss of residential structure	<p><b>In addition to compensation for land and assistance above under sl. No.1</b></p> <p>a. Replacement value of the structure and other assets as per current PWD scheduled rates without deducting depreciation value and with 100% solatium.</p> <p>b. Right to salvage material.</p> <p>c. All physically displaced families will receive one time subsistence allowance of Rs. 36000.</p> <p>d. All physically displaced families will receive one time shifting assistance of Rs. 50000.</p> <p>e. All physically displaced families will receive one time resettlement allowance of Rs. 50000.</p> <p>f. For those who lost a house and have to relocate will be provided an alternative house as per IAY specifications in rural areas; and in urban areas a house will be provided which will not be less than 50 sq. m. or cash Rs 1,50,000 in lieu of house</p> <p>g. For partially affected structure, additional 25% of structure value will be given.</p>	The stamp duty and other fees payable for registration of house allotted shall be borne by the Project
3.	Private Property	Loss of commercial s	<p><b>In addition to compensation for land and assistance above under sl. No.1</b></p> <p>a. Replacement value of the structure and other assets as per current PWD scheduled rates without deducting depreciation value and with 100% solatium.</p>	

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Sl. No.	Category	Type of Loss		Entitlements	Details
				b. Right to salvage material. c. All physically displaced families will receive one time subsistence allowance of Rs. 36000. d. All physically displaced families will receive one time shifting assistance of Rs. 50000. e. All physically displaced families will receive one time resettlement allowance of Rs. 50000. f. f. For partially affected structure, additional 25% of structure value will be given.	
4.	Private Property	Impact to Tenants	Tenant: Residential	a. One month notice to vacate the rental premises b. Rental allowance at Rs. 2000/- per month in rural area and Rs. 3000/- per month in urban areas for six month. c. Shifting assistance of Rs. 10,000/-	
			Tenant: Commercial	a. One month notice to vacate the rental premises b. Rental allowance at Rs. 2000/- per month in rural area and Rs. 3000/- per month in urban areas for six month. c. Shifting assistance of Rs. 10,000/- d. Commercial tenants will receive one time grant of Rs. 25000/- for loss of trade/self employment.	
			Tenant: Agricultural	In case of agricultural tenants advance notice to harvest crops or compensation for lost crop at market value of the yield determined by the Agricultural Department.	
5.	Illegal use of RoW	Impact to Non Title Holder	Encroachers	a. Replacement cost of the affected structure calculated at current PWD scheduled rates without deducting depreciation value. b. Right to salvage material. b. Advance notice for harvesting crop.	
			Squatters (Residential/Commercial)	a. Replacement cost of the affected structure calculated at current PWD scheduled rates without deducting depreciation value. b. Right to salvage material. c. Shifting allowance of Rs.10,000/- d. Transitional allowance of Rs.12000/-	

## **Appendix S6: Outline of Resettlement Plan**

A Resettlement Plan is required for all projects with involuntary resettlement impacts. Its level of detail and comprehensiveness is commensurate with the significance of potential involuntary resettlement impacts and risks. The substantive aspects of the outline will guide the preparation of the Resettlement Plans, although not necessarily in the order shown.

### **A. Executive Summary (*maximum 3 Pages*)**

This section provides a concise statement of project scope, key survey findings, entitlements and recommended actions. (*Maximum 3 pages*)

### **B. Introduction and Project Description (summarize in 5 to 7 pages)**

This section:

- i. provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both and identify the project area;
- ii. describes the objectives of the Resettlement Plan; and
- iii. describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.

### **C. Scope of Land Acquisition and Resettlement (this should be updated data)**

This section:

- i. discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities;
- ii. describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project;
- iii. summarizes the key effects in terms of assets acquired and displaced persons; and
- iv. provides details of any common property resources that will be acquired.

### **D. Socioeconomic Information and Profile (this should be updated data)**

This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including:

- i. define, identify, and enumerate the people and communities to be displaced;
- ii. describe the likely impacts of land and asset acquisition on the people and communities displaced taking social, cultural, and economic parameters into account;
- iii. discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
- iv. identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

### **E. Information Disclosure, Consultation and Participation**

This section:

- i. identifies project stakeholders, especially primary stakeholders;
- ii. describes the consultation and participation mechanisms to be used during the different stages of the project cycle;
- iii. describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;

- iv. summarizes the results of consultations with displaced persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the Resettlement Plan;
- v. confirms disclosure of the draft Resettlement Plan to displaced persons and includes arrangements to disclose any subsequent plans; and
- vi. describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with displaced persons during project implementation.

**F. Grievance Redress Mechanisms (Copy the GRM from RPF and Summarize in 5 to 7 pages)**

This section describes mechanisms to receive and facilitate the resolution of displaced persons' concerns and grievances. It explains how the procedures are accessible to displaced persons and gender sensitive.

**G. Legal Framework (Copy Legal Framework from RPF)**

This section:

- i. describes national and local laws and regulations that apply to the project and identify gaps between local laws and AIIB's policy requirements; and discuss how any gaps will be addressed.
- ii. describes the legal and policy commitments from the executing agency for all types of displaced persons;
- iii. outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided.
- iv. describes the land acquisition process and prepare a schedule for meeting key procedural requirements.

**H. Entitlements, Assistance and Benefits (Copy the Entitlement Matrix from RPF)**

This section:

- i. defines entitlements and eligibility of displaced persons, and describes all resettlement assistance measures (includes an entitlement matrix);
- ii. specifies all assistance to vulnerable groups, including women, and other special groups; and
- iii. outlines opportunities for displaced persons to derive appropriate development benefits from the project.

**I. Relocation of Housing and Settlements. (Provide appropriate updated information)**

This section:

- i. describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);
- ii. describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs;
- iii. provides timetables for site preparation and transfer;
- iv. describes the legal arrangements to regularize tenure and transfer titles to resettled persons;
- v. outlines measures to assist displaced persons with their transfer and establishment at new sites;
- vi. describes plans to provide civic infrastructure; and
- vii. explains how integration with host populations will be carried out.

**J. Income Restoration and Rehabilitation (provide appropriate updated information)**

This section:

- i. identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources;
- ii. describes income restoration programs, including multiple options for restoring all types of livelihoods (e.g. project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets);
- iii. outlines measures to provide social safety net through social insurance and/or project special funds;
- iv. describes special measures to support vulnerable groups;
- v. explains gender considerations; and
- vi. describes training programs.

**K. Resettlement Budget and Financing Plan**

This section:

- i. provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of Resettlement Plans during loan implementation;
- ii. describes the flow of funds (the annual resettlement budget should show the budget-scheduled expenditure for key items);
- iii. includes a justification for all assumptions made in calculating compensation rates and other cost estimates (considering both physical and cost contingencies), plus replacement costs; and
- iv. includes information about the source of funding for the Resettlement Plan budget.

**L. Institutional Arrangements (Copy from RPF)**

This section:

- i. describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the Resettlement Plan;
- ii. includes institutional capacity building program, including technical assistance, if required;
- iii. describes role of NGOs, if involved, and organizations of displaced persons in Resettlement Planning and management; and
- iv. describes how women's groups will be involved in Resettlement Planning and management,

**M. Implementation Schedule (provide implementation schedule)**

This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction, and provide land acquisition process and timeline.

**N. Monitoring and Reporting. (Copy from RPF and update appropriately)**

This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the Resettlement Plan. It specifies arrangements for participation of displaced persons in the monitoring process. This section will also describe reporting procedures.

**Note:** For detail documentation requirement, refer AIIB's Involuntary Resettlement Standards (ESS2).

## **Appendix S7: Tentative Terms of Reference of RP Implementation Agency**

[The RP Implementation Agency may be any legal national firm including cooperative or NGOs]

### **1. Background**

The Asom Mala program will be executed by the Chief Engineer (EAP), of PWRD, GoA. A Program Management Unit (PMU) at Guwahati is formed under the Chief Engineer (EAP). A Project Coordination and Management Consultant (PCMC) has been selected to assist the PMU for planning, execution and monitor the Asom Mala program. The Detailed Project Report (DPR) of roads is being prepared by the DPR Consultants. There will be Authority Engineer/ Construction Supervision Consultants (CSC), who will act as designated Engineer for the civil works contract with contractors to execute the civil construction. The Asom Mala program will be implemented through the Project Implementation Units (PIU) constituted as district level PWRD divisions.

The Assam Secondary Road Network Improvement Project (ASRIP), through loan assistance from the Asian Infrastructure Investment Bank (AIIB), is one of the projects under Asom Mala program. A Resettlement Planning Framework (RPF) for ASRIP, is being prepared with Direct Purchase Policy of the state, relevant national and state Acts, Rules, Policies and Guidelines and Environmental and Social Framework (ESF) of AIIB. The RPF outlines objectives, policy principles and procedures for land purchase, land acquisition, compensation, mitigation measures and other assistance for Displaced Persons (DP)<sup>19</sup> or Displaced Families (DF) including the mitigation measures of the non-titled Displaced Persons.

The detailed Social Impact Assessment (SIA) will be prepared based on complete enumeration of Displaced Families (DFs) and socio-economic data/ information of impacted DFs generated through sample surveys. The SIA of the DFs will be taken up for each road so as to determine the magnitude of displacement and potential losses, and identify vulnerable groups. The Resettlement Plan (RP) and Indigenous Peoples Plan (IPP), if required, will be prepared on the findings of the SIA and the guidelines of the RPF by ascertaining cost of resettlement and formulate a resettlement and rehabilitation plan for implementation for each road project falling under Involuntary Resettlement.

The Chief Engineer (EAP) intend to engage Consultancy services for implementation of Resettlement Plans of ASRIP Projects. The detail of the Consultancy packages and respective timeline for implementation of Resettlement Plans under these packages are provided in Annexure-1A and Tentative Staff Requirement for each package is provided in Annexure -1B of these terms of reference.

### **2. Objective(s) of the Assignment**

The objective of the assignment are:

- (i) To implement the Resettlement Plan effectively for persons affected due to road improvement and widening works under the project, ;
- (ii) To conduct meaningful consultations, create people's participation in the project, conduct verification surveys; and
- (iii) To update respective Resettlement Plan, if required, in line with the Resettlement Planning Framework for ASRIP.

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<sup>19</sup>In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) because of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

### **3. Scope of Services/ Tasks of the consultant**

#### **3.1 The tasks of the consultant shall inter alia include:**

- A. Documentation and Due Diligence during Direct Purchase of land through negotiated settlement under Direct Purchase Policy of the State.
- B. Resettlement of non-titled displaced persons and displaced persons of Land Acquisition through Assam RFCTLARR Rules 2015:
  - (i) conducting detailed verification survey of physically and economically displaced persons and identifying poor, female headed and vulnerable households affected by the project;
  - (ii) preparing the list of the actually affected persons and update Resettlement Plan Database
  - (iii) facilitating process of disbursement of compensation to the displaced persons, coordinating with the revenue department and informing the displaced persons of the compensation disbursement process and timeline;
  - (iv) assisting displaced persons in opening joint bank accounts, explaining the implications, rules, and obligations of a joint account and how (s)he can access the resources (s)he is entitled to;
  - (v) Identify training needs of the displaced persons and recommend suitable training programs for income restoration;
- C. Resettlement planning and implementation:
  - (i) supporting PIU in ensuring a smooth transition (during the partial or full relocation of the displaced persons), helping them to take salvaged materials and shift from the affected structure, if required;
  - (ii) conducting meaningful, consultation and ensuring disclosure of Resettlement Plans in an accessible manner to the affected persons;
  - (iii) establishing a grievance redress mechanism;
  - (iv) keeping detailed records of progress and establishing monitoring and reporting systems of resettlement;
  - (v) acting as the information source for community interaction with the project, and liaising between Community, Contractors, Authority Engineer/ CSC, PIU, PMU and other relevant stakeholders, if any, during the execution of the works; and
  - (vi) providing advice and other support to PIUs as required.

#### **3.2 Responsibilities for Implementation of the RP**

- ▶ The Consultant shall verify information in the RP and update RP, if required.
- ▶ Verify and if require, append, actual losses of the non-titled Displaced Persons (DP) and validate data provided in RP and make suitable changes with supporting documentary evidence, if required.
- ▶ Prepare Micro Plans of the non-titled displaced families, update and submit to the PIU and PMU.
- ▶ The Consultant shall establish rapport with DPs, consult and provide information to them about the respective entitlements as proposed under the RP.
- ▶ All meetings and decisions taken in the meeting regarding RP implementation and other social issues of the project shall be documented.
- ▶ During the verification of the eligible DPs, the Consultant shall ensure that all the DFs are contacted and consulted either in groups or individually. The Consultant shall specially ensure consultation with Women DPs, Indigenous Peoples, Tribal Populations and other vulnerable groups from the DFs, especially women headed households and affected tribal households.

- ▶ Participatory methods should be adopted in assessing the needs of the DPs, especially with regard to the vulnerable groups of DPs. The methods of contact may include gram sabhas, village level meetings, gender participation through group's interactions, and Individual meetings and interactions.
- ▶ The Consultant shall explain to the DPs, the provisions of the policy and the entitlements under the RP. This shall include communication to the roadside squatters and encroachers and respective villages/ community, if required, about the need for their affection, the timeframe for their removal and their entitlements.
- ▶ The Consultant shall disseminate information to the DPs on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant.
- ▶ The Consultant will monitor to restrict involvement of child labour in the civil construction work in each package.
- ▶ The Consultant shall assist the project authorities in ensuring a smooth transition (during the part or full relocation of the DPs), helping the DPs to take salvaged materials and shift.
- ▶ In close consultation with the DPs, the Consultant shall inform the PIU/ PMU/ Contractor(s)/ CSC/ Authority Engineer about the shifting dates agreed with the DPs in writing and the facilitate feasible arrangements required by the DPs with respect to their entitlements.
- ▶ The Consultant shall assist the DFs in opening joint bank accounts explaining the implications, the rules and the obligations of a joint account and how s/he can access the resources s/he is entitled to.
- ▶ The Consultant should assist the DFs for electronic transfer of Compensation/ Assistance.
- ▶ The Consultant shall facilitate the DPs in finding suitable livelihood restoration options and help them in regaining their loss of livelihoods.

### **3.3 Accompanying and Representing the DPs at the Grievance Redress Committee (GRC) Meetings**

- ▶ The Consultant shall nominate a suitable person(s) (from their staff) with dedicated mobile number(s) in suitable smart phone(s), to be member(s) of the GRCs.
- ▶ The Consultant shall make the DPs aware of the existence and functioning of GRCs
- ▶ The Consultant shall help the DPs in filling the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC award.
- ▶ The Consultant, on behalf of the PIU, shall record the grievances, investigate about their authenticity and bring it to the notice of the GRCs within stipulated time of receipt of the grievances from the DPs. They shall submit a draft resolution with respect to the particular grievance of the DPs, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting.
- ▶ Accompany the DPs to the GRC meeting on the decided date, help the DPs to express his/ her grievance in a formal manner, if requested by the GRC, and again inform the DPs of the decisions taken by the GRC within stipulated time of receiving a decision from the GRC.

### **3.4 Carry out Public Consultation**

- ▶ In addition to counselling and providing information to DPs, the Consultant will carry out frequent and periodic meaningful consultation, Gender Consultation and Tribal Consultation (if any), with DPs and other stakeholders in all affected habitation/ hamlets/ villages of the road stretches.
- ▶ The Consultant would organise meaningful awareness campaign on Road Safety in all major habitation/ hamlets/ villages of the road stretches.

- ▶ The Consultant, along with the PIU, would also organise meaningful HIV/ AIDS awareness campaign in all major habitation/ hamlets/ villages of the road stretches.

### **3.5 Assisting the PIU with the Project's Social Responsibilities**

- ▶ The Consultant, along with the PIU, has to pursue and expedite the Direct Purchase procedure of Land and Land Acquisition procedures, if any, with the district administration and Revenue Department, if required.
- ▶ The Consultant shall support and assist the PIU to implement the project in field and all other project related activities in social aspects, HIV/AIDS awareness, including collaboration with the line agencies.

### **3.6 Monitoring and Reporting**

- ▶ The RP includes provision for monitoring by Consultant and quarterly and mid-term monitoring and evaluation by independent external agency. The Consultant involved in the implementation of the RP will be required to supply all relevant information, documents to the external monitoring consultants.

### **3.7 Administrative Responsibilities of the RP Implementation Agency (RIA)**

The administrative responsibilities of the RIA will include:

- ▶ Site offices shall be established by the Consultant in near each of the road corridors of ASRIP, where the DPs of the respective roads can have easy access. The Team Leader office/ Main office may be at Guwahati or double up with any of the site offices. The Consultant may propose different location in project region as they deem best fit for delivering the assignment, but the same has to be consistent with the financial proposal.
- ▶ Establish proper office with adequate office infrastructure, e.g., Office furniture, Computers, Printers, Scanners, internet connectivity etc. so that the work will not be hampered.
- ▶ There should be at least one female person in the main office (preferably as Key Personnel) as well as at least one female person in each of the site offices.
- ▶ Working in close co-ordination with the Social Specialist of Program Coordinating and Management Consultant (PCMC) and/or Program Management Unit (PMU), Asom Mala;
- ▶ Supporting the PIU in implementation of RP.
- ▶ The Consultant has to closely coordinate and cooperate with the Construction Supervision Consultant(s)/ Authority Engineer(s), Civil Work Contractors and other relevant Stakeholders in favour of the ASRIP.
- ▶ The Consultant should assist the PIU to prepare/ update all relevant information, data and reports as per the instruction and guidance from PMU and PCMC and provide all data and reports to PMU & PCMC on their requirement
- ▶ Co-ordinate with different levels of the Grievance Redress Committees in redressing grievances;
- ▶ Conduct all public meetings, information campaigns and provide full information to the stakeholders and affected community;

## **4. Inputs for Professionals**

The composition and inputs of professionals is given in **Annexure 1B**

## **5. Qualification Requirements for the Key Experts**

Sl. No.	Designation	Qualification	Experience	Remarks
<b>Key Experts</b>				
1.	Team Leader cum Resettlement Expert	Post Graduate in Social Subject, viz., Social Work/ Sociology/ Political Sciences/ Economics/ Socio-economics/ Public Administration/ Anthropology/ Philosophy/ Gender Studies/ Rural Development etc. or equivalent	10 years' experience with R&R implementation experience of at least three projects assisted by MDB	1 Person fulltime for entire duration of assignment
2.	Social cum Gender Specialist	Post Graduate in Social Subject, viz., Social Work/ Sociology/ Political Sciences/ Economics/ Socio-economics/ Public Administration/ Anthropology/ Philosophy/ Gender Studies/ Rural Development etc. or equivalent Or, Graduate in any discipline with Post Graduate in Gender Studies or equivalent	7 years' experience with R&R implementation/ Gender study experience of at least one project assisted by MDB	1 person fulltime for entire duration of assignment
3.	Community Mobiliser	Graduate in Social Subject, viz., Social Work/ Sociology/ Political Sciences/ Economics/ Socio-economics/ Public Administration/ Anthropology/ Philosophy/ Gender Studies/ Rural Development etc. or equivalent	5 years' experience with R&R implementation and/ or Gender study experience of at least one project assisted by MDB	At least 1 person in Main Office and at least 1 person for each road corridor of the assignment
<b>Support Staff</b>				
4	Documentation Assistant cum Office Manager	Preferably Graduate in any discipline	Preferably 3 years of experience	1 person each in Main office and all site offices
5	Social Surveyors	Preferably Graduate in any discipline	Preferably 1-3 years of experience	At least 2 persons for each road corridor of the assignment
6	Computer Assistant	Preferably Graduate in any discipline or DCA in Computer Application	Preferably 3 years of experience	1 person each in Main office and all site offices
7	Cook cum Multipurpose Assistant			1 person each in Main office and all site offices

The consultant may propose addition/ alteration in the tentative personnel requirement, but those have to be correctly reflected in the financial proposal.

## 6. Responsibility of the Key Persons:

The responsibilities of the Key Personnel to be performed are summarized below:

Sl. No.	Designation	Responsibilities
1.	Team Leader cum	<ul style="list-style-type: none"> <li>Overall responsibilities on all the work of implementation of Resettlement Plan</li> </ul>

Sl. No.	Designation	Responsibilities
	Resettlement Expert	<ul style="list-style-type: none"> <li>• Close Coordination with the Social Specialist of PCMC and PMU, Asom Mala</li> <li>• Overall coordination with the PMU, PIU and District Administration and other departments</li> <li>• Attend and present in all meetings with PMU and PCMC</li> <li>• Provide Training, Guidance and coordinate with the team on RP Implementation</li> <li>• Preparation and submission of deliverables in time</li> <li>• Updation of Resettlement Plan, if required</li> <li>• Assist PIU in RP Implementation, GRC etc.</li> <li>• Overall coordination for organizing meetings, participate in all requisite meetings etc.</li> </ul>
2.	Social Gender Specialist cum	<ul style="list-style-type: none"> <li>• Assist the Team Leader of RP Implementation Agency in all implementation aspects</li> <li>• Assessing women issues and devising programmes for women</li> <li>• Designing and implementing community outreach and awareness programmes</li> <li>• Needs assessment for preparing mitigation programmes for women and other marginalized sectors</li> <li>• Coordination HIV/ AIDS awareness programmes</li> <li>• Educate DPs on entitlements and requirement to relocate</li> <li>• Prepare income restoration plans</li> <li>• Participatory exercises</li> <li>• Report preparation</li> </ul>
3.	Community Mobiliser	<ul style="list-style-type: none"> <li>• First level field coordination officer for RP Implementation</li> <li>• Coordinate field verification, Socio-Economic Surveys, land measurements and updation of land records</li> <li>• Educate DPs on entitlements and requirement to relocate</li> <li>• Prepare income restoration plans</li> <li>• Coordinate participatory exercises</li> <li>• Coordination of Asset valuation</li> <li>• Negotiations of consent awards and new land for relocation</li> <li>• Coordinate to resolve land disputes, if any</li> <li>• Identification and coordination of relocation of individual properties and CPRs</li> <li>• Field Coordination</li> <li>• On-site Verification</li> <li>• Socio-Economic Survey</li> <li>• Micro Plan Preparation</li> </ul>

## 7. Reporting Requirements and Time Schedule for Deliverables

The Consultant will prepare and submit the qualitative reports as listed or any other report as required by PCMC or Employer, presentations as and when required and minutes of meetings held time to time in the format prepared by the Consultant and approved by the Employer/ (except for inception report).

### Reports to be submitted

Sl. No.	Report	Frequency	Due Date	Hard copy Submission to
1.	Inception Report	One Time	Within 30 days after commencement of services.	All PIUs, PMU & PCMC

Sl. No.	Report	Frequency	Due Date	Hard copy Submission to
2.	Monthly Progress Reports of each road corridors	monthly	By 5 <sup>th</sup> day of month following the reporting month	Respective PIU, respective Authority Engineer/ CSC
3.	Quarterly Progress Reports	Quarterly	By 10 <sup>th</sup> day of month following every quarter since start of assignment	All PIUs, Authority Engineer, CSC, PMU, PCMC
4.	Assignment completion report	One time for each corridor	Within 30 days after commencement of services of the corridor	Respective PIU, respective Authority Engineer/ CSC, PMU, PCMC,
5.	Final Report (assignment completion report)	One Time	Within 30 days of completion of total services	All PIUs, PMU & PCMC

Proper documentation will be done with all photographs, documents, photocopies etc. along with the soft copies of the documents and files used and prepared for the assignment. All reports will be in English language, however supporting documents may be in local languages, for which summaries and outcomes will be provided in English. A hard copy of the report along with the soft copies in E-mails in pdf to be submitted to the agencies/ authorities as mentioned in the above table. Whereas, on requirement, soft copies of reports in Ms-word, compiled as well as Raw data in Ms-excel format and in other formats, as required, have to be submitted to the respective PIU, PMU & PCMC.

The following documents will be submitted by the Consultant:

**1. Inception Report**

The Inception Report with detailing plan of action, manpower deployment, time schedule and detailed methodology, will be submitted within 30 days of the commencement of the assignment

**2. Monthly Progress Report**

The Monthly Progress Report (MPR), on activities carried out during the month and proposed activities for the coming month for each of the road corridors, will be submitted simultaneously on 5<sup>th</sup> day of every month. The MPR will contain data on personnel mobilization, input and output indicators, work charts as against the schedule time frame of RP implementation, consultation and counseling processes, process of identification of the resettlement sites, description of imparted or facilitated training programs, progress achieved in land acquisition as per entitlements etc.

**3. Quarterly Progress Report**

The Quarterly Progress Report (QPR), on activities carried out during last quarter and proposed activities for the coming quarter, will be submitted simultaneously on 5<sup>th</sup> day of the month following each quarter since the start of the assignment. The QPR will contain data on personnel mobilization, input and output indicators, work charts as against the schedule time frame of RP implementation, consultation and counseling processes, process of identification of the resettlement sites, description of imparted or facilitated training programs, progress achieved in land acquisition as per entitlements etc.

**4. Record of Meetings**

The minutes of meetings of GRC, Gram Sabhas, meetings between PIU and DPs etc. will be documented and submitted to PIU on monthly basis, to PMU and PCMC on quarterly basis.

**5. Record of Grievances**

The RIA will record and document all grievances and the process of redress and submitted to the PIU and soft copies to PMU and PCMC on monthly basis.

#### **6. Submissions of Micro Plans**

The RIA will submit and update, if any changes occur on relevant plans, the Micro Plans with the status of disbursement and payment of compensation on monthly basis to PIU, and soft copies to PMU and PCMC.

#### **7. Assignment Completion Report**

The Assignment completion report of RP Implementation of each road corridor will be prepared at the end of the assignment of that particular corridor, summarizing the actions taken, methods and personnel mobilized in the assignment, summary of support/ assistance given to the DPs and overall physical progress along with the key activities performed under RP implementation. The Assignment Completion Report will be submitted to the respective PIU, PMU and PCMC.

#### **8. Final Completion Report**

The completion report of RP Implementation will be prepared at the end of the contract period summarizing the actions taken during the project, the methods and personnel mobilized in the assignment, summary of support/ assistance given to the PAPs and overall physical progress along with the key activities performed under RAP implementation. The Final Report will be submitted to the PIU, PMU and PCMC.

### **8. Client's Input and Counterpart Personnel**

(a) Services, facilities and property to be made available to the Consultant by the Client:

- The PIU will act as the client in district level and PMU will act as the client in State level
- The Client will provide all relevant report and documents, viz., Resettlement Planning Framework, Resettlement Plan (RP), RP Database, Indigenous Peoples Plan (IPP), if any,
- The Client will provide all administrative support, permissions and certifications for carrying out the assignment
- The Client will provide contact details of all relevant key persons of all institutional stakeholders of PMU, PIU, PCMC, Authority Engineer, CSC, Contractor etc.
- The Client will provide all the comments/ suggestion from the AIIB on Resettlement and Rehabilitation.

(b) Professional and support counterpart personnel to be assigned by the Client to the Consultant's team:

- The Social Specialist of the PCMC/ PMU will directly coordinate, guide and assist the Consultants Team
- The Environmental Specialist and other staffs of PCMC/ PMU will assist the Consultants Team as and when necessary

### **9. Code of Conduct to be followed by the Consultant:**

A satisfactory code of conduct will contain obligations on all Consultant's Experts that are suitable to address the following issues, as a minimum. Additional obligations may be added to respond to particular concerns of the region, the location and the project sector or to specific project requirements. The code of conduct shall contain a statement that the term "child" / "children" means any person(s) under the age of 14 years.

- (i) Compliance with applicable laws, rules, and regulations

- (ii) Compliance with applicable health and safety requirements to protect the local community (including vulnerable and disadvantaged groups), the Consultant's Experts, the Client's personnel, and the Contractor's personnel, including sub-contractors and day workers (including wearing prescribed personal protective equipment, preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment)
- (iii) The use of illegal substances
- (iv) Non-Discrimination in dealing with the local community (including vulnerable and disadvantaged groups), the Consultant's Experts, and the Contractor's personnel, including sub-contractors and day workers (for example, on the basis of family status, ethnicity, race, gender, religion, language, marital status, age, disability (physical and mental), sexual orientation, gender identity, political conviction or social, civic, or health status)
- (v) Interactions with the local community(ies), members of the local community (ies), and any affected person(s) (for example to convey an attitude of respect, including to their culture and traditions)
- (vi) Sexual harassment (for example to prohibit use of language or behavior, in particular towards women and/or children, that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate)
- (vii) Violence, including sexual and/or Gender Based Violence (GBV), e.g., acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion, and deprivation of liberty
- (viii) Exploitation including sexual exploitation and assault, e.g., the prohibition of the exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading behavior, exploitative behavior or abuse of power
- (ix) Protection of children (including prohibitions against sexual activity or abuse, or otherwise unacceptable behavior towards children, limiting interactions with children, and ensuring their safety in project areas)
- (x) Sanitation requirements, e.g., to ensure workers use specified sanitary facilities provided by their employer and not open areas)
- (xi) Avoidance of conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection)
- (xii) Respecting reasonable work instructions (including regarding environmental and social norms)
- (xiii) Protection and proper use of property (for example, to prohibit theft, carelessness or waste)
- (xiv) Duty to report violations of this Code
- (xv) Non-retaliation against personnel who report violations of the Code, if that report is made in good faith.

The Code of Conduct should be written in plain English language and signed by each Expert to indicate that they have:

1. received a copy of the code;
2. had the code explained to them;
3. acknowledged that adherence to this Code of Conduct is a condition of employment; and
4. understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities

### **Annexure 1A: Tentative Consultancy Package & Timeline**

#### **Tentative Packages for Consultancy of implementation of Resettlement Plan**

Sl.	Roads	District(s)	Length (km)
<b>Package 1</b>			
1	Majuli to Bhogalmara via Dhunaguri	Majuli & Lakhimpur	19.24
2	Dhakuakhana Butikur Tiniali Telijan	Lakhimpur & Dhemaji	33.29
			<b>52.53</b>
<b>Package 2</b>			
1	Kamargaon to Kamarbandha	Golaghat	42.13
2	Sibsagar to Chumoni & Balighat Tiniali to Nakachari	Sibsagar, Jorhat & Golaghat	63.4
3	Moran to Kathalguri via Disan Kinar Bangali	Charaideo & Dibrugarh	72.0
4	Sarthebari to Pathsala	Barpeta & Bajali	17.65
			<b>195.18</b>

These Packages are tentative and may be further divided or altered in next stage.

#### **Tentative Timeline**

The service of the Consultant will tentatively start from second half of year 2021 and will continue for

**Package 1:** 18 months (Main Office) and 12 months in each of the 2 site offices

**Package 2:** 30 months (Main Office) and 18 months in each of the 4 site offices

### Annexure 1B: Tentative Staff Input Requirement

#### **Tentative Staffing Requirements**

Sl. No.	Position	Total Input in Person Month	
		Pkg 1	Pkg 2
<b>A</b>	<b>Key Professional Staff</b>		
1	Team Leader cum Resettlement Expert	18	30
2	Social cum Gender Specialist (Preferably Female)	18	30
3	Community Mobiliser at Main Office (1 person for entire period)	18	30
4	Community Mobiliser at Site Offices (1 person for each site office)	24	72
	<b>Sub-Total of Key Professional</b>	<b>78</b>	<b>162</b>
<b>B</b>	<b>Non-Key Experts (Support Staff)</b>		
1	Office Manager cum Documentation Assistant at Main Office (1 person for entire period)	18	30
2	Office Manager cum Documentation Assistant at Site Offices (1 person for each site office)	24	72
3	Social Surveyor at Site Offices (2 persons for each site offices)	48	144
4	Computer Assistant at Main Office (1 person for entire period)	18	30
5	Computer Assistant at Site offices (1 person for each site offices)	24	72
6	Cook cum Multitask Helper at Main Office (1 person for entire duration)	18	30
7	Cook cum Multitask Helper at Site Offices (1 person for each site offices)	24	72
	<b>Sub-Total of Support Staffs</b>	<b>174</b>	<b>450</b>
	<b>Total Staffs</b>	<b>252</b>	<b>612</b>

### **Appendix S8: Indicative Implementation Schedule**

	Activity	2021				2022				2023			
		1	2	3	4	1	2	3	4	1	2	3	4
Project Preparation													
1	Identifications of project roads												
2	Conduct socio-economic survey, census												
3	Prepare social safeguard planning documents (RPF, due diligence reports, RPs)												
4	Recruitment and confirmation of PWRD HQ Environment and Social Unit staff												
5	Confirmation of PIU-level social safeguard focal points												
	AIIB and Government approval of Social Safeguard Planning Document for sample roads												
6	AIIB and Government approval of Social Safeguard Planning Document for non-sample roads												
7	Procurement of civil works												
8	Procurement of RAP Implementation Agency (if required)												
Land Acquisition for Non-Sample Projects (if required)													
7	Land Acquisition (for non-sample roads, if required)												
8	Payment of Compensation (if required)												
9	Relocate houses, shops, businesses												
10	Clear the ROW												
Rehabilitation of DPs													
13	Income Restoration (if required)												
1	Restoration of Community Resources												
Construction													
11	Issue notice for commencement of civil works <sup>20</sup>												
12	Civil works												
Ongoing Activities													
14	Management Information System												
15	Grievance Redressing												
16	Consultations with DPs												
17	Internal Monitoring												
18	External Monitoring – if significant impact is present												

<sup>20</sup>No physical relocation will occur until compensation and entitlements are provided and rehabilitation of income is in place.

### **Appendix S9: Sample Grievance Registration Form**

*(To be available in Assamese)*

1. The Asom Mala Program welcomes complaints, suggestions, queries, and comments regarding project implementation. We encourage persons with grievance to provide their name and contact information to enable us to get in touch with you for clarification and feedback.
2. Should you choose to include your personal details but want that information to remain confidential, please inform us by writing/typing **\*(CONFIDENTIAL)\*** above your name.

<b>Date</b>		<b>Place of Registration</b>	
<b>Contact Information/Personal Details</b>			
<b>Name:</b>		<b>Gender:</b> Male _____ Female	<b>Age:</b>
<b>Home Address</b>			
<b>Village / Town</b>			
<b>District</b>			
<b>Phone no.</b>			
<b>E-mail</b>			
<b>Complaint/Suggestion/Comment/Question</b> Please provide the details (who, what, where and how) of your grievance below: If included as attachment/note/letter, please tick here:			
<b>How do you want us to reach you for feedback or update on your comment/grievance?</b>			
<b>FOR OFFICIAL USE ONLY</b>			

<b>Registered by:</b> (Name of Official registering grievance)			
<b>Verified through:</b>	____Note/Letter	____E-mail	____Verbal/Telephonic
<b>Reviewed by:</b> (Names/Positions of Official(s) reviewing grievance)			
<b>Action Taken:</b>			
<b>Whether Action Taken Disclosed:</b>	____Yes	____No	
<b>Means of Disclosure:</b>			

## **Appendix S10: Terms of Reference for Monitoring and Evaluation Consultants**

(Only a tentative outline)

### **A. Introduction**

The PWRD intends to hire the services of an independent consultant to monitor and evaluate implementation of the RP being carried out by the PIU with the support of the Implementation Agencies deployed. Monitoring and evaluation will include, but will not be limited to, (i) the progress and effectiveness of the implementation of the RP; and (ii) the evaluation of income restoration and post-resettlement conditions of the displaced persons (DPs) and affected communities, including host communities.

### **B. Objectives and Requirements of Monitoring and Evaluation**

The objectives of the M&E consultancy services are (i) to assess the implementation of the RP; (ii) to monitor the schedules and the achievement of targets; and (iii) to evaluate whether the outcomes of social development objectives of the project are being achieved. The objectives of monitoring and evaluation are to assess whether the LARP is implemented on schedule and within budget and whether the goals and principles of the LARP are achieved. Specifically, monitoring and evaluation will focus on the following aspects of the DPs' situation and the resettlement process.

- ▶ Social and economic situation prior to and after land acquisition and/or resettlement;
- ▶ Timely disbursement of funds;
- ▶ Functioning of the grievance redress mechanism
- ▶ Environmental conditions;
- ▶ Social adaptability after resettlement;
- ▶ Rehabilitation of vulnerable groups
- ▶ Special items related to the vulnerable groups;
- ▶ Condition and quality of land temporarily acquired when it is returned to the original land users;
- ▶ Measures taken to restore affected livelihoods; and,
- ▶ Living conditions and economic status of DPs following resettlement in comparison to the "without project" scenario.

### **C. Scope of Services**

The Consultant will undertake to do the following assignments:

- i. Undertake the supervision of RP implementation to ensure the delivery of entitlements to DPs in accordance with the provisions and procedures of R&R Policy;
- ii. Advise and guide the RP Implementation Agency to implement the RP in accordance with their Terms of Reference;
- iii. Assist the PIU and field units to oversee the implementation of RP;
- iv. Participate in periodical meetings held between PIU and RP Implementation Agency/ district administration to assist the PIU for successful outcomes of the meetings;
- v. Undertake reviews on behalf of PIU of all documents and reports related to land acquisition and resettlement received from the RP Implementation Agency and consultants and advise the PIU for taking appropriate decisions on such reports;
- vi. Assist the PIU to respond to the World Bank on any matters related to the implementation of RAP and related matters;

- vii. Provide certification prior to invitation of bid of the milestone confirming the completion of land acquisition, payment of compensation, mitigation of resettlement impacts and reconstruction of community properties in the respective stretches;
- viii. Ensure synchronization of R&R implementation with civil works timetable to avoid time and cost over runs. This should be done in close co-ordination with the construction supervision consultants;
- ix. Assist PIU in reviewing any additional reports submitted by the consultants or RAP Implementation Agency during the implementation;
- x. Prepare annual reports on the implementation of Resettlement Plan including land acquisition and payment of compensation;
- xi. Organization of periodical training in the implementation of RP and delivering of entitlements, consultations etc. to PIU staff and RP Implementation Agency as necessary.

Monitoring and evaluation will include (i) the verification or establishment of a socio- economic baseline of the DPs prior to actual {land acquisition, physical displacement/relocation, loss of assets or disruption of businesses (as relevant)}; (ii) verification of internal monitoring data and reports; (iii) the regular monitoring of their {resettlement or displacement/relocation (as relevant)} and adjustment during Project implementation; and (iv) evaluation of their situation for a period of {one or two years} after {land acquisition or displacement or relocation (as relevant)}. In addition, qualitative and quantitative evaluation will be made on the sustainability of living conditions of DPs. Investigation will include consultations and observations with DPs, IAs, local officials, village leaders, as well as a quantitative sample survey of at least 20% of displaced households. Focus group discussion will be conducted with male and female DPs, and vulnerable groups.

If the findings of the EM indicate significant compliance gaps, the EM will work with the EA and PIU to prepare a separate corrective action plan (CAP) in cooperation with the relevant stakeholders, to address pending or new LAR impacts. The EM will monitor and report on the implementation of the CAP.

The consultant will carry out impact assessment four times during the contract period, one at the end of each year of the contract period. Each evaluation will cover all AFs who have spent more than 6 months after receiving compensation or assistance or both.

For concurrent Impact Evaluation the M& E Consultant shall:

- i. Verify whether the objectives of resettlements have been realized, particularly the changes in the in the living standards;
- ii. Impact assessment is to be compared with the baseline values for key socioeconomic as given in the RP. If such information is not available information based on the same time of survey, has to be collected on recall basis;
- iii. to assess whether the compensation is adequate to replace the loss assets;
- iv. to assess how the compensation has been utilized;
- v. assess the perceived benefits and losses of resettlement
- vi. Assess the level of satisfaction of the various assets provided as part of R&R implementation;
- vii. Based on the impact assessment, suitable remedial measure is to be proposed for any shortcomings and;
- viii. Remedial measure if DPs are not able to improve their living standards.

#### **D. Monitoring Indicators**

Monitoring will include process, output and outcome indicators. The monitoring framework and formats stipulated in the RPF and RP will be adopted. The following general indicators will be covered.

- i. Disbursement of entitlements to DPs and enterprises/businesses: compensation, relocation, housing, cultivated farmland, and employment as specified in the LARP.
- ii. Provision of relocation options: the displaced persons must move into chosen resettlement/housing option at least one month before physical displacement/relocation; for those opting for self-construction, payment of compensation and provision of housing sites should be completed at least three months before physical displacement/relocation; the compensation for construction of houses should be equivalent to the replacement cost; the DPs must receive their entitlements and allowances on time.
- iii. Development of economic productivity: re-allocation of cultivated land, land restoration, job opportunities available to DPs, number of DPs employed or unemployed.
- iv. Standard of living: Throughout the implementation process, the trends in standards of living will be observed and the potential problems in the way of restoration of standards of living will be identified and reported. The Monitor will carry out a comprehensive socio-economic survey after the completion of resettlement implementation to document the standards of living and the conditions of the DPs after resettlement. The survey will be updated annually.
- v. Restoration of civic infrastructure: all necessary infrastructure should be restored at the resettlement sites at least up to a standard equal to the standard at the original location; the compensation for all infrastructure should be sufficient to reconstruct it to the same quality
- vi. Effectiveness of Resettlement Planning. Adequacy of assets measurement, entitlements, sufficiency of budget, and timeliness of mitigation measures.
- vii. Level of satisfaction of DPs: level of satisfaction of DPs with various aspects of the resettlement program; the operation of the mechanisms for grievance redress will be reviewed and the speed and results of grievance redress measures will be monitored.
- viii. Social adaptability and cohesion: impact on children, indigenous peoples/ethnic minorities and other vulnerable groups, public participation, DPs' attitudes and reaction to post resettlement situation, number of complaints and appeal procedures, implementation of preferential policies, income restoration measures, and improvements in women's status in villages.
- ix. Other Impacts. The monitor will verify if there are unintended environmental impacts and impacts on employment and incomes.

#### **E. Special Considerations**

Special attention will be paid to women, indigenous peoples/ethnic minorities/groups, as well as the poor and vulnerable groups during monitoring; these include:

- i. The status and roles of women: Closely monitor any change in women's status, function and situations. At least 40% of DPs surveyed will be women.
- ii. Differential impacts on indigenous peoples/ethnic minority groups. Closely monitor the socio-economic status of indigenous peoples to ensure that they have not been further marginalized. Monitoring indicators should to the extent possible be disaggregated by gender and ethnicity.
- iii. Care and attention to vulnerable groups: Closely monitor living conditions of the poor, the elderly, the handicapped, female headed households and other vulnerable groups after resettlement, to ensure that their livelihood is improved.
- iv. Monitoring and evaluation will provide information on the utilization and adequacy of resettlement funds.

#### **F. Reporting**

The Consultant shall submit the following reports:

- i. Inception Report with mobilization details

- ii. Quarterly Monitoring Reports
- iii. Evaluation Reports(four)
- iv. Annual progress Reports
- v. Final Completion Report containing implementation experience and lessons learned.

All reports should be submitted in hard copy and soft copy in MS Word for easy transmission.

#### **G. Methodology**

As a part of the proposal, the consultants will propose the methodology to carry out the assignment. The methodology shall describe briefly (3-5 pages) the approach the consultant will adopt in carrying out the assignment and realize the objectives of the assignment.

#### **H. Time line**

The Consultant shall be hired for the period of project implementation that is 3 years.

#### **I. Team for the Assignment**

The Consultant shall deploy a team of which the positions and minimum qualification are stated in the following, with least one woman professional:

**Team Leader:** S/he should be a post-graduate in social sciences with at least 10 years of experience in the field of social development and projects requiring land acquisition. (Experience in land Acquisition is mandatory) S/he should have monitoring and evaluation experience of more than 5 projects, and should have held responsible positions in the previous assignments including as team leader. S/he should have adequate managerial skill and should be conversant with the region and the regional language.

**Sub-Professional I:** S/he should be a graduate in social sciences with at least 7 years of experience in the field of social development and participating rural appraisal. S/he should have adequate knowledge of computers and should be conversant with the region and the regional language.

**Sub-Professional II:** S/he should be a graduate in statistics with good knowledge of computerized database development and management and should be conversant with the region and the regional language.

**Sub-Professional III:** S/he should be a graduate in civil engineering with at least 7 years of experience in construction/maintenance of infrastructure projects. S/he should have good knowledge of land measurement and should be conversant with the region and the regional language.

**Support Staff:** There should be an adequate number of support staff. They should be able to perform as asked by the members of the team. There should be a good mix of women and men.

#### **J. Location of office**

The Consultant is required to have an office in Guwahati.

#### **K. Payment Schedule**

The payment schedule will be made against outputs as decided by the PMU.

## **Appendix S11: Template for Resettlement and Rehabilitation Information Disclosure**

**Government of Assam**  
**Assam Urban Infrastructure Improvement Program Project**  
**Information Brochure**  
**Resettlement and Rehabilitation**

THIS IS ONLY A TEMPLATE AND MUST INCLUDE INFORMATION AFTER FINALIZATION OF THE UPDATED RESETTLEMENT PLAN AND APPROVAL OF FINAL RESETTLEMENT PLAN OF THE SUBPROJECTS. THIS WILL HAVE TO BE TRANSLATED IN ASSAMESE.

### **PROJECT BACKGROUND**

To improve the secondary road network objectively, the state govt. has announced the 'Asom-Mala' program to emulate Bharat Mala Pariyojana by optimizing efficiency of freight and passenger movement across the state by bridging critical infrastructure gaps through effective interventions like development of alternative Corridors, and Feeder Routes, bridging Border and International connectivity roads. It would be an umbrella program with funding sources from State Government, Government of India and external funding agencies for different projects in it. The program is envisaged to meet the following objectives;

- ▶ To improve the SH & MDR network in the next 15 years for fuelling economic growth and bringing the state road infrastructure at par with Southeast Asian countries;
- ▶ To provide quality inter-linkage roads between the National Highways and the rural roads network as well as facilitate seamless multi-modal transportation;
- ▶ To interconnect economic growth centres with quality developing quality transportation corridors and improve inter-state connectivity

### **Program Components**

The Asom Mala program is planned to broadly include three components as follows, though modifications may be made within the different projects under the program:

- ▶ Civil works component
- ▶ Road sector strengthening and institutional development component
- ▶ Road safety improvement component

A summary of the proposed sub-project roads under Asom Mala program are shown in Table below.

**INSERT TABLE OF PROPOSED SUB-PROJECT HERE.**

### **LEGAL FRAMEWORK**

Any impact to land, assets and livelihood by the project activities will be compensated by the Investment Program based on the Resettlement Planning Framework and the Indigenous Peoples Plan Framework.

**BRIEF LEGAL FRAMEWORK IS TO BE ADDED HERE.**

### **ENTITLEMENT MATRIX** Issued on Date.

All displaced persons of the project will be assisted based on the compensation and assistance provided under the various categories mentioned in the Entitlement Matrix. This matrix is a part of the Resettlement Planning Framework.

**THE ENTITLEMENT MATRIX AFTER APPROVAL BY GoA IS TO BE ADDED HERE.**

## **GRIEVANCE REDRESS PROCEDURE**

**THE GRIEVANCE REDRESS PROCEDURE AFTER APPROVAL BY GoA IS TO BE ADDED HERE.**

## **DISCLOSURE**

All social safeguard documents for the project will be posted on the project website and the AIIB website.

## **CONTACT FOR GRIEVANCE**

**THE GRIEVANCE REDRESS ADDRESS/ CONTACTs AFTER APPROVAL BY GoA IS TO BE ADDED HERE.**

### **Office of the PMU, PWRD Asom Mala Programme**

#### **The Chief Engineer (EAP), PWRD**

Assam Road Research & Training Institute

Fayal Ahmed Road, Fatasil Ambari

Kamrup, Guwahati-781025 (Assam)

[https://www.apwd.in/apwrportal/faces/pages\\_complaints](https://www.apwd.in/apwrportal/faces/pages_complaints)

### **Office of the PCMC, PWRD Asom Mala Programme**

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