

Resettlement Plan (Draft)

June 2022

India: Assam South Asia Subregional Economic Cooperation Corridor Connectivity Improvement Project

Project: Jogighopa to Bongaigaon (A04)

Prepared by the Project Management Unit (PMU), Public Works (Roads) Department (PWRD)
Government of Assam for the Asian Development Bank (ADB).

CURRENCY EQUIVALENTS

(as of 9 June 2022)

| | | |
|---------------|---|------------------|
| Currency unit | - | Indian rupee (₹) |
| ₹ 1.00 | = | \$ 0.01287 |
| \$1.00 | = | ₹ 77.7195 |

ABBREVIATIONS

| | | |
|-------|---|--|
| ADB | — | Asian Development Bank |
| AH | — | Affected Household |
| AP | — | Affected Person |
| ARNIP | — | Assam Road Network Improvement Project |
| ASCIP | — | Assam SASEC Corridor Improvement Project |
| BPL | — | Below Poverty Line |
| CPR | — | Common Property Resources |
| Col | — | Corridor of Impact |
| CSC | — | Construction Supervision Consultant |
| DC | — | District Collector/Deputy Commissioner |
| DF | — | Displaced Family |
| DP | — | Displaced Person |
| DPR | — | Detailed Project Report |
| EA | — | Executing Agency |
| FGDs | — | Focus Group Discussions |
| GO | — | Government Order |
| GOA | — | Government of Assam |
| GOI | — | Government of India |
| GRC | — | Grievance Redress Committee |
| GRM | — | Grievance Redress Mechanism |
| Ha | — | Hectare |
| IA | — | Implementing Agency |
| IPP | — | Indigenous Peoples Plan |
| IR | — | Involuntary Resettlement |
| LA | — | Land Acquisition |
| LAP | — | Land Acquisition Plan |
| LHS | — | Left Hand Side |
| NA/NR | — | Not Available/Not Responded |
| NGO | — | Non-Governmental Organization |
| NH | — | National Highway |
| NTH | — | Non-Titled Holder |
| OBC | — | Other Backward Class |
| PAF | — | Project Affected Family |
| PAP | — | Project Affected Person |
| PIA | — | Project Influence Area |
| PIU | — | Project Implementation Unit |
| PMU | — | Project Management Unit |
| PRoW | — | Proposed Right-of-Way |
| PWRD | — | Public Works (Roads) Department |
| R&R | — | Rehabilitation and Resettlement |

| | | |
|------------|---|---|
| RHS | – | Right Hand Side |
| RP | – | Resettlement Plan |
| RoW | – | Right-of-Way |
| RFCTLARRA | – | Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and |
| ARFCTLARRR | – | Assam Right to Fair Compensation and Transparency in Land Acquisition, |
| RIA | – | Resettlement Implementing Agency |
| SASEC | – | South Asia Subregional Economic |
| SC | – | Scheduled Caste |
| SIA | – | Social Impact Assessment |
| SH | – | State Highway |
| SPS | – | Safeguard Policy Statement |
| SoR | – | Schedule of Rates |
| ST | – | Scheduled Tribes |
| TH | – | Title Holder |
| WHH | – | Women Headed Household |

WEIGHTS AND MEASURES

| | | |
|--------|---|-------------|
| 1 ha | - | 2.47 acre |
| 1 ha | - | 10,000 sqm |
| 1 acre | - | 100 decimal |

NOTES

- (i) The fiscal year (FY) of the Government of India ends on 31 March. FY before a calendar year denotes the year in which the fiscal year ends, e.g., FY2022 ends on 31 March 2022.
- (ii) In this report, "\$" refers to United States dollars.

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APPENDIX

EXECUTIVE SUMMARY

A. Scope of the Project

1. The state of Assam has about 7,547 km of State Highways (SH) and Major District Roads (MDR), which are being maintained and managed by the Public Works Roads Department (PWRD), Government of Assam (GoA). The GoA has embarked upon the Asom Mala to objectively develop the SH & MDR network of the State in the next 15 years or so. Public Works Roads Department (PWRD) is the agency responsible for managing the secondary, urban and rural road network in Assam. To boost infrastructure development, it had initiated several Externally Aided Projects (EAP) under its umbrella like the Asian Development Bank (ADB) aided Assam Road Network Improvement Project (ARNIP), Asian Infrastructure Investment Bank (AIIB) aided Assam Secondary Road Network Improvement Project (ASRIP) and States Own Priority Development (SOPD), etc.

2. The PWRD, GOA have sought ADB loan assistance for 6 roads of 313 km in 9 districts of Assam. This Resettlement Plan (RP) for the Jogighopa to Bongaigaon (A04) being one of the 6 roads proposed for improvements under Assam Roads Network Improvement Project (ARNIP). This RP assesses the involuntary resettlement impacts resulting from the acquisition of private land and impacts on squatters and encroachers occupying the existing Right of Way (RoW). It outlines mitigation measures in line with ADB's Safeguard Policy Statement, 2009 and State and National Act, Rules and Guidelines.

B. Project Road Description

3. The project, Jogighopa to Bongaigaon road, involves improvements to 36.791 km (design length). The location of existing alignment of Jogighopa to Bongaigaon road originates from Kabaitari (3-legged junction with NH-17 (old NH-37) and terminates at Swahidbedi near Bongaigaon (3-legged junction with SH-2).

C. Scope of the Land Acquisition and Resettlement Impacts

4. The objective of this Resettlement Plan (RP) is to assist the affected people to improve or at least restore their living standards to the pre-project level. This RP captures the involuntary resettlement impacts arising out of the proposed improvements to the proposed project road under ARNIP. The document describes the magnitude of impact, mitigation measures proposed, method of compensation of land, structures and other assets, eligibility criteria for availing Rehabilitation and Resettlement asistances, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangements for delivering the entitlements and the mechanism for resolving grievances and monitoring.

5. The land plan schedules based on the detailed design have been prepared for this project stretch and the number of titleholders based on the revenue records has been captured. The proposed project road will involve the acquisition of 33.6 Ha of private land belonging to 466 titleholders (losing only land), the transfer of 15.96 Ha of government in total 49.56 Ha land acquisition requied for the proposed project.

6. About 1028 private structures both of title holders and non-title holders will be impacted and the total number of Affected or Displaced Household is 1396. Total Affected Households (AHs) (Losing only strip of land) 202, Titleholders losing land (significant) 264, Land & structures (TH) 456, Encroacher 140, Squatters 144, Kiosk 6, Tenants 94 and Employees to commercial

structures 90. Within this 1396 DPs there are about 11 households who will lose both their residence and shops. The number of total displaced persons is 7262, of which 4795 are titled DPs and 2467 non-titled DPs, and 433 Vulnerable Households. A total of 325 trees on private land will have to be removed. A total of 86 Common Property Resources (CPRs) like bus shelters and other public infrastructure will be affected.

7. Based on the census survey, 433 vulnerable households were identified including 12 women-headed households, 13 schedule tribes, 56 scheduled caste households and 352 households of below poverty line.

8. The project road of Jogighopa to Bongaigaon is categorized as Category A for Involuntary Resettlement as per Screening Criteria of ADB SPS 2009, as the Displaced Persons (DP) is 7262 persons, which more than 200.

D. Impact on Indigenous People

9. The project road passing through the Bongaigaon district, which is not under area of Schedule VI of the Constitution of India. The finding of the census and socio-economic survey show that no designated tribal villages/ areas as well as no primitive tribal populations are likely to be affected in this project road. Also, this project does not affect directly or indirectly IP's dignity, human rights, livelihood system or culture. Only 13 Scheduled Tribe (ST) households are affected for this sub-project, and they are fully integrated with the other communities living in the area. The affected ST families are presently not following customs that are attached to their land and not attached to their natural habitat for their living. They are presently leading a lifestyle which is similar to other groups of the people living in the community. Currently they are undertaking agriculture, business, and other services for their livelihood. Their children are going to school. They are participating in various social and economic activities as the other members of society are doing. The Socio-economic survey reveals that these affected ST families have not identified with a distinct, vulnerable, social, economic, cultural group with distinct language and thus as per ADB SPS 2009, preparation of Indigenous Peoples Plan is not triggered for this sub-project road.

E. Information Disclosure, Consultation, and Participation

10. During the census and socio-economic survey, focus groups discussions (FGDs) were conducted along the project road in settlements and sections where there were impacts to private assets. All relevant aspects of the road improvement design, land requirements and impact to private property were discussed with the affected families and communities. Further, consultation meetings with Displaced Persons, owners of commercial establishment along the project road, officials of the district administration and elected members of the local Panchayat were also held.

11. Information will be disseminated to DPs at various stages. Information including magnitude of loss, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments, displacement schedule, civil works schedule will be disclosed by the Project Implementation Unit (PIU) with the assistance from the agency hired for assisting implementing the RP. The Resettlement Plan including the Entitlement Matrix and Summary of the Resettlement Plan in vernacular local language will be disclosed.

F. Legislative Framework, Entitlements, Assistance and Benefits

12. The entitlements for the Assam Roads Network Improvement Project (ARNIP) is based on State and National Acts, Rules and Policies, viz., DirectPurchase Policy of Assam, 2021;The

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013; Assam RFCTLARR Rules 2015; etc. and ADB's Safeguard Policy Statement (SPS), 2009.

13. The cut-off date is defined as date of general notification to the titleholders under Direct Purchase Policy, the date of preliminary land acquisition notification for titleholders under Assam RFCTLARR Rules 2015. The date of Census Survey, which is the date of commencement of census revalidation (i.e.,) 1st January 2020 will be treated as the cut-off date for non-titled holders for this Project. The cut off date was disclosed to the PAPs and PIU during the survey. Documentation of all the affected families as to cut off date were taken and it is with the PMU. However, if any, substantial difference is noticed during implementation the RP shall be updated by the RISA. Verification and updating of RP, if required, is already included in the scope of RISA.

G. Grievance Redress Mechanism

14. Grievance Redressal Committee (GRC) will be established at four-levels, two at the site or PIU level and two at the Project level, ie. PMU and LARR Authority. The GRC will receive, evaluate and facilitate the resolution of Displaced Persons concerns, complaints and grievances.

H. Implementation Arrangements

15. The Public Works (Roads) Department of Assam will be the Executing Agency (EA) for this Project. The Chief Engineer (EAP), P.W. (Roads) Department will be the Project Director (PD). The office of the Chief Engineer (EAP) will be the Project Management Unit (PMU) of Asom mala program. An Executive Engineer as Nodal Officer and other officials will assist the PD in PMU. The PMU will be responsible for overall execution and technical supervision, monitoring, and financial control of the project. A Program Coordination and Management Consultant (PCMC) has been mobilized to provide high quality technical advice and implementation support to PMU for all the project components under Asom Mala program.

16. The PWRD, GoA had already established separate state road divisions in districts/ divisions and these divisions will perform as the Project Implementation Units (PIU) in the respective geographical areas under the divisions. The PIUs will be headed by Executive Engineer, other officials and will be assisted by RP Implementation Agency (RIA) to implement safeguard activities. The PIU will undertake internal monitoring and supervision and record observations throughout the project period to ensure the safeguards and mitigation measures. PIU will be responsible to implement all the project related activities in their respective districts/ divisions including the road strengthening and widening works, implementation of road rehabilitation works, land acquisition and forest clearances, preparation and implementation of performance-based or other maintenance contracts, implementation of activities under the road safety component, and coordination with local administration and local communities to seek their support.

I. PROJECT DESCRIPTION

A. Background

1. The state of Assam has about 7,547 km of State Highways (SH) and Major District Roads (MDR), which are being maintained and managed by the Public Works Roads Department (PWRD), Government of Assam (GoA). The GoA has embarked upon the Asom Mala to objectively develop the SH & MDR network of the State in the next 15 years or so. Public Works Roads Department (PWRD) is the agency responsible for managing the secondary, urban and rural road network in Assam. To boost infrastructure development, it had initiated several Externally Aided Projects (EAP) under its umbrella like the Asian Development Bank (ADB) aided Assam Road Network Improvement Project (ARNIP), Asian Infrastructure Investment Bank (AIIB) aided Assam Secondary Road Network Improvement Project (ASRIP), States Own Priority Development (SOPD).

2. The Assam Road Network Improvement Project (ARNIP) is one of the projects under Asom Mala program, which is being proposed to be executed with financial assistance from the Asian Development Bank. The proposed ARNIP project will support upgradation and improvement of the identified 6 roads sub-projects totaling of about 313 km spread across 9 districts of the State. The list of sub-projects proposed with ADB loan financing are presented below.

Table 1: List of projects proposed under ASCCIP (ARNIP)

| Sl. | Corridor No | District Name | Name of Road | DPR Length (Km) |
|--------------|-------------|---|--|-----------------|
| 1 | A03 | Bongaigaon & Chirang | Chappaguri Bhutan via Amguri | 40.776 |
| 2 | A04 | Bongaigaon | Jogighopa Oudubi Salbari Bongaigaon | 36.791 |
| 3 | A21 | Karbi Anglong, Hojai & West Karbi Anglong | Hamren Tumpreng Hojai Nilbagan Howrahghat | 75.403 |
| 4 | A25 | Cachar | Borkhola Khambar Bazar Kalain | 21.387 |
| 5 | A26 | Karimganj & Hailakandi | Bhanga to Hailakandi via Baribgool and Rakhalbasti | 47.387 |
| 6 | A23 | Dima Hasao | Haflong Tiniali Dehangi Haflong Jatinga | 91.300 |
| Total | | | | 313.044 |

Source: ARNIP Document

3. The Project Management Unit (PMU) of the Assam Public Works Department (Road) has prepared this Resettlement Plan report is for the Road alignment of Jogighopa to Bongaigaon (A04). The entire road falls under Bongaigaon district. The proposed length of the project stretch is 36.791 km. This RP assesses the involuntary resettlement impacts resulting from the acquisition of private land and also impacts on squatters and encroachers occupying the existing Right of Way (RoW). It outlines mitigation measures in line with ADB's Safeguard Policy Statement, 2009 and relevant State and National Acts, Rules and Policies.

B. Jogighopa to Bongaigaon (A04)

4. The location of existing alignment of Jogighopa to Bongaigaon road originates from Kabaitari (3-legged junction with NH-17 (old NH-37) and terminates near Shahidbedi at Bongaigaon (Bhutan border) has been shown in **Figure 1** on Satellite image & the chainage wise list of villages/settlements and Distance of mouza from nearest municipality are given in **Appendix 1**.

Figure 1: Key Plan



Jogighopa to Bongaigaon (A04)

C. Proposed Improvement

5. Considering the projected traffic on the project road, the following improvements are proposed: 2 lanes with paved shoulder for a design speed of 80 (minimum)/100 (maximum) kmph in plain/rolling terrain, (Restricted to 60 kmph at forest stretch, Built-up areas and railway area). The proposed corridor of impact (Col) varies from 15 mtrs to 30 mtrs depending on factors like cross sections and urban, rural, terrain conditions etc. There are 16 nos. busbay with passenger shelters at 8 locations, 1 Level crossing, 4 minor new bridges, Major Realignment - 6.237km, Minor Realignment - 4.659km Total- 10.896km and no service road proposed on the project road. Considering all proposed features additional land acquisition requirement for the proposed road is 49.56 Ha (33.6 Ha is Private Land and 15.96 Ha is other Government Department Land). More specifically, the following major components in the form of Cross-section parameters for 2-lane with paved shoulder Road in Open area and Built-up area (Plain/Rolling terrain) is given in Table 2.

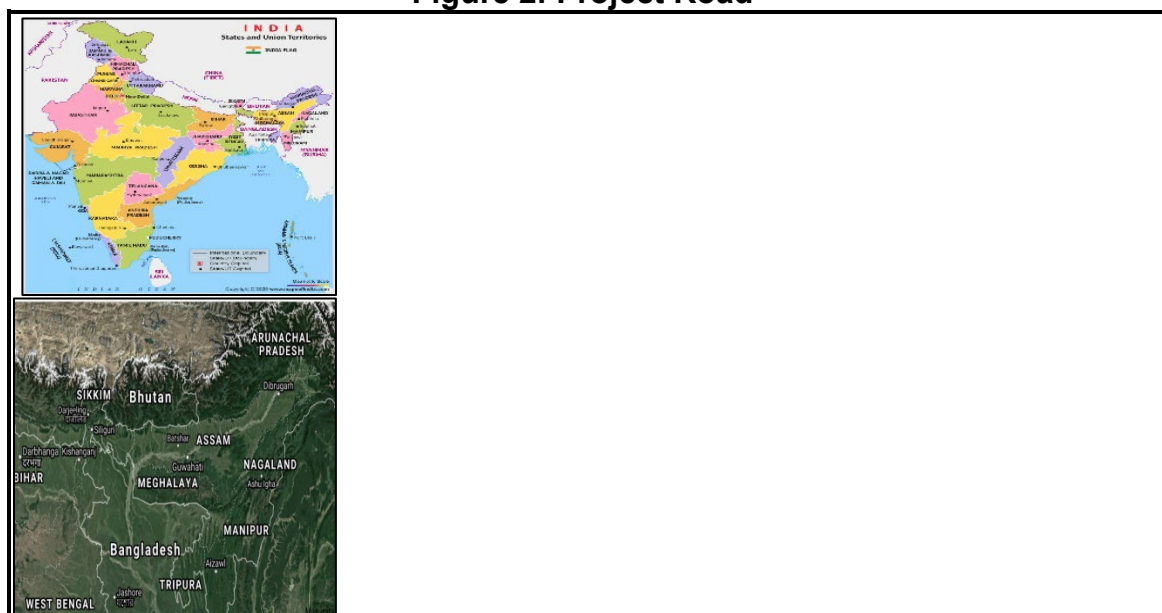
Table 2: Cross-Section Parameters of Project Road

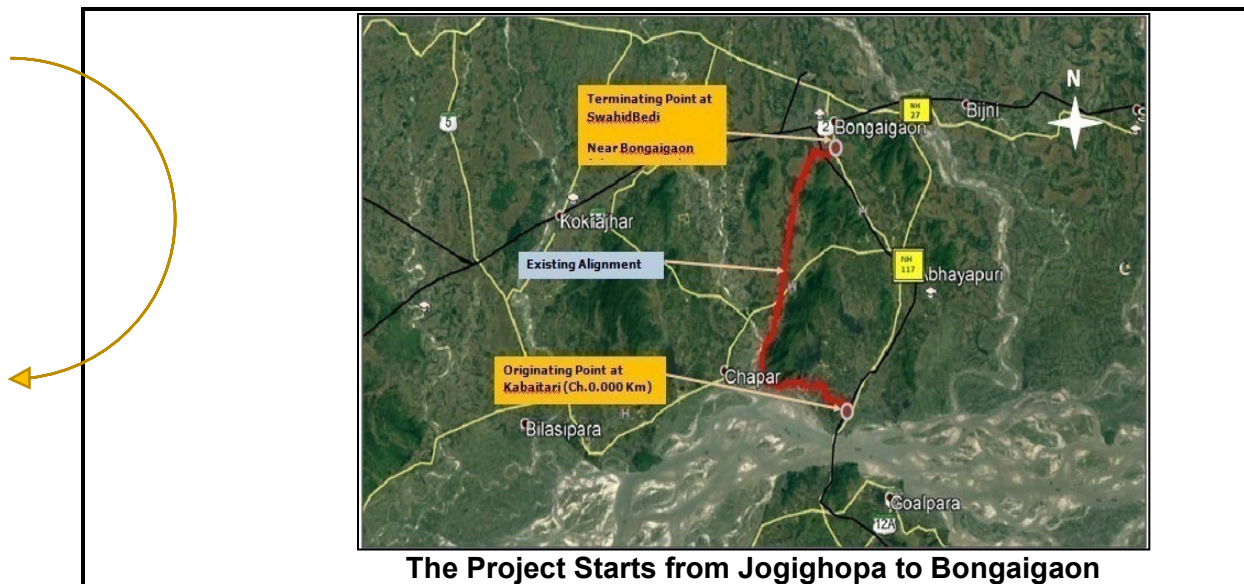
| Sl. | Improvements Parameters | In Open area (Plain/Rolling terrain) | In Built-up area (Plain/Rolling terrain) |
|-----|----------------------------------|---|---|
| 1 | Carriageway Width | 7.0 m | 7.0 m |
| 2 | Paved Shoulder Width | 2 x 1.5 m | 2 x 1.5 m |
| 3 | Earthen Shoulder Width | 2 x 1 m | 2 x 1.5 m |
| 4 | Roadway Width | 12.00 m | 13.00 m |
| 5 | Footpath cum Covered Drain Width | - | 2 X 1.5 m |
| 6 | Right of Way | 30 m | 15 m |
| 7 | Design Speed | 80 kmph to 100 kmph (Restricted to 60 kmph at forest stretch, Built-up areas and railway area) | 80 kmph to 100 kmph (Restricted to 60 kmph at forest stretch, Built-up areas and railway area) |

Source: Design Report Asom Mala

6. The carriageway width of the existing road varies from 3.75 meter to 5.5 meter. Width of earthen shoulder varies from 0.5 meter to 1 meter. The existing ROW width along the project road has been observed to be around 5m to 15m during road inventory. The Proposed Right of Way varies from 15 m to 30m for the proposed sub-project.

7. The project road provides connectivity to important town/Village/market area of Kabaitari, Ashok Paper Mill Part-II, Koreya Part-I, Chedamari, Balapara, Nayapara, Hokodoba Part-II, Dholonibill (Tilapara), Kherpuji Village, Kachudola, Oudubi, Bowalimari, Dhaknabari Bhatipara, Salbari, Bechimari, Raghunandanpur, Kasharpara, Amguri, Sajnavita, Bashbari, Deklimari, Dhalagaon, Nagariagaon, Tatpara, Mulagaon, Barshangaon, Jelkajhar, Gossaipara, Borpara. The entire road falls under Bongaigaon district in the state of Assam.

Figure 2: Project Road



D. Profile of the Project Area

8. The project road Jogighopa to Bongaigaon originating point at Kabaitari (3-legged junction with NH-17(old NH-37)). The entire road falls under Bongaigaon district of Assam. The existing length of the project stretch is 36.791 km.

9. **Bongaigaon:** The district is situated in western part of Assam on the north bank of mighty river Brahmaputra. It is about 200km away from the state capital Dishpur of Assam. The district was carved out from Goalpara and Kokrajhar district in the year 1989. Bongaigaon district is surrounded by four districts namely Barpeta in the Eastern part, Goalpara in the South-Eastern part, Kokrajhar in Western part and Dhubri in the South-Eastern part. Bhutan is also situated near Bongaigaon district in the Northern part which is about 100 km from Bongaigaon HQs. There are many hillocks in Bongaigaon district in an around Jogighopa township. It is interesting to note that some of the hillocks are found to be scattered further in the Bongaigaon and Kokrajhar districts reaching as far north as the railway line. The district of Bongaigaon was created on 29 September 1989 from parts of Goalpara and Kokrajhar districts. In 2004 saw a loss of size when part of the district was split to make Chirang district. Chirang district has been carved out from erstwhile Bongaigaon district. The district is surrounded by international boundary of Bhutan in North, Bongaigaon District and a little portion of Kokrajhar district in South, Baksha district in the East and Kokrajhar district in West. The area of the district is 1974.80 sq km. and total geographical area is 109985 Ha.

10. Bongaigaon District, with population of about 7.4 lakh is Assam's 11th least populous district. Total geographical area of Bongaigaon district is 1093 km² and it is the 3rd smallest district by area in the state. Population density of the district is 676 persons per square km. There are 5 sub districts in Bongaigaon, among them Srijangram is the most populous sub district with population of about 2.7 lakh and Sidli (Pt) is the least populous sub district with population of about 58,000. There is only one city in the district that comes under the district administration of Bongaigaon Municipal Board. In Census 2011, detail of Bongaigaon, a district of Assam has been released by Directorate of Census Operations. In 2011, Bongaigaon had population of 738,804 of which male and female were 375,818 and 362,986 respectively. In 2001 census, Bongaigaon had a population of 612,665 of which males were 315,537 and remaining 297,128 were females.

In 2011, the literacy rate of Bongaigaon was 69.74% of which male and female literacy rate was 74.87% and 64.43% respectively. As per 2011 census, 85.14% population of Bongaigaon districts lives in rural areas of villages. The total Bongaigaon district population living in rural areas is 628,994 of which males and females are 319,786 and 309,208 respectively. In rural areas of Bongaigaon district, sex ratio is 967 females per 1000 males. The native language of Bongaigaon is Assamese, Bengali & Bodo. As per 2011 census population data of Bongaigaon district, Muslim are a majority here. Total population of Bongaigaon district is 738,804 as per 2011 census. Muslims constitutes 50.22% of Bongaigaon population. The total percentage of workers in the district of Bongaigaon is 34.62%.

E. Project Impacts

11. This Project Road is the most important connection in between the flourishing Bongaigaon City with the Jogighopa Multimodal transport hub. This proposed road also provides connectivity to the vehicle transporting the river bed material (mostly boulders and stones) from the Aie River to Bangladesh through Jogighopa. This road will provide alternative connectivity to the existing National Highways of the Bongaigaon district to the lower Assom. This road with the proposed A03 Road from Amteka to Chapaguri would also provide a through connectivity from Bangladesh to Bhutan through the state of Assam with the proposed development of Multi modal transport Hub at Jogighopa. People can shuttle to Bongaigaon and Jogighopa worksites and engage in construction, stone quarrying, business as well as domestic/commercial works. It will give a major fillip to the quest for all weather connectivity for the PIA. It will provide an alternate connectivity to National Highway 17. It starts from the National Highway 17 from Jogighopa and again crosses it at Salmara. Lower accident and provide quick accessibility to services like hospital, market, office etc. The project road will help in growth of tourism activities immensely with direct connectivity with Bhutan.

12. The proposed project road will involve the acquisition of 33.6 Ha of private land and 15.96 Ha of Government land. About 1028 private structures both of title holders and non-title holders will be impacted and the total number of Affected or Displaced Household is 1396. Total Affected Households (AHs) (Losing only strip of land 202, Titleholders losing land (significant) 264 , Land & structures (TH) 456¹, Encroacher 140, Squatters 144, Kiosk 6, Tenants 94 and Employees to commercial structures 90. Within this 1396 DPs there are about 11 households who will lose both their residence and shops. The number of total displaced persons is 7262, of which 4795 are titled DPs and 2467 non-titled DPs, and 433 Vulnerable Households. A total of 325 trees on private land will have to be removed. A total of 86 Common Property Resources (CPRs) like bus shelters and other public infrastructure will be affected. The involuntary resettlement impacts are summarised in Table 3.

Table 3: Summary of Involuntary Resettlement Impacts

| Sl. | Impact | Extent / Ha/ Numbers |
|-----|--|-------------------------|
| 1 | Private Land Acquisition (Ha) | 33.6 |
| 2 | Government Land Acquired / transfer (Ha) | 15.96 |
| 3 | Forest Land Diversion (Ha) | 2.99 |
| 4 | Temporary Land Acquisition (Ha) | Nil |
| 5 | Total Affected Households (AHHs) (Losing only strip of land 202+Titleholders losing land (significant) 264 +Land & structures (TH) | 1396 |

¹ There are structure owners, mostly title holders, who owns more than one structures at the proposed alignment.

| Sl. | Impact | Extent / Ha/ Numbers |
|-----|--|-------------------------|
| | 456+Encroacher 140+Squatters 144+Kiosk 6+Tenants 94+ Employees to commercial structures 90 | |
| 6 | Total affected TH households losing land and structures | 922 |
| 7a | Titleholders Losing only strip of land | 202 |
| 7b | Titleholders losing land (significant) | 264 |
| 8 | Title holders losing land and building | 456 |
| 9 | Total affected non-title holders (without titleship) | 474 |
| 9a | Encroachers | 140 |
| 9b | Squatters | 144 |
| 9c | Kiosks | 6 |
| 9d | Tenants | 94 |
| 9e | Employees | 90 |
| 10 | Physically Displaced Households (Loss of Residence) | 474 |
| 11 | Economically Displaced Households (Loss of Shop including kiosks) | 261 |
| 12 | Economically Displaced Titleholders losing land ² | 466 |
| 13 | Physically and Economically Displaced Households (Loss of Residence cum Shop) | 11 |
| 14 | Non-Significant Impact on the structure affected household ³ | 89 |
| 15 | Total Displaced Persons (DPs) | 7262 |
| 16 | Titled DPs | 4795 |
| 17 | Non-titled DPs | 2467 |
| 18 | Vulnerable Households | 433 |
| 19 | Affected Private Structures | 1028 |
| 20 | Affected Private Trees | 325 |
| 21 | Affected Common Property Resources (CPRs) | 86 |

13. Based on the census survey, 433 vulnerable households were identified irrespective of title, 12 women-headed households, 13 schedule tribes, 56 scheduled caste households and 352 households were below poverty line. The households available at project site during the survey period only covered in the survey. However, the HHs those who are not staying in the project area will also be surveyed during finalization of the the award, which is in progress. The vulnerability assessment will be done for all the project affected families/members. Government of Assam is implementing various welfare schemes for upliftment of vulnerable people of the state. Hence project will provide additional benefits for the affected vulnerable Households as per Entitlement Matrix (EM). All affected families (AFs) would be compensated for loss of structure, land and livelihood impacted by the project.

Table 4: Impact to Vulnerable Category (mutually exclusive)

| Sl. | Vulnerable Category | Number of HH impacted |
|-----|------------------------|-----------------------|
| 1 | Women Headed Household | 12 |
| 2 | Scheduled Caste | 56 |
| 3 | Scheduled tribes | 13 |

² Agricultural landowners who lose 10% or more of their land.

³ Where the impact to asset / structure is less than 10% of the total area, then such impacts are categorized as non-significant impacts as the DP is neither physically nor economically displaced.

| | | |
|--------------|-----------------------------------|------------|
| 4 | Below poverty line | 352 |
| 5 | Disabled persons in the Household | 0 |
| 6 | Elderly living alone | 0 |
| 7 | Landless Families ⁴ | 0 |
| Total | | 433 |

Source: Census and Social Survey, September to October 2019

F. Minimizing Involuntary Resettlement and Mitigating Compensation Delivery Risks

14. The existing road has congested areas where ROW is very less, sensitive structures (i.e. clusters, community and religious structures) and substandard horizontal geometry at some locations as such, in order to improve the safety of highway users, 4 realignments have been proposed. As part of the social screening of the project, the social team of the consultant has done a screening survey along the project corridor and the input on socially sensitive (where adverse social impacts could be high) locations were given to the design team. The engineering team also has taken best efforts to minimize the adverse social impacts of the project. The measures adopted by the design team include, provision of short bypass/ realignment, reduction of COI in built-up area, eccentric/concentric widening based on the site situations etc. During consultation and social survey with PAPs of existing road, concerned about loss of income and livelihood if bypass is proposed. They also requested for upgradation of existing road by providing infrastructures amenities. The design for the road improvement was also adjusted to minimize resettlement impacts. These minimization efforts resulted in:

- Avoiding sensitive/religious sites by adjusting the alignment
- Minimizing impacts on structures by using realignments
- Fixing the speed in the built-up areas including schools and hospitals as per local needs and problems of the people
- Deciding the rural and settlement location road cross-sections based on field surveys and likely impact on the people

15. Therefore, alternatives were explored by proposing 4 re-alignments, and assessment was made. Analysis of Alternatives was done considering with options as given in the table below. Alternative was considered as there will be less impact on both structures and people.

16. In order to minimize the adverse social impact 4 re-alignments/ short bypasses were provided (Km. 1.150-1.500 (Bhoralkundi), Km. 6.000-7.050 (Balapara), Km. 12.100-11.250) (Bhairab Pahar, Kherpuji, Kochudola) & Km. 34.700-35.800 (Jhlkajhar) DPR consultant the locations may be provided here) in this project design and avoided the demolition of 145 structures. During the screening survey, the team estimated around 288 would be displaced along the above stated locations, which includes 176 residential, 3 Res-cum-commercial, 82 commercial, 15 structures in other category, 7 religious, 1 community and 4 government buildings.

17. Due to the provision of realignment/short bypass the team could limit the impact to 143 structures only, which includes 82 residential, 1 Res-cum-commercial, 11 commercial, 43

⁴ Landless Aps will be verified during further award enquiry following national procedure. Once verified, appropriate assistance (as per EM) shall be provided

structures are in other category, 3 religious and 3 government structures. The details are presented in below Table 5. Location wise comparison given as Table 6 below.

Table 5: Comparative Analysis on Alternative Alignment

| Sl. | Types of Structures | Total Numbers of Affected Structures | | Measures adopted to avoid / minimise the adverse impact |
|--------------|---------------------|--------------------------------------|-----------------------------------|---|
| | | Project Impact Before Minimization | Project Impact After Minimization | |
| 1 | Residential | 176 | 82 | Re-alignment is proposed to avoid impact on properties. |
| 2 | Commercial | 82 | 11 | |
| 3 | Res-Cum-Commercial | 3 | 1 | |
| 4 | Others Structure | 15 | 43 | |
| 5 | Religious | 7 | 3 | |
| 6 | Community | 1 | 0 | |
| 7 | Government | 4 | 3 | |
| Total | | 288 | 143 | |

Table 6: Comparative Analysis on Alternative Alignment

| Comparative Analysis of Minimization of Structures | | | | | | | |
|--|----------------|------------------------------------|---|---------------------|------------------------------------|-----------------------------------|--|
| Sl. | Km/Chainage | Location | Measures Adopted to avoid / minimise the adverse impact | Types of Structures | Project Impact Before Minimization | Project Impact After Minimization | Numbers of Structures Saved |
| | | | | | Total Nos of Affected Structures | | |
| 1 | 1.150 - 1.500 | Bhoralkundi | Re-alignment | Residential | 51 | 14 | Total numbers of structures saved 23 out of 52 |
| | | | | Commercial | 0 | 2 | |
| | | | | Res-Cum-Commercial | 0 | 0 | |
| | | | | Others Structure | 0 | 5 | |
| | | | | Religious | 0 | 1 | |
| | | | | Community | 0 | 0 | |
| | | | | Government | 1 | 1 | |
| 2 | 6.000 -7.050 | Balapara | Re-alignment | Residential | 45 | 5 | Total numbers of structures saved 52 out of 62 |
| | | | | Commercial | 16 | 1 | |
| | | | | Res-Cum-Commercial | 0 | 0 | |
| | | | | Others Structure | 0 | 4 | |
| | | | | Religious | 1 | 0 | |
| | | | | Community | 0 | 0 | |
| | | | | Government | 0 | 0 | |
| 3 | 8.700 - 11.250 | bhairab Pahar, Kherpuji, Kochudola | Re-alignment | Residential | 72 | 61 | Total numbers of structures |
| | | | | Commercial | 55 | 8 | |
| | | | | Res-Cum-Commercial | 3 | 1 | |

| Comparative Analysis of Minimization of Structures | | | | | | | |
|--|-----------------|------------|---|---------------------|------------------------------------|-----------------------------------|--|
| Sl. | Km/Chainage | Location | Measures Adopted to avoid / minimize the adverse impact | Types of Structures | Project Impact Before Minimization | Project Impact After Minimization | Numbers of Structures Saved |
| | | | | | Total Nos of Affected Structures | | |
| | | | | Others Structure | 15 | 34 | saved 47 out of 154 |
| | | | | Religious | 6 | 1 | |
| | | | | Community | 1 | | |
| | | | | Government | 2 | 2 | |
| 4 | 34.700 - 35.800 | Jhilkajhar | Re-alignme nt | Residential | 8 | 2 | Total numbers of structures saved 17 out of 20 |
| | | | | Commercial | 11 | 0 | |
| | | | | Res-Cum-Commercial | 0 | 0 | |
| | | | | Others Structure | 0 | 0 | |
| | | | | Religious | 0 | 1 | |
| | | | | Community | 0 | 0 | |
| | | | | Government | 1 | 0 | |

18. To ensure the delivery of compensation is made transparently and safe, the land acquisition process generally follows the national procedure to mitigate any risk of non-compliance to applicable requirements. The compensation amount is agreed with the affected persons following the final award and each and every affected person (authorized representative for each household) will be required to have a bank account. The resettlement implementation NGO will facilitate the ID cards and opening of bank accounts and this information will form part of the microplan which will be submitted to the jurisdictional resettlement officer for compensation disbursement. The bank account provides for a safe way of transferring compensation and resettlement and rehabilitation assistance, including ensuring account is in the name of husband and wife, where applicable. The implementation NGO will ensure the consultation for LAR will continue and any grievance redressal issues are captured and acted upon.

G. Impact to Indigenous Peoples

19. From the census and socio-economic survey, it is understood that no designated tribal villages/ areas as well as no primitive tribal populations are likely to be affected in this project road. The project district (Bongaigaon district) is not in the Schedule VI of the Constitution of India. 13 families of Scheduled Tribe are affected but the affected tribal families are not identified to a distinct, vulnerable, social, economic, cultural group with distinct language as per ADB's SPS 2009. Also, this project does not affect directly or indirectly IP's dignity, human rights, livelihood system or culture.

20. The findings of the social impact assessment survey brought out that although 13 Scheduled Tribe (ST) households are living along the project road, they are fully integrated with the respective communities. The ST groups are presently does not follow customs that are attach to their land and also not attached to their natural habitat for their living. They are presently leading a lifestyle which is similar to other groups of the people living in the community. Currently they are undertaking agriculture, business and other services as part of their livelihood support activities. Their children are going to school. They are participating in various social and economic activities

as the other members of society are doing. Further census and socio-economic survey notes that the socio-cultural customs and practices of ST population are not distinctive from the rest of the population in the sense that they have adopted the modern way of living and having a similar lifestyle of that of the dominant population. Thus, the sub-project will not have impacts on IP communities as described in ADB's, SPS. Indigenous peoples impact categorization checklist is given in **Appendix 2** and Initial poverty and social analysis is **Appendix 3**.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Introduction

21. The project involves improvements to 36.791 km of the Jogighopa to Bongaigaon (A04) two lanes with paved shoulders. The improvement works include geometric improvements, junction improvements, provision of drains and foot paths in built up locations.

B. Scope of Land Acquisition

22. The available right-of-way (RoW) was fully optimized for the proposed improvements. The Public Works Roads Department (PWRD) confirms that, the existing right of way belongs to Govt. of Assam (hence no permission is required for construction of the road within the Govt land) and there are no legacy issues in any of the project stretches. However, the PWRD will pay compensation for the affected structures/facilities within the additional required govt land. The govt structures falling within the alignment has been listed in table 14. The exact alignment of the RoW was determined using village/mouza maps and verified in the field. In many areas, the existing RoW is not sufficient to meet the design requirements of the cross sections. The final design has been developed utilising the available land width (existing right of way) and minimization of adverse social Impacts in congested areas. As part of the minimisation of adverse social impacts (IR impacts) in congested areas, realignments and short bypasses (green field sections) are considered. The table 5 has prepared to demonstrate the reduction in the IR impacts due to optimisation (considering the social issues also) of the design. Out of the total design length of 36.791 km, land acquisition is required almost at 36.141 km. The private land required for the proposed improvements is 33.6 Ha. The private land proposed for acquisition is mostly strips of land. Further, 15.96 Ha of government land will be required/transferred for the proposed improvements⁵. The land acquisition plan (LAP) has been prepared and requisition of land acquisition has already been submitted to the Deputy Commisioner/ District Collector of Bongaigaon District on 19th May 2021. The details of the types of private land proposed for acquisition are presented in Table 7, which will be finalized through Joint Measurement Survey (JMS) with revenue officials at field.⁶

Table 7: Category of Land being Acquired

| Sl. | Category | In Hectare |
|-----|---|------------|
| 1 | Total Design length of the Road (km) | 36.791 |
| 2 | Total Length of the Road stretches, where land acquisition is not required (km) | 0.650 |

⁵ The existing right-of-way (ERoW) of the project roads belongs to Govt of Assam –(hence no permission is required for construction of the road within the Govt land) and there are no legacy issues in any of the project stretches. However the PWRD will pay compensation for the affected structures/facilities within the additional required govt land.

⁶ The demarcation of ERoW is being made by the revenue/land acquisition officers through a detailed verification of land records. The ownership status and list of PAPs would be finalised on completion of the land records verification exercise.

The respective sections of the RP shall be updated if substantial changes are noticed on completion of verification of land records by the land acquisition officer.

The scope of updating the RP, if required, is included in the scope of consulting services of RP Implementation Support Agency (RISA).

This activity will be done prior to the award of the civil works contracts.

| Sl. | Category | In Hectare |
|-----|---|--------------|
| 3 | Total length of the Road stretches, where land acquisition is required (km) | 36.141 |
| 4 | Total area of EROW, i.e., the land with PWRD (Ha) | 29.61 |
| 5 | Total area of proposed Private Land acquisition (Ha) | 33.6 |
| 6 | Total area of Forest Land to be diverted (Ha) | 2.99 |
| 7 | Government Land to be acquired/transferred | 15.96 |
| | Total land requirement for the project (Ha) | 82.16 |

Source: LPS prepared by DPR Consultants

23. Around 43% of households (202 HH out of 466 total lands affected HH losins only land) will lose up to 10% of their total land holdings. A total of 264 households losing only land will be affected above 10%. These data will be updated after the completion of the Joint Measurement Survey. The extent of land lost and the scale of impact to titleholders is presented in the Table below. Survey covered all the available affected households including the HHs losing only strip of land. Census survey is carried out along the alignment during DPR preparation. As some of the Households resides outside the villages, they were contacted through the village chairman. As the Rights of Records are based of 1964-65 there will be a lot updating is expected which will be incorporated in the final updated RP. 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 20th January 2021.

Table 8: Intensity of Land Impact

| Sl. | Scale of Impact | Number of Affected Household | Percentage |
|--------------|--|------------------------------|-------------|
| 1 | Non- Significantly affected ⁷ | 202 | 43.35% |
| 2 | Significantly affected | 264 | 56.65% |
| Total | | 466 | 100% |

Source: LPS prepared by DPR Consultants

Table 9: Village Wise Additional Land Acquisition Requirement

| Sl. No. | VILLAGE NAME | CIRCLE OFFICE | DISTRICT | Chainage(Km) | | Private LA Area (Ha) | Govt. LA Area (Ha) |
|---------|--------------------------|---------------|------------|--------------|-------|----------------------|--------------------|
| | | | | From | To | | |
| 1 | Kabaitari Sheet-6 | Baithamari | Bongaigaon | 0+000 | 0+800 | 0.0570 | 1.0142 |
| 2 | Kabaitari Part-5 | Baithamari | Bongaigaon | 0+450 | 0+550 | 0.0000 | 0.0942 |
| 3 | Bharalkundabil (sheet-2) | Baitamari | Bongaigaon | 0+800 | 2+190 | 0.7970 | 0.0119 |
| 4 | Bharalkundibil (sheet-1) | Baitamari | Bongaigaon | 2+190 | 4+420 | 0.4921 | 0.0217 |
| 5 | Kareyapahar (sheet-2) | Baitamari | Bongaigaon | 2+190 | 4+420 | 0.1807 | 0.0805 |
| 6 | Karea Pahar Sheet-1 | Baithamari | Bongaigaon | 2+270 | 3+040 | 0.5968 | 0.2907 |

⁷ Where the impact to asset / structure is less than 10% of the total area, then such impacts are categorized as non-significant impacts as the DP is neither physically nor economically displaced.

| Sl. No. | VILLAGE NAME | CIRCLE OFFICE | DISTRICT | Chainage(Km) | | Private LA Area (Ha) | Govt. LA Area (Ha) |
|---------|------------------------|---------------|------------|--------------|--------|----------------------|--------------------|
| | | | | From | To | | |
| 7 | Karea Part-1 Sheet-1 | Baithamari | Bongaigaon | 2+530 | 4+420 | 0.2896 | 0.8530 |
| 8 | Chedamari Sheet-1 | Baithamari | Bongaigaon | 4+420 | 5+610 | 0.1652 | 0.4764 |
| 9 | Balapara Sheet-2 | Baithamari | Bongaigaon | 5+310 | 6+595 | 0.0667 | 0.2581 |
| 10 | Beltoli Simlaratal | Baithamari | Bongaigaon | 5+620 | 6+820 | 0.5208 | 1.7174 |
| 11 | Dolanibill(sheet no-5) | Baithamari | Bongaigaon | 7+010 | 8+000 | 0.2823 | 0.7449 |
| 12 | Bhairav Pahar Sheet-2 | Bhaithamari | Bongaigaon | 8+120 | 8+820 | 0.0055 | 0.2330 |
| 13 | Bhairav Pahar Sheet-1 | Baithamari | Bongaigaon | 9+090 | 10+180 | 0.0000 | 0.6693 |
| 14 | Hakodoka 2nd part | Baithamari | Bongaigaon | 6+810 | 7+120 | 0.2942 | 0.4335 |
| 15 | Kherpuji Sheet-1 | Baithamari | Bongaigaon | 7+560 | 9+140 | 2.4084 | 0.0572 |
| 16 | Kachudola Sheet-1 | Baithamari | Bongaigaon | 10+610 | 11+110 | 0.5793 | 0.2051 |
| 17 | Kherpuji Part-2 | Baithamari | Bongaigaon | 9+150 | 9+950 | 0.9077 | 0.0758 |
| 18 | Oudubi Part-1 | Baithamari | Bongaigaon | 11+010 | 12+470 | 1.0717 | 0.1068 |
| 19 | Oudubi Part-2 | Baithamari | Bongaigaon | 11+730 | 12+480 | 0.1594 | 0.1673 |
| 20 | Boalimari(part-1) | Baithamari | Bongaigaon | 12+930 | 13+940 | 0.3797 | 0.2720 |
| 21 | Boalimari part-2 | Baithamari | Bongaigaon | 13+815 | 14+820 | 0.0000 | 0.5599 |
| 22 | Dhakana Bari(sheet-3) | Baithamari | Bongaigaon | 15+490 | 17+210 | 4.0402 | 0.6454 |
| 23 | Dhakanabari (sheet-2) | Baithamari | Bongaigaon | 17+205 | 18+880 | 2.6838 | 0.5116 |
| 24 | Dhakanabari (sheet-1) | Baithamari | Bongaigaon | 18+860 | 19+510 | 0.6768 | 0.2600 |
| 25 | Shalbari sheet-2 | Baithamari | Bongaigaon | 19+517 | 20+360 | 1.5810 | 0.1472 |
| 26 | Bechhimari | Baithamari | Bongaigaon | 20+360 | 21+240 | 1.2078 | 0.0771 |
| 27 | Raghunandanpur(part-2) | Baithamari | Bongaigaon | 21+015 | 22+350 | 0.7857 | 0.1185 |
| 28 | Moligaon | Baithamari | Bongaigaon | 22+280 | 22+970 | 0.2152 | 0.0060 |
| 29 | Kasarpara | Baithamari | Bongaigaon | 22+970 | 23+490 | 0.8143 | 0.0025 |
| 30 | Amguri | Baithamari | Bongaigaon | 23+950 | 24+260 | 0.6091 | 0.0604 |
| 31 | Sajnavita | Baithamari | Bongaigaon | 23+490 | 23+960 | 0.9165 | 0.0641 |
| 32 | Banshbari (part-1) | Bongaigaon | Bongaigaon | 24+870 | 26+035 | 0.5661 | 0.2483 |
| 33 | Banshbari (part-2) | Bongaigaon | Bongaigaon | 25+895 | 28+100 | 1.4780 | 0.5254 |
| 34 | Deongaon Sheet-1 | Bongaigaon | Bongaigaon | 27+165 | 27+590 | 0.4775 | 0.0687 |
| 35 | Dhalagaon Sheet-2 | Bongaigaon | Bongaigaon | 28+040 | 28+545 | 0.1886 | 0.0358 |
| 36 | Nagoria Gaon | Bongaigaon | Bongaigaon | 28+542 | 29+740 | 0.8620 | 0.0402 |
| 37 | Mulagaon Tatpara | Bongaigaon | Bongaigaon | 29+740 | 30+325 | 0.7464 | 0.3875 |
| 38 | Mulagaon Rabhpara | Bongaigaon | Bongaigaon | 31+300 | 31+370 | 0.0938 | 0.0000 |
| 39 | Mulagaon Chennapara | Bongaigaon | Bongaigaon | 31+370 | 32+350 | 1.5205 | 0.0018 |
| 40 | Barsangaon Part-2 | Bongaigaon | Bongaigaon | 31+345 | 33+210 | 0.2673 | 0.0020 |
| 41 | Mulagaon | Bongaigaon | Bongaigaon | 30+300 | 32+345 | 1.7726 | 0.4296 |

| Sl. No. | VILLAGE NAME | CIRCLE OFFICE | DISTRICT | Chainage(Km) | | Private LA Area (Ha) | Govt. LA Area (Ha) |
|---------|----------------------|---------------|------------|--------------|--------|----------------------|--------------------|
| | | | | From | To | | |
| 42 | Jelkajhar Part-2 | Bongaigaon | Bongaigaon | 34+190 | 34+650 | 0.0000 | 0.2395 |
| 43 | Barsangaon Part-1 | Bongaigaon | Bongaigaon | 33+150 | 34+920 | 0.9902 | 0.1067 |
| 44 | Bakhrapara Part-1 | Bongaigaon | Bongaigaon | 35+650 | 36+791 | 0.8538 | 0.0358 |
| 45 | Bongaigaon Gosaipara | Bongaigaon | Bongaigaon | 34+930 | 35+670 | 0.9974 | 0.3495 |
| 46 | Bhairav Pahar N.C | Baithamari | Bongaigaon | 12+470 | 12+940 | 0.0000 | 0.4857 |
| 47 | Bhairav Pahar N.C | Baithamari | Bongaigaon | 14+100 | 14+570 | 0.0000 | 0.5580 |
| 48 | Bhairav Pahar N.C | Baithamari | Bongaigaon | 14+810 | 15+490 | 0.0000 | 0.8180 |
| 49 | Brambhaputra Nodh | Baithamari | Bongaigaon | 10+120 | 10+620 | 0.0000 | 1.3900 |

Source: LAP prepared by DPR Consultants, July 2021

C. Impact on Structures

24. The improvements proposed will cause impact to 1028 private structures and 86 common property resources⁸. Further, there are 94 tenants who will be affected. However, only 92% (945 out of 1028) of the structures are significantly affected and require to be rebuilt, while for the remaining 8% (83) structures will bear non-significant impacts. Among the significantly affected structures, 42.65% of the structures are being used for residential purpose, 44.34% are used as commercial purpose, 1.27% are used for both residence and commercial purpose and 11.75% are used for other purpose.

D. Loss of Private Structures

25. As per census survey, out of affected 1028 private structures, 667 (64.88%) private structures are of title holders, 361 (35.12%) are structures are of non-title holders including Kiosk. Out of 667 Title holder's structures 314 (TH) structures are of residential type, 261 (TH) structures are of commercial type, 11 (TH) is of residential-cum-commercial type, 2 are cattle sheds and there are 79 nos. structures which are in other category. Out of the 361 structures of the NTH, 104 (NTH) structures are residential, 219 (NTH) structures are commercial, 2 (NTH) structures are residential cum commercial, 1 (NTH) are cattle shed, 35 structures are classified in other category, which would be affected. The details of structures are given in the Table 10.

Table 8: Ownership of Private Structures

| Sl. | Use of Private Property | Total Title Holder | Total Non-Title Holder | Total | Percentage |
|-----|-------------------------|--------------------|------------------------|-------|---------------|
| 1 | Residential | 314 | 104 | 418 | 40.66% |
| 2 | Commercial | 261 | 219 | 480 | 46.69% |
| 3 | Res-cum-commercial | 11 | 2 | 13 | 1.26% |
| 4 | Cattle Shed | 2 | 1 | 3 | 0.29% |
| 5 | Others | 79 | 35 | 114 | 11.09% |

⁸ The data given in the RP has already been validated during the JMS, done in March 2022. No discrepancy in the data has been noticed with the census survey data and revalidated data. If any significant changes are noticed during implementation, RP will be updated.

| Sl. | Use of Private Property | Total Title Holder | Total Non-Title Holder | Total | Percentage |
|--------------|-------------------------|--------------------|------------------------|----------------|----------------|
| Total | | 667 | 361 | 1028 | 100.00% |
| % | | 64.88% | 35.12% | 100.00% | |

Source: Census and Social Survey, Jan – Mar 2020

26. The Structures have been classified as permanent, semi-permanent or Temporary based on the type of material use in construction of wall, roof and floor. Structures having roof, wall and floor made of substantial material such as stone, brick, cement, concrete etc. is considered as permanent structure. A structure that has at least two fixed walls or more structures made up of permanent material but roof is made up of the material other than those used for pucca or permanent structure are considered as semi-permanent. A temporary structure neither have two fixed walls or structures made up of permanent material nor roof is made up of the material that of the pucca or permanent structure. As per the composition of structure is concerned, more than 31% of the structures are temporary. The details of type and area of constructions of the affected Private structures are summarized in the Table 11.

Table 9: Type of Construction of the Affected Structures

| Sl. No | Type of Structure | Number of Structures | Total Area (Sqm/ Rm) | Affected Area (Sqm/ Rm) | Percentage of type of Structure Composition |
|--------------|--------------------|----------------------|-------------------------------|-------------------------------|---|
| 1 | Compound Wall | 93 | 4560.5 | 2728.7 | 9.05% |
| 2 | Permanent | 13 | 553.6 | 156.7 | 1.26% |
| 3 | Semi-Permanent | 492 | 17773.4 | 8563.1 | 47.86% |
| 4 | Temporary | 319 | 8303.8 | 5613.3 | 31.03% |
| 5 | Under Construction | 5 | 252.2 | 83.4 | 0.49% |
| 6 | Kiosk (Commercial) | 6 | 79.6 | 60.5 | 0.58% |
| 6 | Others | 100 | 2645.4 | 1928 | 9.73% |
| Total | | 1028 | 29608 sqm and 4560.5 m | 16405 sqm and 2728.7 m | 100% |

Source: Census and Social Survey, Jan – Mar 2020

E. Magnitude of Impact on Structures

27. The project will impact 1028 structures and the structures have been assessed for the significance of impact, with loss of less than 10 percent being considered as non-significant and loss of 10 percent and above as significant. Of course, during the RP implementation, a proper assessment on the structure's viability will be conducted in consultation with its owner to determine whether the house is fully affected – even in case of less than 10% impact by a qualified engineer in consultation with the affected HH. The officers of PIU and the staff of the Resettlement Implementation Support Agency (RISA) will be sensitised on this aspect at the outset of the RP implementation and PMU will ensure its implementation. The information in Table 12 will be updated after the completion of the joint verification and on completion of structure valuation.

Table 10: Use by Extent of loss to the Affected Structures

| Table 10: Use by Extent of Loss to the Affected Structures | | | | | | | | |
|--|---------------|-----|-------------------------------|---------------------------------|---|--------------------|---------------------------|------------|
| Sl. | Impact | | Residence (No. of structures) | Commercial (No. Of structures) | Residence cum Commercial (No. Of structures) | Others / Abandoned | Total (No. Of structures) | Percentage |
| 1 | Less than 10% | TH | 14 | 56 | 1 | 2 | 73 | 7% |
| 2 | | NTH | 3 | 5 | 12 | 2 | 22 | 2% |
| 3 | 10% and Above | TH | 300 | 205 | 0 | 79 | 584 | 57% |
| 4 | | NTH | 101 | 214 | 0 | 34 | 349 | 34% |
| Total | | | 418 | 480 | 13 | 117 | 1028 | 100% |
| Percentage | | | 41% | 47% | 1% | 11% | 100% | |

Source: Census and Social Survey, Jan – Mar 2020

F. Loss of Livelihood

28. The Project causes significant impact to 419 (205 TH and 214 NTH) commercial establishments. Further there are 94 commercial tenants and 90 employees to commercial establishments. There are 264 land owners who would also face economic displacement resulting in total loss of livelihood to about 3676 displaced or significantly displaced persons (DPs). The category of impacts causing loss of livelihood is presented Table 13.

Table 11: Loss of Livelihood

| | Number of Displaced Households | Number of Displaced Persons |
|------------------------------------|--------------------------------|-----------------------------|
| Owners of Business | 419 | 1357 |
| Commercial Tenants | 94 | 489 |
| Employees | 90 | 468 |
| Significantly affected land owners | 264 | 1362 |
| Total | 867 | 3676 |

Source: Census and Social Survey, Jan – Mar 2020

G. Loss of Trees

29. The Project will require removal of 325 private trees belonging to the AHs. All other trees getting affected in this project belong to the government and the re-planting of government trees will be done in accordance with the State norms and regulations.

H. Loss of Common Property Resources

30. The project will affect 86 common property resources as per the survey undertaken and the number of CPRs will increase after completion of revalidation. Out of these, 86 are school buildings, government buildings and portion of quasi government buildings and community structures, 63 of which will be fully affected. The Project, with the support of RP implementation agency, will consult the trustees of the places of worship, institutions and local Panchayat, will compensated/relocation of these for the affected 21 places of worship. No economic activities are identified in any of the affected community properties. All religious properties will be compensated/relocated in consultation with the concerned communities by PIU in support of RISA during prior to the commencement of civil works. In case of affected CPRs need to incur any

expenses related to any ceremonies, etc. it will be examined case by case and appropriate decision would be taken by the respective project implementation unit. The common property resource that is getting affected in the project is presented in Table 14.

Table 12: Loss of Community Structures

| Type of Community Asset | Number of Structures | Partially affected | Fully affected | Percentage |
|---|----------------------|--------------------|----------------|------------|
| Place of worship | 21 | 5 | 16 | 24.42% |
| CW, Government buildings, etc | 40 | 10 | 30 | 46.51% |
| Educational Institute related structure | 22 | 7 | 15 | 25.58% |
| Community | 3 | 1 | 2 | 3.49% |
| Total | 86 | 23 | 63 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

III. SOCIO-ECONOMIC INFORMATION PROFILE

A. Involuntary Resettlement Impacts

31. This Resettlement Plan (RP) is based on the census and socio-economic survey carried out on Jan – Mar 2020 based on final and detailed design of the road project. The RP is based on the final engineering design. The physical and economic displacement shall be confirmed during joint survey by the land acquisition officer. RP will be updated on completion of land acquisition procedure. The census survey identified 769 households⁹ losing their land and/or structure or livelihood and the salient findings are presented in the following sections. Compensation for loss of assets based on the extent and type have been worked out following Entitlement matrix and valuation of assets for both physical and economic displacement. Involuntary resettlement impact categorization checklist is given in **Appendix 4**.

B. Methodology Adopted

32. The census survey enumerated all private assets/properties and common property resources within the proposed right-of-way (PRoW) varying from 15m to 30m depending on factors like urban, rural, terrain conditions and re-alignments sections. For every affected household, a pretested structured questionnaire was administered during the census survey. The survey recorded details of (i) identity of the Project Affected Household (AH); (ii) tenure; and (iii) type, use and extent of loss to the DF.

33. In addition to recording the above information, detailed socio-economic characteristics, including demographic profile of members of the household, standards of living, inventory of physical assets, vulnerability characteristics, indebtedness level, health and sanitation, and ascertaining perceptions about project, resettlement options and compensation, was collected from all main building affected households. All structures were photographed and numbered for reference and record. Details of common property resources within the PRoW were also recorded.

34. The affected households were categorised based on the severity of impact as significant (loss of 10 percent and above of the productive asset or structure) and non-significant (loss of less than 10 percent of the productive asset or structure). The summary of Affected Households and the summary of Affected Common Property Resources are presented in **Appendix 5 & 6**.

35. The census survey identified 1396 households including 94 tenants, 90 employees to commercial structures who would be affected. About 86 common property resources are affected and required to be relocated or compensated. Out of 1396 Displaced Families (DF), 922 DFs are Title Holders losing only land and/or structure and 474 DFs are Non-Title Holders losing structure and/or livelihood. The vulnerability assessment will be done for all the displaced families/members. Government of Assam, government is implementing various welfare schemes for upliftment of vulnerable people of the state. Hence project will provide additional benefits for the affected vulnerable Households as per EM. The survey details are analyzed and presented in the following sections.

⁹ Out of the total population of 1396 HHs about 769 HHs were considered for SES.

36. Among these 466 landowners, 264 landowners will be significantly affected with a loss of 10 percent or more of their land holding and the remaining 202 landowners will face non-significant impact as their loss is less than 10 percent.

37. Socio economic survey has been conducted for all the physically and economically displaced affected households. The economic displacement of land only affected households can be assessed only during award enquiry. This section of the RP will be updated on completion of award enquiry. The socio-economic survey was carried out amongst 743 out of 1396 affected households (includes both physical and economic displacement) losing either their place of residence or place of business or both. The details are provided in Tables 12 & 28 based on the current survey data. Besides, around 653 households are yet to furnish their data as they either delayed in providing their data or absent during SES or census survey by the investigators. The socio-economic survey details are analyzed and presented in the following sections.

C. Demographic Profile of Project Displaced Households

(i) Household by Sex

38. Out of sample 743 displaced family only 12 numbers are headed by female and the remaining 731 households headed by male. Male account for 98.4% and female account for 1.6% percent.

(ii) Household by Religion

39. Muslim is the predominant religion in the primary PIA followed by Hinduism. The detail presence of religion in the PIA is depicted in the (Table 15).

Table 13: Household by Religion

| Sl. | Category | Number | Percentage |
|--------------|----------|------------|-------------|
| 1 | Hindu | 305 | 41% |
| 2 | Muslim | 430 | 58% |
| 3 | Others | 8 | 1% |
| Total | | 743 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

(iii) Household by Social Group

40. The social stratification of the project area shows dominance of General population with 31% Families followed by Schedule Tribe at 1%. The third and fourth stratum of the social grouping in the PIA is of Other Backward Class and Schedule Caste comprising of 16% and 4% respectively. The detail of social grouping in the project area is depicted in Table 16.

Table 14: Household by Social Category

| Social Category | Number | Percentage |
|----------------------|-------------|-------------|
| General | 1104 | 79% |
| Other Backward caste | 223 | 16% |
| Scheduled caste | 56 | 4% |
| Scheduled Tribes | 13 | 1% |
| Total | 1396 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

(iv) Household by Size of Family

41. Amongst the 743 sample DFs, family of size 3 to 4 members constituted to 56%, followed by upto 5 to 6 members constituting 21% (91 HHs), 111 households constituting 15% having upto 2 members and 60 households have above 6 members (8%) (Table 17).

Table 15: Size of the household

| Size of the Family | Number | Percentage |
|--------------------|------------|---------------|
| Up to 2 | 111 | 15% |
| 3 to 4 | 416 | 56% |
| 5 to 6 | 156 | 21% |
| Above 6 | 60 | 8% |
| Total | 743 | 100.00 |

Source: Census and Social Survey, Jan – Mar 2020

(v) Age group of DPs

42. Of the 743 sample displaced households, comprising a total of 3864 persons (Men: 1971 and Women: 1893) will be affected by the road. The majority of them, numbering 2232 persons belong to the age group 18 to 60 years, 978 persons belong to the age group of > 17 category, followed by 654 persons belonging to the age group > 60. The detail is depicted in Table 18.

Table 16: Age Group of DPs

| Age Group | Male | | Female | | Total | |
|--------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | Number | Percentage | Number | Percentage | Number | Percentage |
| Up to 17 | 499 | 25% | 479 | 25% | 978 | 25% |
| >17 and ≤ 60 | 1138 | 58% | 1094 | 58% | 2232 | 58% |
| > 60 | 334 | 17% | 320 | 17% | 654 | 17% |
| Total | 1971 | 100% | 1893 | 100% | 3864 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

D. Socio-economic Profile

(i) Educational level of DPs

43. The educational level of the DPs aged more than 6 years, of about 12.92% of the displaced persons is between 9th and 10th Class (12.71% Men and 13.13% Women), 15.12% belonging to the categories between 6th and 8th constituting majority among the displaced. Uneducated constituted 29.81% of the displaced (438 Men and 552 Women). Of the total, 19.12% of them have studied up to primary education.

Table 17: Educational level of DPs

| Educational level | Male | | Female | | Total | |
|---------------------|--------|------------|--------|------------|--------|------------|
| | Number | Percentage | Number | Percentage | Number | Percentage |
| Informally Literate | 111 | 6.65% | 113 | 6.84% | 224 | 6.74% |

| Educational level | Male | | Female | | Total | |
|---------------------------------------|-------------|-------------|-------------|-------------|-------------|----------------|
| | Number | Percentage | Number | Percentage | Number | Percentage |
| Up to 5th | 329 | 19.72% | 316 | 19.12% | 645 | 19.42% |
| 6 th to 8 th | 294 | 17.63% | 208 | 12.58% | 502 | 15.12% |
| 9 th to 10 th | 212 | 12.71% | 217 | 13.13% | 429 | 12.92% |
| 11 th and 12 th | 146 | 8.75% | 125 | 7.56% | 271 | 8.16% |
| Graduate | 95 | 5.70% | 82 | 4.96% | 177 | 5.33% |
| Post Graduate | 43 | 2.58% | 40 | 2.42% | 83 | 2.50% |
| Uneducated | 438 | 26.26% | 552 | 33.39% | 990 | 29.81% |
| Total | 1668 | 100% | 1653 | 100% | 3321 | 100.00% |

Source: Census and Social Survey, Jan – Mar 2020

(ii) Occupation of DPs

44. The occupational status of DPs reveals that 28% Population are depending on business and this includes the business they are carrying out along the road, mainly shops and kiosks. About 13% Population are having agriculture as their source of income and 3% are engaged in government jobs & Private Jobs. The table depicts that the majority of the DPs (42%) are in the category of not in workforce as the household members were engaged in education and elderly DPs. The gender wise detail of occupation is depicted in Table 20.

Table 18: Occupation of DPs

| Sl. | Occupational Profile | Male | Percentage | Female | Percentage | Total | Percentage |
|--------------|---------------------------------|-------------|-------------|------------|-------------|-------------|-------------|
| 1 | Agriculture & Allied Activities | 198 | 16% | 81 | 8% | 279 | 13% |
| 2 | Government & Private Services | 57 | 5% | 11 | 1% | 68 | 3% |
| 3 | Trade & Business | 497 | 40% | 117 | 12% | 614 | 28% |
| 4 | Self Employed | 89 | 7% | 57 | 6% | 146 | 7% |
| 5 | Casual Labour | 116 | 9% | 63 | 6% | 179 | 8% |
| 6 | Non-Remuneratively Engaged | 298 | 24% | 648 | 66% | 946 | 42% |
| Total | | 1255 | 100% | 977 | 100% | 2232 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

(iii) Income of Household

45. All the sample families surveyed have an average annual income more than Rs. 30000/-. About 28% DFs are having average annual income in the range of Rs. 30000-50000, while 43% of the families are earning between Rs. 50000-100000. It has been observed that about 29% DFs have annual income more than Rs. 1,00,000. The average income level of DF in the project area is summarized in the (Table 17).

46. The average monthly family income of DPs was reported as Rs. 5,127. Persons possessing the BPL (Antadoya/ Ati Antadoya) Card or listed in the BPL list were considered as BPL.

Table 19: Monthly Household Income of DFs

| Sl. | Annual Income Categories in (Rs) | Number | Percentage |
|--------------|--|------------|-------------|
| 1 | More than 30000 but less than or equal to 50000 | 208 | 28% |
| 2 | More than 50000 but less than or equal to 100000 | 320 | 43% |
| 3 | More than 100000 | 215 | 29% |
| Total | | 743 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

(iv) Indebtedness of Household

47. Among 743 sample displaced households, 126 HHs (17%) had borrowed from banking institutions, 82 (11%) from money lenders. 535 HH (72%) had not made any borrowings.

Table 20: Indebtedness of DFs

| Indebtedness | Number | Percentage |
|----------------------|------------|-------------|
| Banking Institutions | 126 | 17% |
| Money Lenders | 82 | 11% |
| None | 535 | 72% |
| Total | 743 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

48. Among those who had borrowed from banks, 71% (89 HHs) have borrowed a sum above above a sum of Rs.1,00,000.

Table 21: Extent of Loan taken - Bank

| Amount Borrowed | Number | Percentage |
|-------------------------|------------|------------|
| ≤ 10,000 | 0 | 0% |
| > 10,000 and ≤ 25,000 | 0 | 0% |
| > 25,000 and ≤ 50,000 | 9 | 7% |
| > 50,000 and ≤ 1,00,000 | 28 | 22% |
| > 1,00,000 | 89 | 71% |
| Total | 126 | 100 |

Source: Census and Social Survey, Sep- Oct 2019

49. With regard to the purpose of borrowings from the bank, 43% (54 HHs) reported that they had borrowed for purpose of business investment; and another 9% (11 HHs) for agriculture and 25% (32 HHs) of the households for house construction/repair.

Table 22: Purpose of Loan - Bank

| Borrower | Number | Percentage |
|---------------------------|--------|------------|
| Agriculture | 11 | 9% |
| Business investment | 54 | 43% |
| Medical expenses | 0 | 0% |
| Wedding / Family function | 14 | 11% |

| Borrower | Number | Percentage |
|-----------------------------|------------|-------------|
| House Construction / Repair | 32 | 25% |
| Educational Loan | 0 | 0% |
| Others | 15 | 12% |
| Total | 126 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

50. Among those who had borrowed from money lenders, 62 households had borrowed sums ranging above Rs. 1,00,000 and 20 households > 50,000 and ≤ 1,00,000.

Table 23 : Extent of Loan taken - Money Lenders

| Amount Borrowed | Number | Percentage |
|-------------------------|-----------|------------|
| ≤ 10,000 | 0 | 0 |
| > 10,000 and ≤ 25,000 | 0 | 0 |
| > 25,000 and ≤ 50,000 | 0 | 0 |
| > 50,000 and ≤ 1,00,000 | 20 | 24% |
| > 1,00,000 | 62 | 76% |
| Total | 82 | 100 |

Source: Census and Social Survey, Sep- Oct 2019

51. Eighty-two households had borrowed from money lenders, of them 23 households for business (28%) and 16 for construction and repairing of their houses (20%).

Table 24: Purpose of Loan - Money Lenders

| Borrower | Number | Percentage |
|-----------------------------|-----------|-------------|
| Agriculture | 14 | 17% |
| Business investment | 23 | 28% |
| House Construction / Repair | 16 | 20% |
| Others | 29 | 35% |
| Total | 82 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

(v) Health and Sanitation

52. 63 households surveyed on the project road reported of having taken treatment, of them 32 from government hospitals, 16 households from private hospitals and 7 from Traditional healing for ailments for the past one year.

Table 25: Place of Treatment

| Place of treatment | Number | Percentage |
|--------------------------|-----------|-------------|
| Government Hospital | 32 | 51% |
| Private Clinic/ Hospital | 16 | 25% |
| Traditional healing | 7 | 11% |
| Medical shop | 8 | 13% |
| Treatment not taken | 0 | 0% |
| Total | 63 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

53. Most of the DFs (93%) reported that they were aware of HIV/AIDS and 7% (52 HHs) reporting not being aware of HIV/AIDS.

Table 26: Awareness to HIV/AIDS

| Awareness | Number | Percentage |
|--------------|------------|-------------|
| Aware | 691 | 93% |
| Not aware | 52 | 7% |
| Total | 743 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

54. Among those who were aware of HIV/AIDS, 93% reported that they are aware on how it spreads and 93% had knowledge about its prevention methods.

Table 27: Level of HIV/AIDS Awareness

| | Number | Percentage |
|--------------------------------------|--------|------------|
| Awareness to mode of HIV AIDS spread | 691 | 93% |
| Awareness to prevention methods | 691 | 93% |

Source: Census and Social Survey, Jan – Mar 2020

55. 52% percent of DPs reported that the source of information about HIV/AIDs was television broadcasting, 21% through campaign by the Government.

Table 28: Source of HIV/AIDS Information

| Source | Number | Percentage |
|---------------|------------|-------------|
| Print Media | 55 | 8% |
| Radio | 35 | 5% |
| Television | 359 | 52% |
| Govt Campaign | 145 | 21% |
| NGO Campaign | 63 | 9% |
| Not disclosed | 34 | 5% |
| Total | 691 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

56. Regarding child delivery, 76% reported that the last delivery of child in their household took place in Government Hospital and 15% in Private Hospital.

Table 29: Child Delivery

| | Number | Percentage |
|-----------------------|------------|-------------|
| Government Hospital | 587 | 79% |
| Private Hospital | 82 | 11% |
| Midwife at Home | 0 | 0% |
| Village elder at Home | 0 | 0% |
| No response | 74 | 10% |
| Total | 743 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

(vi) Impact to Vulnerable HH

57. The census survey finding reveals that there is 1% DFs along the roadside who belong to the ST community and 4% DFs belong to SC category. As per the survey 16% of the population (excluding the SCs and STs) in the PIA are very poor having annual per capita income less than

Rs. 12,000 10/- But about 25% of the population possess BPL card issued by the state government and considered as BPL for the project. There is 1% of the DFs are headed by Female. Thus, the total vulnerable DFs in the PIA is about 31%.¹¹

Table 30: Vulnerable (mutually exclusive)

| Sl. | Vulnerable Category | Number of HH impacted | Percentage to total population |
|------------------|-----------------------------------|-----------------------|--------------------------------|
| 1 | Women Headed Household | 12 | 1% |
| 2 | Scheduled Caste | 56 | 4% |
| 3 | Scheduled tribes | 13 | 1% |
| 4 | Below poverty line | 352 | 25% |
| 5 | Disabled persons in the Household | 0 | 0% |
| 6 | Elderly living alone | 0 | 0% |
| 7 | Landless Families ¹² | 0 | 0% |
| Total | | 433 | 31% |
| Total DFs | | 1396 | 100% |

Source: Census and Social Survey, Jan – Mar 2020

E. Key Socio-economic Indicators

58. The key socio-economic indicators established based on the census and socioeconomic survey carried out amongst the DFs in January to March 2020 are presented below. These indicators would form the baseline indicators that would be compared with the evaluation carried out by the independent external evaluation agency.

Table 31: Key Socio-economic Indicators

| Sl. | Indicator | Unit | Value/Figure |
|-----------|--|---------|--------------|
| a) | Income (N =743) | | |
| 1 | Monthly family income | Average | 5322 |
| 2 | Number of earners | Average | 1.5 |
| b) | Business establishment | | |
| 3. | Significant Impact | Nos. | 455 |
| c) | Housing/Shop Characteristics (N=1028) | | |
| 4 | Permanent | % | 1% |
| 5 | Semi-permanent | % | 48% |
| 6 | Temporary | % | 31% |
| 7 | Others | % | 20% |
| d) | Standard of Living | | |

¹¹ As per the entitlement matrix of the project only the displaced vulnerable families are eligible for additional assistance. The detailing has done to make it more clear for preparation of the budget and also to avoid confusion during RP implementation. This applies to all the vulnerable categories.

However, further assessment, including verification of documents to substantiate the claims of the PAPs also will be done during project implementation and payment shall be made to all the eligible PAPs as per the EM.

¹² Landless Aps will be verified during further award enquiry following national procedure. Once verified, appropriate assistance (as per EM) shall be provided.

| Sl. | Indicator | Unit | Value/Figure |
|-----|-------------------------------|---------|--------------|
| 8 | Owned (Title Holder) | % | 49% |
| 9 | Squatter (Non-Title Holder) | % | 51% |
| 10 | Having separate kitchen | % | 88% |
| 11 | Having separate toilet | % | 89% |
| 12 | Having separate bath | % | 82% |
| 13 | Houses electrified | % | 93% |
| 14 | Access to piped water supply | % | 48% |
| 15 | LPG as fuel for cooking | % | 82% |
| e) | Family Characteristics | | |
| 16 | Family size | Average | 5.2 |
| 17 | Women headed household | Nos | 12 |

Source: Census and Social Survey, Jan-Mar, 2020

F. Resettlement Preferences

59. The DFs were asked to indicate their choice in resettlement and Rehabilitation option of self-managed - cash assistance or project supported housing/livelihood assistance during Census Survey. The majority of 97% preferred cash assistance, followed by 3% being undecided. 23 DPs did not decide to where to relocate. All 23 households have not decided about their resettlement option.

Table 32: Resettlement Preferences

| Preference | Number | Percentage |
|---------------------------------|------------|-------------|
| Self-managed - Cash assistance | 720 | 97% |
| Project assisted - House / shop | 0 | 0 |
| Undecided | 23 | 3% |
| Total | 743 | 100% |

Source: Census and Social Survey, Jan-Mar, 2020

G. Profile of Women Headed Household (WHH)

60. The Project will impact 12 WHHs, among them 8 are Title holder and 4 are Non-Titleholder.

Table 33: Women Headed Household - Significance of Impact

| Women Headed Affected Household | Type of Impact | Physically displaced |
|---------------------------------|---------------------|----------------------|
| Title-holders | Land with Structure | 8 |
| Non-Titled Holders | Squatters | 1 |
| | Encroachers | 3 |
| | Tenants | |
| | Employees | |

Source: Census and Social Survey, Jan-Mar, 2020

61. A total of 21 structures belonging to WHHs will be affected by the road 9 structures belonging to residential category, 6 structures belonging to commercial category and 6 structures belonging to others category.

Table 34: WHH - Use of the Affected Structures

| Use of Structure | Total | Title holder | Non-Titleholder | Percentage |
|--|-----------|--------------|-----------------|----------------|
| Residential | 9 | 7 | 2 | 42.86% |
| Commercial | 6 | 2 | 4 | 28.57% |
| Residence cum Commercial | - | - | - | - |
| Kiosks | - | - | - | - |
| Others (CW, lean to roof, toilet, etc) | 6 | 4 | 2 | 28.57% |
| Total | 21 | 13 | 8 | 100.00% |

Source: Census and Social Survey, Jan-Mar, 2020

62. The 2 women headed households have an annual household income above Rs. 30,000 and below Rs. 50,000.

Table 35: Monthly Household Income of WHH

| Sl. | Annual Income Categories in (Rs) | Percentage |
|--------------|--|----------------|
| 1. | More than 30000 but less than or equal to 50000 | 100% |
| 2. | More than 50000 but less than or equal to 100000 | 0 |
| 3. | More than 100000 | 0 |
| Total | | 100.00% |

Source: Census and Social Survey, Jan-Mar, 2020

IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

A. Consultation in the Project

63. In order to engage with the community and enhance public understanding about the Project and address the concerns and issues pertaining to compensation, rehabilitation and resettlement; some individual interviews, focus group discussions (FGD) and meetings were undertaken amongst the various sections of Displaced Persons (DPs) and other stakeholders. These consultations were undertaken during the census and socio-economic survey that was carried out as part of the detailed project report (DPR) for the Project. The opinions of the DPs, stakeholders and their perceptions were obtained during these consultations. The consultations with the DPs and other stakeholders will continue throughout the RP implementation period maintaining COVID-19 containment restrictions.

❖ Covid Restriction

64. Corona virus disease 2019 (COVID-19), identified in December 2019, and has since spread globally, resulting in an ongoing pandemic. The virus primarily spread between people during close contact, most often via small droplets produced by coughing, sneezing, and talking. Recommended measures to prevent infection include area wise lock down, quarantine, frequent hand washing/ sanitising, maintaining physical distance from others and restrictions of movement and assembling. All the field operation and data collection has restricted with a very limited working scope and window with appropriate Personal Protective Equipment (PPE).

65. In these involuntary circumstances, the access to the project site is very much restricted and progress of the project in all terms is very slow and delayed. The Reconnaissance, Social Screening, finalization of alignment and Social Survey at field and especially Consultation with the people for the sub-projects will also be delayed and interrupted. Apart from this, due to Covid 19 fear, male and female members refused to assemble and sharing their issues and suggestion.

66. In spite of Pandemic Covid 19, we have successfully conducted 9 meaningful consultations with affected people. The COVID-19 safety protocols at that time of the consultation were also followed. In view of the prevailing COVID-19 pandemic, the participants of the meetings had taken additional measure by using sanitizer, masks and maintain social distancing to avoid the spread of the disease. The participants were encouraged to avoid contact with each other as far as possible and wash their hands at regular intervals. The SES and Census Survey took place from January to March, 2020 and Revalidation of the SES and Census Survey took place from May 2021 to July 2021. Public Consultation was undertaken throughout the project life. During the first phase there was no restriction however the survey was suddenly aborted in March, 2020. During the second phase there was restrictions like a) assembling of more than 4 persons b) maintaining social distance c) using and maintaining health hygiene material and behaviors and d) Lockdown which was followed for conducting the survey.

67. Apart from the consultations done during the feasibility study and preparation of the resettlement plan by the DPR consultant and PIU officers, a good number of consultations were done by the ADB consultants also immediately after the government lifted the restrictions on social gatherings. These consultations were done with general community at multiple locations (where social sensitivity is high) covering the subjects such as discussion on entitlement matrix of the project, grievance redressal mechanism and timeline of the project. Separate consultations with commercial owners/tenants of bypass proposed town locations and gender consultations with various women's groups and adolescent girls were also done.

68. Beside this, Consultations with individual affected households were conducted during socio-economic surveys due to COVID-19 restrictions, that allowed only one to one interaction. The one-to-one consultations started early in the project preparation stage and will be carried out on an ongoing basis throughout the project cycle.

B. Methods of Consultation

69. Consultations and discussions were held during the census and socio-economic survey with displaced persons (DPs), project beneficiaries, officials of the Government Department, the implementing and executing agencies, the officials of the Revenue Department and the elected members of the local self-government adhering COVID-19 restrictions.

70. During the census and socio-economic survey consultations were held with affected households, commercial establishment owners along the project road, officials of the district administration and elected members of the local Panchayat. In order to hear and address the concerns of women, women were encouraged to participate and express their concern during consultations. The consultation methods are detailed in the following table.

Table 36: Consultation Methods

| Stakeholders | Methods |
|---|--|
| Affected Persons | Census and Socio-economic Survey |
| Affected Persons | Focus Group Discussions (FGDs) |
| Local Community | Focus Group Discussions (FGDs) |
| Local Body Elected Members | Individual Interviews, discussion |
| Highways and Revenue Department officials | Individual meeting/interview, discussion |
| APs and General Public | Consultation Meetings |

Source: Socio-Economic Survey on Jan-March 2020

71. During the census and socio-economic survey, 8 general FGDs and 1 Female FGDs were conducted in along the alignment in the project road, giving priority to settlements and sections where impacts to private assets and property are most significant with displaced persons, owners of commercial establishment along the project road, officials of the district administration and elected members of the local panchayat. Consultations addressed all relevant aspects of the proposed road design, details of the private and public land required and impact to private property. Also, 3 Key Informant Interviews were held with important personnel of the project area to get their perceptions regarding the implementation of the project. Further Safeguard consultant team of ADB has participated in few consultations held with the PAPs mainly at social sensitive (where the adverse social impact could be high) locations, in which Social Development Specialist, ADB HQ was also joined remotely (virtually).

Future Stakeholder engagement through public meetings, focus group discussions and one to one meeting will be undertaken by the PIU and the RISA during the project implementation. However, the project preparatory team and the staff of the PWRD has done numerous micro consultations with individuals as they go back and forth in the project area.

Table 37: Place of Consultation and Number of Participants

| Sl. | Type of Consultation | Number | No. of Attendant | |
|--------------|----------------------|-----------|------------------|-----------|
| | | | Male | Female |
| 1. | FGD | 8 | 140 | 4 |
| 2. | FGD-Female | 1 | - | 15 |
| 3. | KII | 3 | 8 | - |
| Total | | 12 | 148 | 19 |

Source: Socio-Economic Survey on Jan-March 2020

C. Outcome of the Consultations

72. People were aware about the improvements proposed for the project road but were not aware about specific details of the PRow, shift in centreline and the method of valuation for land and building, payment of compensation and other rehabilitation and resettlement measures. A detailed public consultation was organized with the potential project displaced persons, people's representatives, shopkeepers, businessmen, and others regarding the project benefits and vis-à-vis estimated loss. The main point of discussions were minor realignments to save certain structures, compensation and assistance, road safety etc. It has been observed that the benefits of the proposed project area acknowledged by the local people but they want the Executing Agency, to take care of the implementation of the project to bring about promised benefits with proper safety measures.

73. The information and recommendations gathered from the various stakeholder consultations has been incorporated into the design of the project to ensure that the investments align with local priorities and development plans, and that they will deliver equitable socio-economic benefits to the intended project beneficiaries. In addition to the public consultations and FGDs that were held in the severe impacted areas like Tulsijhora, further consultations are also proposed during implementation. The local communities were assured that if needed further meetings could be held within a week notice. The salient points of the consultations are summarised in the following **Table 40**. Signed attendance has prepared and samples are attached in the RP as **Appendix 7**.

Table 38: Summary of Consultation Outcome

| Date / Place / Time | No of Participants | Issues Discussed | Mitigation Method Adopted |
|--|--|---|--|
| Place: Chedamari 01/03/2020 11.00 am | 16 Male local shopkeepers and farmers | 1. Apprehension of major impact of structures, both residential and Commercial, with widening of the Road. | 1. As most of the structures have shades or storing space in front so there would be no major impact but minor impacts are envisaged as the shades and storing space will be impacted with the proposed road. The existing alignment is finalized. |
| Place: Balapara 22/02/2020 10.30 am | 19 male members whose land likely to be impacted | 2. The ERow is about 5m to 6m and there is also a sharp bend with many small village roads joining the existing road. There will be major impact on the | 1. After discussion with the local residents and apprehending the major impact a re-alignment was proposed by the PWD and |

| | | | |
|--|--|--|---|
| | | <p>commercial structures on both sides. The Local residents are afraid of losing their livelihood.</p> <p>3. The area is backward in Education and health facilities and the residents demand for a Public Health Centre (PHC) in their area.</p> | <p>Consultant Team which was eagerly accepted by the local residents.</p> <p>2. The PWD officials agreed to put forward the demand of PHC to higher Authorities.</p> |
| <p>Place: Salmara 03/03/2020 3.30 pm</p> | <p>8 Male Members that are to be impacted</p> | <p>1. The existing alignment passes through the town area. It is also a junction town and many heavy goods vehicles passes through the town. There are both commercial and residential establishments along the alignment which will be impacted. It has been revealed during consultation that they agreed for the construction of the proposed road, but afraid of road accident.</p> <p>2. Some of them also put the issue of construction of concrete drains for the development of the sewage system of the town as during monsoon the water from the road come into their houses.</p> | <p>1. The PWD assured that there would be safer roads by provision of traffic calming measures. It is also agreed that there would be speed restrictions in the town and other settlement areas.</p> <p>2. Drains would be provided in the design such that there would no outflow of water from the road and rain water would be channelized properly.</p> |
| <p>Place: Oudubi 25/02/2020 12.30pm 05.03.2020 2.30 pm</p> | <p>20 Male members in Oudubi Part –I mainly shopkeepers and 21 male members at Oudubi Part-2 all are local farmers and traders</p> | <p>1. A detailed public consultation was organized with the potential project affected persons, people's representatives, shopkeepers, businessmen, and others regarding the project benefits and vis-à-vis estimated loss.</p> <p>2. The most important topic of discussion was the alignment which passes through a market at one side and a Mosque on the other near a sharp bend. The local people want the Mosque to be safe.</p> <p>3. The other point of discussion was which to save the Idah. To save the Idah a playground would be affected partially.</p> <p>4. Overall design should safe as much of structure as possible.</p> <p>5. The local residents with their representatives demanded proper road safety structures to be introduced in the design.</p> | <p>1. The Compensation and assistance as per the laws and policies they are eligible was discussed,</p> <p>2. The alignment is slightly re-aligned to keep the Mosque absolutely safe.</p> <p>3. It was agreed to save the Idah.</p> <p>4. To avoid the sharp bend the alignment would shift to RHS such that the Mosque, Idah and market structures on the LHS are safe.</p> <p>5. It was assured that the design will ensure safer movement of traffic.</p> |

| | | | |
|--|--|---|--|
| Place: Oudubi 15.03.2020 3.00 pm | On 15.03.2020 all-female participants (15) | <ol style="list-style-type: none"> 1. The Female group demand a Bus Stand and an Auto Stand near the Junction. 2. The female participants apprehend about the increase in the number of road accidents and would be dangerous to the locals. 3. The Female also demand street lighting throughout the road. 4. Female apprehend about increasing of human trafficking, drugs and alcohol abuse etc. | <ol style="list-style-type: none"> 1. A Bus stand with shades will be provided on both sides of the road only avoiding the market place. 2. The PWD officials had agreed to take special care for road safety. It has been suggested traffic awareness campaign at the schools and localities would be conducted. 3. Street lighting has been recommended as per IRC code provision 4. It is also learnt that a NGO would be recruited for developing the awareness of the people of PIA regarding trafficking, drugs and alcohol abuse, gender issues and other social stigmas. |
| Place: Swahid Bedi, Bongaigaon 07/03/2020 2.30pm | All 12 male members who are associated with trade and business | <ol style="list-style-type: none"> 1. The town is basically a trading hub. Though the town lacks in many infrastructural facilities but they think that with better communication there would be economic development. All other issues would be solved automatically. The available RoW is 12m to 13m and the local resident want the development of the proposed road within the available RoW. 2. The road should be completed within the schedule time. | <ol style="list-style-type: none"> 1. It was agreed to keep the design within 12.5m RoW. 2. The road is expected to complete by three years |
| Boitamari, FCI Bazar, Jogighopa 24.02.2020 | 30 male all are shopkeepers of the market | 1. The area has an old market place and the shopkeepers were not willing to resettle from this position. The shopkeepers also demanded that there should be equal amount of area to be acquired on both the sides of the existing road. The available RoW is 5m to 6m | 1. It was finally decided to make a re-alignment to avoid the market place of the small town and lots of problems during implementation. |
| Jatiya Vidyalaya, Jogighopa 24.02.2020 | 2 Male teachers | 1. The teachers are enthusiast about development of the road but worried about the safety of | 1. It was agreed to put traffic calming measures all along the school zone. It was also agreed that Road |

| | | | |
|---|--|---|---|
| (KII) | | the students coming to the school by foot or bicycle. | Safety Campaign would be undertaken in collaboration with the schools. |
| L.P. School Ashok Paper Mill 25.02.2020 (KII) | 2 Female Teacher | 1. The teacher demanded speed breaker on both the side of the school as the children and students are not careful using the roads | 1. It was agreed to put traffic calming measures all along the school zone. It was also agreed that Road Safety Campaign would be undertaken in collaboration with the schools. |
| Kasarpara 14+400 22.02.2020 (KII) | 2 male member of same family | 1. There is a small temple but it belongs to a well-known family and believes to be 100 years old. The Family members opine to save the temple as it holds high religious sentiment of the local people | 1. It was confirmed that the temple will not be damaged by the proposed alignment |
| Kachudola 10+850 24.02.2020 and on 13.03.2020 | Total 14 male members of the locality who are going to be impacted | 1. The area is very congested not many people agreed for resettlement as a large number of structures, both residential and commercial, would be damaged. The people advise for bypass and agreed to give land for the road | 1. It was finally decided to go for a bypass at this area. |
| In addition to the above specific public consultations and FGDs the peoples were also consulted. In the villages the impact of social and economic are more. In all the villages the access to the market would increase and based on this the valuation of land and properties would also increase. The villagers were assured that if need further meetings, it could be held with a week notice. | | | |

D. Information Dissemination During Census & Socioeconomic Survey Revalidation

74. In Jogighopa to Bongaigaon road (A04) census survey was started in Jan 2020 by DPR Consultant. The DPs were briefed about the project, entitlement, tentative timeline of project implementation etc., during census survey. All the assets (buildings/structures) falling within the proposed ROW based on the final design were identified and numbered in the the CAD design. Again, during census survey and consultation with the stakeholders, information related to the entitlement matrix, such as compensations for land & structures, assistances and allowances for both TH & NTH, grievance redressal mechanisms, technical details of the project, importance of the project, cut-off date, etc were disclosed to the public verbally. The snapshots of the activity are shown below.

Figure 3: Pictures of Survey Proceedings



Focus Group Discussion with village Elders



CENSUS of impacted shop owner



SES of impacted Structure Owner



Group discussion with Shop Owners



Consultation at Oudhubi



Data collection from impacted person at Kochudola Bypass

E. Plan for further Consultation in the Project

75. The extent and level of involvement of stakeholders at various stages of the project from design stage and through the RP implementation will open up, continue and enhance the line of communication between the various stakeholders and the project implementing authorities, thereby aiding the process of resolving conflicts at the early stages of the project rather than letting it escalate into conflicts resulting in implementation delays and cost overrun. Participation of the local community in decision-making will help mitigate adverse impacts.



76. Further, successful implementation of the RP is directly related to the degree of involvement of those affected by the Project Road. Consultations with DPs will be conducted regularly during the RP implementation. The Project Implementation Unit (PIU), the jurisdictional Executive Engineer (EE) PWRD, and the RP implementing support agency (RIA) will be responsible for conducting these consultations. The proposed consultation plan will include the following.

- (i) In case of any change in the project design, the DPs and other stakeholders will be consulted regarding the factors that necessitate the change, efforts taken to minimize resettlement impacts and mitigation measures available.
- (ii) The Project, with the assistance of the RIA, will carry out information dissemination sessions in the project area.
- (iii) During the implementation of the RP, the RIA will organize public meetings, and will appraise the communities about the schedule/progress in the RP and civil works implementation, including awareness regarding road safety and HIV/AIDS prevention.
- (iv) Consultations and focus group discussions will be conducted with vulnerable groups like women headed households, ST and other vulnerable persons to ensure that the vulnerable groups understand the process and that their needs are specifically taken into consideration.

77. A Public Consultation and Disclosure Plan will be finalised by the PIU in consultation with the PMU. The Plan as per the tentative schedule given in the following table.

Table 39: Public Consultation and Disclosure Plan

| Activity | Task | Period | Agencies | Remarks |
|---|---|---------------|-----------------|-----------|
| Screening of Project and stakeholder Identification | Identifying built-up sections and assessment of likely impact | November 2019 | DPR Consultants | Completed |
| Census and Socioeconomic survey | Identifying DPs and collected socioeconomic information on DP's. Carrying out consultations to capture issues and concerns of people and incorporate in the design. | January 2020 | DPR Consultants | Completed |

| Activity | Task | Period | Agencies | Remarks |
|---|---|---|---|----------------------|
| Revalidation of Census and Socioeconomic survey | Revalidation of Census and Socio-economic survey and updating RP | May 2021 – till date | PIU | 15 km Completed |
| LA process | Direct Purchase Process, including Joint Measurement Survey, Negotiation & Agreement | Started, target completion by December 2021 | PIU | As per State Act |
| Web disclosure of the RP | RP to be posted on Asom Mala and ADB website | Target September 2022 | PIU / ADB | |
| RP disclosure meetings | Carryout consultations with DPs on significance | Target October 2022 | PIU / RIA | After RP is approved |
| Project information Dissemination | Project commencement details and scheduling of civil works | Target December 2022 | Jurisdictional Executive Engineer / RIA | |
| Consultation with DPs | Throughout RP implementation and formal consultation meetings to be held at least once in every quarter | Throughout RP implementation | PIU / RIA | |
| Dissemination of monitoring reports | Internal and external monitoring reports will be uploaded in the website of Highways along with corrective actions taken, if any. | Throughout RP implementation | PIU | |
| Dissemination of GRC actions | Summary of complaints received and action taken will be uploaded in the website of Highways | Throughout RP implementation | PIU | |

F. Disclosure

78. The RP will be disclosed by the PIU and ADB upon its review and approval, and uploaded in the Official website along with a summary version with the entitlement matrix translated in local language. The translated summary of the RP would provide details of the eligibility and entitlement, institutional arrangement and grievance redressal process. DPs were explained about the compensation during house visits by DPR staff and in the public disclosure and in focus group discussions.

79. Information will be disseminated to DPs at various stages. Information including magnitude of loss, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments, displacement schedule, civil works schedule will be disclosed by the PIU with assistance from the RIA hired for assisting in RP implementation and this will be done through public consultation.

80. Hard copies of the full resettlement plan will also be made available at: (i) the offices of the PIU; (ii) office of the District Collectors; (iii) Block Offices; and (iv) Offices of the Panchayat / Union / Municipality / Corporation, as soon as the plans are available.

V. POLICY AND LEGAL FRAMEWORK

A. Background

81. This resettlement plan for Jogighopa to Bongaigaon road (A04) outlines objectives, policy principles and procedures for land acquisition, compensation, mitigation measures and other assistance for displaced persons¹³. The resettlement plan including the entitlements and eligibility for the sub-projects under the program are prepared with the Guidelines of ADB's Safeguard Policy Statement (SPS) 2009 on indigenous population, community assets, cultural properties and their relevance to the project. The resettlement framework is based on the relevant Act, laws and regulations of State and Central Government. This resettlement framework will be revised and updated as and when necessary. This resettlement framework will be endorsed and approved by PWRD, GOA and ADB. Outline of a Resettlement Plan **Appendix 8**.

B. National Legislations, Policies and ADB Policy

82. The Policy and Legal Framework on the land and social impact of ARNIP will be based:

- (i) Assam Government Direct Purchase Policy, 2021
- (ii) Assam Government Policy on conversion of Eksonia Land to Periodic Patta Land
- (iii) Assam Land Acquisition Notification No. RLA 300/20013/Pt-II/7 dated 22nd December 2014
- (iv) Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARR) 2013
- (v) Assam RFCTLARR Rules 2015

C. Direct Purchase Policy of Assam

83. 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 20th January 2021. The Direct Purchase Policy is appended as **Appendix 9**. & Assam land acquisition on factor/ multiplier of acquired rural land **Appendix 10**.

84. The private land for linear projects of ARNIP 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).

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

¹³ 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) 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 them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

- (i) 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).
- (ii) 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.
- (iii) 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.
- (iv) 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.
- (v) 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.
- (vi) 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.
- (vii) 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.

D. Conversion of Eksonia Land to Periodic (Myadi) Patta Land

86. Eksonia¹⁴ 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.

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

- (i) 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.
- (ii) 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.
- (iii) Areas falling within the mining lease shall not be converted into periodic.
- (iv) Lands falling near the registered beel and fishery must not be converted into periodic.
- (v) 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.

¹⁴ 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

- (vi) 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.

88. 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 42.

Table 40: Conversion Rate of Eksonia Land to Periodic Patta Land

| Sl. | 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 8th July 2020

89. 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.

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

90. 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 1st January 2014, Summary of the right to fair compensation and transparency in land acquisition, rehabilitation and resettlement act, 2013 given in **Appendix 11**.

91. 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 landowners 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:

- (i) To ensure, gentle, participative, informed and transparent process for land acquisition.
- (ii) 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.
- (iii) Make adequate provisions for displaced persons for their rehabilitation and resettlement.

- (iv) 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.
- (v) Schedule I of the RFCTLARR outlines the proposed minimum compensation based on a multiple of market value. Schedule II through VI outline the resettlement and rehabilitation entitlements to landowners and livelihood losers, which shall be in addition to the minimum compensation as per Schedule I.

F. Multiplier on Market Value of Land

92. The Government of Assam notifies, through Notification No. RLA 300/2013/Pt-II/7 dated 22nd Dec. 2014 that, the factor by which market value is multiplied 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.

G. Assam RFCTLARR Rules, 2015

93. 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 31st July, 2015 to the whole state of Assam. The Rule defines the following sections of:

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

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

94. The Government approved the land and resettlement and rehabilitation (R&R) policy framework and Entitlement Matrix indicating quantum of compensation/ assistance to the various impact categories vide Notification No. RBPC.723/2010/75 dated 17th 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 1st January 2014. **Appendix 12** is given addendum to R&R policy framework of assam state roads project, February 2018.

95. 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:

- a. 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.

b. . 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.

c. 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.

d. 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.

I. Process of Land Acquisition in Non-Cadastral Land in Assam

96. The hill districts of Dima Hasao, Karbi Anglong and West Karbi Anglong have Non-Cadastral land maintained by Autonomous District Council (ADC). The land is village land and Individuals or households do not own land in a village. The Village Headman/ Gaon Bura of each village community, on behalf of the ADC, maintains, supervise, allocate and re-allocate land parcels to each household of the village for residential, cultivation or other commercial activities. The households occupy a piece of land for a specific period of time, usually for five years which is renewable. There is also village common land, which are used for the village as a whole.

97. The acquisition of housing, land and other assets will attract full replacement costs, based on fair market value, transaction costs, interest accrued, transitional and restoration costs, and other applicable payments, if any. The Gaon Bura will receive the compensation and R&R assistances on behalf of the village. He will rehabilitate the affected families and resettle them by re-allocating land from common village land.

98. The first step in acquiring land in Non-Cadastral land is to obtain a no-objection- certificate (NOC) from the relevant ADC in consideration of PWRD's request of land for the project.

99. The second step is to issue notice through the Revenue Officer of the ADC and Gaon Buras regarding the land acquisition for a public purpose. Once noticed, the Revenue Officer, the gaon bura, the Government Department or the agency that has requested land for a public purpose, and the current land users or occupiers or their representatives meet at each potentially affected village for a joint 'spot verification' of land. During the joint spot verification, the land to be acquired for the project will be identified, and land holding patterns, village boundaries, its trees, crops, buildings, and other assets will be recorded. Such data and information will become the basis for compensation determination.

100. The third step in acquiring common village land begins with the Gaon Bura issuing a 'no-objection certificate' (NOC) to each household to hold the land in the village. This is because such land is falling into the 'non-cadastral' land category over which no land records or survey maps

are available. The demarcation of existing/proposed ROW to be marked on hand drawn land maps and tracing maps will be prepared for the finalization of land acquisition plan with the help of local revenue officials and village council. The Revenue Officer of the ADC "allocates" a piece of village common land to each household, based on the current land use and on the 'no objection certificate' issued by the Gaon Bura. Thus the "land user" becomes an "interested party" to the land, thereby becoming eligible to receive a compensation package for losing the interests in land for a public purpose.

101. The fourth step is consultations among the affected households, their representatives, ADC officials, Gaon Bura, PWRD representatives, and the revenue officer to arrive at a fair compensation comprising land compensation and jirat of the affected property.

102. The fifth step is the Revenue Officer obtains the consent of the affected villagers in writing in the presence of the Gaon Bura and other land users with the NOC to handover their landholding to the land requiring Department or agency. Tentative tor of resettlement plan implementation agency is **Appendix 13**.

103. The sixth step is that the Revenue Officer with the help of the Land Record Officer drafts the 'bill of compensation' based on the joint spot verification, land measurements, records of the jirat values, individual consent of each land user to handover the land parcel, the estimates of land values as per the rates for land approved by the autonomous district council, and the rates approved by the Public Works Department (PWD) of Assam for civil structures and buildings.

104. The seventh step is to finalize the bills of compensation by the Revenue Officer of the ADC. These documents will be submitted to the competent authority – Executive Member of Revenue and the Deputy Commissioner of the ADC for approval.

105. The eighth step is that the executive member of revenue and the Deputy Commissioner after thorough scrutiny and examination, forward the bills of compensation to the Assam Government's Revenue and Disaster Management Department to sanction the total compensation amount. The department sanctions the amount and obtains the required funds from the land requiring agency and places the funds at the disposal of the Deputy Commissioner of the ADC for payment of land compensation and jirat to the displaced persons.

106. The ninth step is the payment of compensation to each land user by an account payee cheque through the ADC and Gaon Bura.

J. ADB's Safeguard Policy Statement (SPS 2009)

107. The ADB's Safeguard Policy Statement 2009, recognizes and addresses Involuntary Resettlement impacts and requires the preparation of RP in every instance where involuntary resettlement occurs. The ADB policy requirements are:

- (i) avoid or minimize impacts where possible;
- (ii) consultation with the affected people in project planning and implementation stage;
- (iii) payments of compensation for acquired assets at the replacement cost;
- (iv) ensure that no one is worse off because of resettlement and would maintain at least their original standard of living;
- (v) resettlement assistance to displaced persons, including non-titled persons; and
- (vi) special attention to vulnerable people/groups.

108. ADB's SPS (2009) covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (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 displaced persons, whether such losses and involuntary restrictions are full or partial, permanent or temporary.

109. The three elements of the Involuntary Resettlement policy of ADB are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. Some or all of these elements may be present in a project involving involuntary resettlement. For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle. The SPS gives special attention to poor and vulnerable households to ensure their improved well-being as a result of project interventions.

K. Comparison of the RFCTLARRA 2013 with key indicators of ADBs Safeguard Policy Statement 2009

110. A comparison of the key indicators of RFCTLARR Act 2013 with ADB SPS 2009 and addressing of the gaps through this Framework is presented in **Table 43** and indicative implementation schedule is given **Appendix 14**.

Table 41 : Comparison of ADB SPS 2009 & RFCTLARR Act 2013

| Sl. | Aspect | ADB Safeguard Requirement | RFCTLARR Act 2013 | Measures to Bridge the GAP |
|-----|-------------------------------|--|--|---|
| 1 | Existence of Policy Framework | ADB SPS 2009 prescribes existence of Resettlement Framework for the entire project/program. | 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 Framework for Asom mala program is prepared. |
| 2 | Project Screening | Screen the project to identify past, present and future involuntary resettlement impacts and risks. Conduct survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement | 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. | Screening of all sub-projects in line with the IR checklist of ADB, towards enabling identification of the potential resettlement impacts and associated risks. |

| Sl. | Aspect | ADB Safeguard Requirement | RFCTLARR Act 2013 | Measures to Bridge the GAP |
|-----|---------------------------------|---|--|--|
| 3 | Assessment of Alternatives | ADB SPS 2009 emphasizes on assessment of alternatives to avoid or minimize involuntary Resettlement Impact | 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 Resettlement impact to the feasible alternative is provisioned |
| 4 | Social Impact Assessment | Social Impact Assessment (SIA) to identify the impacts, risks and views of potential project-displaced Persons and communities | 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 | Consultation with stake holders | Carryout consultations with displaced persons, host communities and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options | 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 affected families to be recorded and included in the Social Impact Assessment Report. | No gap between SPS and RFCTLARR. |
| 6 | Cut-off Date | ADB SPS 2009 specifies provision Cut-off Date, prior to which, the DPs are | Those living 3 years prior to acquisition will | The date of preliminary notification for land |

| Sl. | Aspect | ADB Safeguard Requirement | RFCTLARR Act 2013 | Measures to Bridge the GAP |
|-----|--|---|---|--|
| | | eligibility for their entitlement | be considered for benefits. | acquisition/ land purchase will be treated as Cut-off date for the title-holder displaced families. The date of census survey will be considered as the cut-off date for the non-titled displaced families. |
| 7 | Preparation of R&R Compensation and assistance | Prepare a resettlement plan and indigenous peoples plan, if required, elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. | Under second schedule it is mentioned that resettlement entitlement will benefit the families whose livelihood is primarily dependent on land acquired. | No gap between SPS and RFCTLARR. Resettlement Framework for the program and RP for each sub-project will be prepared. |
| 8 | Replacement Cost of loss of assets | Compensation at Replacement Cost and Provision of full compensation without any deduction | The RFCTLARR Act 2013 provides the market value to be determined as section 26: a) The multiplying factor by which the market value of land is multiplied will be 1 to 2 based on distance of the land from nearest urban area, which may be notified by the appropriate Government; b) The market value of the buildings, other immovable assets, trees and plants, standing crops attached to the land will be determined as Section 29 and c) The Solatium Equivalent to 100% of the compensation of (a) + (b), will be added to yield the final Compensation. | If the replacement cost of the asset is higher than the final compensation cost, the Entitlement Matrix will cover the difference amount as Special Resettlement Assistance and will be payable to the respective affected family. |

| Sl. | Aspect | ADB Safeguard Requirement | RFCTLARR Act 2013 | Measures to Bridge the GAP |
|-----|---|--|---|--|
| 9 | Resettlement Assistance for displaced persons | Provide physically and economically displaced persons with adequate Resettlement Assistance of Allowances viz., subsistence/transition, shifting allowance | Provisions for all allowance given in Second Schedule. Schedule II provides R&R package for land owners and livelihood losers including landless and special provisions for Scheduled Tribes. | Entitlement Matrix outlines the eligibility and entitlement for compensation and assistance for DPs of different categories. |
| 10 | Compensation for non-title holders | Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets. | RFCTLARR Act 2013 does not specify to compensate or Resettlement assistance the non-title holders | The Entitlement Matrix will cover adequate compensation and Resettlement assistance for the non-titleholder DPs at par with the titleholder DPs, but other than land compensation, for these categories. |
| 10 | Livelihood Restoration | There should be livelihood restoration measures of the economic DPs to restore their livelihoods at least to the pre-project level or higher. | Provides for training and livelihood restoration measures under Second Schedule which also includes a job in the project activities if the scope is available. | |
| 11 | Special assistance for vulnerable households | There should be special assistance for vulnerable, viz., landless, women-headed households, elderly, children, disabled, Scheduled Tribe, BPL etc. | There are specific provisions for scheduled Castes and Scheduled Tribes under Section 41 and 42, plus additional benefits as given in Second Schedule. | Entitlement Matrix Covers the landless, women-headed households, elderly, children, disabled, scheduled caste and scheduled tribe, BPL affected families. |
| 12 | Negotiated Settlement | Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status | RFCTLARR only apply in case of land acquired/purchased for PPP projects and for Private Companies. Section: 2. (2), and 46. | Provisions outlined in ADB SPS along with the law/ policy of the state of Assam and similar practices in different states will be followed for the project. |

| Sl. | Aspect | ADB Safeguard Requirement | RFCTLARR Act 2013 | Measures to Bridge the GAP |
|-----|---|--|---|---|
| 13 | Public disclosure | Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders | 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 Govt. 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 publishing of the approved resettlement plan, the RF includes provision for disclosure of the various documents pertaining to RP implementation. |
| 14 | Taking over possession before Payment of compensation | Pay compensation and provide other Resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation. | As per Clause 38 (I), The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid or tendered to the entitled persons within a period of three months for the compensation and a period of six months for the monetary part of rehabilitation and resettlement entitlements listed in the Second Schedule commencing from the date of the award made under section 30. | No gap between SPS and RFCTLARR. |
| 15 | Grievance Redress Mechanism | Client to establish a suitable grievance mechanism to receive | The Act has a detailed grievance redress mechanism proposed | A Grievance Redress Mechanism, from |

| Sl. | Aspect | ADB Safeguard Requirement | RFCTLARR Act 2013 | Measures to Bridge the GAP |
|-----|------------|---|--|---|
| | | and facilitate resolution of the concerns or complaints of people adversely affected by social impacts of project and inform DPs of availability of mechanism. | 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). | 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. |
| 16 | Monitoring | Monitor and assess resettlement outcomes, 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. | 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 and monitoring the implementation of rehabilitation and resettlement schemes or plans under this Act. | For project with appropriate monitoring and reporting mechanism and frequency will follow ADB SPS based on sub-project categorization. |

VI. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Introduction

111. An Entitlement Matrix envisages all affected households and persons losing assets and livelihood and defines the entitlement of compensation and resettlement assistance depending on the nature of ownership rights on lost assets and extent of the impacts including socio-economic vulnerability of the displaced persons. The Entitlement Matrix, presented in Table 41, has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and follows National, State laws and ADB SPS 2009, and the Addendum to the Resettlement Framework for Assam State Roads Project (ASRP), Feb. 2018.

B. Eligibility Criteria

112. The affected/ displaced families/ persons falling in any of the following categories will be eligible for compensation and resettlement assistance in accordance with the principles of this Resettlement Framework:

- (i) Owners with legal or legalizable title: Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country) and those who do not have formal legal rights to land at the time when the census survey begins but have a claim to such land or assets; provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan;
- (ii) Tenants and Leaseholders: Those persons having legal tenancy or lease holding agreements, written or unwritten, with a private property owner with clear property titles, to occupy a structure or land for residence, business or other purposes. The sharecroppers are also included in this category.
- (iii) Non-titled Displaced persons: Those who have no recognizable legal right or claim to the public land, squatters and encroachers occupying the RoW or government land.
- (iv) Vulnerable households are defined as those with challenges that make them at higher risk of falling into poverty compared to others in the projects area. The Vulnerable Group/ Persons are of the categories: a) poor households or BPL, as determined by the state b) persons who belong to Scheduled Castes (SC) and Scheduled Tribes (ST); c) Women Headed Households; d) Elderly people living alone; e) Physically and mentally challenged/ disabled people, or any other category as may be determined by the Government of Assam are also entitled for the Rehabilitation & Resettlement (R&R) benefits and Vulnerable assistance.

113. Compensation eligibility is limited by a cut-off date. **The cut-off date for non-title-holders is the date of the census survey.** The date of Notification to the Landowners under Direct Purchase will be the cut-off date for all titleholders losing land and/ or structures.

114. Owners of any new un-authorized structures or additions to existing structures built after the cut-off date and their occupants will not be eligible for R & R. Similarly, the occupants of a structure except legal heir who have acquired the structures after the cut-off date shall not be eligible for the benefits of Resettlement and Rehabilitation. However, members added to the eligible households by way of birth and marriage after the cut-off date will be considered eligible for R&R.

C. Compensations Methodology for Replacement Cost

❖ Valuation of Land Compensation as per RFCTLARR Act 2013

115. 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)

Valuation of Building and Structure:

- (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.

Valuation of Trees & Perennial Crops, Fruit Trees:

- (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.¹⁵

- (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.

D. Compensation Methodology as per Direct Purchase Policy of State

116. 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.

- (i) The landowners 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.
- (ii) The Price of Direct Purchase (DP) will be:
- (iii) $DP = 2.5 \times \{ (R \times M \times A) + (B + O) \} + [0.12 \times Y \times \{ (R \times M \times A) + (B + O) \}]$
- (iv) 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
- (v) 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 applicable R&R benefits 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.
- (vi) 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, and shall adopt the procedures set in the RPF and what is indicated in the Entitlement Matrix.
- (vii) 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.

E. Entitlement Matrix

117. An Entitlement Matrix envisages all affected households and persons losing assets and livelihood and defines the entitlement of compensation and resettlement assistance depending on the nature of ownership rights on lost assets and extent of the impacts including socio-economic vulnerability of the displaced persons. The Entitlement Matrix, presented in Table 44, has been developed, that summarizes the types of losses and the corresponding nature and

¹⁵ It is explained in EM. Valuation of 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. 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. Market value of standing crops damaged during the process of land acquisition will be calculated by the experienced persons in the field of agriculture.

scope of entitlements; and follows National, State laws and ADB SPS 2009, and the Addendum to the Resettlement Framework for Assam State Roads Project (ASRP), Feb. 2018.

Table 42: Entitlement Matrix

| Sl. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----|---|---|---|---|
| | Direct purchase by negotiated settlement through the State Policy of “Direct Purchase Policy of private Land for Linear Projects of Asom Mala and EAP” | | | |
| | Direct purchase of Land with negotiation through District Level Land Purchase Committee (DLLPC) headed by the Deputy Commissioner, Additional Deputy Commissioner (Revenue) as Member Secretary and comprising officials of the revenue, public works (buildings) and land acquisition departments. | | | |
| 1. | Titleholder Titleholder/Land owners and Interested persons (Eksonia ¹⁶ holder/ Land occupiers with claims/ rights recognized under State/ Central laws, whose rights on the land assigned under any laws of the State, etc. | A. Loss of Land (Homestead Land, Commercial Land, Agricultural Land or Vacant Plot) | <p>The base rate of land (Sub-section (1) of Section 26 of RFCTLARR Act 2013) will be determined by the highest value among:</p> <p>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;</p> <p>The average sale price of similar type of land situated in the nearest village or nearest vicinity area; and</p> <p>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</p> <p>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> <p>1.00 (One) for land in urban areas or,</p> <p>1.50 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or,</p> <p>2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area</p> <p>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.</p> <p>Solatium will be 100% on the compensation calculated as specified above.</p> <p>The land owner will also get an additional incentive of 25% on total compensation after Solatium, calculated as specified above</p> <p>The land value defined u/s 26 of RFCTLARR Act 2013, will also attract an amount calculated @ 12% per annum for the period commencing on</p> | <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 & Schedule I of RFCTLARR Act 2013.</p> <p>The Price of Direct Purchase (P) will be: $P = 2.5 \times \{(R \times M \times A) + (B + O)\} + [0.12 \times Y \times (R \times M \times A) + (B + O)]$ </p> <p>Where:</p> <p>R is the base rate of Land</p> <p>M is the Multiplier</p> <p>A is the affected area</p> <p>B is the market value of Buildings</p> <p>O be cost of all immovable assets & standing crops</p> <p>Y is the proper or improper fraction of year from date of notification to award of compensation</p> <p>Compensation shall not account for any depreciation.</p> <p>The Eksonia holder, whose Eksonia land cannot be converted to Myadi Patta Land, will be considered as Leaseholder.</p> |

¹⁶ The Eksonia land will be converted to patta land and shall be treated as title holder for acquisition.

Conversion fee will be paid by the patta land holder. Such land acquired will come under involuntary acquisition and compensation will be paid accordingly

| Sl. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----------|--|---|---|---|
| | | | and from the date of notification ¹⁷ till the date of award (Ref. sub-section (3) of Section 30 of RFCTLARR Act 2013). | |
| | | B. Loss of Structure and other immovable assets including Trees and standing crops, attached to the land | <p>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)</p> <p>A few typical specifications of different categories of all possible immovable assets, attached to land may be defined. The guidance price of these typical assets may be prepared and vetted through appropriate authority. The valuation of immovable assets attached to the land will be calculated on pro-rata basis of the guidance price, without depreciation, of the respective asset.</p> <p>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>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>Solatium will be 100% on the compensation calculated as specified above.</p> <p>The land owner will also get an additional incentive of 25% on total compensation after Solatium, calculated as specified above</p> <p>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.</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. |
| | | C. Rehabilitation & Resettlement Assistance | 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 landowners under Direct Purchase. |
| | Land through regular Land Acquisition process in the event of any owner refusing to sell the land or any of the owners has objected or not interested with the direct purchase through negotiation or for unresolved dispute of ownership or court cases, the respective land may be acquired through regular land acquisition process of Assam Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules 2015 & RFCTLARR Act 2013 | | | |
| 2. | Titleholder - Land Owners as recorded in | A. Loss of Land | Replacement of land for land, where feasible. Provision of stamp duty, land registration fee, capital gains tax, value added tax incurred for | If land for land is offered, title will go to both husband and wife. |

¹⁷ 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. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----|--|---|---|--|
| | 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 | Homestead Land, Agricultural Land or Vacant Plot | <p>replacement land, and other charges related to the replacement of the land</p> <p><u>OR</u>, 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: 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; or 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, 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 1.00 (One) for land in urban areas or, 1.50 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or, 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area Additional amount calculated @ 12% per annum, for period from date of notification of Social Impact Assessment study till date of award of the District Collector/ Deputy Commissioner, on market value of land calculated u/s 26 of RFCTLARR Act, 2013 as a stand-alone component, i.e., not to be counted for the purpose of Multiplication factor and Solatium 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. 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</p> | <p>Retitling to be completed before project completion.</p> <p>If B is the base rate of land, M is the Multiplication factor & A is the affected area, then the compensation L will be, $L = 2 \times (B \times M \times A)$.</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 L_y, $L_y = L + (0.12 \times Y \times B \times A)$</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. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----|-----------------|---|--|---|
| | | | GOA or the Deputy Commissioner/ District Collector may acquire the total land of the land owner 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. | |
| | | B. Loss of Structure and other immovable assets including Trees and standing Crops, attached to the land | Replacement with a constructed house as per Prime Minister <i>Gramin Awas Yojana</i> (PMGAY) specification for rural areas or constructed house, not less than 50 square meter plinth area in urban areas, where feasible (<i>Ref. Schedule II of RFCTLARR 2013</i>). Provision of stamp duty, other fees payable for registration of house allotted and any other tax and other costs incurred for replacement house <u>OR</u> , 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 (<i>Ref. sub-section (1) of Section 29</i>) 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. 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 (<i>Ref. sub-section (2) of Section 29</i>). Market Value of standing crops damaged during the process of land acquisition will be calculated by the experienced persons in the field of agriculture (<i>Ref. sub-section (3) of Section 29</i>). Solatium will be 100% on the compensation calculated as specified above. The land owner will get additional 25% value on the replacement cost of the affected part of the structure without solatium, for any partially acquired structure (if the remainder is still viable). 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. | |
| | | | | 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. Ascertain work schedules to consider avoiding harvest season Request for harvesting prior to acquisition to be accommodated to the extent possible Undertake valuation of standing crops and perennial crops, and trees, and finalize compensation rates in consultation with affected people. Payment of compensation to the joint husband and wife bank account. The viability of the remainder structure will be certified by the PWD (Building) Department |

| Sl. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----|-----------------|---|--|--|
| | | | Fees, taxes, stamp duty, and other charges related to replacement structure At least 90 days advance notice to shift | |
| | | C. Rehabilitation & Resettlement Assurances¹⁸ | <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>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</p> <p>One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family</p> <p>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</p> <p>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</p> <p>Or, If Displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 28,500/- (Rupees twenty-eight thousand five hundred only).</p> <p>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</p> | <p>Financial assistance and/or all R&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, $CPI_{Jan\ 2014} = 139.7$ & $CPI_{Apr\ 2021} = 159.3$ in Assam with Base Year 2012 = 100¹⁹</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"> 1. Receive preference in income restoration training program under the project 2. Preference in employment under the project during construction, in accordance with qualification required. 3. Assistance to access to basic utilities and public services. |

¹⁸ 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.

¹⁹ 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) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

| Sl. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----|---|---|---|--|
| | | | assistance determined for all the cases as described above under Sl. 2A, 2B & 2C (1 through 7) for their second or successive displacements Three (3) months' advance notice to affected parties to harvest crops, fruits, flowers or product and by-products from the affected trees/ crops etc. | |
| 3. | Agricultural Tenants, Sharecroppers & Leaseholders of Land including Holders of Eksonia, which cannot be converted | A. Loss of Leased/ Sharecropping/ Tenancy Land | Landowners will reimburse tenants, sharecroppers and leaseholders with respective land rental deposit for unexpired tenancy/ lease, if any. 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. | Users of Eksonia land, whose land cannot be regularised by whatsoever the reason, will also be considered as Leaseholder. The RP Implementation Agency will verify the reimbursement of rental deposit for unexpired tenancy/ lease, if any. |
| | | B. Loss of Structure and other immovable assets including Trees and standing Crops, attached to the land | 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. 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 & calculated by: Concerned PWD (Building) for Building/ structure and other immovable assets attached with the land Concerned Forest Department or similar authority for Timber trees Concerned State Agriculture Extension Department or similar authority for standing crops Concerned Horticulture Department or similar authority for horticulture and/ or perennial trees 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. Fees, taxes, stamp duty, and other charges related to replacement structure | |
| | | C. Rehabilitation & | 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 One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family | Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014. |

| Sl. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----|---|--|--|---|
| | | Resettlement Assurances²⁰ | <p>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>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.</p> <p>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.</p> | <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> <p>where, $\text{CPI}_{\text{Jan 2014}} = 139.7$ & $\text{CPI}_{\text{Apr 2021}} = 159.3$ in Assam with Base Year 2012 = 100²¹</p> |
| 4. | Non-titleholders (Encroacher or Squatter) | <p>A. Loss of Land Land used residential/commercial or any other purpose</p> <p>B. Loss of Structure and other immovable assets including Trees and standing Crops, attached to the land</p> | <p>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.</p> <p>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.</p> <p>At least 3 months advance notice to shift or to demolish the partial structure.</p> <p>Encroachers and squatters shall be paid the replacement cost of affected part of the structures and all other immovable assets attached to the land. Right to salvage materials without any fee or charge in favour of the structure owner/occupier of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self within the stipulated period.</p> | <p>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 RFCTLARR Act 2013.</p> |

²⁰ 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.

²¹ 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) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

| Sl. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----|--|---|---|--|
| | | C. Rehabilitation & Resettlement Assurances²² | <p>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).</p> <p>One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family</p> <p>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>)</p> <p>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.</p> <p>If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,000/- per family and will be borne by the Project Authority.</p> | <p>Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> $\text{Inflation Rate} = 100 \times \frac{\text{CPI}_{\text{Apr 2021}} - \text{CPI}_{\text{Jan 2014}}}{\text{CPI}_{\text{Jan 2014}}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ <p>where, CPI_{Jan 2014} = 139.7 & CPI_{Apr 2021} = 159.3 in Assam with Base Year 2012 = 100²³</p> |
| 5. | Tenants and Leaseholders of Residential/ Commercial or Residential-cum-Commercial structures | A. Loss of Land Homestead Land/ Commercial Land B. Loss of Structure and other | <p>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.</p> <p>1. Structure owners will reimburse tenants and leaseholders with rental deposit for unexpired tenancy/ lease for fully impacted structure</p> | |

²² 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.

²³ 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) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

| Sl. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----|-----------------|---|---|--|
| | | immovable assets | <p>Or, Lease/ Rental agreement with reduced rent/ lease rate in appropriate to be continued after reconstruction of the partly affected but feasible remaining structure, as the case may be</p> <p>2. Replacement cost of part or whole of structure constructed by the tenant/ leaseholder, and this will be deducted from the compensation amount of the owner.</p> <p>3. Right to salvage material of the portion constructed by tenant/leaseholder</p> | |
| | | C. Rehabilitation & Resettlement Assurances²⁴ | <p>Three months' advance notice to affected parties to vacate the building/structure (residence, shop, etc.)</p> <p>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 & regular rental increment of 10% per year</i>)</p> <p>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>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>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>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&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, $\text{CPI}_{\text{Jan 2014}} = 139.7$ & $\text{CPI}_{\text{Apr 2021}} = 159.3$ in Assam with Base Year 2012 = 100²⁵</p> |

²⁴ 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.

²⁵ 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) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

| Sl. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----|---|--|--|---|
| 6. | Any persons, other than the persons mentioned above, losing his/ her Livelihood/ source of Income | Rehabilitation & Resettlement Assurances ²⁶ | 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>) 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). 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. | Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014. $\text{Inflation Rate} = 100 \times \frac{\text{CPI}_{\text{Apr 2021}} - \text{CPI}_{\text{Jan 2014}}}{\text{CPI}_{\text{Jan 2014}}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ where, CPI _{Jan 2014} = 139.7 & CPI _{Apr 2021} = 159.3 in Assam with Base Year 2012 = 100 ²⁷ |
| 7. | Any families operating their Agricultural Land, Residence and/ or Commercial establishments etc. adjacent to project road | Loss of Permanent/ Temporary Access | Three months' advance notice to affected parties Provision of proper alternate access or temporary access during the duration of the temporary loss of access, as the case may be Contractor's actions must ensure there is no income/ access loss through provision of access etc. Restoration/ enhancement of the affected access, land, structure, utilities and common property resources | |
| 8. | Owners with legal or legalizable title, tenants/ leaseholders | Temporary Loss of Land | Three months' advance notice to affected parties Rent at market price or mutually agreed land rental value during the duration of the temporary loss of land Restoration of the affected land to pre-project level or better | 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 | Provision of one-month advance notice to affected parties, including the duration and type of disruption Assistance to mobile vendors/ hawkers to provide temporarily shifting locations for their continued economic activity For construction activities involving unavoidable livelihood disruption, Cash compensation on minimum wage or average earning per month for | |

²⁶ 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.

²⁷ 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) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

| Sl. | Entitled Person | Type of Loss | Entitlement (Compensation & Assistance) | Remarks and Implementation Issues |
|-----|---|------------------------------|---|--|
| | | | the loss of income/ livelihood for the duration of disruption to ensure there is no income or access loss Restoration of affected land, structure, utilities | |
| 10. | Loss of CPR | Community Assets | 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. <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. | Alternate land will be explored (may be offered by the community or Gram Panchayat land or any other land agreed upon). The RP implementation agency in consultation with the local community and Project Authority shall facilitate the process of rehabilitation or reconstruction of CPRs. |
| 11 | All vulnerable displaced persons ²⁸ | Vulnerable Affected Person | One Time lumpsum Assistance of Rs. 57,000 (Rupees fifty-seven thousand only) Priority in income restoration training programs Priority in employment under the project during construction as qualified Assistance to basic utilities and public services. | The Executing Agency shall verify the vulnerable families be identified during the census and implementation of the project. Kiosk shall not be considered under vulnerable category. |
| 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. | |

118. There shall be no income tax deductions in line with Sec. 96 of the RFCTLARR Act. In the event any deductions are made toward taxes, such amounts will have to be reimbursed.

119. Compensation for land and structure, in accordance with the eligibility and entitlement, will be paid prior to physical and economic displacement. One-time rehabilitation assistances and shifting assistances paid as cash will also be disbursed prior to physical and economic displacement. However, any long-term rehabilitation measures like training for skill development and annuity for life, if any, will continue for a longer period and such rehabilitation measures will not be a bar to commence civil works.

²⁸ Vulnerable Group includes but is not limited to the following categories: 1.DPs falling under 'Below Poverty Line '(BPL) category, as identified by the planning Commission of India's State specific rural poverty line and updated to current period using CPIRIL; 2.Landless people; 3.persons who belong to Scheduled Castes (SC) and Scheduled Tribes (ST); 4.Woman Headed Household; 5. Children (PAPs up to 14 years have been considered as children) and elderly people (PAPs over 60 years of age have been considered as elderly people in the project), including orphans and destitute; and 6.Physically and mentally challenged / disabled people.

VII. RELOCATION OF HOUSING AND SETTLEMENTS

A. Physically displaced households

120. Among all the surveyed 1396 households, 403 (418-15) residential households will require physical relocation as their residential structure will no longer be viable (Please refer Table 2). This section discusses about the residential impacted households. As per the census survey, all the DPs have opted for cash compensation. All the displaced families will get one-month time to relocate to a new location on receipt of total compensation. Time extension for relocation can also be granted on a case to case based on the situation. RP will be updated on completion of 'Award Enquiry' as per land acquisition procedure.

B. Physical Relocation Allowances Provided by the Project

121. In addition to the replacement cost of structure, any affected household who is physically displaced from his/her residence or commercial structure as a result of the project will receive the following relocation allowances. All residential squatters will be validated by the respective Village Administrative Office.

Table 43. : Relocation assistance for physically displaced
(in addition to replacement cost for structure)

| Titled-holders | No. HH | Non-titled holders | No. HH |
|---|--------|---|--------|
| In case of Direct Purchase , the land owner will also get an additional incentive of 25%, which includes R&R benefits, on total compensation after Solatium | 301 | <ul style="list-style-type: none"> One-time financial assistance of Rs. 50,000/- (Rupees fifty thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any for families getting physically displaced (require relocation). | 102 |
| Incase of Assam RFCTLARR Rules 2015 <ul style="list-style-type: none"> One-time financial assistance of Rs. 50,000/- (Rupees fifty thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any One-time Resettlement Assistance of Rs. 50,000/- (Rupees fifty thousand only) for each displaced family Displaced family losing cattle sheds and/ or Petty Shops are entitled for at least Rs. 25,000/- (Rupees twenty-five thousand only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed and/ or Petty Shops respectively | 301 | <ul style="list-style-type: none"> One-time Resettlement Assistance of Rs. 50,000/- (Rupees fifty thousand only) for each displaced family Any displaced family losing cattle sheds and/ or Petty Shops, if any, are entitled for at least Rs. 25,000/- (Rupees twenty-five thousand only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed and/ or Petty Shops respectively | |

C. Relocation Strategy

122. The Rehabilitation and Resettlement Benefit for titleholder displaced families will be deemed included in the additional 25% allowances on Direct Purchase Price. Rehabilitation and Resettlement Benefits as per schedule 2 of RFCTLARR Act 2013 will be applicable for the PAFs opted for normal land acquisition procedures.

D. Physical Relocation Allowances Provided by the Project

123. As part of the implementation activity, the The Project with the help of the RP implementation support RIA will consult each and every DPs to obtain their choice based on the options available to them. If any of the displaced family finds difficulty in self resettlement, RIA shall facilitate those DPs to resettle in coordination with The Project, including provision of individual house sites. This project does not expect development of resettlement sites for residential displaced households.

VIII. INCOME RESTORATION AND REHABILITATION

A. Loss of Livelihood in this project

124. The project road will cause the loss of livelihood of 947 households, Details are summarized in below table.

Table 44: Loss of Livelihood

| Type of livelihood impact | No. HH |
|--|------------|
| No. HH losing commercial structures or rent from commercial structures | 486 |
| No. HH losing commercial cum residential structures | 13 |
| No. tenants losing rented commercial structures | 94 |
| No. employees of affected commercial structures | 90 |
| No. of significantly affected land owners | 264 |
| Total | 947 |

B. Entitlements for Loss of Livelihood

125. This resettlement plan includes measures to improve or at least restore income and livelihood of displaced persons to pre-project levels. The entitlement matrix includes the following measures for the temporary or permanent loss of livelihood.

Table 45: Entitlement for Loss of Livelihood

| Category of Impact | Number of DPs | Provisions |
|---|---------------|---|
| Agricultural landowners whose primary source of livelihood is lost due to the land acquired (Reduction in income) | 95 | Incase of Direct Purchase there will be 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. |
| | | Incase of Assam RFCTLARR Rules 2015 <ul style="list-style-type: none"> • Employment opportunity or Payment of lumpsum amount of Rs. 5,00,000 (Rupees five lakhs only) or Annuity of minimum of Rs. 2,000 (Rupees two thousand 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, who become landless or already marginal land owners (whose total land holding is less than 1 hectare) and also those who lose more than 1 hectare of unirrigated land or half hectare of irrigated land (<i>Ref. Resettlement Planning Framework for ASRP 2018</i>). • 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 for their second or successive displacements |
| Titleholder: losing commercial structures or rent from commercial structures and one title holder losing both residential cum commercial structure. | 261 | <p>Incase of Direct Purchase there will be 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.</p> <p>If Land acquisition is through Assam RFCTLARR Rules 2015</p> <ul style="list-style-type: none"> • One-time financial assistance of Rs. 50,000/- (Rupees fifty thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any • One-time Resettlement Assistance of Rs. 50,000/- (Rupees fifty thousand only) for each displaced family • Any displaced family losing cattle sheds and/or Petty Shops are entitled for at least Rs. 25,000/- (Rupees twenty-five thousand only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed and/ or Petty Shops respectively • 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 for their second or successive displacements. (Ref. Section 39) |
| Non-Title Holder losing commercial structure/Building and 3 NTH losing both residential cum commercial structure | 219 | <ul style="list-style-type: none"> • One-time financial assistance of Rs. 50,000/- (Rupees fifty thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any for families getting physically displaced (require relocation). • One-time Resettlement Assistance of Rs. 50,000/- (Rupees fifty thousand only) for each displaced family • Any displaced family losing cattle sheds and/or Petty Shops, if any, are entitled for at least Rs. 25,000/- (Rupees twenty-five thousand only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed and/ or Petty Shops respectively • All the livelihood impacted non titleholders is eligible for Rs 41,040 and for skill upgradation training cost with cap to Rs 41,000 |

| | | |
|----------------------------------|----|---|
| Tenants: Loss of business | 94 | <ul style="list-style-type: none"> One-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 & regular rental increment of 10% per year</i>) One-time financial assistance of Rs. 50,000/- (Rupees fifty 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. All the livelihood impacted non titleholders is eligible for Rs 41,040 and for skill upgradation training cost with cap to Rs 41,000 |
| Employees: Loss of Income | 90 | <ul style="list-style-type: none"> One-time Livelihood restoration of Rs. 36,000/- (Rupees thirty-six thousand only) (<i>in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013</i>) Leaseholders/ Tenants of Commercial or Residential-cum-Commercial structures or, any Displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons, employees/ workers or any other similar categories, One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 25,000/- (Rupees twenty-five thousand only). (<i>in line of Schedule II of RFCTLARR Act 2013</i>) If the entitled person opts for livelihood training for self or for any of his/ her family member, up to the same amount of livelihood restoration allowance/ subsistence allowance i.e., Rs. 36,000/-, will be paid to the respective Training Agency as training fees for livelihood 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. All the livelihood impacted non titleholders is eligible for Rs 41,040 and for skill upgradation training cost with cap to Rs 41,000 |

*Number will be ascertained after award enquiry.

126. Effort will be made by the Project with the support of the Resettlement Implementation Support Agency (RISA) to assist the DP in their effort to restore their income. If the DP so desires, the R&R assistances can be utilised to deliver suitable income restoration activities in order to leverage on the existing skills of the DP and integrate the economically displaced people with various welfare programme and livelihood improvement activities of the various governments and private sectors.

C. Special Measures to Support Vulnerable Groups

127. As per the Census Survey 433 vulnerable households are affected by the Project Road.

128. 433 HH will be eligible to participate to the income improvement program. All vulnerable HHs based on the Entitlement Matrix shall be assessed. All vulnerable HHs are getting assistance from various ongoing government schemes. The project has provided additional assistance of Rs.50,000/- and training assistance to affected Vulnerable HHs.

D. Income Restoration Measures

129. The entitlement proposed under this project (ARNIP) has adequate provisions for restoration of livelihood of the displaced persons. Wherever feasible and if the DP so desires, income restoration schemes will be identified and implemented by the Project with the assistance of the RP implementing agency.

130. Towards this the DP will be guided and assisted by the Project with the support of the RIA, in effectively using the compensation and R&R assistances towards establishing an income generating activity and re-establishing the shop/kiosk or utilising the amount for buying land or taking land on lease. The compensation for land and assets and the R&R assistances arrived at in accordance with the provisions of the RFCTLARR Act are adequate to restore the income levels. Further, the subsistence allowance and cash in lieu of annuity policy are aimed at providing long term support to the affected households and will ensure that the income levels are restored. Further, efforts will be made to provide employment to the DPs during the construction phase by facilitating their engagement by the civil works contractor during project implementation. The NGO/RIA in consultation with the jurisdictional EE, PWRD should ensure that local people and in particular the willing DPs are engaged by the contractor in suitable civil work as stipulated in the contract.

131. Further, the The Project with the assistance of the implementing RIA will make the training need assessment and will impart training to the eligible DPs, in particular to the vulnerable DPs, for income restoration and skill up-gradation as necessary.

IX. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Introduction

132. The resettlement cost estimate for the project include compensation for private land determined in accordance with RFCTLARR Act and by adopting the multiplying factor adopted in accordance with the State specific multiplication factor²⁹. Budgetary provisions have been made for the compensation for structure at replacement cost without depreciation, resettlement and rehabilitation assistances to titleholders in accordance with the RFCTLARR Act and to non title holders in accordance with the provisions of the EM of ARNIP and the cost of RP implementation, including the cost of resolving grievances. The total resettlement cost for the project is **INR 845.84 million**. The major heads of budget items are listed below.

B. Compensation

133. Private Land for direct purchase: The compensation for private land has been calculated as an average of replacement cost of land in rural and semi-urban area adjoining the road corridor. The replacement cost was gathered during census survey in discussion with local community and the elected local body representatives and compared with guideline value from the registration department. For budgetary purposes, the replacement cost for land has been taken as Rs. 1151, Rs.254 and Rs.232 per sq.m, for being the average rate for urban, semi urban and rural land from the guideline value. The multiplying factor as per State rules is 1 for urban, 1.5 times for semi urban area and 2 times for rural area, being the maximum that can be applied to any land parcel, and is based on the distance from the nearest urban centre. With a 100% solatium and 25% additional value the land cost works out to be Rs.2877.5/-, Rs.952.5/-and Rs.1160/- per sq.m. for urban area, semi-urban area and rural area respectively.

134. Structure for direct purchase: The compensation for structures have been arrived at based on prevailing (year 2019 -20) market rate (the rate shall be updated every year by a panel of engineers in Public Works Department, Govt of Assam) for building works, material and labour. Rate fixed for each category along with the quantity is given in Table 43. However, at the time of disbursement of the compensation, the competent authority will value each structure to arrive at the replacement cost as per the current rate. The solatium of 100% and 25% additional value on structure rate is adopted for titleholders.

C. Assistances

135. All other unit rates are as per the minimum provisions contained in RFCTLARR Act and as per the approved EM. For budgeting purposes, direct purchase policy is considered for the title holders.

D. Compensation for Community Assets and Government Structures

136. The average unit cost for the place of worship, school, government offices will be budgeted as a lumpsum Rs.2,50,000 to cover the cost of reconstruction. However, the actual cost will be assessed at the time of implementation.

E. RP Implementation Cost

137. The cost of hiring RIA for assisting the PIU in RP implementation has been provided with a budget of Rs.75,00,000, for intermittent inputs and the RP implementation is expected

²⁹ Assam Land Acquisition Notification No. RLA 300/20013/Pt-II/7 dated 22nd December 2014

to be completed in 24 months including disbursement of compensation and Rehabilitation and resettlement assistance for land acquired under direct purchase and RFCTLARR Act, 2013. A budgetary cost for external monitoring and evaluation has also been envisaged, as this Project is a Category-A for IR, a budgetary provision of Rs.20,00,000 has been made available for hiring of a consultant for the same. The budgetary provision for meeting administrative expenses is included as part of the project cost. A lumpsum provision of Rs.5,00,000 towards grievance redressal Mechanism related expenses has been budgeted. Further, a lump sum provision of Rs.50,000 to meet disclosure expenses and a lump sum provision of Rs.2,00,000/- for staff training, in particular the PIU and RIA staff involved in RP implementation, has also been budgeted. The Implementation cost is about Rs.1,02,50,000/-

F. Source of Funding and Fund Flow

138. The Government will provide adequate budget for all land acquisition compensations, R&R assistances and RP implementation costs from the counterpart funding. The funds as estimated in the budget for a financial year and additional fund required based on revised estimates, shall be available at the disposal of the jurisdictional Executive Engineer (PWRD) at the beginning of the financial year. The PD, (ARNIP), Public Works Roads Department being the PMU for this project, will provide necessary funds for compensation for land and structure and the cost of resettlement assistance in a timely manner to the jurisdictional Executive Engineer (PWRD). The PMU will ensure timely availability of funds with the for smooth implementation of the RP. The RIA under the PMU will facilitate disbursements, but the responsibility of ensuring full and timely payment to displaced persons will be that of the PIU.

G. Resettlement Budget Estimates

139. The budget for this project is based on data and information collected during census and socio-economic surveys conducted during Jan - March 2020. The unit rates for structure has been worked out from the PWD plinth area rates for 2019-20. The total budget for LA, RR and implementation cost is estimated at INR 845.84 million. A detailed budget estimate for the Project is given along with item wise cost break-up in the following table.

H. Disbursement of Compensation and Assistances

140. In order to ensure that: (i) the DP need not make frequent visits to his/her bank for depositing the physical paper instruments; (ii) s/he need not apprehend loss of instrument and fraudulent encashment; and (iii) the delay in realization of proceeds after receipt of paper instrument is obviated, all disbursement of compensation for land and structure and R&R assistances shall be done only through Electronic Clearing Service (ECS) Mechanism and charges for ECS, if any, will be borne by the Project. If the DPs destination branch does not have the facility to receive ECS (Credit), then the disbursement shall be done through respective lead banks' IFSC (Indian Financial System Code). Payment through account payee cheques will be made only if payment through ECS is not possible and no cash payment will be made.

141. The RIA and the PIU, while collecting bank particulars from the DPs, will also check with the respective bank branches if the branch has ECS (Credit) Mechanism, and if not, details of lead bank offering the facility will be collected to facilitate ECS transfer. Wherever new accounts are to be opened, preference will be given to bank's having ECS (Credit) facility. The RIA will check the type of DPs bank account and help the DP to convert the bank account to a regular savings bank account, if it is of Jan Dhan type, to enable receive compensation, Rehabilitation and resettlement assistances. The bank account particulars of the DP as part of the micro plan will be submitted to the jurisdictional Resettlement Officer (RSO) for disbursement.

Table 46: Budget Estimate

| Table : Estimates of Entitlements | | | | | | | | |
|---|---------------------------------|---|----------|----------------|------------------------|-----------------|---------------------------------|----------------|
| Item | Prevailing Rate per Sqm (in Rs) | Multiplier Effect | Solatium | Additional 25% | Effective Rate per Sqm | Rate | Total Affected Area (Ha)/Number | Cost |
| | | | | | | (in Rs. Per Ha) | | (in Rs.) |
| I. Compensation for loss of Private Property | | | | | | | | |
| 1. Loss of Land (agricultural, homestead, commercial or otherwise) | | | | | | | | |
| Effective Average Cost of Urban Land (Multiplier 1) | 1151 | 1 | 100% | 25% | 2877.5 | 28,775,000.00 | 0.8538 | 24,568,095.00 |
| Effective Average Cost of Land within 10 km of urban area (Multiplier 1.5) | 254 | 1.5 | 100% | 25% | 952.5 | 9,525,000.00 | 9.9604 | 94,872,810.00 |
| Effective Average Cost of Land beyond 10 km of urban area (Multiplier 2) | 232 | 2 | 100% | 25% | 1160 | 11,600,000.00 | 22.7845 | 264,300,200.00 |
| | | | | | | | Sub Total (A) | 383,741,105.00 |
| 2. Loss of Structure (house, shop, building or immovable property or assets attached to land) | | | | | | | | |
| Type of Structure | | | | | | Rs. Per Sqm | Area Sqm | |
| Pucca | | | | | | 14744 | 80.8 | 1,191,315.20 |
| Semi Pucca | | | | | | 11317 | 5290.9 | 59,877,115.30 |
| Kutchcha | | | | | | 3427 | 3948.2 | 13,530,481.40 |
| Under Construction | | | | | | 8000 | 46.8 | 374,400.00 |
| Boundary wall (in M) | | | | | | 5677 | 1978.1 | 11,229,673.70 |
| Others | | | | | | 2500 | 1205.77 | 3,014,425.00 |
| Subtotal (B) | | | | | | | | 89,217,410.60 |
| 100% Solatium for Structure (C) | | | | | | | | 89,217,410.60 |
| | | 25% Special Incentive for Direct Purchase (D) | | | | | | 44,608,705.30 |
| II. Impact to Squatters/ Encroachers | | | | | | | | |
| 1. Loss of Residence | | | | | | | | |
| Special one time Financial Assistance | | | | | | 57,000.00 | 160 | 9,120,000.00 |
| Shifting Assistance to DPs | | | | | | 50,000.00 | 160 | 8,000,000.00 |
| Loss of Cattle Shed | | | | | | 25,000.00 | 1 | 25,000.00 |
| Subtotal (E) | | | | | | | | 17,145,000.00 |
| 2. Loss of Shop/trade/commercial structure | | | | | | | | |
| Special one time Financial Assistance | | | | | | 57,000.00 | 219 | 12,483,000.00 |
| Shifting Assistance to DPs | | | | | | 50,000.00 | 219 | 10,950,000.00 |
| Special one time Income restoration of Rs. 41,000 | | | | | | 41,000.00 | 219 | 8,979,000.00 |
| Compensation for petty shop or Kiosk | | | | | | 25,000.00 | 6 | 150,000.00 |
| Subtotal (F) | | | | | | | | 32,562,000.00 |

| | | | | | | | |
|--|--|--|--|-------------------|--------|--|-----------------------|
| 3. Loss of commercial tenants and employees | | | | | | | |
| Special one time Financial Assistance to tenants of Rs. 57,000 | | | | 57,000.00 | 94 | | 5,358,000.00 |
| Special one time Income restoration to tenants and employees of Rs.41000 | | | | 41,000.00 | 184 | | 7,544,000.00 |
| Rental Assistance of Rs.2,600 per month for 6 months for rural | | | | 15,600.00 | 40 | | 624,000.00 |
| Rental Assistance of Rs.3,900 per month for 6 months for urban | | | | 9,000.00 | 54 | | 486,000.00 |
| Subtotal (G) | | | | | | | 14,012,000.00 |
| 4. Loss of Structure NTH (house, shop, building or immovable property or assets attached to land) | | | | | | | |
| Pucca | | | | 14744 | 75.9 | | 1,119,069.60 |
| Semi Pucca | | | | 11317 | 3272.2 | | 37,031,487.40 |
| Kutchcha | | | | 3427 | 1665.1 | | 5,706,297.70 |
| Under Construction | | | | 8000 | 36.6 | | 292,800.00 |
| Boundary wall (in M) | | | | 5677 | 750.6 | | 4,261,156.20 |
| Others | | | | 2500 | 782.73 | | 1,956,825.00 |
| Subtotal (H) | | | | | | | 50,367,635.90 |
| IV. Impact to Vulnerable Household | | | | | | | |
| One time Assistance who have to relocate | | | | 50,000.00 | 433 | | 21,650,000.00 |
| Subtotal (I) | | | | | | | 21,650,000.00 |
| V. Common Property Resource | | | | | | | |
| Religious Structures (Temple & Mosque) | | | | 250,000.00 | 21 | | 5,250,000.00 |
| Statues | | | | 250,000.00 | 3 | | 750,000.00 |
| Govt. Property/School/Other Institution/Others | | | | 250,000.00 | 62 | | 15,500,000.00 |
| Subtotal (J) | | | | | | | 21,500,000.00 |
| VI. Implementation Cost | | | | | | | |
| Recruitment of Implementing Agency/NGO | | | | Lumpsum | | | 7,500,000.00 |
| External Monitor | | | | Lumpsum | | | 2,000,000.00 |
| Other Expenditure | | | | Lumpsum | | | 750,000.00 |
| Subtotal (K) | | | | | | | 10,250,000.00 |
| VI. Unforeseen Impacts | | | | | | | |
| Contingency & Administrative Charges of 10% | | | | Total of (A to K) | 10% | | 77,427,126.74 |
| Subtotal (L) | | | | | | | 77,427,126.74 |
| Total(M) = (AtoL) | | | | | | | 851,698,394.14 |

Note

The Structure cost is based on the valuation given by the Assam PWD.

The CPR relocation cost is based on the local market rates, based on discussion with local people during survey.

The R&R Assistance derived based on the Entitlement Matrix of ARNIP .

As the budget is prepared as per Direct Purchase Methods, 12% Interest is not included as the disbursement is likely to be done within one year.

X. GRIEVANCE REDRESSAL MECHANISM

A. Introduction

142. A project-specific grievance redress Mechanism (GRM) will be established to receive, evaluate and facilitate the resolution of affected people's concerns, complaints and grievances about the social and environmental performance at different levels of the project. The GRM will aim to provide a time-bound and transparent Mechanism to voice and resolve social and environmental concerns linked to the project. The project-specific GRM is not intended to bypass the government's own redress process, rather it is intended to address affected people's concerns and complaints promptly, making it readily accessible to all segments of the affected people and is scaled to the risks and impacts of the project. The DPs are free to approach the judicial system at any time.

B. Grievance Redress Mechanism

143. The grievance redress mechanism and procedure are depicted in **Figure 4.** & sample grievance registration form attached in **Appendix-15** 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.

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

- Modules in e-portal/ website of Asom Mala;
- Dropping complaints in grievance boxes placed in the offices of a) PMU, b) respective PIUs and c) Implementing Agencies;
- E-mails to respective email address;
- SMS or WhatsApp to respective mobile number(s) dedicated for GRM and
- Using the complaint register and complaint forms available at the office of PMU/ PIU/ RP Implementing Agency.
- Provision for oral submission (mainly for illiterate people) of grievances will also implemented in the project. All the project staff will be sensitized about the same

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

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

147. The 1st level officer (the grievance registering officer) will hear the aggrieved person and the grievance will be recorded, this procedure will continue throughout the process of grievance Redressal procedures, and copies of the same would also be made available to the

aggrieved person, on demand. This section of the RP will be updated with additional narratives. The officers of all the implementation agencies will be sensitized at the initial stage itself for protection of complainant's identity.

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

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

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

151. Alternatively, the displaced person can also seek alternative redress through the appropriate court of law. If unsatisfied with the decision, the existence of the GRC will not impede the complainant's access to the Government's judicial or administrative remedies.

C. Grievance Redressal Committee

152. The Grievance Redressal Mechanism (GRM) will be composed of four level Grievance Redress Committees (GRCs), first at the Project/site level (Project-Level GRC), second at the PIU level, the third at the PMU level and the last one at CALA/Land Acquisition Resettlement Authority level. The GRCs' role is to receive, evaluate and facilitate the resolution of displaced Persons concerns, complaints and grievances. The GRM will provide an opportunity to the DPs to have their grievances redressed prior to approaching the higher level LARR Authority, constituted by Government of Assam. The GRM is aimed to provide a trusted way to voice and resolve concerns linked to the project, and to be an effective way to address displaced person's concerns without allowing it to escalate resulting in delays in project implementation.

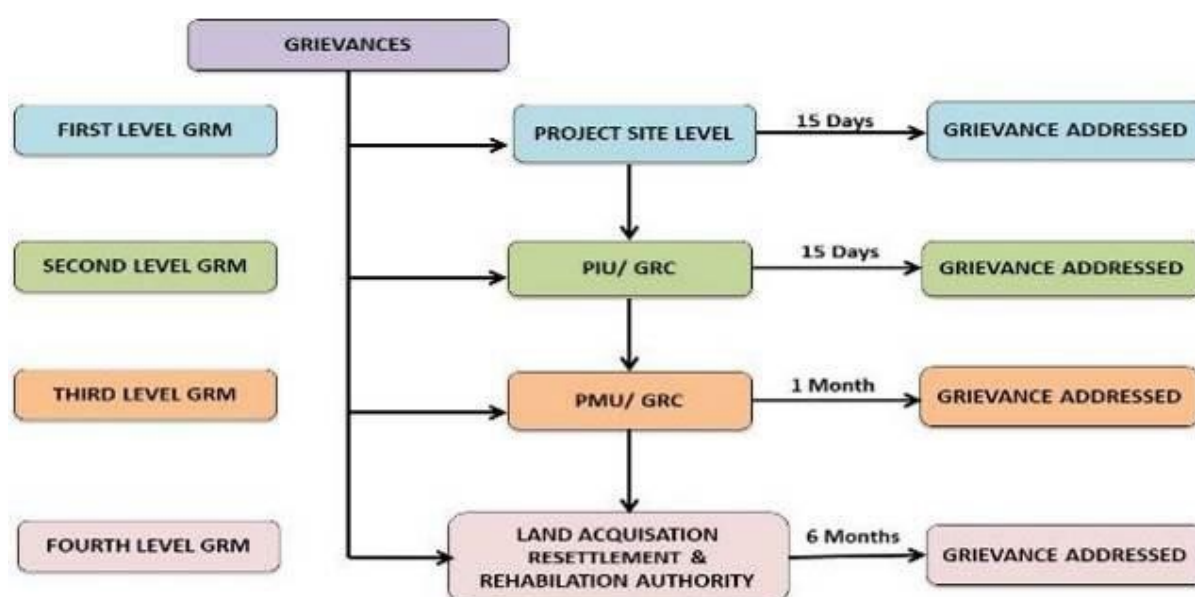
153. The GRM will continue to function, for the benefit of the DPs, during the entire life of the project including the defects liability period. GRCs are expected to resolve grievances of the eligible persons within a stipulated time period of 15 days at the PIU level and a month at the PMU level. Since the entire resettlement component of the project has to be completed

before the construction starts, to resolve the pending grievances, the GRC, at regional level, will meet at least once every month in the first year of the RP implementation and once in three months thereafter. Other than disputes relating to ownership rights and apportionment issues on which the LARR Authority has jurisdiction, the GRCs will review grievances involving eligibility, valuation, all resettlement and Rehabilitation benefits, relocation and payment of assistances. Grievances received by the local site or PIU will be resolved at his/her level, if possible, else it will be placed before the GRC.

154. Local-level: The local levels GRCs will function at the site and the the PIU is at the District Headquarters. The members at the PIU level are (i) the Representative of PIU, above the rank of Sub-Divisional Officer, (ii) Resettlement Officer, PIU supported by RP Implementation Agency, (iii) Environmental Officer, PIU supported by RP Implementation Agency, (iv) A representative from local person of repute and standing in the society or elected representative from Panchayet/ Zilla Parishad/ District Council, (v) Women representative from a relevant agency which could be from the government, or RP Implementation Agency or local community, (vi) A representative from Vulnerable Displaced Persons, (vii) A representative of the local Deputy Commissioners office (land), if the grievance is of land acquisition related issues a representative of local Pollution Control Authority (for environmental issues related grievances) and (viii) A representative from IP community for IP related issue, if any.

155. PMU-Level GRC: The members are (i) Chief Engineer (EAP), PWRD, GoA or any authorised person, who should not be below the rank of Executive Engineer, (ii) Nodal Officer, Asom Mala – Member Secretary, (iii) Resettlement Officer, PMU assisted by PCMC, (iv) Environmental Officer, PMU assisted by PCMC, (v) Representatives from local person of repute and standing in the society or elected representative from Panchayet/ Zilla Parishad/ District Council, (vi) Representative from the PIU, assisted by RP Implementation Agency, (vii) A representative from IP community for IP related issue, if any, (viii) Representative from local forest authority, if grievances of forest aspects, (ix) Representative from Pollution Control Board, if grievances of environmental aspects and (x) Representative of the Land Revenue department, if grievances of land related issues. The grievance redressal procedure is shown in the following figure.

Figure 4: Grievance Redressal Process



D. Functions of Local-Level GRC

156. The main functions of the GRCs will be:

- (i) To provide support to DPs on problems arising out of eligibility for entitlements and R&R assistance as per the Entitlement Matrix;
- (ii) To record the grievances of the DPs, categorize and prioritize the grievance that needs to be resolved by the GRC and solve them within 15 days;
- (iii) To inform the PIU (and Project-Level GRC) regarding serious cases within one week; and
- (iv) To report to the aggrieved parties about the developments regarding their grievances and decisions of the PIU, within 15 days.

157. The GRC should meet at least once a month in the respective office of the jurisdictional Executive Engineer (PWRD). Petitions received from DPs of any concerns or complaints or grievances should be taken up in the GRC. The member secretary should maintain a register of all petitions received with details of date of receipt of the petition, date of hearing, if any, date when it was considered by the committee, along with nature of complaint/concern, action taken and date of communication sent to petitioner. Communication, in writing should be sent to the aggrieved person about the date, time and venue of the GRC sitting and make it known that s/he is entitled for personal hearing and that representation through proxy will not be entertained. Communication will also be sent through implementation support RIA so as to ensure that the petitioner is informed about the date of GRC sitting.

158. Copies of petitions received 1-week prior to the committee's sitting should be sent to Chairman and the member along with an explanatory note from appropriate authority and/or RP implementation support RIA, as the case may be, to enable the Chairman and member to scrutinize the petitions in detail. Petitions received in the week of the committee's sitting, shall be taken up during the sitting and resolved.

159. Decision of the committee will be final unless an appeal is preferred with the Project Director, PIU. If the committee is unable to arrive at a decision through consensus, the matter will be referred to the appellate authority with a note on the opinion of the committee members. The complaint/concern will be redressed in 15 days time and written communication should be sent to the complainant about the decision taken.

160. The RP implementation support RIA will assist displaced persons in registering their grievances and being heard. The complaint / grievance will be redressed in 15 days time at PIU and 30 days at PMU and written communication will be sent to the complainant. A complaint register will be maintained at Jurisdictional office (member secretary of GRC)/PIU/PMU level with details of complaint lodged, date of personal hearing, action taken and date of communication sent to complainant. If the complainant is still not satisfied s/he can approach the appellate authority and/or the jurisdictional LARR Authority. The complainant can access the appropriate LARR Authority at any time and not necessarily go through the GRC.

E. Costs

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

F. Recourse to ADB's Accountability Mechanism

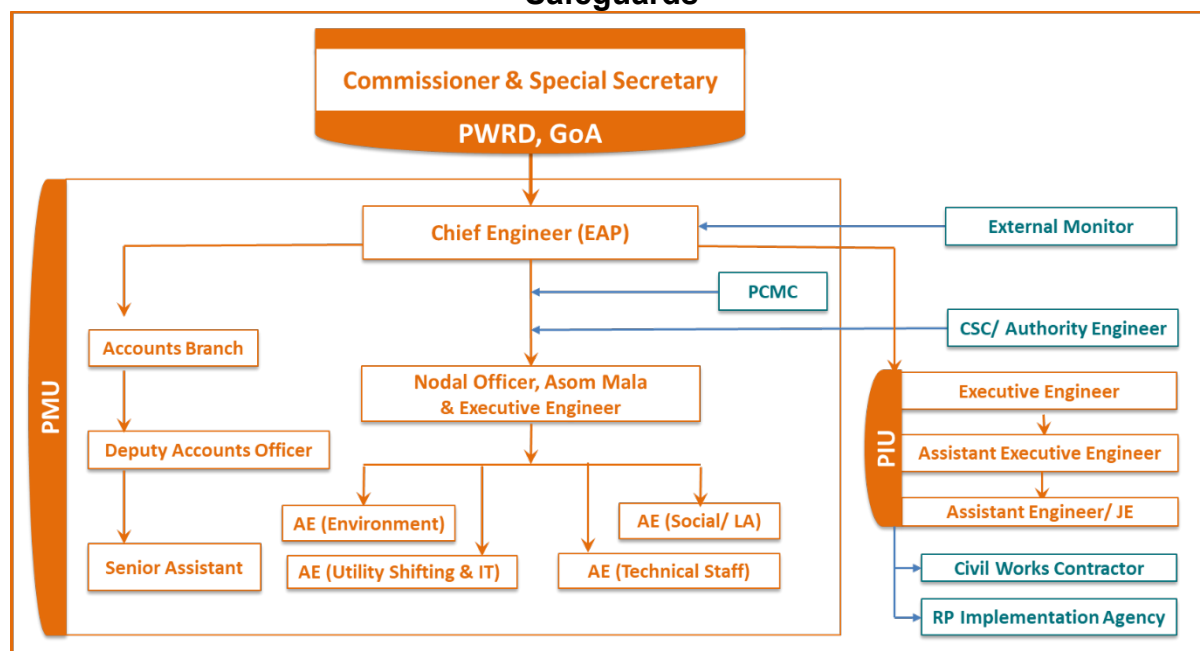
162. If the complainant does not accept the project-level Committee decision, he/she can submit directly (in writing) to the ADB's Resident Mission or South Asian Transport and Communication Division. If such efforts to resolve the issue fail, the affected person may submit their complaint in writing directly to the ADB Accountability Mechanism: <http://www.adb.org/AccountabilityMechanism/default.asp>.

XI. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

A. Introduction

163. The Government of Assam's Public Works Roads Department (PWRD) will be the executing agency for Jogighopa – Bongaigaon Road. The Chief Engineer (EAP) will be the Project Director (PD) of Project Management Unit (PMU). PD PMU will be assisted by an Assistant Executive Engineer as Nodal Officer of Asom mala program. **Figure 5** shows the implementation arrangement for Asom Mala Program.

Figure 5: Implementation Arrangement for Environmental and Social Safeguards



B. Program Management Unit (PMU)

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

165. 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 Resettlement Framework, Indigenous Peoples Framework, if any, Environmental Framework for ARNIP of Asom Mala program;
- (iv) Review and approving of Resettlement Plan (RP), Environmental Management Plan (EMP) 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; Monitoring of implementation and monitoring of RP and EMP;

- (vi) Proactive and timely measures to address all social and environment safeguards including measures and clearances;
- (vii) monitoring, addressing and resolving grievances;
- (viii) ensuring availability of budget for implementation activities; and
- (ix) ensuring disclosure of relevant frameworks, implementation and management plans and monitoring documents.

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

C. Project Implementation Unit (PIU)

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

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

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

D. Program Coordination and Management Consultant (PCMC)

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

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

E. Construction Supervision Consultant (CSC)/ Authority Engineer (AE)

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

- (i) Review the Social and Environmental safeguard documents and reports to understand the background of social and environmental issues of the respective project corridor
- (ii) Review required sub-plans such as traffic management plan, health and safety plan, waste management plan etc. prepared by the contractor
- (iii) Provide on-site training and technical guidance to the contractor workers as necessary
- (iv) Review the monthly reports prepared and submitted by the contractor
- (v) Where necessary identify the need for corrective actions and issue official notices to the contractor to implement the corrective actions with clear timeline
- (vi) 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
- (vii) Regularly convene meetings to discuss progress or issues on social and environment safeguards to ensure that all parties (contractor, PIU, PCMC) are on the same page on requirements and milestones for safeguards.

F. RP Implementation Agency (RIA)

173. An RP Implementation Agencies or NGO will be hired to assist PIU to, (i) implement the Resettlement Plans (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.

174. Key activities of the RIA in relation to resettlement planning and implementation include: (i) assist The Project in verification and updating, if required, the detailed census and socioeconomic survey of displaced persons carried out during DPR preparation based on detailed design, and verify the identity of below poverty line, female-headed, and other vulnerable households affected by land acquisition and involuntary resettlement and issue ID cards; (ii) prepare micro plan and get vetted by The Project; (iii) facilitate the process of disbursement of compensation to the DPs – coordinating with the The Project and informing the displaced persons of the compensation disbursement process and timeline; (iv) assist DPs in opening bank accounts explaining the implications, the rules and the obligations in having a bank account, process of disbursement adopted by ARNIP and how s/he can access the resources s/he is entitled to; (v) assist the DPs in ensuring a smooth transition (during the part or full relocation of the displaced persons), helping them to take salvaged materials and shift; (vi) in consultation with the DPs, inform the The Project about the shifting dates agreed with DPs in writing and the arrangements they desire with respect to their entitlements; (vii) organize training programs to the vulnerable for income restoration; (viii) conduct meaningful consultations throughout the RP implementation and ensure disclosure of resettlement plans in an accessible manner to the displaced persons; (ix) assist DPs in grievance redressal process; (x) assist the PIU in keeping detailed records of progress and establish monitoring and reporting system of RP implementation; and (xi) act as the information resource center for community interaction with the project and maintain liaison between community, contractors and project management and implementing units during the execution of the works. The resettlement plan Implementation consultant will facilitate in integrating such households with the other relevant housing schemes of various government agencies.

G. External Monitoring

175. A third-party monitoring agency will be recruited to monitor and evaluate the implementation of all the resettlement plans of the Assam Industrial Corridor Improvement Project. The objectives of the external monitoring are to:

- (i) Assess the implementation progress of RP as per the RPF provisions and processes and its compliance with ADB's Safeguard Policy Statement (SPS) 2009;
- (ii) Monitor the schedules and the implementation targets; and
- (iii) Evaluate whether the objectives and outcomes of RP are met the project roads.

H. Land acquisition and Resettlement process:

(i) Rehabilitation and Resettlement Award

176. In accordance with the provisions of the RFCTLARR Act, 2013 and 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 20th January 2021 and R&R Policy for Assam State Roads Project the competent authority will pass a Rehabilitation and Resettlement (R&R) Award. All the affected titleholders who are eligible for R&R assistance will be notified along with details of eligible assistance as per the provisions of RFCTLARR Act. Initially a draft list will be notified by giving minimum of 30 days' time inviting objections, if any, regarding discrepancies on the nature and quantum of assistance. The final list will be notified after taking into account the objections, if any. Similarly, the list of those affected non- title holders will also be notified along with the details of R&R assistance and a separate R&R award enquiry will be conducted for the non-titleholders.

(ii) Micro plan

177. The implementation support RIA will prepare the draft micro plan, village wise for the project road detailing the type of loss, tenure of the DP, vulnerability status and the entitlements as per the provisions of the Entitlement Matrix (EM) and beneficiary bank details. The draft micro plan will be disclosed in the jurisdictional village panchayat where the DPs are living/having business, and 7-days after the disclosure, the R&R award enquiry will be held by the jurisdictional LARR Authority.

178. Based on the R&R award enquiry outcome, the RIA will submit the final micro plan to RSO, for verification and onward transmission to Project Director, PIU through the LARR Authority. The Project Director, PIU, after scrutiny of the micro plan will accord approval for the disbursement of the R&R entitlements.

(iii) R&R Award Process

179. The LARR Authority will hold R&R award enquiry in the project area and will send prior intimation to all concerned DPs through the jurisdictional Block Development Officer (BDOs) or District Commissioner and the RIA.

180. During the R&R award enquiry, each DP will be informed about the type of loss and tenure as recorded during census and socio-economic survey and verified subsequently, and the entitlements due to the DP as per the provisions contained in the EM. All the DPs will be given an opportunity to be heard and concerns if any, will be addressed. The R&R proceedings will be recorded and copy of the R&R award will be issued to the DP then and there.

(iv) Establishment of a Management Information System (MIS)

181. A well-designed MIS will be created and will be maintained at PIU and the PMU level. The MIS will be supported with approved software and will be used for maintaining the DPs baseline socio-economic characteristics, developing pre-defined reports, algorithms and calculations based on the available data and updating tables/fields for finding compensation and assistances, tracking the land acquisition and resettlement progress. The individual entitlements, compensation calculations, structure valuation, etc. will be updated using MIS software. In addition, land acquisition notices, identity cards will also be generated thorough MIS. All quires will be generated and the baseline data will also be maintained and updated as needed. The data and information required for periodical progress reports will be generated using MIS database. The required computer terminals and software will be established at The Project level in order to feed the data to be maintained in the web with backup at PIU.

(v) Capacity Building of PIU/PIU

182. The staff of PMU, RIA and the staff of PIU, who are involved in LA and R&R will require to be familiar with land acquisition procedures and ADB Social Safeguards policy requirements. In order to build the capacity of the PMU and the PIU, an orientation and training in resettlement management at the beginning of the project will be undertaken. The training activities will focus on issues concerning (i) principles and procedures of land acquisition, (ii) public consultation and participation, (iii) entitlements and compensation disbursement mechanisms, (iv) Grievance redressal, and (v) monitoring of resettlement operation.

XII. IMPLEMENTATION SCHEDULE

A. Introduction

183. Resettlement activities will be coordinated with the timing of civil works. The required coordination has contractual implications, and will be considered in procurement and bidding schedules, award of contracts, and release of cleared sections to project contractors. The project will provide adequate notification, counseling and assistance to affected people through the RP implementing agencies/NGOs so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation.

184. The RP implementing agencies/NGOs staff will provide project LA and R&R related information to the DPs, provide details of entitlements and procedures for getting compensations and availing R&R assistance. The agencies/NGOs will also provide assistance in updating the RP particularly with DP and their asset details, facilitating issue of ID cards, opening of bank accounts, facilitate implementation of livelihood and income restoration program, coordinate with other various agencies, conduct awareness program for HIV/AIDS, health and hygiene, road safety, gender and human trafficking. All other activities related to implementation and land acquisition will be undertaken simultaneously.

B. Schedule for Project Implementation

185. The proposed RP implementation activities are divided into three broad phases viz. project preparation phase, RP implementation phase, and monitoring and reporting phase, and the activities envisaged in each phase is discussed below.

186. **Project Preparation Phase:** The activities to be performed in this phase include: (i) the formation and staffing of the The Projects; (ii) submission of the RP to ADB for approval; (iii) the appointment of the RP implementation NGO/agency; and (iv) the establishment of GRCs. The information dissemination and stakeholder consultations will commence in this stage and continue until the end of the project.

187. **RP Implementation Phase:** In this phase, the key activities to be carried out include:

- (i) joint verification;
- (ii) valuation of structures;
- (iii) LA notification;
- (iv) preparation of micro plan;
- (v) LA and R&R award enquiry;
- (vi) approval of final micro plan;
- (vii) identification and development of resettlement site;
- (viii) payment of compensation for land and structure;
- (ix) payment of other Rehabilitation assistances;
- (x) relocation of DPs to resettlement site; and
- (xi) issuing site clearance certificate to enable commencement of civil works.

188. **Monitoring and Reporting Phase:** Internal monitoring will commence as soon as RP implementation begins and continue till end of RP implementation. External monitoring will also commence from the beginning of RP implementation.

C. RP Implementation Schedule

189. An implementation schedule for land acquisition, payment of compensation and resettlement and Rehabilitation activities in the project including various sub tasks and time

line matching with civil work schedule is provided in the work plan. The following are the key implementation activities that are presented in the work plan.

- (i) Updating of RP based on design changes, if any
- (ii) Approval of RP and Disclosure
- (iii) Appointment of RIAs and External Monitoring consultants
- (iv) Constitution and notification of GRCs
- (v) LA Notification
- (vi) Verification of DP s and Notification of DP list
- (vii) Obtaining options for resettlement and choice of resettlement site location
- (viii) MIS in operational for tracking LA and R&R Implementation progress
- (ix) Structure Valuation
- (x) Disclosure of Microplan (list of eligible DPs and their entitlements)
- (xi) Issue of Identity cards
- (xii) R&R Award including assistance for non-title holders
- (xiii) Relocation of CPRs
- (xiv) Payment of R&R assistance
- (xv) Allotment of house sites or development of Resettlement sites
- (xvi) Shifting of DPs of alternative resettlement sites
- (xvii) LA Award and disbursement of compensation
- (xviii) R&R Award including assistance for title holders
- (xix) Certification of payment of LA and R&R assistance for first milestone
- (xx) Certification of payment of LA and R&R assistance for second milestone
- (xxi) Impact Evaluation

190. **Coordination with Civil Works:** The land acquisition and resettlement implementation will be co-coordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of encumbrance free land to the contractors. The project will provide adequate notification, counselling and assistance to DPs so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation and R&R assistances.

191. The relocation of common property resources will be linked to handing over of encumbrance free land to the contractors. The handing over of land to the contractor will be organised in two sections. Sections having no IR impact and non-significant impacts will be in the first-milestone and will be handing over after signing of the contract and by the financial closure date, and the rest within one year/one and half years of contract signing as spelled out in the respective civil work contracts.

XIII. MONITORING AND REPORTING

A. Introduction

192. The objective of monitoring is to provide the PIU and the PMU with an effective tool for assessing Rehabilitation progress, identifying potential difficulties and problems areas and provide an early warning system for areas that need correction. Continuous supervision and periodic monitoring are an integral part of successful implementation. Monitoring is a warning system for project managers and a channel for the DPs to express their needs and reactions to the programme.

B. Internal Monitoring

193. 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 NGO/RIA, will prepare quarterly progress reports and submit to the PMU. The PMU will prepare semi-annual monitoring reports and submit to ADB. 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.

194. A copy of the quarterly report will be made available to ADB. In view the significance of resettlement impacts, the monitoring Mechanism for this project will have both monitoring by the PMU and monitoring by an external agency / expert.

C. External Monitoring

195. For subprojects with significant adverse safeguard impacts, the PMU will hire qualified and experienced external experts to verify its monitoring information⁹. 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. Terms of reference for external monitor is **Appendix-16**.

D. Indicative Indicators

196. Indicators will be developed for internal monitoring and external monitoring purposes and integrated in the MIS. The Table 50 below shows indicative indicators for monitoring.

Table 48: Indicative Indicators for Monitoring

| Monitoring Issues | Monitoring Indicators |
|-----------------------|---|
| Budget and time frame | <ul style="list-style-type: none"> Have all resettlement staff been appointed and mobilized for field and office work on schedule? Have capacity building and training activities been completed on schedule? Are resettlement implementation activities being achieved according to agreed implementation plan? Are funds for resettlement being allocated to resettlement agencies on time? have resettlement offices received the scheduled funds? Have funds been disbursed according to RF? |

| Monitoring Issues | Monitoring Indicators |
|--|---|
| | <ul style="list-style-type: none"> Has the land been made encumbrance-free and handed over to the contract or in time for project implementation? |
| Delivery of entitlements | <ul style="list-style-type: none"> Have all displaced persons received entitlements according to numbers and categories of loss set out in the entitlement matrix? How many affected households have relocated and built their new structures at new locations? Are income and livelihood restoration activities being implemented as planned? have affected businesses received entitlements? Have the community structures (e.g., church, club, etc.) been compensated and rebuilt at new sites? Have all processes been documented? Are there discrepancies between the estimated number of displaced persons as per the RP/RP addendum and actual numbers Share of CCL disbursement vs total TH affected Share of TH who have received “top ups” Share of TH who have received entitlement benefits Share of NTH who have been compensated market value for loss of structure, tree or crops Share of NTH who have received entitlement benefits |
| Relocation assistance | <ul style="list-style-type: none"> Has RIA prepared a list of alternative places to rent/buy? Have affected households benefitted from support of RIA to find alternative place to rent/buy? If so, how many and what services were provided? |
| Consultation, grievances, and special issues | <ul style="list-style-type: none"> Have resettlement information brochures/leaf lets been prepared and distributed? have consultations taken place as scheduled, including meetings, groups, and community activities? Have any displaced persons used the grievance redress procedures? What grievances were raised? What were the outcomes? Have conflicts been resolved? Have grievances and resolutions been documented? have any cases been taken to court? |
| Resettlement Benefit/Impacts | <ul style="list-style-type: none"> What changes have occurred in patterns of occupation compared to the pre-project situation? What changes have occurred in income, expenditure and livelihood patterns compared to pre-project situation? How many physically displaced households have relocated? Where are they relocated (i.e., remaining plot of land, newly purchased plot, rented plot/structure) How many households have purchased plot? What was compensations/resettlement benefits spent on? Have the participants of the livelihood training program used their new skills? What was the seed grant spent on? |

E. Reporting Requirements

197. The following reports will be prepared and submitted to the PIU, EA or project team at the Asian Development Bank.

Table 49: Reporting Requirements

| Type of Report | Content | Frequency | Responsibility | Submitted to |
|--|---|--|----------------------|--------------|
| RP update | Provide the updated list of displaced persons after the joint verification survey | Till the end of Project | NGO / RIA PIU/PMU | PIU/EA/ADB |
| Addendum(s) | Detail the land acquisition and resettlement impacts, socioeconomic survey of displaced persons, mitigation and Rehabilitation measures, budgetary requirements and timeline for implementation | To be prepared when either condition below is met: (i) for sections of project where design is not final (ii) for unforeseen activities with resettlement impacts | NGO/RIA/PIU/ PMU | PIU/EA/ADB |
| Monthly progress report | Progress on land acquisition and resettlement activities, progress on indicators, results, issues affecting performance, constraints, variation from RP (if any) and reason for the same and corrections recommended | Monthly | NGO/ RIA/PMU | PIU |
| Semi-annual resettlement monitoring report | Progress on land acquisition and resettlement activities, indicators, variations if any with explanation and outcome, recommended corrective actions. | Semi annually | PIU | ADB |
| External monitoring report | Progress on land acquisition and resettlement activities, indicators, variations if any with explanation and outcome, displaced person's satisfaction with process, compliance with ADB's SPS, corrective actions recommended | Semi annually | External Monitor | PIU/EA/ADB |
| Resettlement completion report | Overall narrative of the land acquisition and resettlement process, outputs and outcomes of indicators from baseline, key variations/changes, lessons learned | Once | PIU | ADB |

| Type of Report | Content | Frequency | Responsibility | Submitted to |
|--------------------------------|---|-----------|------------------|--------------|
| Resettlement evaluation report | Overall assessment of the land acquisition and resettlement process, compliance with ADB's SPS, indicators achievement when compared to baseline, lessons learned | Once | External Monitor | PIU/EA/ADB |