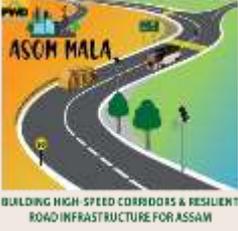


অসম চৰকাৰ



GOVERNMENT OF ASSAM



ASOM MALA PROGRAM

Government of Assam

Public Works Roads Department (PWRD)



Project Title: Improvement and Upgradation of Road from
Dhakuakhana to Telijan under Asom Mala
[From Ch. 0+000 to Ch. 32+777]

Detailed Project Report (Indigenous Peoples Plan)

November 2021



Fortress Infracon Limited, Mumbai

Table of Contents

EXECUTIVE SUMMARY	9
1 Introduction	14
1.1 Project Background.....	14
1.2 Project Description.....	14
1.3 Project Objective	15
1.4 Project Components.....	16
1.5 Sub Project Location	16
1.6 Scope of Indigenous Peoples’ Plan	18
1.7 Objectives of Indigenous Peoples’ Plan.....	18
1.8 Structure of the report.....	19
2 Legal and Regulatory Framework.....	20
2.1 Policy and Legal Framework.....	20
2.1.1 National Tribal Policy (2006).....	20
2.1.2 Scheduled Caste and Scheduled Tribes Orders (Amendment) Act, 2002	21
2.1.3 Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.....	21
2.1.4 ESS3: Indigenous People of AIBESF, February 2019.....	22
2.1.5 Autonomous Councils of Indigenous Population	24
3 Process and Preparation of Indigenous Peoples Plan (IPP).....	26
3.1 Identification of Affected Indigenous People	26
3.2 Approach & Methodology	26
3.2.1 Secondary Data.....	26
3.2.2 Primary Data.....	27
3.2.3 Data Interpretation.....	27
3.2.4 Data Analysis	28
4 Tribal Land Acquisition/ Transfer Process.....	29
4.1 Types of Tribal Land	29
4.2 Direct Purchase Policy of Assam.....	29
4.3 Conversion of Eksonia Land to Periodic (Myadi) Patta Land	30
4.4 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013.....	31
4.5 Multiplier on Market Value of Land.....	32
4.6 Assam RFCTLARR Rules, 2015.....	32
4.7 Land Acquisition Process of Non-Cadastral Land in Assam	32
4.1 Engagement with indigenous communities when locating project sites on lands traditionally owned by indigenous peoples.....	32
5 Social Impact Assessment	34
5.1 Tribal scenario in Assam.....	34
5.2 Profile of Tribal Population of the sub-project area	34

5.2.1	The Mishings or Misings	35
5.2.2	TIWAS.....	35
5.2.3	SONOWAL KACHARIS.....	36
5.3	Profile of Affected Villages.....	37
5.4	Demographic profile of Displaced ST Population	37
5.4.1	Income and Expenditure	38
5.4.2	Educational Status.....	39
5.4.3	Occupational Profile	40
5.4.4	Status of Women.....	41
5.4.5	Vulnerability Classification of Indigenous Population.....	42
5.5	Perceived Project Impacts	42
5.5.1	Positive Impacts:.....	42
5.5.2	Adverse Impacts.....	43
5.5.2.1	Impact on Land and Structure.....	43
5.5.2.2	Impact of Land Acquisition	44
5.5.2.3	Impact on Structures	44
5.5.2.4	Impact on health.....	44
5.5.2.5	Impact on livelihood	45
5.5.2.6	Impact on traffic	45
5.5.2.7	Impact on access.....	45
5.5.2.8	Impact of labour influx	45
5.5.2.9	Impact on tenants	45
5.5.2.10	Impact on women.....	45
5.5.2.11	Impact on intangible culture	45
5.5.2.12	Impact on access to services and amenities.....	46
5.6	Mitigation measures	46
6	Information Disclosure, Consultations and Participation.....	50
6.1	Information disclosure.....	50
6.2	Consultations	50
7	Training and Capacity Building.....	64
7.1	Training Needs of PMU and PIU	64
7.2	Training Needs of PAPs	64
7.3	Training Needs of Other Stakeholder Departments	64
7.4	Training Delivery Strategy	65
8	Grievance Redress Mechanism.....	67
8.1	Grievance Redress Mechanism.....	67
8.2	Land Acquisition, Rehabilitation and Resettlement Authority	67
8.3	Grievance Redress Committee (GRC)	69
8.4	Grievance Redress Process	70
9	Institutional and Implementation Arrangements	72
9.1	Program Management Unit (PMU)	72
9.2	Project Implementation Unit (PIU).....	73

9.3	Program Coordination and Management Consultant (PCMC).....	73
9.4	Construction Supervision Consultant (CSC)/ Authority Engineer (AE).....	74
9.5	RP Implementation Agency (RIA)	74
9.6	Welfare schemes for Scheduled Tribes.....	74
10	Budget.....	77
11	Entitlement Matrix	80
12	Monitoring and Evaluation	100
12.1	Internal Monitoring.....	100
12.2	External Monitoring.....	101

List of Tables

Table 1- 1: Project Roads/Corridors under Axom Mala	14
Table 1- 2: Details of Project Road	15
Table 1- 3: Project Road/Corridor	17
Table 3- 1: Primary Surveys	27
Table 3- 2: Types of Analysis and Inferences Derived from Different Sources of Data	27
Table 4- 1: Conversion Rate of Eksonia Land to Periodic Patta Land	31
Table 5- 1: Total and ST Population of affected villages	37
Table 5- 2: Age wise Distribution of Total Displaced ST Population	38
Table 5- 3: Monthly Income of the Displaced ST Families	38
Table 5- 4: Expenditure of the Displaced ST Families	39
Table 5- 5: Educational Status of Displaced People	40
Table 5- 6: Occupational Status of Displaced ST Population	41
Table 5- 7: Vulnerability Classification of Indigenous Population	42
Table 5- 8: Project Displaced ST Families	43
Table 5- 9: Extent of Impact on Affected Structures	44
Table 5- 10: Type of Construction	44
Table 5-11: Measures undertaken to Minimize Negative Social Impacts	46
Table 5- 12: Measures undertaken to Minimize Negative Social Impacts	49
Table 6- 1: Identified Stakeholders	51
Table 6- 2: Analysis of Stakeholder’s Involvement and Impacts/Risks	51
Table 6- 3: Consultation Conducted on Proposed Road	52
Table 6- 4: Community Perceptions	53
Table 6- 5: Comments of the community and responses of the consultants	54
Table 6- 6: Public Consultation Summary 1	55
Table 6- 7: Public Consultation Summary 2	56
Table 6- 8: Public Consultation Summary 3	58
Table 6- 9: Consultation Summary 4	59
Table 6- 10: Public Consultation Summary 5	60
Table 6- 11: Public Consultation Summary 7	61
Table 6- 12: Public Consultation Summary 7	62
Table 6- 13: Public Consultation Summary 8	63
Table 7- 1: Proposed Training /Capacity Building Workshops	65
Table 9- 1: Identification of Relevant Schemes for Convergence	75
Table 10- 1: Budgetary Provisions	77
Table 10- 2: Provisional RAP Budget	78
Table 11- 1: Entitlement Matrix	80

List of Figures

Figure 1-1: Map representing Dhakuakhana to Telijan Road	17
Figure 8- 1: Grievance Redress Process	70
Figure 9- 1: Implementation Arrangement	72

List of Appendix

- Appendix-1** : Direct Purchase Policy of Assam, 2021
- Appendix-2** : Summary of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
- Appendix-3** : Assam Land Acquisition on Factor/ Multiplier of Acquired Rural Land
- Appendix-4** : Land Transfer in Non-Cadastral and Tribal Areas in Assam

ABBREVIATIONS USED

AIIB	Asian Infrastructure Investment Bank
DF	Displaced Family
DP	Displaced Person
CPR	Common Property Resources
CoI	Corridor of Impact
DPR	Detailed Project Report
ESS	Environmental and Social Standard
PIA	Project Influence Area
FGDs	Focus Group Discussions
GoI	Government of India
GoA	Government of Assam
GRC	Grievance Redress Committee
IPP	Indigenous People Plan
IR	Involuntary Resettlement
LA	Land Acquisition
LAP	Land Acquisition Plan
LHS	Left Hand Side
RHS	Right Hand Side
NA/NR	Not Available/Not Responded
SEP	Stakeholder Engagement Plan
NGO	Non-Governmental Organization
SH	State Highway
PIA	Project Influence Area
PIU	Project Implementation Unit
PWRD	Public Works (Roads) Department
RP	Resettlement Plan
R&R	Rehabilitation and Resettlement
RoW	Right of Way
RFCTLARRA	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
ARFCTLARRR	Assam Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015
SIA	Social Impact Assessment
OBC	Other Backward Class
ST	Scheduled Tribes
BPL	Below Poverty Line
WHH	Women Headed Household

GLOSSARY

- 1. Displaced Family (DF):** Any family/ household living, cultivating land or carrying on business or trade or any other occupation within the Corridor of Impact (CoI) and are impacted by the project and displaced physically (relocation, loss of residential land, or loss of shelter) is called Displaced Family.

Any family/ household living, cultivating land or carrying on business or trade or any other occupation within the Corridor of Impact (CoI) and are economically impacted (loss of agricultural or non-residential or barren land, assets, access to assets, income sources or means of livelihood) by the project is called Economically Displaced Family.
- 2. Displaced Person (DP):** In the context of involuntary resettlement, Displaced Persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) because of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent, or temporary.
- 3. Agricultural Land:** Land used in agriculture and other related activities is known as agricultural land. This includes land used in agricultural operations, dairy farming, poultry farming, pisciculture, sericulture, seed farming, breeding of live stocks, nurseries growing medicinal herbs, garden produce, grazing of cattle etc.
- 4. Assistance:** All supporting mechanisms viz monetary help, extension of services, training of staffs and assets given to Displaced Families constitute assistance in this project.
- 5. Corridor of Impact (CoI):** The corridor of impact is the width of land required for the actual construction of the road, including carriageway, shoulder, embankments, longitudinal drainage, utility strip, wayside amenities like bus stops, bus shelters, etc. and necessary safety zones recommended in the improvement proposal.
- 6. Cut-off Date:** The Cut-off Date is defined as the date, after which any families of Titleholders and Non-Titleholders entering the project area, will not be eligible for any entitlement and assistance from the project. The date of general notice by District Level Land Purchase Committee (DLLPC) in Direct Purchase Policy or Preliminary Notification, u/s 11(1) of RFCTLARR Act 2013 will be treated as the cut-off date of Titleholder affected families whose land will be acquired through Direct Purchase or usual land acquisition process respectively. The Cut-off Date for Non-Titleholder Displaced families will be defined as the date of Social Census Survey for the sub-project.
- 7. Eksonia Land:** Eksonia Land is any land settled for one year mostly in Villages (Annual Patta) or three years mostly in Towns (Short Lease Patta). Annual patta/lease means a patta/lease granted for one year only and confers no right in the soil beyond a right of user for the year for which it is given. It confers no right of inheritance beyond the year of issue. It confers no right of transfer or of sub-letting and shall be liable to cancellation for any transfer or sub-letting ever during the year of issue provided that the State Government may waive their right to cancel an annual patta/lease and may direct in those cases in which the land is mortgaged to Government or to a State Sponsored Co-operative Society.

8. **Encroacher:** Any entity who built his/ her structure in whole or in part of an adjacent land to which s/he has no title.
9. **Family:** Family includes a person, his or her spouse, minor children, minor brothers, and minor sister's dependent on him/ her, provided that widows, divorcees, and woman deserted by families shall be considered separate families. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family. (*Ref. Clause 3(m) of RFCTLARR Act 2013*)
10. **Kiosk:** Kiosk is a small, separated garden pavilion or small booths place open on some or all sides offering goods and services. The Kiosk can be shifted without dismantling/ reconstructing any part of it.
11. **Landowner:** Landowners are as per recorded in revenue records, or Land occupiers with claims/ rights recognized under State/ Central laws, including who is entitled to granted Patta rights on the land under any laws of the State including Eksonia Land
12. **Periodic Patta (Myadi Patta) Land:** A periodic patta or lease except in the case of town land means a lease granted for a period longer than one year and in case of town lands, a lease for a period longer than three years. Subject to and so far, as is consistent with any restrictions, conditions and limitations contained therein, a periodic lease, the terms of which is not less than ten years, conveys to the lessee the rights of a land holder as defined in the Assam Land Revenue Regulation.
13. **Replacement Cost:** Replacement cost is the amount of money to be required by any displaced person to replace the existing asset with an equally valued or similar asset at the current market price. It includes the transaction costs and taxes, if any.
14. **Residual Land:** Residual land can be defined as the remaining portion of a land parcel left with the owner after the involuntary acquisition of land by the project authority.
15. **Squatter:** Those persons who have occupied public/ government lands with no recognizable rights for residential or commercial or both purposes. The families, who have built their own structures on the land of the landlords with some financial arrangements, which are not properly documented or legalized, are also considered as squatters.
16. **Tenant:** A tenant is someone who pays rent for the place where they reside in, or for land or buildings that they use. The family residing/ occupying in the structures with some financial arrangements with the landlords, which may not be properly documented or legalized, are also considered as tenants.
17. **Wheeler Vendor:** A Vendor operating in a cart like structure on two or more wheels. Wheelers are used mainly by mobile hawkers.
18. **Women Headed Household (WHH):** A household that is headed by a woman is called a Woman Headed Household. The aforesaid woman may be a spinster or a widow or separated or deserted by her husband.
19. **Vulnerable Group/ Persons:** Vulnerable group/ persons are those with challenges that make them at higher risk of falling into poverty compared to others in the projects area. The Vulnerable Group/ Persons include the following categories: (i) DFs falling under 'Below Poverty Line' (BPL) category; (ii) persons who belong to Scheduled Castes (SC) and Scheduled Tribes (ST); (iii) Women Headed Households; (iv) Elderly people living alone; and (v) Physically and mentally challenged / disabled people.

EXECUTIVE SUMMARY

- A. **Introduction-** The proposed road section Corridor Number A22 Dhakuakhana to Telijan having length of 32.777 km traverses through Districts of Lakhimpur and Dhemaji. The project road starts from Dhakuakhana and ends at Telijan on NH-15 making a Y-Junction. The section of the road till Ch. 15+350 comes under Lakhimpur district and the remaining portion till Ch. 32+777 comes under Dhemaji district. It is classified under Group 3 of Axom Mala. Lakhimpur is the administrative district in the state of Assam bounded on the North by Siang and on the East by Dhemaji District. Dhemaji is located to the north of the river Brahmaputra. To its north lies the Arunachal Himalayas.
- B. The proposed project road which is 32.777 km long passes through 22 villages viz. Huj Gaon (chainage 0+000 to 2+020), Jiamoria Gaon (chainage 2+020 to 3+660), Deolia Gobindpura (chainage 3+660 to 5+890), Thekeraguri Gaon (chainage 5+890 to 8+070), Harhi Dimaruguriya Gaon (chainage 8+070 to 9+550), Amulguri (chainage 9+550 to 11+520), Rohan Gaon (chainage 11+520 to 13+230), Heraipowa Gaon (chainage 13+230 to 14+000), Nemutenagani Gaon (chainage 14+000 to 15+440), and Borpak Jiyamoriya (chainage 15+440 to 17+000), Borpak Gaon (chainage 17+000 to 18+570), Pathialial (chainage 18+570 to 20+520), 1 No. Phukhuwa (chainage 20+520 to 20+760), 2 No. Bengenagaraha (chainage 20+760 to 22+760). 3 No. Bengenagaraha (chainage 22+760 to 24+000), Butikar (chainage 24+000 to 25+010), Kachari Pathar (chainage 25+010 to 26+710), Batghoria (chainage 26+710 to 27+740), Bherekichuk (chainage 27+740 to 28+450), Singimari (chainage 28+450 to 29+525), Tarubeel (chainage 29+525 to 31+790) and Nalanipam Gaon (chainage 31+790 to 32+777).
- C. As per the land records available the existing road has carriageway width of 3.5m and the width of earthen shoulders varies between 0.2m to 4m and at majority locations the shoulder width is 2.5m in general is 2.5m on either side. The Right of Way (RoW) varies between 12m to 60m. 5 major and 8 minor Junctions are observed along the project road. It has eight minor junctions with other categories of roads. There is 1 major and 6 minor bridges along the project road. The total no. of culverts along the project road are 21 out of which 11 are pipe culverts and 10 are slab culverts. Along the project road there are few water bodies (11 nos.) in the form of ponds/ nallah. Common Property Resources (49 nos.) like schools, temples, and government owned public buildings are observed along the project road alignment.
- D. **Policy and Legal Framework** - The Constitution of India in its article 342 identifies a Scheduled Tribe (ST) by taking into consideration various factors of: (i) primitive traits, (ii) distinctive culture, (iii) geographical isolation, and (iv) social and economic backwardness. Identification of tribes is a State subject. Thus, classification of a tribe would depend on the status of that tribe in the respective State. Further the Fifth and Sixth Schedule of the constitution provides special provision for Tribal People in selected regions of the country. There are several policies which provide a legal framework for ensuring dedicate attention to the tribals. The relevant laws, act, rules, policy, and guidelines on Tribal peoples are, a) National Tribal Policy (2006); b) Forest Rights Act (FRA), 2006; and c) Environmental and Social Standard 3 (ESS3) of the Environmental and Social Framework (ESF) of the Asian Infrastructure Investment Bank (AIIB).

- E. **Approach & Methodology** - The affected Indigenous People have been identified in the sub-project road corridor, on the AIIBESF criteria. The direct and indirect impacts on the tribal population on the (1) customary rights of use and access to land and natural resources; (2) socioeconomic status; (3) cultural and communal integrity and heritage; (4) health, education, livelihood systems and social security status; and (5) indigenous knowledge, have been identified and appropriate IPP has been prepared to address these adverse impacts. The approach and methodology followed for the collection of data, information and analysis of data consists of both quantitative and qualitative approach. Social impact assessment and resettlement planning component has three main elements: early screening as part of project feasibility studies; social impact assessment; census and baseline socio-economic survey of potentially affected population and preparation of the Resettlement Action Plan. The Secondary data collected for the project and the project influence area are from reliable secondary sources such as Ministry of Rural Development, Ministry of Tribal Affairs, Government of India, Government of Assam, Census of India, District census reports of PIA District, Lakhimpur and Dhemaji, District Gazetteers, Lakhimpur and Dhemaji, District Revenue Department, Lakhimpur and Dhemaji and other published information on socio-economic characteristics of the project corridors. The data is collected to help in understanding socio-economic profile of the project area; legal and policy framework; land acquisition and compensation practices; etc.
- F. **Tribal Land Acquisition/ Transfer Process** - The land of the indigenous tribal in Assam is non-Cadastral land, where ownership of land is of the community instead of private ownership. Assam has defined land transfer process for the Non-Cadastral Land. There are lands under private ownership of Scheduled Tribe (ST) peoples in Assam. The requirement of private lands for ASRIP, under private ownership of either non-tribal people or tribal people, will follow Direct Purchase policy of Assam. There is also some Eksonia Land, where the land holding is of the Scheduled Tribe persons and will be as per the Govt. Guidelines of conversion of Eksonia land to Myadi Patta (ownership land). If the Direct Purchase policy fails for ownership land, such land will be acquired through Assam Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Rules 2015 prepared under RFCTLARR Act 2013
- G. **Social Impact Assessment** - Project impact will be borne by 249 tribal families which is 21.71% of the total number of families in the affected villages. Out of these 249 families, 31 families will be impacted by acquisition of land. 5 villages have high percentages of ST population ie. 2 No. Bengenagaraha (96.61%), 3 No. Bengenagaraha (83.70%), Bherekichuk (72.94%), Singimari (89.10%) and Tarubeel (87.84%). Hence the maximum impact of the project will be borne by the indigenous population of these 5 villages out of the total 22 project affected villages.
- H. The project involves acquisition of the private land and structures. Based on the design of the road stretch, 249 tribal families of which, 12.45% of the families are having impact on their land while 10.44% families are having impact on their residential structures, but the maximum impact is on commercial structures of the impacted families i.e., 27.30%. 1329 STs will be directly affected by the project.

- I. The ST population along the project corridor self-identifies themselves as members of a distinct indigenous cultural group and others give recognition to this identity; collective attachment to geographically distinct habitats or ancestral territories in the Project area and to the natural resources in these habitats and territories; and they still follow the customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture. The project has been categorized as category A due to the magnitude of adverse impacts, specifically involuntary resettlement, and presence of indigenous people.
- J. In all 310 structures belonging to STs are getting affected by the project, out of which 52 are residential structures, 123 commercial structures and 5 structures are under mixed use. In addition, boundary wall of 130 structures will get impacted due to road improvement. Out of total 180 affected private structures (excluding 130 belonging to others category), 15 (8.33%) are found to be permanent in nature; 102 (56.67%) are semi-permanent in nature and the rest 63 (35%) are temporary structures. It is observed that out of 180 privately owned structures (excluding the cases where only boundary wall is getting impacted) 145 (80.56%) are getting impacted by more than 40% while only 2 structures, (1.11%) (excluding the cases where only boundary wall is getting impacted) are getting impacted by less than 10%.
- K. Adverse impact of the project is foreseen on the PAPs livelihood. The two important occupational sectors affected are Agriculture (16.55%) and Business sector (14.80%), followed by the Govt. and Private Service at 4.48%. 0.49% is engaged as agricultural laborers making overall dependency on agriculture as 16.55%. Since the livelihood of the displaced tribal population is largely agriculture and business, the impact of the project will be felt directly by 31.36% whose livelihood is directly or indirectly associated with agriculture and trade/business.
- L. **Information Disclosure, Consultations and Participation** - The consultation is a continuous two-way process, involving promotion of public understanding of the processes and mechanisms through which developmental problems and needs are identified and solved. Meaningful consultation has been taken up as an integral part of social assessment process of the Project. 8 Public Consultations were done, out of which 1 FGD was done with ST women.
- M. Improvement in road corridors A-22 Dhakuakhana to Telijan will not only help in establishing road connectivity between Lakhimpur and Dhemaji district but will also help farmers and household industries to reach new markets thereby improving the regional economy. The present road (pucca & kutcha) has serious issues of flooding, water clogging during rainy seasons, erosion, accident black spots, inadequate road width, damages surface, lack of signages etc. During the road improvement exercise all these issues will be adequately addressed. The road will result in savings in travel time and enhancing the value of the land besides providing employment during construction period. The villagers are willing to part with their land and structures for road improvement provided adequate compensation is paid. It will not only facilitate access to better health and educational facilities but will also provide a boost to cultural and tourism activities in the region. The road project will also provide the vulnerable sections of our society a better chance of interacting with outer world. The immediate benefits of road construction and

improvement will come in the form of direct employment opportunities for the roadside communities and specially those who are engaged as wage laborers, petty contractors, and suppliers of raw material.

- N. Based on consultation with various stakeholders and the social impact assessment, the perceived short term adverse impacts of the project have been identified and mitigation measures to offset these adverse impacts have been proposed in the IPP. The long-term impacts of alienation of land have been taken up in detail in the RAP.
- O. **Training and Capacity Development-** Training and capacity development of staff is an integral part of successful and timely implementation of the IPP. Strengthen in house capacity to implement the provisions of IPP. Strengthen in house capacity to implement the provisions of RPF/IPP. Focused training modules and training program schedules have been prepared in areas which require training for successful implementation of the IPP. The various areas where training requirements have been identified at the levels of the SEs, EEs, and AEs in the PMU and PIU, PAPs and Line Departments.
- P. **Grievance Redress Mechanism** - A project-specific Grievance Redress Mechanism (GRM) will be established to receive, acknowledge, evaluate, and facilitate their solution to the complainant with corrective actions proposed using understandable and transparent processes on the social and environmental aspects that are gender responsive, culturally appropriate, and readily accessible to all segments of the affected people. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. Records of grievances received, corrective actions taken, and their outcomes shall be properly maintained. The complainant may take recourse to the Court of law, if dissatisfied with the verdict of the GRM.
- Q. **Institutional Arrangement** – The Government of Assam’s Public Works Roads Department (PWRD) will be the executing agency. The Chief Engineer (EAP) will be the Project Director (PD) of Project Management Unit (PMU), based in Guwahati will be designated as person in charge for project implementation. PD PMU will be assisted by an Executive Engineer as Nodal Officer of Asom mala program. The PMU will be responsible for overall execution and technical supervision, monitoring, and financial control of the project. The PMU will be assisted by Program Coordination and Management Consultant (PCMC). A Program Coordination and Management Consultant (PCMC) has been mobilized to provide high quality technical advice and implementation support to PWRD for all the project components under Asom Mala program. PMU will be responsible for appointing an Independent External Monitors Consultant, RP Implementing Agencies, Authority Engineers, Contract Supervision Consultants, Civil Work Contractors, Other Implementing Agencies for PIU level. The PMU will seek government clearances for submission and disclosure of the social and resettlement monitoring report to AIIB. It will also coordinate with national and state agencies to resolve inter-departmental issues, if any. PIUs have been established at the district/division level for implementing all the project related activities in their respective jurisdiction.
- R. **Budgetary Provisions** -The tentative budgetary provisions for implementation of the IPP have been prepared based on the current entitlements as per the Entitlement Matrix described in the RAP. This budget is not over and above the overall budget for RAP

implementation as the tribal population is a part of the total displaced population. The main heads of expenses for the implementation of the IPP as given in the table below while the overall budget will be provided in the RAP.

- S. **Monitoring and Evaluation** - Monitoring would be done by the PIU by developing suitable progress monitoring indicators. This would mainly encompass physical and financial monitoring besides assessing the initial project impacts on social issues. The Project Evaluation will be carried out by an external agency who will be engaged in carrying out the evaluation of the implementation of the IPP. Project monitoring will be taken-up at two levels: internal and external.
- T. The two deliverables IPP and RAP besides impact will include entitlement matrix, budget estimates, work plan, mitigation measures, gender action plan, grievance redressal mechanism, indigenous people plan, labour management plan, institutional mechanism, staffing & training requirements, monitoring and evaluation mechanism, EHS Guidelines and Standard Operating Procedures for resumption of works post COVID-19.

1 Introduction

1.1 Project Background

1. The State of Assam has about 7,547 km of State Highways (SH) and Major District Roads (MDR), which are being maintained and managed by the Public Works Roads Department (PWRD), Government of Assam (GoA). Government of Assam has initiated a flagship program, named as Asom Mala as a long-term program for fueling economic growth as well as improving the road infrastructure towards Sustainable Development Goals and achieving Assam Vision 2030. The objectives of the program include (a) Improvement of SH & MDR network for fueling economic growth and bringing the state road infrastructure at par with Southeast Asian countries; (b) Provide quality inter-linkage roads between the National Highways and rural roads network as well as facilitate seam less multi-modal transportation; and (c) Interconnect economic growth centers, develop transportation corridors and improve inter-state connectivity with optimal quality. The Asom Mala program is planned to have (i) Planning and Construction of project roads, (ii) Road sector strengthening and institutional development and (iii) Road safety improvement.

1.2 Project Description

2. The Assam Secondary Road Network Improvement Project (ASRIP), to be financed under Asian Infrastructure Investment Bank (AIIB), is to enhance road connectivity, safety, and climate resiliency in project districts of Assam, and to support modernization of the PWRD's asset management system.
3. The Axom Mala project roads/Corridor (Group 3 and 4) selected for upgrading/ widening/ rehabilitation are proposed to be implemented through loan assistance from the Asian Infrastructure Investment Bank (AIIB) is provided in **Table 1.1** below.

Table 1- 1: Project Roads/Corridors under Axom Mala

Sl. No.	Name of project road/ corridor	No.	Category of road	Length of road (km)	
			SH/MDR	As per contract	Actual
Group-3 Roads					
1	Dalgaon to Dev Pukhuri	A 11_1	MDR	14.3	14.588
2	Dhupguri to Dhekiajuli via Gupteshwar Temple	A 11_3	MDR	28.6	26.287
3	Kalisthan to Depota	A 11_4	MDR	-	27.278
4	Barbari to Andherighat	A 13_2	MDR	7.1	7.170
5	Sipajhar to Dolong Ghat	A 14_1	MDR	20	19.865
6	Kharamakha to Ghoirali	A 17_2	MDR	33.3	36.937
7	Dhakuakhana to Telijan	A 22	MDR	33.3	32.777
8	Ghagrabasti to Dholpur	A 28	MDR	24.7	28.136
9	Moran to Nagajan	A30_1	SH	82.3	46.598
			Total	243.60	239.636

Sl. No.	Name of project road/ corridor	No.	Category of road	Length of road (km)	
			SH/MDR	As per contract	Actual
Group-4 Roads					
10	Kamargaon to Kamarbandha	A15	SH	42.6	42.094
11	Sonari to Borpatra T. E	A18	MDR	42.4	41.735
12	Sivasagar to Chumoni gaon	A20	NH	62.4	18.400
13	Dirak Gate to Pengree	A 24	MDR	47.4	37.30
14	Jorhat to Kamargaon	A29	MDR	32.1	32.160
15	Disang Kinar Bangali to Bhadoi Pachali	A 30-2	SH/MDR	15.9	23.958
16	Kathalguri (Bhadoi Pachali) to Digboi	A 30-3	SH	-	22.10
17	Majuli to Bogalmara via Dhunagiri	A 31	MDR	19.9	19.240
			Total	262.7	236.987

4. The proposed road section from Dhakuakhana to Telijan having length of 32.777 km traverses through Districts of Lakhimpur and Dhemaji. As per the Terms of Reference (ToR), the Consultant is required to prepare the Indigenous People Plan as per the requirements of Resettlement & Rehabilitation (R&R) policy of the GoI and GoA and in line with Environmental Social Framework (ESF) of Asian Infrastructure Investment Bank (AIIB).

Table 1- 2: Details of Project Road

Corridor No.	Project Road Stretch	Design Length (km)
A22	Dhakuakhana to Telijan	32.777

5. The project requires AIIB, Government of India (GoI) and the State Government of Assam (GoA) clearances and approvals before the construction work can proceed. The project road is not located in a legally defined eco-sensitive area, there is no wildlife sanctuary and national park within 10 km from the project road.
6. PWRD has appointed M/s Fortress Infracon Ltd., as consultant for preparation of DPR, SIA & RAP, IPP, EIA&EMP, etc. in accordance with the Terms of Reference (ToR). This report has been prepared in fulfilment of the consultancy assignment.

1.3 Project Objective

7. The sub-project roads of ASRIP are mostly in Upper Assam, and these alignments provide strategic connectivity in the following aspects:
- Connectivity to urban growth centers, tourist centers, industrial centers
 - Enhancement of regional connectivity together with National Highways
 - Improving connectivity of the Majuli island, which is not connected with road network

1.4 Project Components

- Two components comprise this ASRIP. Component A focuses on the physical improvements on the State Highway (SH) and Major District Road (MDR) in Upper Assam. The sub-component A. 1 includes rehabilitation and capacity augmentation of around 245 km roads in the Upper Assam districts, including construction of two bridges. The sub-component A.2 aims to integrate road safety enhancement measures along the existing 750 km of secondary road network in Upper Assam, identified through PWRD's asset management system as alignment without any road safety measures. Component B focuses on the soft measures to enhance PWRD's capacity to manage their assets efficiently.

1.5 Sub Project Location

- The sub-project road Dhakuakhana to Telijan [A22] takes-off from SH-22 at Dhakuakhana and traverses through Huj Gaon, Jiamoria Gaon, DeoliaGobindpura, Thekeraguri Gaon, Harhi Dimaruguriya Gaon, Amulguri, Rohan Gaon, Heraipowa Gaon, Nemutenagani Gaon, Borpak Gaon, Pathalial, 1 No. Phukhuwa, 2 No. Bengenagaraha. 3 No. Bengenagaraha, Butikar, Kachari Pathar, Batghoria, Bherkichuk, Singimari, Tarubeel and Nalanipam Gaon and ends at Telijan. As per the topographic survey and alignment design, the total length of the road is 32.777 km. The project road starts from Dhakuakhana and ends at Telijan on NH-15 making a Y-Junction. The section of the road till Ch. 15+350 comes under Lakhimpur district and the remaining portion till Ch. 32+777 comes under Dhemaji district.
- The project road from Dhakuakhana to Telijan falls in the districts of Lakhimpur and Dhemaji. The start point (chainage 0+000) of the project road is the junction of the road under improvement with SH-22 in Lakhimpur district and the end point (chainage 32.777) is in Nalanipam Gaon, Telijan. The proposed project road which is 32.777 km long passes through 22 villages viz. Huj Gaon (chainage 0+000 to 2+020), Jiamoria Gaon (chainage 2+020 to 3+660), Deolia Gobindpura (chainage 3+660 to 5+890), Thekeraguri Gaon (chainage 5+890 to 8+070), Harhi Dimaruguriya Gaon (chainage 8+070 to 9+550), Amulguri (chainage 9+550 to 11+520), Rohan Gaon (chainage 11+520 to 13+230), Heraipowa Gaon(chainage 13+230 to 14+000), Nemutenagani Gaon (chainage 14+000 to 15+440), and Borpak Jiyamoriya (chainage 15+440 to 17+000), Borpak Gaon (chainage 17+000 to 18+570), Pathalial (chainage 18+570 to 20+520), 1 No. Phukhuwa (chainage 20+520 to 20+760), 2 No. Bengenagaraha (chainage 20+760 to 22+760). 3 No. Bengenagaraha (chainage 22+760 to 24+000), Butikar (chainage 24+000 to 25+010), Kachari Pathar (chainage 25+010 to 26+710), Batghoria (chainage 26+710 to 27+740), Bherkichuk (chainage 27+740 to 28+450), Singimari (chainage 28+450 to 29+525), Tarubeel (chainage 29+525 to 31+790) and Nalanipam Gaon (chainage 31+790 to 32+777).
- As per the land records available the existing road has carriageway width of 3.5m and the width of earthen shoulders varies between 0.2m to 4m and at majority locations the

shoulder width is 2.5m in general is 2.5m on either side. The Right of Way (RoW) varies between 12m to 60m. The condition of existing road varies from very poor to fair.

12. 5 major and 8 minor Junctions are observed along the project road. There is 1 major and 6 minor bridges along the project road. The total no. of culverts along the project road are 21. Along the project road there are few water bodies (11 nos.) in the form of ponds/nallah. Common Property Resources (49 nos.) like schools, temples, and government owned public buildings are observed along the project road alignment. The project road does not pass through any reserve forest/ bio-reserve/ national park/ wildlife sanctuary.

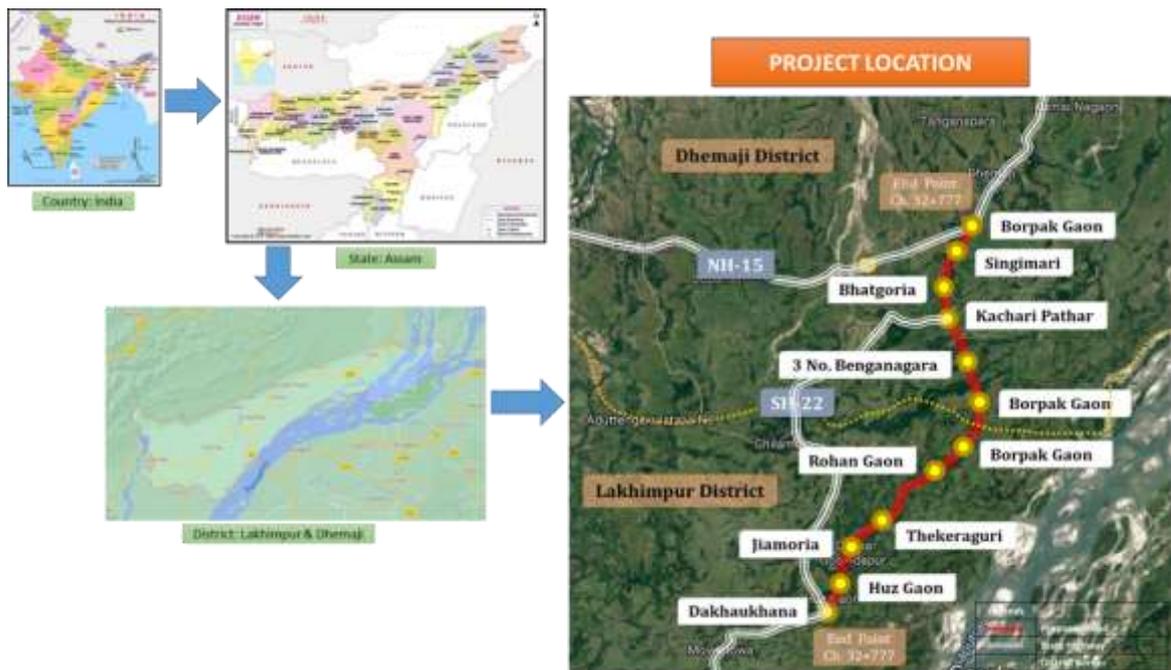


Figure 1-1: Map representing Dhakuakhana to Telijan Road

Table 1- 3: Project Road/Corridor

District	From (km)	To (km)	Length (km)
Lakhimpur	0.000	15.440	15.440
Dhemaji	15.440	32.777	17.337
		Total	32.777

Start and End point of road A22 – Dhakuakhana to Telijan



Start Point (Dhakuakhana, Lakhimpur) at the Junction at Ch. 0+000



End Point (Nalanipam Gaon, Telijan) at Chainage 32+777

1.6 Scope of Indigenous Peoples' Plan

13. The Indigenous Peoples' Plan (IPP) has been developed to address the assessed needs of the displaced tribal people within the project area. The IPP states the policies, principles, implementation mechanism to address the impacts potentially caused by the project. The IPP assesses and addresses needs of indigenous people through meaningful, realistic community betterment opportunities, so that they are culturally appropriate and beneficial for the tribal community. The principal objective of IPP is to outline the various interventions and facilities to prevent exclusions of any kind, aligning the plan with ESS 3 of AIIB. The Indigenous Peoples' Plan must be read along with the RAP as the details of the compensation and assistance is provided in the Entitlement Matrix in the RAP.

1.7 Objectives of Indigenous Peoples' Plan

14. The overall objective of preparation of IPP is to identify and quantify the impacts of the project on the indigenous people and to suggest suitable mitigation measures. The IPP covers both, the Titleholders as well as the non-Titleholders impacted due to proposed road project. The specific objectives of the Indigenous People Plan are:
- To determine the magnitude of displacement and potential losses due to road project on indigenous people.
 - Estimate the number of affected families, magnitude of loss of land and other assets based on the actual holdings of the families and the number of families among them likely to be displaced physically or occupationally due to acquisition of land.
 - Assess extent of lands – public and private, houses settlements and other common properties likely to be affected by the proposed acquisition.
 - To consider potential design options or adjustments that may reduce the resettlement impacts on the indigenous population.
 - To assess the social impacts in the project footprint areas including: (i) Impact on people, families, and their properties, (ii) Impact on gender (iii) Impacts on access and possible restrictions to natural resources,

- Study the social impacts of the project by covering displaced, affected households as well as then on-affected households due to loss of common property resources (CPRs), socio-economic infrastructures, etc. and the impact of these costs on the overall costs of the project vis-à-vis the benefits of the project.
- Suggest remedial interventions to minimize and mitigate the social losses by designing appropriate Mitigation Plan

1.8 Structure of the report

15. As per the Indigenous People Policy Framework (IPPF), this Resettlement Plan has following contents:

Chapter I - Introduction

Chapter II - Legal and Regulatory Framework

Chapter III - Process and Preparation of Indigenous Peoples Plan

Chapter IV - Tribal Land Acquisition/ Transfer Process

Chapter V - Social Impact Assessment

Chapter VI - Information Disclosure, Consultations and Participation

Chapter VII - Training and Capacity Building

Chapter VIII - Grievance Redressal Mechanism

Chapter IX - Institutional Arrangement

Chapter X - Resettlement Budget and Financing Plan (Entitlements, Assistance and Benefits)

Chapter XI - Monitoring and Reporting

2 Legal and Regulatory Framework

2.1 Policy and Legal Framework

16. The Constitution of India in its article 342 identifies a Scheduled Tribe (ST) by taking into consideration various factors of: (i) primitive traits, (ii) distinctive culture, (iii) geographical isolation, and (iv) social and economic backwardness. The scheduled tribe is judged by one or a combination of these factors by the respective state. Essentially, indigenous people have a social and cultural identity distinct from the 'mainstream' society that makes them vulnerable to being overlooked or marginalized in the development processes.
17. There are several policies which provide a legal framework for ensuring dedicate attention to the tribals. Article 366 (25) of the Indian constitution refers to Scheduled Tribes (STs) as those communities who are scheduled in accordance with Article 342 of the Constitution. According to Article 342 of the Constitution, STs are the tribes or tribal communities or part of or groups within these tribes and tribal communities which have been declared as such by the President through a public notification.
18. Identification of tribes is a State subject. Thus, classification of a tribe would depend on the status of that tribe in the respective State. Further the Fifth and Sixth Schedule of the constitution provides special provision for Tribal People in selected regions of the country.
19. In Assam, certain areas have been declared as scheduled area as Specified by the Scheduled Areas under the Sixth Schedule of Indian Constitutions. Six schedule areas in Assam are Bodoland Territorial Council, Karbi Anglong Autonomous Council, Dima Hasan Autonomous District Council¹.
20. The relevant laws, act, rules, policy, and guidelines on Tribal peoples are, a) National Tribal Policy (2006); b) Forest Rights Act (FRA), 2006; and c) Environmental and Social Standard 3 (ESS3) of the Environmental and Social Framework (ESF) of the Asian Infrastructure Investment Bank (AIIB).

2.1.1 National Tribal Policy (2006)

21. The Policy has the following objectives:
 - Regulatory Protection
 - Providing an environment conducive to the preservation of traditional and customary systems and regime of rights and concessions enjoyed by different ST communities, and reconciliation of modes of socio-economic development with these.

¹ Govt. of Assam has recently created 6 more Autonomous Councils viz. Rabha Hasong Autonomous Council (RHAC), Mishim Autonomous Council (MAC), Tiwa Autonomous Council (TAG), Deori Autonomous Council (DAC), Thengal Kachari Autonomous Council (TKAC) and Sonowal Kachari Autonomous Council (SKAC).

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

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

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

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

23. To recognize and vest the forest rights and occupation in forest land in forest dwelling STs who have been residing in such forests for generations but whose rights could not be recorded; to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land.
24. This Act recognizes that a majority of STs continue to live below the poverty line, have poor literacy rates, suffer from malnutrition and diseases and are vulnerable to displacement and the policy aims at addressing each of these problems in a concrete way. It also lists out measures to be taken to preserve and promote tribal cultural heritage. The main objective is to facilitate the overall development and welfare of the tribal people by empowering them educationally, socially, economically and politically without any impact on their culture, habitation, traditions and in terms of their age-old rights and privileges.

2.1.4 ESS3: Indigenous People of AIIBESF, February 2019

25. The objectives of the AIIB's ESF policy with regard to Environmental and Social Standards 3 (ESS3) on indigenous peoples² is to design and implement projects in a way that fosters full respect for indigenous peoples' identity, dignity, human rights, economies and cultures, as defined by the indigenous peoples themselves, so that they: (i) receive culturally appropriate social and economic benefits; (ii) do not suffer adverse impacts as a result of projects; and (iii) can participate actively in projects that affect them.
26. ESS3 on indigenous peoples applies if indigenous peoples are present in, or have a collective attachment to, the proposed area of the project, and are likely to be affected by the project. The term indigenous peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary, cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region.
27. **Consultations:** Carry out a process of meaningful consultation on the Project with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations, in a culturally appropriate, accessible and inclusive manner, and facilitate their informed participation: (i) in designing, implementing and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, offset or compensate for such impacts; and (ii) in tailoring Project benefits to affected Indigenous Peoples communities in a culturally appropriate manner. To enhance affected Indigenous Peoples' active participation, provide for culturally appropriate, and gender inclusive capacity development in the Project.
28. **Special Considerations in Consultations:** In addition, ensure that this process: (i) involves Indigenous Peoples' representative bodies and organizations (e.g., councils of elders, village councils or chieftains) and, where appropriate, other community members; (ii) provides sufficient time for Indigenous Peoples' decision-making processes; and (iii) allows for Indigenous Peoples' effective involvement in the design of Project activities or mitigation measures that may affect them either positively or adversely.
29. **Free, Prior and Informed Consultation (FPIC):** Since Indigenous Peoples may be particularly vulnerable to the loss of, alienation from, or exploitation of their land and access to natural and cultural resources, engage in FPIC and obtain the broad support of the affected Indigenous Peoples if activities under the Project would: (i) have impacts on

² There being no universally accepted definition of Indigenous Peoples. Indigenous Peoples may be referred to in different countries by such terms as "indigenous ethnic minorities," "aboriginals," "hill tribes," "minority nationalities," "scheduled tribes," "first nations," or "tribal groups." As the applicability of such terminology varies widely from country to country, the Client may agree with the Bank on an alternative terminology for the Indigenous Peoples as appropriate to the circumstances of the Client.

land and natural resources subject to traditional ownership or under customary occupation or use; (ii) cause relocation of Indigenous Peoples from land and limitations on access to natural resources subject to traditional ownership or under customary occupation or use; or (iii) have significant impacts on Indigenous Peoples' cultural heritage. In these circumstances, engage suitably qualified and experienced independent experts to assist in the identification of the Project's risks to and impacts on Indigenous Peoples.

30. As per AIIB ESS 3, FPIC is established as follows: (i) the scope of FPIC applies to Project design, implementation arrangements and expected outcomes related to risks to, and impacts on, the affected Indigenous Peoples; (ii) FPIC builds on the process of meaningful consultation and requires good faith negotiation between the Client and these affected Indigenous Peoples; (iii) the Client documents: (1) the mutually accepted process of consultation between the Client and these Indigenous Peoples; and (2) evidence of broad community support of these Indigenous Peoples on the outcome of the negotiations; and (iv) FPIC does not require unanimity and may be achieved even when individuals or groups within or among these affected Indigenous Peoples explicitly disagree with support for the Project. When the Bank is unable to ascertain that such broad community support has been obtained from the affected Indigenous Peoples, exclude from the Project those activities that would affect those Indigenous Peoples. In such cases, ensure that the Project, as redesigned, will not have adverse impacts on such Indigenous Peoples. If the Bank has determined that the laws of the country in which the Project is located mandate free, prior and informed consent (FPIC), and that the Client is required to apply FPIC, apply FPIC as defined in those laws, in the manner required by the Bank.
31. **Information Disclosure:** Disclose the draft Indigenous Peoples plan, including documentation of the consultation process and the results of the social impact assessment in a timely manner, in the Project area, in an accessible place and in a form and language(s) understandable to affected Indigenous Peoples communities and other stakeholders. Disclose the final Indigenous Peoples plan and its updates to the affected Indigenous Peoples communities and other stakeholders in the same manner. Disclose any IPPF in the same manner. Regularly disclose updated environmental and social information relating to Indigenous Peoples, along with information on any relevant material changes in the Project.
32. **Action Plan:** If the Project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied (such as land titling activities) or (ii) the acquisition of such lands, prepare and include in the Indigenous Peoples plan an action plan for the legal recognition of such ownership, occupation, or use.
33. **Monitoring:** Monitor implementation of the Indigenous Peoples plan using suitably qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the plan's objective and desired outcome have been achieved, considering the baseline conditions and the results of monitoring of the plan. Use of suitably qualified and experienced third parties to support monitoring programs.

2.1.5 Autonomous Councils of Indigenous Population

34. Assam has been a meeting ground of diverse ethnic groups carrying diversities in respect of language, culture, customs, traditions, historical background, etc. Among them, a smaller group of mongoloid origin who later came to be known as Plains Tribes wanted to maintain a separate identity on the basis of their language, culture, customs, traditions and historical background. As they consider these as their 'identity symbol' they are not prepared to merge their culture completely with the national mainstream and intended to maintain their respective identities on the basis of lingo-cultural traits. Such inducement has led to launching autonomy movement and creation of separate Autonomous Council or Autonomous State and inclusion of the same into the Sixth Schedule of the constitution on the basis of their lingo-cultural identity.
35. The Mising Autonomous Council (MAC), was formed in 1995 for those areas which has more than 60% ST population. Mising Autonomous Council aims to implement livelihood interventions to help the Mising people. Their focus areas of development are – supporting women to earn more through handloom weaving, increasing farm incomes through integrated fishery – duckery – horticulture project etc.
36. Bodo Kachari Welfare Autonomous Council is an Autonomous administrative divisions of India in the Indian state of Assam, for development and protection of ethnic Boro (also known as Bodo-Kachari) people living in villages outside the Bodoland Territorial Region. It was formed in 2020. The Bodo Kachari Autonomous Welfare Council consists of 40 members. 36 of these members are elected directly and 4 members are nominated by the State government. Among the 36 election seats, 25 of them will be reserved for the Scheduled Tribe communities, 6 will be reserved for women of any community residing within the Council area. The 4 nominated members will be from among the communities residing within the Council area. In January 2021, the Assam State Government said it will constitute interim councils for Bodo Kachari Autonomous Council as elections to the autonomous council can't be done before the 2021 Assam Legislative Assembly election.
37. The Sonowal Kachari Autonomous Council (SKAC), is an autonomous district council for the Sonowal Kachari people in the state of Assam in India. The SKAC was established in 2005 by the state legislation Sonowal Kachari Autonomous Council Act, 2005. Autonomy movement among the Sonowal Kacharis was also guided by some certain objectives. It aspired for all round development of the community through self-rule so that they could also have equal footing with other groups of people in the greater Assamese society. In fact, the Sonowal Kachari Autonomy Movement had never put any demand for a separate state which could hamper the Assamese Nationality. Their political ambition just confined to achieve autonomy so that the community could be upgraded in the field of literature, economy and culture through self-rule remaining as an integral part of the Assamese Society.
38. The Tiwa Autonomous Council is one of the Autonomous regions of India for the welfare and protection of the Tiwa people in the Indian State of Assam. It was formed in 1995.

39. The Project implementation has to be consistent with the national, state, local regulatory/legal framework as well as the ESS of the ESMF of AIIB. The Government of Assam has also notified the Direct Purchase Policy on 20th January 2021 and the same can also be used as a tool for implementation of the project.

3 Process and Preparation of Indigenous Peoples Plan (IPP)

3.1 Identification of Affected Indigenous People

40. The affected Indigenous People have been identified in the sub-project road corridor, on the AIIBESF criteria. The direct and indirect impacts on the tribal population on the (1) customary rights of use and access to land and natural resources; (2) socioeconomic status; (3) cultural and communal integrity and heritage; (4) health, education, livelihood systems and social security status; and (5) indigenous knowledge, have been identified and appropriate IPP has been prepared to address these adverse impacts

3.2 Approach & Methodology

41. As the project involves construction of high embankment to avoid submergence during monsoon season, as a first step, the cross sections for various stretches of project road were formulated to establish the requirement of Right of Way (RoW) and Corridor of Impact (CoI). Based on the designs requirements the proposed RoW was fixed varying from 12m to 60m along the proposed road corridor. The corridor of impact therefore is not uniform throughout and is governed by the proposed RoW from point to point. The social assessment for this project incorporates both quantitative and qualitative studies, about the project are through community consultations and focus group discussions on the prevailing social issues. This report has been based on primary data collected during field survey and review of available secondary information. The primary survey of the project Displaced Persons and properties within corridor of impact (CoI)³, and individual and group discussion/consultations with the likely project Displaced Persons and other stakeholders. Relevant socio-economic data was also collected from various available secondary sources, like Census of India handbooks and other published documents.
42. The methodologies adopted for various activities that has been carried out for collection of requisite data and assessment of social impact have been elaborated in the sections below.

3.2.1 Secondary Data

43. The objective of the secondary data collection is to understand socio-economic profile of the project influence area. The Secondary data collected for the project and the project influence area are from reliable secondary sources such as Ministry of Rural Development, Ministry of Tribal Affairs, Government of India, Government of Assam, Census of India, District census reports of PIA District, Lakhimpur and Dhemaji, District Gazetteers, Lakhimpur and Dhemaji, District Revenue Department, Lakhimpur and Dhemaji and other published information on socio-economic characteristics of the project corridors. The data is collected to help in understanding socio-economic profile of the project area; legal and policy framework; land acquisition and compensation practices; etc.

³ The Corridor of Impact (CoI) is the width of land required for the actual construction of the road, including carriageway, shoulder, embankments, drainage line, utility strip and any other features including roadway facilities recommended in the improvement proposal

3.2.2 Primary Data

44. Initial social screening was conducted to identify the likely impacts and identify the potential impacted families and persons, Common Property Resources, agriculture land, access to services, etc. Using available RoW records with Revenue Department, the social team plotted the boundaries of private properties within the proposed RoW. A structured questionnaire was prepared to carry out the census survey covering all (100%) of the families displaced as a result of development of the project within the proposed RoW/ CoI. To collect the information of socio-economic profile of the affected population, conventional sample of 25 percent of project displaced families was covered. Representativeness of the sample was ensured through random sampling method. The activities carried out as part of primary surveys are given in **Table 3-1**.

Table 3- 1: Primary Surveys

Activity	Total Sample	Sample Specific to Indigenous People
Census Survey	1147	249
Socio-economic Survey	286	62
Consultations	16	8

45. The date of Direct Purchase of private land or the date of notification of Land Acquisition will be treated as the cut-off date⁴ for Titleholders, whereas the completion date of Census Survey will be treated as cut-off date for the Non-Title Holders.

3.2.3 Data Interpretation

46. The type of analysis and inferences derived from different sources of data is presented in **Table 3-2**. The collected data has been computerized in the excel format known as Ms-Excel of Ms- Office Version 2010.

Table 3- 2: Types of Analysis and Inferences Derived from Different Sources of Data

S. No.	Data Type	Analysis
1.	Primary Survey	
A	100% Household Census Survey of the impacted Indigenous population	<ul style="list-style-type: none"> • Km wise assessment of number of land parcels and structures impacted (based on distance from centerline) • Structure type and usage • Type and usage of land to be acquired • Assets impacted due to the project • Ownership details • Resettlement and Rehabilitation Options • Road curves and junctions have been analyzed

⁴The cut-off date is defined as the date, after which no persons/ families shifting in the CoI will be eligible for Rehabilitation and Resettlement assistances.

S. No.	Data Type	Analysis
		from road safety aspect
B	Socio-Economic Survey of 25% of DPs	<ul style="list-style-type: none"> • Collection of socio-economic information such as gender, age, marital status, education, occupation and income details
2.	Secondary Data Analysis	<ul style="list-style-type: none"> • Descriptive analysis of background of the project regions • District level analysis using selected social and economic indicators to identify the development status of roads.

3.2.4 Data Analysis

47. Data collected has been processed and the findings are presented in **Chapter-4**. The data will help in understanding the extent of impact on land and structures and the socio-economic profile of the project displaced families, thereby helping in devising the Indigenous People Plan.

4 Tribal Land Acquisition/ Transfer Process

4.1 Types of Tribal Land

48. The land of the indigenous tribal in Assam is Non-Cadastral land, where ownership of land is of the community instead of private ownership. Assam has defined land transfer process for the Non-Cadastral Land. The Non-Cadastral land are majorly situated in the three hill districts of Assam, viz.,
- Karbi Anglong,
 - West Karbi Anglong and
 - Dima Hasao, which are not in the scope of ASRIP
49. There are lands under private ownership of Scheduled Tribe (ST) peoples in Assam. The requirement of private lands for ASRIP, under private ownership of either non-tribal people or tribal people, will follow Direct Purchase policy of Assam. There is also some Eksonia Land⁵, where the land holding is of the Scheduled Tribe persons.
50. The requirement of Eksonia land in ASRIP will be acquired also through Direct Purchase policy, subject to Govt. Guidelines of conversion of Eksonia land to Myadi Patta (ownership land).
51. If the Direct Purchase policy fails for ownership land, such land will be acquired through Assam Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Rules 2015 prepared under RFCTLARR Act 2013

4.2 Direct Purchase Policy of Assam

52. The required additional private land for Asom Mala will be possessed through the Direct Purchase Policy of Assam, 2021, which is named as “Acquisition of land through direct purchase by way of negotiated settlement for improvement and upgradation of State Highways and Major District Roads under Asom Mala Program and Externally Aided Projects (EAP)”, and notified in the Assam Gazette Notification No.DA5R.80/2020/3 dated 20th January 2021. The Direct Purchase Policy is appended as Appendix-1 .
53. The private land for linear projects of ASRIP will be acquired through Direct Purchase with approved principles and guidelines. It will fast track the Land Acquisition process from about 54 months (on normal Acquisition process) to about 6 months (Direct Purchase).
54. The important steps and salient features of the Direct Purchase Policy Are:
- The PWRD will finalize the minimum land requirement and give requisition to the concerned Deputy Commissioner/ District Collector (DC) in Form-A (Form-1 previously).

⁵ Eksonia land Holder, whose land holding can be converted to Periodic Patta Land (Myadi Patta) as per permissible limits of Govt. of Assam, will be considered as Landowners, subject to conversion of the Eksonia land to Periodic Patta land

- The Policy constitutes a District Level Land Purchase Committee (DLLPC) with concerned DC as Chairman and Additional Deputy Commissioner (Revenue) as Member Secretary. The DLLPC have Revenue officials, representation from PWRD, PWD (Building) and may also have representation from other required departments.
- The Revenue Circle Officer will conduct joint inspection of the requisiteland along with representation from PWRD. The area of the land and immovable properties attached on it will be measured, mapped and ownership details will be updated.
- The DLLPC will invite the landowners and a list of landowners agreed for Direct Purchase will be published inviting objections, within 1 month, regarding interest and ownership of the land etc.
- DLLPC will prepare the valuation of land and assets, as per provisions of Section 26 to 30 & Schedule I of RFCTLARR Act 2013 with multiplier of market rate defined in Assam. The landowners will get an incentive of 25%, inclusive of R&R Benefits, on the compensation calculated.
- A Pre-informed negotiation(s) with the respective Landowners will be carried out by DLLPC. The settlement reached in the negotiation shall be recorded in Agreement. The land will be possessed and registered through paying the negotiated Price through electronic transfer to the respective bank accounts.
- In the event of any owner refusing to sell the land, any unresolved disputed ownership or court cases, the respective land will be acquired through regular land acquisition process of Assam.

4.3 Conversion of Eksonia Land to Periodic (Myadi) Patta Land

55. Eksonia⁶ Land can be converted to Periodic Patta Land (PPL) Land by applying be for the concerned Circle Officer under whose jurisdiction the Eksonia land falls on plain paper affixing appropriate Court fee clearly mentioning the land schedule. In rural areas however, provisions for initiating suo-moto conversion process have also been made where the concerned Land Recorder (Lot Mandal) shall submit conversion proposal to the Circle Officer.
56. There are certain restrictions on the conversion of the Eksonia Land:
- No portion of the annual lease falling within 22.5 metres (75ft.) from the centerline of PWD Roads/ NH will be converted into periodic.
 - No portion of the annual lease falling within 15 metres (50ft.) from the centre line of roads, other than PWD/NH, will be converted into periodic.
 - Areas falling within the mining lease shall not be converted into periodic.
 - Lands falling near the registered bee land fishery must not be converted into periodic.
 - Minimum area allowed to be converted into periodic is up to the ceiling limit in rural areas which is inclusive of the area already held or converted into periodic lease.

⁶ The Eksonia Land is the land settled for one year mostly in Villages as Annual Patta land (APL) or three years mostly in Towns, as Short Lease Patta Land (SLPL). The Eksonia Land holder are not a Land Holder but a Settlement Holder only to whom settlement

- Land falling within the radius of 10 KMs from the boundary in case of Guwahati Municipal Corporation and 3 KMs in case of other Municipal and Revenue town should not be converted by the Circle Officer.

57. The Eksonia Holder needs to pay premium for conversion of his Eksonia land to Periodic Patta (Ownership) land. The rate of premium for conversion, as per the Revenue and Disaster Management Department of Govt. of Assam, is presented in **Table 4-1**.

Table 4- 1: Conversion Rate of Eksonia Land to Periodic Patta Land

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

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

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

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

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

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

- To ensure, gentle, participative, Informed, and transparent process for land acquisition.
- Provide just and fair compensation to the displaced families whose land has been acquired or proposed to be acquired or is already affected by such acquisition.
- Make adequate provisions for displaced persons for their rehabilitation and resettlement

- Ensure that outcome of obligatory acquisition should be such that the displaced persons become partners in development activities, which would lead to an improvement in their post-acquisition social and economic status.

61. Schedule I of the RFCTLARR outlines the proposed minimum compensation based on a multiple of market value. Schedule II outlines the resettlement and rehabilitation entitlements to landowners and livelihood losers, which shall be in addition to the minimum compensation as per Schedule I. An extract of the RFCTLARR Act 2013 is enclosed in **Appendix-2**.

4.5 Multiplier on Market Value of Land

62. The Government of Assam notified, through Notification No. RLA 300/2013/Pt-II/7 dated 22nd Dec. 2014 that, the factor by which market value of land determined is to be multiplied will be equal to 1.5 (one and half times) if the radial distance of the land is up to 10 km from the urban area and equal to 2 (two times) if the radial distance of the land is beyond 10 km from the urban area. The said notification is appended as **Appendix-3**.

4.6 Assam RFCTLARR Rules, 2015

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

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

4.7 Land Acquisition Process of Non-Cadastral Land in Assam

64. There is a detailed process of transfer of Non-Cadastral land to an acquiring agency, approved by the respective Autonomous District Councils of hill districts and detailed in **Appendix-4**. Any requirement of non-Cadastral land for ASRIP have been identified, but If any Non-Cadastral land is required in ASRIP, it will follow the same procedure of transfer of Non-Cadastral Land.

4.1 Engagement with indigenous communities when locating project sites on lands traditionally owned by indigenous peoples

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

- Document efforts to avoid and otherwise minimize the area of such land proposed for the project.
- Document efforts to avoid and otherwise minimize impacts on natural resources and natural areas of importance to Indigenous People.

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

5 Social Impact Assessment

5.1 Tribal scenario in Assam

66. As per the 2011 census, the total population of Assam is 3,12,05,576; The tribal population is 38,84,371, which is 12.4% of the total population of the state. The tribal in Assam constitute 3.72% of total tribal population of the country. The State has registered 17.4% decadal growth of tribal population in 2001-2011 which is slightly higher than the overall decadal growth for the state. The overall sex ratio among tribal people is 984, which is marginally less than the national average of 990. The tribal population in Assam is predominantly rural with 94.4% residing in rural areas.
67. Assam is an ethnically diverse state with different languages, traditions and cultural practices; it is the melting pot of a large number of ethnic tribes and races, which have infused richness in the cultural tapestry of Assam. The spatial distribution of tribal population in Assam could be broadly classified under two groups: Hill tribes and Plain tribes. In all, there are 29 tribal communities in Assam of which 14 are recognised as Plains tribes and the other 15 as Hill Tribes. Major tribes of Assam are: Bodo (35.1%), Mishing (17.52%), Karbi (11.1%), Rabha (7.6%), Sonowal Kachari (6.5%), Lalung (5.2%), Garo (4.2%), and Dimasa tribes (3.2%), together accounting for 90.42 % of the total Scheduled Tribal population of the state. The other tribal smaller tribal groups in Assam are Deori, Hajong, Thengal Kachari, Khasi, Jaintia, Mech, Chakma, Mizo, Hmar, Kuki tribes, Naga tribes, Barmans (in Cachar), Man (Tai speaking), Khampti and Singpho.
68. In Assam, certain areas have been declared as scheduled area as Specified by the Scheduled Areas under the Sixth Schedule of Indian Constitutions. Six schedule areas in Assam are Bodoland Territorial Council, Karbi Anglong Autonomous Council, Dima Hasan Autonomous District Council⁷.
69. Seven districts of Assam have ST population of more than 25%. These districts are, Dima Hasao, Karbi Anglong, Dhemaji, Baksa, Chirang, Udalguri and Kokrajhar and together account for 53.3% of the tribal population of the state. Of the two districts under the present project, District Dhemaji has a total Scheduled Tribe population of 325,560 which is 47.4 % of the total population while, Lakhimpur, the other project district, has the Scheduled Tribe population at 249,426, which is 23.9% of the total population of the district.

5.2 Profile of Tribal Population of the sub-project area

70. The main tribes residing in the project area are the Mishings or Misings and Sonowal Kacharis along with the Boro, the Rawa and the Tiwas. A brief description of few tribes is given below:

⁷ Govt. of Assam has recently created 6 more Autonomous Councils viz. Rabha Hasong Autonomous Council (RHAC), Mishing Autonomous Council (MAC), Tiwa Autonomous Council (TAG), Deori Autonomous Council (DAC), Thengal Kachari Autonomous Council (TKAC) and Sonowal Kachari Autonomous Council (SKAC).

5.2.1 The Mishings or Misings

71. The Misings or Miri, are the second largest tribe in Assam. Miri is their older name and traces back to their ancestor Abotani. Their language, Mising, is part of the Sino-Tibetan family. The Misings were initially hill dwellers, but later migrated to the plains and started living on the banks of rivers of Assam in search of a more economically viable life in the fertile riverbanks. The reason for this change of habitat is not known, but one theory says that the Misings presently living in *plains* of Assam were not one single tribe, but it evolved into one when many tribes from various Tani tribes of neighboring state migrated to the plains of Assam. This explains the presence of many Mising clans with different Mising dialects as well as different levels of development. The Misings are Patriarchal and follow the patrilineal system. They prefer joint family system which is declining now. Clan endogamy is taboo. Polygamy is permissible as per customary law, but it is not looked upon as an act of honor anymore.
72. The Mising, have adopted Vainavite Hinduism but still follow many animistic beliefs and rituals as remnants of their traditional religious system, like Doni Poloism, the worship of Sun and Moon.
73. As per 2011 Census of India, the population of Mising in Assam is 6,80,424 of which 3,45,786 are male and 3,34,638 are female, with sex ratio of 967 females per 1000 males. Most of the Misings today reside in the districts of Dhemaji and Lakhimpur, while a significant number is present in the Majuli district as well.
74. The traditional craft of weaving is a very important aspect of Mising culture. It is an exclusive preserve of the Mising woman, who starts her training in the craft even before she reaches her teens. The Mising also have a special and complex blanket called *gadu*. The gadu craft is declining as weaving of gadu is very laborious thereby making it quite expensive as compared to other alternatives that area available in the market.
75. Agriculture is the lifeblood of the economy of the Misings. They grow different varieties of rice paddy, mustard, pulses, maize, vegetables, tobacco, bamboo, areca, etc., chiefly for their own use, with the exception of mustard, which brings them some cash. The women contribute to the income of the family by rearing pigs, fowls and, occasionally, goats. Today a small percentage of their population have different categories of jobs, especially in the public sector, small trading, etc. as sources of income.

5.2.2 TIWAS

76. Tiwa (Lalung) is an ethnic group mainly inhabiting the states of Assam and Meghalaya in northeastern India. They are recognized as a Scheduled tribe within the State of Assam. They were known as Lalungs in the Assamese Buranjis, Colonial literature and in the Constitution of India, though members of the group prefer to call themselves Tiwa (meaning "the people who were lifted from below"). A striking peculiarity of the Tiwa is their division into two sub-groups, Hill Tiwa and Plains Tiwas, displaying contrasting cultural feature.

77. The Tiwas became a Scheduled Tribe after the 2001 Census, the Hill Tiwas were not taken into account. Their population may be estimated at around 10,000 approx. The total number of Tiwa speakers amounts only to 34, 800 approx. (2011 Census).
78. The plain Tiwa tribe men wear phaguri wrapping around their heads, thagla as jackets, thenash as a criss cross across the body and nara for their lower body. The women wear riha for upper body, mekhela for lower body complimented by locally made jewellery. Their descent system is patrilineal. The Tiwa community is divided into several Phoit (Wali) and Dilok (divided into exogamous clans and again the clans are sub-divided into many sub-clans) Example - Amsai wali, Marjong wali, Magro, Sagra etc.
79. Festivals constitute a significant part of the culture of the Tiwa people. There are many festivals of Tiwa tribes. Tiwa people celebrate several occasions and festivals. The main festivals of the Tiwa tribes are: Three Pisu (Bihu), Borot utsav, Sogra puja, Wanshuwa, Jonbeel Mela, Kabla, Langkhon Puja, Yangli Puja, etc. Tiwas celebrate Christmas, New Year, and Easter. Tiwa people have an autonomous council consisting of 36 seats for their special representation in Assam. The last election was held in 2020.

5.2.3 SONOWAL KACHARIS

80. The Sonowal Kachari are one of the indigenous peoples of the state of Assam in Northeast India and are the third largest tribe in Assam. They are of Tibeto-Burman origin, and are closely associated with the other ethnic groups of Assam which are commonly referred to as Kachari. The name Sonowal comes from the word 'Son' (Assamese: Xon) which means gold in Assamese. The traditional occupation of the Sonowal Kacharis was gold panning hence the name Sonowal or gold washers. They are predominantly inhabitants of Dhemaji, North Lakhimpur, Tinsukia and Dibrugarh districts of Assam, along with pocket populations in Jorhat & Golaghat districts. The population of Sonowal Kachari's is 253,344 as per the 2011 census. The headquarters of the Sonowal Kachari Autonomous Council is at Dibrugarh.
81. The traditional religion of the Sonowal Kacharis is animistic, the Sonowal Kacharis believed in ancestor worship. They have their own village shrines and generally do not visit Hindu temples. Every Sonowal Kachari village has an identical Namghor that follows strict religious rituals and customs. They have traditional beliefs about some animals, birds and trees which they worship for the welfare of the society.
82. The habitual food of Sonowal Kacharis comprises plain rice, cooked vegetables, fish, and meat. 'Bihus' are the main festivals of the Sonowal Kacharis. Today the Sonowal are primarily engaged in agriculture. They grow rice, betel nut, sweet potatoes, and cotton. Sonowal women are expert weavers of cotton, and every young woman is given a handloom upon her marriage. The Sonowal also raise poultry and have cattle for dairy products. The Sonowal are believed to have a very rich traditional knowledge of indigenous medicine.

5.3 Profile of Affected Villages

83. There are 22 villages along the project area. The comparative data of number of households in the project affected villages, their total population and Scheduled Tribe population and the percentage of ST population as per Census of India 2011, is given in **Table 5-1**.

Table 5- 1: Total and ST Population of affected villages

Name of Village	Total Households (2011 Census)	Total Population (2011 Census)	Total ST Population (2011 Census)	% Of ST Population	% Of ST Population
Huj Gaon	-	-	-	-	0
Jiamoria Gaon	507	2351	5	0.21%	0.1
Deolia Gobindapur	444	2080	15	0.72%	0.31
Thekeraguri Gaon	144	704	99	14.06%	2.02
Harhi Dimaruguriya Gaon	47	238	4	1.68%	0.08
Amulguri Gaon	75	381	15	3.94%	0.31
Rohan Gaon	185	912	2	0.22%	0.04
Heraipowa Gaon	68	325	0	0.00%	0
Nemutenagani Gaon	124	642	22	3.43%	0.45
Borpak Jiyamoriya	74	356	33	9.27%	0.67
Borpak Gaon	166	746	157	21.05%	3.21
Pathalial	426	1949	17	0.87%	0.35
1 No. Pahukhuwa	148	689	2	0.29%	0.04
2 No. Bengenagaraha	117	620	599	96.61%	12.23
3 No. Bengenagaraha	228	1288	1078	83.70%	22.01
Butikar	18	88	0	0.00%	0
Kachari Pathar	139	651	290	44.55%	5.92
Batghoria	247	1198	1065	88.90%	21.74
Bherekichuk	176	972	709	72.94%	14.48
Singimari	101	578	515	89.10%	10.51
Tarubeel	55	296	260	87.84%	5.31
Nalanipam Gaon	92	421	11	2.61%	0.22
Total	3581	17485	4898		100.00

Source: Census of India 2011

*Note: * The name of Huj Gaon is not appearing in DCH 2011 for Lakhimpur District hence the population figures for Huj Gaon have been taken from DCH 2001 of Lakhimpur District*

5.4 Demographic profile of Displaced ST Population

84. Out of total 1147 Displaced Families, the project displaced ST families are 249 (21.71%) and out of the total 5884 displaced populations the ST population is 1329 i.e. (22.59%) with 52.60% males and 47.40% females (699 males and 630 females) resulting in sex ratio of 901females per 1000 males. The age-wise distribution of Displaced Persons is presented in **Table 5-2**. Most of the Displaced Person (76.75%) is in the age group of 7 to 50.

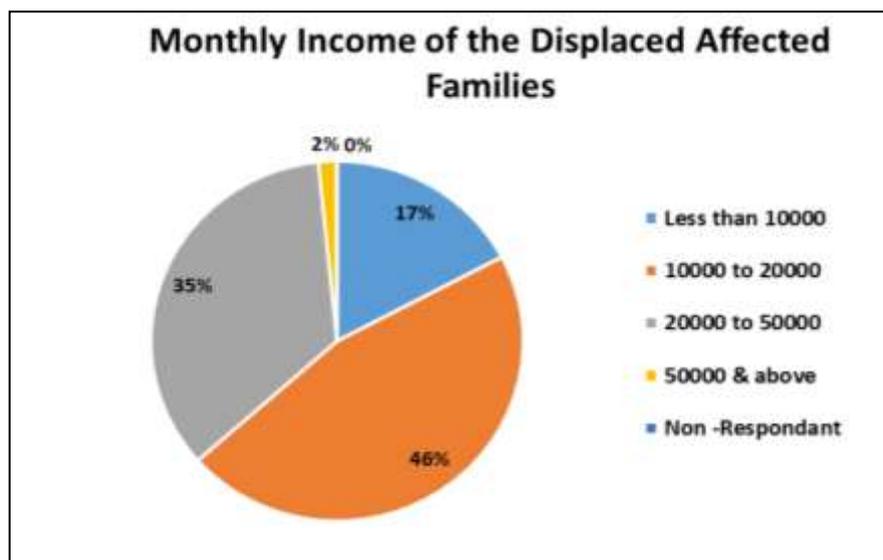


Table 5- 2: Age wise Distribution of Total Displaced ST Population

Age Category	Total Males	Total Females	Total Persons	%
0 To 6 Years	63	52	115	8.65
7 To 14 Years	99	88	187	14.07
15 To 20 Years	75	70	145	10.91
21 To 30 Years	138	152	290	21.82
31 To 40 Years	126	113	239	17.98
41 To 50 Years	96	63	159	11.96
51 To 60 Years	52	44	96	7.22
Above 60 Years	50	48	98	7.37
Total	699	630	1329	100

Source Primary Census Socio Economic Survey, 2020

5.4.1 Income and Expenditure

85. On the income question, response from all 249 Displaced Persons was recorded. The break-up of monthly income of families is presented in **Table 5-3**. Out of total 249 respondent families, 17.27% had monthly income below Rs.10000, 46.18% was within 10000 to 20000, 34.94 between 20000 to 50000 and only 1.61% (4 families) had monthly income above Rs. 50000.

Table 5- 3: Monthly Income of the Displaced ST Families

Income (Rs) Per Month	No. of Families	Percentage
Less than 10000	43	17.27
10000 to 20000	115	46.18
20000 to 50000	87	34.94
50000 & above	4	1.61
No response	0	0.00
Total respondents	249	100.00

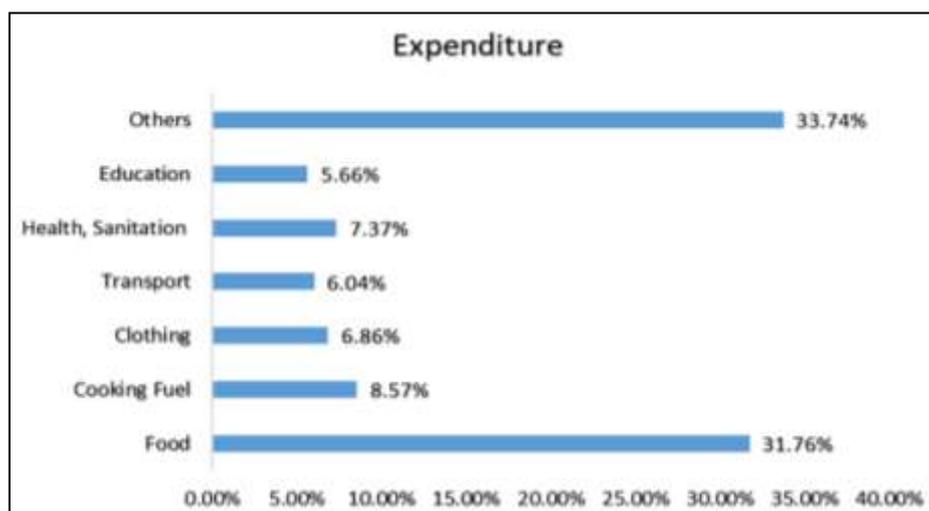
Source: Primary Census Socio Economic Survey, 2020

86. The average expenditure on food and cooking fuel is 31.76% and 8.57% respectively thereby implying that a major part of the income, 40.33%, is spent on preparation and consumption of food. Expenditure under different heads like clothing, transport & communication, health & sanitation, and education is in between 5.66% to 7.37%. Others or miscellaneous expenditure for e.g., religious activities etc. amount to 33.74%.

Table 5- 4: Expenditure of the Displaced ST Families

Expenditure	% Of Expenditure
Food	31.76%
Cooking Fuel	8.57%
Clothing	6.86%
Transport	6.04%
Health, Sanitation	7.37%
Education	5.66%
Others	33.74%
Total	1.00

Source: Primary Census Socio Economic Survey, 2020



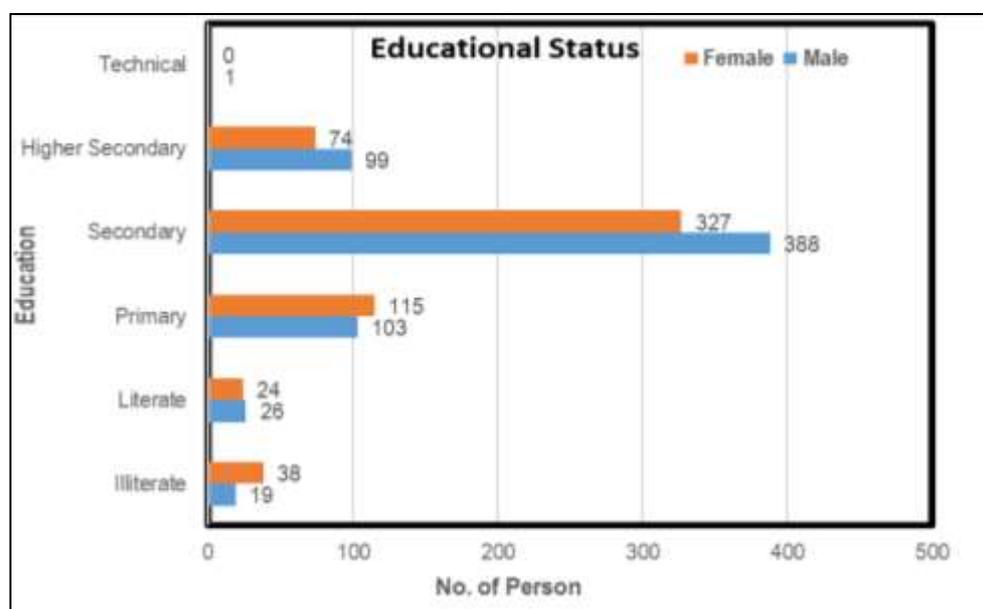
5.4.2 Educational Status

87. The displaced ST population (excluding population in age group 0-6 years (302)) in the study area is 1214 of which 52.39% are males and 47.61% are females. Among the ST population, only 4.70% reported that they are illiterate while 4.12% reported literacy as they can sign. 17.96% of ST population has taken education up to primary school, 58.90% upto secondary, 14.25% upto Graduation and only 1 (0.08) PAP with technical education was reported. **Table 5-5** shows the educational status of the ST population in the proposed project area. The literacy rate amongst the project displaced ST population is 95.21%.

Table 5- 5: Educational Status of Displaced People

Educational Status	Male	Female	No. of Affected Persons	%
Illiterate	19	38	57	4.70
Literate	26	24	50	4.12
Primary	103	115	218	17.96
Secondary	388	327	715	58.90
Higher Secondary	99	74	173	14.25
Technical	1	0	1	0.08
Vocational	0	0	0	0.00
Total	636	578	1214	100

Source: Primary Census Socio Economic Survey, 2020



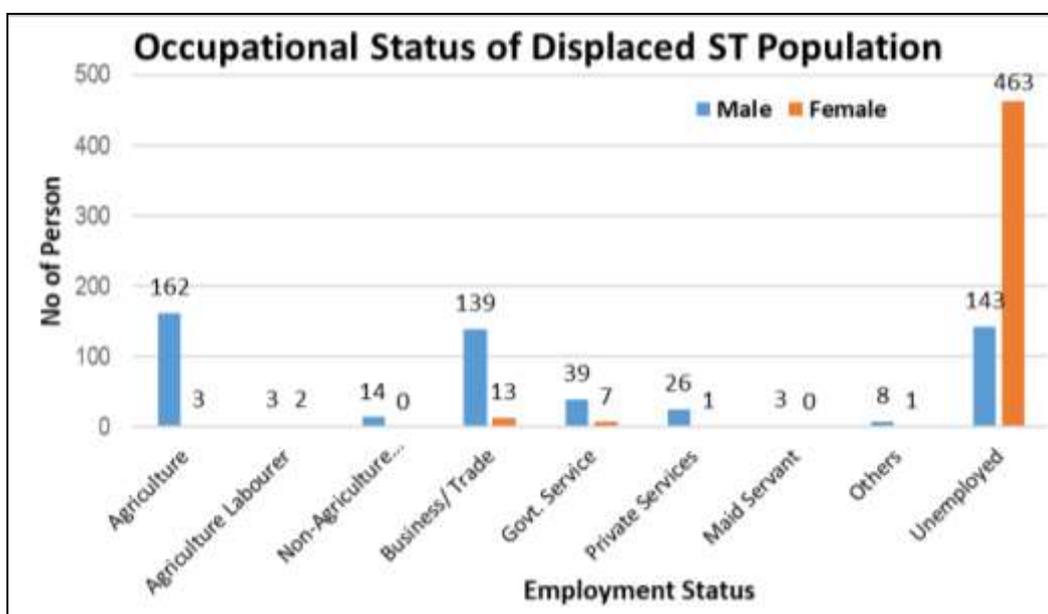
5.4.3 Occupational Profile

88. The main livelihood activities of the affected tribal population are agriculture supplemented by agriculture related activities. Some of the project displaced persons are also engaged in fabrication and sale of household utilities and tools made of bamboo. The occupational profile of displaced ST population is presented in **Table 5-6**. The total displaced ST population in the working group (excluding population from 0-14 years) is 1027. It is reported that, 59.01% of ST population falling in workforce group is unemployed (this includes housewives as well). Of the working population of 421, 16.07% and 0.49% reported to be engaged in agriculture and as agricultural laborers respectively, 4.48% are working in government services and 14.80% is engaged in trade and business. Since the livelihood of the displaced tribal population is largely agriculture and business, the impact of the project will be felt directly by 31.36% whose livelihood is directly or indirectly associated with agriculture and trade/ business.

Table 5- 6: Occupational Status of Displaced ST Population

Employment Status	Male	Female	No. of Affected Persons	%
Agriculture	162	3	165	16.07
Agriculture Labourer	3	2	5	0.49
Non-Agriculture Labourer	14	0	14	1.36
Business/ Trade	139	13	152	14.80
Govt. Service	39	7	46	4.48
Private Services	26	1	27	2.63
Maid Servant	3	0	3	0.29
Others	8	1	9	0.88
Unemployed	143	463	606	59.01
Total	537	490	1027	100

Source: Primary Census Socio Economic Survey, 2020



5.4.4 Status of Women

89. The position of women in ST families is not different from the women of other social categories along the project corridor. At the family level all major decisions are taken by male members of the family. The participation of women in decision making of sale/ purchase of assets is limited. The women have equal rights in the property however they normally do not exercise the same.
90. Apart from domestic work women take active part in field activities, weaving, fabrication and sale of bamboo items. The women contribute to the income of the family by rearing pigs, fowls and, occasionally, goats. They also actively participate in field activities and normally travel in groups to sell agricultural, or poultry / dairy produces at the local Haats. An important feature of the local tribal communities is that the girls are now attending schools.

91. Women are aware of family planning and health care facilities however decision of the male member prevails. Family welfare planning is hardly effective, if not totally ignored, however, during FGD session, women expressed their opinion that most of them are aware of family planning method but very few currently use it.
92. Absence of proper road, lack of public transport and road safety issues are the major concerns towards mobility of women. The women in the project area feel that the proposed up-gradation of the road will provide new economic opportunities for women to upgrade their skills and facilitate their access to better educational and health facilities.

5.4.5 Vulnerability Classification of Indigenous Population

93. Out of the 1147 project displaced families 249 (21.71%) are ST Families. 35 women headed families, 3 differently abled and total 202 BPL families were reported. The distribution/ classification of ST families by vulnerability is presented in **Table 5-7**. 30 out of 35 women headed family belong to BPL category.

Table 5- 7: Vulnerability Classification of Indigenous Population

Social Category	Affected Families	Vulnerability Classification				
		Women Headed Family	BPL	Differently Abled	Orphans/ Destitute	Elderly Person Living Alone
Scheduled Tribe	249	35	202	3	0	0

5.5 Perceived Project Impacts

5.5.1 Positive Impacts:

94. The improvement of the road corridor A22 will help in establishing better connectivity and hence facilitating faster and smooth movement between Dhakuakhana and Telijan.
95. The proposed project is expected to bring substantial social and economic development in the region through improved accessibility to markets and other services and facilities such as, medical, schools, workplace etc. which in turn help in augmenting the income of the locals, ultimately elevating their standard of living.
96. The immediate benefits of road construction and improvement will come in the form of direct employment and business opportunities for the roadside communities and specially those who will engage themselves as small businesses, petty shops, wage laborers, petty contractors, and suppliers of raw material.
97. The uninterrupted road connectivity will help farmers and household industries to reach new markets thereby improving the regional economy. The direct and indirect positive impacts of the project would come in the form of increased mobility, larger and wider market linkages, greater work opportunities and increased awareness about the outside world.

98. The increased frequency of interaction with outsiders would increase the awareness level of the people in the village, especially those related to health and nutrition, living style, value of education and proper utilization of available resources.

5.5.2 Adverse Impacts

99. Although many benefits are expected from the project, the social assessment has identified potential adverse impacts on the people living in the immediate project area by way of losing agricultural land, other assets, and livelihood. Key socio-economic issues that have been identified as adverse impacts are; Loss of fertile agricultural land; Loss of structures used for residential, commercial and other purposes and associated loss of livelihood i.e. loss of livelihood due to adverse impacts on sources of earning; Loss of other properties and assets such as boundary walls, hand pumps, bore wells, dug wells, ponds etc.; Disruption of livelihood due to clearing of RoW particularly for petty shop owners; Loss of common property resources such as places of religious and cultural importance and likelihood of increased accidents due to improved road.

5.5.2.1 Impact on Land and Structure

100. Out of total 1147 Displaced Families, the project displaced ST families are 249 (21.71%). The distribution of ST families with the type of loss (land & structure) is presented in **Table 5-8** From the total Displaced ST Families, 12.45% of the families are having impact on their land while 10.44% families are having impact on their residential structures, but the maximum impact is on commercial structures of the impacted families i.e., 27.30%.

Table 5- 8: Project Displaced ST Families

Type of Impacts	Total No. Affected Families	Males	Females	Total
Land Only*	31	78	73	151
Residential	26	82	64	146
Commercial	68	190	177	367
Residential cum Commercial	3	7	11	18
Others	121	342	305	647
Total	249	699	630	1329

Source: Primary Census Socio Economic Survey, 2020

101. After plotting the structures on the alignment map, the extent of impact on the 310 structure was worked out and is presented in **Table 5-9**. It is observed that 273 (40.32%) structures are getting impacted by more than 40% while all the structures except 2 structures are getting impacted by more than 10%. The (excluding impact on boundary walls etc.) maximum effect is on the commercial structures (80.56%). The type of construction of impacted structures is given in **Table 5-10**.

Table 5- 9: Extent of Impact on Affected Structures

Impact	Residential	Commercial	Resi& Com	Others	Total
Less than 10%	1	1	0	0	2
10-20%	5	5	0	0	10
20-30%	3	8	0	2	13
30-40%	1	10	1	0	12
40% & above	42	99	4	128	273
Total	52	123	5	130	310

Source: Primary Census Socio Economic Survey, 2020

Table 5- 10: Type of Construction

Type of structure	Temporary	Semi-Permanent	Permanent	Total	%
Residential	17	25	10	52	16.77
Commercial	44	75	4	123	39.68
Residential & Commercial	2	2	1	5	1.61
Others (Boundary Wall)	111	19	0	130	41.94
Total	174	121	15	310	100

Source: Primary Census Socio Economic Survey, 2020

5.5.2.2 Impact of Land Acquisition

102. Land acquisition impact will be borne by 249 tribal families which is 21.71% of the total number of families in the affected villages. Out of these 249 families, 31 families will be impacted by acquisition of land. 5 villages have high percentages of ST population ie. 2 No. Bengenagaraha (96.61%), 3 No. Bengenagaraha (83.70%), Bherekichuk (72.94%), Singimari (89.10%) and Tarubeel (87.84%). Hence the maximum impact of the project will be borne by the indigenous population of these 5 villages out of the total 22 project affected villages.

5.5.2.3 Impact on Structures

103. The total number of structures of IP population affected by the project is 310 of which 52 are residential, 123 commercials, 5 residential cum commercial and 130 others that covers boundary walls etc. It is observed that 273 (40.32%) structures are getting impacted by more than 40% while all the structures except 2 structures are getting impacted by more than 10%. The process of identification of alternate resettlement site/Relocation site has not yet been started. It will be identified and disclosed in the public disclosure meeting and upon concurrence of the PAPs; the details will be worked out and incorporated in the RAP.

5.5.2.4 Impact on health

104. Environmental pollution caused by heavy machinery used in road construction in the form of noise and dust will have adverse effects on the local population. The influx of construction labour will increase the chances of groundwater contamination due to improper disposal of wastewater and also might increase the chances of transmittal of hitherto unknown diseases and HIV/AIDS.

5.5.2.5 Impact on livelihood

105. Significant adverse impact of the project is foreseen on the PAPs in livelihood as a large number of them are either agriculturists or work as agricultural laborers. Since the project will impact commercial structures, livelihood of the employees of these commercial establishments will also be impacted.

5.5.2.6 Impact on traffic

106. Due to the excavation and later construction work of the project road and other associated facilities like labour camps, batching plant etc. there will be disturbance in the movement of traffic.

5.5.2.7 Impact on access

107. The project will impact access to residential and commercial structures during construction phase. The roadside drains will be dug up for renovation leading to problems of access for the residents, shoppers and the shopkeepers. There will also be periodic restrictions on movement on either side of the road.

5.5.2.8 Impact on labour influx

108. Influx of migrant labour during construction activities will create additional pressure on the local resources and social infrastructure leading to potential risk of social conflict. Likelihood of cases of sexual harassment and gender-based violence against the local community increases with influx of migrant labour.

5.5.2.9 Impact on tenants

109. The tenants of agricultural land and residential and commercial properties will also be impacted by the acquisition and demolition of such structures as they will have to find alternate residences in case of residential tenants while the agricultural and commercial tenants will lose their livelihood. The quantum of all such losses will be detailed in the RAP and compensation defined in the entitlement matrix.

5.5.2.10 Impact on women

110. A sizeable number of women are engaged in agriculture activities in the project affected area who will lose their livelihood due to acquisition of agricultural land. Safety and security of women and children is another issue linked to the influx of migrant labor and other outsiders during project construction activities.

5.5.2.11 Impact on intangible culture

111. The customs, traditions and belief systems of any region /community are deeply rooted in the ecology and environment. Human society and culture are products of adaptation to a given environmental conditions and ecology and change in the nature of use of land resources; ecology or environment, brings about a change in adaptation and man-nature complex inducing changes in the socio-economic and cultural life of the impacted community.

5.5.2.12 Impact on access to services and amenities

112. The construction of high embankment will adversely impact movement of the villagers across the proposed road and create problems of access to other parts of the affected villages.

5.6 Mitigation measures

113. The perceived adverse impacts likely to be encountered by the people have been enumerated in the earlier part of the report under adverse impacts. While some of the impacts are direct, others are indirect. The direct losses likely to be experienced by the people are loss of land, loss of structure (residential, commercial or any other), loss of trees, loss of common property resources, loss of livelihood, etc. The indirect impacts are physical displacement, limited access to the services due to displacement, and impacts on the socio-cultural life of the affected population. The mitigation measures for the perceived adverse impacts have been suggested in this section.
114. Based on consultation with various stakeholders and the social assessment report, the engineering team of the consultants developed guidelines to minimize negative social and environmental impacts/displacement; reduce disruption of livelihoods, protection of environmentally sensitive features etc. by fixing the alignment in such a way that there is least impact on the settlements. Efforts have also been made to avoid sensitive structures, like temples, schools and places of cultural importance. As a result of the interventions several categories of losses have been minimized.

Table 5-11: Measures undertaken to Minimize Negative Social Impacts due to land acquisition

Sl. No.	Adverse impact	Mitigative Measures suggested/taken
1	Impact on Land	Land will be acquired under the RFCTLARR, and the loss will be offset by adequate compensation for land and standing crops and trees. The entitlements will be clearly defined in the entitlement matrix in the RAP
2	Impact on Structures and resultant displacement of PAFs	<p>Realignment of the road to minimize requirement of privately owned land; hence minimal land acquisition and displacement of PAFs</p> <p>Realignment of the road along with minimization of RoW and preparation and submission of alternate livelihood options in the RAP</p> <p>Compensation will be paid to the titleholders for structures impacted by the project as well as for the land on which it has been built. The non-titleholders will not be entitled for compensation for land but they will be given compensation for structures. The CPRs will be shifted as per requirement of the project with</p>

		the consent of the community in case of religious structures and the management or owner department of the government in case of the schools, bus stand and public toilets. The entitlements will be calculated disbursed as per the entitlement matrix of the RAP
3	Impact on livelihood	The quantification of these impacts will be a part of the RAP and the entitlement matrix will contain the details of entitlements of all such PAPs under the head Livelihood Assistance. Additionally, some of the PAPs losing livelihood due to acquisition of commercial establishments may be engaged as unskilled labour by the contractors. Details of such PAPs under different categories will be available in the RAP
4	Loss of sources of income for PAPs engaged as wage earners	Compensation as per entitlements provided for in the RFCTLARR, R&R Policy of the State and AIIB ESSs
5	Loss of agricultural/farmland	Realignment of the road to minimize requirement of agricultural land. Wherever acquisition of agricultural land becomes imperative, compensation as per provisions of the RFCTLARR, R&R Policy of the State and AIIB ESSs
6	Loss of livelihood of agricultural laborers	Compensation as per entitlements provided for in the RFCTLARR, R&R Policy of the State and AIIB ESSs
7	Displacement of Important Religious Structures	Realignment of the road to save such structures. Wherever displacement of such structures becomes necessary, they will be relocated to new sites as per their original design plans.
8	Displacement/loss of Educational Institutions	Realignment of the road to save such structures. Wherever acquisition of such structures becomes necessary, they will be relocated to new sites, or the concerned authorities will be given the estimated cost of relocation and they will then build new structures at other identified places.
9	Displacement/loss of Offices and CPRs	Realignment of the road to save such structures. Wherever acquisition of such structures becomes necessary, the concerned authorities will be given the estimated cost of relocation and they will then build new structures at other identified places.
10	Loss of Trees (individual as well as community)	Compensation as per provisions of the RFCTLARR, R&R Policy of the State and reforestation in lieu of tree felling for the project
11	Loss of forest cover/natural vegetation	Reforestation in lieu of tree felling for the project
12	Loss of drainage	Provision of covered concrete drains along the road passing through habitations and open earthen drain in

		other sections
13	Impact on Health	Mitigation plan involves the erection of temporary enclosures around construction sites. These barriers will help entrap some of the dust that is brought up during the excavation and construction phases. Labour Management Plan will contain guidelines on movement outside the labour camps during off hours. The contractor will also impart training on STD/AIDS to the labour and other employees.
14	Impact on traffic	Considering the topography of the area, care will be taken to caution incoming traffic to facilitate ease of movement. Proper signage will be provided for detailed information on the dates and duration of road construction and which detours, if any, will be available, ideally well in advance of actual construction so residents can plan accordingly. Additionally, clean-up of debris and clearance of blockages will commence immediately after project completion so as to remove any potential obstacles that might create traffic hazards
15	Impact on access	Care will be taken to minimize the impact of problems of access by taking up construction activities during the night in the stretches having commercial establishments. Alternate access will be provided during and the access to the structures dislocated during road construction should be rebuilt after completion of civil works.
16	Impact of labour influx	Preference shall be given by the contractor to local labour during hiring of semi-skilled and unskilled labour. The contractor will provide camp facilities to the migrant workforce as stipulated in the Labour Management Plan
17	Impact on tenants of residential and commercial structures	Applicable compensation and livelihood assistance commensurate with the loss to the tenants of all structures acquired for the project will be a part of the entitlement matrix.
18	Impact on women	Loss of livelihood based on agriculture will be evaluated and quantified in the entitlement matrix and compensated during implementation of the RAP. Safety and security of women and children will be assured through adherence to the Labour Management Plan by the contractor.

115. The perceived impact of the project on **Intangible Culture** and the suggested mitigation measures are detailed in the table below :

Table 5- 12: Measures undertaken to Minimize Negative Social Impacts on Intangible Culture

Sl. No.	Issues	Suggested Mitigation Measures
1	Dislocation or displacement of certain symbols of individual religious cults, specifically totems	Consultations and informal discussions with the affected population to allay the fears of negative impacts of displacement on their individual religious beliefs
2	Places or sites of non-religious (social/ peer group) congregations or informal meetings. These have emotional as well as social significance for the local inhabitants, as in certain cases a person is identified by a place	Creation of rapport through continuous informal meetings and then impressing upon them that a minor change in such locations would not bring about any far- reaching effect on their position in the social or peer group
3	Emotional attachment with residential structures especially in the case of elderly	Informal meetings, discussions and some amount of cajoling substantiated with a comparison of the project benefits and their loss to lessen their stress and agony and make them see the reasons and necessity of acquisition of their residential structures

6 Information Disclosure, Consultations and Participation

6.1 Information disclosure

116. Information will be disseminated to displaced persons at various stages of the project through project selection, preparation, and project implementation period. For the benefit of the community in general, and displaced persons, in particular, a summary of the Resettlement Planning Framework and Resettlement Plan of the project will be made available in vernacular language during consultation meetings and will be disclosed in public places prior to project appraisal. This will enable stakeholders to provide inputs on the resettlement process, prior to award of civil work contract.
117. Resettlement Plan will be disclosed to the affected community, detailing information including measurement of losses, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments, and displacement schedule by the PMU/PIU. This will be done through public consultation and distribution of brochures, leaflets in vernacular language. Copies of the Resettlement Plan in vernacular language will also be made available at: (i) offices of the PMU and PIU; (ii) the Deputy Commissioners Office; and (iii) local level offices. A report of disclosure, giving details of date and location will be shared with the AIIB.
118. Electronic version of the Resettlement Planning Framework and Resettlement Plan will be placed on the official website of state government and the official website of AIIB after approval and endorsement of the Resettlement Planning Framework and Resettlement Plan by PMU and AIIB. Furthermore, there will be a notification on the start date of sub-project implementation. The notice will be issued by the PMU in local newspapers a month ahead of the implementation works. Resettlement plan will be maintained on the website throughout the life of the project.

6.2 Consultations

119. Meaningful consultation has been taken up as an integral part of social assessment process of the Project. Consultations were carried out with the impacted indigenous population to develop ownership and support for the project; integrate and address their concerns through suitable measures in the project design and implementation. Consultations were conducted with the Indigenous people along the corridor to inform them about the project, to elicit their views and understand their concerns and to ensure their participation in subsequent phases of the project. The draft and final IPP will be shared with the affected Indigenous population at all the three stages of the project, design, construction, and operations.
120. Advance intimation about the date and location of conducting consultations was given to the “Gaonbhura” (the village head) to seek his help in calling people for discussions. During the consultation meetings the people were informed about the project, the process of acquisition of land and payment of compensation. During the meetings, the consultant’s social personnel interacted with the indigenous community about extent of impacts, social risks, safety, sacred centres, common property resources, occupations and work places, ,

awareness, opinions and preferences about project etc. The meetings were photographed, and summary of the discussion was recorded with signatures of the attendees. The Resettlement Planning Framework, Direct Purchase Policy of private land and Resettlement Plan will be explained to the displaced families as and when these documents are approved and brought into the public domain.

121. The identified stakeholder in the project and the approach to reach them is presented in **Table 6-1**.

Table 6- 1: Identified Stakeholders

Level	Type	Key Participants	Response	Influence	Affected
Individual	Local Level Consultations	Persons along the road corridor	Supportive	Medium	Yes, Road users
Individual	Door to Door personal contact	People along the road corridor which are likely to be impacted	Supportive	High	Yes, Due to Land or structure acquisition
Settlement and Groups	Focus Group Discussion	Including women, Socially and economically vulnerable	Supportive	High	Yes, due to land or structure acquisition
Common Property Resources	FGD with Community owners/ Leaders/ Caretakers	Management/ staff of CPR	Supportive	Low	Yes, by or due to land impacted
Departmental Level Consultations	Focus Group Discussion	Including Department Official	Supportive	Low	Indirectly due to road improvement

122. Stakeholders and their level of interest may change as the project progresses, depending on the impacts associated with each stage of planning, construction and post-construction. **Table 6-2** below provides a list of specific stakeholder’s involvement and their level of impact and interest during project lifecycle.

Table 6- 2: Analysis of Stakeholder’s Involvement and Impacts/Risks

S. No.	Categories of Stakeholders	Involvement of Stakeholders			Pre-Construction	
		Planning	Construction	Post-construction	Level of Impact	Level of Interest
1	Displaced Persons (TH & NTH)	Frequent	Occasional	On required basis	High	Low
2	Local Communities	Frequent	Occasional	On required basis	High	Low
3	Village Headmen & Gram Panchayat	Frequent	Occasional	On required basis	Low	Low

S. No.	Categories of Stakeholders	Involvement of Stakeholders			Pre-Construction	
		Planning	Construction	Post-construction	Level of Impact	Level of Interest
	members (local elected representatives)					
4	Women's belonging to various socio-economic groups	Frequent	Occasional	On required basis	High	Low
5	Other vulnerable groups	Frequent	Occasional	On required basis	High	Low
6	Local Elected Members	Occasional	On required basis	On required basis	Low	High
7	Concerned Officials from Government	Frequent	Occasional	On required basis	Low	High

123. Consultations with villagers residing along the project road, exclusively, women folks and functionaries of Common Property Resources were carried out during the Census Survey activity. Notice of seven days was given to the village president for conducting the consultations. At the outset of each consultation, project objectives, road improvement features, and the anticipated benefits of the project were explained to the participants and then their views about the project and possibility of acquisition of some of the land parcels and structures were elicited. The participants raised certain queries for better understanding of project, process of acquisition and compensation paid to which the consultation team responded. The details of consultations conducted have been presented in **Table 6-3**.

Table 6- 3: Consultation Conducted on Proposed Road

Sr. No.	Type of Consultations	Village Name	Date	Participants
1.	ST Consultation - 2 No.	Bengenaraha Gaon	09.01.2021	Males-26
				Female- 01
		Bataghoria Gaon	11.01.2021	Males- 28
				Females- 03
2.	Women Consultation - 1 No	Kachari Pathar	10.02.2020	Females -07
3.	Commercial Consultation - 4 Nos.	Kathalguri Tinali	09.02.2021	Males-14
				Females-02
		Gobindapur Deolia	09.02.2021	Males-06
		Dimaruguri Gaon	09.02.2021	Males-12
		Pathailal	10.02.2020	Males -13
4.	Departmental Level Consultations - 1 Nos.	Gram Panchayat Benganagora	12.01.2021	Male- 05
	Total	8 Consultations		117 Participants (104 Males & 13 Females)

6.3 Community Perceptions

124. Consultations provide a platform to the project proponents to inform the community about the salient features of the project and to invite their suggestions and feedback. The perceptions of the tribal community about the positive and adverse impacts of the project have been summarized below in **Table 6-4** & their comments and feedback in **Table 6-5**.

Table 6- 4: Community Perceptions

Perceived benefits or positive impacts of the project	Perceived adverse impacts of the project
<ul style="list-style-type: none"> • More job opportunities for unemployed people because of the project and allied jobs • Opportunities to start new businesses on the roadside. • Better income due to easy selling of agricultural produces and other products due to improved road & transportation facilities. • Better road facilities may help setting-up more industries in the area. • The compensation along with other benefits and support may develop their economic standard. • The price value of their roadside lands will increase. • We will get all kinds of goods and commodities in the area at cheaper rates. • Due to bypass road, the fear of accident of the villagers will not be there. • The compensation amount will help us to provide higher education to our children. • Better road and communication facility will help our children to take admission in higher educational centres located in nearby towns. • Women wages at par with men labourers/ workers. 	<ul style="list-style-type: none"> • The agricultural production or land-based income will decline after the acquisition of lands under the project. • It will worsen the economic status of the families due to displacement. • The value of agricultural produces in the local market will go up as people would prefer to export produces due to better transportation facilities. • The daily agriculture wage earners may not get adequate income due to land acquisition. • More and more people will be prone to diseases because of environmental pollution, which would incur heavy expenditures. • The local businessmen may face difficulty due to influx of businessmen from outside. • Some people in the affected villages also felt that movement of more vehicles would increase accidents. • Some people may misuse the compensation amount by spending money on drinking alcohol. This may create disturbance in the family and the community. • The loss of house and other cultural structures will create an emotional trauma among people. • Improper distribution of compensation amount among the separate families may create disturbances. • Fair compensation may not be given. • More people may migrate to our area because of better road facilities. • Ponds and open wells that are extensively used to meet water needs of the locals will be polluted due to construction.

Table 6- 5: Comments of the community and responses of the consultants

Sr. No.	Comments/Apprehensions of the community	Responses of the consultants
1	Apart from compensation for land, structure, and other assets, what other benefits and support will be provided under the project.	Other benefits will include provision of livelihood trainings for better opportunities
2	Will it be an all-weather road	Yes, it will be an all-weather road
3	Apprehension about loss to the school building due to the proposed road project.	The Government will construct a new school building at the nearest alternate location and shift the school in it before demolishing the existing building. This will not hamper the education of students
4	During construction phase local village labourers should be given employment	Yes, Locals may be hired by the civil contractors as unskilled labour or as per their expertise
5	Adequate compensation should be paid, preferable in cash	All compensation will be paid directly to the account of the PAPs
6	The road should have all safety features particularly near the settlements	All safety features like rumble strips near settlements and proper signages will be there
7	Type of compensation that will be paid and for what all.	Compensation for land and structures and for loss of livelihood. Compensation for land and structures will be paid as per the entitlement matrix, loss of livelihood will be offset through livelihood assistance and CPRs will be relocated
8	Compensation and alternate livelihood options for shopkeepers as well as tenants	Compensation to shopkeepers and tenants will be paid as per the entitlement matrix, loss of livelihood will be offset through livelihood assistance
9	Land, structures, trees etc. will be lost/ affected	Yes, all land and structures within the RoW will be affected
10	What if there is only partial loss of a commercial structure	If the residual structure becomes unviable for operation, compensation will be paid for the whole
	Government centric comments	
11	Development of ST community and agriculture land should be considered while constructing the road.	The Livelihood Action Plan will be included in Resettlement Policy Framework and the framework will be shared with all concerned as soon as it gets ready.
12	Tea gardens belonging to ST community should not be hampered and at the time of construction, employment preference will be given to the locals.	Complete care will be taken for minimum adverse impact on tea gardens during designing. Preference will be given to the local workers including women.
13	Educational development for the	This will be communicated to the

Sr. No.	Comments/Apprehensions of the community	Responses of the consultants
	missing community language should be provided by the government.	concerned authority for consideration.
14	Can skill development program for women and children be initiated	Skill development programmes will be formulated for women to provide them alternate livelihood opportunities.
15	Highlighted the need for street lighting, police post and medical facilities	These aspects do not come under the purview of the project but may be taken-up as part of Community Development works at later stages of the project
16	Women laborers and workers are not paid equal to men	Equal wages will be paid to men and women.
17	Highlighted the need for new water pipeline as water is not good in the region.	The request will be forwarded to the concerned authority.

6.4 Summary of Consultations Performed

125. Summary of consultations has been appended below in **Tables 6-6 to 6-13**.

Table 6- 6: Public Consultation Summary 1

Date	09.01.2021	
Venue	Bengenaraha Gaon	
Number of Stakeholders Attended	26 Male & 01 Female	
Stakeholder Category	Scheduled Tribes	
Queries and feedback of Participants and Response from Consultant	<p>Issues Discussed</p> <ul style="list-style-type: none"> • 90% population of the village belongs to missing community. According to them Accident case is major Problem in the village. • Bharat Petroleum is near the village but the majority of employees working here are not locals they belong to other places. Hence, agriculture is only livelihood of the village. • In 1973, Govt. provided land (Patta/ lease) to the missing community but not provided any legal document yet. Shall we get compensation against the affected land? 	<p>Response from Consultant</p> <ul style="list-style-type: none"> • Proper safety measure will be considered while designing of road. Hence, after construction accident prone area will decrease. • Govt. will provide the employment to the locals through this project and preference will be given to the local workers including women. • District Level Land Purchase Committee will check the details of ownership of affected land and compensation will be paid as per LARR Act 2013 and Assam LARR Rules 2015 and Resettlement Framework. Also, we suggested submitting the ownership document to the local revenue office.

Consultation Attendance Sheet

Project Name: Assam State Road Project
 Road No.: A-22
 Road Distance: 25+500/32
 Participants: ST Community, E.V. Nagar
 Surveyor/Supervisor: _____
 Place of Consultation: Berynangora G.P. Date of Consultation: 09/01/21

S.No	Name of the Participants	Contact No/ Designation	Signature
1	Shri. Sankar Das Borah	9101330265	[Signature]
2	Shri. Debbari Anni	9876648217	[Signature]
3	Shri. Jitendra Borah	9876648217	[Signature]
4	Shri. Pratik Borah	9876648217	[Signature]
5	Shri. Pratik Borah	9876648217	[Signature]
6	Shri. Pratik Borah	9876648217	[Signature]
7	Shri. Pratik Borah	9876648217	[Signature]
8	Shri. Pratik Borah	9876648217	[Signature]
9	Shri. Pratik Borah	9876648217	[Signature]
10	Shri. Pratik Borah	9876648217	[Signature]
11	Shri. Pratik Borah	9876648217	[Signature]
12	Shri. Pratik Borah	9876648217	[Signature]
13	Shri. Pratik Borah	9876648217	[Signature]
14	Shri. Pratik Borah	9876648217	[Signature]
15	Shri. Pratik Borah	9876648217	[Signature]
16	Shri. Pratik Borah	9876648217	[Signature]
17	Shri. Pratik Borah	9876648217	[Signature]
18	Shri. Pratik Borah	9876648217	[Signature]
19	Shri. Pratik Borah	9876648217	[Signature]
20	Shri. Pratik Borah	9876648217	[Signature]
21	Shri. Pratik Borah	9876648217	[Signature]
22	Shri. Pratik Borah	9876648217	[Signature]
23	Shri. Pratik Borah	9876648217	[Signature]
24	Shri. Pratik Borah	9876648217	[Signature]
25	Shri. Pratik Borah	9876648217	[Signature]



Table 6- 7: Public Consultation Summary 2

Date	11.01.21	
Venue	Bataghoria Gaon	
Number of Stakeholders Attended	28 Males & 03 females	
Stakeholder Category	ST Village Level- Land Impacted	
Queries and feedback of Participants and Response from Consultant	<p>Issues Discussed</p> <ul style="list-style-type: none"> • People asked about compensation for land, structure, and other assets, what other benefits and support will be provided under the project? • Few landowners don't have proper documents of the affected area. • During construction phase local village labourers should be given employment 	<p>Response from Consultant</p> <ul style="list-style-type: none"> • Wherever acquisition is done adequate compensation as per the LARR Act 2013, Assam LARR Rules 2015 and Resettlement Framework will be paid. • We requested to visit land circle office, collect the documents, and complete the documentation as soon as possible. • Preference will be given to the local workers including women

Consultant Attendance Sheet

Project Name: Axom Mala Road Project
 Road No: A-22 Road Distance: 30-500
 Participants: ST Community 2-01600
 Surveyor/ Supervisor: Arup Barman
 Place of Consultation: Chhalingdaha Gaon Date of Consultation: 11-01-2021

S. No	Name of the Participants	Contact No/ Designation	Signature
1.	Mr. Manoj Path	8134878103	Lot Gankath
2.	Mr. Bhadrachandra Sarma	9436764397	Lot B
3.	Mr. Chandra Shekhar Sarma	9636738999	
4.	Mr. Pratik Sarma		
5.	Mr. Pratik Sarma		
6.	Mr. Pratik Sarma		
7.	Mr. Pratik Sarma	9957979970	
8.	Mr. Pratik Sarma		
9.	Mr. Pratik Sarma		
10.	Mr. Pratik Sarma		
11.	Mr. Pratik Sarma		
12.	Mr. Pratik Sarma		
13.	Mr. Pratik Sarma		
14.	Mr. Pratik Sarma		
15.	Mr. Pratik Sarma		
16.	Mr. Pratik Sarma		
17.	Mr. Pratik Sarma		
18.	Mr. Pratik Sarma		
19.	Mr. Pratik Sarma		
20.	Mr. Pratik Sarma		
21.	Mr. Pratik Sarma		
22.	Mr. Pratik Sarma		
23.	Mr. Pratik Sarma		
24.	Mr. Pratik Sarma		
25.	Mr. Pratik Sarma		
26.	Mr. Pratik Sarma		
27.	Mr. Pratik Sarma		
28.	Mr. Pratik Sarma		
29.	Mr. Pratik Sarma		
30.	Mr. Pratik Sarma		
31.	Mr. Pratik Sarma		
32.	Mr. Pratik Sarma		



Table 6- 8: Public Consultation Summary 3

Date	10.02.2021	
Venue	Kachari Pathar (Ch. 25+500)	
Number of Stakeholders Attended	07 Females	
Stakeholder Category	Women Consultation	
Queries and feedback of Participants and Response from Consultant	<p>Issues Discussed</p> <ul style="list-style-type: none"> • Women mainly are involved in household chores whereas some are engaged in shop keeping and some are running their own cottage industry. • Drinking water is not in good condition. Hence, women in this region were demanding for new water pipeline along the proposed road. • Women take decision only at household level 	<p>Response from Consultant</p> <ul style="list-style-type: none"> • During construction, employment will be provided to women equal to the men. • The requirement of new water pipeline will be informed to the project authorities. • As part of the project a Gender Action Plan will be prepared to help in upliftment of the condition/ status of the women



Table 6- 9: Consultation Summary 4

Date	09.02.2021	
Venue	Kathalguri Tinali (Ch. 14+700)	
Number of Stakeholders Attended	14 Males & 2 Females	
Stakeholder Category	Commercial PAPs (FGD)	
Queries and feedback of Participants and Response from Consultant	<p>Issues Discussed</p> <ul style="list-style-type: none"> • Locals has suggested to develop junction at chainage 15+000 and demanding access road for the Kathalguri village • Adequate provision for road safety and drainage to be kept while designing the road. • Apart from compensation for land, structure and other assets, what other benefits and support will be provided under the project • During construction phase local village laboures should be given employment 	<p>Response from Consultant</p> <ul style="list-style-type: none"> • The requirement of development of junction and access road will be informed and discussed with the project authority • The improved road will have proper drainage facility in major settlements. The safety measures such as speed-brakers, signages, curve improvement will be considered while designing the road. • The government of Assam is preparing a Resettlement Framework which will have provisions for other benefits and support. This document will be shared with all concerned as soon as it is finalized. This activity will be completed before any acquisition under the project. • Preference will be given to the local workers including women.

Consultation Attendance Sheet

Project Name: Axommala Road Project
 Road No.: A-22 Road Distance: 14+700
 Participants: Resit-Comm PAPs
 Surveyor/ Supervisor: Arup Barman
 Place of Consultation: Kathalguri Tinali Date of Consultation: 09/02/21

S. No.	Name of the Participants	Contact No/ Designation	Signature
1.	Chitranjali Gogoi		
2.	Hemanta Hazarika		
3.	Jayanti Hazarika		
4.	Nirab Barua	8011774885	
5.	Jaijit Gogoi		
6.	Arup Barman	7637835149	
7.	Arup Barman		
8.	Likhanta Hazarika		
9.	Arundha Hazarika	9365037071	
10.	Munish Barua	7457492817	
11.	Bijay Barua	9619040385	
12.	Babur Ram Barua		
13.	Bijay Barua	8011631575	
14.	Rajul Barua	6003265410	
15.	Nandab Barua	5678510761	
16.	Naba Barua		
17.			
18.			
19.			
20.			
21.			



Table 6- 12: Public Consultation Summary 7

Date	10.02.2021	
Venue	Pathailal (Ch. 03+500)	
Number of Stakeholders Attended	13 Males	
Stakeholder Category	Commercial Consultation	
Queries and feedback of Participants and Response from Consultant	<p>Issues Discussed</p> <ul style="list-style-type: none"> • The villagers were willing to part with their land and structures for road improvement provided adequate compensation is paid. • Few shopkeepers do not have alternate land for relocation of their Shop • Land compensation should be given before road construction work • Will compensation be given for the affected structure 	<p>Response from Consultant</p> <ul style="list-style-type: none"> • Adequate compensation will be paid through cheque. • Provisions will be made as per LARR Act 2013, Assam LARR Rules 2015 and R&R policy framework. • Yes. Compensation will be paid before road construction work • Yes. Compensation will be paid as per LARR Act 2013 and Assam LARR Rules 2015 and R&R policy framework

Consultation Attendance Sheet

Project Name: Axomala Road Project

Road No: A22-1 Road Distance: 30+500

Participants: Commercial

Surveyor/ Supervisor: Arup Barman

Place of Consultation: Pathailal Date of Consultation: 10/02/21

S. No.	Name of the Participants	Contact No/ Designation	Signature
1.	Debojit Saha	8134804534	
2.	1013-887		
3.	Arande Borah		
4.	Anup Kumar Saha	9957272093	
5.	1013-887		
6.	Ramen Borah		
7.	Rajit Das		
8.	Lokeshwar Borah		
9.	1013-887		
10.	Badrinarayan Das		
11.	1013-887		
12.	Rajul Das		
13.	Jibeswar Borah		
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			



Table 6- 13: Public Consultation Summary 8

Date	12.01.2021	
Venue	Gram Panchayat office, Benganagora	
Number of Stakeholders Attended	5 Males	
Stakeholder Category	Government officials	
View of Participants on the Project	<p>Issues Discussed</p> <ul style="list-style-type: none"> • The Panchayat President and Secretary suggested the development of the proposed road with proper safety measure. • Development of ST community and agriculture land should be considered while constructing the road. • Tea gardens belongs to ST community should not be hampered and at the time of construction, employment preference will be given to the locals • Educational development for the missing community language should be provided by the government. 	<p>Response from Consultant</p> <ul style="list-style-type: none"> • The engineering design of the road will consider all the required road safety measures for villagers • The Livelihood Action Plan will be included in Resettlement Policy Framework and the framework will be shared with all concerned as soon as it gets ready. • Preference will be given to the local workers including women. • This will be communicated to the concerned authority.



7 Training and Capacity Building

126. Training and capacity development of staff is an integral part of successful and timely implementation of the IPP. Strengthen in house capacity to implement the provisions of IPP. Strengthen in house capacity to implement the provisions of RPF/IPP. Focused training modules and training program schedules have been prepared in areas which require training for successful implementation of the IPP. The various areas where training requirements have been identified at the levels of the PMU, PAPs and Line Departments are enumerated below:

7.1 Training Needs of PMU and PIU

127. The officials of the PMU and PIU shall be provided trainings in the areas of Team Building, Survey Techniques, Communication Skill, Implementation Mechanism of IPP, Collaboration/Coordination with other Stakeholder Departments, Grievance Handling, Conflict/Crisis Management, Progress Monitoring and Project Evaluation, FPIC and Participatory Social Appraisal, the process of Land Acquisition and purchase of land through consent, and role of tribal councils in implementation of IPP

7.2 Training Needs of PAPs

128. Training on different Income Generation/Restoration Schemes: specific training on schemes of choice. The detailed strategy of imparting training has been provided under *training delivery strategy* which will be taken-up after a proper Training Needs Assessment.

7.3 Training Needs of Other Stakeholder Departments

- Department of Tribal Welfare, Fisheries Department, Department of Agriculture and the veterinary Department are some of the line departments who have active role in implementation of the IPP as the livelihood restoration schemes will mostly be implemented through their active support.
 - The areas identified for training of the concerned officials of these departments are; Participatory Social Appraisal, Latest Developments in Pisciculture, Procedures for Allotment of Land for Fish Ponds, Preparation and Maintenance of Tanks, Improvements in Cropping Pattern, Soil Treatment, cattle rearing and dairy, etc. The thrust of these trainings would be on collaboration/ coordination with other Stakeholder Departments
129. These training programs will be conducted in association with local and national training institutions and experts in various aspects of social management. Assam PWD will also identify courses offered by the premier institutions in India and abroad on social management and inter-phase these with identified program.
130. An outline of the training/capacity building programmes that shall be conducted to facilitate proper implementation of the IPP has been provided in **Table 7-1** below:

Table 7- 1: Proposed Training /Capacity Building Workshops

S. No.	Type of training/ capacity building workshop	Duration (In days)	Participants
1	Participatory Social Appraisal	2	SE, EE, AE and
2	Collaboration/Coordination with other Stakeholder Departments	2	Representatives of Fisheries, Agriculture and Veterinary Departments
3	Communication Skills	1	SE, EE, AE
4	Implementation Mechanism of IPP	2	
5	Progress Monitoring and Project Evaluation	1	
6	Land Acquisition	2	
7	Conflict/Crisis Management	1	
8	Team Building	1	SE, EE
9	Grievance Handling	1	
10	Survey Techniques	1	EE, AE
11	Quality Control of Construction	1	AE
12	Extension	2	Representatives of Fisheries, Agriculture and Veterinary Departments
13	Latest Developments in Pisciculture	1	Representatives of Fisheries
14	Procedures of Allotment of Land for Fishponds	1	Department
15	Preparation and Maintenance of Tanks	1	
16	Improvements in Cropping Pattern	1	Representatives of
17	Soil Treatment	1	Agriculture Department
18	Trainings on Different Income Generation Schemes	1 day (each)	PAPs

131. A total of 18 training areas have been identified as a part of IPP implementation out of which 17 are fixed; from 1-day to 2-day duration totalling to 22 days, while the last – training on different income generation/restoration schemes – will be a number of 1-day trainings to the PAPs on the various schemes of their choice. Tentatively, the number of trainings may be put as between 30-35.

7.4 Training Delivery Strategy

132. Keeping in view the specific needs of the PAPs, special care has been taken in identifying the different options available in the form of institutional and infrastructural support for delivery of training programs. The available avenues for training delivery have been identified and grouped into the following:

➤ **Training Institutions either run or supported by the government**

Organizations like Industrial Training Institutes (ITIs) and Krishi Vigyan Kendra's (KVKs) are run by the government to impart training on specific skills. ITI's provide skill-based training on welding, plumbing, fitting, motor winding, electrician, auto mechanic etc. while KVKs impart training on agriculture and allied area like pickle making, papadum making, mushroom cultivation, dairy, poultry etc. where women can play a major role.

➤ **Private trainers/ Local Experts/ Entrepreneurs**

Skills like tailoring, TV repair, computer operations like typing and formatting, designing etc., are generally imparted by private trainers and entrepreneurs. These can be identified by the implementing agency based on the competency of the PAPs and marketability of the acquired skills.

8 Grievance Redress Mechanism

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

8.1 Grievance Redress Mechanism

134. The grievance redress mechanism and procedure are depicted in **Figure 8-1**. The project specific GRM is not intended to bypass the government's own redress process; rather it is intended to address affected people's concerns and complaints promptly, making it readily accessible to all segments of the affected people, and is scaled to the risks and impacts of the project.

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

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

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

8.2 Land Acquisition, Rehabilitation and Resettlement Authority

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

138. The Authority shall, for the purposes of its functions under this Act, shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908. The Authority shall dispose any matter within six months from the date of its receipt. All proceedings before the Authority shall be judicial proceedings and shall take place in public. No civil court (other than the High Court or the Supreme Court) shall have jurisdiction to entertain any dispute relating to land acquisition in respect of which the Collector or the Authority is empowered by or under this Act, and no injunction shall be granted by any court in respect of any such matter. Applications first go to Collector and within 30 days s/he can refer (if required) to the Authority. Such application can also be made within six weeks by the applicant (if s/he or his/ her representative is personally present) after the date of award, and in other cases within six months. Collector may also accept any application within one year if he/she feels appropriate. Interests are payable for delayed and excess payments.
139. **First Level:** When grievances arise, complainant may contact the respective person of the Contractor and/or the site engineers. The site level resolution of complaints will be done within 15 working days. The RP Implementation Agency will be responsible to assist the Affected Persons or Community to be heard and responded by the Contractor/ CSC/ Authority Engineer, as the case may be. The RP Implementation Agency will maintain the records of complaints and the outcome of the solutions.
140. **Second Level:** The complainant may contact PIU/ RP Implementing Agency to file complaints on non-resolution at the site level. The address and contact number of the PMU office will be provided in the project information leaflet. The PIU, assisted by RP Implementing Agency, is the second level of GRM which offers the fastest and most accessible mechanism for resolution of grievances. The PIU, assisted by RP Implementation Agency, will be designated as the key officers for grievance redress. Resolution of complaints will be done within 15 working days. At this stage, the RP Implementation Agency will inform the PMU for additional support and guidance in grievance redress matters, if required. Investigation of grievances will involve site visits and consultations with relevant parties (e.g. persons, community, contractors, traffic police etc.). Grievances will be documented and details of the complainant (name, address, date of complaint, etc.) will be included, unless anonymity is requested. A tracking number will be assigned to each grievance. The local GRC will meet as necessary when there are grievances to be addressed. The local GRC will suggest corrective measures at the field level and assign clear responsibilities for implementing its decision within fifteen (15) working days. The contractor will have observer status on GRC.
141. **Third Level:** The Resettlement Officer and Environmental Officer of PMU will activate the third level of GRM. The PIU assisted by the RP Implementation Agency will refer the unresolved issues (with written documentation) to the PMU. The complainant can also directly place his/ her grievances to the PMU. The PMU, assisted by PCMC, will enquire about the grievances and the unresolved complaints will be heard in the Grievance Redress Committee (GRC). The displaced person/ complainant representatives can also present his/her concern/issues, if required. The process will facilitate resolution through mediation.

142. **Fourth Level:** If a grievance cannot be resolved directly by the Contractors (first level), the PIUs assisted by RP Implementing Agency (second level) or PMU and GRC, assisted by PCMC (third level), the case will be escalated to the Land Acquisition and Resettlement and Rehabilitation Authority of the State (fourth level), which will give a decision within 6 months. At any point in the redressal process the aggrieved person can approach the Land Acquisition and Resettlement and Rehabilitation Authority. Alternatively, the displaced person can also seek alternative redress through the appropriate court of law. If unsatisfied with the decision, the existence of the GRC will not impede the complainant's access to the Government's judicial or administrative remedies

8.3 Grievance Redress Committee (GRC)

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

144. The functions of the GRC are as follows : (i) resolve problems quickly and provide support to complainant/ affected persons/ affected communities arising from various issues of water supply, waste disposal, traffic interference and public safety as well as social and resettlement related issues such as land acquisition, temporary or permanent access control; asset acquisition; and eligibility for entitlements, compensation and assistance; (ii) reconfirm grievances of persons/ communities, categorize and prioritize them and aim to provide solutions within stipulated time; and (iii) report to the aggrieved parties about developments regarding their grievances and decisions of the GRC.

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

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

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

- Chief Engineer (EAP), PWRD, GoA or any authorized person, who should not be below the rank of Executive Engineer
- Nodal Officer, Asom Mala-Member Secretary
- Resettlement Officer, PMU assisted by PCMC

- Environmental Officer, PMU assisted by PCMC
- Representatives from local person of repute and standing in the society or elected representative from Panchayet/ Zilla Parishad/District Council
- Representative from the PIU, assisted by RP Implementation Agency
- A representative from IP community for IP related issue, if any
- Representative from local forest authority, if grievances of forest aspects
- Representative from Pollution Control Board, if grievances of environmental aspects
- Representative of the Land Revenue department, if grievances of land related issues

8.4 Grievance Redress Process

147. The Grievance Redress Process is presented in **Figure 8-1**.

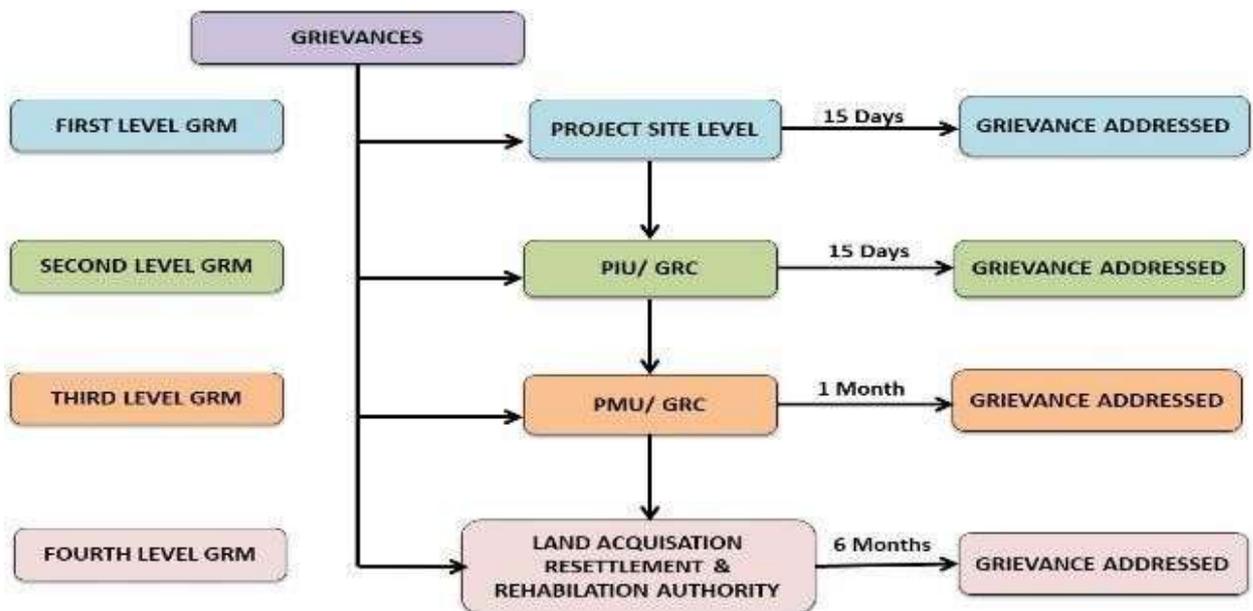


Figure 8- 1: Grievance Redress Process

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

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

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

150. The local communities in project areas shall be informed on grievance redress procedure and contact persons for lodging complaint/s. All the parties involved in project

implementation i.e., contractor, CSC/AE, and PIU shall maintain complaint registers at their respective offices.

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

9 Institutional and Implementation Arrangements

152. The Government of Assam's Public Works Roads Department (PWRD) will be the executing agency. The Chief Engineer (EAP) will be the Project Director (PD) of Project Management Unit (PMU). PD/PMU will be assisted by an Assistant Executive Engineer as Nodal Officer of Asom mala program. Figure 9.1 shows the implementation arrangement for Asom Mala Program

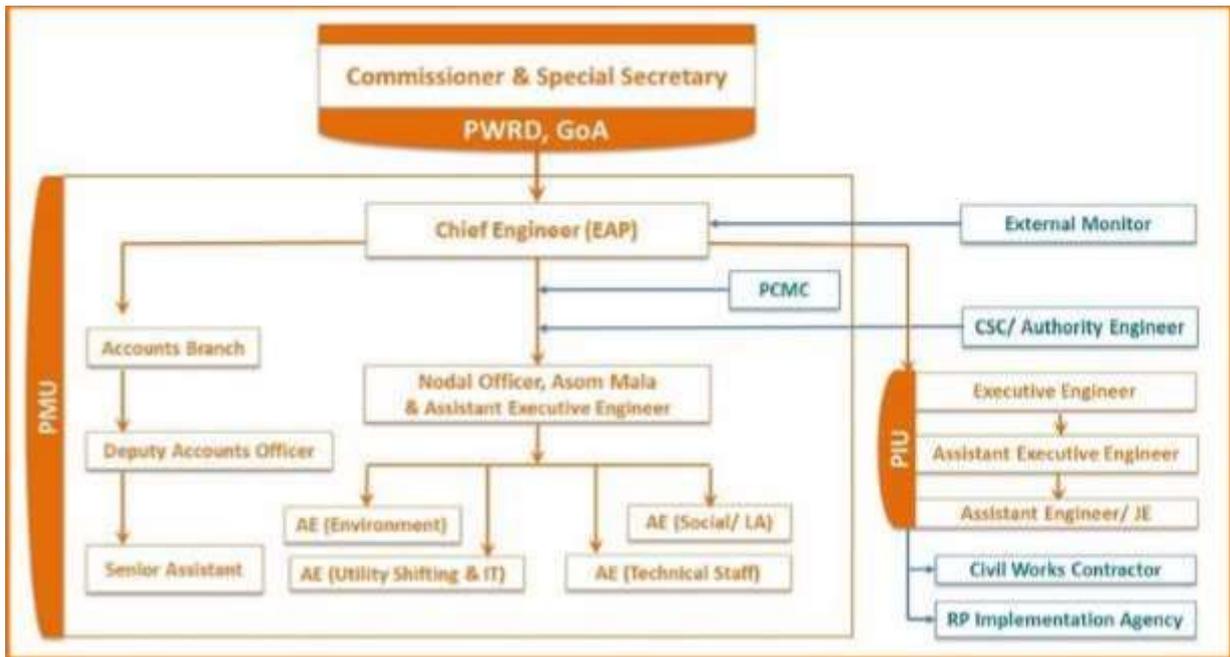


Figure 9- 1: Implementation Arrangement

9.1 Program Management Unit (PMU)

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

154. The PMU will be responsible for the following:

- appointing Independent External Monitors, RP Implementing Agencies, Authority Engineers, Contract Supervision Consultants, Civil work contractors, other Implementing Agencies for PIU level/ Contract level/ Sub-project level/PMU level, as and when where required
- Liaising with district administration for direct purchase or land acquisition
- Preparation of Environmental and Social Management Planning Framework (ESMPF), Resettlement Planning Framework (RPF), Indigenous Peoples Planning Framework (IPPF) for ASRIP projects of Asom Mala program
- Review and approving of Resettlement Plan (RP), Environmental Management Plan (EMP) and all other social and environmental safeguards documents and reports
- Ensuring timely disbursement of compensation and assistance to the displaced persons in close coordination with the concerned line departments
- Monitoring of implementation and monitoring of RP and EMP

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

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

9.2 Project Implementation Unit (PIU)

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

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

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

9.3 Program Coordination and Management Consultant (PCMC)

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

160. A Social Specialist will also be appointed as part of the PCMC team to (i) prepare RPF and IPPF for ASRIP; (ii) provide advice on policy reforms, if required; (iii) review the Social Assessment and Resettlement Plans prepared by the DPR Consultants in the planning phase; (iv) assist in the monitoring and supervision of ongoing subprojects and implementation of Resettlement Plan and IPP, if required; (v) monitor the implementation of R&R scheme carried out by the PIU level RP Implementation Agencies; and (vi) ensure all sub projects meet safeguard requirements as agreed in the loan

covenant and in line with this Resettlement Planning Framework. In addition, (s) he shall play a central role in ensuring capacity building on resettlement management of the PMU, RP Implementation Agencies and line departments through capacity development support and training.

9.4 Construction Supervision Consultant (CSC)/ Authority Engineer (AE)

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

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

9.5 RP Implementation Agency (RIA)

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

9.6 Welfare schemes for Scheduled Tribes

A. Schemes under State Plan

- (i) **Pre-matric Scholarship for ST:** This is a State Govt. scheme where 100% fund is provided by the Govt. of Assam.
- (ii) **Assam Bikash Yojana & CM's Special Employment Generation Programme:** - Under the scheme, funds are allocated for self-employment of ST unemployed youths. Various schemes are taken up for generating self-employment to ST unemployed youths.

- (iii) **Grants to patients suffering from TB/Cancer and other malignant diseases:**
The aim of the scheme is to provide financial assistance to those poor scheduled tribe patients who are suffering from TB/Cancer and other malignant diseases and unable to bear the cost of medicines for their treatment.
- (iv) **Grants to ST meritorious students:** under this scheme financial incentive is provided to meritorious ST students who have secured 60% and above in HSLC and HSSLC examinations.
- (v) **Stipend for Craftsman Training:** This is a state scheme and stipend is provided to the students of Scheduled Tribes who are admitted in the ITI's of Assam.

B. Centrally Sponsored Schemes

- (i) **Post-matric Scholarship:** The scheme is meant for ST(P) students. It is a centrally sponsored scheme fully funded by the Govt. of India.
- (ii) **Book Bank for Medical, Engineering and Agriculture etc. students:** - Scheduled Tribe student studying in various technical institution are provided books under this scheme on 50:50 cost sharing basis between Govt. of India and Govt. of Assam.
- (iii) **Construction of Boy's Hostel:** this is a centrally sponsored scheme on 50:50 cost sharing basis between Govt. of India and the State Govt.
- (iv) **Construction of Girls Hostel:** This is a centrally sponsored scheme with 100% central fund.
- (v) **Minor Forest produce:** Under this scheme, fund is released by Govt. of India to State Tribal Development Corporations i.e., APTDC Ltd. to provide incentives to tribal who are engaged in procuring and sale of minor forest produce.
- (vi) **Coaching to ST for Central/State Civil Service Examination & other allied services.** - Vocational Training through VTCs (Central Sector Scheme)- There are 10 Nos. of VTC in different district which are run by the ATDA, where training is provided to 1000 nos. of trainees in five nos. of trades every year. - Up-gradation of merit of ST students: This is a central sector scheme with 100% central assistance from Govt. of India. The objective of the scheme is to up-grade the merit of ST student through special tuition in various Educational Institutions in Assam.

163. The IPP Implementing Agency will take special care for convergence of the identified livelihood options with the ongoing schemes of the central or the state government in the region. An indicative list of some of the schemes and the concerned departments has been provided in **Table 9-1** below.

Table 9- 1: Identification of Relevant Schemes for Convergence

Sr. No.	Department	Scheme
1	Development Commissioner (Handicrafts), Ministry of Textiles	Ambedkar Hastshilp Vikas Yojana
2	Development Commissioner (Handicrafts),	Mega Cluster

Sr. No.	Department	Scheme
	Ministry of Textiles	
3	Development Commissioner (Handicrafts), Ministry of Textiles	Marketing Support & Services
4	Development Commissioner (Handicrafts), Ministry of Textiles	Research & Development
5	Development Commissioner (Handicrafts), Ministry of Textiles	Rajiv Gandhi Shilpi Swasthya Bima Yojana
6	Development Commissioner (Handicrafts), Ministry of Textiles	Aam Admi Bima Yojana
7	Development Commissioner (Handicrafts), Ministry of Textiles	Margin Money Scheme for Artisans under MUDRA Yojna
8	Department of MSME & Export Promotion	MSME Schemes
9	Export Promotion Bureau,	Export Promotional Schemes
10	MSME Policy - 2017	Department of MSME & Export Promotion,
11	Infrastructure and Industrial Investment Policy - 2012	Department of MSME & Export Promotion,
12	ODOP	CFC (Common Facility Centre) Scheme
13	ODOP	Market Development Assistance Scheme
14	ODOP	Finance Assistance Scheme
15	ODOP	Skill Development & Toolkit Distribution Scheme
16	Ministry of Skill Development & Entrepreneurship	Pradhan Mantri Kaushal Vikas Yojana (PMKVY)
17	Ministry of Commerce and Industry, Department of Commerce	How to Export (Step by Step Approach)
18	Ministry of Commerce and Industry, Department of Commerce	Foreign Trade Policy

164. All the schemes related to the development of the tribals will be implemented through the following departments:

1. Directorate of welfare of plain tribes & Backward classes
2. Govt. of Assam Tea Tribes Directorate for Welfare
3. Assam Tribal Development Authority
4. Office of the Project Director, ITDP, Dhemaji
5. Office of the Project Director, ITDP, Lakhimpur
6. Office of the Project Director, ITDP, North Lakhimpur

10 Budget

165. The disbursement of compensation for land and assets will be carried out by the Deputy Commissioner’s office and calculated as per the basis given in the Entitlement Matrix. In the case of assistance, the PMU may directly pay into the individual accounts of affected persons. The RP Implementation Agency will be involved in facilitating the disbursement process and rehabilitation program and will facilitate opening bank accounts for the affected persons who do not have bank accounts.
166. The tentative budgetary provisions for implementation of the IPP have been prepared based on the entitlements as per the Entitlement Matrix. This budget is not over and above the overall budget for RAP implementation as the tribal population is a part of the total displaced population. Vulnerability Assistance to the IPs will be provided to the displaced IPs in addition to the applicable Entitlements as per the Entitlement Matrix. However, special assistance, if any, in monetary assistance, assistance for fuel and fodder or construction of small civil structures etc. shall be covered under the budget head of miscellaneous expenses and shall be independent of the RAP budget. The format is presented below in **Table 10-1**.

Table 10- 1: Budgetary Provisions

S. No.	Expenses Category	Budgetary Provision in (INR)
1	Compensation for land	These provisions have been added in the RAP Budget as per the Entitlement Matrix
2	Compensation for structures	
3	R&R Assistance amount	
4	Subsistence grant to displaced families	
	Transportation cost to displaced families	
5	One-time financial assistance to petty shops/cattle sheds	
6	One-time grant to artisans and small traders	
7	One-time vulnerability Assistance	
8	Compensation for standing crops	
9	Compensation for timber trees	
10	Compensation for fruit trees	To be decided by the PWD
11	Relocation of CPRs including Educational Institutes	
12	Stakeholder Engagement and IEC	5,00,000/-
13	GRC Meetings	2,00,000/-
14	Professional fees of RAP/IPP Implementing Agency	25,00,000/-
15	Trainings (including honorarium to trainers and facilitators)	20,00,000/-
16	Other Miscellaneous expenses	25,00,000/-

167. The expenses from serial numbers 12 to 15 may be standalone for implementation of IPP. In cases where implementation of IPP coincides with the implementation of the RAP, these shall be a part of the overall RAP implementation budget.
168. The budget for RAP implementation comes to Rs. 78,91,20,564/-the detailed budget is presented below:

Table 10- 2: Provisional RAP Budget

S. No.	Mode of Land Acquisition	Financial outlay (INR)
1	Direct Purchase Budget	65,71,13,378/-
2	R&R Assistance to Non-Title Holders	7,23,52,516/-
3	Relocation of CPRs	1,72,00,000/-
4	Handpumps	25,000/-
5	Administrative Expenses (RAP Implementation, GRM, Trainings and M&E)	48,52,500/-
6	Contingency @ 5% of total	3,75,72,876/-
7	Grand Total	78,91,20,564/-

S. No.	Expenses Category	Budgetary Provision in (INR)
A	Direct Purchase Price	
1	Base rate of land (R)	13,77,76,677/-
2	Rate of multiplier (M=1.5) = R x 1.5	20,66,65,016/-
3	Land area (A) in bigha	185.653
4	cost of land = (R x M x A)	20,66,65,016/-
5	compensation for structures on land (B)	3,36,10,237/-
6	compensation for trees and crops on land (T)	72,33,276/-
7	compensation for other immovable assets on land (O)	1,53,36,824/-
8	Compensation for LA without solatium = (R x M x A) + (B + T + O)	26,28,45,351/-
9	Add 100% solatium (100% on S l. No. 8)	26,28,45,351/-
10	Land compensation as per RFCTLARR 2013 (u/s 26-30 & Schedule 1)	52,56,90,702/-
11	Additional 25% on Sl. No. 10 for Direct Purchase (All R & R benefits are deemed included in this additional 25%)	13,14,22,676/-
12	Total Direct Purchase price = (10 + 11)	65,71,13,378/-

S. No.	Expenses Category	Budgetary Provision in (INR)
	R&R Assistance (NTH)	
B	Non-Titleholders (in case of Externally Aided Projects)	6,16,75,276/-
C	Livelihood losers	1,06,77,240/-
	Total(B+C)	7,23,52,516/-
D	Relocation of CPRs	48,52,500/-
E	Handpumps	25,000/-
F	Administrative Expenses (RAP Implementation, GRM, Trainings and M&E)	1,72,00,000/-
	Total (A+B+C+D+E)	75,15,43,394/-
G	Contingency @ 5% of total	3,75,77,170/-
	Grand Total	78,91,20,564/-

**Note: The base rate of land has been multiplied by the area as the circle rate is variable in the 32.777 km stretch of road.*

11 Entitlement Matrix

169. An Entitlement Matrix envisages all affected households and persons losing assets and livelihood and defines the entitlement of compensation and resettlement assistance depending on the nature of ownership rights on lost assets and extent of the impacts including socio-economic vulnerability of the displaced persons. The Entitlement Matrix, summarizing all possible types of losses and corresponding nature and scope of entitlements, in accordance with the principles of this Resettlement Planning Framework, is presented in **Table 11-1**.

Table 11- 1: Entitlement Matrix

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
Direct purchase by negotiated settlement through the State Policy of “Direct Purchase Policy of private Land for Linear Projects of Asom Mala and EAP”				
Direct purchase of Land with negotiation through District Level Land Purchase Committee (DLLPC) headed by the Deputy Commissioner, Additional Deputy Commissioner (Revenue) as Member Secretary and comprising officials of the revenue, public works (buildings) and land acquisition departments.				
1.	Titleholder - Titleholder/Landowners and Interested persons (Eksonia holder/ Land occupiers with claims/ rights recognized under State/ Central laws, whose rights on the land assigned under any laws of the State, etc.	A. Loss of Land (Homestead Land, Commercial Land, Agricultural Land or Vacant Plot)	1. The base rate of land (Sub-section (1) of Section 26 of RFCTLARR Act 2013) will be determined by the highest value among: <ul style="list-style-type: none"> ▪ The market value, if any, specified in the Indian Stamp Act 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated. ▪ The average sale price of similar type of land situated in the nearest village or nearest vicinity area; and ▪ Consented amount of compensation as agreed upon under subsection (2) of section 2 of 	The landowners will get an incentive of 25%, inclusive of R&R Benefits, on the compensation calculated as per provisions of Section 26 to 30, Valuation of immovable assets & Schedule I of RFCTLARR Act 2013. The Price of Direct Purchase (P) will be: $P = 2.5 \times \{(R \times M \times A) + (B + O)\} + [0.12 \times Y \times (R \times M \times A) + (B + O)]$ Where:

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>RFCTLARR Act 2013 in case of acquisition of lands for private companies or for public private partnership projects</p> <p>2. The market value of land shall be multiplied by a factor through Notification No. RLA 300/2013/Pt-II/7 dated 22nd Dec 2014 of Govt. of Assam (Sub-section (2) of Section 26 of RFCTLARR Act 2013), of</p> <ul style="list-style-type: none"> ▪ 1.00 (One) for land in urban areas or, ▪ 1.50 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or, ▪ 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area <p>3. In case of acquisition of Eksonia Land, situated under permissible limits as per the Revenue and Disaster Management Department of Govt. of Assam, the Eksonia Holder is entitled to get the compensation of the landowner as described above, subject to conversion of the Eksonia land to Myadi Patta Land, as specified by the Revenue and Disaster Management Department of Govt. of Assam.</p> <p>4. Solatium will be 100% on the compensation calculated as specified above.</p> <p>5. The landowner will also get an additional incentive of 25% on total compensation after Solatium, calculated as specified above</p> <p>6. The land value defined u/s 26 of RFCTLARR Act 2013,</p>	<p>R is the base rate of Land</p> <p>M is the Multiplier</p> <p>A is the affected area</p> <p>B is the market value of Buildings</p> <p>O be cost of all immovable assets & standing crops</p> <p>Y is the proper or improper fraction of year from date of notification to award of compensation</p> <p>Compensation shall not account for any depreciation.</p> <p>The Eksonia holder, whose Eksonia land cannot be converted to Myadi Patta Land, will be considered as Leaseholder.</p>

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			will also attract an amount calculated @ 12% per annum for the period commencing on and from the date of notification ⁸ till the date of award (Ref. sub-section (3) of Section 30 of RFCTLARR Act 2013).	
		B. Loss of Structure and other immovable assets including Trees and standing crops, attached to the land	<p>1. Replacement value of building and other immovable property and assets attached to the land will be calculated by the competent Engineer or any other specialist in the relevant field (Ref. sub-section (1) of Section 29)</p> <p>Or A few typical specifications of different categories of</p> <p>all possible immovable assets, attached to land may be defined. The guidance price of these typical assets may be prepared and vetted through appropriate authority. The valuation of immovable assets attached to the land will be calculated on pro-rata basis of the guidance price, without depreciation, of the respective asset.</p> <p>2. Market Value of trees and plants attached to the land will be calculated by the experienced persons in the field of agriculture, forestry, horticulture, sericulture or any other relevant field, as the case may be (Ref. sub-section (2) of Section 29).---</p>	Compensation Building/ structures will be determined by PWD (Building) Department. Valuation for trees on timber value to be determined by the Forest Department; and compensation for perennial crops and fruit trees to be determined by Agricultural Department.

⁸ General Notification to the landowners as per Section 4.4 (Step 4) of the Notification No. DA5R.80/2020/3 dt 20 Jan, 2021 by the District Level Land Purchase Committee.

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>3. Market value of standing crops damaged during the process of land acquisition will be calculated by the experienced persons in the field of agriculture (Ref. sub-section (3) of Section 29).</p> <p>4. Solatium will be 100% on the compensation calculated as specified above.</p> <p>5. The landowner will also get an additional incentive of 25% on total compensation after Solatium, calculated as specified above</p> <p>Right to salvage materials in favor of the owner of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self.</p>	
		C. Rehabilitation & Resettlement Assistance	The additional 25% allowances on Direct Purchase Price include R&R assistances, and the negotiated amount of land shall be fixed based on negotiations and mutual consent. Hence no separate rehabilitation and resettlement benefits shall be payable to the landowners.	
Land through regular Land Acquisition process In the event of any owner refusing to sell the land or any of the owners has objected or not interested with the direct purchase through negotiation or for unresolved dispute of ownership or court cases, the respective land may be acquired through regular land acquisition process of Assam Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules 2015 & RFCTLARR Act 2013				
2.	Titleholder - Land Owners as recorded in revenue records, or	A. Loss of Land Homestead Land,	<p>1. Replacement of land for land, where feasible.</p> <p>Provision of stamp duty, land registration fee, capital gains tax, value added tax incurred for replacement</p>	If land for land is offered, title will go to both husband and wife.

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
	Eksonia holder/ Land occupiers with claims/ rights recognized under State/ Central laws, whose rights on the land assigned under any laws of the State	Agricultural Land or Vacant Plot	land, and other charges related to the replacement of the land	Retitling to be completed before project completion.
			<p><u>OR,</u></p> <p>2. Land will be acquired under Assam RFCTLARR Rules 2015 and Compensation at Replacement Value of land, (calculated through RFCTLARR Act 2013 and Resettlement Planning Framework for ASRP 2018) will be the highest among:</p> <p>a) The base rate of land (Sub-section (1) of Section 26 of RFCTLARR Act 2013) will be determined by the highest value among:</p> <ul style="list-style-type: none"> ▪ The market value, if any, specified in the Indian Stamp Act 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or ▪ The average sale price of similar type of land situated in the nearest village or nearest vicinity area; or Consented amount of compensation as agreed upon under sub-section (2) of section 2 of RFCTLARR Act 2013 in case of acquisition of lands for private companies or for public private partnership projects, <p>b) The market value of land shall be multiplied by a factor through Notification No. RLA</p>	<p>If B is the base rate of land, M is the Multiplication factor & A is the affected area, then the compensation L will be,</p> $L = 2 \times (B \times M \times A).$ <p>If the Award of the compensation is after Y years from the date of SIA notification, then L will be incremented at 12% per annum to Ly,</p> $Ly = L + (0.12 \times Y \times L)$ <p>The expression of urban will be within the administrative border of any Municipality or Municipal Corporation</p> <p>Bank account will be in the name of husband and wife.</p>

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>300/2013/Pt-II/7 dated 22nd Dec 2014 of Govt. of Assam (Sub-section (2) of Section 26 of RFCTLARR Act 2013), of</p> <ul style="list-style-type: none"> ▪ 1.00 (One) for land in urban areas or, ▪ 1.50 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or, ▪ 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area <p>c) In case of acquisition of Eksonia Land, situated under permissible limits as per the Revenue and Disaster Management Department of Govt. of Assam, the Annual Patta Holder is entitled to get the compensation of the land as described above, subject to conversion of Eksonia Land to Myadi Patta Land as specified by the Revenue and Disaster Management Department of Govt. of Assam.</p> <p>d) If the left-over land plot is non-feasible or non-economic or unusable or if the landowner desires that the whole land to be acquired, the PWRD GOA or the Deputy Commissioner/ District Collector may acquire the total land of the land owner</p> <p>e) If the damage (if any) sustained by the landowner, at the time of the Deputy Commissioner/ District Collector taking</p>	

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			possession of the land, by reason of severing such land from his other land and where land has been bisected by the acquisition an amount calculated at ten (10) per cent of the amount determined under sl. a) and b) above shall be paid.	
		B. Loss of Structure and other immovable assets including Trees and standing Crops, attached to the land	<p>1. Replacement with a constructed house as per Prime Minister Gramin Awas Yojana (PMGAY) specification for rural areas or constructed house, not less than 50 square meter plinth area in urban areas, where feasible (Ref. Schedule II of RFCTLARR 2013). Provision of stamp duty, other fees payable for registration of house allotted and any other tax and other costs incurred for replacement house</p> <p><u>OR,</u></p> <p>2. a) Market value of building and other immovable property and assets attached to the land will be calculated by the competent Engineer or any other specialist in the relevant field (Ref. sub-section (1) of Section 29)</p> <p>Or, A few typical specifications of different</p> <p>categories of all possible immovable assets, attached to land may be defined. The guidance price of these typical assets may be prepared and vetted through appropriate</p>	<p>Compensation Building/ structures will be determined by PWD (Building) Department. Valuation for trees on timber value to be determined by the Forest Department; and compensation for perennial crops and fruit trees to be determined by Agricultural Department.</p> <p>Ascertain work schedules to consider avoiding harvest season</p>

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>authority. The valuation of immovable assets attached to the land will be calculated on pro-rata basis of the guidance price, without depreciation, of the respective asset.</p> <p>b) Market Value of trees and plants attached to the land will be calculated by the experienced persons in the field of agriculture, forestry, horticulture, sericulture or any other relevant field, as the case may be (Ref. sub-section (2) of Section 29).</p> <p>c) Market Value of standing crops damaged during the process of land acquisition will be calculated by the experienced persons in the field of agriculture (Ref. sub-section (3) of Section 29).</p> <p>d) Solatium will be 100% on the compensation calculated as specified above.</p> <p>e) The landowner will get additional 25% value on the replacement cost of the affected part of the structure without solatium, for any partially acquired structure (if the remainder is still viable).</p> <p>f) Right to salvage materials in favour of the structure owner of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self within the stipulated period.</p>	<p>Request for harvesting prior to acquisition to be accommodated to the extent possible</p> <p>Undertake valuation of standing crops and perennial crops, and trees, and finalize compensation rates in consultation with affected people.</p> <p>Payment of compensation to the joint husband and wife bank account.</p> <p>The viability of the remainder structure will be certified by the PWD (Building) Department</p>

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			g) Fees, taxes, stamp duty, and other charges related to replacement structure h) At least 90 days advance notice to shift	
		C. Rehabilitation & Resettlement Assurances⁹	1. Employment opportunity or Payment of lumpsum amount of Rs. 5,70,000 (Rupees five lakhs seventy thousand only) or Annuity of minimum of Rs. 2,280 (Rupees two thousand two hundred eighty only) per month per family for twenty years with appropriate indexation to the Consumer Price Index for Agricultural Labourers, as per Schedule 2 of RFCTLARR Act 2013, will be provided to all those landowner families 2. One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any 3. One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family 4. Subsistence allowance of Rs. 3,420/- (Rupees three thousand four hundred twenty only) per month for one year, or Rs. 41,040/- (Rupees forty-one	Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014. $\text{Inflation Rate} = 100 \times \frac{\text{CPI Apr 2021} - \text{CPI Jan 2014}}{\text{CPI Jan 2014}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\% \text{ say } 14\%$ where, CPI _{Jan 2014} = 139.7 & CPI _{Apr 2021} = 159.3 in Assam with Base Year 2012 = 100 ¹⁰ In addition to the Rs. 57,000 provided to all vulnerable affected people, the Vulnerable affected households will: 1. Receive preference in income restoration training program under the project

⁹ Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014

¹⁰ Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 (http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>thousand forty only) one-time, for each displaced family, require relocating</p> <p>5. Any displaced family losing cattle sheds and/ or Petty Shops are entitled for at least Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed and/ or Petty Shops respectively</p> <p>6. If Displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 28,500/- (Rupees twenty-eight thousand five hundred only).</p> <p>7. If the displaced family faced displacement or resettlement from any other project or this project previously, the displaced family will be entitled for an additional compensation equivalent to that of the compensation and assistance determined for all the cases as described above under Sl. 2A, 2B & 2C (1 through 7) for their second or successive displacements</p> <p>8. Three (3) months' advance notice to affected parties to harvest crops, fruits, flowers or product and by-products from the affected trees/ crops etc.</p>	<p>2. Preference in employment under the project during construction, in accordance with qualification required.</p>
3.	Agricultural Tenants, Sharecroppers &	A. Loss of Leased/	Employment opportunity or Payment of lumpsum amount of Rs. 5,70,000 (Rupees five lakhs seventy	Users of Eksonia land, whose land cannot be regularised by whatsoever the reason, will

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
	Leaseholders of Land including Holders of Eksonia, which cannot be converted	Sharecropping/ Tenancy Land	<p>thousand only) or Annuity of minimum of Rs. 2,280 (Rupees two thousand two hundred eighty only) per month per family for twenty years with appropriate indexation to the Consumer Price Index for Agricultural Labourer, as per Schedule 2 of RFCTLARR Act 2013.</p> <p>Landowners will reimburse tenants, sharecroppers, and leaseholders with respective land rental deposit for unexpired tenancy/ lease, if any.</p>	<p>also be considered as Leaseholder.</p> <p>The RP Implementation Agency will verify the reimbursement of rental deposit for unexpired tenancy/ lease, if any.</p>
		B. Loss of Structure and other immovable assets including Trees and standing Crops, attached to the land	<ol style="list-style-type: none"> 1. Three months' advance notice to affected parties to shift and harvest crops, fruits, flowers or product and by-products from the affected trees/ crops etc. 2. Cash compensation at replacement value, for loss of immovable assets, and market value for standing crop/ trees/ horticulture, as estimated u/s 29 of RFCTLARR Act 2013 & calculated by: <ul style="list-style-type: none"> • Concerned PWD (Building) for Building/ structure and other immovable assets attached with the land • Concerned Forest Department or similar authority for Timber trees • Concerned State Agriculture Extension Department or similar authority for standing crops 3. Right to salvage materials in favour of the structure owner of the affected building/ structure, if the 	

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>incumbent demolishes the affected part of the building/ structure by own self within the stipulated period.</p> <p>4. Fees, taxes, stamp duty, and other charges related to replacement structure</p>	
		C. Rehabilitation & Resettlement Assurances¹¹	<p>1. One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, building materials, belongings, and cattle, if any</p> <p>2. One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family</p> <p>3. Livelihood restoration of Rs. 41,040/- (Rupees forty-one thousand forty only) one-time, for each displaced family (in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013)</p> <p>4. Any displaced family losing cattle sheds, if any, are entitled for at least Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed.</p> <p>5. If the entitled person (EP) opts for alternative</p>	<p>Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> <p><i>Inflation Rate= 100</i> $\times \frac{CPI\ Apr\ 2021 - CPI\ Jan\ 2014}{CPI\ Jan\ 2014} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\% \text{ say } 14\%$</p> <p>where, $CPI_{Jan\ 2014} = 139.7$ & $CPI_{Apr\ 2021} = 159.3$ in Assam with Base Year 2012=100¹²</p>

¹¹ Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014

¹² Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 (http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,040/- per family and it will be borne by the Project Authority.	
4.	Non-titleholders (Encroacher or Squatter)	<p>A. Loss of Land</p> <p>Land used residential/ commercial or any other purpose</p>	<ol style="list-style-type: none"> 1. No entitlement for loss of land, in which the Encroacher has extended their land boundary onto the existing government land or RoW, for residential or commercial or residential-cum-commercial or any other purposes. 2. No entitlement for loss of land, in which the Squatter have occupied public/ government lands, without any formal agreement, for residential or commercial or residential-cum-commercial or any other purposes. 	
		<p>B. Loss of Structure and other immovable assets including Trees and standing Crops, attached to the land</p>	<ol style="list-style-type: none"> 1. At least 3 months advance notice to shift or to demolish the partial structure. 2. Encroachers and squatters shall be paid the replacement cost of affected part of the structures and all other immovable assets attached to the land. 3. Right to salvage materials without any fee or charge in favor of the structure owner/occupier of the affected building/ structure, if the incumbent demolishes the affected part of the building/ 	The replacement cost of structure and other immovable assets shall be determined in accordance with the typical specifications for immovable assets as defined and approved by Appropriate Authority defined u/s 29 of RFCTLARR Act 2013.

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			structure by own self within the stipulated period.	
		C. Rehabilitation & Resettlement Assurances¹³	<ol style="list-style-type: none"> One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, building materials, belongings, and cattle, if any for families getting physically displaced (require relocation). One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family Subsistence allowance @ Rs. 3420/- per month or one-time allowance of Rs. 41,040/- (Rupees forty-one thousand forty only) to displaced family (in line of subsistence allowance as per Schedule II of RFLTLARR Act 2013) Any displaced family losing cattle sheds and/ or Petty Shops, if any, are entitled for at least Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed and/ or Petty Shops respectively If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her 	<p>Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> <p>$Inflation\ Rate = 100 \times (CPI\ Apr\ 2021 - CPI\ Jan\ 2014) / (CPI\ Jan\ 2014) = 100 \times (159.3 - 139.7) / 139.7 = 14.03\% \text{ say } 14\%$</p> <p>where, CPI Jan 2014 = 139.7 & CPI Apr 2021 = 159.3 in Assam with Base Year 2012=100¹⁴</p>

¹³ Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014

¹⁴ Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 (http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,000/- per family and will be borne by the Project Authority.	
5.	Tenants and Leaseholders of Residential/ Commercial or Residential-cum-Commercial structures	A. Loss of Land Homestead Land/ Commercial Land	No entitlement for loss of land, in which the Tenants or Leaseholders occupy their residential or commercial or residential-cum-commercial structure under tenancy/ lease holding with some financial arrangements with the landlords, which may or may not be properly documented or legalized.	
		B. Loss of Structure and other immovable assets	<ol style="list-style-type: none"> 1. Structure owners will reimburse tenants and leaseholders with rental deposit for unexpired tenancy/ lease for fully impacted structure Or Lease/ Rental agreement with reduced rent/ lease rate in appropriate to be continued after reconstruction of the partly affected but feasible remaining structure, as the case may be 2. Replacement cost of part or whole of structure constructed by the tenant/ leaseholder, and this will be deducted from the compensation amount of the owner. 3. Right to salvage material of the portion constructed by tenant/leaseholder 	

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
		C. Rehabilitation & Resettlement Assurances¹⁵	<ol style="list-style-type: none"> 1. Three months' advance notice to affected parties to vacate the building/structure (residence, shop, etc.) 2. On time Rental Allowances @ of Rs. 2,600/- (Rupees two thousand six hundred only) per month in rural areas and Rs. 3,900/- (Rupees three thousand nine hundred only) per month in urban areas, for 6 (six) months (Ref. Addendum to Resettlement Planning Framework for ASRP, Feb 2018 & regular rental increment of 10% per year) 3. One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, belongings, and cattle, if any (Ref. Schedule II of RFCTLARR 2013) for physically displaced family. 4. Tenants of Commercial or Residential-cum-Commercial structures will be entitled for one-time financial grant of Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) for loss of trade/ self-employment 5. Tenants of Commercial or Residential-cum-Commercial structures will be entitled Livelihood 	<p>Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> <p><i>Inflation Rate</i> = $100 \times (\text{CPI Apr 2021} - \text{CPI Jan 2014}) / (\text{CPI Jan 2014}) = 100 \times (159.3 - 139.7) / 139.7 = 14.03\%$ say 14%</p> <p>where, CPI Jan 2014 = 139.7 & CPI Apr 2021 = 159.3 in Assam with Base Year 2012=100¹⁶</p>

¹⁵ Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

¹⁶ Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 (http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>restoration of Rs. 41,040/- (Rupees forty-one thousand forty only) one-time, for each displaced family (in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013)</p> <p>6. If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,000/- per family and will be paid by the Project Authority.</p>	
6.	Any persons, other than the persons mentioned above, losing his/ her Livelihood/ source of Income	Rehabilitation & Resettlement Assurances¹⁷	<p>1. Livelihood restoration of Rs. 41,040/- (Rupees forty-one thousand forty only) one-time, for each displaced family (in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013)</p> <p>2. If Displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 28,500/- (Rupees twenty-eight thousand five hundred only).</p> <p>3. If the entitled person (EP) opts for alternative</p>	<p>Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> <p><i>Inflation Rate</i>= $100 \times (\text{CPI Apr 2021}-\text{CPI Jan 2014})/(\text{CPI Jan 2014}) = 100 \times (159.3-139.7)/139.7 = 14.03\%$ say 14%</p>

¹⁷ Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,000/- per family and will be borne by the Project Authority.	where, CPI Jan 2014 = 139.7 & CPI Apr 2021 = 159.3 in Assam with Base Year 2012=100 ¹⁸
7.	Any families operating their Agricultural Land, Residence and/ or Commercial establishments etc. adjacent to project road	Loss of Permanent/ Temporary Access	<ol style="list-style-type: none"> 1. Three months' advance notice to affected parties 2. Provision of proper alternate access or temporary access during the duration of the temporary loss of access, as the case may be 3. Contractor's actions must ensure there is no income/ access loss through provision of access etc. 4. Restoration/ enhancement of the affected access, land, structure, utilities, and common property resources 	
8.	Owners with legal or legalizable title, tenants/ leaseholders	Temporary Loss of Land	<ol style="list-style-type: none"> 1. Three months' advance notice to affected parties 2. Rent at market price or mutually agreed land rental value during the duration of the temporary loss of land 3. Restoration of the affected land to pre-project level or better 	Any land required by the project on temporary use will be compensated in consultation and negotiation with the landowner.

¹⁸ Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 (http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
9.	Business owners, Traders, Self-employed, tenants/ leaseholders, employees/ workers, kiosks/ vendors	Temporary Loss of Livelihood/ source of Income	<ol style="list-style-type: none"> 1. Provision of one-month advance notice to affected parties, including the duration and type of disruption 2. Assistance to mobile vendors/ hawkers to provide temporarily shifting locations for their continued economic activity 3. For construction activities involving unavoidable livelihood disruption, Cash compensation on minimum wage or average earning per month for the loss of income/ livelihood for the duration of disruption to ensure there is no income or access loss 4. Restoration of affected land, structure, utilities 	
10.	Loss of CPR	Community Assets	<p>The affected Common Property Resources, other than religious and Community Structures, will be replaced or rehabilitated or reconstructed as required in agreement with the local community in alternate land by the Project through contractor.</p> <p>Or Cash compensation of the replacement value of the CPR structure (including the religious structures and community structures) for the re-construction or rehabilitation as per agreed mechanism between the Project Authority and the concerned community.</p>	<p>Alternate land will be explored (may be offered by the community or Gram Panchayat land or any other land agreed upon).</p> <p>The RP implementation agency in consultation with the local community and Project Authority shall facilitate the process of rehabilitation or reconstruction of CPRs.</p>
11.	Vulnerable Affected People	All impacts on vulnerable displaced	<ol style="list-style-type: none"> 1. One Time lumpsum Assistance of Rs. 57,000 (Rupees fifty-seven thousand only) 2. Priority in income restoration training programs 3. Priority in employment under the project during 	The vulnerable families will be identified during the census and implementation of the project. The Executing Agency shall verify.

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
		persons	construction as qualified 4. Assistance to basic utilities and public services.	Kiosk shall not be considered under vulnerable category.
12.	Any other unforeseen impacts	Any unforeseen loss	Any unforeseen impacts, if any, will be documented and incorporated in the Entitlement Matrix and will be mitigated based on the principles agreed upon this framework.	

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

12 Monitoring and Evaluation

171. Monitoring would be done by the PIU by developing suitable progress monitoring indicators. This would mainly encompass physical and financial monitoring besides assessing the initial project impacts on social issues. The Project Evaluation will be carried out by an external agency who will be engaged in carrying out the evaluation of the implementation of the IPP. Project monitoring will be taken-up at two levels: internal and external.

12.1 Internal Monitoring

172. Internal monitoring would be carried out by the PIU to ensure that IPP implementing agency, or the NGO hired for this purpose, complies with the deadlines fixed for the construction activities and the disbursement of the funds as compensation and or/assistance to the PAPs as per the entitlement matrix. The PIU would be responsible for the timely progress monitoring of the land acquisition. In addition, the internal monitoring would enable PWD in making changes in work program whenever necessary, in case of delays or problems, to maintain the timelines and meet the deadlines of the project.

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

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

12.2 External Monitoring

174. An independent agency or agencies or individual consultant will be retained by the Implementing Agency to periodically carry out external monitoring and evaluation of the implementation of the IPP. The independent agencies will be academic or research institutions, non-Governmental Organizations (NGO) or independent consulting firms, all with qualified and experienced staff and terms of reference acceptable to AIIB. For subprojects with significant adverse safeguard impacts, the PMU will hire qualified and experienced external experts to verify its monitoring information. An important function of the external monitoring expert is to advise the PMU on safeguard compliance issues. If significant non-compliance issues are identified, the PMU is required to prepare a corrective action plan to address such issues. The PMU will document monitoring results, identify the necessary corrective actions, and reflect them in a corrective action plan.

Appendix-1: Direct Purchase Policy of Assam, 2021

পঞ্জীকৃত নম্বৰ - ৭৬৮ /৯৭

Registered No.-768/97



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 53 দিশপুৰ, শুক্ৰবাৰ, 22 জানুৱাৰী, 2021, 2 মাঘ, 1942 (শক)
No. 53 Dispur, Friday, 22nd January, 2021, 2nd Magha, 1942 (S. E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
PUBLIC WORKS ROADS (DEVELOPMENT A-1 BRANCH) DEPARTMENT

NOTIFICATION

The 20th January, 2021

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

Annexure-1

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

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

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

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

THE ASSAM GAZETTE, EXTRAORDINARY, JANUARY 22, 2021 311

Annexure 2

Form-A
Requisition for Land Acquisition

No. : _____

Date _____

From : <Designation>
< Requiring body>

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

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

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

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

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

Yours faithfully,

<Designation>
<Requiring Body>

Memo No. _____

Date _____

Copy to:

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

<Designation>
<Requiring Body>

312 THE ASSAM GAZETTE, EXTRAORDINARY, JANUARY 22, 2021

Appendix 1 to Form A
Requisition for Land

(i) Name of the District _____

(ii) Name of the Project _____

(iii) Details of Requisition of Land

District _____ Revenue Circle _____

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

(iv) Total Area under Requisition (Acres) _____

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

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

<Designation>
<Requiring Body>

Appendix 2 to Form A
Certificate with Requisition for Land

ame of the Project _____

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

<Designation>
<Requiring Body>

314 THE ASSAM GAZETTE, EXTRAORDINARY, JANUARY 22, 2021

Form-B: Agreement with Land Owner

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

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

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

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

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

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

Signatures of the Land Owners

- 1.
- 2.
- 3.

Signature of Requisitioning Agency

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

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

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

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

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

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

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

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

Signatures of Persons interested in land

- 1.
- 2.
- 3.

Signature of Requisitioning Agency

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

Calculation of Direct Purchase Price

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

1. Section 26 of RFCTLARR Act 2013

- a) The base rate of land (*Sub-section (1) of Section 26 of RFCTLARR Act 2013*) will be determined by the highest value among:
 - The market value, if any, specified in the Indian Stamp Act 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated;
 - The average sale price of similar type of land situated in the nearest village or nearest vicinity area; and
 - Consented amount of compensation as agreed upon under sub-section (2) of section 2 of RFCTLARR Act 2013 in case of acquisition of lands for private companies or for public private partnership projects
- b) The market value of land shall be multiplied by a factor (*Sub-section (2) of Section 26 of RFCTLARR Act 2013*), of i) 1.00 (One) for land in urban areas or, ii) 1.5 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or, iii) 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area (*Ref. Notification No. RLA 300/2013/Pt-II/7 dated 22nd Dec 2014 of Govt. of Assam*)

2. Section 29 of RFCTLARR Act 2013

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

3. Section 30 of RFCTLARR Act 2013

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

4. Simple valuation of immovable assets attached to the land

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

5. Direct Purchase Price

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

The Price of Direct Purchase (DP) will be:

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

where:

R is the base rate of Land

M is the Multiplier

A is the affected area

B is the market value of Buildings

O be cost of all immovable assets & standing crops

Y¹ is the year from date of notification to award of compensation

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

¹ Whole number or proper or improper fraction, as the case may be

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

Appendix-2: Summary of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

1. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been effective from January 1, 2014 to the whole of India. The Act repealed the Land Acquisition Act, 1894.
2. The aims and objectives of the Act include: (i) to ensure, in consultation with institutions of local self-government and Gram Sabha established under the Constitution of India, a humane, participative, informed and transparent process for land acquisition for industrialization, development of essential infrastructural facilities and urbanization with the least disturbance to the owners of the land and other displaced families; (ii) provide just and fair compensation to the displaced families whose land has been acquired or proposed to be acquired or are affected by such acquisition; (iii) make adequate provisions for such displaced persons for their rehabilitation and resettlement; (iv) ensure that the cumulative outcome of compulsory acquisition should be that displaced persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto.
3. Section 27 of the Act defines the method by which market value of the land shall be computed under the proposed law. Schedule I outlines the proposed minimum compensation based on a multiple of market value. Schedule II through VI outline the resettlement and rehabilitation entitlements to landowners and livelihood losers, which shall be in addition to the minimum compensation as per Schedule.
4. Preparation of Social Impact Assessment Study under section 4(1): it is obligatory for the appropriate Government intends to acquire land for a public purpose to carry out a Social Impact Assessment study in consultation with concern Panchayat, Municipality or Municipal Corporation, as the case may be, at village level or ward level in the affected area. The Social Impact Assessment study report shall be made available to the public in the manner prescribed under Section 6.
5. **Notification under Section 11 (1):** Whenever, it appears to the appropriate Government that land in any area is required or likely to be required for any public purpose, a notification to that effect along with details of the land to be acquired in rural and urban shall be published in the official Gazette in two daily newspapers circulating in the locality of such area of which one shall be in the regional language; in the local language in the *Panchayat*, Municipality or Municipal Corporation, as the case may be and in the officers of the District Collector, The Sub-divisional Magistrate and the *Tehsil*; uploaded on the website of the appropriate Government in the affected areas.
6. **Hearing of Objection under section 15 (1):** any person interested in any land which has been notified under sub-section(1) of section II, as being required or likely to be required for a public purpose, may within sixty days from the date of the publication of the preliminary notification makes his/ her objection, if any, to the collector in writing and

shall be heard by the collector or by any person authorized by him/ her in this behalf or by an Advocate. After hearing all such objections and after making such further inquiry, if any, as he/she thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section II, or make different reports in respect of different parcels of such land, to the appropriate Government, containing his/her recommendations on the objections, together with the records of the proceedings held by him/her along with a separate report giving therein the approximate cost of land acquisition, particulars as to the number of displaced families likely to be resettled, for the decision of that Government.

7. **Publication of declaration and summary of Rehabilitation and Resettlement under Section 19 (1):** when the appropriate Government is satisfied, after considering the report, if any, made under sub-section (2) of Section 15, that any particular land is needed for a public purpose, a declaration shall be made to that effect, along with a declaration of an area identified as the “resettlement area” for the purpose of rehabilitation and resettlement of the displaced families. It is obligatory for the State to publish declaration in the official Gazette; in two daily newspapers circulating in the locality of such area of which one shall be in the regional language; in the local language in the *Panchayat*, Municipality or Municipal Corporation, as the case may be and in the offices of the District Collector, The Sub-divisional Magistrate and the *Tehsil*; uploaded on the website of the appropriate Government; in the affected areas.
8. After declaration the Collector shall take order for acquisition. The Collector then causes the land to be marked out, measured and planned. The Collector then causes public notice to be given at convenient places on or near the land to be taken, stating the intention of the Government to take possession of the land, and that claims to compensation may be made.
9. **Enquiry and Land Acquisition award by Collector under Section 23:** on the day so fixed, or any other day to which the enquiry has been adjourned, the Collectors shall proceed to enquire into the objections (if any) which any person interested has stated pursuant to a notice given under section 21, to the measurements made under Section 20, and into the value of the land at the date of the publication of the notification, and into the respective interest of the persons claiming the compensation and rehabilitation and resettlement, shall make an award under his/ her hand of:
 - i. the true area of the land;
 - ii. the compensation as determined under Section 27 along with Rehabilitation and Resettlement award as determined under Section 31 and which in his/her opinion should be allowed for the land, and;
 - iii. the apportionment of the said compensation among all the persons known or believed to be interested in the land, of whom, or of whose claims, he has information, whether or not they have respectively appeared before him.
 - iv. **Period within which an Award shall be made:** under Section 25, it is obligatory for the Collectors to make an Award within a period of twelve months from the date of publication of the declaration under Section 19 and if no Award is made

within the period, the entire proceedings for the acquisition of the lands shall lapse.

10. Determination of market value of land by Collector under Section 26 (1): The Collector shall adopt the following criteria's in assessing and determining the market value of the land, namely:

- i. the market value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds or agreements to sell, as the case maybe, in the area, where the land is situated; or
- ii. the average sale price for similar type of land situated in the nearest village or vicinity area; or
- iii. consented amount of compensation as agreed upon under sub-section(2) of section 2 in case of acquisition of lands for private companies or for public-private partnership projects. Wherever is higher.

11. Determination of amount of Compensation under section 27: The Collector having determined the market value of the land to be acquired shall calculate the total amount of compensation to be paid to the landowner (whose land has been acquired) by including all assets attached to the land.

12. Determination of value of things attached to land or building under section 29 (1): The Collector in determining the market value of the building and other immovable property or assets attached to the land or building which are to be acquired, use the services of a competent engineer or any other specialist in the relevant field, as may be considered necessary by him/ her. Under Section 29 (2), the Collector for the purpose of determining the value of trees and plants attached to the land acquired, use the services of experienced persons in the field of agriculture. In the same manner, the Collector under Section 29(3), for the purpose of assessing the value of standing crops damaged during the process of land acquisition, may use the services of experienced persons in the field of agriculture.

13. Rehabilitation and Resettlement Award for displaced families by Collector under Section 31(1) of Section V: The Collector shall pass Rehabilitation and Resettlement Awards for each displaced family in terms of the entitlements provided in the second schedule. As per Section 31(1), the Rehabilitation and Resettlement Award shall include all the following, namely;

- i. Rehabilitation and resettlement amount payable to the family;
- ii. Bank account number of the person to which the rehabilitation and resettlement award amount is to be transferred;
- iii. Particulars of house site and house to be allotted, in case of displaced families
- iv. Particulars of the land allotted to the displaced families;
- v. Particulars of one-time subsistence allowance and transportation allowance in

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

Appendix-3: Assam Land Acquisition on Factor/ Multiplier of Acquired Rural Land

পঞ্জীভুক্ত নম্বৰ - ৭৬৮ /৯৭

Registered No.-768/97



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 295 দিশপুৰ, মঙ্গলবাৰ, 23 ডিচেম্বৰ, 2014, 2 পূহ, 1936 (শক)
No. 295 Dispur, Tuesday, 23rd December, 2014, 2nd Pausa, 1936 (S.E.)

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

NOTIFICATION

The 22nd December, 2014

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

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

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

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

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

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

Guwahati :- Printed and Published by the Dy. Director (P & S), Directorate of Ptg. & Sty. Assam, Guwahati-21.
Ex Gazette No. 589 - 300 + 10 - 23 - 12 - 2014.

Appendix-4: Land Transfer in Non-Cadastral and Tribal Areas in Assam

Background:

Non- Cadastral land means that there are no individual land records or tax estimates of land parcels, instead the land ownership is on the Village/ Community instead of private individual ownership. Each village is occupied by one tribal group which is recognized by the Autonomous District Council(ADC) as a qualifying tribe to hold land in the village. Gaon Bura/ Village Headman is the administrative head of the village on behalf of the ADC. The village headman supervises the village land use on behalf of the ADC. The Gaonbhura/ Village Headman of each village community maintains information on land parcels that are given on leasehold for each household of the community. Each household who cultivates or occupies a piece of land does so as a member of the village and with the permission of the village Headman/GaonBuras. In addition to the cultivated land, households obtain land from the *Gaon Bura* to build their dwellings and other structures.

No outsider is allowed to clear a piece of land to cultivate or build a house on tribal land without ADC's permission. Occasionally, a relative of a resident may arrive in a village from outside to resettle. His acceptance is determined by the *GaonBura*, based on the facts-the visitor's tribe and its relationship with the village tribe, and their willingness to accept him as one of their own.

Tribal Land Acquisition Process:

The market conditions are absent or in a formative stage in the Non-Cadastral villages, thus the replacement cost of land and other assets will be based on consultation with affected persons and host populations, current land-use, and agreed compensation rate. The new land lease contract is additional to this cash compensation and to be given following two ADCs' guidelines and regulations.

Acquisition of land for the public purpose of constructing any project is governed by the Assam state laws, national laws and regulations, and laws and rules of the Dima Hasao and Karbi Anglong ADCs. There is a detailed process, approved by the ADCs, in transferring tribal land to an acquiring agency. These steps have been followed in acquiring land for the project. The first step in acquiring land in a scheduled tribal area is to obtain a no-objection-certificate (NOC) from the relevant ADC. As far as possible, the state government avoids acquisition of land in scheduled areas. Where such acquisition is required, it is done only as the last resort (Section 41 of the Act of 2013). The NOCs regarding the acquisition of ADCs' land for the project to be issued from Dima Hasao and Karbi Anglong ADCs in consideration of PWRD's request of land for the project.

The second step is to issue notice through the Revenue Officer of the ADC and Gaon Buras regarding the land acquisition for a public purpose. Once noticed, the Revenue Officer, the gaon bura, the Government Department or the agency that has requested land for a public purpose, and the current land users or occupiers or their representatives meet at each potentially affected village for a joint 'spot verification' of land. During the joint spot

verification, the land to be acquired for the project will be identified, and land holding patterns, village boundaries, its trees, crops, buildings, and other assets will be recorded. Such data and information will become the basis for compensation determination.

The third step in acquiring a non-patta land begins with the Gaon Bura issuing a 'no- objection certificate'(NOC) to each household to hold the land in the village. This is because such land is falling into the 'non-cadastral' land category over which no land records or survey maps are available. The demarcation of existing/proposed ROW to be marked on hand drawn land-maps and tracing maps will be prepared for the finalisation of land acquisition plan with the help of local revenue officials and village council. The Revenue Officer of the ADC" allocates" a piece of village common land to each household, based on the current land-use and on the 'no objection certificate' issued by the Gaon Bura. Thus the "land user" becomes an "interested party" to the land, thereby becoming eligible to receive a compensation package for losing the interests in land for a public purpose.

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

The fifth step is the Revenue Officer obtains the consent of the affected villagers in writing in the presence of the Gaon Bura and other land users with the NOC to handover their landholding to the land requiring PWRD department or agency.

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

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

The eighth step is that the executive member of revenue and the Deputy Commissioner after thorough scrutiny and examination, forward the bills of compensation to the Assam Government's revenue and disaster management department to sanction the total compensation amount. The department sanctions the amount and obtains the required funds from the land requiring agency and places the funds at the disposal of the deputy commissioner of the ADC for payment of land compensation and jirat to the affected persons. The ninth step is the payment of compensation to each land user by an account payee check through the ADC and GaonBura.

The procedure of land acquisition from scheduled tribal communities outlined above meet the requirements of the local legal framework and international best practices in involuntary resettlement and indigenous peoples. The procedure upgrades common land users to the

status of land owners, thereby qualifying them to receive cash compensation and relocation assistance and support for livelihood restoration and improvement. This generous arrangement of compensation payment encouraged the Affected Persons to oppose PWRD's proposal to reduce the area of land acquisition from the original estimates of required land area. They may argue that they had agreed to handover their land to PWRD on the understanding that they would get cash compensation for the original amount of land. If there are any culturally important facilities found during the implementation, these will be relocated in a culturally appropriate manner and in consultation with the local communities. The project will support cost for culturally appropriate resettlement and compensation.

If all of the affected persons will be scheduled tribe, project will require ensuring that the resettlement is done in a culturally appropriate manner and in close consultation with the people. The benefits of improved industrialization and other social facilities such as school and health will be ensured in a culturally appropriate and sensitive way and in consultation with the affected scheduled tribe communities. Also, improved mobility of the communities may result in outsider infiltration in the area as well as outmigration of the youth from the area. Thus, especially during construction, awareness campaign for cultural characteristic, transmittal disease, and trafficking activities will be undertaken considering the IP issues.