

Resettlement Plan (Final)

November 2015

IND: Assam Power Sector Investment Program – Tranche 2

Prepared by Assam Power Distribution Company Limited for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 31 October 2015)

Currency unit	–	Indian rupee/s (Re/Rs)
Rs 1.00	–	\$0.0152
\$1.00	–	Rs 65.4040

ABBREVIATIONS

ADB	Asian Development Bank
AGM	Assistant General Manager
APs	affected persons
APDCL	Assam Power Distribution Company Limited
BPL	Below Poverty Line
CPTD	Compensation Plan for Temporary Crop Damage
CPS	Country Partnership Strategy
DDP	Desert Development Program
DPR	detailed project report
DPs	displaced persons
EA	Executing Agency
FGD	focused-group discussion
FHH	female-headed household
GMDA	Guwahati Metropolitan Development Authority
GOA	Government of Assam
GOI	Government of India
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
HH	household
HOH	head of household
IA	Implementing Agency
LARR	Land Acquisition and Rehabilitation & Resettlement Bill- 2011
LVC	Land Valuation Committee
LT	low tension
MFF	Multi-Tranche Financing Facility
NGO	Non-Government Organization
PIU	Project Implementation Unit
PMU	Project Management Unit
RF	Resettlement Framework
R&R	Rehabilitation and Resettlement
RoW	Right of Way
RP	Resettlement Plan
SC	Schedule Caste
SoR	Schedule of Rate
ST	Scheduled Tribe

WEIGHTS AND MEASURES

ha (hectare)	- 10,000 m ² = 2.47105 Acre
km (kilometer)	- 1,000 m
kV	- Kilovolt (1,000 volt)
kW	- Kilowatt (1,000 watt)
kWh	- Kilowatt-hour
mG	- milliGauss
MVA	- Megavolt-Amperes
MW	- Megawatt
GWh/MU	- Gigawatt-hour or Million kWh

NOTES

- (i) The fiscal year (FY) of the Government of India and its agencies begins on 1 April and ends on March 31. "FY" before a calendar year denotes the year in which the fiscal year ends, e.g., FY2014 begins on 1 April 2013 and ends on 31 March 2014.
- (ii) In this report, "\$" refers to US dollars.

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EXECUTIVE SUMMARY

1. The approach of ADB for the proposed investment program under the ambit of “Assam Power Sector Investment Program (2013 – 2020)” is two-fold: (i) by strengthening transmission and distribution networks to reduce technical and commercial losses and improve the financial health of state utilities; and (ii) by focusing on capacity issues. The new Investment Program is consistent with the government’s policies and strategies. It is also consistent with ADB’s ongoing Country Partnership Study (CPS). Additionally, sustained partnerships between ADB and Assam utilities will help sector reforms to be on track. The size of the MFF is \$300 million. Funding will be structured into three tranches. This RP report is for the proposed loan of Tranche-2, MFF-2.

2. Based on the review of detailed project report (DPR) and due diligence, the scope of the Tranche 2 project will have two outputs: (1) expansion and up-gradation of the distribution system; and (2) strengthening institutional capacity of Assam Power Distribution Company Limited (APDCL). Expansion part of Output 1 will add a 33/11 kV substation and associate facilities to reduce losses and enhance the power supply capacity in a division where substations and lines are overloaded. Up-gradation part will replace and rehabilitate aged and degraded parts in the system to reduce losses, improve voltage profile and provide better and reliable service to customers. Output 2 will improve distribution control and customer services and it includes four major activities: (i) setting up of independent meter testing laboratory; (ii) establishing information technology module for introduction of centralized uniform revenue billing system for 1.2 million customers; (iii) establishing area load dispatch centers at Guwahati and Jorhat; and (iv) consulting services to support implementation of project components. The proposed project will help APDCL, to remove bottlenecks in the network and transmission and distribution.

3. The 33/11 kV substation will be constructed in government land. The refurbishment/rehabilitation and renovation of 3511 km of 33, 11 kV and low tension (LT) distribution line including 14.1 km of underground cabling and 155.7 km of new line of enhancement of capacity distribution of 33 and 11 kV single/double pole based distribution lines will not have any impact on land. As per the assessment made during sample transect walk, survey there may be likely impact during project implementation. The survey, site visit, transect walk, consultations, focused group discussions (FGDs) were conducted after carefully selecting the 20 percent of samples from upper, central and lower Assam region for new 33 and 11 kV and LT proposed lines and refurbishment of old 33, 11 kV and LT lines. This random stratified sample based approach provides coverage of overall geographical universe and also satisfies the scientific method of coverage through sampling. The replacement of old overhead cable through underground cabling of 11kV and LT line in busy areas of Guwahati will also have some temporary impact. The transect walk survey was also conducted on sample basis for this subproject. The impact assessment has been made on the basis of draft initial engineering proposal as mentioned in the DPR. Accordingly, this Resettlement Plan (RP) has been prepared. This subproject has been categorized as “B” for Involuntary Resettlement (IR) impact as per the ADB’s Safeguard Policy Statement (2009). Overall impacts would be further minimized during subproject implementation.

4. The RP provides an assessment of temporary and permanent impacts. There are no permanent impacts as there will be no land acquisition from private sources for obtaining the substation site. The substation will be constructed in the government land from Guwahati Metropolitan Development Authority (GMDA). The land transfer has already been initiated by APDCL. The temporary resettlement impacts for erecting the distribution lines will be assessed, mitigated and managed by APDCL as per this RP. The impact for erecting the distribution line is

negligible as the poles are single pole or two pole distribution where required. The distribution lines mainly follow the right of way (RoW) of roads and canals etc. Hence, there will be no impact on land and other assets for the poles and distribution lines. The RP includes a description and summary of the land requirement etc, a social impact assessment of affected areas, qualitative/ quantitative details on the exact nature, scale and significance of impacts on people, consultations, entitlement and compensation framework, institutional setup for implementation of RP, schedule of implementation, grievance redress mechanism (GRM), budget for implementation of RP etc. A Compensation Plan for Temporary Crop Damages (CPTD) will describe, mitigate and manage the process of compensating affected peoples for the loss of crops or trees resulting from the installation of the distribution line. All mitigation measures designed in alignment with ADB's Safeguard Policy Statement (2009), Government of India (GOI) Act, LAAR 2013 (The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013) and updated Resettlement Framework (RF) for the MFF.

5. As a standard practice, construction activities related to distribution lines are scheduled during off season to minimize the crop damage. Farmers also do not object for construction of distribution lines because of the direct benefits they expect from the reliable power supply. Moreover, the distribution lines mainly follow the RoW of roads, canals etc. Therefore, it is likely that the impacts are limited to temporary damage on crops in certain circumstances (less than 10% in this case) during the construction of lines.

6. Consultations were carried out with various stakeholders during RP preparation and will continue throughout the subproject cycle. To understand the socio-economic profile of the project area, FGD were conducted at rural as well urban areas various project districts/electrical circle located in upper, middle and lower Assam during the month of September 2014. The same will be continued during the project implementation. Project information will be disseminated through the disclosure of RP. The translated RP in Assamese language will be available at the offices of local revenue offices and at electrical circle offices. A copy of the RP will be disclosed on APDCL and ADB website. A Grievance Redress Committee (GRC) will be formed to ensure affected persons (APs) grievances are addressed and facilitate timely project implementation. Minor grievance will be redressed by the APDCL officials at site level within 15 working days failing which the case will be referred to GRC which will take action within 30 working days. Grievance not redressed by the GRC will be referred to the appropriate court of law.

7. The policy framework and entitlements for the Project are based on national laws: LAAR 2013 (The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013) and RF of Assam Power Sector Investment Program, September 2014, and ADB's Safeguard Policy Statement (2009), The Indian Electricity Act 2003 and The Indian Telegraph Act 1885. The project will neither result in any physical displacement nor economic displacement except for temporary impacts on crops and underground cabling work which are foreseen during the construction period. Adequate compensation will be provided as per the entitlement. Additionally, vulnerable households will be given priority in project employment. Compensation eligibility is limited by a cut-off date to be set for the subproject is 17 September 2014 for Non-title holders and for temporary damage of crops and trees the Cutoff date would be the date of Gazettee Notification.

8. The temporary land restriction during digging of existing RoW and road shoulders for the laying of lines for the replacement of old overhead cable through underground cabling of 11kV and LT line will have no permanent impacts as the proposed underground lines will be laid on the edge of the road. It has been found through the transect walk along with the team of APDCL

engineers through the roads falling within the project scope in Guwahati city that on an average available RoW is 45 m including the dedicated pedestrian walkway with concrete foot path with hand railing. The improvement work will be carried out within the 1 m of RoW in road shoulders particularly in the side through which the present overhead line passes through. The maximum required width during underground cabling work is 1 meter. However, in 4 junctions there may be some temporary impacts which may disrupt some business activities during construction of underground cabling work. These temporary impacts will be fully known at the time of drawing up of the construction schedule of the contractor. These impacts will be documented and mitigated at the time of construction as per the Rehabilitation and Resettlement (R&R) policy provisions mentioned in this RP on case by case basis. There will be no impacts on residential structures other than possible access disruptions. The current assessment during the transect walk conducted on 27 September 2014 along with the engineers of APDCL in 4 critical areas where the temporary impacts are confined (Paltan Bazar, Ulubari, Bhangaaghar and Ganeshguri) shows that there will be partial temporary impact of 30 mobile vendor shops. During underground cabling work the partial closer of road will follow the time string of action of excavation followed by laying of cable line, testing, commissioning and closer of duct. There will be no impacts on residential structures other than possible access disruptions. In case of disruption of access to the DPs, the contractor will provide assistance through provision of planks etc. Moreover, as per the contract provisions, the contractor will be required to put back the road to its original condition after the cable laying and assist those transferred to move back to their original location. There is no encroachment by residential or commercial structure has been found during the course of transect walk. There is no squatter and kiosks running business or erected residential structure in the RoW which will be fully impacted upon due to subproject. The estimated land requirements for erecting the towers for 3666.7 km of distribution line is proposed to be 1.09 ha. Total of 3666.7 km distribution lines will have temporary impacts which are limited to loss of one season of crops and trees along the towers associated with RoW of the lines. Where towers are placed on private land, APDCL will pay appropriate compensation as per the RP. Land required for each tower will not exceed 9 m² for the line work and there will be three towers per km. Assessment on the loss of crop area has been done based on assumption which shows that approximately 1.09 ha of crops¹ (for erecting estimated 1222 number of tower) will suffer from temporary impacts affecting one productive season.

9. Project Management Unit (PMU) will be responsible for project coordination and administration among EAs, DEA and ADB and APDCL will function as Project Implementation unit (PIU) and also will serve as the executing agency (EA) and Implementing Agency (IA) for this loan. Department of Power of Government of Assam (GOA) will be responsible for overall coordination when required for policy level decision. Field level staff/engineer of 18 electrical circles spread over upper, middle and lower Assam will assume primary responsibility for the environmental and social assessment as well as implementation of RPs for their respective components. The PIU at headquarter and its 18 circle office will designate an officer and or recruit a social development specialist (SDS) to address the social and resettlement issues of the subproject. For RP, the SDS PIU headquarter will do the overall coordination, preparation, planning, implementation, and financing. The IA will ensure that key institutions including local governments are involved in RP preparation, updating and implementation. The PIUs through its 18 electrical circle offices will have responsibility for managing the site activities related to safeguards and will work closely with the field level staff.

¹ As per the standard engineering design, it has been assumed that there will be three tower/pole in one km (each tower 9 m² area) of line work. It has also assumed on the basis of the assumption of one tower one land owner/1AP. Accordingly, the temporary impact for 1222 APs who will be suffering for temporary damage of crop on the basis of the assumption of one tower one land owner/1AP.

10. The time for implementation of RP will be scheduled as per the overall project implementation. All activities related to payment of compensation and land acquisition and resettlement, if any, will be completed prior to commencement of civil works.

11. Monitoring will be the responsibility of the EA/IA/APDCL. The implementation of RP will be closely monitored. Regular monitoring activities will be carried out internally by APDCL through its 18 electrical circles to provide ADB with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. APDCL through its respective Social Safeguard department/officials will be responsible for managing and maintaining affected person databases, documenting the results of the affected person census. Semi-annual monitoring reports documenting progress on resettlement implementation and resettlement plan completion reports will be submitted to ADB.

12. A tentative budget has been calculated for the project which amounts to Rs 4.48 million.

I. PROJECT DESCRIPTION

1. The Assam Power Sector Investment Program (the Investment Program) is intended to finance a series of investments in the state of Assam, India including generation capacity enhancement to transmission and distribution infrastructure development. The Investment Program will also finance a number of “softer” activities, including improvements of power utility companies in operational and financial capacity, and training. The funding will be extended via a Multi-tranche Financing Facility (MFF) of Asian Development Bank (ADB). The objectives of the investment will be to achieve increased adequacy and efficiency of power system, including renewable energy in Assam. The state does not have enough electricity supplies, system efficiency and electrification rates are low and the power utility companies are not in the best financial shape.

2. Providing reliable, adequate, and affordable electricity remains a major challenge. This can be achieved only by expanding the state’s own generation portfolio, improving the efficiency of existing generation plants, reducing the transmission and distribution losses, and improving the institutional capacities. The government has prepared a transmission and distribution investment plan for the 12th Five Year Plan for 2012 – 2017. The Government’s power sector roadmap also aims to achieve 100% village electrification by the end of the 12th Five Year Plan; and attain 100% system access by 2020. ADB’s India CPS for 2009 - 2012 targets low-carbon investments. ADB’s CPS for 2013 - 2017 continues with the same approach. The approach of ADB for the proposed investment program is two-fold: 1] by strengthening transmission and distribution networks to reduce technical and commercial losses and improve the financial health of state utilities; and 2] by focusing on capacity issues. The new Investment Program is consistent with the government’s policies and strategies. It is also consistent with ADB’s ongoing CPS. Additionally, sustained partnerships between ADB and Assam utilities will help sector reforms to be on track. The size of the MFF is \$300 million. Funding will be structured into three tranches. The Investment Program will be implemented during 2013 – 2020.

3. The APDCL the only power distribution company in the state of Assam has three region of operation namely Upper Assam Region (UAR), Central Assam Region (CAR), Lower Assam Region (LAR). These operations are spread over 18 electrical circles. These three regions and 18 electrical circles are responsible for operation, maintenance, development and improvement of sub-transmission and distribution system in their respective region of operation.

4. APDCL has to cater to a maximum demand of 1100 MW (in 2011-12), 1135 MW (in 2012-13) and 1320 MW (in 2013-14). It may be mentioned here that this maximum demand is a restricted one. Though this restriction is mainly due to low generation, however bottlenecks in the network and high T & D loss also contributed to this restriction. The Sub-transmission and Distribution losses of APDCL were 26% to 27% for the year 2011-12, 2012-13 & 2013-14 respectively. This is quite high and measures for loss reduction have to be taken up in right earnest. For reduction of losses as well as for improvement of distribution network and to operate it at optimum level greater priority is to be taken care of. A computerized load flow studies indicate a loss reduction of about 5.40% up to 11 kV and LT network on implementation of the total requirement by the year 2014-15. BY one study, it is considered that 10% increase of billing and collection efficiency if the uniform computerized billing system is introduced. Emphasis is given to improve the existing distribution network as most of existing 33kV & 11 kV lines as well as LT system are very old which need renovation & moderation & reinforcing/re-conductoring / refurbishment by replacing old ageing conductors to produce the desired result to reduce the losses and to cater the load growth with energy efficient system. Replacement of some of the oil filled distribution transformer by dry type DTRs in busy public places to improve safety measure. For improvement of distribution network in some area mainly

Greater Guwahati, by replacing over-head 11kV & LT lines by underground cables in & around the Capital Complex, Dispur, Guwahati and part of G.S Road area of Guwahati will serve the purpose.

5. Based on the review of DPR and due diligence, the scope of the tranche 2 project will have two outputs: (i) expansion and up-gradation of the distribution system; and (ii) strengthening institutional capacity of APDCL. Expansion part of Output 1 will add a 33/11 kV substation and associate facilities to reduce losses and enhance the power supply capacity in a division where substations and lines are overloaded. Up-gradation part will replace and rehabilitate aged and degraded parts in the system to reduce losses, improve voltage profile and provide better and reliable service to customers. Output 2 will improve distribution control and customer services and it includes four major activities: (i) setting up of independent meter testing laboratory; (ii) establishing information technology module for introduction of centralized uniform revenue billing system for 1.2 million customers; (iii) establishing area load dispatch centers at Guwahati and Jorhat; and (iv) consulting services to support implementation of project components. The following details of subprojects under Tranche-2, MFF-2 of ADB power sector investment program in Assam has been presented in **Table 1**. The map of the project is presented in **Annex 1**.

6. The proposed investment will support distribution system improvements of energy across various electrical circles located in three region namely upper, lower and central Assam. The proposed project will help APDCL, to remove bottlenecks in the network and distribution.

Table 1: Project Summary

Item number	Description	Unit	Total
Output 1: Expansion and Up-gradation of the Distribution System			
1	New 33 kV/11kV substation and terminal equipment	Nos.	1
2	Associated 33 kV lines	km	4
3	Associated 11 kV lines	km	6
4	Associated terminal equipment	Nos.	1
5	New 33 kV lines	km	140
6	River crossing associated with new 33 kV lines	km	0.35
7	Railway track crossings associated with new 33 kV lines	km	0.85
8	33 kV bay with terminal equipment, associated with new 33kV line	Nos.	11
9	New 11 kV line for segregation of rural feeder	km	7
10	Re-conductoring/refurbishment of 33 kV lines with ACSR Wolf conductor	km	956
11	33 kV bay with terminal equipment associated with 33 kV lines	Nos.	6
12	Re-conductoring/refurbishment of 11 kV line with ACSR Raccoon conductor	km	1,000
13	Re-conductoring/refurbishment of LT line with ACSR Rabbit conductor	km	1,555
14	Replacement of oil filled distribution transformers with dry type transformers	Nos.	204
15	Replacement of overhead 11 kV & LV line by XLPE underground cable	km	14
Output 2: Strengthening institutional capacity of APDCL			
16	Setting up of independent meter testing laboratory	No	1
17	IT module for Introduction of centralized uniform revenue billing system for 1.2 million customers	No	1
18	Area load dispatch centers at Guwahati and Jorhat	Sets	2
19	Consulting Services for Project Management, Supervision and Implementation Support	1 package	24 months

ACSR- Aluminum Conductor Steel Reinforced, HV – high voltage, kV- kilovolt, kVA; kilovolt ampere, LV- low voltage, km – kilometer, XLPE – Cross-linked Polyethylene Wolf, Raccoon and Rabbit are names used in electricity industry to refer to specific types of overhead wire, defining the number of strands and the cross sectional area.

7. As per the assessment made during transect walk, survey there may be likely impact during project implementation. The survey, site visit, transect walk, consultations, FGDs were

conducted after carefully selecting the 20 percent of samples from upper, central and lower Assam region for new 33 and 11 kV and LT proposed lines and refurbishment of old 33 , 11 kV and LT lines. This random stratified sample² based approach provides coverage of overall geographical universe and also satisfies the scientific method of coverage through sampling. The replacement of old overhead cable through Underground cabling of 11kV and LT line in busy areas of Guwahati will also have some temporary impact. The transect walk survey was also conducted on sample basis for this sub project. The impact assessment has been made on the basis of draft initial engineering proposal as mentioned in the DPR. Accordingly, this RP has been prepared. This subproject has been categorized as “B” for Involuntary Resettlement (IR) impact as per the ADB’s Safeguard Policy Statement (2009). Overall impacts would be further minimized during subproject implementation.

8. Observations were made through field visit made in the month of September 2014 along the proposed substation site and sampled distribution lines, tower locations, as well as villages. Routes visited on sample basis were based on the current alignments considered feasible by APDCL. The final line alignment may vary slightly after the exact demarcation of tower locations. Field surveys were also undertaken to assess the socio economic environment and positive impact of the subproject. The field studies were supported by data collected from primary and secondary sources. For some of the distribution line, the specific topography survey and the distribution line route survey works are underway. The data regarding fruit/non-fruit trees being affected, and land details information will be provided for each of these subprojects by APDCL to ADB for prior approval before commencement of the construction activities for that respective subproject. Therefore, it may be noted that for some subprojects, certain detailed surveys for route alignments are underway. However, initial assessment has been done based on site observations. Once these data are available and detailed design is finalized, the same will be incorporated in to the draft RP to update/finalize the current version by EA/IA and ADB’s approval will be requested as appropriate.

9. The RP provides an assessment of temporary and permanent impacts. There are no permanent impacts as there will be no land acquisition from private sources for obtaining the substation site. The substation will be constructed in the government land to be of GMDA. The land transfer has already been initiated by APDCL. The temporary resettlement impacts for erecting the distribution lines will be assessed, mitigated and managed by APDCL as per this RP. The impact for erecting poles for distribution lines by APDCL is negligible as the poles are single pole or two pole distribution where required. The APDCL distribution lines mainly follow the RoW of roads³ and canals⁴ etc. Hence there will be no impact on land and other assets for the poles and distribution lines. The RP include a description and summary of the land requirement etc, a social impact assessment of affected areas, qualitative / quantitative details on the exact nature, scale and significance of impacts on peoples’, consultations, entitlement and compensation framework, institutional set up for implementation of RP, schedule of implementation, GRM, budget for implementation of RP etc. A CPTD will describe, mitigate and manage the process of compensating affected peoples for the loss of crops or trees resulting

² As per the subproject details there are 155.7 km of new line to be erected and 3511km of old line to be refurbished. All the new and old lines are distributed in upper, middle and lower Assam electrical circle/region. Region wise km of sub project details was collected from the DPR. In order to achieve the purpose of achievements the first splits (strata) were made in electrical circle/region as achievement on average is quite distinct between these regions. The second step was to take a simple random sample within each stratum. This way a randomized probabilistic sample is selected within each stratum.

³ The ownership of RoW of roads belongs to various Government organizations. In case of Guwahati city the ownership belongs to Guwahati Municipal Corporation. In other cases when it follow state highway the ownership of RoW belongs to State Public Works Department.

⁴ For Canal ownership belongs to State Irrigation Department.

from the installation of the distribution line.⁵ All mitigation measures designed in alignment with ADB's Safeguard Policy Statement (2009), GOI Act, LARR 2013 (The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013) and revised and updated RF of Assam Power Sector Investment Program. To minimize land requirement for the erecting of towers, the land use, terrain and potentially affected assets in the general area along the alignment and in the site for the substation were studied using existing maps, satellite images and field survey while preparing the DPR by APDCL. As a result of these activities, three options in the distribution line alignment as well as substation were considered and the one selected incorporates the following features to reduce private land requirement: (i) The use of government land for the karguli substation in the Guwahati city was identified. The availability of land was sufficient and the proposed substation was technically justified as per as location is concerned; (ii) For the refurbishment of old distribution lines (the lines are almost 30-40 years old) as the line/alignments was already existing and the local people were enthusiastic for the project as the renovation work will improve the quality of electricity, reduce frequent tripping etc, the alignment reduced not only land requirement but also the project cost by locating it along road easement. The use of road easement avoided the need to requirement of land for the pole and maintenance roads; (iii) For the new proposed line While the distance will be adjusted to the topographical condition and structures along the alignment, the need to reduce land requirements has also been considered in determining the final number of poles and towers; and (iv) Different dimensions for pole and tower foundation will be used to suit their functions and location. But the area for the pole and tower will be calculated to sufficiently serve the purpose of the foundation while maximizing the use of space to avoid unnecessary land requirements; and (v) The construction phase will be timed on winter months when fields are usually left to fallow for not more than a month. This will avoid affecting paddy rice which is cultivated during monsoon season and considered a main crop being the main component of the food requirement in Assam.

10. Prior to implementation, in detailed design phase, the EA/IA needs to describe the alternatives consider to avoid or minimize resettlement and include a table with quantified data and provide a rationale for the final decision. Accordingly an updated RP needs to be submitted to ADB for approval.

11. The RP has been prepared for this project for APDCL under ADB proposed loan under Tranche-2, of ADB power sector investment program in Assam. Based on the nature, scale and significance of expected impacts, under this the investment program has been classified as Category 'B'⁶ for impact on Involuntary Resettlement (IR) as per ADB's Safeguard Policy Statement (2009). The draft RP will need to be updated by EA/IA and finalized based on detailed design which will occur prior to implementation. Prior to implementation, in detailed design phase, the EA/IA needs to describe the alternatives considered to avoid or minimize resettlement and include a table with quantified data and provide a rationale for the final decision. Accordingly an updated RP needs to be submitted to ADB for approval.

⁵ A CPDT is prepared at the time of implementation of the project when detailed designed is finalized by the contractor who are appointed on turnkey basis.

⁶ A proposed project is classified as Category B if it includes involuntary resettlement impacts that are not deemed significant which means less than 200 or less persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating). The level of detail and comprehensiveness of the resettlement plan are commensurate with the significance of the potential impacts and risks. A resettlement plan is required for Category B projects.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACT

12. The project will have minor involuntary resettlement impacts. The project is comprised by establishing of one 33/11 kV substation and refurbishment of 3511km rehabilitation and renovation of 33, 11 kV and LT distribution line including 14.1 km of underground cabling and 155.7 km of new line of enhancement of capacity distribution of 33 and 11 kV, one number of independent meter testing laboratory, 2 number of area load dispatch center, replacement of 204 number of oil filled transformer with dry type transformer, centralized uniform billing system for 1.2 million customer. The land requirement for proposed substation is estimated to be 0.13 ha. The required land for the proposed substation belongs to government (GMDA). The required land of 0.13 ha for the proposed substation is part of the 4.33 ha Government land. The land documents/revenue record indicating the land belongs to GMDA has been included in this RP. The request for land transfer in favor of APDCL has already been initiated. The proposed land for substation is not located in forest or owned by the forest dwellers. The details of the land records, photography of the encumbrance free land for proposed substation have been placed as **Annex 2**. A request has been made to allot a 40 m² room in Assam Engineering College for electrical meter testing laboratory. The Assam Engineering College has been agreed to provide the same. The allotment/permission letter is placed in **Annex 3**.

13. Description on impacts on land acquisition and resettlement is given in **Table 2** and summary of land acquisition and resettlement is given in **Table 3**.

Table 2: Impact on Land Acquisition and Involuntary Resettlement

Item number	Description	Unit	Total	Transfer of Government Land in (ha)	Permanent IR Impact – Private Land Acquisition (ha)	Temporary IR Impact (Crops)/business loss	Mitigation Measures
Output 1: Expansion and Up-gradation of the Distribution System							
1	New 33 kV/11kV substation and terminal equipment	Nos	1	0.13	No	No	The land documents/revenue record indicating the land belongs to GMDA has been included in this RP. The request for land transfer in favor of APDCL has already been initiated.
2	Associated 33 kV lines	km	4	No	No	Yes (IR impact on crops)	-The lines will not pass through any forest area. -The single/double pole based distribution will not have any permanent impact (permanent land acquisition on private land. Wherever it passes through private land, EA/IA will follow the mitigation measures as per the impact and the mitigation measures will be based on sl.no 3, 4, 5 and 6 of the entitlement matrix. -The distribution lines are mainly follow the road/canal RoW for which they obtain permission from the respective Government department. During detailed design at the implementation phase, the EA/IA will prepare the transmission line plan on village revenue map to show the extent of use of Government land and private land. The mitigation measures will be
3	Associated 11 kV lines	km	6	No	No	Yes (IR impact on crops)	

Item number	Description	Unit	Total	Transfer of Government Land in (ha)	Permanent IR Impact – Private Land Acquisition (ha)	Temporary IR Impact (Crops)/business loss	Mitigation Measures
							<i>based on sl.no1,2 3 , 4,5 and 6 of the entitlement matrix.</i>
4	Associated terminal equipment	Nos	1	No	No	No	
5	New 33 kV lines	km	137.5	No	No	Yes(IR impact on crops)	<i>Same as SI.no 3.</i>
6	River crossing associated with new 33 kV lines	km	0.35	No	No	No	
7	Railway track crossings associated with new 33 kV lines	km	0.85	No	No	No	
8	33 kV bay with terminal equipment, associated with new 33kV line	Nos	11	No	No	No	
9	New 11 kV line for segregation of rural feeder	km	7	No	No	Yes(IR impact on crops)	<i>The lines will not pass through any forest area. The single/double pole based distribution will not have any impact on government or private land. The distribution lines are mainly follow the road/canal row for which they obtain permission. Wherever it passes through private land, they provide 1 month notice and pay compensation for crop loss, tree etc., if required.</i>
10	Re-conductoring /refurbishment of 33 kV lines with ACSR Wolf conductor	km	956	No	No	Yes(IR impact on crops)	<i>Same as SI no 3 and 5.</i>
11	33 kV bay with terminal equipment associated with 33 kV lines	km	6	No	No	Yes(IR impact on crops)	
12	Re-conductoring/refurbishment of 11 kV line with ACSR Raccoon conductor	km	1,000	No	No	Yes(IR impact on crops)	
13	Re-conductoring/refurbishment of LT line with ACSR Rabbit conductor	km	1,555	No	No	Yes(IR impact on crops)	
14	Replacement of oil filled distribution transformer with dry type transformer	Nos	204	No	No	No	
15	Replacement of overhead 11 kV & LV line by XLPE underground cable	km	14	No	No	Yes (30 mobile vendors in 4 road junctions) (temporary IR impact on Business)	<i>The temporary impact will be mitigated by shifting of business or providing access to the mobile vendors to support them to run uninterrupted livelihood pursuit and mitigated at the time of underground cabling work. as per the policy provisions on case by case basis. The civil work contractor will be required to assist DPs to transfer their movable stalls and wares temporarily to the other side of the road during construction. In case of disruption of access, the contractor will provide assistance through provision of planks etc. The assistance will be based on SI no 1,2,4 and 6 of the entitlement</i>

Item number	Description	Unit	Total	Transfer of Government Land in (ha)	Permanent IR Impact – Private Land Acquisition (ha)	Temporary IR Impact (Crops)/business loss	Mitigation Measures
							<i>matrix.</i>
Output 2: Strengthening institutional capacity of APDCL							
16	Setting up of independent meter testing laboratory	Nos	1	No	No	No	<i>A request has been made to allot a 40 m² room in Assam Engineering College. The Assam Engineering College has been agreed to provide the same.</i>
17	IT module for Introduction of centralized uniform revenue billing system for 1.2 million customers	Nos	1	No	No	No	<i>To be located within premises of APDCL</i>
18	Area load dispatch centers at Guwahati and Jorhat	Nos	2	No	No	No	<i>IT related activities</i>
19	Consulting Services for Project Management, Supervision and Implementation Support	Nos	24 months	No	No	No	

Table 3: Summary of Land Acquisition and Resettlement Impact

Sl. No	Impacts	Quantity
1.	Total area of private land (Ha) to be acquired	Nil
2.	Total area of Government land (Ha) to be Transferred	0.13 ha
4.	Total number of Private fruit trees ⁷	To be assessed at the time of implementation
5.	Total number of affected households (HHs) for crop compensation ⁸	To be assessed at the time of implementation(see footnote11)
6.	Total number of titleholders	Nil
7.	Total number of non-title holders(temporary Impact)	30
8	Total Number of vulnerable households	8

14. The refurbishment of 3511 km rehabilitation and renovation of 33kV, 11kV and LT distribution line including 14.1 km of underground cabling and 155.7 km of new line of enhancement of capacity distribution of 33kV and 11kV single/double pole based distribution lines will not have any impact on land. The distribution lines are mainly following the road/canal RoW for which they obtain permission. Wherever it passes through agricultural land, there is no impact in land. The APDCL defines the row for distribution on the basis of transect walk (walk over survey). The local community, representative of rural local body present in the transect walk in defining the route of the line.

15. Assessment on the loss of crops has been done based on Schedule of Rates (SoR), 2010⁹ and presented in the DPR proposal to assess the temporary impacts in consultation with APs; impacts have been assessed as insignificant in nature, scale and magnitude. All APs will be compensated in cash prior to the start of construction works. The SoR 2010 was used as base document as there is no revised version is published by GOA. However while preparing the costing up-to date the as per Government guidelines a flat 10 percent top up for every year is being done in order to make the price up-to date.

⁷ Amount estimated and budgeted in the DPR.

⁸ Amount estimated and budgeted in the DPR.

⁹ This SoR is prepared by Government of Assam for electricity department. The SoR contains the unit of rate for compensation for crop and trees.

16. No one is expected to lose 10% or more of their productive resources and therefore impacts associated with land are deemed to be minor and insignificant in nature. No loss of livelihood is foreseen. The vulnerability¹⁰ will be assessed at the time of implementation of the project and mitigated as per the entitlement matrix presented in this RP. APDCL will keep such records for review and advice of ADB during implementation.

17. The temporary land acquisition during digging of existing RoWs (includes road shoulders) for the laying of lines for the replacement of old overhead cable of 14.1 km length through underground cabling of 11kV and LT line will have no permanent impacts as the proposed underground lines will be laid on the edge of the road. It has been found through the transect walk along with the team of APDCL engineers through the roads falling within the project scope in Guwahati city that on an average available RoW is 45 m including the road shoulder and dedicated pedestrian walkway with concrete foot path with hand railing. The improvement work will be carried out within the RoW in road shoulders particularly in the side through which the present overhead line passes through. The maximum required width during underground cabling work is maximum 1 m within the 3.5 m road shoulder area. However, in 4 junctions there may be some temporary impacts¹¹ which may disrupt some business activities during construction of underground cabling work. In these four junctions' temporary impacts will be there primarily because of temporary closure of road during digging work. Due to higher business possibility and better accessibility and higher number of pedestrian movement the concentration of vendors/temporary business units are concentrated in these junction areas only. These temporary impacts will be fully known at the time of drawing up of the construction schedule of the contractor. These impacts will be documented and mitigated at the time of construction¹² as per the R&R policy provisions mentioned in this RP on case by case basis. There will be no impacts on residential structures other than possible access disruptions. The current assessment during the transect walk conducted on 27 September 2014 along with the engineers of APDCL in critical areas of Paltan Bazar, Ulubari, Bhangaaghar and Ganeshguri shows that there will be partial temporary impact of 30 mobile vendor shops. The drawings of the critical sections and photographs indicating the type of impact where the transect walk has been conducted is placed in **Annex 4**. During underground cabling work the partial closer of road will follow the time string of action of excavation followed by laying of cable line, testing, commissioning and closer of duct. There will be no impacts on residential structures other than possible access disruptions. In case of disruption of access to the DPs, the contractor will provide assistance through provision of planks etc. Moreover, as per the contract provisions, the contractor will be required to put back the road to its original condition after the cable laying and assist those transferred to move back to their original location. There is no encroachment by residential or commercial structure has been found during the course of transect walk. There is no squatter and kiosks running business or erected residential structure in the RoW which will be fully or partially impacted upon due to subproject. Suitable section needs to be added in the contractor's contract document and budgetary provision may be made as per bill of quantity in environmental monitoring plan.

¹⁰ APs living BPL, ST, female-headed household (FHH), physically handicapped households and severely affected households (losing more than 10% of the productive assets).

¹¹ To determine the extent of temporary land acquisition due to the underground work of cable lines, transect walks were undertaken along the proposed networks. Four representative transects were conducted out of 14.1 km proposed subprojects. The following transects were carried out: (i) within the commercial area, wherein the existing overhead system shall be replaced with a underground cabling – 2000 m transect; (ii) along the proposed cabling in secretariat area – 1000m transect; (iii) along the fly over area –1000 m transect and; (iv) along the junction areas– 500m transect. Inputs were obtained from the APDCL engineers to assess the extent of impacts likely due to the proposed improvements. However, the impact was limited to the four road junctions mentioned above.

¹² The excavation of trenches for primary lines usually lasts a maximum of 03day duration. The construction will be scheduled in such a way as to minimize disruption.

III. SOCIO ECONOMIC INFORMATION AND PROFILE

18. The refurbishment of 3511 km rehabilitation and renovation of 33 kV, 11 kV and LT distribution line including 14.1 km of underground cabling and 155.7 km of new line of enhancement of capacity distribution of 33 and 11 kV will not pass through any forest area. The rehabilitation and renovation of 33 and 11 kV distribution line including 14.1 km of underground cabling and new line of enhancement of capacity distribution of 33 and 11 kV will not have any impact on land. All the line works are mainly follow the road/canal RoW for which they obtain permission. Wherever it passes through agricultural land there is no permanent impact in land. The APDCL defines the RoW for distribution on the basis of transect walk (they call it walk over survey). The estimated land requirements for erecting the towers for 3666.7 km of distribution line is proposed to be 1.09 ha Total of 3666.7 km distribution lines will have temporary impacts which are limited to loss of one season of crops and trees along the towers associated with RoW of the lines. Where towers are placed on private land, APDCL will pay appropriate compensation as per the RP. Land required for each tower will not exceed 9 m² for the line work and there will be three towers per km. Assessment on the loss of crop area has been done based on assumption which shows that approximately 1.09 ha of crops¹³ (for erecting 1222 number of tower) will suffer from temporary impacts affecting one productive season. The temporary land acquisition during digging of existing RoW and road shoulders for the laying of lines for the replacement of old overhead cable through underground cabling of 11kV and LT line will have no permanent impacts as the proposed underground lines will be laid on the edge of the road. The initial assessments made through transect walk¹⁴ shows that there will be partial temporary impact of 30 mobile vendors.

19. A census and rapid socio-economic survey was undertaken on 27 September 2014 in the in sites of the proposed underground cabling network in order to assess temporary impacts. The transect walk does not indicate the presence of any IPs. The census and socio-economic survey covered the assessment of detailed impacts and gathered information related to the socioeconomic profile of the likely temporary affected households (vendors). The majority of the households, 25 in number, are of nuclear family type while 5 are joint families. The predominant family size is "medium" with 4-5 persons, accounting for 54% and thus matching with the average family size, of 5.3. Of the 30 APs all are male. Illiteracy is not predominant situation among the affected families, educational achievement is not encouraging, to say the least, as gathered from information collected during census. The majority of the DPs, comprising 54 %, are just literate. While 30.12 % of the DPs are educated only till primary level, about 15.88% of the DPs have educational attainment till class VIII. So far as occupational structure is concerned, cent percent of the Affected Households are mobile vendor and vending as a business is their primary source of income and occupation. It is evident from the data on annual household income of 30 DPs, that 08 of them belong to Below Poverty Line (BPL). The proportion of families with annual income of Rs 100,000 & above is nil. Only 16 nos HH of the families earn an income varying from Rs 25,000 to Rs 50,000, 14 families have an annual income between Rs 50,000 – Rs 100,000. The average annual household income of the

¹³ As per the standard engineering design it has been assumed that there will be three tower/pole in one km (each tower 9 m² area) of line work. It also assume on the basis of the assumption of one tower one land owner/1AP. Accordingly the temporary impact will for 1222 APs who will be suffering for temporary damage of crop on the basis of the assumption of one tower one land owner/1AP.

¹⁴ For the 14.1 km road for proposed trenching work was in detail discussed with the engineering team of APDCL and possible area of likely impact was spotted and accordingly on the basis of transect walk in four junction area where these 30 mobile vendor was found who are likely to be impacted as the temporary disruption of business will be there in these 4 junction areas only. However, the impact was limited to the four road junctions mentioned above. Accordingly, the socio-economic survey was conducted for these 30 mobile vendors.

affected families has been calculated as Rs. 96000. The temporary business are mainly, foodstall, vegetable stall, cigarette shop. None amongst the 30 mobile vendors are falling under the category of indigenous people/scheduled tribes (ST). There are 8 mobile vendors who fall under the vulnerable category as they fall under the BPL as per the GOI definition. The summary of the census and socio-economic profile and impact could be seen from **Table 4**. The format for census and socio-economic survey and base line information has been placed in **Annex5**.

Table 4: Summary of Resettlement Impacts and Socio-Economic Details

Type of Impact	Number of APs
A] Impact due to Refurbishment and erection of 3666.7 km I Distribution line	
1. Permanent Land Loss	
Title Holder/Land Owner	NIL
Total Loss of land –private land (m ²)	NIL
Loss of fruit trees on private land	To be assessed at the time of implementation
Vulnerability	NIL
B] Temporary impact on land/crop loss- 1.09 ha	To be assessed at the time of implementation(see footnote 11)
B. Temporary Loss- Due to underground cabling	
A) Temporary Loss/ likely Disruption of Business(Nos)	30(mobile vendors)
Male-DPs	30
Female-DPs	Nil
<i>Total persons facing temporary Loss of Livelihood - DPs</i>	30
<i>Total no. of dependents of DPs</i>	159
<i>Dependency ratio</i>	5.28
<i>Average H.H size of DPs</i>	5.30
Total No. of Scheduled Caste (SC) Households	0
Total No. of female-headed Households (FHH)	0
Total No. of Scheduled Tribes Households	0
Total Number of BPL	8
Total No. of Title Holders	NIL
Total Number of Non Title holders	30
Total No. of Tenants	0
Vulnerability ¹⁵ -BPL	08
Average Annual income per DPs(INR)	96,000/
3. Encroacher in RoW	
A) Encroacher in RoW (Nos)	NIL
4. Affected Common Property Resources (CPR)	NIL

Source: census and Rapid Socio-Economic Survey, September 2014

20. The maximum number of days of closer of those shops of those mobile vendors due to underground cabling activity will not last for more than 15 days. The closer of road will follow the time string of action of excavation followed by laying of cable, and closer of duct. In case of disruption of access to the mobile vendor business activities, the contractor will provide

¹⁵ Vulnerable groups include poor households, households headed by women, STs and SC. Poor households will be identified as per the BPL card issued by the government. In addition international standard of poverty level will also be taken in to consideration for defining poverty level especially the income level. (approximately US\$ 2 per day per person as a bench mark). All the vulnerable groups will be provided with one time vulnerability allowance.

assistance through provision of planks etc. Moreover, as per the contract provisions, the contractor will be required to put back the road to its original condition after the cable laying and assist those transferred to move back to their original location. The other option which needs to be explored and plan would be:1] the contractor's work schedule would be in night time work so that in day time the particular stretch of work could be free from the continuation of business activities as the customer of those mobile vendors are all pedestrian and the type of business are mainly tea and cigarette stall, plastic household goods, food stall, cotton hosiery garment, fruit and vegetable and other option would be as one side of the road junction is free from cabling work, the mobile vendor may be allowed to do the business on the other side of the junctions. All these options need to be explored before the construction schedule are being drawn up before the work started. A detailed plan needs to be drawn up with minimum or no disruption of business of these vendors. One of the option as detailed mitigation plan needs to be prepared and send to ADB for approval during implementation phase. During the laying of underground cabling work, any other impact of structure loss and disruption of business occur, the calculation of payment of compensation will be calculated as per the provision mentioned in New LA Act of 2013 and entitlement matrix of this RP.

21. The general socio-economic condition of the project area is homogenous in nature. The direct influence area is operational area covered under the APDCL zones and the indirect impact zone would be the state in total. Women in the project area are largely involved in household work, cultivation and other agricultural activities. Any negative impacts on FHH will be considered on a case-by-case basis and, where eligible, livelihood assistance will be provided to these households on a priority basis as per the updated RF of the project.

22. Amongst the 30 mobile vendors all are men. There are no FHH who are vulnerable as the FHH are considered as vulnerable group as per the RF. During the preparation of CPTD at final design stage the gender disaggregated data base needs to be created by PMU and FHH will be identified. The vulnerability allowances as per the entitlement matrix need to be paid. The information in this regard needs to be presented in semi-annual monitoring report. Any negative impacts of a subproject on FHH will be treated on a priority basis. The RP will formulate measures to ensure that socio-economic conditions, needs and priorities of women are identified and the process of land acquisition and resettlement does not disadvantage women. It will ensure that gender impacts are adequately addressed and mitigated. Women's focus groups discussions will be conducted to address specific women's issues. During disbursement of compensation and provision of assistance, priority will be given to FHH.

IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

23. Public participation and community consultation has been taken up as an integral part of the project social and environmental assessment process. Consultation was used as a tool to inform and educate stakeholders about the project. The participatory process helped in involving the local people in project activities. Initial Public consultation has been carried out in the project areas by project authority through with the objectives of minimizing probable adverse impacts of the project through alternate design solutions and to achieve speedy implementation of the project through bringing awareness among the community on the benefits of the project. Consultations were held during project preparation stage with project beneficiaries, elected representatives of the local body and officials of the APDCL. The tools used for consultations were individual discussions and FGD. These consultations provided insights into the present energy situation and needs of the communities, their expectations and cooperation with officials of the energy department in identifying sites for substations.

24. The RP was prepared in consultation with stakeholders.¹⁶ Public consultations were conducted to gather feedback from local people on the proposed development and perceived socio-economic impacts. Meetings and consultations with relevant Government Departments were carried out to assess the Project approach. Public consultations FGDs with project beneficiaries and people have been carried out. The consultations also includes the likely impacted people of underground trenching work in Guwahati city during transect walk and census and socio-economic survey. During consultation process the APs were informed the project details, benefit of the project in macro and micro perspective. Regarding compensation payment and details of compensation was verbally presented as per the provision of entitlement matrix available on RF. The alternative option without disruption of business during construction work was also discussed.

25. The salient discussions points are presented in **Table 5**. The attendance sheets and photographs of the FGDs are presented in **Annex 6**. During consultations with potentially APs the information regarding subproject details and the benefit was in detail briefed by the team. The likely loss and mitigation measures including compensation, compensation calculation, and compensation payment process etc. was also discussed. In general people were happy and welcomed the subproject as the completion of the project will improve the quality of electricity supply. The better quality of electricity supply will have positive cascading impact on other sector like education, small scale industry, agriculture etc. In turn the anticipated impact of improvement in quality of electricity supply will help to reduce poverty.

Table 5: Stakeholders' Participatory Consultation - Abstracts

Sl. No.	Place & Date	Participants	Issues discussed	Opinion & consensus about the Project
1.	Amingaon 18.09.2014	Officials of APDCL, Representatives of Amingaon Industrial Association and residents of Sial kutchi town Total participant -10, Attendance sheet placed in Annex 6	1.Details of project 2. Current Power situation. 3. Proposed future improvement due to new line 3.Employment opportunity and future potential	It was noted with the satisfaction that proposed project(for 6 km new 33 kV line from Jalukbari to Amingaon will improve the power situation for more than 200 industries located in Amingaon Industrial area in addition more than 150 industrial unit located in Brahmaputra Industrial park will also receive the same benefit. Due to constant fluctuation of power with low voltage situation for more than 8 hrs. a day affect the industrial production of SSI like food processing plastics, cosmetics, medicine industries located in this area. As alternative power supply, they have to use the generator set for constant power supply which is costly (according to them the APDCL power per unit cost around Rs.6/per unit whereas the gen-set power cost around Rs.11/unit). The proposed new line will benefit them immensely to reduce the cost of production etc. More over new industrial unit will be located and thus employment generation prospects of local people will boost the economy.

¹⁶ The stakeholders are defined as primary and secondary. The primary stakeholders are the likely project affected people, villagers as project beneficiary, local village community through which the proposed lines will be passing through. The secondary stakeholders are EA/IA, community leaders etc.

Sl. No.	Place & Date	Participants	Issues discussed	Opinion & consensus about the Project
				The association is willing to cooperate by all means to implement the project successfully.
2.	Pathsala 19/09/2014	Officials of APDCL, Traders Association, Pathsala Town, local residents consultant & Survey team Total participant -28, Attendance sheet placed in Annex 6	1.Details of project 2. Current Power situation. 3. Proposed future improvement due to new line 3.Employment opportunity and future potential of development 4. compensation for crops and trees	The Pathsala town is bordering the Bhutan. Due to frequent load shedding, power tripping, voltage fluctuation etc. hampering the retail and wholesale business. The SSI and trading business is the worst suffers. They welcomed the proposed sub project which will provide them relief to some extent. The business and trade activity will improve thus improvement in the economic activity and employment generation. The villagers wanted to know the rate and type of compensation while erecting new line. All the stakeholders promised cooperation and support as the subproject will help them to improve the quality of life. The school and college going students will be able to relive from load shedding etc. Majority of villagers perceive that the youths being educated, will get jobs during construction and after the construction of the project.
3.	Bordubi 22/09/2014	Officials of APDCL, Public representative of Bordobi town, local residents, village Panchyat representative consultant & Survey team Total participant -17, Attendance sheet placed in Annex 6	1.Details of project 2. Current Power situation. 3. Proposed future improvement of line 3.Employment opportunity and future potential of development 4. compensation for crops and trees	The current line is overloaded and the capacity utilization of the current line is more than 200 percent. There are more than 12 domestic consumer, 60 SSI, 150 tea gardens are dependent on this supply line. The R&M of 22 km 33 kV line from Tinsukia GSS to Bordubi S/S will improve the quality of power supply from the current situation. The improved power distribution after refurbishment will enhance the capacity and reduce the power transmission loss. The school and college going students will also get benefit from this sub project as the frequent tripping will reduce. Villagers also wanted to know the rate of compensation.
4.	Kwawang 24/09/2014	Officials of APDCL, Public representative of Bordobi town, local residents, village Panchyat representative consultant & Survey team Total participant -28, Attendance sheet placed in Annex 6	1.Details of project 2. Current Power situation. 3. Proposed future improvement of line 3.Employment opportunity and future potential of development 4. compensation for crops and trees	The construction of 33 kV new line (20km) from Kwawang S/S to Behaiting GSS will improve the power situation of 20-25 km radius of the area. Around 100 villages with 60 rice mill, 70 tea estate and lift irrigation facility will improve. Due to power driven proper lift irrigation facility will improve the cropping intensity and pattern. This situation will help them for economic upliftment. People in all villages unequivocally support the project

Sl. No.	Place & Date	Participants	Issues discussed	Opinion & consensus about the Project
				as it would benefit them. Majority of villagers perceive that the youths being educated, will get jobs during construction and after the construction of the project.
5.	Barhola 25/09/2014	Officials of APDCL, Public representative of villages in and around Barhola, local residents, village Panchyat representative consultant & Survey team Total participant -14, Attendance sheet placed in Annex 6	1.Details of project 2. Current Power situation. 3. Proposed future improvement of line 3.Employment opportunity and future potential of development 4. compensation for crops and trees	The R&M of 33 kV line (24 km) from Titabar to Barhola will help to improve the power situation for 40 rice mills, 20 tea estates, and around 80 villages (7000 domestic consumers). People in all villages unequivocally support the project as it would benefit them.
6.	Komarbandha 26/09/2014	Officials of APDCL, Public representative of villages in and around Komarbandha, local residents, village Panchyat representative consultant & Survey team Total participant -15, Attendance sheet placed in Annex 6	1.Details of project 2. Current Power situation. 3. Proposed future improvement of line 3.Employment opportunity and future potential of development 4. compensation for crops and trees	The R&M of 33 kV line from Tetelitol GSS to Komarbandha 33/11kV S/S will facilitate to improve the power supply around 25000 domestic consumer, 60 rice mill, and 12 tea estate and lift irrigation facilities. The villagers opined that improved power supply will reduce the fluctuation and proper power supply in winter time for crop cultivation which will in turn help better and higher agricultural productivity.
7.	Barapujia 26/09/2014	Officials of APDCL, Public representative of villages in and around Barapujia, local residents, village Panchyat representative consultant & Survey team Total participant -06, Attendance sheet placed in Annex 6	1.Details of project 2. Current Power situation. 3. Proposed future improvement of line 3.Employment opportunity and future potential of development 4. compensation for crops and trees	R&M of 33 kV line from Barapujia to J B Garh (15 km) will improve power supply for nearly 5000 domestic consumer, 15 rice mills and 10 tea estates. The villagers welcomed the project and also asked about the compensation rate and method of payment of compensation. It was informed them that crop compensation will be paid if there is any loss as per prescribed SoR. As far as possible the private tree cutting will be avoided. If there is any impact on trees, compensation will be paid as per replacement cost. Majority of villagers perceive that the youths being educated, will get jobs during construction and after the construction of the project.

26. RP will be made available at district collector's office, district library, Gram Panchyat offices and offices of the electrical circle of APDCL. For subprojects, information will be disseminated to APs at various stages. After the loan approval, the EA will be responsible for issuing public notices in newspaper describing the project details in order to obtain the license as per Electricity Act 2003 and Telegraph Act 1885 to carry out the work on government and private land. The notice will be published in two local newspapers. RPs will be translated into the local language (Assamies) and made available at offices of the: (i) Project Site office; (ii) relevant local government line agencies; and (iii) PMU/IA. The cut-off-date as described in the RP will be disclosed to the APs through local newspaper and EA will provide notice in advance in village panchayat for non-titleholders during the project surveys work. The RP will be made available in Assamese language during FGDs and stakeholder meetings at the

village/community level to ensure inputs from stakeholders particularly at the village/community level. FHHs will be consulted. The EA will submit the following documents to ADB: (i) draft RP endorsed by the EA before project appraisal; (ii) final RP endorsed by the EA after the census of AP is completed; (iii) An updated RP, and a corrective action plan prepared during project implementation, if required. The RP will be disclosed on the ADB and EA/IA website, and information dissemination and consultation will continue throughout the project implementation period. The CPTD information booklet will be distributed early enough prior to the disbursement of compensation and start of construction.

27. Consultations with APs has been proposed during RP implementation and the PIU/PMU will be responsible for conducting these consultations. The proposed consultation plan will include the following:

- i) In case of any change in the site for substation and/or distribution line alignments, the DPs and other stakeholders will be consulted regarding the factors that necessitated the change, efforts taken to minimize resettlement impacts and mitigation measures available in accordance with the principles of the RP.
- ii) The PIU will carry out information dissemination sessions in the project area and solicit the help of the local panchayat / community leaders and encourage the participation of the DP's in plan implementation.
- iii) During the implementation of RP, PMU will organize public meetings, and will appraise the communities about the progress in the implementation of project works.
- iv) Consultation and FGDs will be conducted with the vulnerable groups like women, SCs and STs to ensure that the vulnerable groups understand the process and their needs are specifically taken into consideration in the implementation.

28. A Public Consultation and Disclosure Plan will be finalised by PIU for the subproject as per the tentative plan given in **Table 6**.

Table 6: Format for Public Consultation and Disclosure Plan

Activity	Task	Period	Agencies	Remarks
Stakeholder identification	Mapping of the project area	Sept 2014	EA Officials / TA Consultant	
Census and Socio-economic survey	Identified displaced persons (DPs) and collected socioeconomic information on DP's	Sept 2014	-	will also follow CPTD
Consultative meetings on resettlement mitigation measures	Discuss entitlements, compensation rates, grievance redress mechanisms	July 2015- December 2015	EA	-
Project information dissemination	Distribution of information leaflets to DPs (DPs)	Continuous	EA	
Public Notification	Publish list of affected lands/sites in a local newspaper; project commencement details	Sept 2015	EA	
Publicize the resettlement plan (RP)	Distribute leaflets or booklets in local language	September 2015	EA	
Full disclosure of the RP to DPs	Distribute RP in local language to DPs	September 2015	EA	
Web disclosure of the RP	RP posted on ADB and EA website	June 2015	EA	

29. APDCL will provide relevant resettlement information in a timely manner, in an accessible place, and in a form and Assamese language understandable to stakeholders. Notification as per the Electricity Act, 2003 on project information will be disclosed in the local newspaper. The draft RP will be made available in relevant local government offices and in PIUs and 18 electrical circles and site offices (PIU) before the appraisal. The summary RP will be made available in Assamese language. The draft RP will be disclosed in ADB's website and in APDCL website. Subsequently, final RP will be disclosed in ADB's website and in APDCL website. Information dissemination and consultation will continue throughout Investment Program preparation and especially during the implementation of project.

V. LEGAL FRAMEWORK

30. The legal framework and principles adopted for addressing resettlement issues in this project have been guided by the existing legislation and policies of the GOI, the GOA, agreed RF of this program and ADB. Based on due diligence during RP preparation, all policies and arrangements agreed in the RF continue to hold or identify if any, revisions were made to update it based on current policies and arrangements. A brief review of applicable acts and policies is presented in the following paragraphs.

31. The resettlement principles adopted in this RP reflect the agreed RF of Assam Power Sector Investment Program, The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013" as was effective from January 1 2014, the Indian Telegraph Act, 1885, the Indian Electricity Act, 2003, the entitlement benefits as listed in the New LA Act, 2013 and ADB's Safeguard Policy Statement (2009). Based on these, the core involuntary resettlement principles applicable are: (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative subproject designs; (ii) where unavoidable, time-bound RPs will be prepared and DPs will be assisted in improving or at least regaining their pre-program standard of living; (iii) consultation with DPs on compensation, disclosure of resettlement information to DPs, and participation of APs in planning and implementing subprojects will be ensured; (iv) vulnerable groups will be provided special assistance; (v) payment of compensation to DPs including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates; (vi) payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities; (vii) provision of income restoration and rehabilitation; and (viii) establishment of appropriate GRMs. A detailed policy framework including the comparison of national laws and policies with ADB' Safeguard Policy Statement (2009) is given in **Annex 7**.

32. Based on the analysis of government provisions and ADB policy, the following resettlement principles are adopted for this project:

- (i) Screen the project early on to identify present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of DPs, including a gender analysis, specifically related to resettlement impacts and risks. Measures to avoid and minimize involuntary resettlement impacts include the following: (i) explore alternative locations substations and / or alignments of distribution lines which are less impacting, and (ii) ensure the appropriate technology is used to reduce land requirements for substations.
- (ii) Carry out meaningful consultations with APs, host communities, and concerned non-government organizations (NGOs). Inform all DPs of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and

evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations. Establish a GRM to receive and facilitate resolution of the concerns of APs. Support the social and cultural institutions of DPs and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

- (iii) Improve, or at least restore, the livelihoods of all DPs through; (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, and (iii) prompt compensation at full replacement cost for assets that cannot be restored.
- (iv) Provide physically and economically DPs with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement¹⁷ to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that DPs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non land assets.
- (viii) Prepare a RP elaborating on the entitlements of DPs, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. This RP will be approved by ADB prior to contract award.
- (ix) Disclose a draft RP, 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 APs and other stakeholders. Disclose the final RP and its updates to APs and other stakeholders.

¹⁷ ADB Safeguard Policy Statement (2009) (Safeguards Requirements 2) does not apply to negotiated settlements. The policy is encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with APs, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. Also, an independent external party will be engaged to document the negotiation and settlement processes. In cases where the failure of negotiations would result in expropriation through eminent domain or the buyer could acquire the property regardless of its owner's decision to sell it or not, will trigger ADB's involuntary resettlement policy. The Safeguard Requirements 2 will apply in such cases, including preparing a resettlement plan.

- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the RP under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standard of living of DPs, and whether the objectives of the RP have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

33. Valuation of Assets Compensation for land proposed for acquisition will be determined by the Competent Authority viz. the District Magistrate/Additional District Magistrate in accordance with provisions of new Land Acquisition Act, 2013.

34. The project authority will determine the possible replacement cost of land and assets to be acquired, possibly on the market rate through an independent valuer preferably hired from Land Records and Settlement Commissionerate. This difference between the award money and the market/replacement rate will be determined by an independent Land Valuation Committee (LVC) before RP implementation i.e. during physical verification and updating of database. The LVC will be formed only where land acquisition is involved. In case of insignificant resettlement impacts with no land acquisition the cost of crops and trees can be determined by the respective EA itself with the help of the revenue authorities.

35. If the compensation determined by the competent authority under LA Act is less than the market/replacement cost of the land, determined by LVC, the competent authority will award the compensation and the difference between the award amount and market / replacement amount will be paid by the EA as 'assistance'.

36. The value of structures will be determined on the basis of PWD SoRs for Building Works, 2012 without depreciation. While considering the SoR¹⁸, project-implementing agency will ensure that it uses the latest SoR for the residential and commercial structures in the urban and rural areas of the region. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies like Municipalities/Village Panchayat in accordance with the modalities determined by such bodies to ensure correct use of the amount of compensation.

37. Compensation for trees will be based on their market value. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops, fruit bearing trees will be decided by the EA in consultation with the Departments of Forest, Agriculture and Horticulture and revenue authorities. The Compensation will be paid before taking possession of the land/properties.

38. The independent appraiser will assess the compensation rates for various types of losses during the implementation of RP. Also, to ensure that the rates reflect current

¹⁸For the valuation of building/structure, the SoR of PWD, GOA is used as base document.

replacement costs, the LVC will verify and approve the estimates wherever felt necessary. The methodology for verifying the replacement cost for each type of loss will include, but not be limited to, the following:

- i) For valuation of land: Appraisal of recent sales and transfer of title deeds, informal sale and purchase of land among people in the project area, registration certificates for land in urban and rural areas of the district and consultation with local panchayats, municipalities, revenue department and APs; and determination of whether the rates established for the project are sufficient or not to purchase the same quality and quantity of land based on compilation of appraised rates.
- ii) For valuation of crops and trees: Survey of market prices in the district and adjacent districts for different types of crops to establish an average market price and an assessment to know whether the compensation is less or greater than that price; and all compensation should be equivalent or higher than the prevalent market prices and the income loss will be calculated as annual produce value for one season to 3 seasons depending on the nature of crops/trees.
- iii) Even after payment of compensation, DPs would be allowed to take away the materials salvaged from their dismantled structures, and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that DPs can take away the materials so salvaged within 48 hours of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice.

39. Trees standing on the land owned by the government will be disposed off through open auction by the concerned Revenue Department/ Forest Department. DPs will be provided with an advance notice of three months prior to relocation. Further, all compensation and assistance will be paid to APs at least 3 months prior to displacement or dispossession of assets.

VI. ENTITLEMENTS, ASSISTANCE AND BENEFITS

40. The project will have three types of DPs¹⁹ i.e.: (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all three types of DPs.

41. In accordance with the R&R measures suggested for the project, all affected households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the APs and measures to support livelihood restoration if livelihood impacts are envisaged. The APs will be entitled to the following five types of compensation and assistance packages:

- i) Compensation for the loss of land, crops/ trees at their replacement cost;
- ii) Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- iii) Assistance in lieu of the loss of business/ wage income and income restoration assistance;

¹⁹ Based on the RF of the program and field assessment.

- iv) Assistance for shifting and provision for the relocation site (if required), and
- v) Rebuilding and/ or restoration of community resources/facilities.

42. DPs meeting the cut-off date requirements will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the APs. For title holders, the dates of notification vide Section 11(1) of RFCTLARRA, 2013 will be treated as the cut-off date, and for non-titleholders the start date of project census survey i.e. September 17, 2014 will be the cut-off date. Unforeseen impacts will be mitigated in accordance with the principles of this RP. Persons who settled in the affected areas after cut-off date will not be eligible for compensation. They, however will be given sufficient advance notice (30days), requested to vacate land/premises and dismantle affected structure prior to project implementation.

43. The entitlement matrix for the subproject based on the above policies including the RF for the program is in Table 7. Based on transect walk survey and census for this RP the entitlement for likely impact are categorized as follows: [1] Loss of livelihood - Livelihood/ source of income- Business owner (s), tenant (s), leaseholder(s), employee(s), agricultural worker(s), hawker(s)/ Mobile vendors(s); [2] Temporary Loss of Livelihood - Loss of livelihood/ source of income- Business owner (s), tenant (s), leaseholder(s), employee(s), agricultural worker(s), hawker(s)/ Mobile vendors(s); [3] Temporary loss of land and damage to crops/trees during erection of towers and drawing transmission / distribution lines- Damage to land and Loss of crop and 4] Impacts on vulnerable APs- Vulnerable APs (Vulnerable groups include poor households, households headed by women, ST and SC. Poor households will be identified as per the BPL card issued by the government. In addition international standard of poverty level will also be taken in to consideration for defining poverty level especially the income level. (Approximately US\$ 2 per day, per person as a bench mark). All the vulnerable groups will be provided with one time vulnerability allowance.

44. If there are other impacts during implementation or design change, these will be compensated based on the RF for the MFF.

Table 7: Entitlement Matrix

	Type of Loss	Application	Definition of Entitled Person	Entitlements	Implementation Issues
1	Loss of livelihood	Livelihood/ source of income	Business owner (s), tenant (s), leaseholder(s), employee(s), agricultural worker(s), hawker(s)/ Mobile vendors(s)	<ul style="list-style-type: none"> Assistance for lost income based on three months lost income or minimum wage rates²⁰. Additional compensation for vulnerable households. Income restoration training, consideration for project employment. 	Vulnerable households to be identified during detailed measurement surveys conducted by the contractor during implementation.
2	Temporary Loss of Livelihood	Loss of livelihood/ source of income	Business owner (s), tenant (s), leaseholder(s), employee(s), agricultural worker(s),	<p>30 days advance notice regarding construction activities, including duration and type of disruption.</p> <p>Contractor's actions to ensure there is no income/access loss through</p>	

²⁰ To be provided for DPs whose livelihood is getting affected by the project. The transitional allowance shall be calculated based on minimum wage rates for semi-skilled labor and is estimated Rs 256.50/day. (Notification issued by Labour Department, GOA dated September 1, 2012. This allowance shall be utilized until an alternative means of livelihood is found. In case of vulnerable households, the transitional allowance will be supplemented by livelihoods related skill training

	Type of Loss	Application	Definition of Entitled Person	Entitlements	Implementation Issues
			hawker(s)/ Mobile vendors(s)	<p>provision of access etc.</p> <p>Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity.</p> <p>For construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater.</p> <p>Restoration of affected land, structure, utilities, common property resource. Assistance for lost income based on three months lost income or minimum wage rates²¹. Additional compensation for vulnerable households.</p>	
3	Temporary loss of land and damage to crops/trees during erection of towers and drawing transmission / distribution lines	Damage to land and Loss of crop	Title Holder and non title holders-tenant (s), leaseholder(s), share cropper	<ul style="list-style-type: none"> • 60 days advance notice to harvest standing seasonal crops prior to damage, fruits, and timber. • Compensation for standing crops based on an annual crop cycle at market value • Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops. 	The land owner will have the right to use the land after civil works are completed without causing damage to the tower or lines.
4	Impacts on vulnerable APs	All impacts	Vulnerable APs ²²	<ul style="list-style-type: none"> • One time lump sum assistance of Rs. 25,000 to vulnerable households. This will be paid above and over the other assistance. • Vulnerable APs will receive preferential income restoration training program under the Project. • Consideration for project employment. 	
5	Any other loss not identified			Unanticipated involuntary impacts shall be documented and mitigated based on the principles provided in ADB's IR Policy, RF of the program and RFCTLARRA, 2013	

²¹ To be provided for DPs whose livelihood is getting affected by the project. The transitional allowance shall be calculated based on minimum wage rates for semi-skilled labor and is estimated Rs 256.50/day. (Notification issued by Labor Department, GoA dated September 1, 2012. This allowance shall be utilized till an alternative means of livelihood is found. In case of vulnerable households, the transitional allowance will be supplemented by livelihoods related skill training.

²² Vulnerable groups include poor households, households headed by women, STs and SC. Poor households will be identified as per the BPL card issued by the government. In addition international standard of poverty level will also be taken in to consideration for defining poverty level especially the income level. (Approximately US\$ 2 per day, per person as a bench mark). All the vulnerable groups will be provided with one time vulnerability allowance.

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

46. The opportunities for the development benefits for the project are various: (i) project will offer labor jobs during and after the implementation of the project. Moreover, the perceived benefit would be youths being educated, will get jobs during construction and after the construction of the project; (ii) some of the youths are diploma holders in electrical and efforts should be made by project authorities to employ them as the project will open up employment opportunities. The agriculture in Assam is primarily rain fed and most of the villages the lands are double and triple cropped. During winter season, the cultivators are dependent on ground water for irrigation. The uninterrupted good quality of electricity supply due the project will help in improving the agricultural production. The improved electricity supply will provide boost to agricultural production's and thus lead to economic prosperity.

VII. RELOCATION AND INCOME RESTORATION

47. Tranche 2 subprojects will not result in any physical displacement except temporary impacts on loss of crops at few places during the construction. The CPTD will be prepared and submitted to ADB for approval. An indicative CPTD is placed in Annex 8. The compensation temporary crop damage and trees the following will be paid as per entitlement matrix: (i) 60 days advance notice to harvest standing seasonal crops prior to damage, fruits, and timber; (ii) compensation for standing crops based on an annual crop cycle at market value; and (iii) compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops. The land owner will have the right to use the land after civil works are completed without causing damage to the tower or lines

48. A detailed mitigation plan needs to be drawn up with minimum or no disruption of business/ livelihood of 30 mobile vendors of these vendors for the temporary loss of: (i) the contractor's work schedule would be in night time work so that in day time the particular stretch of work could be free from the continuation of business activities as the customer of those mobile vendors are all pedestrian and the type of business are mainly tea and cigarette stall, plastic household goods, food stall, cotton hosiery garment, fruit and vegetable stall and other option would be; (ii) Jas one side of the road junction is free from cabling work, the mobile vendor may be allowed to do the business on the other side of the junctions. All these options need to be explored before the construction schedule are being drawn up before the work started. They will be paid assistance as per following: (i) 30 days advance notice regarding construction activities, including duration and type of disruption; (ii) contractor's actions to ensure there is no income/access loss through provision of access etc.; (iii) Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity; (iv) for construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption whichever is greater; (v) restoration of affected land, structure, utilities, common property resource; (vi) Assistance for lost income based on three months lost income or minimum wage rates.²³

²³ To be provided for DPs whose livelihood is getting affected by the project. The transitional allowance shall be calculated based on minimum wage rates for semi-skilled labor and is estimated Rs 256.50/day. (Notification issued by Labor Department, GoA dated

49. Additional compensation/assistance for vulnerable households will be paid as specified in entitlement matrix: (i) one time lump sum assistance of Rs. 25,000 to vulnerable households. This will be paid above and over the other assistance; (ii) vulnerable APs will receive preferential income restoration training program under the Project, if required; and (iii) consideration for project employment.

50. Compensation and assistance will be paid by APDCL as per the entitlement matrix. Allowance based on three months minimum wage rates will be paid to the affected vulnerable households. Additionally, vulnerable households will be given priority for employment during construction. APDCL and contractor will ensure that advance notice is issued to the APs prior to the start of construction works and that compensation is also completed before then. In case of any maintenance work in the future, APDCL and contractor will pay the APs for any loss of crop due to the work. Compensation and assistance to APs must be made prior to possession of land/assets and prior to the award of civil works contracts.

VIII. RESETTLEMENT BUDGET AND FINANCING PLAN

51. The resettlement cost estimate for this subproject includes compensation for loss of crop, assistance for share cropper, and cost for RP implementation. Provisions for compensation of temporary livelihood losses have been included in this RP in case business interruptions prove to be unavoidable. Resettlement assistance to DPs will be disbursed prior to commencement of civil works after examining by PIU and PMU on requirements on case by case basis for record and monitoring purpose. During RP implementation, if the DPs desires, efforts will be made to provide employment to DPs by facilitating their engagement by the civil works contractor. The resettlement cost is based on assumptions since, the loss to crops envisaged during erection of towers and drawing distribution lines is a turnkey contract and the exact alignment will be known only at the time of implementation. The DPR has mentioned the itemized cost under the head of land acquisition accordingly the amount for compensation for budget item for crop compensation and compensation for underground cabling work has been considered the amount mentioned in the DPR. In the case of construction of substation, APDCL will make every effort to site the substations in government land free from encumbrances. Compensation to loss / damage to crops and/or trees are based on the APDCL SoRs (2010) for distribution lines. The SoRs are updated yearly with 10 percent top up by GOA. APDCL in their DPR²⁴ for the project made budget provision for compensation for refurbishment and new distribution line. The budget provision for compensation for underground cabling work has also been made in DPR. The EA is required to allot the funds in advance in their budget. However, it may be noted that this budget will be utilized as and when required depending on the impacts. The resettlement cost is **Rs. 4.48 million**. Tentative cost estimates is given in **Table-8**.

September 1, 2012. This allowance shall be utilized till an alternative means of livelihood is found. In case of vulnerable households, the transitional allowance will be supplemented by livelihoods related skill training.

²⁴ Proposed compensation for distribution line of refurbishment of old line and construction of new line has been presented vide exhibit number 3.3 to 3.22 and compensation for underground cabling has been presented in exhibit number 3.24 of the APDCL DPR, September 2014. The same has been used in this section.

Table 8: Resettlement Cost²⁵

S.N.	Item	Unit	Quantity	Unit Cost (Rs)	Amount (Rs)
A	Crop Compensation ²⁶	Location	3666.7 km	L/S	20,90,000
B	Compensation for underground Cabling work ²⁷	Guwahati	14.1 km	L/S	3,65,000
C	Loss of Income				
C	Assistance for temporary livelihood disruption				
i	Likely Loss of Income Livelihood ²⁸	HH	30	600 per day x 7 days	126000
J	Vulnerability Allowance	HH	8	25000	200000
	Sub-total				27,81,000
K	Administrative & Implementation costs			L/S	800000
L	Implementing cost	Lump Sum			5,00,000
	Total				4081000
M	Contingency	10%			408100
	Grand Total		Total		4489100

IX. GRIEVANCE REDRESSAL MECHANISM

52. A GRM will be established to receive, evaluate and facilitate the resolution of displaced people's concerns, complaints, and grievances about the social issues arising out of the project and RP implementation. 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 people's concerns without allowing it to escalate resulting in delays in project implementation.

53. The EA will establish a mechanism to receive and facilitate the resolution of APs' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups. The GRM will address APs' concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the APs at no costs and without retribution.

²⁵ In case any structure losses due to excavation work for underground cabling the structure replacement cost will be provided to DPs with out depreciation. In addition on time grant to vendors will be provided, each affected family having cattle or having a petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of Rs. 25000/- for construction of petty shop as the case may be-Refer to chapter V- Rehabilitation and Resettlement Award 2 (f) under the new LAAR 2013. And Sl. No.7 of the Second Schedule, New Land Acquisition Act, 2013.

²⁶ As per APDCL DPR, September 2014 (exhibit number 3.3 to 3.22)

²⁷ As per APDCL DPR, September 2014 (exhibit number 3.24)

²⁸ The amount is based on the average per day income as derived from the census and socio economic analysis.

54. A GRC will be formed in all 18 electrical circles of APDCL to ensure DPs grievances are addressed and facilitate timely project implementation. Minor grievance will be redressed at the site level through the concerned project engineer and contractor failing which the case will be referred to the GRC. If the DP is not satisfied with the decision then he/she will have the right to approach the appropriate court of law for redressal. The GRC will consist of following representative.

- Project Head / Deputy General Manager (DGM) for ADB Projects, APDCL
- Head or his nominee of each electrical circle
- Sub District Magistrate/District Revenue Officer or their nominee and representative from the autonomous council districts in case of tribal districts
- Representative of local Panchayat/Council
- Women representative of village/council
- Representative from the PIU dealing with safeguards
- Representative from the implementing NGO

55. The main responsibilities of the GRC are to: (i) provide support to APs on problems arising from land/property acquisition and crop/tree compensation; (ii) record AP grievances, categorize, and prioritize grievances and resolve them within 4 weeks; (iii) immediately inform the EA of serious cases; and (iv) report to DPs on developments regarding their grievances and decisions of the GRC and the EA. Other than disputes relating to ownership rights and apportionment issues, GRC will review grievances involving all resettlement benefits, compensation, relocation, replacement cost and other assistance. Grievances will be redressed within 4 weeks from the date of lodging the complaints. The GRCs will continue to function during the life of the Project including the defects liability period. The GRC will be formed with the help of higher authority having authority to designate the representatives to the GRC. The proposed mechanism does not impede access to the country's judicial or administrative remedies. The AP has the right to refer the grievances to appropriate courts of law at any stage of the process. The EA will ensure that APs has the right to approach court of law any time during the process of grievance redress activities.

X. INSTITUTIONAL ARRANGEMENTS

56. APDCL as PIU is serving as the EA and IA for this loan. Department of Energy of GOA is responsible for overall coordination when required for policy level decision. Field level staff/engineer of 18 electrical circles spread over upper, middle and lower Assam is having primary responsibility for the environmental and social assessment as well as implementation of RPs for their respective components. The PIU at headquarter is having a unit with two officers with designation of "Environment officer" who looks after RP preparation and implementation also All 18 circle office will designate an officer and or recruit an SDS to address the social and resettlement issues of the subproject,. For RP, the SDS PIU headquarter will do the overall coordination, preparation, planning, implementation, and financing for tranche 2. The IA will ensure that key institutions including local governments are involved in RP preparation, updating and implementation. The PIUs through its 18 electrical circle offices is having responsibility for managing the site activities related to safeguards and work closely with the field level staff. Further details on agencies responsible for RP activities are in **Table 9**.

Table 9: Institutional Roles and Responsibilities for Resettlement Activities

Activities	Responsible Agencies
Project Initiation Stage	
Designating official for safeguards in PMU	APDCL
Finalization of sites for Substations and distribution lines	APDCL-PIUs through 18 electrical circle offices/Field Level Engineer/Contractor
Disclosure of sub-project details by issuing Notice	APDCL-PIUs through 18 electrical circle offices/Field Level Engineer/Contractor
Meetings at community/household level with APs for crop compensation etc	APDCL-PIUs through 18 electrical circle offices/Field Level Engineer/Contractor
RP Preparation and Updating Stage	
Census Survey for distribution lines	APDCL-PIUs through 18 electrical circle offices/Field Level Engineer/Contractor
Conducting FGDs/meetings/	APDCL-PIUs through 18 electrical circle offices/Field Level Engineer/Contractor
Finalizing entitlements	APDCL-PIUs through 18 electrical circle offices/Field Level Engineer/Contractor
Fixing compensation for Crops	APDCL-PIUs through 18 electrical circle offices/Field Level engineer/Contractor/revenue different
Disclosure of final entitlements etc	APDCL-PIUs through 18 electrical circle offices/Field Level engineer/Contractor/revenue different
Approval of RP	ADB
Taking possession of land	APDCL-PIU
RP Implementation Stage	
Payment of Compensation	APDCL-PIUs through 18 electrical circle offices/Field Level engineer/Contractor/revenue different
Consultations with APs during rehabilitation activities	APDCL-PIUs through 18 electrical circle offices/Field Level engineer/Contractor/revenue different
Grievances redress	APDCL-PIUs through 18 electrical circle offices/Field Level engineer/Contractor/revenue different
Internal Monitoring	APDCL -PIUs through 18 electrical circle offices/Field Level engineer
ADB-Asian Development Bank, AP-affected person, APDCL- Distribution Companies, EA-Executing Agency, FGD-focused-group discussion, GRC-Grievance Redress Committee, Unit, PMU- Project Management Unit, PIU- Project Implementation unit, RP-Resettlement Plan.	

XI. IMPLEMENTATION SCHEDULE

57. Implementation of RP mainly consists of compensation to be paid for crops and trees for damages sustained during installing of distribution lines and for temporary impact while implementing the underground cabling work. The site identified by APDCL for construction of substation is proposed to be located in government land and free from encumbrances. The time for implementation of resettlement plan will be scheduled as per the overall project implementation. All activities related to payment of compensation and land acquisition and resettlement, if any, will be completed prior to commencement of civil works. Public consultation, internal monitoring and grievance redress will be undertaken intermittently throughout the project duration. However, the schedule is subject to modification depending on the progress of the project activities. The civil works contract for different components of the project will be awarded only after all compensation is paid and rehabilitation measures are implemented.

58. 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.

59. Project Preparation Phase: The activities to be performed in this phase include establishment of PMU with a designated officer in charge of safeguards; submission of RP for ADB approval; appointment of NGO, if required; and establishment of GRC. The information dissemination and stakeholder consultations will commence in this stage and continue till the end of the project.

60. RP Implementation Phase: In this phase, key activities will be carried out including payment of compensation for crops and trees; payment of compensation for temporary impact, other unforeseen impact if any; payment of other rehabilitation assistances; and issuing site clearance certificate to enable commencement of civil works.

61. Monitoring and Reporting Phase: Internal monitoring will commence as soon as RP implementation begins and continue till end of RP implementation. External monitoring is not envisaged since the project is not expected to have significant impacts²⁹. In the event of the project involving significant impacts, external monitoring will be undertaken by an external agency.

62. An implementation schedule for payment of compensation, land acquisition and resettlement activities in the project including various sub tasks and time line matching with civil work schedule is provided in **Table 10**.

Table 10: RP Implementation Schedule

Activity	Progress (Year/Quarter)							
	2014		2015				2016	
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Project Preparation Phase								
Screen sub-project impact(completed)								
Initial Public consultation on sites (completed)								
Prepare Resettlement Plan (RP) at fact finding stage(completed)								

²⁹ As per RF of the Assam Power Sector Investment Program, the external monitoring will be planned if the project is categorized as "Category A".

Prepare CPDT								
Carry out Census Survey (completed)								
Updation of RP								
RP Implementation Phase								
Hiring of NGOs for RP Implementation (if required)								
Obtaining approval of RP including CPTD from ADB								
Disclosure of RP								
Public consultation								
Grievance Redressal								
Payment of compensation for crops								
Co-ordination with district authority for CPDT								
Submission of CPDT proposals to DC for finalization and payment								
Declaration of cut-off date -Gazettee notification								
Cut-off date for Nontitle holders(mobile vendors)								
Taking possession of land for erecting towers								
Handing over the land to contractor								
Notify the date of start of civil works								
Rehabilitation of DPs								
Monitoring and Reporting Phase								
Monitoring and reporting to ADB								

XII. MONITORING AND REPORTING

63. Monitoring will be the responsibility of the EA/IA/APDCL. The implementation of RP will be closely monitored. Regular monitoring activities will be carried out internally by APDCL through its 18 electrical circles to provide ADB with an effective basis for assessing resettlement progress and identifying potential difficulties and problems.

64. The extent of monitoring activities, including their scope and periodicity, will be commensurate with the project's risks and impacts. Monitoring will involve (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the socio-economic survey undertaken during project preparation;³⁰ and (iii) overall monitoring to assess status of APs. APDCL is required to implement safeguard measures and relevant safeguard plans, as provided in the legal agreements, and to submit monitoring reports on their implementation performance to ADB on quarterly basis as specified in agreed updated/revised RF and PAM. A sample monitoring format presented in **Annex 8**.

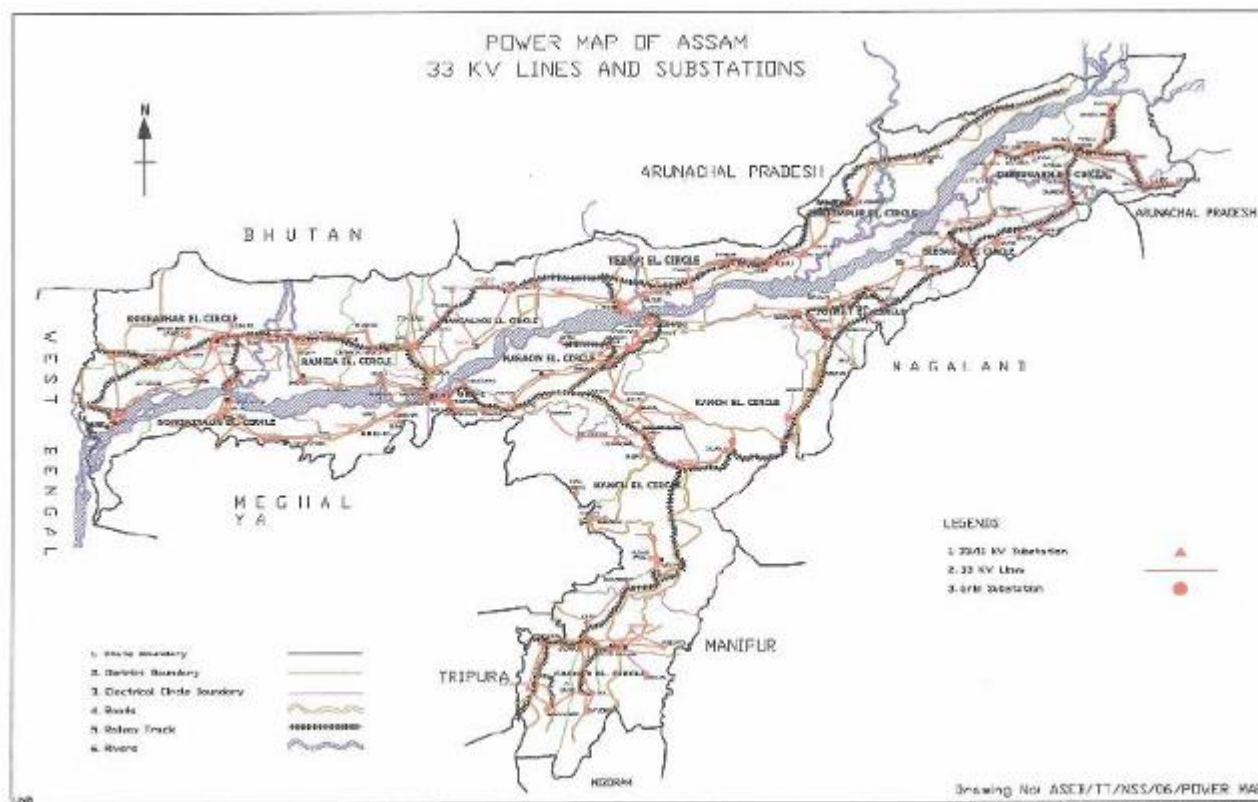
65. APDCL will (i) monitor the progress of implementation of safeguard plans, (ii) verify the compliance with safeguard measures and their progress toward intended outcomes (iii) document and disclose monitoring results and identify necessary corrective and preventive actions in the periodic monitoring reports, and (iv) follow up on these actions to ensure progress toward the desired outcomes.

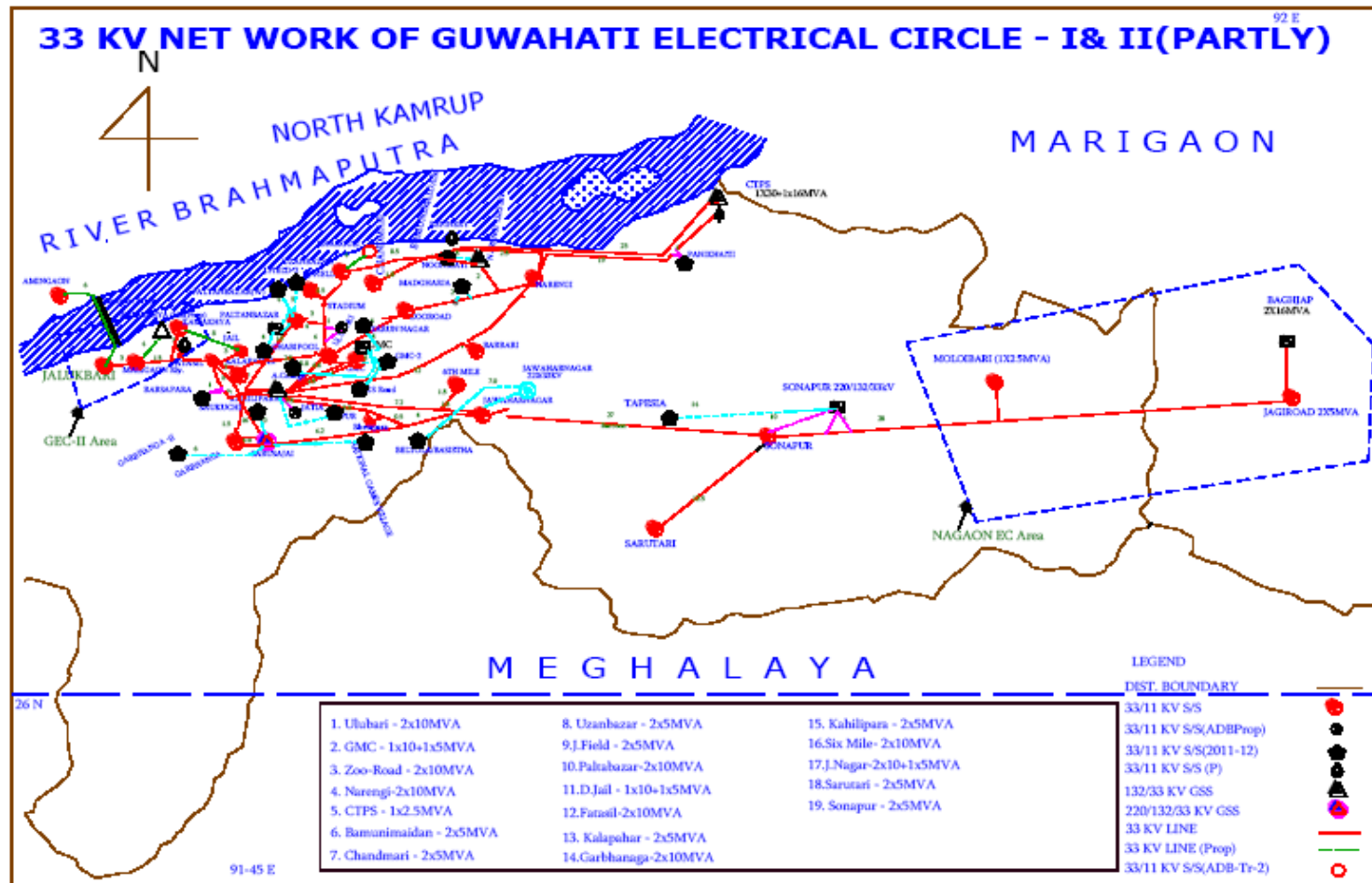
³⁰ The socio-economic base line for temporary impact for underground tranching work has been established. Further the socio-economic baseline will be established at the time of preparation of CPTD at the time of final alignment survey by IA.

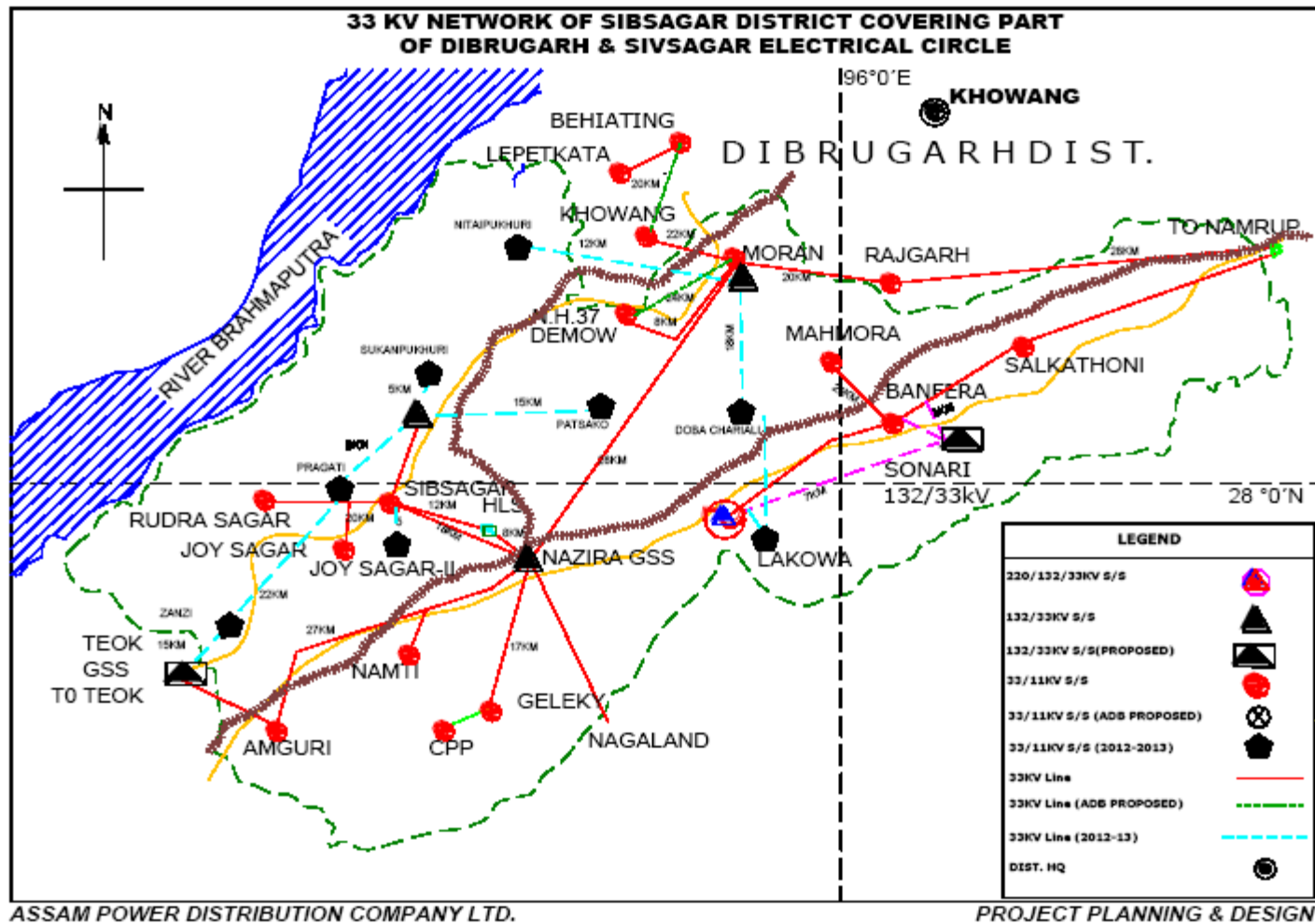
66. Monitoring will also include the following: (i) consultations with DPs; (ii) valuation of land and assets; (iii) valuation of crops and trees; (iv) issues raised through the GRM; (v) status of disbursement of compensation amounts and all assistance; and (vi) physical and financial progress of the Resettlement Plan implementation.

67. APDCL through its respective Social Safeguard department/officials will be responsible for managing and maintaining affected person databases, documenting the results of the affected person census. Semi-annual monitoring reports documenting progress on resettlement implementation and resettlement plan completion reports will be provided to ADB. The semi-annual monitoring report will be disclosed to ADB and EA/IA's website. The first semi-annual monitoring report will be submitted to ADB 6 months after the approval of the PFR.

Map of the Proposed Project

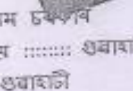






Land Documents for 33/11 kV Substation and Photographs of the site

Land record showing the land belongs to GMDA



অসম চৰকাৰ

চক্ৰ বিক্ৰয়ৰ কাৰ্য্যালয় :..... গুৱাহাটী ৰাজহ চক্ৰ

গুৱাহাটী

নং ওচঃ _____ তাৰিখঃ _____

দখল সমজাই দিয়া / লোৱাৰ সমাল পত্ৰ

জমি জামি ২০১৩ চনৰ ...০২/০২/২০২২..... ইং তাৰিখে নিম্ন
 তললিখিত বৰ্ণিত ...৪৪৪:৪৪৪(২২:০২) আৰু জমিৰ পটন / আৱণ্টন
 কৰা / অধিগ্ৰহণ কৰা জমিৰ কামৰূপ মহানগৰ জিলাৰ অভিবিক্ত উপায়ুক্ত
 মহোদয়ৰ...০২/০২/২২.....ইং তাৰিখৰ...৪৪৪:৪৪৪(২২:০২) নং
 চিঠি আৰু অসম ৰাজহ পত্ৰ মোখিত ...০২/০২/২২..... ইং তাৰিখৰ
 ...৪৪৪:৪৪৪(২২:০২) নং চিঠি মৰ্ত্তে বিভাগীয় কৰ্তৃপক্ষক /
 কৰ্তৃপক্ষৰ পৰা দখল সমজাই দিলো / ল'লো।

মোকাৰ জৰণীল:

মোকাৰ: উজ্জ্বল.....

চহৰ: গুৱাহাটী.....

L-2 Case No. 50/2008

খৰীদ নং	দাগ নং	কালি
৪০২-২০০৮	৪২৪	২৭৪.৪০ বৰ্গফুট
২০২-০০৮	৪২৭	৪২.২২ "
<u>২০২-০০৮</u>	<u>৪২৬</u>	<u>২০২.৬২ "</u>
<u>২২২-০০৮</u>	৪২৭	২.৬০ "
	৪২৮	২৬.০০ "
	৪২৭	৪.০২ "

দখল সমজাই দিলো

৭ উজ্জ্বল (২০২)
স্বাক্ষৰ

Ujjwal

Development Officer
Gowahati Metropolitan Dev. Authority

দখল সমজাই দিলো

৭/০২/২০২২
স্বাক্ষৰ

৭ উজ্জ্বল (২০২)
স্বাক্ষৰ

Ujjwal

স্বাক্ষৰ
স্বাক্ষৰ

৭/০২/২০২২

[illegible]

Request Letter to GMDA for Demarcation and Allotment of Land

OFFICE OF
THE PROJECT DIRECTOR
PROJECT IMPLEMENTATION UNIT
JICA ASSISTED GUWAHATI WATER SUPPLY PROJECT
SAIKIA COMMERCIAL COMPLEX, CHRISTIAN BASTI
G. S. ROAD, GUWAHATI-781005

No.PIU/JICA/GHTY/8/PL.III/2010/253

Dated: 29th Sept, 2014

From: Dr. Amit Sahai, IFS,
Project Director,
Project Implementation Unit,
JICA assisted GWSP,
Guwahati.

To: The Team Leader,
Project Management Consultancy,
JICA assisted GWSP,
1st bye lane, Lichubari,
Six Mile, Khanapara, Guwahati.

Sub: JICA assisted GWSP under Loan No ID-P 201: Contract Package CR03: Request for
allotment of land at Kharghuli area for construction of 33/11 KV Sub-Station – reg.

Sir,

Kindly find enclosed a copy of the letter addressed to the Chief Executive Officer, GMDA, requesting him to provide a suitable plot of land near JICA assisted Guwahati Water Supply Project WTP site at Kharghuli for construction of Sub-Station. You are, therefore, requested to kindly provide the map and the area of the plot identified for construction of electrical Sub-station at WTP site at Kharghuli. This may kindly be treated as urgent and the information sought may be provided by 30th September, 2014.

Encl: As stated.

Yours faithfully,



Project Director,
Project Implementation Unit,
JICA assisted GWSP.

Dated: 29th Sept, 2014

Memo No.PIU/JICA/GHTY/8/PL.III/2010/253 - A

Copy for information to:

The Chief Project Manager (PIU), ADB/EAP, APDCL, Paltan Bazar, Guwahati-1. The necessary action is being taken in regard to the allotment of land with reference to his letter No CPM(PIU)/APDCL/ Tech-9/MFF-2/13/14/32 dtd. 04/09/2014, addressed to the Chief Executive Officer, GMDA, Guwahati.



Project Director,
Project Implementation Unit,
JICA assisted GWSP.


Site Photograph of Kharguli at Guwahati for Proposed 33kV Substation



There are some staff quarters /structures are located within the land of GMDA and belong to them. Those staff quarters/structures are currently being used as labour camp of JICA assisted Guwahati water supply project. The total land area available is 4.33 ha, of which 0.13 ha land will be allotted to APDCL for 33kV substation.

Request letter/Proposal to Assam Engineering College for Providing 40 m² built up space/room for establishing a meter testing laboratory.

34


ASSAM POWER DISTRIBUTION COMPANY LTD.
 Registered Office : Bijulee Bhavan , Paltan Bazar, Guwahati - 781001
 CIN- U40109AS2003SGCOO7242
 Project Implementation Unit
 Tel No.-0361-2733094; Fax-0361-2739532; email: cpm_piadb@hotmail

No. CPM(PIU)/APDCL/Tech-9/ADB/MFF-2/2013-14/34 Dated : 04-09-2014

To

The Principal
Assam Engineering College
Jalukbari , Guwahati - 14

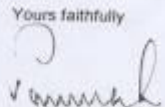
Sub: **Setting up of an Independent Energy Meter Testing Facility at Assam Engineering College.**

Ref: **Our telephonic discussion on 03-09-2014.**

Sir,

With reference to the above, this is to inform you that APDCL proposes to set up an "Independent Meter Testing Laboratory" at Assam Engineering College , which will facilitate settling of dispute raised by the consumers. The proposed laboratory will also serve the academic interest of the students. The infrastructure required for setting up the laboratory will be developed by APDCL , including supply and installation of testing equipments.


I would now like to request you kindly to provide a room of size 40.0 Sq.M (Minimum), preferably adjacent to the existing Electrical Engineering Laboratory. As regards to operation of the meter testing facility, the matter will be discussed, after hearing from you.

Yours faithfully

 Chief Project Manager (PIU)
 ADB/EAP, APDCL, Guwahati-1

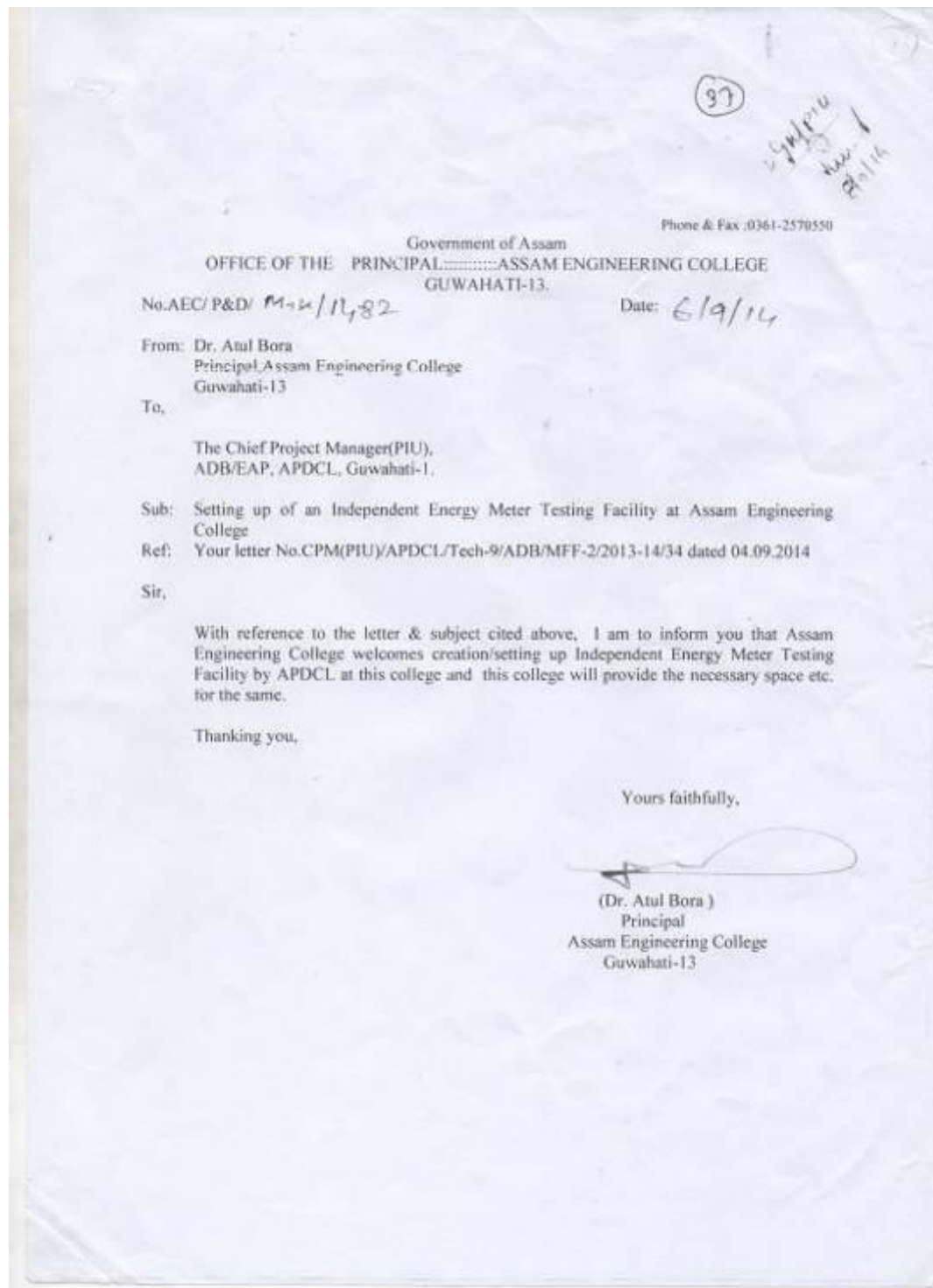
No. CPM(PIU)/APDCL/Tech-8/Tranche-4/2013-14/34(a-c) Dated : 04-09-2014.

Copy to :-

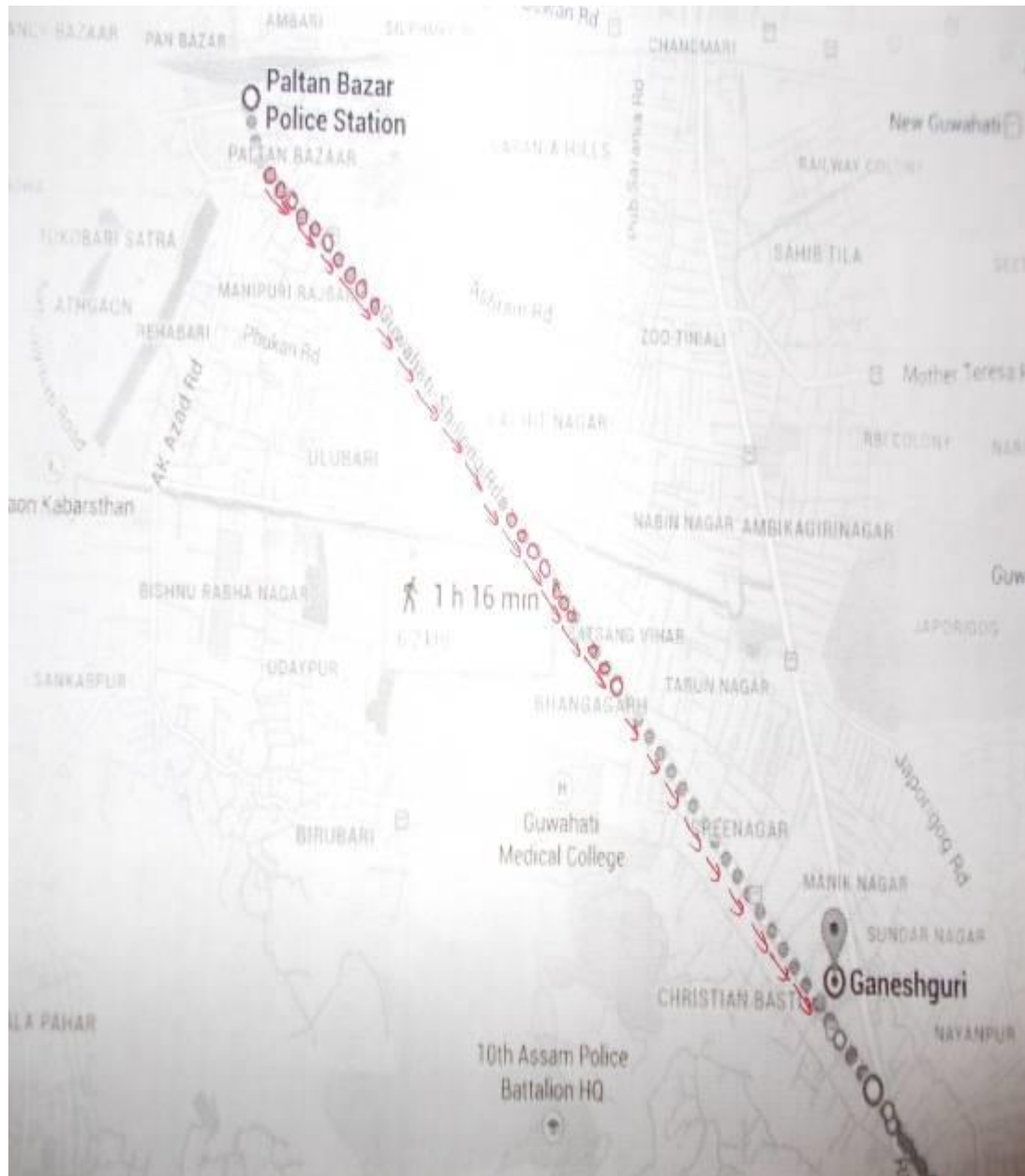
1. The PS to MD, APDCL. For kind information of MD.
2. The CGM, PP&D, APDCL, For kind information
3. The Director (PMU), APDCL. For kind information. The above proposal is included in the Tranche 2 of ADB sponsored scheme and was an item of the latest tariff order by AERC.


 Chief Project Manager (PIU)
 ADB/EAP, APDCL, Guwahati-1

Consent letter by the Principal Assam Engineering College to provide the requisite built up space/room to establish independent energy meter testing laboratory.



14.1 km Underground Cabling work replacing old 11 kV and LT line



Underground cabling of 11kV and LT line from Janta hotel, Sree Automobile, Paltan Bazar to Ulubari Chariali-Right side of GS road.

2. Ulubari Chariali, B.Bourah Road to Big bazar – left side of GS Road.

3. Bhangagarh Chariali to Ulubari Chariali left side of GS Road.

4. Bhannagarh Chariali to Ganeshguri Build worth left side of GS Road

Total 7.1 km underground cabling

7 km Line from Gannesh Guri Fly over to in and around capital complex of Dispur



Transect Walk Sample Photo graphic Documentation in defining Temporary Impact – from overhead to underground Cabling work for 14.1 km



Near Ganesh Mandir Crossing the foot paths are occupied by Mobile vendors



Near Ganesh Guri Fly over foot paths are occupied by Mobile vendors



Near Ulubari Chariali-Mobile vendor

Near Shiv Mandir Ulubari Chariali-Mobile vendor

Census & SES Format

TA- 8351 Assam Power Sector Investment Program – Tranche 2

Questionnaire No. :

Date of Census/ Survey :

		/			/				
d	d		m	m		y	y	y	y

1.0 HOUSEHOLD (AP) IDENTIFICATION

2.0 AP — CHARACTERISTICS

(THE RESPONDENT SHOULD BE **PREFERABLY** THE HEAD OF HOUSEHOLD (**HOH**) OR THE **OWNER** OF SBE).

2.1 Name of the **HOH** :

2.2 Name of the Respondent :

2.3 Relationship with the **HOH / Respondent** :

01 Self

0 Spouse
2

03 Son/
Daughter-in-
law

04 Daughter/
Son-in-law

0 Brother/
5 Sister

06 Father/
Mother

07 Other Relatives

0 Tenant
8

09 Business Partner

99 Others
(Specify)

3.0 SOCIAL GROUP PARTICULARS FOR THE HOH/ OWNER

3.1 Family Type :

--	--

01 Joint

02 Nuclear

03 Extended

3.2

1.0 Community

What category do you belong to :

--	--

01 SC

02 ST

03 OBC

04 General

05 Muslim

3.3 Vulnerability

What Vulnerability Group do you belong to?

01 FHH

02 BPL

03 SC / ST

04 PHC

05 / Orphan

Elderly person living alone
/ Orphan

4.0 HOUSE HOLD PARTICULARS/ OWNER OF BUSINESS & EMPLOYEE DETAILS

	1	2	3	4	5	6		9
Sl.	Name of the members of the family	Relat ionsh ip with HOH/ Own er	Sex	Age	Marit al statu s	Educat ion	Monthly Income In Rs	Skill Possessed by adult members
		Code	Cod e	Yrs.	Code	Code		
	1	2	3	4	5	6	7	8
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								

Please see Clarifications & the Codes for different Columns in the last Page.

5.0 HOUSEHOLD EXPENDITURE

2.0 Items expenses	of	2.1.1 Expenditure (Rs.)
1. FOODING		
2. Clothing		

3.	Fuel & Firewood	
4.	Health, Education & Misc.	
	Total	

6.0 ASSET HOLDINGS

Sl.	Type of Assets	UNITS No.	Remarks
	Durable Assets		
A.	Gold and Silver Jewellery		
B.	Motor Cycle/ Scooter/ Cart		
C.	Mobile Phone / Electronic Gadgets		
D.	Others (Specify)		
	Livestock		
A.	Cow / Buffalo		
B.	Goat / Sheep		
C.	Poultry Birds		
D.	Others (Specify)		

7.0 COVERAGE UNDER GOVERNMENT DEVELOPMENT SCHEMES

7.1 Have you availed of any benefit under any Government schemes?

: ☐ ☐ 0 Yes 0 No
1 2

7.2 If yes, kindly give us the following details

	3.0 MENTION NAME OF THE SCHEME	Kind of help
1.		
2.		
3.		
4.		
5.		

0 Loan 0 Training 99 Others,
1 2 Specify

8.0 What would be the likely loss due to the project?

1	Residential	2	Commercial	3	Employment/livelihood	4	Any other loss (specify)

10.0 What would you prefer as rehabilitation option?

☐

1	Cash Grant	2	Job for job	3	Employment during construction	4	Training for self employment (specify)

12.0 REMARKS, IF ANY

CODE LIST FOR HOUSEHOLD PARTICULARS

4.0 Column 2 Relationship with the Head of the Household/ Owner of the Shop/ Business/ Enterprise

01 Self
04 Daughter / Son-in-law
07 Other Relatives
15 Employee

☐ 02 Spouse
☐ 05 Brother / Sister
☐ 08 Tenant
☐ 99 Others

☐ 03 Son / Daughter-in-law
☐ 06 Father / Mother
☐ 09 Business Partner

5.0 Column 3 Sex

01 Male

☐ 02 Female

☐

6.0 Column 5 Marital status

01 Married
04 Separated without Court Order
99 Others (Specify)

☐ 02 Unmarried
☐ 05 Widow / Widower

☐ 03 Divorced
☐ 06 Deserted

7.0 Column 6 Education

01 Illiterate
04 Middle Educated (up to Class 8)
07 Graduate & Above

☐ 02 Informally Literate
☐ 05 Secondary Educated (up to Class 10)
☐ 08 Diploma

☐ 03 Primary Educated (up to Class 4)
☐ 06 Intermediate Educated (up to Class 12)
☐ 99 Others

Socio-Economic Details of DPs-Temporary Impact Due to Underground Trenching of 33x11 kV Line

Sl	Name of AP/ DPs/Head of Household	Gender	Age	Type of Business	Vulnerability	Family Type	Literacy level / Education Qualification	Average Annual Income in Rs
1	Hira Yadav	Male	40	Pan –cigarette	Non-Vulnerable	Nuclear	Class IX	39552
2	Hitesh Kumar	Male	25	Plastic toys	Non-Vulnerable	Nuclear	Class X	41320
3	Anil pandey	Male	25	Cotton garment	Non-Vulnerable	Nuclear	Class VIII	46332
4	Biju kalita	Male	33	Tea stall	Non-Vulnerable	Joint	Unschool	53247
5	Abhijit Baroi	Male	33	Food stall	Non-Vulnerable	Nuclear	Class VIII	41989
6	Padam Singh	Male	30	Vegetable stall	Non-Vulnerable	Nuclear	Class VII	69654
7	Laxman Yadav	Male	33	Pan –cigarettee	Non-Vulnerable	Joint	Matriculate	61321
8	Bitton Barui	Male	24	Food stall	Non-Vulnerable	Nuclear	Class IV	39345
9	Santosh Dutta	Male	46	Pan –cigarettee	Non-Vulnerable	Nuclear	Class II	63340
10	Pappu	Male	29	Pan –cigarettee	BPL(Vulnerable)	Nuclear	Unschool	37908
11	Debojit Sinha	Male	39	Plastic material	Non-Vulnerable	Nuclear	Class V	52345
12	Paltu	Male	31	Food stall	BPL(Vulnerable)	Nuclear	Matriculate	37572
13	Hanuman Singh	Male	30	Plastic material	Non-Vulnerable	Nuclear	Matriculate	67540
14	Pappon Barua	Male	24	Food stall	Non-Vulnerable	Nuclear	Class IX	58690
15	Tapas Paul	Male	22	Plastic material	BPL(Vulnerable)	Nuclear	Class VIII	37620
16.	Jai Das	Male	35	Vegetable stall	Non-Vulnerable	Nuclear	Unschool	71130
17.	Ram Narain	Male	39	Vegetable stall	Non-Vulnerable	Nuclear	Class XII	42622
18.	Bibiek Dutta	Male	54	Pan –cigarettee	BPL(Vulnerable)	Joint	Class VII	36776
19.	Pachu	Male	46	Food stall	Non-Vulnerable	Nuclear	Class V	39995
20.	Deodhar Das	Male	46	Vegetable stall	BPL(Vulnerable)	Nuclear	Class I	32456
21.	Tamal Sarkar	Male	25	Pan –cigarettee	Non-Vulnerable	Nuclear	Matriculate	63340
22.	Babu Sinha	Male	36	Vegetable stall	Non-Vulnerable	Nuclear	Class V	42980
23	Deb Bej barua	Male	38	Cotton garment	BPL(Vulnerable)	Joint	Class I	35673
24	Khokan das	Male	40	Plastic material	Non-Vulnerable	Nuclear	Class IV	41321
25.	Ahemed	Male	26	Vegetable stall	Non-Vulnerable	Nuclear	Class VIII	47850
26.	Anukul Sharma	Male	35	Plastic material	BPL(Vulnerable)	Nuclear	Class IV	32500
27.	Anwar Hossain	Male	29	Cotton garment	Non-Vulnerable	Nuclear	Class VIII	52000
28.	Maqbul Hossain	Male	42	Plastic material	Non-Vulnerable	Nuclear	Class VI	61000

Sl	Name of AP/ DPs/Head of Household	Gender	Age	Type of Business	Vulnerability	Family Type	Literacy level / Education Qualification	Average Annual Income in Rs
29.	Kartik Samanta	Male	43	Food stall	Non-vulnerable	Joint	Class X	65000
30.	Maqbul Hooda	Male	51	Pan –cigaretee	BPL(Vulnerable)	Nuclear	Class X	34300

Attendance and Photographs of Public Consultations/FGDs

Signed Attendance Sheet and List of participants
FGD/Consultations

TA-8351 IND: Advanced Project Preparedness for Poverty Reduction - Preparing the Second Power Sector Investment Project for Assam) - Consultation Document
NEW 33KV LINE (6km) THROUGH SATAGHAT BRIDGE LINK BETWEEN TALUKHATA AMIN GAON

Attendance sheet

Date: 13.11.2011 Place: Amin Gaon Indurmit Association

Sl No.	Name(Capital Block)	Designation	Place/Address	Contact Number Signature
1	KRISHNA KR. BAJAJ	Director/Police	Amirgaon	94350-42214
2	Nehru Agarwal	Manager-finance	Bamunichak	9864980912
3	Sanjib Sarma	Accountant	Santipur	9706011121
4	Banati Sarma	Accountant	Miza	9906098924
5	Chandana Gohain		Nalbari	97060-98720

15

Construction of 11kV line (3km) for Sualkuchi Town

TA-6251 IND: Advanced Project Preparedness for Poverty Reduction - Preparing the Second Power Sector Investment Project for Assam) - Consultation Document

Attendance sheet

Date: 18.09.2014 Place: Sualkuchi Town

Sl No.	Name(Capital Block)	Designation	Place/Address	Contact Number
1	NABA KUMAR SARMA	Branch Manager	SBI, Sualkuchi	9435087520
	Sankar Nath	Branch Manager	Handloom	
2	MRIJUL BHARALI	OWNER	LOAI HANDLOOM OWNER	9864294853
3	HAGEN BAISHYA	Home owner		9864070229
4	SANTANU MEDHI	Branch Manager	HDFC Bank Ltd	9613601170

15

New 33 kV line (20 km) Barnagar GSS to Howly line (20km) with GI STP (SP-76) & ACSR wolf conductor and terminal equipment at Barnagar GSS and Baki River crossing by B+6 tension type tower.

TA-4361 IND: Advanced Project Preparedness for Poverty Reduction - Preparing the Second Power Sector Investment Project for Assam) - Consultation Document

Attendance sheet

Date: 19.09.2014 Place: PATHSABHA (BAGALU)

Sl. No.	Name (Capital Block)	Designation	Place/Address	Contact Number
1	GIRISH PATNAI	Secy. Pathabha Sangha	Pathabha	SIGNATURE
2	MADAN ROY	Pathabha		123
3	PHANI BHUSANTLOKHE		Pathabha	123
4	DUTENDRA LAL DAS	President, Pathabha Sangha	Pathabha	123
5	Model - Kulkarni	Gen. Sec.	A-J-C-P. Baidya	123
6	Jishnu Das			
7	Jahin Ali			
8	Rasul Zaidi			
9	Pramod Kumar Saha			
10	NARINAR CHOWDERY			123
11	Rohini Das			
12	Satish Chandra			
13	NIPEN KALITA			
14	Pramod Kumar Saha			123

TA-4361 IND: Advanced Project Preparedness for Poverty Reduction - Preparing the Second Power Sector Investment Project for Assam) - Consultation Document

Attendance sheet

Date: 21.09.2014 Place: PATHSABHA

Sl. No.	Name (Capital Block)	Designation	Place/Address	Contact Number
1	Model - Kulkarni	Businessman	Pathabha	SIGNATURE
2	Haidar Patra	President, Pathabha Sangha	Pathabha	123
3	Ananta Patra	Businessman	Pathabha	123
4	Torank Nath Saha	Businessman	Pathabha	123
5	Dhruv Choudhary	Businessman	Pathabha	123
6	JADAB CH. BAHYA	Businessman	Pathabha	123
7	Rajya Talukdar	"	"	123
8	Ravi Choudhary	Sec. worker	Pathabha	123
9	PRAPULLAKARATI	"	"	123
10	Subarna Patra	Businessman	Pathabha	123
11	Dipak Choudhary	Businessman	Pathabha	123
12	Bimal Talukdar	Businessman	Pathabha	123
13	Prasanna Saha	Businessman	Pathabha	123
14	Apurva Das	Businessman	Pathabha	123

R&M of 33 kV line from Tinsukia GSS to Bordubi S/S (22 km) with PSC Pole & ACSR Wolf Conductor

Sl No.	Name(Capital Block)	Designation	Place/Address	Contact Number
1.	S. RIMATA SENAPATI	DY Manager	BOR BOSE Substation	SIGNATURE 12/05/14
2.	Narayan Kalite	AGM, Dibrugarh	Dibrugarh	11
3	Rajal Medhi	Village Head	Bordubi	11 Medhi
4	Wojan Gogoi	Commissioner	Tamenglong	11
5	Sri Nipon Kar Gogoi	Co. P. President	Bardubi K. Co. P.	11
6.	Sri Biswajyoti Baruah	Social Worker	Bardubi	11
7	Sri Partha Pratim Das	Social Worker	Bardubi	11
8	Dr. Ram Zaiman Sah	unemployed (A.P.P.)	Bardubi	11
9.	Sri Rishi Porah	Mandal President	Bardubi K. Co. P.	11
10	Mayur Jati Bhattachary	Junior Manager	Bardubi Electrical S/O	11
11	Dr. Preshwar Choudhary	Lineman	Bardubi	11
12	Machirajya Gogoi	SAHAYAK	Bardubi	11
13	Kantala Sanyal Kamal	Postman	Bardubi	11
14	ARUN BIKASH BAROT	Cashier	Bardubi	11

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Attendance sheet

Date: 17 Nov 2014 Place: BOP DOBI Sub Station

Sr No.	Name(Capital Block)	Designation	PlaceAddress	Contact Number SIGNATURE
15	Priyank Sehgal	LTA	BESD,	[Signature]
16	ABHJIT PHOKARI	BILL CLERK	R.E.S.D	[Signature]
17	Vittan Guffa	Fineche	Kochis	[Signature]

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Construction of 33 kV line (20km) from Khowang 33/11 kV S/S to Behaiting GSS (both end bay with Terminal equipment) & Khowang SS with one Railway crossing

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Attendance sheet

Date: 24.07.2014 Place: Khowang 33/11 kV Substation (20 km radius)

Sl No.	Name(Capital Block)	Designation	Place/Address	Contact Number
1	Mr. Binod Barlung	CEO, ADCL	Khowang 33/11 kV S/S	94109114
2	Mr. S. A. Narain, FAKHUBIN	A.G.M.	Khowang, 33kV/11kV Sub-station	94109114
3	SRI SURENDRA NATH HANDIQUE	Dy. Manager	- do -	94109114
4	Shri Bipul Ch. Gogoi	Dy. Manager	- do -	94109114
5	Ind. Yag Ali	Engineer Substation	- do -	94109114
6	Abhinav Bisoi	LIGERO STEEL	- do -	94109114
7	Chabananda Das	Deori Steel	Deori Chariali	94109114
8	Salipjit Chetia	M/S MODERN FURNITURE	Khowang Chariali	94109114
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Attendance sheet

Date: 24.07.2014 Place: Khowang 33/11 kV Substation (20 km radius)

Sl No.	Name(Capital Block)	Designation	Place/Address	Contact Number
15	Shri Hemachandra Boroi	Vinayak		
16	Anjan Deori	"		
17	Indira Nath Boroi	"		
18	Chabananda Das	"		
19	Nitish K. Deori	"		
20	Pradip Deori	"		
21	Devi Das	"		
22	Salipjit Chetia	"		
23	Uttam Boroi			
24	Pradip Bhujel	"	Ghuguloni Gorkha Village	94109114
25	Anjan Das	"	do	94109114
26	Biraj Gogoi	"		
27	Bipul Chetia	"		
28	Jayanta Das	"		

R&M of 33 kV line (24 km) from Titabar to Barhola with PSC Pole & ACSR Wolf Conductor

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Attendance sheet

Date: 21/09/2014 Place: BARHOLA

Sl No.	Name(Capital Block)	Designation	Place/Address	Contact Number
1	Amaljit George	villager	Gorajan	SIGNATURE
2	Dilul Sonowal	li	Fee Sampul gongon Sonowal	and
3	Chanderkumar Sankar	li	Barholla	R
4	Faruk 3 Rahman	li	Mohamakhari	Rahis
5	Sri Dinkarwar Cheta	li	Juikani	Lisari
6	Sri Mohan Sonowal	li	Bochil TK	Bochil
7	Sikharaj DSV	li	Bochil DSV	Sikharaj DSV
8	Sri Dinkarwar Cheta	li	Koushichand Cheta	Sikharaj DSV
9	Shiraj Chutia	li	Bochulla	Chutia
10	Sri Dinkarwar Cheta	li	Chorichand	Ch
11	Sri Roman Dinkar	li	IRs Bochil TK	Roman Dinkar
12	Amal Chongka	li	Gorajan	Chongka
13	Amal Chongka	li	Gorajan	Chongka

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R&M of 33 kV line from Barapujia to J B Garh (15 km) with PSC Pole & ACSR Wolf Conductor

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Attendance sheet

Date: 26/09/2014 Place: BARAPUJIA, NAGBON ELECTRICAL CIRCLE

Sl No.	Name(Capital Block)	Designation	Place/Address	Contact Number
1	Dilul Sonowal	(K.M.S.) Gollima	Barapujia	SIGNATURE
2	Sri Norel Ch. Deka	(K.M.S.) - do -	Barapujia	Deka
3	Gauraj Deka	" " Gollima	Barapujia	98544 55548 9-Deke
4	Amal Chongka	" " Gollima	" "	Chongka
5	Amal Chongka	" " Gollima	" "	Chongka
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Photographs -FGD/Consultations



Consultation with representative of Amingaon Industrial Association for new 6km 33kV line through Saraighat Bridge link between Jalukbari to Amingaon



Consultation with Traders Association of Pathshala Town for New 20km 33kV line Barnagar GSS to Howly



Consultation with people of Bordubi at substation for the R&M of 22km 33 kV line from Tinsukia GSS to Bordubi



Consultation with people at Kowang substation for the new line of 20km 33 kV line from Behting GSS to Kowang SS



Consultation at Titabar Substation for R&M of 24 km 33 kV line from Titabar to Barhola



Consultation at Komarbandha Substation for R&M of 10 km 33 kV line from Tetlitol GSS to Komarbandha

List of Officials Consulted

S.No	Name & Designation	Department / Division	Phone Number
1	Mr.P.K.Sharma	CPM(PIU)/ADB/EAP/APDCL	986403727
2	Mr.B.Paul	PMU/APDDL	
3	Mr.J.Sharma	APDCL/AGM-GED(W)	9864042386
4	Mr.Bikash Barpujari	APDCL/DGM	
5	Mr.Manjul Amchi	APDCL/DGM	
6	Mr.Trident Mahanta	APDCL/AGM	9954640383
7	Mr.Arup Paul	APDCL/SDE	9707068427
8	Mr.D.Deka	APDCL/SDE	
9	Mr.R.Bora	APDCL	
10	Mr.M.Dutta	APDCL/AGM	9864094205
11	Mr.M.Kalita	APDCL/AGM	9435137602
12	Mr.Pranjal Borthakur	APDCL/SDE	
13	Mr.Hemanta Borah	APDCL/JE	
14	Mr.B.Bailung	APDCL/CEO	9435090679
15	Mr.Surendranath Handique	APDCL/DGM	
16	Mr.Nasim Ahmed	APDCL/AGM	
17	Mr.K.Dhingia	APDCL/CEO/JEC	9435138369
18	Mr.Subroto Das	APDCL/AM	
19	Mr.Kamala Kanta Pegu	APDCL/SDE	
20	Mr.D.Hazarika	AGM/APDCL	9435061015
21	Mr.P.Hazarika	AGM/APDCL	9435150724
22	Mr.Das	APDCL/SDE	
23	Mr.A.K.Das	AGM/APDCL	

POLICY AND COMPARISON

A. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (The Central Government has notified January 01, 2014 as the effective date of the act)

The act provides for transparent process and fair compensation to land owners and those affected by land acquisition, for land acquired for public purpose. In determining market price, (Sec 26 read with 1st Schedule) the land owner in urban area will get twice, due to the 100% solatium and in rural area, the multiplying factor is 1 to 2 depending on distance from nearest urban centre, to be notified by appropriate government, and then 100% solatium.

Traditionally R&R has been in the form of a one-time compensation, which was decided using the last registered sale or a similar sale in the vicinity of the land as a base. After the proposed project is set up, the land prices rise owing to the benefits of the development. This creates considerable dissatisfaction amongst the displaced people. To prevent such issues, the entire R&R package stipulates the provision of employment by the project owner in cases where jobs are generated by the project and basic infrastructure including drinking water, individual electric connections, health center etc for the resettled. Over and above this, delivery of the compensation and the R&R are proposed to be preconditions to the transfer of the land title.

The procedure for acquisition and R&R will include a Social Impact Assessment which will cover the investigation of public purpose, minimum extent of land required thereof, estimation of displacement and social impact on affected families apart from the overall cost versus benefit analysis for the proposed project.

The act restricts the use of emergency clause to defence, national security and natural calamities.

Since there is no land acquisition in “legal terms” in this subproject, therefore this is not applicable. However, according to the new Act, certain provisions have been made for the DPs which have been included in the R&R budget. They are as follows:

- Transportation cost for displaced families - Each affected family which is displaced shall get a one-time financial assistance of Rs. 50000/- as transportation cost for shifting of the family, building materials, belongings and cattle. In this case, commercial structure of one of the DPs will be demolished which will not result in displacement but will involve transportation of building materials salvaged.
- Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to Rs. 3000/- per month for a period of one year from the date of award. This is applicable to those families whose livelihood is primarily dependent on land acquired. In this sub-project, the livelihood of DPs is not primarily dependent on land to be cleared. As such, assistance for temporary livelihood disruption is provided for six (6) months @ Rs. 3000/- per month.
- Each affected family having cattle or having a petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of Rs. 25000/- for construction of cattle shed or petty shop as the

case may be. In this sub-project, 3 petty shops will be impacted. A minimum of Rs. 25000/- each has been provided for these petty shops

B. The Indian Telegraph Act, 1885 (Central Act 13 of 1885)

The act provides for erection of transmission towers and draw transmission lines in or upon any immovable property and the maintenance of the same.

- i) Sec 10 of the act defines powers of the telegraph authority³¹ to erect and maintain telegraph lines and posts.
- ii) Sec 10 (b) vests the telegraph authority no right on the land other than that of user only in the property under, over, along, across in or upon which the telegraph authority places any telegraph line or post on the land in which telegraph lines and posts are laid.
- iii) Sec 10 (c) bars use property vested in or under the control or management of any local authority, without the permission of the local authority.
- iv) Sec 10 (d) provides for efforts to be taken to minimise damage to the property and payment of full compensation to all persons interested for any damage sustained while erecting and maintaining telegraph lines and posts. This provision does not apply to property belonging to local body and it is governed by Sec 12 of the act.
- v) Sec 16 (1) provides for intervention by District Collector / Magistrate empowering the telegraph authority to exercise his right to erect and maintain telegraph lines and posts when there is resistance from the property owner.
- vi) Sec 16 (3) empowers the District Judge to determine the compensation paid for damages if any dispute arises on the same.
- vii) Sec 16 (4) provides for remitting the compensation for damages in the Court of District Judge, when there is a dispute on person entitled to receive the compensation and / or apportionment.

C. The Indian Electricity Act, 2003 (Central Act 36 of 2003)

The act consolidates the laws relating to generation, transmission, distribution, trading and use of electricity and for matters connected therewith or incidental thereto:

- Sec 164 empowers the appropriate Government to confer on any Authority or person engaged in the business of supplying electricity under the Act, any of the powers which the Telegraph Authority possesses under the Telegraph Act with respect to the placing of telephonic lines or posts for the purpose of a telephone established or maintained by the Government or to be so established or maintained.

D. Act and Policies Pertaining to Scheduled Tribe (ST)

Though the project does not envisage any adverse impact to ST nor it is expected to have an effect on the customary rights of the ST, the following legal provisions are discussed to ensure that the EA addresses any impact to ST encountered during implementation in accordance with national laws.

³¹ To be read along with Section 164 of India Electricity Act, 2003

a) Provisions of the Panchayat (Extension to Scheduled Areas) Act (PESA), 1996

The Panchayat (Extension to Scheduled Areas) Act, 1996 is meant to enable tribal society to assume control and to preserve and conserve their traditional rights over natural resources. The provisions of the 73rd Amendment, with some modifications, were extended to the tribal areas under Schedule V States namely, Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Maharashtra, Madhya Pradesh, Orissa and Rajasthan. One of the important provisions of this act states "the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-settling or rehabilitating persons affected by such projects in the Scheduled Areas.

b) The Constitution (Eighty-Ninth Amendment) Act, 2003

Article 338A was inserted through this amendment to the constitution, which provides for a separate Commission for the STs known as the National Commission for the Scheduled Tribe. The commission would address all matters relating to the safeguards provided for the STs under the Constitution of India, other laws in force, Government orders, and to evaluate the working of such safeguards. One of the duties envisaged is 'to participate and advise on the planning process of socio-economic development of the STs and to evaluate the progress of their development under the Union and any State'.

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

This law provides for recognition of forest rights to STs in occupation of the forest land prior to 13 December 2005 and to other traditional forest dwellers who are in occupation of the forest land for at least 3 generations i.e. 75 years, up to maximum of 4 ha. These rights are heritable but not alienable or transferable.

E. ADB's Safeguard Policy Statement (2009)

The objectives of ADB's Safeguard Policy Statement (2009) with regard to involuntary resettlement are: (i) to avoid involuntary resettlement wherever possible; (ii) to minimize involuntary resettlement by exploring project and design alternatives; (iii) to enhance, or at least restore, the livelihoods of all DPs in real terms relative to pre-project levels; and (iv) to improve the standards of living of the displaced poor and other vulnerable groups.

ADB's Safeguard Policy Statement (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) 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 DPs whether such losses and involuntary restrictions are full or partial, permanent or temporary.

The three important elements of ADB's Safeguards Policy Statement (2009) are: (i) compensation at replacement cost for lost assets, livelihood, and income prior to displacement; (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. The Safeguard Policy Statement gives special attention to poor

and vulnerable households to ensure their improved well-being as a result of project interventions.

F. Comparison of Government and ADB Policies

A policy comparison between LA Act, New LA Act 2013 and ADB's Safeguard Policy Statement (2009) is presented in the following table along with measures to bridge the gap.

Comparison between ADB's Requirements and the Requirements of the Government of India (RFCTLARRA) and Gap Filling Measures

#	ADB Safeguard Requirements (2009)	Provisions in the RFCTLARRA, 2013	Measures to bridge the Gaps
	Objectives		
1	Avoid involuntary resettlement wherever feasible	Same	-
2	If unavoidable, minimize involuntary resettlement by exploring project and design alternatives	Same	-
3	To enhance, or at least restore, the livelihoods of all DPs in real terms relative to pre-project levels	-	The Safeguard Policy Statement (2009) requirements will be followed.
4	To improve the standards of living of the displaced poor and other vulnerable groups.	-	The Safeguard Policy Statement (2009) requirements will be followed.
	Policy Principles		
5	Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks.	While the policy does not specify any requirement for screening of the project at an early stage for resettlement impacts and risks, it requires carrying out social impact assessment before any proposal for land acquisition (Section-16).	Screening of all sub-projects in line with the IR checklist of ADB, towards enabling identification of the potential resettlement impacts and associated risks.
6	Determine the scope of resettlement planning through a survey and/or census of DPs, including a gender analysis, specifically related to resettlement impacts and risks	Carry out census of affected people and their assets to be affected, livelihood loss and common property to be affected; R&R scheme including time line for implementation. (Section: 16. (1) and (2)).	The Safeguard Policy Statement (2009) requirements will be followed.
7	Carryout consultations with DPs, host communities and concerned NGOs. Inform all DPs of their entitlements and resettlement options	<ul style="list-style-type: none"> • Consultation with Panchayat, Municipality, to carry out Social Impact Assessment. (Section: 4. (1)) • Public hearing for Social Impact Assessment. Section: 5. • Discussion on and Public hearing for Draft Rehabilitation and Resettlement Scheme Section: 16. (4). and (5). 	-
8	Establish a project level GRM	<ul style="list-style-type: none"> • Establishment of Land Acquisition, Rehabilitation and Resettlement Authority for disposal of disputes relating to land acquisition, compensation, rehabilitation and resettlement. Section: 51. (1). and Section: 64. • The Requiring Body or any person aggrieved by the Award passed by an Authority under section 69 may file an appeal to the High Court within sixty days from the date of award. Section: 74. (1). and (2). 	A project level GRM is included in the RP.
9	Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be	Social Impact Assessment is must before taking final decision on acquisition of land followed by preparation of R&R Scheme	Social Impact Assessment, awareness campaigns, and social preparation phase will be done for any projects with significant

#	ADB Safeguard Requirements (2009)	Provisions in the RFCTLARRA, 2013	Measures to bridge the Gaps
	preceded by a social preparation phase.		impacts.
10	Improve or restore the livelihoods of all DPs through (i) land-based resettlement strategies (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.	<ul style="list-style-type: none"> Land for land in case of irrigation projects to the land owners losing agricultural land. Land for land in every project to land owners belongs to SC and ST community up to 2.5 acres of land. <i>Section: 31 and The Second Schedule</i> Provision of housing units in case of displacement. Offer for developed land. <i>Section: 31 and The Second Schedule</i> Recognizes 3 methods and whichever is higher will be considered which will be multiplied by a factor given in The First Schedule. Compensation given earlier will not be considered; if rates not available floor price can be set; Steps to be taken to update the market value. (<i>Section 26 and The First Schedule</i>) Provision for employment, fishing rights, annuity policy etc. (<i>Section: 31 and The Second Schedule</i>) 	<p>The Safeguard Policy Statement (2009) requirements will be followed.</p> <p>Structures to be compensated at replacement cost without depreciation</p>
11	If there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; provide transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.	<ul style="list-style-type: none"> A family as a unit will receive R&R grant over and above the compensation and those who are not entitled to compensation. <i>Section: 31</i> Homeless entitled to constructed house, land for land in irrigation projects in lieu of compensation, in case of acquisition for urbanization 20% of developed land reserved for owners at a prices equal to compensation' jobs or a one-time payment or annuity for 20 years' subsistence grant, transportation, land and house registered on joint name husband and wife, etc. <i>Second Schedule</i> Provision for infrastructural amenities in resettlement areas. <i>Section: 32 and Third Schedule</i> 	Alternative resettlement site is proposed in the framework.
12	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	<ul style="list-style-type: none"> Landless people are considered and eligible for R&R grants. <i>Section: 16. (2).</i> Widows, divorcees, abandoned women will be considered as separate family and entitled to R&R provisions <i>Section: 3. (m)</i> Homeless entitled to constructed house and landless entitled to land in irrigation project. <i>Second Schedule</i> Special provision for SC/ST; <i>Section: 41.</i> Additional provisions for SC&ST for land for land in irrigation projects, additional sum over and above the subsistence grant. <i>Second Schedule</i> 	The entitlement matrix includes the requirements of both the Safeguard Policy Statement (2009) and the RFCTLARRA.
13	If land acquisition is through negotiated settlement, ensure that those who enter into negotiated settlements will maintain the same or better income	R&R entitlements apply in case of land acquired/purchased for PPP projects and for Private Companies. <i>Section: 2. (2), and 46.</i>	Not envisaged.

#	ADB Safeguard Requirements (2009)	Provisions in the RFCTLARRA, 2013	Measures to bridge the Gaps
	and livelihood status		
14	Ensure that DPs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	<ul style="list-style-type: none"> The Act recognises: <i>Section: 3. (c)</i> a family which does not own any land but belong to the family of an agricultural labourer, tenant, share-croppers, or artisans or working in affected area for three years prior to the acquisition of the land the Scheduled Tribes and other traditional forest dweller who have lost any of their forest rights family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen a family residing or earning livelihoods on any land in the urban areas for preceding three years or more prior to the acquisition of the land 	RF mandates that in the case of land acquisition, the date of publication of preliminary notification for acquisition under Section 11(1) of the RFCTLARRA will be treated as the cut-off date for title holders, and for non-titleholders, such as, squatters, the start date of the project census survey.
15	Prepare a resettlement plan elaborating on DPs' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.	<ul style="list-style-type: none"> Preparation of Rehabilitation and Resettlement Scheme including time line for implementation. <i>Section: 16. (1) and (2).</i> Separate development plans to be prepared. <i>Section 41</i> 	-
16	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 DPs and other stakeholders. Disclose the final resettlement plan and its updates to DPs and other stakeholders	<ul style="list-style-type: none"> The draft Rehabilitation and Resettlement Scheme prepared shall be made known locally by wide publicity in the affected area and discussed in the concerned Gram Sabhas or Municipalities and in website. <i>Section: 16. (4)</i> The approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation and in website. <i>Section: 18.</i> 	In addition to the publishing of the approved resettlement plans, the RF includes provision for disclosure of the various documents pertaining to RP implementation, as well as disclosure to the APs through public meetings and workshops.
10	Include the full costs of measures proposed in the resettlement plan as part of project's costs and benefits. For a project with significant involuntary resettlement impacts and / or indigenous peoples plan, consider implementing the involuntary resettlement component of the project as a stand-alone operation.	The requiring body shall bear the cost of acquisition covering compensation and R&R cost. <i>Section: 19. (2) and Section 95. (1)</i>	The Safeguard Policy Statement (2009) requirements will be followed.
17	Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.	<ul style="list-style-type: none"> The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid within three months for the compensation and a period of six months for the monetary part of rehabilitation and resettlement entitlements. <i>Section: 38. (1)</i> The Collector shall be responsible for ensuring that the rehabilitation and resettlement process is completed in all its aspects before displacing the affected families. <i>Section: 38. (2)</i> 	The Safeguard Policy Statement (2009) requirements will be followed.

#	ADB Safeguard Requirements (2009)	Provisions in the RFCTLARRA, 2013	Measures to bridge the Gaps
18	Monitor and assess resettlement outcomes, their impacts on the standards of living of DPs, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	<ul style="list-style-type: none"> The Rehabilitation and Resettlement Committee, to monitor and review the progress of implementation of the Rehabilitation and Resettlement scheme and to carry out post-implementation social audits in consultation with the Gram Sabha in rural areas and municipality in urban areas. <i>Section: 45. (1)</i> Set up National and State level Monitoring Committee to review and monitor progress. <i>Section 48-50</i> 	The Safeguard Policy Statement (2009) requirements will be followed.

Annex 8

Format for Compensation Plan for Temporary Damage (CPTD)

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SAMPLE SOCIAL SAFEGUARDS MONITORING CHECKLIST

A. PROJECT INFORMATION

A-1: General

I	Name of Project	
II	Loan Number	
II	Name of Monitoring/Reporting Agency and address	
III	Monitoring Period (Season/month)	
IV	Report No.	
V	Report for the period	
VI	Date of reporting	
VII	Type of Contract	

A-2: Subproject Details

S No	List of sub-projects	Name of the PIU
I		
II		
III		
IV		
V		
VI		

A-3: Overall Project Progress, Agreed Milestones and Implementation Schedules

S No	Name of Subprojects	Progress as on date of Report	Implementation Schedule

B. CATEGORIZATION OF PROJECT

Social Safeguards Categorization	A	B	C
Involuntary Resettlement			
Indigenous Peoples			

C. DESIGN AND ENGINEERING STATUS

Item	Status (Y/N)	Follow up Required (Y/N)	Type of Required Action
Final detailed engineering design of the subproject completed			<input type="checkbox"/> Updated draft IR/IP <input type="checkbox"/> New RP/ IPP preparation
Changes in project design / scope (Occurred or envisaged)			<input type="checkbox"/> Project re-categorization (IR/IP) <input type="checkbox"/> IR/IP impact assessment <input type="checkbox"/> New RP/IPP preparation

D. INSTITUTIONAL STATUS READINESS

No.	Item	Status (Ready/ Not Ready/ NA)	Follow up Required (Y/N)	Completion Deadline
1	Mobilization of civil works contractor			
2	Mobilization of Project Supervision Consultant (if applicable)			
3	EA's Safeguards Unit with designates staff			
4	Recruitment of External Monitoring Agency (if required)			

E. SAFEGUARDS REQUIREMENTS

No.	Item	Status (Ready/ Not Ready/ NA)	Follow up Required (Y/N)	Completion Deadline
1	Safeguards monitoring included in the project progress report			
2	Final / updated RP/IPP prepared and submitted			
3	Project's GRM established			

F. RP MONITORING CHECKLIST

Item No.	Safeguards Related Requirements	Status (Ready/ Not Ready/ NA)	Completion Deadline	Process to Date/ Remarks
1	MANAGEMENT			
Institutional and Financing Arrangements				
1.1	Financing and budget: (i) Safeguard office and staff; (ii) RP cost			
1.2	Establish Safeguard Unit (i) Resettlement offices (ii) resettlement staff as in RP (iii) Safeguard's database facilities			

	(iv) safeguards training			
Updating of DD/RP/IPP based on Detailed Design				
1.3	Update of RP: Revise based on DMS (II) Revise implementation Schedule (iii) revise budget.(iv) submission and approval of CPTD			
1.4	Compensation rates: (i) approved by the Government; (ii) Adequate as per RP; (iii) APs informed.			
Disclosure and Grievance Redress Arrangements				
1.5	Disclose final / updated RP (i) to the APs in local language; (ii) in ADB website; (iii) in EA's website			
1.6	Disclose project activities to affected communities: (i) put up a project signboards; (ii) Distribution of project leaflets and GRM to affected communities			
1.7	Grievance redress communities: (i) clear terms of reference; (ii) appointment decree; (iii) Publicly disclosed among APs.			
1.8	Grievance redress records: (i) list and numbers of grievances received; (ii) numbers of resolved issues; (iii) Numbers of cases under GRC review; (iv) outstanding cases (filed to court)			
Monitoring and Reporting Arrangements				
1.9	Set up internal monitoring system: (i) assessment on capacity and staff requirement; (ii) criteria of safeguards assessment; (iii) reporting mechanism			
1.10	Appoint external monitoring agency (as relevant): (i) recruitment schedule; (ii) TOR; (iii) baseline survey (iv) reporting mechanism (v) action taken by management on reports.			
1.11	Reporting: (i) Frequency; (ii) timelines; (iii) identified issues; (iv) action taken and /recommendation.			
2.	PR IMPLEMENTATION			
Consultation				
2.1	Consultation: (i) responsibility; (ii) stakeholders identified; (iii)			

	consultation and process; (iv) documentation			
Mapping and Assets Inventory				
2.2	AP Identity cards and affected assets records: (i) issuance and distribution of AP ID cards, (ii) detail measurements survey of affected assets and documentation			
2.3	Common property/ public assets: (i) final inventory; (ii) restoration plan and schedule; (iii) funding sources			
Compensation, Relocation and Rehabilitation				
2.4	Payment of compensation and entitlements (as stated in the RP): (i) schedule of payment; (ii) records / receipts of payment			
2.5	Provision of additional assistance for vulnerable APs: (i) per type of activities; (ii) schedule of implementation			
Monitoring and Reporting				
2.7	Submission of the reports: (i) semi-annual monitoring reports; (ii) external monitoring and evaluation reports (as required); (iii) completion report			
2.8	Transfer of acquired assets to the acquiring agency			

G. SOCIAL SAFEGUARDS LOAN COVENANTS

Item No.	Covenant	Status of Compliance
List Relevant Schedule (#, para #.)	(List of Relevant Covenants)	(Briefly describe status of compliance)
Involuntary Resettlement		
Indigenous People		
Human and Financial Resources to Implement Safeguards Requirements		
Safeguards and other Provisions in Bidding Documents and Works Contracts.		

Safeguards Monitoring and Reporting		
Prohibited List of Investments		
Labor Standards		
Gender and Development		

Overall Status of Compliance		
<input type="checkbox"/> <u>Not complied</u> – Redressed action & monitoring required	<input type="checkbox"/> <u>Complied</u> with further monitoring	<input type="checkbox"/> <u>Fully complied</u> – No further action