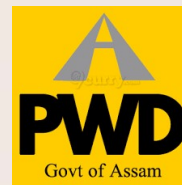


**ASOM MALA PROGRAM**  
**Government of Assam**  
**Public Works Roads Department (PWRD)**



**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

**Environmental and Social  
Management Planning Framework  
(Draft)  
(Revision 3)  
for Assam Secondary Roads Network  
Improvement Project (ASRIP)  
under Asom Mala Program**

Prepared for Asian Infrastructure Investment Bank  
Prepared by Public Works Roads Department Assam

September, 2021



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## ABBREVIATIONS

AIIB	:	Asian Infrastructure Investment Bank
ASRIP	:	Assam Secondary Road Network Improvement Project
CPCB	:	Central Pollution Control Board
CSC	:	Construction Supervision Consultant
DPR	:	Detailed Project Report
DPs	:	Displaced Persons
E&S	:	Environment and Social
EAC	:	Expert Appraisal Committee
EIA	:	Environmental Impact Assessment
ESIA	:	Environmental and Social Impact Assessment
EMP	:	Environmental Management Plan
ESMP	:	Environmental and Social Management Plan
EMOP	:	Environmental Monitoring Plan
ESO	:	Environment and Safety Officer
ESZ	:	Eco Sensitive Zone
GOI	:	Government of India
GRC	:	Grievance Redress Committee
GRM	:	Grievance Redress Mechanism
IFC	:	International Finance Corporation
ILO	:	International Labour Organization
IUCN	:	International Union for Conservation of Nature
Km	:	Kilometer
m	:	Meter
MoEFCC	:	Ministry of Environment, Forests and Climate Change
MoRTH	:	Ministry of Roads Transport and Highway
NH	:	National Highway
NP	:	National Park
PCMC	:	Project Coordination and Management Consultancy
PD	:	Project Director
PIU	:	Project Implementation Unit
PMU	:	Project Management Unit
ROW	:	Right of Way
SIA	:	Social Impact Assessment
SDG	:	UN Sustainable Development Goals
SH	:	State Highway
SPCB	:	State Pollution Control Board
TraMCA	:	Transboundary Manas Conservation Area
\$	:	US dollars



## PART A: INTRODUCTION TO THE ENVIRONMENTAL AND SOCIAL MANAGEMENT PLANNING FRAMEWORK

### I. CONTEXT (PROJECT BACKGROUND)

1. Assam is the largest state among the North Eastern states of India and acts as gateway for the entire North Eastern (NE) states i.e. Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and West Bengal and two countries viz. Bangladesh and Bhutan. Its geographical location demands huge thrust on the development of road infrastructure in the region, thereby enhancing the region's economy.
2. The Government of Assam (GoA) has also formulated the "Assam Vision 2030" in line with the UN Sustainable Development Goals (SDG). Further, the Government of India has also embarked upon 'Act East Policy' and it aims to make Assam the hub of economic activities in South Asia region. In addition to fueling economic growth in the State and in the region, the State aims to improve its road infrastructure to be at par with Southeast Asian countries and international standards, as it would also provide road connectivity to Myanmar, Thailand, Bangladesh, and China.
3. To support this development agenda of infrastructure development, the government has initiated **Asom Mala Program** as one of the unique Road Infrastructure development program. The objective of the program is to improve the SH & MDR network with external funding agencies and the State's own fund. Assam Secondary Road Network Improvement Project (ASRIP) under Asom Mala is proposed for funding from Asian Infrastructure Investment Bank (AIIB).

### II. PURPOSE AND STRUCTURE OF THE DOCUMENT

4. This Environmental and Social Management Planning Framework (ESMPF) is prepared for sub-projects yet to be identified under ASRIP for improvement and upgradation by Government of Assam (GoA) and proposed to be funded by AIIB. The ESMPF is prepared by Public Works Roads Department (PWRD) in accordance with Government of India's (GoI) legal policy, State of Assam and Asian Infrastructure Investment Bank's (AIIB) Environmental and Social Framework<sup>1</sup> (ESF).
5. This ESMPF presents environmental and social safeguards screening procedures; appropriate mitigation measures for environmental and social impacts (both negative and positive). It also sets out institutional and/or organizational arrangements for management and monitoring of environmental and social impacts, towards achieving its objectives throughout the project cycle. Further, it also addresses mechanisms for public consultation, participation, and disclosure of project documents as well as for redressal of possible grievances which may arise during implementation. Following is the broad structure of the document:

1. Part A : Introduction to the ESMPF  
*Environmental and Social Management Planning Framework*
2. Part B - ESMPF : Safeguards Policy Principles and Objectives
3. Part C - ESMPF : Safeguards Procedures  
*Resettlement Planning Framework*
4. Part D - RPF : Safeguards Policy Principles and Objectives
5. Part E - RPF : Safeguards Procedures
6. Part F - IPPF : Indigenous Peoples Planning Framework
7. Part G : Detailed Policy and Processing Resources

<sup>1</sup> <https://www.aiib.org/en/policies-strategies/download/environment-framework/Final-ESF-Mar-14-2019-Final-P.pdf>



### III. PROJECT DESCRIPTION

6. The subprojects proposed under ASRIP are important road corridors provide inter-lineage between rural roads and NHs, connectivity with important cities, towns, settlements, tea estates, oil & gas fields, refineries, districts of Assam State and further provides connectivity to neighbouring states and two countries viz. Bangladesh and Bhutan. These roads also provide connectivity for better medical facilities and educational institutions, especially for girl students from villages. These roads are alternative routes to decongest towns/cities and dedicated commercial routes. The subprojects are related to overall objectives of Asom Mala Program and AIB financing.

#### a. Project Objective

7. The project objective is to enhance road connectivity, safety, and climate resiliency in project districts, and to support modernization of the Public Work and Road Department's (PWRD) asset management.

#### b. Overview of Subproject Types (Project Components)

8. The proposed roads under ASRIP are located in the Upper Assam Region of Assam except A07 Sarthebari Rampur Pathsala, which is located in Barpeta District of Lower Assam Region. At present, the PWRD has proposed 9 sub-projects of 280.72Km under ASRIP and proposed to be funded by AIB, out of which environmental and social assessment is being carried out for 7 subprojects and assessment for 2 subprojects i.e., A20\_2 and A20\_3 is to be carried out. Preparation of Detailed Project Reports (DPR) for improvement and upgradation is on-going.

**Table 1: List of Roads under ASRIP**

Sl. No.	Road Code	District	Sub-Project Name	Length (in Km)	Status of Assessment
1.	A31	Majuli & Lakhimpur	Majuli to Bhogalmara via Dhunaguri	19.40	Assessed
2.	A15	Golaghat	Kamargaon to Kamarbandha (Dhodar Ali)	42.14	Assessed
3.	A22	Lakhimpur & Dhemaji	Dhakuakhana to Telijan	32.78	Assessed
4.	A07	Bajali & Barpeta	Sarthebari Rampur Pathsala	17.65	Assessed
5.	A20_1	Sivasagar	Sivasagar to Chumoni	18.40	Assessed
6.	A20_2	Sivasagar & Jorhat	Balighat Tinali to Nakachari via Amguri	44.00	To be assessed
7.	A30_1	Dibrugarh & Charaideo	Moran to Disang Kinar Bangali	46.58	Assessed
8.	A30_2	Dibrugarh	Disang Kinar Bangali to Kathalguri	23.95	Assessed
9.	A20_3	Jorhat & Golaghat	Kamarbandha to Nakachari	36.00	To be assessed
<b>Total</b>				<b>280.9</b>	

9. The project has three major components: (a) Civil Works comprising of rehabilitation, reconstruction of existing and construction of new roads (alignment), geometric and road appurtenances improvements, bypasses, drains, etc. (b) Road Sector Strengthening and Institutional development comprise of strengthening the PWRD through various institutional and training program which is envisaged to be identified in due course of time and (c) This framework will be applicable to entire ASRIP including road safety component and based on the scope of road safety work necessary safeguards instruments will have to be prepared.

#### c. Proposed Improvement

10. The proposed improvement and upgradation will have a top width of 12m, consisting of 7m carriageway with 1.5m paved shoulder on either side, along with 1m earthen shoulder on each side. The





upgradation works shall have curvature improvement and realignment, widening, flexible pavement, rearrangement of junctions, roadside drains, bridge and cross drainage structures, user facilities, traffic control and safety measures etc. Road safety audits shall be conducted by the DPR Consultants for the rehabilitated roads for around 250km in Component A.1 and an additional road safety auditor will be hired in the Project to provide safety auditing for around 750km roads in Upper Assam for the Component A.2.

#### **d. Screening & Categorization of the Project**

11. Due to the nature and scale of this project and applying the ESF of AIIB, the project has been classified as **Category A project**. Category A refers to proposed projects if it is likely to have a number of potentially significant adverse environmental and/or social impacts. In this case the potential social impacts due to resettlement of project affected persons warrant a high-risk categorization. For this category, the Bank determines the appropriate environmental and social assessment documentation the Client is required to prepare on a case-by-case basis. An EIA with ESMP and SIA is required to be prepared for each component/ road included in the ASRIP.

#### **e. Key Issues and Likely Adverse Impacts (Environmental & Social)**

12. Key environmental and social risks and impacts of the proposed program are anticipated to occur largely during pre-construction and construction phase and within Proposed Right of Way (PROW). Key impacts include: (i) cutting of mature trees within PROW; (ii) health & safety of workers and communities within the corridor and along the transport routes of construction supplies, materials and equipment; (iii) exposure of population in urban and semi-urban centers along the ROW and transport routes to noise, vibrations, air pollution and safety risks; (iv) siltation and sedimentation of waterways close to the physical works; (v) significant land acquisition where existing ROW is less; (vi) physical displacement of houses and some cultural and religious properties; (vii) temporary economic displacement of some vendors and businesses along the PROW and in market areas where some rural roads will be constructed and/or rehabilitated; and, (viii) increased risk of GBV and road accidents.

#### **f. Need for ESMPF & its Components (ESMPF, RPF, IPPF)**

13. This ESMPF is prepared to ensure that the projects roads are assessed and implemented in conformity with AIIB's ESP. The ESMPF is prepared to identify the associated Environmental and Social risks and impacts during project life cycle, to address the concerns of Project Affected People (PAP), and to provide guidelines to carry out Environmental and Social Assessment Studies for subprojects without clear footprints at this stage. The overall purpose of the ESMPF is to ensure that the projects are assessed and implemented in conformity with the policies of the GoI, GoA, as well as the AIIB's ESP. The purpose of ESMPF includes:

- i. Identify environmental and social impacts of the projects that are not known as yet and account for appropriate mitigation measures
- ii. Integrate the environmental and social concerns into the identification, design and implementation of all project interventions in order to ensure that those are environmentally sustainable and socially feasible;
- iii. Ensure all relevant environmental and social issues are mainstreamed into the design and implementation of the projects and also in the subsequent phases of the ASRIP;
- iv. Consider in an integrated manner, the potential environmental and social risks, benefits and impacts of the program and identify measures to avoid, minimize and manage risks and impacts while enhancing benefits;
- v. Ensure compliance with national and AIIB's requirements. The ESMPF presents potential impacts of the ASRIP projects, mitigation, enhancement, contingency and compensation measures, environmental and social management and monitoring plan, and institutional framework

including inter-agency cooperation for implementing ESMP. The ESMPF will facilitate compliance with the Government of India’s policies, acts and rules as well as with the AIIB’s environmental and social standards (ESSs) of the Environmental and Social Framework (ESF), and

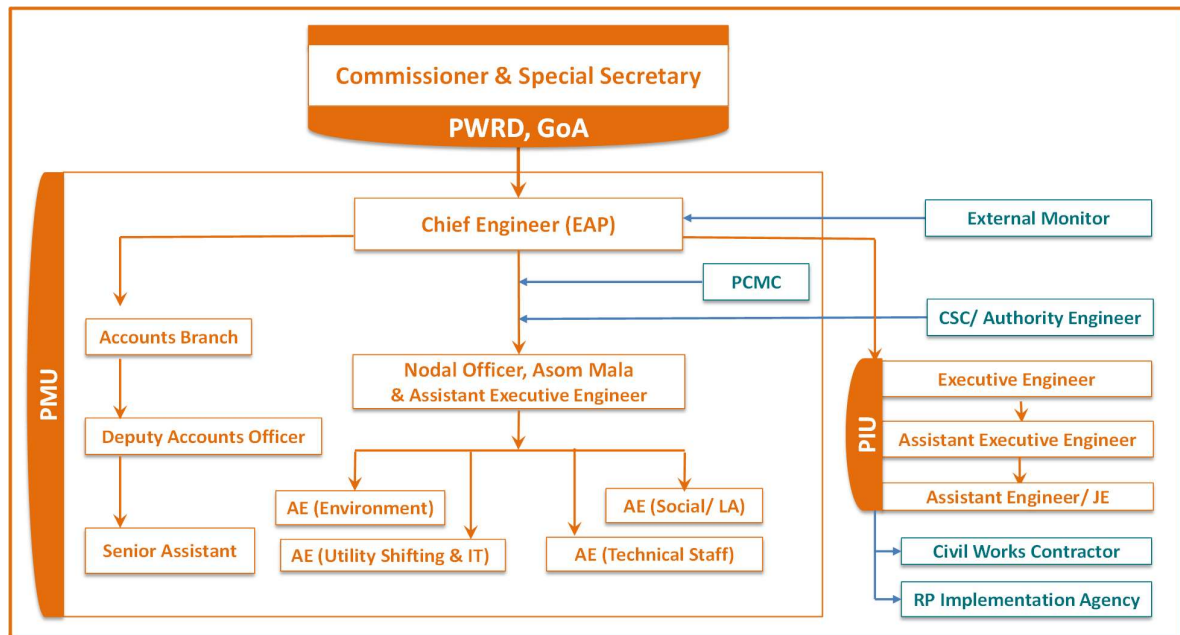
- vi. Guide the detailed EIA of the sub-projects as appropriate to the project components / sub-components

14. The ESMPF is prepared to provide model Environmental Impact Assessment (EIA) and a generic Environmental and Social Management Plan (ESMP) for selected projects. This ESMPF will be used as a guidance during project formulation, design, implementation, and monitoring in ASRIP Projects, particularly with impacts that are not known as yet. This document will be followed during project preparation and implementation for ensuring environmental in planning, implementation, and monitoring of project supported activities.

15. Resettlement Planning Framework (RPF) and Indigenous Peoples Planning Framework (IPPF) are prepared for ASRIP. RPF is prepared to mitigate possible social impact in the Project’s proposed alignments/subprojects. This planning framework will be the basis for undertaking detailed Social Impact Assessment (SIA), social due diligence reports, Resettlement Plan (RAP) and implementation of all social safeguards’ requirements. IPPF is prepared to (i) ensure early identification of the project components affecting indigenous communities; (ii) avoid adverse impacts on them, or when avoidance is not possible, to minimize or mitigate such adverse impacts; (iii) preserve cultural and economic preferences for indigenous and (iv) ensure constructive participation and consultations with the affected indigenous communities.

**IV. INSTITUTIONAL ARRANGEMENTS**

16. Public Works Roads Department (PWRD), Government of Assam will be the executing agency. The Chief Engineer (EAP) will be the Project Director (PD) of state level Project Management Unit (PMU). PD PMU will be assisted by an Executive Engineer as Nodal Officer of Asom Mala Program. Figure 1 shows the implementation arrangement for Asom Mala Program.



**Figure 1: Implementation Arrangement for Environmental and Social Safeguards**



**a. Responsibilities of the Program Management Unit (PMU)**

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

- i. 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;
- ii. Liaising with district administration for direct purchase or land acquisition
- iii. Preparation of ESMPF, Resettlement Planning Framework (RPF), Indigenous Peoples Planning Framework (IPPF) for ASRIP projects of Asom Mala program;
- iv. Review of Resettlement Plan (RP), Environmental and Social Management Plan (ESMP) and all other social and environmental safeguards documents and reports;
- v. Ensuring timely disbursement of compensation and assistance to the displaced persons in close coordination with the concerned line departments;
- vi. Monitoring of implementation and monitoring of RP and ESMP;
- vii. Proactive and timely measures to address all social and environment safeguards including measures and clearances;
- viii. monitoring, addressing and resolving grievances;
- ix. ensuring availability of budget for implementation activities; and
- x. ensuring disclosure of relevant frameworks, implementation and management plans and monitoring documents.

18. The PMU will submit environmental, social and resettlement report to AIB for disclosure. It will also coordinate with national and state agencies to resolve inter-departmental issues, if any.

**b. Responsibilities of the Project Implementation Units (PIUs)**

19. The PWRD had already established separate state road divisions in each district. 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, data-collection, preparation and implementation of contracts and coordination with local administration and local communities to seek their support.

20. The PWRD's Executive Engineers (EEs) 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 supported by CSC/AE to implement environmental safeguards activities and RP Implementation Agency (RIA) to implement social safeguards 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.

**c. Responsibilities of the Project Coordination and Support Consultant (PCMC)**

21. A 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 shall support the Program Management Unit (PMU) for all aspects of Asom Mala program. An Environmental Specialist and Social Specialist shall also be appointed as part of the PCMC team to (i) prepare ESMPF for ASRIP; (ii) review EIA, ESMP, SIA and RP prepared by the DPR Consultants in the planning phase; (iv) assist in the monitoring and supervision of ongoing subprojects and ESMP & RP implementation; (v) monitor the



implementation of ESMP & RP carried out by the PIU level; and (vi) ensure all subprojects meet safeguard requirements as agreed in the loan covenant and in line with this ESMPF. In addition, they shall play a central role in ensuring capacity building on environmental and social management of the PMU, RP Implementation Agencies and line departments through capacity development support and training.

**d. Responsibilities of Construction Supervision Consultant (CSC)/ Authority Engineer (AE)**

22. The CSC is the supervising authority for contractors following item rates and the AE 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. Other than the difference mentioned above, the following are the responsibilities of the CSC and AE:

- i. Review the environmental and social reports and management plans to understand the background issues of the respective project corridor
- ii. Review and approve the revised ESMP and other required sub-plans such as traffic management plan, health and safety plan, waste management plan etc. prepared by the contractor
- iii. Conduct regular site inspections and monitor implementation of the ESMP and EMOP by the contractor
- iv. Provide on-site training and technical guidance to the contractor workers as necessary
- v. Review the monthly reports prepared and submitted by the contractor
- vi. Where necessary identify the need for corrective actions and issue official notices to the contractor to implement the corrective actions with clear timeline
- vii. 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
- viii. Regularly convene meetings to discuss progress or issues on environment safeguards to ensure that all parties (contractor, PIU, PCMC) are on the same page on requirements and milestones for environment safeguards
- ix. Based on site inspections and review of reports submitted by the contractor prepare semi-annual Environmental Monitoring Reports for review and approval by the PMU/PCMC. These reports shall be further forwarded to AIIB for disclosure on their website

**e. RP Implementation Agency (RIA)**

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

**f. External Monitor Roles and Responsibilities**

24. The PMU will hire qualified and experienced external experts to verify its monitoring information<sup>2</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.

<sup>2</sup>Experts not involved in day-to-day project implementation or supervision.



***Institutional Capacity Development Program***

25. The capacity development programs need to be conducted to facilitate implementation of the Project in accordance with AIB safeguard requirements. The PMU will be responsible for training of staffs of PWRD and PIUs on implementation ESMP, RP, environmental and social protection, addressing grievances, addressing gender issues, monitoring, reporting and disclosure requirements.

26. The Environmental Specialist and Social Specialist of PMU/ PCMC will provide a training and capacity building program on ESMP implementation and 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; (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 shall be responsible for developing a training program with separate modules for environmental and social safeguards, which will be integrated with the one developed by the capacity development technical assistance, if any. PCMC will provide trainings to PMU staff on ESS work including AIB’s requirements in preparation and implementation of required documentation. The proposed training program along with the frequency of sessions is presented in Table 2 below.

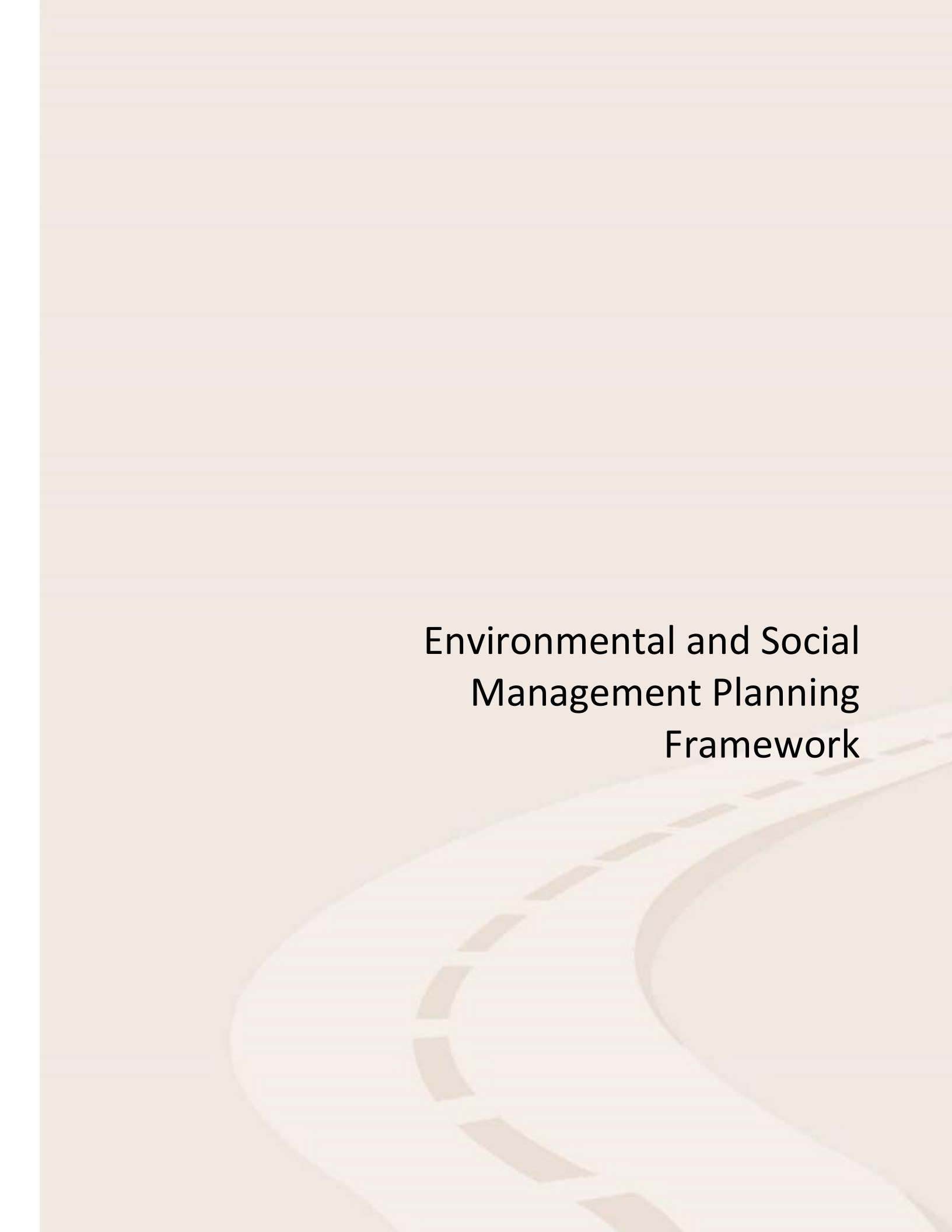
**Table 2: Training Modules for Environmental and Social Management Framework**

Sl. No.	Training Program	Duration	Target Group	Responsibility
1	Workshop on: <ul style="list-style-type: none"> <li>▶ Introduction to Environment and Society:</li> <li>▶ Basic Concept of surrounding Environment and Society</li> <li>▶ Environmental and Social Regulations and Statutory requirements as per Govt. of India and AIB</li> </ul>	¼ Working Day	PWRD & Contractor	Environmental and Social officer of the PMC
2	Environmental and Social management, environmental provisions, implementation arrangements, methodology of assessment, good engineering practices to be integrated into contract/ bid documents	¼ Working Day	PWRD & Contractor	Environmental and Social officer of the PMC
3	Roles and Responsibilities of officials/contractors/consultants towards protection of environment	¼ Working Day	PWRD & Contractor	Environmental and Social officer of the PMC
4	Monitoring and reporting system to the target audience such as Engineers and staff of implementing agencies (PWRD, Assam)	¼ Working Day	PWRD & Contractor	Environmental and Social officer of the PMC
5	Orientation of contractors at the time of issuing work orders on the implementation of SMF	¼ Working Day	PWRD & Contractor	Environmental and Social officer of the PMC
6	Overview of Land Securing and Entitlement Provisions <ul style="list-style-type: none"> <li>▶ Direct Acquisition</li> <li>▶ Gift Deed / MoU</li> <li>▶ Relocation of Common Property Resources</li> <li>▶ Avoidance of encroachments during the post-construction scenario</li> </ul>	¼ Working Day	PWRD, Contractor & Revenue officials	Environmental and Social officer of the PMC



### ***Implementation Schedule***

27. The ESMP and RP implementation schedule will vary from subproject to subproject. In general, the project implementation will consist of the three major phases, namely project preparation, land acquisition and rehabilitation of DPs. In line with the principles laid down in this RPF, the PMU and PIU, supported 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 PMU will send updated RPs to AIIB for disclosure prior to implementation.



# Environmental and Social Management Planning Framework



## PART B - ESMPF: SAFEGUARDS POLICY PRINCIPLES AND OBJECTIVES

28. This section deals with safeguards policies of AIIB and the laws, regulations and policies of GoI, GoA, International conventions pertaining to E&S risks and impacts. The laws, regulations and policies potentially relevant to the Project are discussed here. This section may be updated should new laws, regulations and policies are made and enforced or the existing ones are amended. Applicable laws, regulations and policies need to be considered for effective management of environmental and social aspects; including siting criteria, environmental pollution control requirements, needs for institutional mechanisms, occupational and community health and safety requirements, resource utilization, and considerations for cultural and social concerns, etc.

### I. APPLICABLE SAFEGUARDS POLICIES

#### a. AIIB’s Environmental and Social Policy

29. AIIB is an international financial organization that provides a multilateral financing and investment platform for infrastructure development and enhanced interconnectivity in Asia. AIIB recognizes that E&S sustainability is a fundamental aspect of achieving outcomes consistent with its mandate to support infrastructure development and enhance interconnectivity in Asia. The objective of AIIB’s ESP is to facilitate achievement of these development outcomes, through a system that integrates sound E&S management into Projects. **Environmental and Social Policy** sets forth mandatory E&S requirements for AIIB’s investments.

#### b. AIIB’s Environmental and Social Standards

30. AIIB’s Environmental and Social Standards (ESSs) are ESS 1: Environmental and Social Assessment and Management; ESS 2: Involuntary Resettlement; and ESS 3: Indigenous Peoples. Table 3 is brief description and objectives of the ESSs.

**Table 3: Environmental and Social Standards of AIIB**

Environmental and Social Standards (AIIB)	Brief Description & Objective
ESS 1: Environmental and Social Assessment and Management	<p>ESS 1 aims 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. ESS 1 is applicable if the Project is likely to have adverse environmental risks and impacts or social risks and impacts (or both).</p> <p>The scope of the environmental and social assessment and management measures are proportional to the risks and impacts of the Project. ESS 1 provides for both quality environmental and social assessment and management of risks and impacts through effective mitigation and monitoring measures during the course of Project implementation. The ESS 1 defines the detailed requirements of the environmental and social assessment to be carried out for any project to be financed by the Bank.</p>
ESS 2: Involuntary Resettlement	<p>ESS 2 is applicable 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). Involuntary Resettlement 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: (a) involuntary acquisition of land; or (b) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers such displacement whether such losses and involuntary restrictions are full or partial, permanent or temporary. The ESS 2 defined detailed requirements of resettlement planning of the projects involving</p>





**Environmental and Social Standards (AIIB)**

**Brief Description & Objective**

involuntary resettlement.

ESS 3: Indigenous Peoples

The ESS 3 is applicable if Indigenous Peoples are present in, or have a collective attachment to, the proposed area of the Project, and are likely to be affected by the Project. The term Indigenous Peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- a. self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- b. collective attachment to geographically distinct habitats or ancestral territories in the Project area and to the natural resources in these habitats and territories;
- c. customary cultural, economic, social or political institutions that are separate from those of the dominant society and culture; and
- d. a distinct language, often different from the official language of the country or region.

**c. Environmental and Social Exclusion List**

31. AIIB decided not to finance Projects that it determines do not comply with the ESP and ESSs. The Bank will not knowingly finance a Project that: (a) either involves or results in forced evictions<sup>3</sup>; or (b) involves activities or items specified in the list set forth in the Environmental and Social Exclusion List of Environmental and Social Framework, February 2016 of AIIB. AIIB determines the Project's category by the category of the Project's component presenting the highest environmental or social risk, including direct, indirect, cumulative and induced impacts, as relevant, in the Project area. It assigns each proposed Project to one out of the 4 designated Categories i.e. Category A, Category B, Category C and Category F1.

32. The Project has been assigned "Category A", PWRD Assam will avoid sub-projects in sensitive areas to minimize E&S impacts to the extent possible<sup>4</sup>. ESS 1, ESS 2 and ESS 3 will be applicable to the Project.

**d. Policy on the Project Affected People's Mechanism**

33. Project Affected Peoples' Mechanism (PPM) of AIIB: The policy allows aggrieved DPs to approach the Bank provided their grievances are not satisfactorily redressed by the GRM. The GRM will set up grassroots level Grievance Redress Committees (GRC) comprising of local stakeholders. The GRCs will proactively disseminate the roles and responsibilities of the accountability mechanism to the common public.

**a) International Treaties, Conventions and Declarations**

34. India has signed most international treaties, conventions and protocols on environment, pollution control, bio-diversity conservation and climate change, including the RAMSAR Convention, the

<sup>3</sup> Forced eviction is defined as the permanent or temporary removal, against the will of individuals, families and/or communities, from homes or land (or both) which they occupy, without the provision of, or access to, appropriate forms of legal or other protection (such as the provisions of ESS 2: Involuntary Resettlement). The exercise of eminent domain, compulsory acquisition or similar powers, is not considered to be forced eviction, providing it complies with the requirements of national law and the provisions of ESS 2: Involuntary Resettlement, and is conducted in a manner consistent with basic principles of due process (including provision of adequate advance notice, meaningful opportunities to lodge grievances and appeal, and avoidance of the use of unnecessary, disproportionate or excessive force).

<sup>4</sup> However, the category of the project may change if it is identified at later phase of project that the project/sub-project is likely to have significant adverse environmental and social impacts due to siting of project/sub-project component in sensitive areas.



Rio de Janeiro Convention on Biodiversity Diversity, and the Kyoto Protocol on Climate Change. There are 20 major global Multilateral Environmental Agreements (MEAs) to which India is a signatory. There are three MEA related to Nature Conservation that are applicable to the project as listed in the Table 4.

**Table 4: Applicable MEAs Related to Nature Conservation for the Asom Mala Project**

Sl. No	Nature Conservation	Relevancy to Project
1	Ramsar Convention on Wetlands	Yes, Protection of significant wetland and prevention of draining or filling during construction
2	CBD (Convention on Biological Diversity)	Yes, Conservation of biological diversity (or biodiversity) and sustainable use of its components.
3	IUCN (International Union for Conservation of Nature)	Yes

35. Rest of the MEAs related nature conservation i.e., CITES (Convention on International Trade in Endangered Species of Fauna and Flora), TRAFFIC (The Wildlife Trade Monitoring Network), CMS (Convention on the Conservation of Migratory Species), CAWT (Coalition Against Wildlife Trafficking), ITTC (International Tropical Timber Organisation), UNFF (United Nations Forum on Forests) are not relevant to the project. Though directly not applicable for the project, the MEAs such as UNFCCC, Kyoto Protocol, Montreal Protocol shall be kept in view during preparation of EIA Reports for the sub projects. The labour standards as per ILO shall be followed.

## II. INDIAN REGULATORY SYSTEM

36. There are several existing national/state level laws and policies potentially applicable to the Project. The following sections detail the various regulatory frameworks pertaining to the project.

### a. National Acts / Rule

37. **Environment Protection (Act) 1986 and Environmental Protection Rules 1986 and subsequent Amendments:** The Gol has framed an ‘Umbrella Act’ called the Environment (Protection) Act, 1986 which is designed to provide a framework for the coordination of central and state authorities for protection of environment. This Act was passed as an overall comprehensive act “for protection and improvement of environment”. Under this Act, rules have been specified for discharge/emission of effluents and different standards for environmental quality. These include Ambient Noise Standard, Emission from Motor Vehicles, Mass Emission Standard for Petrol Driven Vehicles, General Effluent Standards etc.

38. **EIA Notification, 2006 and Subsequent Amendments:** EIA notification 2006 and its subsequent amendments lists out type of projects that requires EIA and Environmental Clearance from MoEF&CC or State EIA Authority prior to commencement of any developmental work or project expansion. The notification gives stage-wise guidance for processing of Environmental Clearance.

39. **All new state highways, or expansion of existing state highway in hilly terrain (above 1000 m amsl and or ecologically sensitive areas) fall under category B projects and require Environmental Clearance from State Environmental Impact Assessment Authority at the state level. The construction of sub-projects does not come under purview EIA Notification 2006 and its subsequent amendments.**

40. **Wildlife Protection Act, 1972 and Subsequent Amendments:** The Wildlife Protection Act, 1972 has allowed the government to establish several National Parks and Sanctuaries over the past 37 years, to protect and conserve the flora and fauna and their habitat. The construction of sub-projects does not come under purview Wildlife Protection Act, 1972 and its subsequent amendments.

41. **Forest (Conservation) Act, 1980 and Subsequent Amendments:** The Indian Forest Act (1927) was amended in 1980 to check the rapid deforestation occurring throughout India, and the Forest (Conservation) Act, 1980 came into existence. At the state level, the government was empowered to



declare reserved and protected forest and was also given the authority to acquire land for extension and preservation of the forests. Forest (Conservation) Rules, 2003 explains the procedure for procuring clearance for diversion of forests land for non-forest purpose. This Act provides for the conservation of forests and regulating the diversion of forest lands to non-forestry purpose. None of the sub-projects require prior clearance from the relevant authorities under Forest (Conservation) Act 1980.

42. **Wetlands (Conservation and Management) Rules 2017:** Wetlands (Conservation and Management) Rules, 2017 are promulgated under Environmental (Protection) Act, 1986 for prohibiting reclamation and degradation through drainage and landfill, pollution (discharge of domestic and industrial effluents, disposal of solid wastes), hydrological alteration (water withdrawal and changes in inflow and outflow), over-exploitation of their natural resources resulting in loss of biodiversity and disruption in ecosystem services provided by wetlands by conservation of wetlands.

#### **b. State Level Laws/Regulations/Policies**

43. Apart from the national level laws and regulations, there are specific state level laws / regulations in place either to formulate rules for implementation of the national level laws or specific laws to protect the state's interests in terms of its resources such as forests, biodiversity, wildlife, revenue lands etc.,. Some of the critical laws / regulations / policies that fall under the purview of the project are briefly presented below.

44. **Assam Forest Policy 2004:** The principal aim of this policy is to ensure progressive sustainable development of the forests of Assam, to meet the twin objectives of environmental stability and ecological balance together with improved livelihood support system for her people. The policy envisaged to protect mega-biodiversity existence in Assam with the active involvement of the communities; forestry sector to be open selectively to the people of Assam for income and employment generation without compromising the basic tenets of forest conservation; and to increase and maintain forest cover of Assam progressively through scientific sustainable forest management practices giving emphasis on the traditional knowledge and understanding of the ethnic communities of Assam.

45. **Assam Biodiversity Rules 2010:** These rules are established in exercise of the powers conferred by Section 63 of the Biological Diversity Act, 2002 (Central Act 18 of 2003), the Government of Assam. As per the act Indian entities or non-Section 3(2) (as prescribed under Biological Diversity Act, 2002) entities, prior intimation to the concerned SBB is required and for activities pertaining to commercial utilization, or bio-survey and bio-utilization for commercial utilization.

46. **Assam Rhinoceros Preservation Act 1954:** This Act aims at protection of the Indian Rhinoceros, Assam's state animal; and enables legal action against killing, injury and capture of the animal.

47. **Assam land and Revenue Regulation (Amendment) Act, 1947:** This Act of 1947 was to amend Assam Land and Revenue Regulation 1886, and insert Chapter X, which is aimed at protecting land-ownership rights of tribal people of Assam.

48. **Direct Purchase Policy of Assam:** The required additional private land for Asom Mala will be possessed through the Direct Purchase Policy of Assam, 2021, which is named as "Acquisition of land 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 (EAP)", and notified in the Assam Gazette Notification No. [DA5R.80/2020/3](#) dated 20<sup>th</sup> January 2021.

49. 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). District Level Land Purchase Committee (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 25%, inclusive of R&R Benefits, on the compensation calculated. 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.

50. The major laws, regulations and policies which are relevant to the Project are listed in Table 5.



**Table 5: Relevancy of Key Environmental Laws and Regulations**

S. No	Law/ Regulation/ Guidelines	Applicability (Yes/No)	Clearance/ Consent to be obtained (Yes/No)	Relevance	Clearance/ Consent to be obtained (Yes/No)	Responsibility for Obtaining Clearance/ Consent
1.	The Environmental (Protection) Act. 1986, and the Environmental (Protection) Rules, 1987-2002 (various amendments)	Yes	No	Umbrella Act for Protection and improvement of the environment. Under this act rules have been specified for discharge/ emission of effluents and different standards for environmental quality	MoEF&CC, State Department of Environment & Forest, Central Pollution Control Board (CPCB) and State Pollution Control Board (SPCB)	DPR Consultant
2.	The EIA Notification, 2006 & subsequent amendments	To be identified at sub-project level during detailed E&S assessment	Yes (If identified during detailed E&S assessment)	a. All New State Highway Projects and b. State Highway Expansion projects in Hilly terrain (above 1,000 m MSL) and or Ecologically Sensitive Areas require prior Environmental Clearance	State EIA Authority (SEIAA) / MoEF&CC	DPR Consultant
3.	Wildlife Protection Act, 1972	To be identified at sub-project level during detailed E&S assessment	Yes (If identified during detailed E&S assessment)	If subproject is located within protected area or eco-sensitive zone (ESZ) of protected area	National Board for Wildlife (NBWL)	DPR Consultant
4.	Forest (Conservation) Act, 1980 and subsequent amendments	To be identified at sub-project level during detailed E&S assessment	Yes (If identified during detailed E&S assessment)	If diversion of forest land is involved in the subproject	State Environment and Forest Department, MoEF&CC	DPR Consultant
5.	Ancient Monuments and Archaeological sites & Remains Act 1958	To be identified at sub-project level during detailed E&S assessment	Yes (If identified during detailed E&S assessment)	If any archaeological site in the vicinity of subproject site	Archaeological Survey of India, State Dept. of Archaeology	DPR Consultant
6.	The Water (Prevention and Control of Pollution) Act, 1974	Yes	Yes (Consent to be obtained for utilization of water from ground water board)	Measure to be taken during project cycle especially construction phase towards prevention of water pollution	State Pollution Control Board, CPCB	Contractor



S. No	Law/ Regulation/ Guidelines	Applicability (Yes/No)	Clearance/ Consent to be obtained (Yes/No)	Relevance	Clearance/ Consent to be obtained (Yes/No)	Responsibility for Obtaining Clearance/ Consent
7.	The Air (Prevention and Control of Pollution) Act. 1981	Yes	No (However, Ambient Air quality standards to be followed and record to be maintained)	Measure to be taken during Project cycle especially during construction phase towards prevention of air pollution	State Pollution Control Board, CPCB	Contractor
8.	Noise Pollution (Regulation and Control) Act, 1990 and subsequent amendments	Yes	No (However, Ambient Noise level to be followed and record to be maintained)	Construction machineries and vehicles to conform to the standards for construction. Measure to be taken during project cycle especially during construction phase towards prevention of air pollution	State Pollution Control Board, CBCB	Contractor
9.	Wetlands (Conservation and Management) Rules, 2017	To be identified at sub-project level during detailed E&S assessment	Yes (If identified during detailed E&S assessment)	Permission is required if any wetland notified by the Central Government, State Government falls within project site	Wetland Authority; MoEF&CC	DPR Consultant
10.	Assam (Control of Felling & Removal of trees from Non-forest Land) Rules, 2002	To be identified at sub-project level during detailed E&S assessment	Yes (If identified during detailed E&S assessment)	If felling of trees as defined in Assam (Control of Felling & Removal of trees from Non-forest Land) Rules, 2002 is involved	Environment and Forest Department, Assam	DPR Consultant
11.	The Motor Vehicle Act. 1988 and subsequent amendments	Yes	Yes (From State Pollution Control Board for HMV & LMV)	All vehicles/equipment used for construction will need to comply with the provisions of this act.	State Motor Vehicles Department	Contractor
12.	Solid Waste Management Rules, 2016	Yes	No	Effective management and disposal of various waste during construction and operation stage	MoEF&CC and various concerned departments	Contractor
13.	Construction and Demolition Waste Management Rules, 2016	To be identified at sub-project level during detailed E&S assessment	Yes			Contractor
14.	The Building & Other	Yes	Yes	Key legislations providing guidelines	District Labour Commissioner	Contractor



S. No	Law/ Regulation/ Guidelines	Applicability (Yes/No)	Clearance/ Consent to be obtained (Yes/No)	Relevance	Clearance/ Consent to be obtained (Yes/No)	Responsibility for Obtaining Clearance/ Consent
	Construction Workers (Regulation of Employment & Conditions of Service) BOCW Act, 1996			for onsite labour and worker management and welfare during construction		
15.	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	Yes	Yes (In coordination with revenue authorities)	If acquisition of land/ asset/ loss of livelihood for acquisition of land is involved.	Gol and GoA	PMU/PIU
16.	The STs and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	To be identified at sub project level during detailed Environmental and Social assessment	Yes (If identified during detailed E&S assessment)	Consent of community is required to procure forest clearance for a project if the sub- project requires diversion of forest land where rights of Primitive Tribal Groups or Primitive Agricultural Community may get hampered	Ministry of Tribal Affaires	PMU/PIU
17.	The Antiquities and Art Treasures Act, 1972 and Indian Treasure Trove Act, 1878, Amended in 1949	Chance find	Yes (If identified during detailed E&S assessment)	In case of sudden encounter with anything valuable at any stage of project cycle.	District Collector/Commissioner	PMU/PIU

## PART C - ESMPF: SAFEGUARDS PROCEDURES

### I. SAFEGUARDS PROCESSING

#### a. Subprojects Screening and Safeguards Classification

51. Subprojects screening is carried out to avoid the potential environmental risks, activities located in or directly adjacent to key biodiversity area or national protected areas-including wildlife sanctuaries or reserves, forests, cultural heritage sites, and all cultural resources and other socially sensitive areas will be excluded from the project scope through the application of the E&S screening and project categorization guidance.

52. The Environmental and Social Management Planning Framework is prepared to guide the preparation of safeguard documents for sub-projects'. This Framework provides a broad outline for conducting Environmental and Social Assessment at Sub-Project Level based on the sampling environmental and social assessment and preparing a generic ESMP during ESMPF Development stage. The flow chart of activities for conducting environmental and social assessment is provided in Figure 2 below:

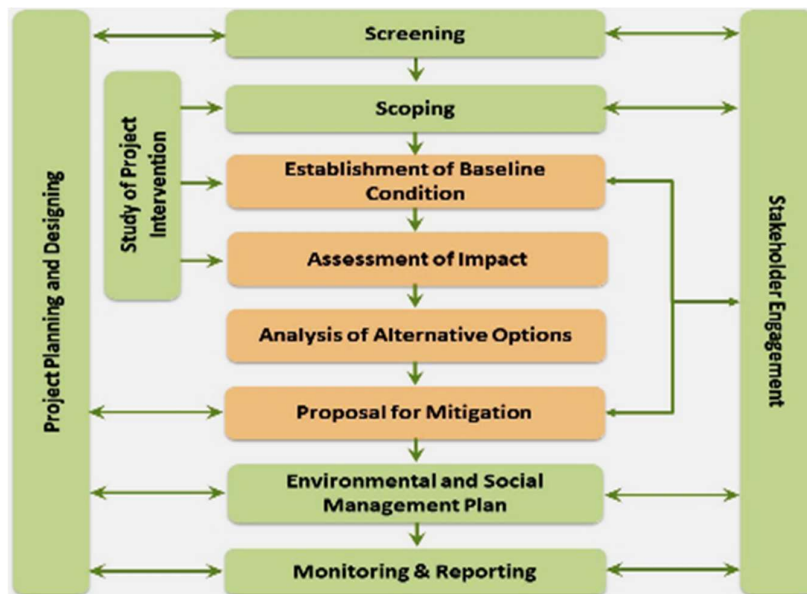


Figure 2: Flow of activities for conducting Environmental Assessment

53. The AIIB's ESF determines the project category by the type of the project's component presenting the highest environmental or social risk, including direct, indirect, cumulative and induced impacts, as relevant, in the project area. The ESS covers environmental and social assessment and management, involuntary resettlement and vulnerable/indigenous people. These standards require clients to implement structured process of impact assessment, planning, and mitigation to address the adverse effects of projects throughout the project cycle. Together, the ESP and the ESSs comprise an environmental and social management which require that: (i) environmental and social screening and categorization is ensured early, (ii) future project environmental and social threats and impacts are analyzed; (iii) measures are identified to prevent, reduce, mitigate, cover or make up for project environmental and social impacts; (iv) a process to consult the public on environmental and social risks and impacts of projects and to disclose information is provided. The ESF apply to all AIIB- financed projects, including private sector operations, and to all project components.





54. All sub-projects shall follow the environmental assessment procedures to meet the requirements of the AIIB's ESF and the Government of India's EIA notification 2006. Any sub-project which is not subjected to these procedures shall not be put forward for consideration or inclusion under the project. These procedures shall be implemented by PMU with the support of the Project Implementing Units (PIUs).

**i. Study of Proposed Subprojects**

55. The design report and other relevant documents to be studied thoroughly. This will help to understand the various components of proposed project, requirement of land acquisition, requirement of raw material and utilities, potentially applicable environmental legislations/policies, negative impacts on STs, etc. The details of the project would give an understanding of the following details:

- a. Geographic coordinates and locational information
- b. Corridor of Impact (CoI) and Important E&S Features within the CoI
- c. Details on type of technology, material sources, work methodology/sequencing, key equipment/machinery and manpower proposed to be used and other such technical details
- d. Construction methodology and strategies proposed for the execution of works
- e. Impact on existing utilities and infrastructures
- f. Probable impact on natural and social resources
- g. Waste generation potentiality

56. The subprojects are located in Golaghat, Jorhat, Lakhimpur, Dhemaji, Barpeta, Sivasagar, Dibrugarh and Tinsukia Districts of Assam and provide inter-lineage between rural roads and NHs, connectivity with districts of Assam State and further provides connectivity to Nagaland, Arunachal Pradesh and Myanmar.

57. The proposed improvement and upgradation will have a top width of 12m, consisting of 7m carriageway with 1.5m paved shoulder on either side, along with 1m earthen shoulder on each side. Sub-projects will have up-gradation of curvature improvement and realignment, widening, flexible pavement, rearrangement of junctions, roadside drains, bridge and cross drainage structures, user facilities, traffic control and safety measures etc.

58. **A15 Dhodar Ali & A20 Sivasagar Nakachari Kamarbandha:** These sub-projects are part of the Dhodar Ali (212 km), a historical road constructed in the year 1687 by Ahom king Gadadhar Singha. The road starting from Kamargaon on NH-37 in Golaghat to Jeypore in Dibrugarh touching important places Golaghat, Titabor, Mariani, Amguri. It runs through districts of Golaghat, Jorhat, Charaideo, Sivasagar and Dibrugarh districts in Upper Assam holding significance for neighboring states. The total length of the sub-projects is 140.53 Km, the existing width varies from single to two lanes which is inadequate to cater to the traffic demand and satisfactory user experience. These are a continuous stretch of Dhodar Ali and a portion of A20\_1 which connects Sivasagar with Simaluguri. The sub-projects serve as alternative route to NH-37 to decongest the city of Jorhat, Sivasagar, Dibrugarh and Tinsukia and dedicated commercial routes for the major tea gardens, oil and gas fields, refineries, etc. These roads also provide the inter-lineage between rural roads and NH connecting districts of Assam, Nagaland, Arunachal Pradesh and Myanmar, which is important for socio-economic development of the region.

59. **A31 Majuli to Bhogalmara via Dhunaguri Road:** The Sub-project is located in the districts of Majuli and Lakhimpur and has a length of 19.24 Km. Majuli District is the largest river island in the world, situated on the Brahmaputra River in Northeastern Assam. The sub-project starts from Balichapori in Majuli district and ends at Bhogalmara on SH-43. It moves in the north-west direction where it traverses through a wooden bridge constructed over River Luit entering Lakhimpur district then it moves in north direction towards Kaniajan No. 1 and Aunibari village before reaching Dhunaguri Ghat.



There is no existing bridge over Subansiri River, from Dhunaguri gaon the sub-project passes through the Dhunabari Minimarket, Khanikar village, Likhak Gaon, Sandahkhowa before ending at Bongalmara on SH-43.

60. **A22 Dhakuakhana Butikur Tiniali Telijan Road:** The Sub-project is located in the district of Lakhimpur and Dhemaji and has a length of 33.30 Km. It is a single lane road and conditions varying from poor to fair. The sub-project starts from Dhakuakhana and traverses through a number of settlements viz. Huzgaon, Jiamoria, Deolia Govindapur, Harhi Dimoruguri Gaon, Amaloguri, Heraipowa, Kothalguri, Borak miri, Borak Gaon, Begenagarha before ending at Telijan on NH-15. It is an important road connecting NH 52 (at Telijan), Dhakuakhana, Dhemaji, Majuli and other important towns and settlements. The sub-project provides connectivity to Dhemaji which has good educational and healthcare facilities, market places, and railway station. The road further from Dhakuakhana leads to Majuli island and is the only road connectivity to the island. The sub-project is important for socio-economic development of the region, connectivity with districts of Lakhimpur and Dhemaji and further connectivity to the state of Arunachal Pradesh.

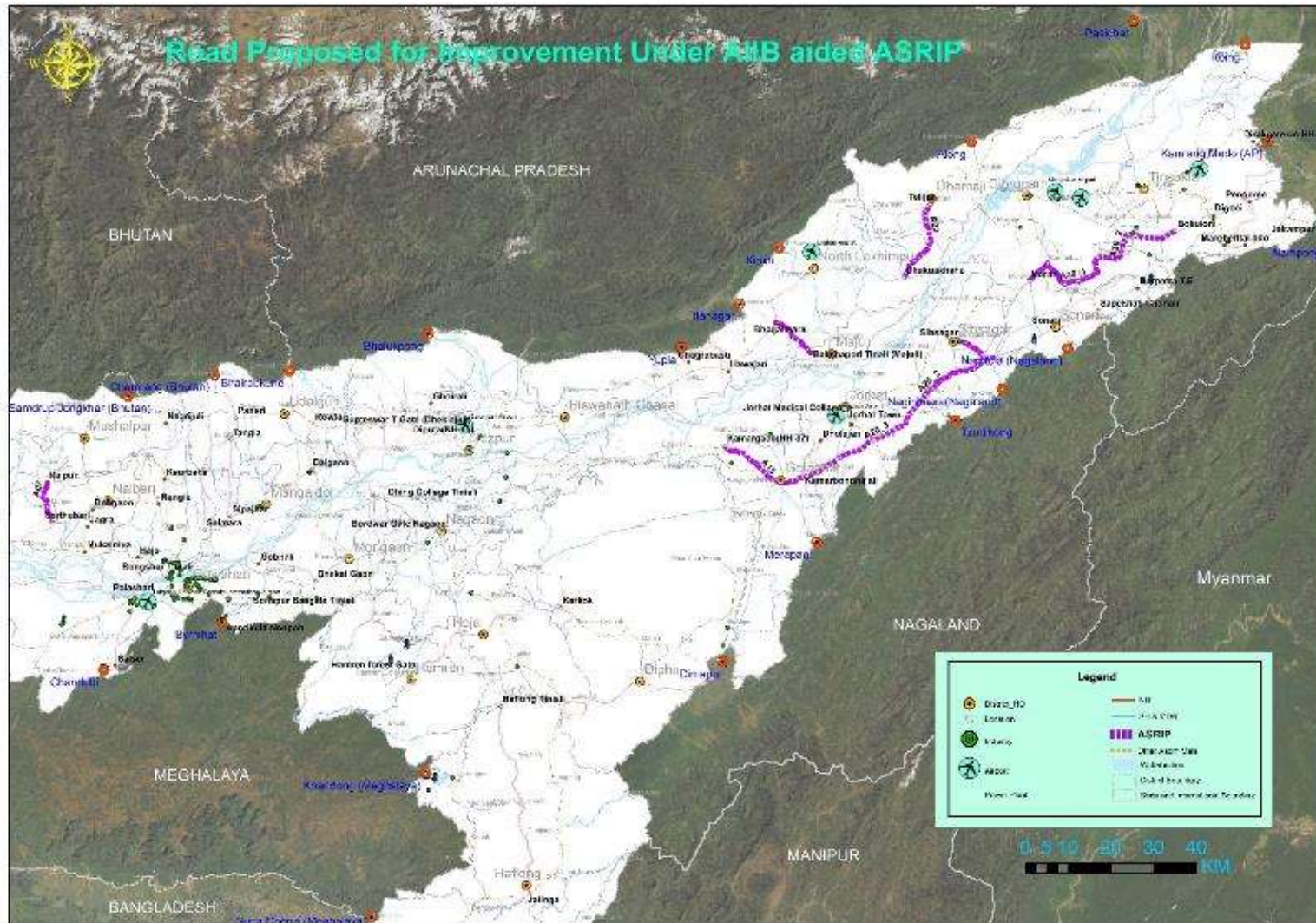


Figure 3: Location of Sub-projects



### **A30 Moran Naharkatia Kathalguri Road**

62. The sub-project is located in Dibrugarh district, it starts from Moran on NH-37 and ends at Kathalguri and has total length of 70.53 Km. It is single lane with paved and earthen shoulders and has carriageway of 6 to 7 metre and RoW of 8.5-22.6 metres. The sub-project traverses through settlements of Moran Town, Teloikinar Bongali, Rajgarh, Sapkait no.1, Paniyabbura Pathar No.1, Disang Kinar Bangali, Disang Kinar Bangali, Mohamari gaon no.1, Duliajan, Da-Hukuta, Joloni, Padumoni gaon and ends at Bhadoi Panchali in Kathalguri. It is an important road connecting NH 37 (at Moran), NH 315A (at Duliajan), NH 38 (at Digboi), important towns and settlements, tea estates (Dibrugarh is known as the Tea City of India), Kathalguri Gas base Power Plant and Digboi Refinery. The sub-project is important for socio-economic development of the region, connectivity with districts of Dhemaji, Jorhat, Tinsukia, Sivasagar and further connectivity to the states of Nagaland & Arunachal Pradesh.

### **63. A07 Sarthebari Rampur Pathsala Road**

64. The sub-project is located in the newly created district of Bajali and Barpeta, it starts at Sathebari, at Y-intersection of SH-9 and SH-9A and ends at Pathasala the district headquarter on NH-27. The carriageway width of the road varying from single lane to Intermediate lane with earthen shoulder. The entire stretch of the sub-project is in plain terrain and having very poor condition. It passes through Sarthebari, Gomura, Batiya, Lankeparakuchi, Parakuchi, Rampur, Bongaon, Bagan, Tapattari, Malipara, Raipur and Dharmatala settlements. It also provides access to about 50 educational institutions, 2 hospitals and provides access to higher education, especially for the girl students, of nearly 16 villages. Sathebari is main hub for Bell Metal industry, which is the second largest handicraft sector in Assam. The objects such as utensils, bowl, tal, bell, etc. made from bell metal is mostly used for domestic and religious purpose. About 500 cottage industries and more than 2,000 registered artistic skilled workers and craftsmen involved in manufacturing and designing of bell metal products.

65. The sub-project provides better connectivity with major tourist attractions such as Dumuria, Kalgachia, Sarupeta, Manas National Park, Barpeta Satra, Chinpara Vithi, Sundaridiya Satra, and Patbaushi Satra in Barpeta district. The sub-project is an alternative route to existing NH-27 which is a toll road for traffic plying from West Bengal, Sikkim, Bhutan and travelling towards Guwahati, Arunachal Pradesh and Bangladesh.

#### **ii. Environmental and Social Selection Criteria**

66. Each subproject shall be initially screened to understand the nature and significance of anticipated environmental and social impacts by using AIIB's ESF. Following the initial screening AIIB shall confirm the environmental and social categorization of each sub-projects as A, B or C in accordance with the AIIB ESF. Categorization as A or B under the criteria of the EIA notification 2006, of MoEFCC will also be determined and intimated to AIIB.

67. Based on the screening and assessment of the sub-projects, the project is tentatively assigned Environmental and Social Category A as per AIIB ESF. The sub-projects do not require environmental clearances from MoEFCC as per EIA notification 2006 as amended, none of the subprojects are passing through any protected area (wildlife sanctuary, national park etc).

68. During desk review, a portion of sub-project A20\_3 Kamarbandha to Nakachari is found to be within Eco-Sensitive Zone (ESZ) of Hollongapar Gibbon WLS. The proposed sub-project is an existing road and improvement and upgradation work is to be proposed with detail study and identification of environmentally sensitive issues and enhancement measures after consultation with different stakeholders and discussion in depth with the Department of Environment and Forest, Assam. Biodiversity assessment shall be carried out to identify if project area is in critical habitat for any threatened species, if so, appropriate mitigation measures should be proposed in the ESMP.



69. The following Criteria shall be applied for selection of subprojects:
- i. The sub-project selected will be part of priority roads that shall enhance regional connectivity.
  - ii. As much as possible all efforts shall be made to avoid sub-project passing through or near eco sensitive areas such as designated wild-life sanctuaries, national parks, notified ecological sensitive areas or area of international significance (e.g., protected wetland designated by the Wetland Convention). If absolutely unavoidable, project passing through critical habitat areas can be selected only (i) if no alternatives are available, (ii) there are no measurable adverse impacts, or likelihood of such, on the critical habitat that could impair its high biodiversity value or ability to function (iii) the sub-project is not anticipated to lead to a reduction in the population of any recognized endangered or critically endangered species or a loss in area of the habitat concerned such that the persistence of a viable and representative host ecosystem be compromised (iii) any lesser impacts can be mitigated to achieve no net loss of biodiversity (iv) a comprehensive analysis demonstrates the overall benefits from the project substantially outweigh the project costs, including environmental costs (v) Any conversion or degradation can be appropriately mitigated and (vi) the wildlife agency supports the sub-project.
  - iii. Biodiversity assessment of each sub-project roads shall be carried by following the steps - (i) Define area of influence (AoA) of the project road based on sensitivity (land use, flora, fauna both terrestrial and aquatic). (ii) Screen for possible habitats within Area of Influence. (iii) Identify species present in the AoA (local, national protected, IUCN Redlist). (iv) Identify presence of nationally notified protected areas and international important area such as IBAs, KBAs, and biodiversity hotspots. (v) Analyse and Assess if the project area is a critical habitat for any species of IUCN threatened and nationally protected category. (iv) Assess impacts of project on these species and propose mitigation measures for project EMP. These steps shall be undertaken based on literature review, desk top research, field data collection, consultations with key stakeholders, and expert analysis. IFC PS 6 and GN6 along with AIIB ESP shall be referred while undertaking the biodiversity assessment.
  - iv. As much as possible sub-project or sections passing through reserved forests where enough ROW is not available must be avoided. If absolutely unavoidable, project passing through reserved forests can be selected only (i) if no alternatives are available, (ii) mitigation measures can be designed to achieve no net loss of biodiversity (iii) a comprehensive analysis demonstrates the overall benefits from the project substantially outweigh the project costs, including environmental costs (iv) Any conversion or degradation can be appropriately mitigated.
  - v. As much as possible sub-project passing through or near cultural heritage designated by UNESCO or declared as archeologically protected by GOI must be avoided. If absolutely unavoidable, project passing through or near such sites be selected only (i) if no alternatives are available, (ii) consultation is undertaken with the community and regulatory agencies entrusted with protecting the cultural heritage and they support the sub-project (iii) the overall benefits from the project substantially outweigh the anticipated cultural heritage loss.

#### **b. Preparation of Safeguards Instruments**

70. The impact assessment process shall be carried out by reconnaissance surveys, field visits, consultation with stakeholders, review of existing data, identification of adverse impacts, and preparation of Environmental and Social Management and monitoring plans. The stepwise activities to be carried out include:
- a. Review of legal requirements
  - b. Review of the feasibility study



- c. Reconnaissance survey for identification of key issues, data requirement and preliminary consultation
- d. Primary and secondary data collection
- e. Consultation with stakeholders
- f. Identification of impacts and mitigation measures.

**i. Data Collection**

71. Primary and secondary data on the Physical, Ecological, and Socio-economic resources are to be collected to provide baseline conditions to be used in impact assessment and monitoring plan design.

72. Baseline data shall include but not limited to following:

- ▶ Primary data shall define characteristics of the existing natural environment including soil, water, air, noise, land use, cultural properties and flora & fauna
  - a. Monitoring to be carried at critical locations.
  - b. Identification of residential, commercial, industrial and forest areas for monitoring
  - c. Air and Noise Monitoring at settlements, school and hospitals etc.
  - d. Water Monitoring at river/streams/ponds and ground water sources near settlements.
  - e. Tree inventory to be carried out, in consultation with the Forest Department.
  - f. Inventory of Cultural Property Resources shall be done along with measurements, details and photographs; consultation shall be done for gathering public opinion.
- ▶ Secondary Data to define meteorology, geology, seismicity, quarries, borrow areas, disposal sites etc.
  - a. Details of quarry and borrow areas that are likely to be used shall be collected (Photographs, measurements and public opinion) and a comprehensive plan for extracting material shall be prepared.
  - b. Meteorological data from IMD, Topo-sheets and maps from Survey of India, geological and soil data from Geological survey of India.
  - c. Social data including ownership pattern, identification of tribal, vulnerable social groups, land estimates etc.

**ii. Public Consultation**

73. Consultations are to be conducted during different stages i.e. reconnaissance, detailed design, and design review with key stakeholders that includes local and beneficiary population, government departments/ agencies, road users, and project-affected persons. These consultations allowed the interaction between the stakeholders and road designers to identify road features and construction methods that will enhance road upgrading and minimize potential impacts. Information gathered is to be integrated into the project design and formulating mitigation measures and Environmental and Social Management Plan.

74. Individuals and group consultations shall be carried out as in order to understand the needs and concerns of project affected persons and local community in general. The issues for discussion shall include potential project impacts, alternative design options, relocation of community property resources, etc. All the participants shall be informed in advance about the date, venue and time of the consultation and their presence to be noted in the form of an attendance sheet.

**c. Consultation and Disclosure**

75. Public consultations must be held early on in the project and continuously throughout the project development stage to allow the incorporation of relevant views of the stakeholders in the final



project corridor design, mitigation measures, implementation issues, and enhance the distribution of benefits. The EIA, SIA and detailed design must be shared with the affected people and key stakeholders to ensure that all their relevant concerns have been incorporated. Stakeholders should include project beneficiaries, local affected people, government bodies, and non-governmental organizations. Consultations need to be carried out in an environment free of coercion and may be done through meetings, focus group discussions, interviews, hearings which shall start with the description of the project corridor design and initial identification of potential impacts. The consultations must encourage women participation and engage as many stakeholders as possible. All consultations conducted must be documented clearly in the EIA report with details on date, venue, issues discussed, total number of male and female participants. The findings of the EIA / SIA must be shared in a form or nature that is accessible and understandable by the affected persons and relevant stakeholders.

76. When selecting an appropriate consultation technique, culturally appropriate consultation methods, and the purpose for engaging with a stakeholder group should be considered. The consultation program will be conducted at several levels that will include: (i) Community Members, elected representatives and officials of local administrative bodies, Gram Sabha, Ward level members; and (ii) Implementing Agency and line Departments. Several rounds of consultations will be conducted during EIA preparation and ESMP implementation. As a follow-up of the local-level consultations held during project preparation, further consultations will be conducted by the CSC/AE during implementation.

77. Information on EIA and ESMP needs to be disseminated, this will involve environmental impacts, mitigation and enhancement measures to the stakeholders and soliciting their support and cooperation. The executing agency will ensure that views of stakeholders related to the environmental enhancement are considered and addressed. The CSC/AE will ensure that groups and individuals consulted are informed about the outcome of consultations and confirm how their views were incorporated.

78. **Information Disclosure:** Information will be disseminated at various stages of the project through project selection, preparation and project implementation period. For the benefit of the community in general, Executive Summary of EIA Report of the sub-projects 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 EIA process, prior to award of civil work contract.

79. Information dissemination is the means by which facts are distributed to the public at large. 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. 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.

80. Executive Summary of EIA Report will be disclosed to community, detailing information including environmental impact, mitigation measures proposed, grievance procedures. This will be done through public consultation and distribution of brochures, leaflets in vernacular language. Copies of Executive Summary of EIA 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.

81. The ESMPF and EIA will be placed on the official website of the State Government and the official website of AIIB after approval and endorsement of the ESMPF and EIA by PMU and AIIB. Furthermore, there will be a notification on the start date of subproject implementation. The notice will be issued by the PMU in local newspapers a month ahead of the implementation works.



## II. GRIEVANCE REDRESSAL MECHANISM

82. 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.

### a. Mechanism for Grievance Redressal

83. The GRM shall be established at four levels viz. Site Level (First Level Grievance), PIU Level (Second Level Grievance), PMU Level (Third Level Grievance), Land Acquisition Resettlement & Rehabilitation (Fourth Level Grievance) and Court of Law to address grievances/ complaints. The grievance redress mechanism is given in Figure 4. 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.

84. **First Level:** When grievances arise, complainant will first need to contact the respective person of the Contractor, CSC/AE and the site engineers. The site level resolution of complaints shall be done within 2 weeks. The Contractor will maintain the records of complaints and the outcome of the solutions.

85. **Second Level:** The complainant will need to contact PIU to file complaints on non-resolution at the site level. The address and contact number of the PMU office will be provided in the project information leaflet. The PIU, supported by CSC/AE, is the second tier of GRM which offers the fastest and most accessible mechanism for resolution of grievances. The Environmental officer and Social Officer of PIU, supported by CSC/AE, will be designated as the key officers for grievance redress. Resolution of complaints will be done within 2 weeks. At this stage, Environmental officer & Social Officer will inform the PMU 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., affected persons, contractors, etc.). Grievances will be documented and personal 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 2 weeks. The contractor will have observer status on GRC.

86. **Third Level:** The Environmental Officer of each PIU will activate the third tier of GRM by referring the unresolved issues (with written documentation) to the PMU, who will pass unresolved complaints upward to the Grievance Redress Committee (GRC). A hearing will be called by the GRC, if necessary, where the affected person may present his/her concern/issues. The process will facilitate resolution through mediation. The PMU level resolution of complaints shall be done within 1 month.

87. **Fourth Level:** The PMU/GRC will activate the fourth tier of GRM by referring the unresolved issues (with written documentation) to the Land Acquisition Resettlement & Rehabilitation, who will pass unresolved complaints upward to the Grievance Redress Committee (GRC). The Land Acquisition Resettlement & Rehabilitation level resolution of complaints shall be done within 6 months.





88. Alternatively, the affected 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.

89. The PMU and PIUs, supported by CSC, 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) Site offices/ CSC.
- ▶ E-mails to respective email address.
- ▶ SMS or WhatsApp to respective mobile number(s) dedicated for GRM.
- ▶ Using the complaint register and complaint forms (Figure 4) available at the office of PMU/ PIU/ Site offices/ CSC.

90. 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/ Site offices/CSC/AE/ 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 supported by the CSC/AE/RP Implementing Agencies.

#### **b. Grievance Redress Committee (GRC)**

91. A Grievance Redress Committee (GRC) will be established at the PWRD state level and at the PIU level to assure accessibility for APs. The GRCs are expected to resolve grievances within a stipulated time period of 2 weeks each at the Site level and PIU level, and one month at the PMU level. If the displaced person is not satisfied with the decision of the GRC, the complainant can approach the court of law. At any point in the redressal process the aggrieved person can approach the Land Acquisition and Resettlement and Rehabilitation Authority.

92. The PMU level GRC will comprise of the:

- ▶ Chief Engineer (EAP), PWRD, GoA or any authorised person, who should not below the rank of Executive Engineer
- ▶ Nodal Officer, Asom Mala – Member Secretary
- ▶ Resettlement Officer, PMU supported by RP Implementation Agency and/ or PCMC
- ▶ Environmental Officer, PMU supported by CSC/AE and/ or PCMC
- ▶ Representatives from local person of repute and standing in the society or elected representative from Panchayat/ Zilla Parishad /District Council
- ▶ Representative from the PIU, supported 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

93. The PIU level GRC will comprise of the:

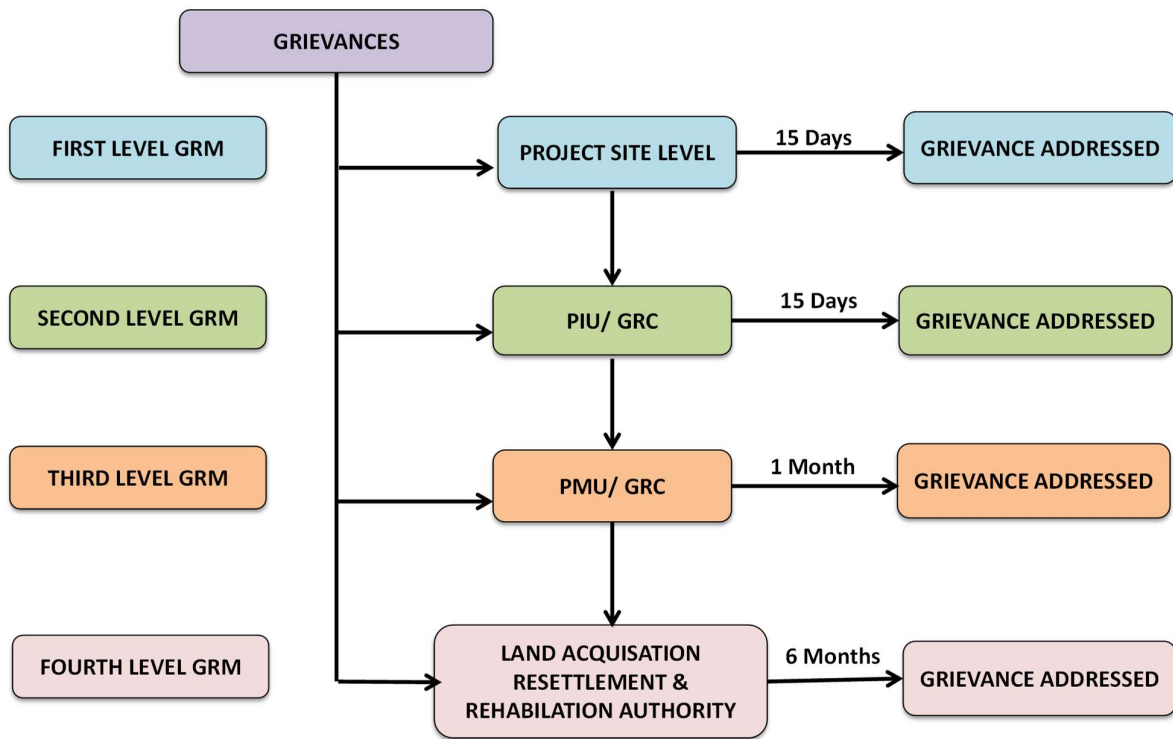
- ▶ Representative of PIU, above the rank of Sub-Divisional Officer
- ▶ Resettlement Officer, PIU supported by RIA
- ▶ Environmental Officer, PIU supported by CSC/AE
- ▶ A representative from local person of repute and standing in the society or elected representative from Panchayat/ Zilla Parishad /District Council.

- ▶ A representative for women from a relevant agency which could be from the government, or RP Implementation Agency or local community
- ▶ A representative from Vulnerable DPs
- ▶ A representative of the local Deputy Commissioners office (land), if the grievance is of acquisition land 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.

94. The functions of the GRC are as follows: (i) resolve problems quickly and provide support to affected persons 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); asset acquisition; and eligibility for entitlements, compensation and assistance; (ii) reconfirm grievances of displaced persons, categorize and prioritize them and aim to provide solutions within a month; and (iii) report to the aggrieved parties about developments regarding their grievances and decisions of the GRC.

**c. Grievance Redressal Process**

95. The Grievance Redress Process is presented in Figure 4.



**Figure 4: Environmental and Social Grievance Redressal Process**

96. 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 (including the description of the grievance) with an acknowledgement of receipt given to the complainant when the complaint is registered;
- ▶ 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.

97. The updated register of grievances and complaints will be available to the public at the PMU office. Should the grievance remain unresolved, the person can seek alternative redress through the appropriate court of law which will be the last level recourse or the AIIB’s redress mechanism.

98. During preparation of EIA or at least during pre-construction stage 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.

99. Environment Safety Officer of contractors and Construction Supervision Consultant shall promptly investigate and review environmental complaints and implement appropriate corrective actions to mitigate cause of the complaints. However, in all cases, it shall be responsibility of contractors to act immediately upon receiving any complaint related to construction activities at site and camps.

100. The GRC meeting shall be conducted within 30 days of constitution and subsequently it shall be conducted every month to review status of pending cases.

101. The PMU, with the assistance of the PCMC will be responsible for processing, maintaining database of complaints, recording decisions, issuing minutes of the meetings, and monitoring to see that formal orders are issued and the decisions carried out.

102. The monitoring reports of the ESMP implementation will include the following aspects pertaining to progress on grievances: (i) number of cases registered with the PIU, at what level of jurisdiction, number of hearings held, decisions made, and the status of pending cases; and (ii) lists of cases in process and already decided upon may be prepared, with details such as name, ID with unique serial number, date of notice, date of application, date of hearing, decisions, remarks, actions taken to resolve issues, and status of grievance(i.e., open, closed, or pending).

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

**Sample Grievance Registration Form**

*(To be available in Assamese and English)*

104. 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.

105. 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>	

**106. FOR OFFICIAL USE ONLY**

<b>Registered by:</b> (Name of Official registering grievance)			
<b>Verified through:</b>	<input type="checkbox"/> Note/Letter	<input type="checkbox"/> E-mail	<input type="checkbox"/> Verbal/Telephonic
<b>Reviewed by:</b> (Names/Positions of Official(s) reviewing grievance)			
<b>Action Taken:</b>			
<b>Whether Action Taken Disclosed:</b>		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Means of Disclosure:</b>			

**অভিযোগ পঞ্জীয়ন প্র-পত্ৰৰ নমুনা**

প্রকল্প ৰূপায়ণ সম্পর্কত অসম চৰকাৰৰ গড়কাপ্তানী বিভাগে অভিযোগ, পৰামৰ্শ, অনুসন্ধান, মন্তব্য বিচাৰে। স্পষ্টীকৰন আৰু প্ৰতিক্ৰিয়াৰ বাবে অভিযোগকাৰীৰ লগত যোগাযোগ কৰিবলৈ সক্ষম হবলৈ আমি অভিযোগকাৰী সকলক তেওঁলোকৰ নাম আৰু ঠিকনাৰ তথ্য দিবলৈ আহ্বান জনাওঁ।

আপুনি যদি আপোনাৰ ব্যক্তিগত তথ্য দিব বিচাৰে আৰু সেই তথ্য গোপন ৰাখিব বিচাৰে, তেনেহলে আপোনাৰ নামৰ ওপৰত (গোপনীয়/CONFIDENTIAL) লিখি দিব/টাইপ কৰি দিব।

তাৰিখ:	পঞ্জীয়নৰ স্থান:	
যোগাযোগৰ তথ্য/ব্যক্তিগত তথ্য:		
নাম:	লিঙ্গ:	বয়স:
ঠিকনা:		
গাওঁ/চহৰ:		
জিলা:		
ফোন নং		
ই-মেইল:		



অভিযোগ/পৰামৰ্শ/মন্তব্য/প্ৰশ্ন - আপোনাৰ অভিযোগৰ সবিশেষ (কোন, কি, কত আৰু কেনেকৈ) তলত দিবঃ
যদি সংযোজন/চিঠি/টোকা আদি গাথি দিয়া হৈছে, তেনেহলে ইয়াত টিক চিন্হ দিবঃ
প্ৰতিক্ৰিয়া অথবা আপোনাৰ অভিযোগ/মন্তব্য সংক্ৰান্তত নতুন তথ্যৰ বাবে আমাক আপোনাৰ লগত কেনেধৰণে যোগাযোগ কৰাটো বিচাৰে?

কাৰ্য্যালয়ৰ ব্যৱহাৰৰ বাবে

পঞ্জীয়ন কৰোতাঃ (অভিযোগ পঞ্জীয়নকাৰী বিষয়াৰ নাম)
যদিঃ <ul style="list-style-type: none"><li>• টোকা/চিঠি</li><li>• ই-মেইল</li><li>• মৌখিক/টেলিফোনযোগে</li></ul>
পৰ্যবেক্ষণকাৰীঃ (পৰ্যবেক্ষণকাৰী বিষয়াৰ নাম আৰু পদবি)
ইতিমধ্যে লোৱা ব্যৱস্থাঃ
ইতিমধ্যে লোৱা ব্যৱস্থা প্ৰকাশ কৰা হৈছে নে নাইঃ <ul style="list-style-type: none"><li>❖ হৈছে</li><li>❖ হোৱা নাই</li></ul>
প্ৰকাশ কৰাৰ ধৰণঃ

Figure 5: Sample Grievance Registration Form

### III. SUBPROJECT LEVEL SAFEGUARDS MONITORING

#### a. Monitoring of ESMP compliance

107. The contractors should conduct testing of environmental parameters for air quality, noise level, soil quality and water quality during pre-construction, construction and operational phases of the project and implement proposed mitigation measures. The Environmental and Social expert of CSC/AE shall ensure monitoring of environmental and social aspects. During construction phase, contractor should ensure that activities like handling of earth works, disposal of debris, storage of materials, labor camps, putting proper traffic signals is done properly to have minimum impact on the environment and affected communities. Other environmental good practices include sanitary waste management, noise abatement, maintaining hygienic conditions, maintenance of fire and safety equipment.



108. The Environmental and Social staff of CSC/AE will ensure that site engineers and contractors adhere and comply with all measures and procedures identified in the ESMP. Activities to be monitored should include, but are not limited to:

- i. All planning, coordination and management activities related to the implementation of E&S safeguard issues;
- ii. The identification of corrective and preventive actions;
- iii. Records of health and safety matters and training activities;
- iv. Consultations with project affected people (as and when needed, particularly during the implementation);
- v. Feedback, trouble shooting and project related grievances;
- vi. Ensuring that livelihoods, where negatively impacted, are restored to pre-Project levels;
- vii. Preparation of progress and monitoring reports as required by the funding agency, and
- viii. Verifying the projects overall compliance with safeguard measures and its progress towards achieving
- ix. the intended loan outcomes.

#### **b. Monitoring of ESMoP Compliance**

109. Monitoring of environmental and social parameters has to be performed by CSC/AE as per contract provisions to ensure minimum negative impacts to the environment and affected communities due to the project. The monitoring activities of the project include site supervision, verification of permits, monitoring of water quality, soil, noise and air, traffic disruptions, livelihood restorations, Occupational, Health and Safety, etc. Monitoring of the quality of water, soil, air and noise during the construction stage is the responsibility of the PMC. The ESMoP compliance will be monitored by E&S staff of PCMC/PMU.

#### **c. Reporting Line**

110. Mitigation measures related to construction as specified in the ESMP to be incorporated into civil works contracts, and their implementation will be primarily the responsibility of the contractors. In addition, contractors are required to submit monthly progress reports on the implementation of ESMP measures to PCMC/PMU. The PMU will report to the AIIB E&S experts on progress achieved against the ESMP activities and milestones on a half-yearly basis. Progress reports will include a description of implementable activities and their status; identify the responsible parties involved in their implementation; and provide project management schedules and timeframes for doing so, along with their associated costs.

111. The environmental monitoring report will be submitted by the PMC- E&S staff to the PMU, which will include the result of environmental monitoring into its environmental report. The Environment and Social Staff of PMU after interaction with PMC E&S staff will ensure the adequacy of submitted monitoring reports and PMU will further submit these reports to AIIB twice in a year. This report will include the results of environmental monitoring to demonstrate that sound environmental management practices are applied, and the set environments targets are achieved.

112. PMU will engage RP implementing Agency to assist PIU to implement social safeguards activities i.e. (i) implement the Resettlement Plans and Indigenous Peoples Plan, if any (ii) conduct consultations and create public participation in the project and conduct verification surveys and (iii) update respective Resettlement Plan and Indigenous Peoples Plan, if required, in line with the Resettlement Planning Framework and Indigenous Peoples Planning Framework, respectively.



# Resettlement Planning Framework



## PART D - RPF: SAFEGUARDS POLICY PRINCIPLES AND OBJECTIVES

### I. NEED FOR RESETTLEMENT PLANNING FRAMEWORK (RPF)

113. 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 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.

### II. POLICY AND LEGAL FRAMEWORK FOR RPF

114. 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.

#### a. Direct Land Purchase Policy of Assam

115. 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 **Annexure S.2**.

116. 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)

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

- a. 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).
- b. 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.

- c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. 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.

#### **b. Conversion of Eksonia Land to Periodic (Myadi) Patta Land**

118. Eksonia<sup>5</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.

119. 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.

120. 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 6**.

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<sup>5</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.



**Table 6: 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

121. 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.

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

122. 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.

123. 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.

124. 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 **Annexure S.3**.

#### **d. Multiplier on Market Value of Land in Assam**

125. 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 **Annexure S.4**.



**e. Assam RFCTLARR Rules, 2015**

126. 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.).

**f. Resettlement Policy Framework (Addendum) for Assam State Roads Project, February 2018**

127. 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 **Annexure S.5.**

128. 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.



**129. Policies of the Asian Infrastructure Investment Bank (AIIB)**

**g. Environmental and Social Framework (ESF), February 2016 (Amended February 2019)**

130. 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.

131. 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.

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

- ▶ Screening & Categorisation: The AIIB 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**: AIIB 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>

### III. COMPARATIVE ANALYSIS OF NATIONAL, STATE AND AIIB’S REQUIREMENTS, AND MEASURES TO FILL THE GAP

133. A comparison between Government Statutes and AIIB policy has been attempted. The gap-filling measures provided in the entitlement matrix are summarized and presented in Table 7.

**Table 7: 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	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.



Sl. No.	Aspect	AiIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
		Bank.		
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 for them.	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 public hearing, publication and appraisal.  The RFCTLARR Act 2013 detailed preparation of SIA study under Chapter 2, Section 4 through 9.	Social Impact Assessment (SIA) is provisioned with SIA Report at each and every sub-project
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	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	The Entitlement Matrix covers all the vulnerable affected families (Non-Titleholder and Titleholders



Sl. No.	Aspect	AIIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
	vulnerable groups		Vulnerable Assistance Allowances in Schedule 2 of RFCTLARR Act 2013	under normal Acquisition other than Direct Purchase) of Below Poverty Level <sup>6</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 title-holder 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 better income and livelihood status.	RFCTLARR Act 2013 provisioned for Negotiated Settlement	Use of independent external party or RP Implementation Agency to document negotiated settlement and procedures.
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	AIIB ESF requires that a resettlement plan elaborates on displaced persons'	The Cost of Resettlement will be provided by the project authority/ execution	Resettlement Planning Framework has provisioned of the Cost of Resettlement

<sup>6</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
		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. 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.	department/ agency. 17 (1) Upon the publication of the preliminary notification under subsection (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; (c) a list of public utilities and Government buildings which are affected or likely to be affected, where resettlement of affected families is involved; (d) details of the amenities and infrastructural 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.	from the Executing PWRD, GoA
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	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



Sl. No.	Aspect	AIIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
		<p>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.</p>		<p>of the project stakeholders. The Consultancy of RP Implementation Assistance have also been provisioned in the RPF for implementation, PIU &amp; PMU for internal monitoring and supervision. A Third-Party Monitoring and Evaluation Consultant/s will be engaged through Independent Qualified and Experienced Agencies.</p>
13	Consultation with stake holders	<p>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, those affected by the Project.</p> <p>The consultation covers Project design, mitigation and monitoring measures, sharing of development benefits and opportunities on a Project-specific basis, and implementation issues.</p>	<p>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 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.</p>	<p>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.</p>
14	Cut-off Date	<p>Conduct land survey and census as early as possible in Project preparation to establish clear cut-off dates for eligibility and to prevent encroachment.</p>	<p>Those living 3 years prior to acquisition will be considered for benefits.</p>	<p>Cut-off date for the Titleholders as well for the Non-Titleholders have been defined in the RPF.</p>
15	Preparation of R&R Compensation and assistance	<p>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.</p>	<p>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.</p>	<p>The Entitlement Matrix will cover adequate compensation and Resettlement assistance for the non-titleholder DPs at par with the title-holder DPs, but other than land compensation, for these categories.</p>



Sl. No.	Aspect	AIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
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.
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.	The Act has a detailed grievance redress mechanism proposed at all levels starting from the gram sabha up to the Government level.  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).	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 AIB with periodic monitoring reports on Project Executing Agency's performance under the project	The Act provides for National Monitoring Committee for rehabilitation and resettlement and reporting requirements (Chapter VII)  The Central Government may, whenever necessary for national or inter-State projects, constitute a National Monitoring Committee for reviewing	For project with appropriate monitoring and reporting mechanism and frequency will follow AIB ESF based on sub-project categorization.



Sl. No.	Aspect	AIIB ESF Requirement	RFCTLARR Act 2013	Measures to Bridge the GAP
			and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act.	

134. 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.

**a. Land Acquisition and Involuntary Resettlement Principles**

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

136. 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.



## PART E - RPF: SAFEGUARDS PROCEDURES

### I. RESETTLEMENT PLANNING FRAMEWORK

#### a. Principles of RPF

137. 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.

#### b. Scope of RPF

138. 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.

139. 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.

140. 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>7</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
- ▶ 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,

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<sup>7</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 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;

### c. Definitions

141. 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>8</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

<sup>8</sup> Reference: "Revenue Audit Manual on Assam Land Revenue" by Office of the Principal Accountant General (Audit), Assam, 2007



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.

142. **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 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>9</sup> people living alone; and (v) Physically and mentally challenged / disabled people.

**d. Entitlement Matrix**

143. 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.

144. 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 8**.

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<sup>9</sup> All the persons having age of 60 years or more





Table 8: Entitlement Matrix

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
<p><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></p> <p>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.</p>				
1.	<p><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.</p>	<p><b>A. Loss of Land</b> (Homestead Land, Commercial Land, Agricultural Land or Vacant Plot)</p>	<ol style="list-style-type: none"> <li>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> </li> <li>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> </li> <li>In case of acquisition of Eksonia Land, situated under permissible limits as per the Revenue and Disaster Management Department of Govt. of Assam, 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.</li> <li>Solatium will be 100% on the compensation calculated as specified above.</li> <li>The land owner will also get an additional incentive of 25% on total compensation after Solatium, calculated as specified above</li> <li>The land value defined u/s 26 of RFCTLARR Act 2013, will also attract an amount</li> </ol>	<p>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 &amp; Schedule I of RFCTLARR Act 2013.</p> <p>The Price of Direct Purchase (P) will be:  <math display="block">P = 2.5 \times \{(R \times M \times A) + (B + O)\} + [0.12 \times Y \times (R \times M \times A) + (B + O)]</math> </p> <p>Where:</p> <ul style="list-style-type: none"> <li>R is the base rate of Land</li> <li>M is the Multiplier</li> <li>A is the affected area</li> <li>B is the market value of Buildings</li> <li>O be cost of all immovable assets &amp; standing crops</li> <li>Y is the proper or improper fraction of year from date of notification to award of compensation</li> </ul> <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</p>



Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			calculated @ 12% per annum for the period commencing on and from the date of notification <sup>10</sup> till the date of award (Ref. sub-section (3) of Section 30 of RFCTLARR Act 2013).	considered as Leaseholder.
		<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>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) <ul style="list-style-type: none"> <li>• <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.</li> </ul> </li> <li>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).</li> <li>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).</li> <li>4. Solatium will be 100% on the compensation calculated as specified above.</li> <li>5. The land owner will also get an additional incentive of 25% on total compensation after Solatium, calculated as specified above</li> <li>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.</li> </ol>	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.
		<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				

<sup>10</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
Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules 2015 & RFCTLARR Act 2013				
2.	<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>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</p>	<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> <p>Bank account will be in the name of husband and wife.</p>



Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>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>	
		<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 Awaz 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> <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> <ul style="list-style-type: none"> <li>• 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.</li> </ul> <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</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>



Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>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>	The viability of the remainder structure will be certified by the PWD (Building) Department
		<b>C. Rehabilitation &amp; Resettlement Assurances<sup>11</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 RFTLARR 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</li> </ol> <p>Or, If Displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, One-time financial</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, <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>12</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</li> </ol>

<sup>11</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>12</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>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>6. If the displaced family faced displacement or resettlement from any other project or this project previously, the displaced family will be entitled for 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>	<p>during construction, in accordance with qualification required.</p> <p>3. Assistance to access to basic utilities and public services.</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>	<p>1. 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.</p> <p>2. 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:</p> <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> <p>3. 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>	



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 Assurances<sup>13</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>14</sup></p>
4.	Non-titleholders (Encroacher or Squatter)	<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 other immovable assets including Trees and</b>	<ol style="list-style-type: none"> <li>At least 3 months advance notice to shift or to demolish the partial structure.</li> <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</li> </ol>	The replacement cost of structure and other immovable assets shall be determined in accordance with the typical specifications for immovable assets as defined and approved by Appropriate Authority defined u/s 29 of

<sup>13</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>14</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
		standing Crops, attached to the land	period.	RFCTLARR Act 2013.
		<b>C. Rehabilitation &amp; Resettlement Assurances<sup>15</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 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, <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>16</sup></p>
5.	<b>Tenants and Leaseholders of Residential/ Commercial or Residential-cum-Commercial structures</b>	<b>A. Loss of Land</b> Homestead Land/ Commercial Land	No entitlement for loss of land, in which the Tenants or Leaseholders occupy their residential or commercial or residential-cum-commercial structure under 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</b>	1. Structure owners will reimburse tenants and leaseholders with rental deposit for unexpired tenancy/ lease for fully impacted structure <u>Or, Lease/ Rental agreement with reduced rent/ lease rate in appropriate to</u>	

<sup>15</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>16</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>immovable assets</b>	<p>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>17</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 (<i>Ref. Addendum to Resettlement Planning Framework for ASRP, Feb 2018 &amp; regular rental increment of 10% per year</i>)</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 (<i>Ref. Schedule II of RFCTLARR 2013</i>) 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 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>	<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>18</sup></p>
6.	<b>Any persons, other than the persons mentioned</b>	<b>Rehabilitation &amp; Resettlement</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</i></p>	Financial assistance and/or all R&R allowances has been appropriately indexed to the

<sup>17</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>18</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
	above, losing his/ her Livelihood/ source of Income	Assistances <sup>19</sup>	<p>of RFCTLARR Act 2013)</p> <ol style="list-style-type: none"> <li>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>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>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>20</sup></p>
7.	Any families operating their Agricultural Land, Residence and/ or Commercial establishments etc. adjacent to project road	Loss of Permanent/ Temporary Access	<ol style="list-style-type: none"> <li>Three months' advance notice to affected parties</li> <li>Provision of proper alternate access or temporary access during the duration of the temporary loss of access, as the case may be</li> <li>Contractor's actions must ensure there is no income/ access loss through provision of access etc.</li> <li>Restoration/ enhancement of the affected access, land, structure, utilities and common property resources</li> </ol>	
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> </ol>	

<sup>19</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>20</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
			4. Restoration of affected land, structure, utilities	
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 reconstruction 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.	

145. 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.



#### **e. Process of Preparation and Approval of SIA & RP**

146. 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.

##### ***Reconnaissance Survey***

147. 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.

##### ***Subproject Screening and Categorisation***

148. 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.

##### ***Negotiated Settlement***

149. 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.

150. 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.



### ***Secondary Information***

151. 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.

### ***Census Surveys***

152. 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.

153. 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 (CoI) 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 CoI.
- ▶ 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.

154. 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.

### ***Socio-Economic Survey***

155. 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.

156. 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.



157. 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.

***Due-Diligence of Existing RoW/ Land***

158. 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.

***Data Management***

159. **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.

160. **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.

161. **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.

**f. Compensation, Livelihood Restoration and Relocation**

***Compensation and Valuation of Lost and Affected Assets***

162. 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.

#### ***Direct Purchase Policy of State***

163. 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.

164. 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.

165. The Price of Direct Purchase (DP) will be:

$$166. \quad DP = 2.5 \times \{ (R \times M \times A) + (B + O) \} + [ 0.12 \times Y \times \{ (R \times M \times A) + (B + O) \} ]$$

167. 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

168. 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.

169. 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.

170. 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.



### ***Livelihood Restoration***

171. 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 Assistancess.

172. 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.

### ***Relocation***

173. The relocation of the displaced families will be facilitated through 3 months' advance notice to the displaced families and providing R&R assistances 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.

174. 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.

175. 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.

### **g. Resettlement Plan (RP)**

176. 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 AIB Guideline. The draft RP shall be reviewed and endorsed by AIB before finalization and disclosure in the Client's and AIB's website in English and Assamese language.

177. 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 **Annexure S.6**.

### **h. Stakeholders**

178. 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.



**Category of Stakeholders**

179. The Stakeholders has been categorized in four categories:

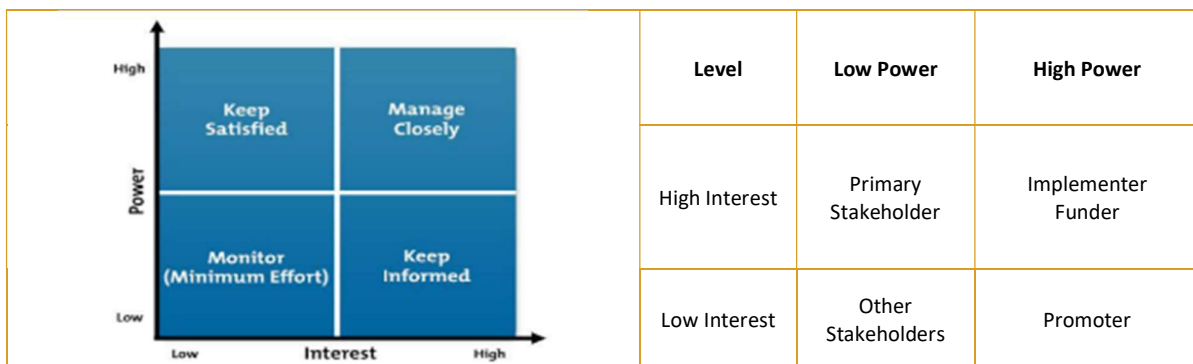
- i. **Primary Stakeholders:** The directly affected persons, e.g., Titleholders, Non-titleholders (Encroachers, Squatters), economically displaced persons (Small Business Enterprises, Tenants, Employees etc.), affected communities, affected CPR users etc. are identified as Primary Stakeholders.

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

**Stakeholder Management**

180. 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 6 presents the level of power/ interest and stakeholder prioritization in the project.



**Figure 6: Power/ Interest and Stakeholders prioritisation**

181. 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.

#### i. Meaningful Consultation

182. 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.

183. 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 9** presents the stakeholder engagement activities to undertaken for the project, though constrained with the outbreak and containment of COVID-19 pandemic.



Table 9: 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>



## j. Information Disclosure

184. 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.

185. 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.

186. 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.

187. 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.

188. 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



189. 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.

190. 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.

191. 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 10** provides a summary of the consultation and disclosure activities to be undertaken.

**Table 10: 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.



### k. Institutional Arrangement and Implementation

192. The capacity development programs need to be conducted to facilitate implementation of the Project in accordance with AIB 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.

193. 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; (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 shall be responsible for developing a training program with separate modules for social safeguards, which will be integrated with the one developed by the capacity development technical assistance, if any. PCMC will provide trainings to PIU/ PMU staff on ESS work including AIB’s requirements in preparation and implementation of required documentation.

### l. Budget and Financing

#### Resettlement Budget

194. 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 Assistances, if any; (iii) Resettlement & Rehabilitation Assistances 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 11**.

**Table 11: 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	Solatum (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	
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	Solatum (100% of E)				Rs. xxx	
G	Total Cost of Acquisition (E+F)					Rs. XXX





Sl. No.	Item	Area	Base Amount	Factor	Amount	Total Amount
<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 Assistancess</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 Assistancess (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>

195. 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.

### **m. Monitoring and Reporting**

#### ***Internal Monitoring***

196. 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 AIB. 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.

197. 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.

#### ***External Monitoring***

198. For subprojects with significant adverse safeguard impacts, the PMU will hire qualified and experienced external experts to verify its monitoring information<sup>21</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 **Annexure S.10**.

#### **n. Institutional Capacity Development Program**

199. 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.

200. 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; (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.

#### **o. Disclosure of Project Safeguard Documents**

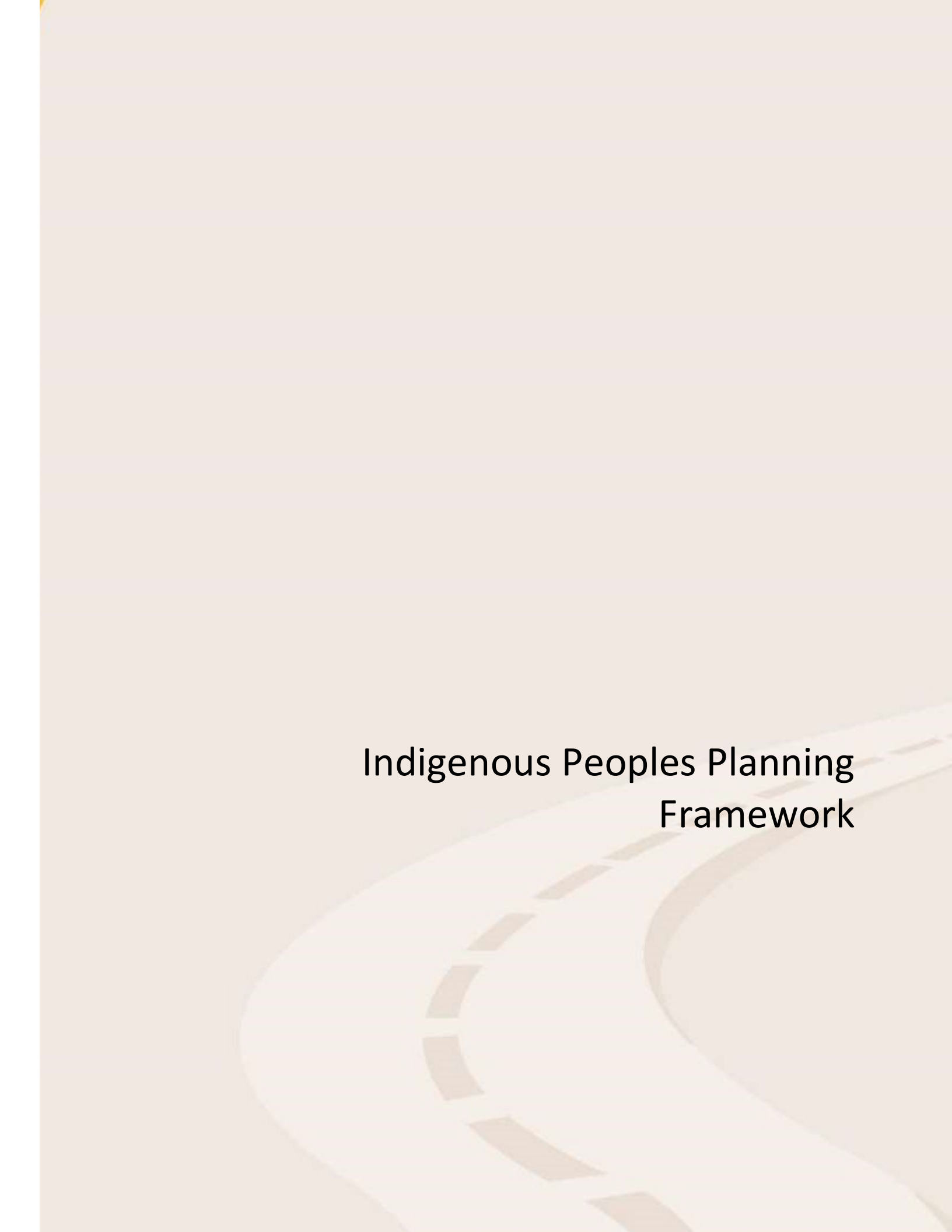
201. Information will be disseminated to displaced persons at various stages of the project through project selection, preparation and project implementation period. For the benefit of the community in general, and displaced persons, in particular, a summary of the Resettlement Planning Framework and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

202. 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 **Annexure S.10**.

#### **p. Revision/ Modification of RPF**

203. 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.

<sup>21</sup>Experts not involved in day-to-day project implementation or supervision.



# Indigenous Peoples Planning Framework



## PART F - IPPF: INDIGENOUS PEOPLES PLANNING FRAMEWORK

204. The Government of India has special concern and commitment for the well-being of the Scheduled Tribes (ST), who suffer as a Group due to their social and economic backwardness and relative isolation. The Constitution of India made certain special safeguards to protect these communities from all the possible exploitation and thus ensure social justice. The Constitution also enjoins upon the State to make special provisions for the advancement of any socially and educationally backward classes and empowers the State to make provisions for reservation in appointments or posts in favour of any backward class of citizens. According to the Census of India 2011, 8.61 percent of the Indian population is classified as ST. In comparison to the national figure, Assam has 12.45 percent of its populations classified as ST. The list of Scheduled Tribes peoples in Assam as per Census 2011 is presented in Table 12.

**Table 12: District wise Scheduled Tribe Population in Assam**

Sl. No.	District	Population (Nos.)		Share of ST People (%)
		Total Population	Scheduled Tribe (ST)	
<b>Districts under ASRIP</b>				
1	Barpeta	16,93,622	27,344	1.61%
2	Dhemaji	6,86,133	3,25,560	47.45%
3	Dibrugarh	13,26,335	1,02,871	7.76%
4	Golaghat	10,66,888	1,11,765	10.48%
5	Jorhat	10,92,256	1,39,971	12.81%
6	Lakhimpur	10,42,137	2,49,426	23.93%
7	Sivasagar	11,51,050	49,039	4.26%
<b>Sub-Total of ASRIP Districts</b>		<b>80,58,421</b>	<b>10,05,976</b>	<b>12.48%</b>
<b>Other Assam Districts</b>				
8	Baksa	9,50,075	3,31,007	34.84%
9	Bongaigaon	7,38,804	18,835	2.55%
10	Cachar	17,36,617	17,569	1.01%
11	Chirang	4,82,162	1,78,688	37.06%
12	Darrang	9,28,500	8,419	0.91%
13	Dhubri	19,49,258	6,332	0.32%
14	Dima Hasao	2,14,102	1,51,843	70.92%
15	Goalpara	10,08,183	2,31,570	22.97%
16	Hailakandi	6,59,296	691	0.10%
17	Kamrup	15,17,542	1,82,038	12.00%
18	Kamrup Metro	12,53,938	75,121	5.99%
19	Karbi Anglong	9,56,313	5,38,738	56.33%
20	Karimganj	12,28,686	1,940	0.16%
21	Kokrajhar	8,87,142	2,78,665	31.41%
22	Morigaon	9,57,423	1,36,777	14.29%
23	Nagaon	28,23,768	1,15,153	4.08%
24	Nalbari	7,71,639	23,364	3.03%
25	Sonitpur	19,24,110	2,32,207	12.07%
26	Tinsukia	13,27,929	82,066	6.18%
27	Udalguri	8,31,668	2,67,372	32.15%
<b>Sub-Total of other Assam Districts</b>		<b>2,31,47,155</b>	<b>28,78,395</b>	<b>12.44%</b>
<b>Assam Total</b>		<b>3,12,05,576</b>	<b>38,84,371</b>	<b>12.45%</b>

Source: Census 2011

205. Table 12 depicts that the ST population in Assam is mainly concentrated in the hill districts of Dima Hasao (70.92%) and Karbi Anglong (56.33%), which are not in ASRIP. In ASRIP districts, the overall



ST concentration is 12.48%, which is marginally higher than the overall concentration in Assam (12.45%). The major tribes in the districts of ASRIP is presented in Table 13.

**Table 13: Major Tribes in districts under ASRIP**

Sl. No.	District	Major Tribes	Other ASRIP Districts
1	Lakhimpur	Mishing, Deuri, Sonowal Kachari, Khamti	
2	Golaghat	Tea Tribes, Mishing, Kachari, Miri	
3	Dhemaji	Sonowal Kachari, Konch, Deuri, Mishing	
4	Barpeta	Bodo, Rabha	Bajali district has curved from Barpeta
5	Jorhat	Mishing, Thengal Kachari, Deuri, Sonowal Kachari	Majuli district has curved from Jorhat
6	Dibrugarh	Kachari, Deuri, Mishing, Tea Tribes	
7	Sivsagar	Mishing, Tea Tribes, Miri	Charaideo district has curved from Sivsagar

Source: Census 2011

206. In order to address the chance of potential impact to the indigenous people, as per the definition of AIIB, near to or alongside the proposed road alignments, an Indigenous Peoples Planning Framework (IPPF) is prepared and this is guided by National and State Policy and developed and the Environmental and Social Standard 3 (ESS3): Indigenous People of Environmental and Social Framework (ESF) of AIIB.

207. The identification of any indigenous people, as per the AIIB ESS3, among the affected persons will be performed by a qualified social expert. If any indigenous people is impacted, the Indigenous Peoples Planning framework (IPPF) will provide guidance in the preparation of the Tribal Plan (equivalent to the Indigenous Peoples Plan required by AIIB's ESS3), conduct of meaningful consultation and obtaining broad community support. It will also guide in designing and implementing sub-projects to ensure that IPs: (a) receive culturally appropriate social and economic benefits; (b) do not suffer adverse impacts as a result of Projects; and (c) can participate actively in Projects, if the sub-project affects any people in indigenous in nature.

208. Specifically, if any of the subprojects affect tribal populations, the Indigenous Peoples Planning Framework (IPPF) shall ensure that:

- ▶ Avoid adverse impacts on them, or when avoidance is not possible, to minimize or mitigate such adverse impacts by exploring all possible alternatives.
- ▶ Provide benefits and compensation equal to that of the mainstream population.
- ▶ Provide special assistance as per laws and policies because of their vulnerabilities vis-à-vis the mainstream population.
- ▶ Conduct adequate and continued meaningful consultation on the Project in a culturally appropriate, accessible and inclusive manner (including gender considerations), and facilitate their informed participation.
- ▶ Design the project and the project benefits to the tribal groups in a culturally appropriate manner.
- ▶ Outline culturally sensitive grievance procedures.
- ▶ Discuss monitoring and evaluation arrangements, budget and time-bound actions for implementing planned measures

209. Preserve cultural and economic preferences for indigenous following the implementation of the project based on commonly recognized principles and national and international regulations. Ensure



constructive participation and consultations with the affected indigenous communities that would consider their customs and needs throughout the cycle of the project.

## I. POLICY FRAMEWORK- APPLICABLE NATIONAL LAWS, REGULATIONS AND AIIB'S ESF/ESS3

### a. Policy and Legal Framework

210. The Constitution of India, identifies a Scheduled Tribe (ST) by taking into consideration various factors of: (i) primitive traits, (ii) distinctive culture, (iii) geographical isolation, and (iv) social and economic backwardness. The scheduled tribe is judged by one or a combination of these factors by the respective state. Essentially, indigenous people have a social and cultural identity distinct from the 'mainstream' society that makes them vulnerable to being overlooked or marginalized in the development processes.

211. There are several policies which provide a legal framework for ensuring dedicate attention to the tribals. Article 366 (25) of the Indian constitution refers to Scheduled Tribes (STs) as those communities who are scheduled in accordance with Article 342 of the Constitution. According to Article 342 of the Constitution, STs are the tribes or tribal communities or part of or groups within these tribes and tribal communities which have been declared as such by the President through a public notification. Identification of tribes is a State subject. Thus, classification of a tribe would depend on the status of that tribe in the respective State. Further the Fifth and Sixth Schedule of the constitution provides special provision for Tribal People in selected regions of the country.

212. The Fifth Schedule to the Constitution lays down certain prescriptions about the Scheduled Areas as well as the Scheduled Tribes in states other than Assam, Meghalaya, Tripura and Mizoram by ensuring submission of Annual Reports by the Governors to the President of India regarding the Administration of the Scheduled Areas and setting up of Tribal Advisory Councils to advise on matters pertaining to the welfare and advancement of the STs (Article 244(1)). Likewise, the Sixth Schedule to the Constitution also refers to the administration of Tribal Areas in the states of Assam, Meghalaya, Tripura and Mizoram by designating certain tribal areas as Autonomous Districts and Autonomous Regions and also by constituting District Councils and Regional Councils (Article 244(2)). To ensure effective participation of the tribals in the process of planning and decision-making, the 73<sup>rd</sup> and 74<sup>th</sup> Amendments of the Constitution are being extended to the Scheduled Areas through the Panchayats (Extension to the Scheduled Areas) PESA Act, 1996.

213. In Assam, certain areas have been declared as scheduled area as Specified by the Scheduled Areas under the Sixth Schedule of Indian Constitutions. Six schedule areas in Assam are Bodoland Territorial Council, Karbi Anglong Autonomous Council, Dima Hasao Autonomous District Council<sup>22</sup>.

214. The relevant laws, act, rules, policy and guidelines on Tribal peoples are, a) National Tribal Policy (2006); b) Forest Rights Act (FRA), 2006; and c) Environmental and Social Standard 3 (ESS 3) of the Environmental and Social Framework (ESF) of the Asian Infrastructure Investment Bank (AIIB).

#### ***National Tribal Policy (2006)***

215. The Policy has the following objectives:

- ▶ Regulatory Protection

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<sup>22</sup> Govt. of Assam has recently created 6 more Autonomous Councils viz. Rabha Hasong Autonomous Council (RHAC), Mishing Autonomous Council (MAC), Tiwa Autonomous Council (TAG), Deori Autonomous Council (DAC), Thengal Kachari Autonomous Council (TKAC) and Sonowal Kachari Autonomous Council (SKAC).



- Providing an environment conducive to the preservation of traditional and customary systems and regime of rights and concessions enjoyed by different ST communities, and reconciliation of modes of socio-economic development with these.
  - Preventing alienation of land owned by STs and restoring possession of wrongfully alienated lands.
  - Protection and vesting of rights of STs on forestlands and other forest rights including ownership over minor forest produce (MFP), minerals and water bodies through appropriate legislations and conversion of all forest villages into revenue villages.
  - Providing a legislative frame for rehabilitation and resettlement in order to minimize displacement, ensure that affected persons are partners in the growth in the zone of influence, provide for compensation of social and opportunity cost in addition to market value of the land and rights over common property.
  - Protection of political rights to ensure greater and active participation of tribal peoples in political bodies at all levels.
- ▶ Alienation of Tribal Land
- Alienation of tribal land is the single most important cause of pauperization of tribal peoples, rendering their vulnerable economic situation more precarious. Poor land record system in tribal areas coupled with the illiteracy, poverty and ignorance of tribal peoples and the greed of others have resulted in the continuous transfer of resources from tribals to non-tribals for several decades. Competent legal aid will be made available timely to tribals at all stages of litigation.

***Scheduled Caste and Scheduled Tribes Orders (Amendment) Act, 2002***

216. The Act provides for the inclusion in the lists of Scheduled Tribes (ST), of certain tribes or tribal communities or parts of or groups within tribes or tribal communities, equivalent names or synonyms of such tribes or communities, removal of area restrictions and bifurcation and clubbing of entries; imposition of area restriction in respect of certain castes in the lists of Scheduled Castes (SC) and the exclusion of certain castes and tribes from the lists of SCs and STs.

***Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006***

217. To recognize and vest the forest rights and occupation in forest land in forest dwelling STs who have been residing in such forests for generations but whose rights could not be recorded; to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land.

218. This Act recognizes that a majority of STs continue to live below the poverty line, have poor literacy rates, suffer from malnutrition and diseases and are vulnerable to displacement and the policy aims at addressing each of these problems in a concrete way. It also lists out measures to be taken to preserve and promote tribal cultural heritage.

219. The main objective is to facilitate the overall development and welfare of the tribal people by empowering them educationally, socially, economically and politically without any impact on their culture, habitation, traditions and in terms of their age-old rights and privileges.

***ESS3: Indigenous People of AIIB ESF, February 2019***

220. The objectives of the AIIB's ESF Environmental and Social Standards 3 (ESS3) on Indigenous Peoples<sup>23</sup> is to design and implement projects in a way that fosters full respect for indigenous peoples'

<sup>23</sup> There being no universally accepted definition of Indigenous Peoples. Indigenous Peoples may be referred to in different countries by such terms as "indigenous ethnic minorities," "aboriginals," "hill tribes," "minority nationalities," "scheduled tribes," "first nations," or "tribal groups." As the applicability of such terminology varies widely from country to country, the



identity, dignity, human rights, economies and cultures, as defined by the Indigenous Peoples themselves, so that they: (i) receive culturally appropriate social and economic benefits; (ii) do not suffer adverse impacts as a result of projects; and (iii) can participate actively in projects that affect them.

221. ESS3 applies if indigenous peoples are present in, or have a collective attachment to, the proposed area of the project, and are likely to be affected by the project.

222. **Consultations:** Carry out a process of meaningful consultation on the Project with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations, in a culturally appropriate, accessible and inclusive manner, and facilitate their informed participation: (i) in designing, implementing and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, offset or compensate for such impacts; and (ii) in tailoring Project benefits to affected Indigenous Peoples communities in a culturally appropriate manner. To enhance affected Indigenous Peoples' active participation, provide for culturally appropriate, and gender inclusive capacity development in the Project.

223. Special Considerations in Consultations: In addition, ensure that this process: (i) involves Indigenous Peoples' representative bodies and organizations (e.g., councils of elders, village councils or chieftains) and, where appropriate, other community members; (ii) provides sufficient time for Indigenous Peoples' decision-making processes; and (iii) allows for Indigenous Peoples' effective involvement in the design of Project activities or mitigation measures that may affect them either positively or adversely.

224. **Free, Prior and Informed Consultation (FPICon):** Since Indigenous Peoples may be particularly vulnerable to the loss of, alienation from, or exploitation of their land and access to natural and cultural resources, engage in FPICon and obtain the **broad support** of the affected Indigenous Peoples if activities under the Project would: (i) have impacts on land and natural resources subject to traditional ownership or under customary occupation or use; (ii) cause relocation of Indigenous Peoples from land and limitations on access to natural resources subject to traditional ownership or under customary occupation or use; or (iii) have significant impacts on Indigenous Peoples' cultural heritage. In these circumstances, engage suitably qualified and experienced independent experts to assist in the identification of the Project's risks to and impacts on Indigenous Peoples.

225. As per AIB ESS 3, FPICon is established as follows: (i) the scope of FPICon applies to Project design, implementation arrangements and expected outcomes related to risks to, and impacts on, the affected Indigenous Peoples; (ii) FPICon builds on the process of meaningful consultation and requires good faith negotiation between the Client and these affected Indigenous Peoples; (iii) the Client documents: (1) the mutually accepted process of consultation between the Client and these Indigenous Peoples; and (2) evidence of broad community support of these Indigenous Peoples on the outcome of the negotiations; and (iv) FPICon does not require unanimity and may be achieved even when individuals or groups within or among these affected Indigenous Peoples explicitly disagree with support for the Project. When the Bank is unable to ascertain that such broad community support has been obtained from the affected Indigenous Peoples, exclude from the Project those activities that would affect those Indigenous Peoples. In such cases, ensure that the Project, as redesigned, will not have adverse impacts on such Indigenous Peoples. If the Bank has determined, that the laws of the country in which the Project is located mandate free, prior and informed consent (FPIC), and that the Client is required to apply FPIC, apply FPIC as defined in those laws, in the manner required by the Bank.

226. **Information Disclosure:** Disclose the draft Indigenous Peoples plan, including documentation of the consultation process and the results of the social impact assessment in a timely manner, in the Project area, in an accessible place and in a form and language(s) understandable to affected Indigenous

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Client may agree with the Bank on an alternative terminology for the Indigenous Peoples as appropriate to the circumstances of the Client.





Peoples communities and other stakeholders. Disclose the final Indigenous Peoples plan and its updates to the affected Indigenous Peoples communities and other stakeholders in the same manner. Disclose any IPPF in the same manner. Regularly disclose updated environmental and social information relating to Indigenous Peoples, along with information on any relevant material changes in the Project.

227. **Action Plan:** If the Project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied (such as land titling activities) or (ii) the acquisition of such lands, prepare and include in the Indigenous Peoples plan an action plan for the legal recognition of such ownership, occupation, or use.

228. **Monitoring:** Monitor implementation of the Indigenous Peoples plan using suitably qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the plan's objective and desired outcome have been achieved, considering the baseline conditions and the results of monitoring of the plan. Use of suitably qualified and experienced third parties to support monitoring programs.

## II. PROCESS AND PREPARATION OF IPP

229. AIIB's ESS3 has used the term Indigenous Peoples in a generic sense to refer to a distinct, vulnerable, social and cultural group. A group shall be assessed and identified as IP if they possess the following characteristics in varying degrees:

- a. self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- b. collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- c. customary, cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- d. a distinct language, often different from the official language of the country or region.

230. If during this screening it is determined that Tribal Groups considered as IPs are present in or have collective attachment to the project area, and likely to be affected by the project, then an Indigenous Peoples Plan or Tribal Plan has to be prepared.

231. Similarly, Article 342 of the Constitution indicates five characteristics to define Scheduled Tribes (ST): (i) tribes' primitive traits; (ii) distinctive culture; (iii) shyness with the public at large; (iv) geographical isolation; and (v) social and economic backwardness. The Scheduled Tribes or indigenous people have a social and cultural identity distinct from the 'mainstream' society and are often marginalized, overlooked and vulnerable during the development processes. The significance of a project's impact on indigenous people, if any, will be determined by the following assessment:

- i. Magnitude of impact in terms of
  - a. customary rights of use and access to land and natural resources;
  - b. socioeconomic status;
  - c. cultural and communal integrity;
  - d. health, education, livelihood, and social security status;
  - e. recognition of social security status; and
  - f. recognition of indigenous knowledge.
- ii. Level of vulnerability of the affected tribal people



232. The affected Indigenous People will be identified in each of the sub-project road corridors. . The significance of a project's impact on indigenous people, if any, will be determined by the following assessment: i) Magnitude of impact in terms of (a) customary rights of use and access to land and natural resources; (b) socioeconomic status; (c) cultural and communal integrity; (d) health, education, livelihood, and social security status; e) recognition of indigenous knowledge; and ii) Level of vulnerability of the affected tribal people. The Indigenous Peoples Plan (IPP) will address the issues of affected indigenous persons and affected indigenous communities, if any. The Indigenous Peoples Plan (IPP) will also be prepared, where indigenous is host community and project will affect them directly or indirectly to them in terms of distinctiveness or in their indigeneity.

#### **a. Key Issues and Likely Adverse Impacts of the Tribal Population**

233. Assam has several areas inhabited by tribal communities, with a Scheduled Tribe (ST) population of 12.45% to the total population. The plain areas of Assam have only 11% of ST populations in 14 tribes, whereas, the three autonomous hill districts (Karbi Anglong, West Karbi Anglong and Dima Hasao), which are not included in the ASRIP, have 59% of ST populations in 39 tribes.

234. The possible adverse impact of the tribal population of ASRIP estimated may be:

- ▶ Loss of Land (agricultural/ homestead/ commercial/ fallow/ Eksonia land etc.)
- ▶ Loss of crops and trees
- ▶ 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 permanent or temporary access or restriction of access to resources
- ▶ Disproportionate impacts on the tribal women and more vulnerable groups of the tribal population
- ▶ Escalation of social tension and heightened risk of GBV and STDs as result of labor influx

235. The identification of impact on indigenous peoples in the respective sub-projects roads through design finalisation and social survey, respective Resettlement Plan and Indigenous Peoples Plan will present social issues and identified adverse impacts of the sub-project roads.

#### **b. Approach and Steps for IPP preparation**

##### ***Approach***

236. The qualified social scientists will screen and identify the Indigenous People, based on the criteria outlined in ESS3 . The screening shall gather information on the following: (a) Name of Scheduled Tribes or groups in the area, (b) Number of IP/ST Groups in the area, and (c) potential ST households affected by subproject. Once an IP group has been identified and there is potential impacts, engage an IP Specialist to help in the conduct of assessment and preparation of an IPP or Tribal Plan.

237. Assessment of impacts to IPs will consider the: i) Magnitude of impact in terms of (a) customary rights of use and access to land and natural resources; ( b) socioeconomic status; (c) cultural and communal integrity; (d) health, education, livelihood, and social security status; (e) recognition of social security status; f) recognition of indigenous knowledge; and ii) Level of vulnerability of the affected tribal people. If the project has any impact on indigenous people then, the ESS 3 of ESF of AIB will triggered and Indigenous Peoples Plan will be prepared. A social impact assessment (SIA) will be carried out to assess the IP issues, impacts on IPs (negative and positive) and identify mitigating measures and development opportunities that exist in the area. The SIA shall be undertaken in a culturally appropriate and gender-sensitive social way. The level of detail and comprehensiveness of the IPP will be



proportionate to the significance of potential impacts on Indigenous Peoples. Social Impact Assessment

238. While the census survey will be used to identify the DPs belonging to the ST communities and the qualified social scientists with his/ her expertise will verify DPs for their indigenous category to assess the potential impacts. Meaningful consultations will be held with the indigenous communities, if any, to secure their consent for the proposed road development. Strategies for addressing impacts on these indigenous displaced families were formulated based on secondary data, field observation and consultation.

239. The SIA would include gathering of the following relevant information about indigenous communities to assess their vulnerability<sup>24</sup>, develop measures to mitigate impacts and plan to engage with indigenous populations.

- ▶ Background demographic, socio-economic, cultural conditions of the affected indigenous communities within the project area of influence, if any
- ▶ Assessment of lands and territories traditionally used and occupied by indigenous communities
- ▶ Assessment of natural resources on which indigenous communities depend
- ▶ Assessment of access and possibilities to use socio-economic services
- ▶ Assessment of a short-term and long-term outlook, direct and indirect, positive and adverse impacts of the project on social, economic and cultural life of indigenous communities
- ▶ Assessment of resources required to minimize impacts on indigenous communities during the implementation of the project.

### c. Tribal Land Acquisition/ Transfer Process

#### *Types of Tribal Land*

240. The land of the indigenous tribals in Assam are Non-Cadastral land, where ownership of land is of the community instead of private ownership. Assam has defined land transfer process for the Non-Cadastral Land. The Non-Cadastral land are majorly situated in the three hill districts of Assam, viz., a) Karbi Anglong, b) West Karbi Anglong and c) Dima Hasao, which are not in the scope of ASRIP.

241. There are lands under private ownership of Scheduled Tribe (ST) peoples in Assam. The requirement of private lands for ASRIP, under private ownership of either non-tribal people or tribal people, will follow Direct Purchase policy of Assam.

242. There are also some Eksonia Land<sup>25</sup>, where the land holding is of the Scheduled Tribe persons. The requirement of Eksonia land in ASRIP will be acquired also through Direct Purchase policy, subject to Govt. Guidelines of conversion of Eksonia land to Myadi Patta (ownership land).

243. If the Direct Purchase policy fails for ownership land, such land will be acquired through Assam Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Rules 2015 prepared under RFCTLARR Act 2013.

#### *Land Acquisition Process of Non-Cadastral Land in Assam*

244. There is a detailed process of transfer of Non-Cadastral land to an acquiring agency, approved by the respective Autonomous District Councils of hill districts and detailed in **Annexure S.4**. Any

<sup>24</sup> In this context, “vulnerability” refers to group and/ or community-level vulnerability defined by the nature of the relationship between the affected communities of indigenous peoples and mainstream society rather than household or individual level indicators of vulnerability.

<sup>25</sup> Eksonia Land Holder, whose land holding can be converted to Periodic patta Land (MyadiPatta) as per permissible limits of Govt. of Assam, will be considered as Land owners, subject to conversion of the Eksonia land to Periodic patta land.



requirement of Non-Cadastral land for ASRIP have been identified, but if any Non-Cadastral land is required in ASRIP, it will follow the same procedure of transfer of Non-Cadastral Land.

**d. Free, Prior and Informed Consultation of Indigenous Communities**

245. In some cases, when the subprojects have an adverse impact on indigenous communities, if any, the project should implement the Free, Prior and Informed Consent (FPIC) of the affected indigenous communities in relation to the structure, implementation and expected outcomes of the project.

246. Under international requirement, FPIC is required if activities under the project would:

- ▶ Affect the indigenous communities' customary rights of use and access to land and natural resources
- ▶ Affect their health, education, livelihood systems and social security status
- ▶ Disrupt their cultural and communal integrity and heritage
- ▶ Change or undermine recognition of indigenous knowledge
- ▶ FPIC
- ▶ Free: consent is given voluntarily and without coercion, intimidation or manipulation. A process that is self-directed by the community from whom consent is being sought, unencumbered by coercion, expectations or timelines that are externally imposed.
- ▶ Prior: consent is sought sufficiently in advance of any authorization or commencement of activities, at the early stages of a development or investment plan, and not only when the need arises to obtain approval from the community.
- ▶ Informed refers mainly to the nature of the engagement and type of information that should be provided prior to seeking consent and also as part of the ongoing consent process.
- ▶ Consent is a collective decision made by the rights-holders and reached through the customary decision-making processes of the communities. Consent must be sought and granted or withheld according to the unique formal or informal political-administrative dynamic of each community. Local communities must be able to participate through their own freely chosen representatives, while ensuring the participation of youth, women, the elderly and persons with disabilities as much as possible.

247. FPIC comprises both a process and an outcome. The process builds upon the requirements for informed consultation and participation and additionally requires good faith negotiation between the client and affected communities of indigenous peoples. Good faith negotiation involves on the part of all parties:

- ▶ Willingness to engage in a process and availability to meet at reasonable times and frequency
- ▶ Provision of information necessary for informed negotiation
- ▶ Discussion of issues important to the indigenous peoples
- ▶ Use of mutually acceptable procedures for negotiation
- ▶ Willingness to change initial position and modify offers where possible and
- ▶ Provision of sufficient time for decision making

248. The outcome, where the good faith negotiation process is successful, is an agreement and evidence thereof.



**e. Engagement with Indigenous Communities when locating project sites on lands traditionally owned by Indigenous Peoples**

249. If the project proposes to locate the subprojects on lands traditionally owned by, or under the customary use of, Indigenous Peoples and adverse impacts can be expected the project will take the following steps:

- ▶ Document efforts to avoid and otherwise minimize the area of such land proposed for the project
- ▶ Document efforts to avoid and otherwise minimize impacts on natural resources and natural areas of importance to Indigenous People
- ▶ Assess and document affected communities of Indigenous Peoples' resource use without prejudicing any Indigenous Peoples' land claim. The assessment of land and natural resource use should be gender inclusive and specifically consider women's role in the management and use of these resources
- ▶ Ensure the affected communities of Indigenous Peoples are informed of their land rights under national law, including any national law recognizing customary use rights and
- ▶ Offer affected communities of Indigenous Peoples' compensation and due process in the case of development of their land and natural resources, together with culturally appropriate sustainable development opportunities, including:
  - providing land-based compensation or compensation in kind in lieu of cash compensation where feasible
  - Provide indigenous people a process through which they can register their grievances.
  - ensuring continued access to natural resources identifying the equivalent replacement resources, or, as a last option, providing compensation and identifying alternative livelihoods if project development results in the loss of access to and the loss of natural resources independent of project land acquisition
  - providing affected communities of Indigenous Peoples with access, usage and transit on land it is developing subject to overriding health, safety and security considerations. These circumstances will have a priority importance.

**f. Indigenous Peoples Plan**

250. If the sub-project is found to have impact on indigenous community, the Indigenous Peoples Plan (IPP), in line with this IPPF will be prepared. The breadth and depth of the IPP should be proportional to the nature and scale of the proposed project's potential impact. The subproject IPPs should be prepared satisfactory to AIB and integrates the (i) aspirations, needs, and preferred options of the affected indigenous peoples; (ii) social structure and organization, cultural beliefs, ancestral territory, and resource use of the indigenous peoples; (iii) positive and negative impacts on the indigenous peoples; (iv) measures to avoid, mitigate, or compensate for the adverse project effects; (v) measures to ensure project benefits will accrue to indigenous peoples; (vi) measures to strengthen social, legal, and technical capabilities of government institutions to address indigenous peoples issues; (vii) the possibility of involving local organizations and non-governmental organizations with expertise in indigenous peoples issues; (viii) budget allocation; and (ix) monitoring. The Outline to guide the preparation of IPP is appended as ANNEXURE S.5.

**g. Consultation and Participation**

251. The Focus Group Discussions exclusively with each of the Indigenous Peoples Community through:



- ▶ Arrangement of Venue(s), for each of the Indigenous Community, in their respective suitable places, which are commonly known to the Indigenous Community(ies) 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 Consultations will be 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 Consultations will also be arranged in normal local holidays to ascertain that the vulnerable or marginalized peoples get assistance from other persons to reach and attend.
- ▶ Pre-information, through Key persons/ Community Leaders/ Gaon Buras/ informing community gatherings etc., of Consultation will facilitate the social inclusion of the vulnerable groups including women, disabled persons to have information at ease.
- ▶ Care should be taken for discussions to be held in local language of the community to confirm their active participation in discussions
- ▶ The discussions will be properly documented and presented.

252. 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.

#### **h. Disclosure of IPPF & IPP**

253. The subproject IPPs will be prepared in consultation with the affected IPs. The subproject IPP will be translated into local language of the Community and/or other form of presentation, which will be familiar to the IP group. This will be made available to them before the implementation of the Plan by the PMU and related information will be disseminated to affected indigenous people, if any, at various stages of the project through project selection, preparation and project implementation period. The Executing Agency shall ensure that adequate resources, in terms of budget and implementing staff, is in place to ensure the effective implementation of the Plan

254. The copies of the Indigenous Peoples Planning Framework and Indigenous Peoples Plan, if required will also be made available at: (i) offices of the PMU and PIU; (ii) relevant villages, (iii) in the dedicated website of Asom Mala, and (iv) AIIB website. A report of disclosure, giving details of date and location will be shared with the AIIB. The following documents shall also be submitted to AIIB and disclosed on the EA's and AIIB's website: (i) Indigenous Peoples Planning Framework, (ii) Subproject Indigenous Peoples Plan (draft and final), (iii) Monitoring Reports, and (iv) Completion Report.

### **III. BUDGET & FINANCING**

255. Detailed budget estimates for each sub-project 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.

256. Adequate resources shall be provided by the executing agency to formulate an IPP for each sub-project that will have impacts on IPs. A detailed budget will be prepared in the IPP considering all activities associated with the formulation and implementation of the IPP. Such budgets will be an integral part of the program cost, and will be made available during program implementation. The budget should be made available in advance to its PIU for implementation of IPP.



257. 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.



## PART G: DETAILED POLICY AND PROCESSING RESOURCES

### ANNEXURE E.1: OVERVIEW OF AIIB SAFEGUARDS CATEGORIZATION

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

1. The objective of the Asian Infrastructure Investment Bank's Environmental and Social Framework (ESF) is to ensure that environmental and social risks and impacts in projects financed by the Bank are addressed and to provide a robust structure and mechanism to manage the environmental and social risks in identification, preparation and implementation of projects. The framework details the environmental and social requirements through three mandatory Environmental and Social Standards (ESS), viz. Environmental and Social Assessment and Management (ESS1), Involuntary Resettlement (ESS2) and Indigenous Peoples (ESS3).
2. Environmental and Social Standards 1 on Environmental and Social Assessment and Management: The objectives of the Asian Infrastructure Investment Bank's policy with regard to Environmental and Social Standards 1 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. ESS 1 applies if the Project is likely to have adverse environmental risks and impacts or social risks and impacts (or both). The scope of the environmental and social assessment and management measures are proportional to the risks and impacts of the Project. ESS 1 provides for both quality environmental and social assessment and management of risks and impacts through effective mitigation and monitoring measures during the course of Project implementation.
3. The AIIB, in consultation with the Client, will screen the Project to determine the extent and type of environmental and social assessment. The Project will undertake an environmental and social assessment of the Project using appropriate studies proportional to the significance of potential risks and impacts. The Project requires the preparation of an environmental and social assessment report.
4. An Environmental and Social Management Plan (ESMP) will include: (a) mitigation measures; (b) environmental and social monitoring and reporting requirements; (c) related institutional or organizational arrangements; (d) provisions for disclosure and consultation; (e) capacity development and training measures; (f) implementation schedule; (g) cost estimates; and (h) performance indicators. Key considerations for ESMP preparation include mitigation of potentially adverse impacts to acceptable levels, and the polluter pays principle.
5. If the Project consists of a program, the AIIB determines that the environmental and social assessment of identified Project activities may be conducted using a phased approach and prepare an Environmental and Social Management Planning Framework (ESMPF). The purpose of the ESMPF is to ensure that the activities covered will be assessed and implemented in conformity with the ESP and applicable ESSs. The ESMPF will include (a) A description of the applicable policies and procedures proposed to be followed to assess and address: (i) environmental and social risks and impacts of the activities; (ii) any Involuntary Resettlement that is likely to result from such activities; and (iii) any impacts on Indigenous Peoples that are likely to result from such activities; (b) An explanation of the anticipated environmental and social risks and impacts; (c) Screening and assessment activities; (d) Provisions for disclosure and consultation; (e) Implementation and monitoring requirements; and (f) Roles and responsibilities.
6. Environmental and Social Standards 2 on Involuntary Resettlement: The objectives of the Asian Infrastructure Investment Bank's policy with regard to Environmental and Social Standards 2 on involuntary resettlement are: (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.

7. Involuntary resettlement 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.

8. Environmental and Social Standards 3 on Indigenous Peoples<sup>26</sup>: The objectives of the Asian Infrastructure Investment Bank's policy with regard to Environmental and Social Standards 3 on indigenous peoples is to design and implement projects in a way that fosters full respect for indigenous peoples' identity, dignity, human rights, economies and cultures, as defined by the indigenous peoples themselves, so that they: (i) receive culturally appropriate social and economic benefits; (ii) do not suffer adverse impacts as a result of projects; and (iii) can participate actively in projects that affect them.

9. Environmental and Social Standards 3 on indigenous peoples applies if indigenous peoples are present in, or have a collective attachment to, the proposed area of the project, and are likely to be affected by the project. The term indigenous peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary, cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region.

10. The ESP applies to manage the environmental and social risks and impacts associated with the project in a manner designed to meet the ESP and the applicable ESSs. The salient features of the Policy are:

- a. Screening & Categorisation: The AIIB 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. iv) Category FI, if the project financing structure involves the provision of funds to or through a financial intermediary (FI) for the project.
- b. Environmental and Social Assessment: An integrated approach to the process of assessment, given the complex interrelationships of environmental and social risks and impacts in both public and private sector Projects. The Environmental and Social assessment of the project, will be

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<sup>26</sup> There being no universally accepted definition of Indigenous Peoples. Indigenous Peoples may be referred to in different countries by such terms as "indigenous ethnic minorities," "aboriginals," "hill tribes," "minority nationalities," "scheduled tribes," "first nations," or "tribal groups." As the applicability of such terminology varies widely from country to country, the Client may agree with the Bank on an alternative terminology for the Indigenous Peoples as appropriate to the circumstances of the Client.



conducted in accordance to the Environmental and Social Standards (ESS) of the ESF, in terms of risks and impacts and design appropriate measures as per applicability of ESS 1, ESS 2 & ESS 3, to avoid, minimize, mitigate, offset or compensate the adverse impacts.

- c. Assessment of Documentation and Instruments: The appropriate documentation and instruments are required subject to the categorization of the project. Environmental and Social Management Plan (ESMP) or Environmental and Social Management Planning Framework (ESMPF) to develop the measures to manage and mitigate of the adverse impacts and reflect them. These instruments include, but are not limited to, the following: (a) strategic environmental and social impact assessment on a policy, plan or programmatic level; (b) regional or sectoral environmental and social assessments; (c) ESIA for the Project; and (d) on a specialized basis, a cumulative impact assessment or other assessment instruments. These instruments are complemented by an ESMP or ESMPF (or both). In the case of some Projects, the Bank may determine that it is appropriate for the Client to use physical, spatial and environmental planning as tools for integration of environmental and social measures into the Project in lieu of other required instruments. Environmental audits, hazard and risk assessments, and emergency response plans, among others, may also be used, as appropriate.
- d. Involuntary Resettlement: The Screening will determine for any Involuntary Resettlement both physical and economic displacement. The involuntary resettlement should be avoided, and if it is not feasible to avoid involuntary resettlement, it has to ensure that the resettlement activities are conceived and executed as sustainable development programmes providing sufficient resources to enable the displaced persons to share in project benefits.
- e. Resettlement Plan (RP) or Resettlement Planning Framework (RPF): If the project involves involuntary resettlement, the project proponent has to prepare a RP and for various sub-projects, RPF has also to be prepared, subject to the extent and degree of the impacts. The degree of impacts is determined by the physical and economic displacement and vulnerability of the affected people. The RP, as well as the RPF will cover of 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.
- f. Non-titled displaced persons: AIIB 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.
- g. Indigenous Peoples: AIIB seeks the technical judgement of qualified social scientists for project impacts on indigenous peoples, on customary use or rights of use and access to land and natural resources, socioeconomic status, cultural and communal integrity and heritage, health, education, livelihood systems and social security status and indigenous knowledge and vulnerability of affected indigenous Peoples. If the project would have impacts on Indigenous Peoples, an Indigenous Peoples Plan (IPP) have to be prepared on the coverage of social risks and impacts on the indigenous peoples and provides specialized guidance to address specific issues associated with the need of the affected Indigenous Peoples.
- h. 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.
- i. Consultation: Meaningful consultations with the stakeholders during the Project's preparation and implementation phases, have to be held, which will cover Project design, mitigation and



monitoring measures, sharing development benefits and opportunities and implementation issues of the project.

- j. Monitoring and Reporting: The project will have complimentary but distinct monitoring responsibilities. The extent of monitoring activities, including their scope and periodicity, is proportional to the Projects risk and impact.
- k. Grievance Redress Mechanism (GRM): A suitable grievance mechanism, may include formal or informal existing mechanism, will be designed to address affected peoples' concerns and complaints promptly, using an understandable and transparent process that is gender-sensitive, culturally appropriate and readily accessible to all affected people.
- l. Project Affected Peoples' Mechanism (PPM) of AIIB: The policy allows aggrieved DPs to approach the Bank provided their grievances are not satisfactorily redressed by the GRM. The GRM will set up grassroots level Grievance Redress Committees (GRC) comprising of local stakeholders. The GRCs will proactively disseminate the roles and responsibilities of the accountability mechanism to the common public



**ANNEXURE E.2: CHECKLIST FOR SUBPROJECTS SELECTION**  
**E&S Due Diligence Checklists for Subprojects Selection**

**Subproject Details**

Subproject Name : \_\_\_\_\_  
Block Name : \_\_\_\_\_  
District Name : \_\_\_\_\_  
Division/Subdivision : \_\_\_\_\_  
Total Length of the line : \_\_\_\_\_ km  
Total Area of substation : \_\_\_\_\_ ha  
Construction time : \_\_\_\_\_

**Subprojects Selection Criterial (Fundamental)**

- ▶ All subprojects included in the AIIB Environmental and Social Exclusion List should be excluded from the Project;
- ▶ The environmental criteria in accordance with AIIB’s ESP will be followed in the selection and development of new subprojects;
- ▶ Subprojects located within any sensitive areas like national parks, wildlife sanctuaries and nature reserves, or wetlands will not be selected;
- ▶ Clearing of any existing forest resources will be avoided;
- ▶ All civil works will be undertaken in line with the Community and Occupational Health and Safety requirements listed in the EMSPF;
- ▶ Resources of cultural or historical importance<sup>1</sup> will be avoided;
- ▶ All subprojects with high E&S risks and significant E&S impacts should be excluded;
- ▶ Potential E&S impacts will be minimized by routing and siting to avoid E&S sensitive areas;
- ▶ For any proposed new road, the land shall be on government land free from informal settlers or shall be on private land to be purchased through negotiated settlement or shall be donated voluntarily without coercion by the beneficiaries;
- ▶ Only if there is no alternative land available in the area, which restricts continuation of the system, then involuntary land acquisition will be considered, after consulting with AIIB.
- ▶ E&S instruments will be disclosed in compliance with the ESP;
- ▶ Project will have a functioning GRM covering project affected people and communities



### ANNEXURE E.3: OUTLINE OF AN ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REPORT

1. An environmental impact assessment (EIA) report is required for all environment Category A and Category B projects. Its level of detail and comprehensiveness is commensurate with the significance of potential environmental impacts and risks.
2. A typical EIA report contains the following major elements. The substantive aspects of this outline will guide the preparation of environmental and social impact assessment reports, although not necessarily in the order shown.
3. **Executive Summary** [This section describes concisely the critical facts, significant findings, and recommended actions.]
  - ▶ Introduction
  - ▶ Description of Sub-project
  - ▶ Categorization of Project
  - ▶ Description of the Environment
  - ▶ Key Environmental Impacts
  - ▶ Public Consultation
  - ▶ Environmental Management Plan
  - ▶ Consultations and Recommendation
4. **Introduction** [This section provides a brief background of the project, its rationale and context within the overall development of the respective country or state or region. It also briefly describes the technical scope and environmental category of the project of the project and the scope, purpose of the EIA and methodology adopted to prepare it.]
  - ▶ Project Corridor Background and Rationale
  - ▶ Nature, Size and Location of the Project
  - ▶ Objective and Scope of the Study
  - ▶ Methodology Adopted for Environmental Impact Assessment Study
  - ▶ Structure of the Report
5. **Policy, Legal, and Administrative Framework** [This section discusses the national and local legal and institutional framework within which the environmental assessment is carried out. It also identifies project-relevant international environmental agreements to which the country is a party.]
  - ▶ National (India) Environmental Policies and Regulatory Framework
  - ▶ Social Regulatory Requirements of India and State
  - ▶ International Treaties and Relevance to the Sub-project
  - ▶ AIIB Environmental & Social Framework Requirements
  - ▶ Category of the Project as per AIIB's Framework & MOEF&CC Notification 2006 and amendments
6. **Description of the Project** [This section describes the proposed project; its major components; and its geographic, ecological, social, and temporal context, including any associated facility required by and for the project (for example, access roads, power plants, water supply, quarries and borrow pits, and spoil disposal). It normally includes drawings and maps showing the project's layout and components, the project site, and the project's area of influence.]
  - ▶ The Sub-project



- ▶ Location and Features of the Project Corridor
- ▶ Engineering Surveys and Investigations
- ▶ Traffic Surveys
- ▶ The Design
- ▶ Design Standards
- ▶ Geometric Design Standards
- ▶ Widening Options
- ▶ Typical Cross-sections

7. **Description of the Environment** *[This section describes relevant physical, biological, and socioeconomic conditions within the study area. It also looks at current and proposed development activities within the project's area of influence, including those not directly connected to the project. It indicates the accuracy, reliability, and sources of the data.]*

- ▶ Introduction
- ▶ Physical Environment
- ▶ Biological Environment
- ▶ Socio-economic Environment

8. **Anticipated Environmental Impacts and Mitigation Measures** *[This section predicts and assesses the project's likely positive and negative direct and indirect impacts to physical, biological, socioeconomic (including occupational health and safety, community health and safety, vulnerable groups and gender issues, and impacts on livelihoods through environmental media, and physical cultural resources in the project's area of influence, in quantitative terms to the extent possible; identifies mitigation measures and any residual negative impacts that cannot be mitigated; explores opportunities for enhancement; identifies climate change related risks to the project and recommends suitable adaptation measures for incorporation in the project design; estimates GHG emissions expected from the project and suitable mitigation or offset measures; identifies and estimates the extent and quality of available data, key data gaps, and uncertainties associated with predictions and specifies topics that do not require further attention; and examines global, transboundary, induced and cumulative impacts as appropriate.]*

- ▶ Introduction
- ▶ Positive Environmental Impacts due to improvement of Sub-project
- ▶ Adverse Environmental Impacts due to improvement of Sub-project
- ▶ Impacts Related to Project Location, Preliminary Planning and Design
- ▶ Environmental Impacts - Construction Stage
- ▶ Environmental Impacts - Operation Phase
- ▶ Cumulative and Induced Environmental Impacts
- ▶ Potential Environmental Enhancement/ Protection Measures

9. **Climate Change Impacts and Risks**

- ▶ Climate Change Mitigation
- ▶ Climate Risks and Adaptation Needs

10. **Analysis of Alternatives** *[This section examines alternatives to the proposed project site, technology, design, and operation including the no project alternative in terms of their potential environmental impacts; the feasibility of mitigating these impacts; their capital and recurrent costs; their suitability under local conditions; and their institutional, training, and monitoring requirements. It also*



*states the basis for selecting the particular project design proposed and, justifies recommended emission levels and approaches to pollution prevention and abatement.]*

- ▶ Introduction
- ▶ 'With Project Corridor' and 'Without Project Corridor' Scenario
- ▶ Location and Alignment Alternatives
- ▶ Alignment Modifications due to Environmental Considerations
- ▶ Engineering / Technological Alternatives

11. **Public Consultation and Information Disclosure** *[This section: (i) describes the process undertaken during project design and preparation for engaging stakeholders, including information disclosure and consultation with affected people and other stakeholders with details on numbers of people, men, women vulnerable people etc. that were consulted; (ii) summarizes comments and concerns received from affected people and other stakeholders and how these comments have been addressed in project design and mitigation measures, with special attention paid to the needs and concerns of vulnerable groups, including women, the poor, and Indigenous Peoples; and (iii) describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for carrying out consultation with affected people and facilitating their participation during project implementation.]*

- ▶ Objectives of Consultations
- ▶ Methodology used for Consultations
- ▶ Identification of Stakeholders
- ▶ Results of Consultations
- ▶ Interaction with Local/National and International NGOs
- ▶ Public Disclosure

12. **Environmental and Social Management Plan and Grievance Redress Mechanism** *[This section deals with the set of mitigation and management measures to be taken during project implementation to avoid, reduce, mitigate, or compensate for adverse environmental and social impacts (in that order of priority). It may include multiple management plans and actions. It includes the following key components (with the level of detail commensurate with the project's impacts and risks): (i) Mitigation: (a) identifies and summarizes anticipated significant adverse environmental impacts and risks; (b) describes each mitigation measure with technical details, including the type of impact to which it relates and the conditions under which it is required (for instance, continuously or in the event of contingencies), together with designs, equipment descriptions, and operating procedures, as appropriate; and (c) provides links to any other mitigation plans (for example, for involuntary resettlement, Indigenous Peoples, or emergency response) required for the project. (ii) Monitoring: (a) describes monitoring measures with technical details, including parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits and definition of thresholds that will signal the need for corrective actions; and (b) describes monitoring and reporting procedures to ensure early detection of conditions that necessitate particular mitigation measures and document the progress and results of mitigation. (iii) Implementation arrangements: (a) specifies the implementation schedule showing phasing and coordination with overall project implementation; (b) describes institutional or organizational arrangements, namely, who is responsible for carrying out the mitigation and monitoring measures, which may include one or more of the following additional topics to strengthen environmental and social management capability: technical assistance programs, training programs, procurement of equipment and supplies related to environmental and social management and monitoring, and organizational changes; and (c) estimates capital and recurrent costs and describes sources of funds for implementing the environmental and social management plan. Performance indicators: describes the desired outcomes as measurable events to the extent possible, such as performance indicators, targets,*



*or acceptance criteria that can be tracked over defined time periods. Describes the grievance redress framework (both informal and formal channels), setting out the time frame and mechanisms for resolving complaints about environmental performance.]*

- ▶ Introduction
- ▶ Objectives of Environmental and Social Management Plan
- ▶ Impacts and Mitigation Measures
- ▶ Environmental and Social Monitoring and Reporting Program
- ▶ Environmental and Social Reporting System
- ▶ Institutional Requirements
- ▶ Environmental and Social Management Budget
- ▶ Grievance Redress Mechanism

13. **Conclusion and Recommendations** *[This section provides the conclusions drawn from the assessment and provides recommendations.]*

14. **ANNEXURES**

- ▶ Annex 1. Indian standard drinking water specification: is 10500:1991
- ▶ Annex 2: National ambient air quality standards (MOEF, 2009)
- ▶ Annex 3. National ambient noise level standards
- ▶ Annex 4: Air quality impact prediction
- ▶ Annex 5: Predicted noise levels
- ▶ Annex 6: Guidelines for plant management
- ▶ Annex 7: Guidelines for camp site management
- ▶ Annex 8: Guidelines for debris disposal management
- ▶ Annex 9: Guidelines for borrow area management
- ▶ Annex 10: Guidelines for quarry area management
- ▶ Annex 11: Details of the public consultations and issued discussed
- ▶ Annex 12: Details of training program
- ▶ Annex 13: Report on vegetation assessment study
- ▶ Annex 14: Report on wildlife assessment study





**ANNEXURE E.4: GENERIC ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN (ESMP)**

**Table 1: Design Phase**

Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
<b>PRE-CONSTRUCTION PHASE</b>						
1.	Land Acquisition	Loss of Land, Livelihood	RoW / Col	<ul style="list-style-type: none"> <li>The acquisition of land and properties (Govt. /private) will be carried out in accordance with Direct Purchase Policy of Assam (as the first option for LA) and AIIB ESS2.</li> <li>PMU has to ascertain that the environmental impacts arising due to the additional acquisition of land during project implementation shall be addressed and the same shall be integrated in the EMP and other relevant contract documents.</li> </ul>	PIU, Revenue Dept., NGOs, Collaborating Agencies	PIU/PMU
2.	Tree Cutting	Loss of Trees / Vegetation	RoW / Col	<ul style="list-style-type: none"> <li>As far as possible maximum efforts shall be made to restrict tree cutting within construction limit.</li> <li>Tree cutting within ROW would be only those required for enabling construction or to reduce safety hazard.</li> <li>Removal of trees shall be done only after the permissions/approvals are obtained from the Forest Department.</li> <li>Disposal of cut trees are to be done immediately to ensure that the traffic movement is not disrupted. Progress of tree cutting shall be reported to the PIU.</li> <li>Providing and maintaining compensatory tree plantation as per the conditions mentioned in tree cutting permission.</li> </ul>	Forest Department Assam / PIU / PMU	PIU / PMU
3.	Utility Relocation and common property resources	Loss of connectivity, Loss of CPR	RoW / Col	<ul style="list-style-type: none"> <li>Identify the common utilities to be affected such as telephone cables, electric cables, and electric poles, bore wells, water supply pipelines, hand pumps, etc.</li> <li>Identify and include list of affected utilities in the detailed design documents to prevent unnecessary disruption of services during construction phase.</li> <li>Necessary permission and payments should be made to relevant utility service agencies to allow quick shifting and restoration of utility services.</li> <li>In case utilities and common property resources being impacted due to the project, they shall be shifted with prior approval of the concerned agencies before construction starts.</li> <li>Early completion of works for schools, colleges and health centres including shifting of gates and construction of boundary walls shall be planned during holidays so that the risk of accidents and disturbance to day-to-day activity of such institutions are minimized.</li> <li>Proper placement (as per codes) of passenger shelters/bus stops shall be ensured to prevent distress to the commuters and passengers.</li> <li>Relocation sites for all CPRs shall be selected in consultation with concerned</li> </ul>	PIU / PMU	PIU / PMU



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
				communities, local administrative authorities/departments. Concerned authority, local body and public must be informed through appropriate means about the time of shifting of utility structures and potential disruption of services if any, so as to ensure that work does not get affected.		
4.	Relocation of Cultural Property	Loss of heritage	RoW / Col	<ul style="list-style-type: none"> <li>In case there is an impact on cultural properties, they will be relocated at suitable locations, as desired by the community before construction starts.</li> <li>For partially impacted structures enhancement measures shall be applied at the same sites before construction begins, depending on the availability of space, requirement of the communities and fund availability.</li> <li>As far as possible, the architectural elements of the structure should be conserved/reflected/translated into the design of new structures in accordance with wishes of the community</li> <li>Local Community meetings shall be conducted to discuss relocation aspects, siting of structures etc.</li> <li>Relocation sites for all cultural properties shall be selected in consultation with concerned communities, local administrative authorities/departments as the case may be.</li> </ul>	Contractor	PIU / PMU
5.	Joint Field Verification		RoW / Col / Project influence areas	<ul style="list-style-type: none"> <li>The Engineer - Incharge of Supervision Consultant and the Contractor shall carry out joint field verification to ascertain the necessity of saving trees, environmental and community resources wherever such representations or suggestions in writing have been received and forwarded by the project authority or by the site engineer in accordance with the local situations.</li> <li>The complaints/suggestions together with the observations and expert opinion of the joint verification team containing the need for additional protection measures or changes in design/scale/nature of protection measures including the efficacy of enhancement measures suggested in the ESMP shall be summarized in a written document containing all the details with date, time, place and signature of the individuals involved and this shall be sent to PIU/PMU for approval..</li> </ul>	Contractor; Environmental Officer of SC	PIU / PMU

**Table 2: Construction Phase**

Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
1.	Procurement of Machinery - Crushers, Hot-mix Plants &	Air, noise and water Pollution	Crushers, Hotmix plants & Batching Plants	<ul style="list-style-type: none"> <li>Specifications of crushers, hot mix plants and batching plants (existing or new) shall comply with the requirements of the relevant current emission control legislations.</li> <li>Hot-mix and batching plants shall be sited sufficiently away (1000m) away from residential / settlement locations, forest areas, wildlife movement areas and</li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
	Batching Plants			<p>commercial establishments, preferably in the downwind direction.</p> <ul style="list-style-type: none"> <li>The Consent to Establish (CTE) &amp; Consent to Operate (CTO) shall be obtained from the SPCB, Assam for the establishment and operation of these plants.</li> <li>Only Crushers licensed by the State Pollution Control Board (SPCB) shall be used.</li> <li>Hot mix plant should be fitted with dust extraction unit.</li> <li>DG sets with stacks of adequate height and use of low sulphur diesel as fuel.</li> <li>The Contractor shall submit a detailed layout plan for all such sites and seek prior approval of Engineer - Incharge of CSC before entering into formal agreement with a land owner for setting-up such sites.</li> </ul>		
2.	Procurement of Other Construction Vehicles, Equipment and Machinery	Air, noise and water Pollution	Through out the project area	<ul style="list-style-type: none"> <li>The discharge standards promulgated under the Environment Protection Act, 1986 shall be strictly adhered to. All vehicles, equipment and machinery to be procured for construction shall conform to the relevant Bureau of Indian Standard (BIS) norms.</li> <li>Contractor will ensure that all vehicles, equipment and machinery used for construction are regularly maintained and confirm that pollution emission levels comply with the relevant requirements of ASPCB.</li> <li>Noise limits for construction equipment's to be procured such as compactors, rollers, front loaders, concrete mixers, cranes (moveable), vibrators and saws shall not exceed 75 dB (A), when measured at one metre distance from the edge of the equipment in free field, as specified in the Environment (Protection) Rules, 1986.</li> <li>The Contractor shall maintain a record of PUC for all vehicles and machinery used during the contract period, which shall be produced to the PIU for verification whenever required.</li> <li>Ambient Air Quality monitoring has to be performed by the Contractor as per the Environmental Monitoring Program and in accordance with the general and specific condition of CTO.</li> </ul>	Contractor	PIU / PMU / CSC
3.	Identification & Selection of Material Sources - Borrow Areas	Air, noise and water Pollution	Borrow areas	<ul style="list-style-type: none"> <li>Non-productive, barren lands, upland shall be used for borrowing earth with the necessary permission from Mining Dept. and State Environmental Impact Assessment Authority (SEIAA), Assam.</li> <li>To the extent possible, borrow areas shall be sited away from habitation.</li> <li>Follow IRC 10:1961 recommended practice for borrow area for identification of location, its operation and rehabilitation.</li> <li>No borrow areas shall be opened within 500m of wildlife movement zones and forest areas. The borrow areas shall be atleast 300m from schools and village access roads.</li> <li>The Contractor shall not borrow earth from the selected borrow area until a formal agreement is signed between land owner and Contractor and a copy of this</li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
				<p>agreement is submitted to the Engineer – In-charge of the CSC. The Supervision Consultant shall report these facts to the PIU/PMU along with the remarks in the prescribed format with documentary proofs.</p> <ul style="list-style-type: none"> <li>The 15 cm topsoil to be stockpiled within the site of identified borrow area for use at the rehabilitation stage as preventive measure. The stockpiles shall be covered with gunny bags / tarpaulin.</li> <li>Contractor shall rehabilitate the borrow areas as soon as borrowing is over from a particular borrow area in accordance with the guidelines for “Redevelopment of Borrow Areas” recommended in IRC 10:1961.</li> </ul>		
4.	Identification & Selection of Material Sources - Quarries	Air, noise and water Pollution	Quarry Locations	<ul style="list-style-type: none"> <li>The Contractor shall identify materials from existing licensed quarries with the suitable materials for construction. Apart from approval of the quality of the quarry materials, the Engineer’s representative shall verify the legal status of the quarry operation, as to whether approval from Assam State Government is obtained.</li> <li>No quarry and/or crusher units shall be selected or used, which is within 1000m from the forest boundary, wildlife movement path, breeding and nesting habitats and national parks/sanctuaries. No plants can be set-up within 1000m from the residential/ settlement locations</li> </ul>	Contractor	PIU / PMU / CSC
5.	Identification & Selection of Material Sources – Water for construction	Water availability, contamination of water sources and pollution	Water sources	<ul style="list-style-type: none"> <li>The contractor shall source the requirement of water preferentially from surface water bodies, as rivers and tanks in the project area. The contractor shall be allowed to pump only from the surface Water bodies. Boring of any tube wells shall be prohibited. To avoid disruption/disturbance to other water users, the contractor shall extract water from fixed locations. The contractor shall consult the local people before finalizing the locations.</li> <li>Only at locations where surface water sources are not available, the contractor can contemplate extraction of ground water. Consent from the Engineer that “no surface water resource is available in the immediate area for the project” is a pre-requisite prior to extraction of ground water. The contractor shall need to comply with the requirements of Department of Irrigation, Assam and seek their approval for doing so.</li> </ul>	Contractor	PIU / PMU / CSC
5.	Identification & Selection of Material Sources - Sand (all river and stream beds used directly or indirectly for the project)	Contamination of Streams and river beds	Sand Quarries	<ul style="list-style-type: none"> <li>The contractor shall identify sand quarries with requisite approvals for the extraction of sand. In case of selection of new sites for sand quarrying, the Contractor shall obtain prior approval and concurrence from Competent District Authority and the Engineer – Incharge of the CSC keeping in view the objections and convenience of the local population, who may restrain such activities for their own security and safety.</li> <li>Where the supplier of sand is another party, the authentic copy of lease agreement that has been executed between the local Tahasildar and the supplier has to be</li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
				<p>submitted to CSC and PIU/PMU of the project, before any procurement is made from such a site.</p> <ul style="list-style-type: none"> <li>To avoid accidents and caving in of sand banks at quarry sites, sand shall be removed layer by layer. Digging deeper than the permissible limit has to be completely avoided by the Contractor. Such quarry shall be barricaded 10m away from the periphery on all sides except the entry point, so as to prevent accidental fall of domestic cattle, wildlife and human beings.</li> </ul>		
6.	Construction Camp Locations – Selection, Design & Layout	Impacts on host communities, air, noise and water pollution	Villages in the Vicinity of the Camp site	<ul style="list-style-type: none"> <li>Construction camps shall not be proposed: <ul style="list-style-type: none"> <li>(i) Within 1000m of Ecologically sensitive areas</li> <li>(ii) Within 1000m from the nearest habitation to avoid conflicts and stress over the infrastructure facilities, with the local community.</li> </ul> </li> <li>Location's for stockyards for construction materials shall be identified at least 1000 m from watercourses. The waste disposal and sewage system for the camp shall be designed, built and operated such that no odour is generated.</li> <li>Layout of the campsite shall be approved by the CSC prior to its establishment</li> <li>Top soil shall be preserved as mentioned in the Clause 12</li> <li>Unless otherwise arranged by the local sanitary authority, arrangements for disposal of excreta suitably approved by the local medical health or municipal authorities or as directed by Engineer shall be provided by the contractor.</li> </ul>	Contractor	PIU / PMU / CSC
7.	Planning and identification of Haul Roads	Air, noise and water Pollution	Haul Roads	<ul style="list-style-type: none"> <li>Planning of haul roads for accessing borrow materials shall be undertaken during this stage. The haul roads shall be routed to avoid agricultural areas. In case agricultural land is disturbed, the Contractor shall rehabilitate it as per Borrow Area guideline given in the EMF or as approved by the Engineer – In-charge of CSC.</li> <li>Haul roads shall be maintained throughout the operation period of the borrow areas by undertaking the required maintenance and repair works, which may include strengthening, pot hole repairing and diversions. Improvements shall be done to reduce inconvenience to users of these roads, residents living along the haul roads and minimize air and water pollution.</li> <li>Such measures shall include, but not limited to, frequent sprinkling of water, repairing of the road, road safety provisions (warning and informatory signage, flagmen etc.), and ensuring covering of loaded vehicles by waterproof tarpaulin; consultation with public and special precautions are required when measures are implemented near schools, health centers and settlement areas.</li> </ul>	Contractor	PIU / PMU / CSC
8.	Traffic Diversions and Detours	Air and Noise pollution	Traffic diversions	<ul style="list-style-type: none"> <li>Detailed traffic control plans shall be prepared by the contractor and the same shall be submitted to the Engineer - Incharge of CSC for approval.</li> <li>The traffic control plans shall contain details of temporary diversions, traffic safety arrangements including night time safety measures, details of traffic arrangement</li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
				<p>after cessation of work each day, safety measures undertaken for transport of hazardous materials and arrangement of flagmen etc. to regulate traffic congestion.</p> <ul style="list-style-type: none"> <li>The Contractor shall provide specific measures for safety of pedestrians and workers as a part of traffic control plans.</li> <li>The Contractor shall ensure that the traffic diversion/detour is always maintained in running condition, particularly during the monsoon to avoid disruption to traffic flow.</li> <li>The temporary traffic detours will be kept free of dust by frequent water sprinkling.</li> <li>Traffic controls and diversions marked with signs, lights and other measures (flags) should be provided.</li> </ul>		
9.	Establishing access	Loss of access to residences and business along road, movement across road	All along sub-project road	<ul style="list-style-type: none"> <li>The Contractor shall provide safe and convenient passage for vehicles, pedestrians and livestock to and from roadsides and property accesses connecting the project road by providing temporary connecting road, as necessary.</li> <li>Construction activities that shall affect the use of side roads and existing accesses to individual properties, whether public or private, shall not be undertaken without providing adequate provision approved by the CSC.</li> <li>Cross roads would be constructed in such a sequence that construction work over the adjacent cross roads are taken up in a manner that traffic movement in any given area does not get affected.</li> </ul>		
10.	Temporary Land Requirement	Temporary loss of livelihood	Camp sites, Traffic Diversions	<ul style="list-style-type: none"> <li>The contractor as per prevalent rules shall carry out negotiations with the land owners for obtaining their consent for temporary use of lands for construction sites/ hot mix plants/traffic detours/borrow areas etc.</li> <li>The Engineer shall ensure that the site is cleared prior to handing over to the owner (after construction or completion of the activity) and it is included in the contract.</li> </ul>	Contractor	PIU / PMU / CSC
11.	Clearing & Grubbing	Loss of vegetation, damage to trees	Col	<ul style="list-style-type: none"> <li>Site clearance including clearance of marked trees for felling and removal has to be carried out much before the actual road construction takes place.</li> <li>All works shall be carried out in a manner such that the damage or disruption to flora is minimum. Only ground cover/shrubs that impinge directly on the permanent works or necessary temporary works shall be removed with prior approval from Engineer - Incharge of CSC.</li> <li>The Contractor, under any circumstances shall not cut or damage trees. Vegetation above 30 cm girth shall be considered as trees and shall be compensated.</li> </ul>	Contractor	PIU / PMU / CSC
12	Stripping, stacking and Preservation of Top soil	Loss of fertile soil	Camp sites, borrow areas, traffic diversions / detours	<ul style="list-style-type: none"> <li>The top soil from all sites including road side widening and working area, cutting areas, quarry sites, borrows areas, construction camps, haul roads in agricultural fields (if any) and areas to be permanently covered shall be stripped to a specified depth of 150mm and stored in stockpiles for reuse.</li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
				<ul style="list-style-type: none"> <li>A portion of the temporarily acquired area and/or RoW edges shall be earmarked for storing top soil. The locations for stacking shall be pre-identified in consultation and with approval of Engineer - Incharge of CSC. The following precautionary measures shall be taken by the Contractor to preserve the stockpiles till they are re-used:</li> <li>Stockpile shall be arranged such that the slope does not exceed 1:2 (vertical to horizontal), and height is restricted to 2 m.</li> <li>To retain soil and to allow percolation of water, the edges of the pile shall be protected by silt fencing.</li> <li>Multiple handling is to be kept to a minimum to ensure that no compaction occurs.</li> <li>Such stockpiles shall be covered with empty gunny bags or shall be planted with grasses to prevent loss during rains.</li> <li>Such stockpiled topsoil shall be utilized for               <ol style="list-style-type: none"> <li>Covering reclamation sites or other disturbed areas including borrow areas (not those in barren areas)</li> <li>Top dressing of road embankment and fill slopes</li> <li>Filling up of tree pits and in the agricultural fields of farmers, acquired temporarily that need to be restored.</li> </ol> </li> <li>Residual topsoil, if there is any, shall be utilized for the plantation works along the road corridor.</li> <li>The utilization as far as possible shall be in the same area/close to the same area from where the top soil was removed. The stripping, preservation and reuse shall be carefully inspected, closely supervised and properly recorded by CSC.</li> </ul>		
13.	Dismantling of Bridgework / Culverts	Generation of C & D waste, air and water pollution	Bridge and Culvert locations	<ul style="list-style-type: none"> <li>Bridges and culverts shall be planned for demolition during dry season when the flows are lowest.</li> <li>In case of perennial streams, water shall be diverted away from the work area temporarily and water way shall be protected from contamination through silt fencing.</li> <li>Prevent earthwork, stonework, materials and appendage from impeding cross-drainage at rivers, streams, water canals and existing irrigation and drainage systems</li> </ul>	Contractor	PIU / PMU / CSC
14.	Generation & Disposal of Debris	Dust pollution, Water pollution, leachate and water logging	All along the sub-project area of influence	<ul style="list-style-type: none"> <li>Debris generated due to the dismantling of the existing road shall be suitably reused in the proposed construction as follows:               <ol style="list-style-type: none"> <li>Usually, upto eighty percent (80%) of the sub-grade excavated from the existing road surface, excluding the scarified layer of bitumen, can be reused in the civil works after improving the soil below the subgrade through addition of sand and suitable cementing material for qualitative up-gradation. The extent of</li> </ol> </li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
				<ul style="list-style-type: none"> <li>utilisation of dismantled material should be determined by the contractor and approved by the Engineer for reuse</li> <li>ii. The dismantled scraps of bitumen can be utilized for the paving of cross roads, access roads and paving works in construction sites and campus, temporary traffic diversions, haulage routes, parking areas along the corridor or in any other manner approved by the Engineer - Incharge of CSC.</li> <li>• Disposal sites shall be identified and finalised prior to completion of the earthworks on any particular section of the road. The Engineer shall approve these disposal sites conforming to the following               <ul style="list-style-type: none"> <li>i. These are not located within designated forest area</li> <li>ii. The dumping does not impact natural drainage courses</li> <li>iii. No endangered/rare flora is impacted by such dumping.</li> <li>iv. Settlements are located at least 1.0 km away from the site.</li> </ul> </li> <li>• The designated disposal locations shall be part of Comprehensive Solid Waste Management Plan to be prepared by Contractor and approved by the Engineer-In-Charge of CSC and local competent authority.</li> <li>• At locations identified for disposal of residual bituminous wastes, the disposal shall be carried out at secure landfill sites with the requisite approvals for the same from the concerned government agencies (or) over a 60 mm thick layer of rammed clay so as to eliminate the possibility of leaching of wastes into the ground water.</li> <li>• Unutilized non-toxic debris shall be suitably dispose off either through filling up of borrows areas located in wasteland or at the identified disposal sites, subject to the approval of the Engineer - Incharge of CSC.</li> <li>• Debris generated from pile driving or other construction activities along the rivers and streams drainage channels shall be carefully disposed in such a manner that it does not flow into the surface water bodies or form puddles in the area.</li> </ul>		
15.	Extraction of Borrow material	Dust and Water Pollution	Borrow areas	<ul style="list-style-type: none"> <li>• No borrow area shall be opened without permission of the Engineer – Incharge of CSC.</li> <li>• Borrow pits shall not be dug continuously in a stretch. The location, shape and size of the designated borrow areas shall be as approved by the Engineer and in accordance to the IRC recommended practice for borrow pits for road embankments (IRC 10: 1961).</li> <li>• The borrowing operations shall be carried out as specified in the guidelines for siting and operation of borrow areas</li> <li>• The unpaved surfaces used for the haulage of borrow materials shall be maintained dust free by the contractor. Since dust rising is the most significant impact along the hauled roads, sprinkling of water shall be carried out twice a day along such</li> </ul>	Contractor	PIU / PMU / CSC





Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
				roads during their period of use.		
16.	Extraction of Quarry Material	Dust and Water Pollution	Quarry Areas	<ul style="list-style-type: none"> <li>The Contractor shall obtain materials for quarries only after the approval of Government of Assam Mines &amp; Minerals Department and the District Administration. A copy of this consent must be submitted to PMU/PIU through Engineer –Incharge of CSC.</li> <li>The Contractor shall develop a Comprehensive Quarry Redevelopment Plan, as per the Mining Rules of the State and submit a copy to PMU and CSC prior to opening of the quarry site.</li> <li>The quarry operations shall be undertaken within the rules and regulations in vogue.</li> <li>Except as may be provided in the contract or authorized by the Engineer, explosives shall not be used. Where the use of explosives is so provided or ordered or authorized, the requirements of the following Sub-Clauses of MoRTH 302 besides the law of the land, as applicable.</li> </ul>	Contractor	PIU / PMU / CSC
17.	Extraction of water	Disruption to other water users	At water sources	<ul style="list-style-type: none"> <li>Water from surface water bodies will be extracted after prior approval from River Authority / Irrigation Department as appropriate. While working across or close to any perennial water bodies, Contractor shall not obstruct/ prevent the flow of water. Under no circumstances the downstream flow shall be stopped putting the wildlife, the aquatic fauna and the shore line settlement under distress</li> <li>Construction over and close to the non-perennial streams shall be undertaken in dry season. Prior intimation of construction activity (atleast two weeks advance notice) to be given to downstream users.</li> <li>Loss of access to safe drinking water due to construction is likely, then the Contractor shall make necessary arrangements to provide water in the interim period. Water quality test shall be done prior to providing / supplying water.</li> </ul>		
18.	Transporting Construction material	Air and Noise pollution	All along the sub-project road and haul roads	<ul style="list-style-type: none"> <li>All vehicles delivering materials to the site shall be covered to avoid spillage of materials.</li> <li>All existing highways and roads used by vehicles of the contractor, or any of his sub-contractor or suppliers of materials and similarly roads which are part of the works shall be kept clean and clear of all dust/mud or other extraneous materials dropped by such vehicles</li> <li>Water spraying shall be done on the unpaved haulage roads and other dust prone areas.</li> <li>The unloading of materials at construction sites close to settlements shall be restricted to daytime only.</li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
19.	Storage of Construction material	Dust and water pollution	Material storage areas	<ul style="list-style-type: none"> <li>Location for stockyards for construction materials shall be identified at least 500m away from watercourses. Storage areas to be located downwind of the habitation area</li> <li>The construction materials containing fine particles shall be covered with tarpaulins or gunny bags to prevent dust raising.</li> <li>Exposed soil and any stockpiled material on site shall be covered to avoid dust or sprinkle water during dry weather.</li> <li>Silt fencing along any streams or water bodies close to material storage areas will be provided to avoid siltation of water.</li> </ul>	Contractor	PIU / PMU / CSC
20.	Construction of Bridges or Culverts	Spillage causing water pollution	Bridge and culvert locations	<ul style="list-style-type: none"> <li>Silt fencing will be provided while working close to cross drainage channels to prevent earthwork, stonework, materials and appendage from impeding cross-drainage at rivers, streams, water canals and existing irrigation and drainage systems.</li> <li>All extracted material shall be disposed off safely away from water body. The contractor shall ensure that construction materials and excavated materials are enclosed to avoid sediment runoff enterin waterbodies.</li> </ul>	Contractor	PIU / PMU / CSC
21.	Drainage, Spillage & Flood control	Water contamination / Pollution and Flooding	All along the sub-project corridor	<ul style="list-style-type: none"> <li>Silt fencing shall be provided to ensure that no construction materials like earth, stone, ash, waste water generated from construction or appendage disposed off that may block the flow of water of any water course and cross drainage channels or contaminate the water bodies</li> <li>Regular visual checks and cleaning of drains shall be done along the alignment to ensure that flow of water is maintained through cross drains and other channels / streams.</li> <li>Construction vehicles will be maintained and refuelled in such a fashion that oil / diesel spillage does not contaminate any drainage channels.</li> <li>Oil and grease traps and fuelling platforms to be provided at re-fuelling locations, to prevent contamination of water.</li> <li>Water Quality monitoring has to be performed as per the Environmental Monitoring Program and in accordance with the general and specific condition of CTO.</li> </ul>	Contractor	PIU / PMU / CSC
22.	Construction Camp Maintenance	Solid wastes and waste water management	Construction camps	<ul style="list-style-type: none"> <li>Collecting kitchen waste at separate bins and disposing of in a pit at designated area/s.</li> <li>Collecting plastics in separate bins and disposing in deep trench at designated area/s covering with soil.</li> <li>Collecting cottons, clothes etc. at separate bins and burning in a pit (with sand bed).</li> <li>Wastes must be collected, stored and taken to approved disposal site. Adequate</li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
				<p>water and sanitary latrines with septic tanks with soak pits shall be provided.</p> <ul style="list-style-type: none"> <li>Locating soak pits at least 50m from any ground water sources.</li> <li>Night soil is to be disposed off by putting layer of it at the bottom of a permanent tank prepared for the purpose and covered with 15 cm. layer of waste or refuse and then covered with a layer of earth for a fortnight.</li> <li>All waste arising from the project are to be disposed off in the manner that is acceptable to the State Pollution Control Board or as directed by Engineer – Incharge of CSC. The Engineer – Incharge shall certify that all liquid wastes disposed off from the sites meet the discharge standards.</li> </ul>		
23.	Hotmix and Batching plant in operation	Air, water and land contamination	Spillage from plant and equipment at construction camp	<ul style="list-style-type: none"> <li>Hot mix plant and batch mix plant shall be fitted with dust extraction units and mist spray to keep down the dust emission levels. The suspended particulate matter value at a distance of 40m from a unit located in such a cluster should be less than 500 µg/m<sup>3</sup>.</li> <li>Precautions to reduce the level of dust (SPM and RSPM) from crushers, material storage yards, haul roads and construction sites (including earthwork, dismantling, scarification and material mixing sites) by sprinkling of water, mist spray, encapsulation of dust source and erection of screen /barriers shall be undertaken.</li> <li>Providing impervious platform and oil and grease trap for collection of spillage from construction equipment vehicle maintenance platform.</li> <li>Collection oil and lubes drips in container during repairing construction equipment vehicles.</li> <li>Providing impervious platform and collection tank for spillage of liquid fuel and lubes at storage area.</li> <li>Providing bulk bituminous storage tank instead of drums for storage of bitumen and bitumen emulsion.</li> <li>Providing impervious base at bitumen and emulsion storage area and regular clearing of any bitumen spillage for controlled disposal.</li> <li>Reusing bitumen spillage.</li> <li>Disposing non-usable bitumen spills in a deep trench providing clay lining at the bottom and filled with soil at the top (for at least 0.5 m).</li> <li>Contractor shall arrange for collection, storing and disposal of oily wastes to the pre-identified disposal sites approved by the Engineer – Incharge. All spills and collected petroleum products, shall be disposed off in accordance with MoEF and state PCB guidelines.</li> <li>Engineer – Incharge shall certify that all arrangements comply with the conditions of CTE and CTO issued by the State PCB.</li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
24.	Construction activities	Occupational health and safety of workers	Construction camp	<ul style="list-style-type: none"> <li>Contractor shall provide necessary water supply, sanitation, drainage and medical health facilities at campsite.</li> <li>Contractor shall provide PPE such as safety goggles, helmets, safety belts, ear plugs, mask etc. to staff, workers and labourers</li> <li>Reverse horn for all construction equipment and vehicles should be kept in working order.</li> <li>Required electrical safety measures such as double earthing for heavy electrical equipment, machinery, providing earth link circuit breaker (ELCB) for all electrical connections shall be undertaken by the contractor.</li> <li>The contractor shall comply with all regulations regarding safe scaffolding, ladders, working platforms, gangway, stairwells, excavations, trenches and safe means of entry and egress.</li> <li>The contractor shall also ensure that no paint containing lead or lead products is used except in the form of paste or readymade paint.</li> <li>Contractor shall provide facemasks to the workers when paint is applied in the form of spray or a surface having dry lead paint is rubbed and scrapped.</li> <li>The Contractor shall mark 'hard hat' and 'no smoking' and other 'high risk' areas and enforce non-compliance of use of PPE with zero tolerance. These shall be reflected in the Construction Safety Plan to be prepared by the Contractor during mobilization and shall be approved by Engineer.</li> <li>Maintaining first aid at construction sites.</li> <li>Maintaining emergency response system.</li> </ul>	Contractor	PIU / PMU / CSC
25	Accidents & Safety	Workers / Road user safety and First Aid	Construction sites; labour camps and construction establishments	<ul style="list-style-type: none"> <li>Providing and maintaining traffic management comprising diversion; warning, guiding and regulatory signage; channelisers and delineators; lighting, flagmen; dust control system etc. as specified in the contract.</li> <li>Providing adequate light at construction zone if working during night time is permitted by the Engineer.</li> <li>Conducting periodic mock drilling on critical accident-prone activities.</li> <li>Conducting periodic training for all personnel working at plant site.</li> <li>A readily available first aid unit including an adequate supply of sterilized dressing materials and appliances as per the Factories Rules in every work zone.</li> <li>Availability of suitable transport at all times to take injured or sick person(s) to the nearest hospital</li> <li>At every construction site, a readily available first aid unit including an adequate supply of dressing materials, a mode of transport, nursing staff and an attending doctor will be provided.</li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
26.	Operation of Construction vehicles, Machinery & equipment	Air pollution, Noise Pollution and Vibration	Vehicles and Construction machinery	<ul style="list-style-type: none"> <li>Contractor shall ensure that all vehicles, equipment and machinery used for construction are regularly maintained and confirm to the air and noise emission standards specified by the CPCB.</li> <li>Certification obtained from designated/approved authority shall be submitted along with the specified reporting format.</li> <li>All equipment to be timely serviced and properly maintained.</li> <li>Construction equipment and machinery to be fitted with silencers and maintained properly.</li> <li>Only IS approved equipment shall be used for construction activities.</li> <li>Construction activities particularly near sensitive zones like schools and colleges to be carried out after closing of school and in the weekends / holidays only</li> <li>Construction activities near hospitals to be completed on priority basis (in short time period) with alternate provision of traffic.</li> <li>Manage smooth traffic flow to avoid traffic jams and honking.</li> <li>Restrict construction activities near residential and built up areas to daylight hours with prior intimation to local residents.</li> <li>Proper PPEs (ear muff) shall be provided to the workers engaged in activities for long time exposure to increased noise level.</li> <li>Limits for construction equipment used in the project such as compactors, rollers, front loaders, concrete mixers, cranes (moveable), vibrators and saws shall not exceed 75 dB (A) (measured at one meter distance from the edge of equipment in the free field), as specified in the Environment (Protection) rules, 1986.</li> <li>Monitoring shall be carried out at the construction sites as per the monitoring schedule and results shall be submitted to Engineer-Incharge of CSC. Engineer shall be required to inspect regularly to ensure the compliance of EMP. (Refer MoRTH - Section 111.3). Environmental Monitoring Program shall also be aligned in accordance with the general and specific conditions of CTO.</li> </ul>	Contractor	PIU / PMU / CSC / SPCB
27.	Embankment construction	Control of Soil Erosion	At bridge approaches; High embankment sections (Low lying areas) and borrow pits	<ul style="list-style-type: none"> <li>The contractor shall construct slope protection works as per design, or as directed by the Engineer - Incharge of CSC to control soil erosion and sedimentation through use of dykes, sedimentation chambers, basins, fiber mats, mulches, grasses, slope drains and other devices as required under specific local conditions</li> <li>Turfing works shall be taken up as soon as possible provided the season is favourable for the establishment of grass sods. Other measures of slope stabilization shall include mulching netting and seeding of batters and drains immediately on completion of earthworks.</li> <li>Along sections abutting water bodies, pitching as per design specification shall protect slopes. In borrow pits, the depth shall be regulated so that the sides of the</li> </ul>	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
				excavation shall not be steeper than 1 vertical to 2 horizontal, from the edge of the bank.		
28.	Chance found Archaeological Property	Cultural artefacts	All along the project area including borrow areas	<ul style="list-style-type: none"> <li>All fossils, coins, articles of value of antiquity, structures and other remains or things of geological or archaeological interest discovered on the site are the property of the Government and shall be dealt with as per provisions of the relevant legislation.</li> <li>The contractor shall take reasonable precautions to prevent his workmen or any other persons from removing and damaging any such article or thing. He shall, immediately upon discovery thereof and before removal acquaint the Engineer-Incharge of such discovery and carry out the CSC's instructions for dealing with the same, waiting which all work shall be stopped.</li> <li>The Engineer shall seek direction from the Archaeological Survey of India (ASI) before instructing the Contractor to recommence the work in the site.</li> </ul>	Contractor	PIU / PMU / CSC / ASI
29.	Clearing of Construction Camps & Restoration	Land pollution	Camp locations	<ul style="list-style-type: none"> <li>Contractor to prepare site restoration plans for approval by the Engineer. The plan has to be implemented by the contractor prior to demobilization.</li> <li>On completion of the works, all temporary structures shall be cleared away, all rubbish burnt, excreta or other disposal pits or trenches filled in and effectively sealed off and the site left clean and tidy, at the Contractor's expense, to the entire satisfaction of the Engineer.</li> <li>Residual topsoil shall be distributed on adjoining / proximate barren/rocky areas as identified by the Engineer in a layer of thickness of 75mm - 150mm.</li> </ul>	Contractor	PIU / PMU / CSC
30.	Redevelopment of Borrow Areas	Ponding of water and hazardous conditions	Borrow area locations	<ul style="list-style-type: none"> <li>Redevelopment of borrow areas shall be taken up in accordance with the plans approved by the Engineer.</li> </ul>	Contractor	PMU / PIU / CSC
31.	Enhancement of Cultural and Common Properties		CPR (Selected) and Incidental Spaces	<ul style="list-style-type: none"> <li>Enhancement of all incidental spaces shall be planned and carried out prior to completion of construction, along the project road. Some of the enhancement measures to be considered along the project roads include Avenue tree plantation along the entire stretch of the road, Planting of shrubs in medians, rain water harvesting, adequate storm water drainage, Landscaping at junctions to improve aesthetics etc.</li> </ul>	Contractor	PMU / PIU / CSC
32.	Road side Plantation	Trees lost due to widening	Along the sub-project road in the RoW or identified spaces by community	<ul style="list-style-type: none"> <li>The contractor/identified agency (where specifically identified) shall do the plantation at median and/or turfing at embankment slopes as per the tree plantation strategy prepared for the project.</li> <li>Minimum 80 percent survival rate of the saplings shall be acceptable otherwise the contractor shall replace dead plants at his own cost. The contractor shall maintain the plantation till they handover the project site to PMU.</li> </ul>	Contractor	PMU / PIU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Mitigation Measures	Implementing Agency	Supervising & Monitoring Agency
				<ul style="list-style-type: none"> <li>Re-plantation of at least twice the number of trees cut should be carried out along the project road. Since the major portion of the project road may pass through open lands, planting of trees along the entire stretch of the road is recommended as an enhancement measure, which would also serve as a mechanism to delineate ROW and prevent future encroachments / squatters into the right of way, wherever possible.</li> <li>Growth and survival of trees planted shall be ensured and monitoring done at least for a period of 3 years. Survival status shall be reported on monthly basis to Engineer - Incharge.</li> <li>The Engineer - Incharge shall inspect regularly the survival rate of the plants and compliance of tree plantation guidelines</li> </ul>		

Table 3: Operation Phase

Sl. No.	Environmental Issue	Location/ Sources	Mitigation Measures	Monitoring Indicators	Monitoring Methods	Implementing Agency	Supervising & Monitoring Agency
<b>OPERATION PHASE</b>							
1.	Air Pollution	Vehicular gaseous emission	<ul style="list-style-type: none"> <li>Ambient air concentrations of various pollutants shall be monitored as envisaged in the pollution-monitoring plan at pre-designated locations to compare the levels with the pre-construction data.</li> <li>Periodicals monitoring of air pollutants and if values exceed the standard limits, suitable mitigation measures to be taken.</li> </ul>	SO <sub>2</sub> , NO <sub>2</sub> , and CO level, gaseous emissions	Standards CPCB methods Review of monitoring data and PUC	Pollution Monitoring Agency	PIU
2.	Noise Pollution	Vehicular	<ul style="list-style-type: none"> <li>Periodical monitoring of noise level will be carried out. If values exceed the standard limits, suitable measures will be taken.</li> <li>Providing and maintaining signage on noise regulation particularly near sensitive zones like schools, colleges, hospitals, etc.</li> </ul>	Noise level	Review of noise level monitoring data	Pollution Monitoring Agency	PIU
3.	Road Safety	Traffic and Vehicles Slow moving traffic and Lighting	<ul style="list-style-type: none"> <li>Safety Signage and Traffic Management.</li> <li>No advertisement/hoardings shall be allowed within the Right of Way limits of the project road.</li> <li>Regular maintenance and cleaning of assets such as sign boards, bus stops, drains etc. shall be undertaken.</li> </ul>	Traffic movement	No. of accidents	PIU	PMU



Sl. No.	Environmental Issue	Location/ Sources	Mitigation Measures	Monitoring Indicators	Monitoring Methods	Implementing Agency	Supervising & Monitoring Agency
			<ul style="list-style-type: none"> <li>Maintenance of road / flyover lighting.</li> </ul>				
4.	Tree plantation	-	<ul style="list-style-type: none"> <li>Roadside tree plantation shall be carried out as per the relevant norms and conditions mentioned in the tree cutting permission.</li> </ul>	Survival rate of trees	Field observations	Contractor	Forest Department
5.	Contamination of Soil and Water Resources from Spills due to traffic & accidents	Vehicular Traffic	<ul style="list-style-type: none"> <li>Contingency plans to be in place for cleaning up of spills of oil, fuel and toxic chemicals.</li> <li>Spill of oil, fuel and automobile servicing units without adequate preventive systems in place to be discouraged.</li> </ul>	Incidences of spills, accidents	Review of records, field consultations	PIU	PMU
6.	Soil Erosion and Sedimentation	-	<ul style="list-style-type: none"> <li>Maintaining the slope protection measures provided at stretches of high embankment and protection measures for bed scouring at cross drainage locations as per maintenance manual to be prepared before operation</li> </ul>	Cases of landslides	Maintenance Records	PIU	PMU
7.	Maintenance of Drainage	-	<ul style="list-style-type: none"> <li>The drains will be periodically cleared to maintain storm water flow.</li> <li>Road drains will be cleared of debris before onset of every monsoon.</li> </ul>	Observation	Maintenance Records	PIU	PMU
8.	Monitoring and Evaluation of Operational Performance of Environmental Mitigation Measures provided in the Project	Sub-Project influence area	<ul style="list-style-type: none"> <li>The PMU/PIU shall monitor the operational performance of the various mitigation/ enhancement measures carried out as a part of the project.</li> <li>Also, the rehabilitation works at degraded sites along nalas, streams and gullies after soil and water conservation measures has to be inspected, recorded and damages timely repaired for effective functioning and maintenance of such efforts in the field. All observations and data shall be added /updated in the Database/Information Management System developed for the project.</li> </ul>			PIU	PMU





## ANNEXURE E.5: ENVIRONMENTAL MANAGEMENT PLANNING FRAMEWORK BUDGET

1. Budget requirements for implementing this ESMPF includes costs for i) screening and categorization and preparation of EIA reports including ESMP and EMOP for the proposed sub-projects under ASRIP, and (ii) institutional and capacity building activities. Table serves as a guide on the allocation and planning of budget for implementing the requirements of this ESMPF. The budget amount provided are rough estimates and maybe adjusted based on the scope and needs of the project.

**Table 1: ESMPF Budget**

Sl. No.	Activity	Budget Source	Approximate Amount (US\$)	Budget Purpose
1.	Preparation of ESMPF	PMU	\$40,000	Consultancy fees for preparation of ESMPF as part of the DPR
2.	Implementation of ESMPF	PMU	\$15,30,000	Monitoring of EMP and RP implementation
3.	Institutional and Capacity Building			
(i)	Designation of authorized officer for environment safeguards	PMU	Included in project management budget under government contribution	Salary for authorized officer and EFP
(ii)	Recruitment/ appointment of EFP	PIUs	Included in project management budget under government contribution	Salary for authorized officer and EFP
(iii)	Training workshops	AIB and PMU/PIUs	\$45,000	Logistical costs for training and resource person fees



## ANNEXURE E.6: OUTLINE FOR AN ENVIRONMENTAL AND SOCIAL MONITORING REPORT

### i. Introduction

1. (Report Purpose, Brief project background including organizational set up, list of roads, planned project schedule etc., Details on Project Implementation Progress with details on current site works, location, earthworks, vegetation clearing, spoils disposal, establishment of construction camp and other construction related facilities (e.g., concrete mixing plant, asphalt batching plant, crushing plant, etc.), establishment and operation of quarry/borrow areas, etc., including locations, schedules, dates, etc., Schedule of construction activities for the subsequent months)

### ii. Compliance on Environment Safeguards Requirements

2. (Status of compliance with AIIB loan covenants: provide a list of environmental loan covenants and specify level of compliance)

3. Status of compliance with government environmental requirements: provide a list of government environmental requirements (permits, etc.) for the project as well as construction-related facilities/ activities and specify level of compliance, indicate any required environmental permit/license/consent obtained to date and to be obtained (including schedule) for the project and construction related facilities/activities)

### iii. Changes in project scope

4. (Such as change in alignment, implementation of additional Project component/s, etc. (with reference to the Project scope identified in the AIIB-cleared environmental assessment report, i.e., EIA) and corresponding safeguard measures undertaken, if applicable)

### iv. Implementation of Environmental Management Plan

5. (Indicate the manner by which ESMP requirements are incorporated into contractual arrangements, such as with contractors or other parties.

6. Summary of Environmental Mitigations and Compensation Measures Implemented Based on ESMP; may include measures related to air quality, water quality, noise quality, pollution prevention, biodiversity and natural resources, health and safety, physical cultural resources, capacity building, and others. Provide a table/matrix showing a summary of each environmental mitigation measure specified in the ESMP.

ESMP Requirement (list all mitigation measures specified in the ESMP)	Compliance Attained (Yes, No, Partial)	Comment on Reasons for Partial or Non- Compliance	Issues for Further Action and Target Dates
1.			
2.			
3.			
etc.			

### v. Environmental Monitoring Activities

7. (Compliance Inspections, Summary of Inspection Activities, Mitigation Compliance<sup>27</sup> Mitigation Effectiveness<sup>28</sup>. Findings of Environmental Monitoring Plan (EMOP) on quality of air, noise, water etc. and Results Assessment<sup>29</sup>)

<sup>27</sup> Overall compliance with mitigation implementation requirements could be described in qualitative terms or be evaluated based on a ranking system, such as the following:



**vi. Key Environmental Issues**

8. (Key Issues Identified (e.g., non-compliance to loan covenants, ESMP and/or government environmental requirements, insufficient mitigation measures to address Project impacts, incidents, accidents, etc.) Actions Taken and Corrective Action Plan (specify actions taken and corrective action plans to be implemented to address non-compliance and other identified issues. Such action plan should provide details of specific actions to be undertaken to resolve identified issues, responsible persons who will carry out such actions and timeframe/target date to carry out and complete required actions. The action plan could be presented in a tabular/matrix form (see below). Timeframe and responsibilities for reporting to AIIB on the progress of implementation of corrective action plan should also be specified under this section.)

Issue	Cause	Required Action	Responsibility	Timing (Target Dates)	Description of Resolution and Timing (Actual)
<b>Old Issues from Previous Reports</b>					
1.					
2.					
<b>New Issues from this Report</b>					
1.					
2.					

**vii. Complaints**

9. Details of Complaint/s (Provide details of any complaints that have been raised by the local population and other stakeholders regarding environmental performance and environmental impacts (complainant, nature of complaint, date complaint was filed, which office received the complaint, etc.)

10. Action Taken (Document how the complaints were addressed or will be addressed by indicating the following:

- 
- 1 Very Good (all required mitigations implemented)
  - 2 Good (the majority of required mitigations implemented)
  - 3 Fair (some mitigations implemented)
  - 4 Poor (few mitigations implemented)
  - 5 Very Poor (very few or no mitigations implemented)

Additional explanatory comments should be provided as necessary.

<sup>28</sup> Effectiveness of mitigation implementation could be described in qualitative terms or be evaluated based on a ranking system, such as the following:

- 1 Very Good (mitigations are fully effective)
- 2 Good (mitigations are generally effective)
- 3 Fair (mitigations are partially effective)
- 4 Poor (mitigations are generally ineffective)
- 5 Very Poor (mitigations are completely ineffective)

Additional explanatory comments should be provided as necessary.

<sup>29</sup> Discharge levels should be compared to the relevant discharge standards and/or performance indicators noted in the EMP. Any exceedances should be highlighted for attention and follow-up. In addition, discharge levels could be compared to baseline conditions (if baseline data is available) and described in qualitative terms or be evaluated based on a ranking system, such as the following:

- 1 Very Good (overall conditions are generally improved)
- 2 Good (conditions are maintained or slightly improved)
- 3 Fair (conditions are unchanged)
- 4 Poor (conditions are moderately degraded)
- 5 Very Poor (conditions are significantly degraded)

Additional explanatory comments should be provided as necessary.



- i. Names and designation of specific staff or officials within the Grievance Redress Committee, executing agency, project management unit, local government, contractor and/or supervision consultant involved in receiving, documenting, and resolving the complaint (s).
- ii. specific actions taken to be taken to resolve the complaint and corresponding timeframe

**viii. Conclusion and Recommendation**

- a. Overall Progress of Implementation of Environmental Management Measures<sup>30</sup>
- b. Problems Identified and Actions Recommended
- c. Monitoring adjustment (recommended monitoring modifications based on monitoring experience/trends and stakeholders' response)

• **Appendices**

- ▶ Appendix 1: Site Inspection / Monitoring Reports
- ▶ Appendix 2: Source and Ambient Monitoring Results (Laboratory Analysis)
- ▶ Appendix 3: Photographs
- ▶ Appendix 4: Location Map of Sampling Stations
- ▶ Appendix 5: Copies of Environmental Permits/Approvals
- ▶ Appendix 6: Other relevant information/documents

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<sup>30</sup> Overall sector environmental management progress could be described in qualitative terms or be evaluated based on a ranking system, such as the following:

- 1 Very Good
- 2 Good
- 3 Fair
- 4 Poor
- 5 Very Poor

Additional explanatory comments should be provided as necessary.



**ANNEXURE E.7: SAMPLE ENVIRONMENTAL AND SOCIAL MONITORING PLAN**

Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Monitoring Indicators	Monitoring Methods	Implementing Agency	Supervising & Monitoring Agency
<b>PRE-CONSTRUCTION PHASE</b>							
1.	Land Acquisition	Loss of Land, Livelihood	RoW / Col	As per RPF	As per RPF	PIU, Revenue Dept., NGOs, Collaborating Agencies	PIU/PMU
2.	Tree Cutting	Loss of Trees / Vegetation	RoW / Col	No. of trees to be cut	Site Visual Observations	Forest Department Assam / PIU / PMU	PIU / PMU
3.	Utility Relocation and common property resources	Loss of connectivity, Loss of CPR	RoW / Col	No. of utilities / CPR to be relocated	Site Visual Observations	PIU / PMU	PIU / PMU
4.	Relocation of Cultural Property	Loss of heritage	RoW / Col	No. of Properties restored	Site Visual Observations	Contractor	PIU / PMU
<b>CONSTRUCTION STAGE</b>							
1.	Procurement of Machinery - Crushers, Hot-mix Plants & Batching Plants	Air, noise and water Pollution	Crushers, Hotmix plants & Batching Plants	Manufacturers Certificate of Compliance with Emission Standards	Compliance review with Emission Standards	Contractor	PIU / PMU / CSC
2.	Procurement of Other Construction Vehicles, Equipment and Machinery	Air, noise and water Pollution	Through out the project area	Manufacturers Certificate of Compliance with Emission Standards Status of PUC certificates	Compliance review with Emission Standards	Contractor	PIU / PMU / CSC
3.	Identification & Selection of Material Sources - Borrow Areas	Air, noise and water Pollution	Borrow areas	Location Criteria as per ESMP of Sub-project	Compliance review with Design, ESMP criteria and Site Observations	Contractor	PIU / PMU / CSC
4.	Identification & Selection of Material Sources - Quarries	Air, noise and water Pollution	Quarry Locations	Location Criteria as per ESMP of Sub-project	Compliance review with Design, ESMP criteria and Site Observations	Contractor	PIU / PMU / CSC
5.	Identification & Selection of Material Sources – Water for construction	Water availability, contamination of water sources and pollution	Water sources	Source location criteria as per ESMP, Water Quality as per IS:10500, SPCB Norms of Designated best use and Pollutant Discharge standards into Water Bodies	Sampling of Water at identified locations, Compliance review with ESMP	Contractor	PIU / PMU / CSC
5.	Identification & Selection of Material Sources - Sand (all	Contamination of Streams and river beds	Sand Quarries	Location Criteria as per ESMP of Sub-project	Compliance review with Design, ESMP criteria	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Monitoring Indicators	Monitoring Methods	Implementing Agency	Supervising & Monitoring Agency
	river and stream beds used directly or indirectly for the project)				and Site Observations		
6.	Construction Camp Locations – Selection, Design & Layout	Impacts on host communities, air, noise and water pollution	Villages in the Vicinity of the Camp site	Location Criteria as per ESMP of Sub-project	Compliance review with Design, ESMP criteria and Site Observations	Contractor	PIU / PMU / CSC
7.	Planning and identification of Haul Roads	Air, noise and water Pollution	Haul Roads	Location Criteria as per ESMP of Sub-project	Compliance review with Design, ESMP criteria and Site Observations	Contractor	PIU / PMU / CSC
8.	Traffic Diversions and Detours	Air and Noise pollution	Traffic diversions	Traffic Management Plan, ESMP Criteria	Compliance review with Design, ESMP criteria and Site Observations	Contractor	PIU / PMU / CSC
9.	Establishing access	Loss of access to residences and business along road, movement across road	All along sub-project road	Traffic Management Plan, ESMP Criteria	Compliance review with Design, ESMP criteria and Site Observations	Contractor	PIU / PMU / CSC
10.	Temporary Land Requirement	Temporary loss of livelihood	Camp sites, Traffic Diversions	Traffic Management Plan, ESMP Criteria	Compliance review with Design, ESMP criteria and Site Observations	Contractor	PIU / PMU / CSC
11.	Clearing & Grubbing	Loss of vegetation, damage to trees	CoI	Area Cleared, no. of tree stumps / roots cleared	Visual Observation and measurements on site, count on site	Contractor	PIU / PMU / CSC
12.	Stripping, stacking and Preservation of Top soil	Loss of fertile soil	Camp sites, borrow areas, traffic diversions / detours	Area stripped, location of storage, Quantity of Top Soil Preserved	Measurements on site	Contractor	PIU / PMU / CSC
13.	Dismantling of Bridgework / Culverts	Generation of C & D waste, air and water pollution	Bridge and Culvert locations	Quantity of Waste generated, Quantity of waste disposed, location of waste disposed and balance capacity of disposal site	Visual Observations, measurements on site	Contractor	PIU / PMU / CSC
14.	Generation & Disposal of Debris	Dust pollution, Water pollution, leachate and water logging	All along the sub-project area of influence	Disposal site criteria as per ESMP, Quantity of Waste generated, Quantity of waste disposed, location of waste disposed and balance capacity of disposal site	Visual Observations, measurements on site	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Monitoring Indicators	Monitoring Methods	Implementing Agency	Supervising & Monitoring Agency
15.	Extraction of Borrow material	Dust and Water Pollution	Borrow areas	Depth of borrow area upto which extracted, quantity of material extracted, side slope maintained, remaining quantify	Measurement on site	Contractor	PIU / PMU / CSC
16.	Extraction of Quarry Material	Dust and Water Pollution	Quarry Areas	Quantity extracted, remaining quantity in the quarry	Supplier records	Contractor	PIU / PMU / CSC
17.	Extraction of water	Disruption to other water users	At water sources	Type of source, quantity extracted	Record of water supplied	Contractor	PIU / PMU / CSC
18.	Transporting Construction material	Air and Noise pollution	All along the sub-project road and haul roads	Dust pollution, Complaints from local residents	Observations, public discussions	Contractor	PIU / PMU / CSC
19.	Storage of Construction material	Dust and water pollution	Material storage areas	Quantity stored, capacity of the storage area, Complaints from local residents	Observations, public discussions	Contractor	PIU / PMU / CSC
20.	Construction of Bridges or Culverts	Spillage causing water pollution	Bridge and culvert locations	Water quality parameters as per IS 10500, Designated best use	Monitoring on site	Contractor	PIU / PMU / CSC
21.	Drainage, Spillage & Flood control	Water contamination / Pollution and Flooding	All along the sub-project corridor	Water quality parameters as per IS 10500, Designated best use	Visual checks and cleaning of drains cross drains and other channels / streams along the alignment, Review records, site visit and observations Review of Water Quality monitoring data maintained by the Contractor	Contractor	PIU / PMU / CSC
22.	Construction Camp Maintenance	Solid wastes and waste water management	Construction camps	Quantity of waste generated, quantity disposed, location of disposal	Site visit, observations, review of records of waste management	Contractor	PIU / PMU / CSC
23.	Hotmix and Batching plant in operation	Air, water and land contamination	Spillage from plant and equipment at construction camp	Air and noise quality monitoring parameters as per Ambient air and noise quality standards, Equipment	Check equipment maintenance records, field visits, observations	Contractor	PIU / PMU / CSC



Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Monitoring Indicators	Monitoring Methods	Implementing Agency	Supervising & Monitoring Agency
				maintenance record, review plans for waste management and oil handling practices			
24.	Construction activities	Occupational health and safety of workers	Construction camp	As per monitoring format EM2	Review records, field check, observations,	Contractor	PIU / PMU / CSC
25	Accidents & Safety	Workers / Road user safety and First Aid	Construction sites; labour camps and construction establishments	As per monitoring format EM7	Check records, field observations	Contractor	PIU / PMU / CSC
26.	Operation of Construction vehicles, Machinery & equipment	Air pollution, Noise Pollution and Vibration	Vehicles and Construction machinery	Noise level monitoring, complaints from local residents, vehicle maintenance record, awareness programs implemented	Noise level measurement, field observations, discuss with local residents	Contractor	PIU / PMU / CSC / SPCB
27.	Embankment construction	Control of Soil Erosion	At bridge approaches; High embankment sections (Low lying areas) and borrow pits	Sedimentation control works and maintenance	Review plans, site observations	Contractor	PIU / PMU / CSC
28.	Chance found Archaeological Property	Cultural artefacts	All along the project area including borrow areas	Discovery of artefacts	Site observation	Contractor	PIU / PMU / CSC / ASI
29.	Clearing of Construction Camps & Restoration	Land pollution	Camp locations	Environmental Monitoring, oil and grease, waste disposal quantity	Monitoring record and site observations	Contractor	PIU / PMU / CSC
30.	Redevelopment of Borrow Areas	Ponding of water and hazardous conditions	Borrow area locations	As per format EM6	Visual observation	Contractor	PMU / PIU / CSC
31.	Enhancement of Cultural and Common Properties		CPR (Selected) and Incidental Spaces	No. of properties	Visual observation	Contractor	PMU / PIU / CSC
32.	Road side Plantation	Trees lost due to widening	Along the sub-project road in the RoW or identified spaces by community	No. of saplings planted, no. of saplings surviving	Count and visual observation	Contractor	PMU / PIU / CSC
<b>OPERATION STAGE</b>							
1.		Air Pollution	Vehicular gaseous emission	SO <sub>2</sub> , NO <sub>2</sub> , and CO level, gaseous emissions	Standards CPCB methods	Pollution Monitoring Agency	PIU





Sl. No.	Project Activity	Environmental / Social Issue	Location / Sources	Monitoring Indicators	Monitoring Methods	Implementing Agency	Supervising & Monitoring Agency
					Review of monitoring data and PUC		
2.		Noise Pollution	Vehicular	Ambient noise quality monitoring standard, 2009	Review of noise level monitoring data	Pollution Monitoring Agency	PIU
3.		Road Safety	Traffic and Vehicles Slow moving traffic and Lighting	Traffic movement	No. of accidents	PIU	PMU
4.		Tree plantation	At Plantation Locations	Survival rate of trees	Field observations	Contractor	Forest Department
5.		Contamination of Soil an Water Resources from Spills due to traffic & accidents	Vehicular Traffic	Incidences of spills, accidents	Review of records, field consultations	PIU	PMU
6.		Soil Erosion and Sedimentation	-	Cases of Erosion	Maintenance Records	PIU	PMU
7.		Maintenance of Drainage	-	Observation	Maintenance Records	PIU	PMU
8.		Monitoring and Evaluation of Operational Performance of Environmental Mitigation Measures provided in the Project	Sub-Project influence area	As per ESMP	Maintenance record and visual observations	PIU	PMU



### ANNEXURE E.8: ENVIRONMENTAL REPORTING SYSTEM

#### Format EM1: Selection of disposal site locations

(Give chainage and nearest settlements from both ends)

Criteria on which information for each site is to be collected
Area covered (m <sup>2</sup> )
Total Material that can be dumped within the site (m <sup>3</sup> )
Depth to which disposal is feasible (m)
Distance of nearest watercourse (m)
Nearest Settlement (m)
Date/s of Community Consultation/s
Whether the community is agreeable to siting of dumping site (Y/N)
Date of Permission from Village Council President (VCP)
Proposed future use of the Site

Selected Site (tick any one column only)

Certified that the above information is correct to the best of my knowledge and belief.

**Contractor**

Name & Designation:

Recommendation on the suitability of the site

Decision Taken (tick one):

Approved/Not Approved

**Engineer – In-Charge**

Name and Designation of Deciding Authority

(Tick as appropriate)

Maps of each location

Photographs

Each disposal location

Each community consultation

Photocopies of permissions from VCPs



### Format EM2: Construction Camp and Storage Area

Construction Stage: Report - Date\_\_\_\_ Month\_\_\_\_ Year\_\_\_\_

(Site Layout of Construction camp and working drawings of dwelling units with allied facilities to be attached with format)  
Format to be submitted before target date (decided by PIU) of establishing camps

Location of Camp (km\_\_\_\_)

Sl. No	Item	Unit	Details	Remarks
<b>1</b>	<b>Detail of item camp</b>			
a	Size of Camp	mxm		
b	Area of Camp	sq.m		
c	Distance from Nearest Settlement			
d	Distance from Nearest Water Source	Type/Size/Capacity/Present Use/Ownership		
e	Date of camp being operational dd/mm/yy			
f	Present land use			
g	No other trees with girth > 0.3m.			
h	Details of Storage area (Availability of impervious surface)	mxm		
i	Availability of separate waste disposal from storage area	Cum		
<b>2</b>	<b>Details of top soil stacking</b>			
a	Quantity of top soil removed	sq.m		
b	Detail of storage of topsoil	Describe stacking arrangement		
<b>3</b>	<b>Details of workforce</b>			
a	Total No of Labourers	nos		
b	Total no of Male Workers	nos		
c	No of Male Workers below 18 years of age	nos		
d	Total No of Female Workers	nos		
e	No of Female workers below 18 years of age	nos		
f	No of children	nos		
<b>4</b>	<b>Details of dwelling units</b>			
a	No of dwellings/huts	nos		
b	Minimum Size of Dwelling	mxm		
c	No of openings per dwelling	nos		
d	Minimum size of opening	mxm		
e	Walls	specifications		
f	Roofing	specifications		
g	Flooring	specifications		
h	Drinking Water Tank	specifications		
i	Capacity of Drinking water Tank	cum		
j	Size of Drinking Water Tank	mxmxm		
k	Total no of WC	nos		
l	No of Wcs for female workers	nos		
m	Minimum Size of WC	mxm		
n	Total No of Bathrooms for female workers	nos		
o	Size of septic tank for WC/Baths	mxmxm		
p	Capacity of Water Tank for WCs/ Bathrooms and general purpose			
q	Fencing around camp	Y/N		
<b>5</b>	<b>Details of facilities</b>			
a	Availability of security guard 24 hrs a day	Yes/No		
b	Details of First Aid Facility	Yes/No		
c	Availability of Day Care Centre	Yes/No		
d	Availability of dust bins (capacity 60 ltr)	nos		

Certified that the furnished information is correct the quality of work is as per god practice and all relevant information as required is attached

**Contractor**

**Engineer – In -Charge**



**Format EM3: Reporting for Borrow Areas**

Construction Stage Report: Date \_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_ Site Layout of Borrow Area and Proposed Borrow Area Redevelopment Plan to be attached with format, format to be submitted before target date as (decided by PIU) for establishing Borrow Areas Borrow Area No. BA \_\_\_\_\_  
Location of Borrow Area (Km \_\_\_\_\_)

Sl. No	Item	Unit	Details	Remarks by CSC, if any
<b>1</b>	<b>Details of Borrow Area</b>			
a	Date of Borrow Area becoming operational dd/mm/yy			
b	Current Landuse			
c	Distance from Nearest Settlement	Km		
d	No of settlements within 200m of Haul Road	No.		
e	No of settlements within 500m of Borrow Area	No.		
f	Total Capacity	cum		
g	No of Trees with girth more than 0.3 m	No.		
h	Length of Haul Road	km		
i	Width of Haul road	m		
j	Type of Haul Road	metal/dirt		
k	Size of Borrow Area	sqkm		
l	Area of Borrow Area	km x km		
m	Quantity Available	cum		
n	Distance of Nearest Water Source	Type/Size/Capacity/Present Use/Ownership		
o	Quantity of top soil removed	cum		
p	Detail of storage of topsoil			
q	Daily/occasional use of the Borrow Area by the community, if any	-		
r	Probable reuse of Borrow pit-ask community	-		
s	Drainage channels/slope/characteristics of the area	-		
<b>2</b>	<b>Enhancement Elements</b>			
a	Quantity of top soil removed	sq.m		
b	Detail of storage of topsoil	sq.m		
c	Adjoining land use/Natural elements			
d	Nearby catchment for storing water			
e	Erosion Control Programme			
f	Preventive measures for			
i	Leaching			
ii	Mosquito Breeding			
iii	Water run-off/contamination			
iv	Any other environmental degradation			
<b>3</b>	<b>Details of workforce</b>			
a	Total No of Labourers	No.		
b	Total no of Male Workers	No.		
c	No of Male Workers below 18 years of age	No.		
d	Total No of Female Workers	No.		
e	No of Female workers below 18 years of age	No.		
<b>4</b>	<b>Details of redevelopment, Plan to be enclosed</b>			

Certified that the furnished information is correct the quality of work is as per good practice and all relevant information as required is attached

**Contractor**

**Engineer – In -Charge**



**Format EM4: Tree Felling**

S.No	Links	Physical Target			Completion Target			Reason for Delay if any
		Total	Target	Target Achieved	% of task completed	Target Date	Date of Completion if task completed	
		Unit						
1		Nos						
2		Nos						
3		Nos						
4		Nos						

**Contractor**

**EM 5 Topsoil Conservation Monitoring**

Contract \_\_\_\_\_

Report No. \_\_\_\_\_

Date \_\_\_\_\_

Location (Chainage)	Original Use of Topsoil removed	Measures for preventing spillage of topsoil on Haul Roads (Earthen/Metalled)	Present Method of Storage	Anticipated period of Storage (Months)	Distance of nearest Water course (m)	Present Slope of Pile (V: H)	Whether silt fencing provided?	Is any other covering / measure provided? If yes, what is it?	Improvements required	Extent of Compliance as on date of report

Certified that the above is true.

Signed \_\_\_\_\_

**Contractor**

Verified

Signed \_\_\_\_\_

**Engineer – In-charge**



### EM 6 Redevelopment of Borrow Areas

Operation Stage: Report: Date \_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_

To be monitored by PIU during operation period

Details of remarks to be appended wherever necessary.

Sl. No	Activity	Particulars	Drawbacks Identified			Improvements Required		
			Construction	Financial	Others (Ask Community)	Technical	Financial	Remarks/ Suggestions
1	Details of Borrow area and Surrounding Landuse							
2	End use of the borrow area							
3	Whether rehabilitation has been carried out in line with owners request							
4	Erosion Control Measures							
5	Number of trees planted							
6	Reuse of topsoil							
7	Preventive measures taken for -Mosquito Breeding -Water runoff/contamination -Other Environmental Degradation							
8	Any problems faced by owner							
9	Any problems faced by the local community							
10	If it has been developed as a fish pond,							
a	Details of available catchment for storing water							
b	Economic Benefits/Utility							
11	If it has been developed as an orchard							
a	Details of suitability of soil and water.							
B	Type of Plantation							
c	Economic Benefits/Utility							
12	Any Other End use							
a	Particulars							
b	Economic Benefits/Utility							

**Contractor**

**Engineer – In -Charge**



### EM 7 Checklist for Construction Safety

Sl. No.	Safety Issues	Yes	No	Non-Compliance	Corrective Action	Penalty	Remarks
<b>Safety during Construction Stage</b>							
1	Appointment of qualified Construction safety officers						
2	Approval for Construction Safety Management Plan by the Engineer.						
3	Approval for Traffic Management/control Plan in accordance with IRC: SP: 55-2001						
4	Maintenance of the existing road stretches handed over to the Contractor.						
5	Provision of Temporary Traffic Barriers/Barricades/caution tapes in construction zones						
6	Provision of traffic sign boards						
7	Provision for flags and warning lights						
8	Provision of metal drum/empty bitumen drum delineator, painted in circumferential strips of alternate black and white 100mm wide 2 coats fitted with reflectors 3 Nos of 7.5cm diameter						
9	Providing plastic crash barrier						
10	Provision of adequate staging, form work and access (ladders with handrail) for works at a height of more than 3.0 m						
11	Provision of adequate shoring / bracing / barricading / lighting for all deep excavations of more than 3.0 m depth.						
12	Demarcations (fencing, guarding and watching) at construction sites						
13	Provision for sufficient lighting especially for night time work						
14	Arrangements for controlled access and entry to Construction zones						
15	Safety arrangements for Road users / Pedestrians						
16	Arrangements for detouring traffic to alternate facilities						
17	Regular Inspection of Work Zone Traffic Control Devices by authorized contractor personnel						
18	Construction Workers safety - Provision of personnel protective equipment						
19	A. Helmets						
	B. Safety Shoe						
	C. Dust masks						
	D. Hand Gloves						
	E. Safety Belts						
	F. Reflective Jackets						
	G. Earplugs for labour						
20	Workers employed on bituminous works, stone crushers, concrete batching plants etc. provided with protective goggles, gloves, gumboots etc.						
21	Workers engaged in welding work shall be provided with welder protective shields						
22	All vehicles are provided with reverse horns.						
23	All scaffolds, ladders and other safety devices shall be maintained in as safe and sound condition						
24	Regular health check up for labour/ Contractor's						



Sl. No.	Safety Issues	Yes	No	Non-Compliance	Corrective Action	Penalty	Remarks
	personnel						
25	Ensuring the sanitary conditions and all waste disposal procedures & methods in the camps.						
26	The Contractor shall provide adequate circuit for traffic flow around construction areas, control speed of construction vehicles through road safety and training of drivers, provide adequate signage, barriers and flag persons for traffic control						
27	Provision for insurance coverage to the contractor's personnel						

**Contractor**

**Engineer – In -Charge**

**Format EC1: Target Sheet for Pollution Monitoring**

Construction Stage: Report -            Date \_\_\_\_\_            Month \_\_\_\_\_            Year \_\_\_\_\_

(Locations at which monitoring to be conducted as per ESMP)

Sl. No	Chainage	Details of Location	Duration of Monitoring	Instruments Used	Completion Target		Reason for Delay if any
					Target Date	Date of Completion if task completed	
<b>Air Monitoring</b>							
1							
2							
3							
4							
5							
<b>Water Monitoring</b>							
1							
2							
3							
4							
5							
<b>Noise Monitoring</b>							
1							
2							
3							
4							
5							

Certified that the Pollution Monitoring has been conducted at all the locations specified in the ESMP

**Contractor**

**Engineer – In -Charge**





### Format EC 2: Target Sheet for Pollution Monitoring

Operation Stage: Report -            Date \_\_\_\_\_            Month \_\_\_\_\_            Year \_\_\_\_\_

(Locations at which monitoring to be conducted)

Sl. No	Chainage	Details of Location	Duration of Monitoring	Instruments Used	Completion Target		Reason for Delay if any
					Target Date	Date of Completion if task completed	
<b>Air Monitoring</b>							
1							
2							
3							
4							
5							
<b>Water Monitoring</b>							
1							
2							
3							
4							
5							
<b>Noise Monitoring</b>							
1							
2							
3							
4							
5							

Certified that the Pollution Monitoring has been conducted at all the locations specified in the ESMP

**Contractor**

**Engineer – In -Charge**



**Table 1: Summary Details of Reporting**

Format No.	Item	Stage	Contractor	Environmental Cell	Supervision Consultant (SC) / Concessionaire		Project Implementation Unit (PIU)
			Implementation & Reporting to SC	Implementation & Reporting to PIU	Supervision	Reporting to PIU	Oversee / Field Compliance Monitoring
EM1	Selection of Disposal Locations	Pre-Construction	One Time	-	One Time	One Time	One Time
EM2	Setting up of Construction Camp & Storage Area	Pre-Construction	One Time	-	One Time	One Time	One Time
EM3	Borrow Area Identification	Pre-Construction	One Time	-	One Time	One Time	One Time
EM4	Tree Cutting / Felling	Pre-Construction	-	Monthly	-	-	Quarterly
EM5	Top Soil Monitoring	Construction	Quarterly		Continuous	Quarterly	Quarterly
EM6	Rehabilitation of Borrow Areas	Operation			One Time	One Time	One Time
EM7	Construction Safety	Construction	Monthly	Monthly	Continuous	Monthly	Monthly
EC1	Pollution Monitoring	Construction	As Per Monitoring Plan	-	Quarterly	Quarterly	Quarterly
EC2	Pollution Monitoring	Operation	-	-	-	-	As Per Monitoring Plan



### ANNEXURE S.1: DETAILS OF SUB-PROJECTS OF ASRP

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 Tinali Amguri Nakachari	44.00
9.	Kamarbandha to Nakachari	36.00
	Total of Sub-component A.1	280.9
<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 Kaniachapori 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 tinali Road	19.50
15.	Jorhat Kamarbandha Nagabat (K.B. Road) Road	15.30
16.	Dergaon Golaghat Merapani Road	49.80
17.	Bokajan Uriamghat Tinali 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 Part2	15.40
23.	Pahumara Kimin (Dejoo Kimin Road)	17.00
24.	Northlakhimpur 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) Part1	15.90



Sl. No.	Name of Subproject	Length (Km)
31.	Joysagar Nazira Athkhel Road (Bor Ali Geleki Ali) Part2	13.70
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
	Total of Sub-component A.2	750.00



**ANNEXURE S.2: DIRECT PURCHASE POLICY OF ASSAM, 2021**

পঞ্জীভুক্ত নম্বৰ - ৭৬৮ /৯৭

Registered No.-768/97



**THE ASSAM GAZETTE**

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ 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.



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- 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>



**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 there of 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**



**Annexure-3**

**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*).



**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.



### ANNEXURE S.3: SUMMARY OF THE RFCTLARR 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 are port 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 concerned *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.

ANNEXURE S.4: FACTOR/ MULTIPLIER OF LAND ACQUISITION OF ASSAM

পঞ্জীভুক্ত নম্বৰ - ৭৬৮ /৯৭

Registered No.-768/97



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 295 দিশপুৰ, মঙ্গলবাৰ, 23 ডিচেম্বৰ, 2014, 2 পুহ, 1936 (শক)  
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.



## ANNEXURE S.5: ADDENDUM TO R&R POLICY FRAMEWORK OF ASRP

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 displaced person, the state Government or the person so authorized, as the case may be, 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/-	





## ANNEXURE S.6: OUTLINE OF RESETTLEMENT PLAN

1. 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*)**

2. 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)**

3. 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)**

4. 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)**

5. 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**

6. 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)**

7. 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)**

8. This section:

- i. describes national and local laws and regulations that apply to the project and identify gaps between local laws and AIB'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)**

9. 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)**

10. 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)**

11. 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**

12. 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)**

13. 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)**

14. 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)**

15. 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).*



## ANNEXURE S.7: TENTATIVE TOR 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>31</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.

### 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:

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<sup>31</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.



- 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.	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	Preferably Graduate in any discipline or	Preferably 3 years of	1 person each in



Sl.	Designation	Qualification	Experience	Remarks
	Assistant	DCA in Computer Application	experience	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.	Designation	Responsibilities
1.	Team Leader cum Resettlement Expert	<ul style="list-style-type: none"> <li>• Overall responsibilities on all the work of implementation of Resettlement Plan</li> <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 organising meetings, participate in all requisite meetings etc.</li> </ul>
2.	Social cum Gender Specialist	<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 marginalised 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.	Report	Frequency	Due Date	Hard copy Submission to
1.	Inception Report	One Time	Within 30 days after commencement of services.	All PIUs, PMU & PCMC
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.

9. 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

10. 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>



**ANNEXURE S.8: INDICATIVE IMPLEMENTATION SCHEDULE**

	Activity	2021				2022				2023			
		1	2	3	4	1	2	3	4	1	2	3	4
<b>Project Preparation</b>													
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)		■	■	■	■							
<b>Land Acquisition for Non-Sample Projects (if required)</b>													
7	Land Acquisition (for non-sample roads, if required)			■	■	■	■	■					
8	Payment of Compensation (if required)					■	■	■					
9	Relocate houses, shops, businesses					■	■	■	■				
10	Clear the ROW					■	■	■	■				
<b>Rehabilitation of DPs</b>													
13	Income Restoration (if required)				■	■	■	■	■	■	■	■	■
1	Restoration of Community Resources											■	■
<b>Construction</b>													
11	Issue notice for commencement of civil works <sup>32</sup>							■	■	■			
12	Civil works							■	■	■	■	■	■
<b>Ongoing Activities</b>													
14	Management Information System	■	■	■	■	■	■	■	■	■	■	■	■
15	Grievance Redressing	■	■	■	■	■	■	■	■	■	■	■	■
16	Consultations with DPs	■	■	■	■	■	■	■	■	■	■	■	■
17	Internal Monitoring			■	■	■	■	■	■	■	■	■	■
18	External Monitoring – if significant impact is present			■	■	■	■	■	■	■	■	■	■

<sup>32</sup>No physical relocation will occur until compensation and entitlements are provided and rehabilitation of income is in place.



## ANNEXURE S.9: TOR FOR MONITORING AND EVALUATION CONSULTANTS

(Only a tentative outline)

### A. Introduction

1. 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

2. 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

3. 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.
4. 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.
5. 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.
6. 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.
7. 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**

8. 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**

9. 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**

10. 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.

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

#### **G. Methodology**

12. 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**

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

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

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



15. **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.

16. **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.

17. **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.

18. **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.

19. **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**

20. The Consultant is required to have an office in Guwahati.

**K. Payment Schedule**

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



## ANNEXURE S.10: TEMPLATE FOR R&R INFORMATION DISCLOSURE

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

1. 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

2. 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

3. 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

4. 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

5. 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.**

6.

**ENTITLEMENT MATRIX** Issued on Date.

7. 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

8. 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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