

Resettlement Planning Document

Resettlement Plan for Kaziranga Subproject
Document Stage: Draft for Consultation
Project Number: 38412
September 2009

IND: Assam Integrated Flood and Riverbank Erosion Risk Management Investment Program

Prepared by the Water Resources Department, Government of Assam

The resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

TABLE OF CONTENTS

List of Abbreviations	iii
Executive Summary	iv
Chapter 1 : The Project	1
1.1. Introduction	1
1.2. Project Benefits and Impacts	1
1.3. Measures to Minimize the Impact	2
1.4. Objectives of the Resettlement Plan	2
Chapter II: The Project State and Subproject Location	4
2.1. The Project State	4
2.2. Subproject Location- Socio-Economic Scenario	6
Chapter III: Findings of the Resettlement Survey	8
3.1 Objective of the Resettlement Census Survey	8
3.2 Methodology	8
3.3 Findings of the Resettlement Census Survey	8
3.4 Land Acquisition-Types and Tenures	12
3.5 Impact on Residential Structures	14
3.6 Impact on Residential cum Commercial Structures	16
3.7 Loss of Trees	16
3.8 Loss of Other Assets	17
3.9 Loss of Irrigation Units	17
3.10 Perceived Benefits of the Project	17
3.11 Eligibility for Income Restoration Support	18
3.12 CPR's	19
3.13 Impact on Indigenous Peoples	19
3.14 Types of Losses- A Summary	25
Chapter IV : Resettlement Policy Framework and Entitlement Matrix	26
4.1. LA Act and GOI National R & R Policy	26
4.2. Gaps and Project Specific Action	26
4.3. LA and Resettlement Policy Framework	26
4.4. Entitlement Matrix	27
4.5. Cut off Date	32
4.6. Valuation of Affected Assets	32
4.7. Disposal of Acquired Properties	33
4.8. Income & Livelihood Restoration	33
Chapter V: Consultations & Stakeholder Participation	35
5.1. Consultation Process	35
5.2. Consultation Scope & Issues	36
5.3. Feedback from Community Consultations	36
5.4. Disclosure of the Resettlement Plan	39
5.5. Plan for further Consultations and Community Participation	39

Chapter VI: Institutional Framework	41
6.1. Introduction	41
6.2. Implementation Schedule	43
Chapter VII: Cost Estimates & Budget	46
Chapter VIII: Monitoring & Evaluation	49
8.1 Need for monitoring	49
8.2 Monitoring at EA level	49
8.3 Reporting Requirements	50
ANNEXES	
Annex 1: Copy of the Census Survey Tools	51
Annex 2: Comparison of ADB Policy with Indian LA Act and NPRR (2007)	60
Annex 3: Terms of Reference for Income Restoration Programme	63
Annex 4: Terms of Reference for the NGO/Agency	66
Annex 5: Terms of Reference for the External Monitoring Agency	70

ABBREVIATIONS

ADB	–	Asian Development Bank
ASG	–	Assam State Government
BSR	–	Building Schedule Rates
BPL	–	Below Poverty Line
EA	–	Executing Agency
FGD	–	Focus Group Discussions
GOI	–	Government of India
GRC	–	Grievance Redressal Cell
HH	–	Household
IFRERM	–	Integrated Flood and Riverbank Erosion Risk Management
IOL	–	Inventory of Losses
IPSA	–	Initial Poverty & Social Assessment
IR	–	Involuntary Resettlement
IP	–	Indigenous Peoples
Kms	–	Kilometers
KNP	–	Kaziranga National Park
LA	–	Land Acquisition
NGO	–	Non-Government Organizations
NPRR	–	National Policy on Resettlement & Rehabilitation
NRRP	–	National Resettlement and Rehabilitation Policy
PPTA	–	Project Preparatory Technical Assistance
PRA	–	Participatory Rural Appraisal
RF	–	Resettlement Framework
RP	–	Resettlement Plan
RO	–	Resettlement Officer
R&R	–	Resettlement & Rehabilitation
SEIU	–	Social and Environment Implementation Unit
SEMU	–	Social and Environment Safeguard Management Unit
SPV	–	Special Purpose Vehicle
SC	–	Schedule Caste
Sq.mts	–	Square Meters
ST	–	Schedule Tribe
TORs	–	Terms of Reference
WRD	–	Water Resource Department

EXECUTIVE SUMMARY

A. The Project

The Assam Government intends to improve Flood and Riverbank Erosion Management (FREM) infrastructure so as to mitigate the effects of the annual floods. In keeping with this an investment proposal was submitted to ADB. The proposed project entails construction of new embankments, riverbank protection and flood proofing works along the Brahmaputra and Barak rivers to protect life, property and vital state economic interests. The planned activities intend to stabilize the Brahmaputra and its distributaries along the four reaches of the subproject areas – Palasbari, Dibrugarh and Kaziranga.

This RP addresses the land acquisition and resettlement aspects of the Kaziranga Subproject – one of the three subprojects – designed under “sector” model with multi-tranche financing.

B. Project Benefits and Impacts

Flood protection work mainly entails construction of new embankments and improvising the existing ones by way of pitching work as well as revetment work. The Kaziranga subproject involves construction of a new embankment of almost 4.7 kms next to the Kaziranga National Park in Golaghat District and aims at addressing the key issues and challenges faced by the people of the region in terms of loss of life and property caused by the annual flooding caused by the Dhansiri, a tributary of the Brahmaputra.

Annual flooding in the region entails loss of productive agricultural land, residential as well commercial land and structures, trees, irrigation units as well as common property resources like temples, schools. Additionally there is loss of life especially that of livestock and sometimes human life too as well as spread of diseases. The project would seek to address all these issues which pose a serious threat to the people residing in the project area.

However despite these anticipated benefits, the project would also entail land acquisition affecting 80 households (comprising of 407 persons) in a total of five villages of Golaghat district namely Borjuri Bagisa Gaon, Methoni Bagisa Gaon, Japori Pathar, Diffloo Pathar and Tamoli Pathar. A detailed resettlement census survey was undertaken in March 2009 covering all the households getting affected in Kaziranga. Of the 80 affected households, 3 households comprised of absentee landlords, which were not present at the time of the resettlement census survey. In addition the census survey also identified 10 Scheduled Tribe (ST)/Indigenous People (IP) households would be affected. It is pertinent to note that the IP in the subproject location do not maintain any distinct socio-cultural identity and practice the same economic activities which include agriculture and private services in Tea garden, same as the general population. Measures to mitigate the impacts of the project on the IP households have been incorporated in the RP.

The survey brought forth that the project would entail acquisition of 50.81 acres (20.56 ha) of land. This would mean asset loss for nearly 407 persons, in terms of loss of agriculture land, residential land as well as residential cum commercial land. Apart from the land acquisition there would be loss of 10,525 trees (both fruit bearing and furniture trees) as well as 6 common property resources which include temples and schools. The following table briefly summarizes the impacts of the project on the affected villages.

Kaziranga Subproject – Impacts of Land Acquisition

Name of Village	Affected Households (HHs)	Affected Persons (APs)	Total land getting affected (in acres)	%age of the total land	No. of Affected Trees	Number of Affected CPRs
Borjuri Bagisa Gaon	19	102	21.18	42%	1280	-
Diffloo Pathar	9	49	4.21	8%	1463	1
Japori Pathar	41	206	20.66	41%	6845	4
Methoni Bagisa Gaon	8	39	3.1	6%	937	1
Tamoli Pathar	3	11	1.66	3%	-	-
TOTAL	80 HH	407 APs	50.81 Acres	100%	10525	6

Source: Census Survey, March 2009

C. Objective of the Resettlement Plan

The resettlement principles for the project are derived from ADB Policy on Involuntary Resettlement (1995), Operations Manual F2 (2006) as well as the Land Acquisition Act (1894) and National R&R Policy (Govt. of India, 2007). The principles adopted for the project comply with the social safeguard requirements of ADB.

The primary objective of the RP is to identify impacts and to plan measures to mitigate various losses of the subproject. The RP is based on the general findings of the resettlement census survey, field visits, and meetings with various project-affected persons in the subproject area. The RP presents (i) type and extent of loss of assets, including land and structures; (ii) principles and legal framework applicable for mitigation of losses; (iii) entitlement matrix, based on the inventory of loss and (iii) budget, institutional framework for the implementation of the plan, including monitoring and evaluation.

D. Stakeholder Participation and Disclosure of RP

In tune with the NRRP and ADB principles of community consultation, stakeholder consultations and participation was carried out involving the directly affected people, as well as local leaders. Consultations with the community as well as other stakeholders was carried out both during the initial social and poverty assessment as well as census survey in the sub project area. Community consultations would be simultaneously carried out by the EA during the implementation of the RP.

A summary of this Resettlement Plan (RP) will be translated into Ahami (Assamese) language and will be made available to the affected people by WRD prior to project appraisal through local workshop. Copies of summary RP will also be made available at the local level public offices such as revenue offices and gram panchayat to stakeholders for local inputs prior to

award of civil work contract. The proceedings of the disclosure workshop and the feedback received will be sent to ADB for review. The summary of the final RP will also be disclosed on the WRD and ADB websites.

E. Implementation Arrangements & Grievance Redressal Committee

Recognizing the importance of environment and social risk management for the IFRERM project, a separate Social and Environment Safeguards Management unit (SEMU) will be established within the SPV so as to address and manage environment and social issues. The SEMU would have resources and authority to plan and manage the resettlement implementation.

The primary role of SEMU will be to ensure that projects undertaken meets all social and environment safeguard policy requirement carry out internal monitoring during RP implementation etc. SEMU will appoint 2 key persons as its staff to be the Social Safeguard Officer and Environment Safeguards Officer who will oversee and coordinate the safeguard aspects of the project.

In addition to SEMU, at each subproject level there will be a Social and Environment Implementation unit (SEIU). The role of SEIU will be to handle Land acquisition and RP implementation at subproject level.

The Land Acquisition Officer (on deputation from DC office) in SEIU shall handle the land acquisition for the subproject along with Resettlement Implementation Officer and a local NGO.

The Grievance Redressal Committee will be constituted at SEIU level comprising of Project Director, Resettlement Officer, representative from local NGOs, elected representative from Zilla Parisad/District Council, representatives of affected persons including vulnerable groups and women in the committee. The GRC will continue to function, for the benefit of the APs, during the entire life of the project. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, compensation, relocation, and other assistance. The Implementation Schedule has been provided in annexure 1.

F. Budget

The total estimated cost for resettlement operation and management for the Project is **Rs. 27,815,381 (\$ 567661)**.

G. Monitoring & Evaluation

For effective and efficient implementation of the RP, the project will have both internal and external monitoring. Internal Monitoring will be a key responsibility of the SEIU which will oversee the implementation of the RP. They would be assisted by other agents like NGO's for the same. Apart from internal monitoring they would also be responsible for timely reporting on the progress of RP Implementation. External (or independent) monitoring will be hired by ADB to provide an independent periodic assessment of resettlement implementation and impacts to verify internal monitoring, and to suggest adjustment of delivery mechanisms and procedures as required.

CHAPTER 1

THE PROJECT

1.1. Introduction

1. This Resettlement Plan (RP) has been prepared by the Water Resources Department (WRD) of the Assam State Government (ASG) with assistance provided under the Project Preparation Technical Assistance (PPTA) by the Asian Development Bank (ADB).¹ It addresses the land acquisition and resettlement aspects of the Kaziranga Subproject – one of the three subprojects – designed under “sector” model with multi-tranche financing.

2. The RP is based on the complete census of all the potentially affected households (AHH's) based on the alignment finalised after community consultations along with the Design Specialist and Social and Resettlement Specialist.

1.2. Project Benefits and Impacts

3. The proposed Assam Flood and Erosion Management Project (the Project) involves (i) construction of riverbank protection work in selected high priority areas; (ii) strengthening and/or improvements of existing embankments; (iii) “non-structural” measures such as forecasting and early warning systems, and preparedness; and (iv) community flood proofing in selected localities. The planned activities intend to stabilize the Brahmaputra and its distributaries along the three reaches of the subproject areas – Palasbari, Dibrugarh and Kaziranga. The proposed subprojects would help the State to improve its ability to mitigate flood and erosion damages at all these subproject locations with existing embankments systems, increase economic development and reduce poverty. The reduction in flood and erosion will provide the local communities protection against loss of crops, assets and displacement. Thus, the project aims to enhance the security against ongoing flood and erosions.

4. Despite the anticipated project benefits, the project would entail land acquisition. The Kaziranga subproject situated adjacent to the Kaziranga National Park, entails the construction of a new embankment of approximately 4.7 kms leading to significant impacts in terms of land acquisition and displacement (Table 1.1). The width of the embankment is 100 mtrs which includes the seat of the embankment (60 mtrs) and buffer zone on either side of 20 mtrs each. Additionally 6 sluice gates would be constructed to control water levels especially during the flood season to minimise the effects of the same on the people. Of these two sluice gates are on the new embankment while the other four are further on from the new embankment along the KNP boundary. For the latter too, 100 mtrs of land would be acquired. In all 111.88 acres of land would be required for the project.

5. 80 HH would be adversely affected due to the project in five villages namely- Methoni Bagisa Gaon, Borjuri Bagisa Gaon, Diffloo Pathar, Japori Pathar and Tamoli Pathar. Of the 111.88 acres of land required, 50.81 acres are agriculture as well as homestead land while the rest of the land belongs to the government (61.07 acres). Thus for the Kaziranga Subproject 50.81 acres of land would be acquired.

¹ ADB PPTA 4896 IND: Preparing the North Eastern Integrated Flood and Riverbank Erosion Management Project (Assam), December 2006.

Table 1.1 Kaziranga Subproject – Impacts of Land Acquisition

Name of Village	Affected Households (HHs)	Affected Persons (APs)	Total land getting affected (in acres)	%age of the total land	No. of Affected Trees	Number of Affected CPRs
Borjuri Bagisa Gaon	19	102	21.18	42	1280	-
Diffloo Pathar	9	49	4.21	8	1463	1
Japori Pathar	41	206	20.66	41	6845	4
Methoni Bagisa Gaon	8	39	3.1	6	937	1
Tamoli Pathar	3	11	1.66	3	-	-
TOTAL	80 HH	407 APs	50.81 Acres	100%	10525	6

Source: Census Survey, 2009

1.3. Measures to Minimize the Impact

6. All necessary efforts have been made in order to minimize the subproject impacts and to reduce disruption of livelihood. In order to minimize impacts to the maximum possible extent, adequate provisions have been incorporated into the planning and design of the subproject to minimize or mitigate any unavoidable impacts. The key technical efforts undertaken to minimize impact are enumerated below:

- a. **Alignment-** the proposed alignment for the construction of a new embankment at Kaziranga has been changed to minimise resettlement impacts and displacements. The earlier proposed alignment of 4.5 kms affected 108 AHH's and required acquiring 45 acres of land, of which 32 acres was agricultural land and the rest was residential, commercial and residence-cum-commercial land as well as impact on large number of trees and Community Property Resources including three Lower Primary schools.

However, the new alignment of 4.7 kms has minimised the above said impacts as now only 80 HH would bear a direct impact due to the construction of the new embankment. Of the total land (111.88 acres) required for the embankment (including that for the sluice gates), 61.07 acres belong to the Government and the rest 50.81 acres are agriculture and homestead land. Also, now only two Lower Primary Schools would be impacted due to the project.

The new alignment was finalised after consulting the affected community about the same. Additionally transect walks were undertaken along with the community, Engineers from the Water Resources Department as well Design Consultant from ADB.

1.4. Objectives of the Resettlement Plan

7. The primary objective of the RP is to identify impacts and to plan measures to mitigate various losses of the subproject. The RP is based on the general findings of the resettlement census survey, field visits, and meetings with various project-affected persons in the subproject

area. The RP presents (i) type and extent of loss of assets, including land and structures; (ii) principles and legal framework applicable for mitigation of losses; (iii) entitlement matrix, based on the inventory of loss and (iii) budget, institutional framework for the implementation of the plan, including monitoring and evaluation.

CHAPTER II

THE PROJECT STATE AND SUBPROJECT LOCATION

2.1. The Project State

8. Assam is one of the Seven Sisters of the East along with Arunachal Pradesh, Nagaland, Tripura, Manipur, Mizoram and Meghalaya. Located south of the eastern Himalayas, it is one of the most prominent North-Eastern State of India. The state is known worldwide for its tea and mineral resources (Petroleum).

9. Assam, covering an area of 78,523 sqkm, is one of the most populous States in North East India. The geography of the State comprises of hills and rivers. In fact it is covered by hills on three sides such as Karbi Anglong, North Cachar Hills, Kasi – Garo Hills. The river system comprises mainly of the Brahmaputra and Barak rivers. Both the rivers have played an important role in the land formation, ecology, population distribution etc. especially the Brahmaputra. The Brahmaputra is a highly braided river flowing from east to west for about 700 kms within the state forming the Brahmaputra or Assam valley. The Barak River, on the other hand, has been instrumental in forming the Barak valley in the southern part of the state.

a. Socio-Demographic Profile

10. As aforementioned Assam is one of the most populous states in NE India. As per the census (2001), it has a population of 2.64 million people accounting for 2.59% of the country's population. The density of population in the state is 340 per SqKm as compared to the national average (324 persons per SqKm)². For administrative reasons, the state has been divided into 27 districts of varying size and population. Most of the population (82.78%) in fact seven out of eight persons live in rural areas.³ The rate of urbanization in the state is recorded at 12.90% with only 125 urban centres⁴. Assam accounts for 12.4%⁵ of the country's ST population comprising of 23 notified tribes of which Boros are the largest group followed by Mishings.

11. The available data on the socio economic profile of the State presents a mixed scenario. For instance, the sex ratio in the state is slightly lower than the country's rate. It stands at 932 females per 1000 males as against the national figure of 933 per 1000 men⁶.

12. The literacy rate prevalent in the state is 63% as per the census 2001. However, on the other side of it the number of male literates is higher as compared to female literates. The literacy rate among the male population in Assam is 71.30 and among females is at 54.60 percent.

13. Similarly the economy of the State today represents a unique juxtaposition of backwardness amidst plenty. The advanced estimates placed the growth rate for the years 2005-06 at above 6 percent⁷. The mainstay of the economy is agriculture as it is blessed with fertile soil and conducive climatic conditions employing 69% of the workforce⁸. Additionally, Assam's biggest contribution to the world is tea, producing a fair share of the country's production of the same.

² Assam Development Report 2003.

³ Assam Development Report 2003.

⁴ www.wikipedia.org.

⁵ www.censusindia.gov.in.

⁶ Assam Development Report 2003.

⁷ Government of Assam, Economic Survey of Assam 2005-2006.

⁸ Assam Development Report 2003.

14. The industrial base of the state is quite diversified with almost 320 million tons of coal reserves, oil and natural gas reserves⁹ of which many lay yet untapped. In addition, tourism is quite a big industry with National Parks like Kaziranga and Manas National Park

b. Floods and Erosion in Assam and Extent of Damage

15. Floods in Assam have been a regular feature for centuries. The earliest available record states that there have been floods in 1570's¹⁰ that have caused widespread destruction and devastation. In recent times the major floods that occurred in the State were in 1954, 1962, 1966, 1972, 1977, 1984, 1988, 1998, 2002 and 2004, though floods of lesser magnitude occur almost every year in the state.

16. The recurrence of flood and erosion has continued to be a burning problem of Assam. The Brahmaputra and Barak rivers cause major problems during the monsoons every year in the shape of flood, bank erosion and drainage congestion. In fact, the successive waves of devastating floods almost every year have virtually destroyed the economy, more particularly, the rural economy of the State. The main factors causing extensive floods have been attributed to the adverse physiographic feature of the region, heavy rainfall, excessive sedimentation and frequent occurrence of earthquakes, hill / land sliding, reduction of forest area and encroachment of the riverine area. Usually Assam experiences incessant rainfalls during the monsoon season, which normally commence from the month of May and remain till mid October. Apart from this, occurrence of floods in Assam has direct correlation with rainfall in the catchments areas of neighbouring states of Arunachal Pradesh, Meghalaya, Mizoram, Nagaland and the adjacent country of Bhutan.

17. In Assam, the flood and erosion has caused enormous damages to the crops, livestock, land, property and bring untold miseries to the people at large. While the major floods that occurred in the State were in 1954, 1962, 1966, 1972, 1977, 1984, 1988, 1998, 2002 and 2004, floods of lesser magnitude occurs almost every year in the state. The National Flood Commission had estimated the area vulnerable to floods in Assam as 31.60 lakh hectares against 335.16 lakh hectares for whole India¹¹. Assam thus accounts for 9.4 per cent of total flood prone area of the country. As a result, the State has not been able to achieve the desired progress and prosperity, in spite of having vast natural resources. Flood in three to four waves is an annual feature, which very often wipes out major chunk of the people's assets.

18. Year after year the mighty river Brahmaputra as well as Barak have brought in huge volumes of silt and water. The siltation is especially true of Brahmaputra, which carries heavy/huge amount of silt. And, due to this, the bed levels of the Brahmaputra and some of its tributaries has risen considerably reducing the carrying capacity of the channel and causing them to spill over the banks during high flood season and consequently inundate the surrounding lowlands.

19. The following table illustrates clearly the extent of damage caused by floods and erosion in the state in terms of lives, land, assets etc from the year 2000 to 2004:

⁹ Assam Development Report 2003.

¹⁰ www.aasc.nic.in.

¹¹ Economic Survey Assam 2003-04.

Table- 2.1

Damages caused by Flood in Assam						
Item	Unit	2000	2001	2002	2003	2004
Area affected	Hectare	966053.00	239511.00	674148.00	932113.00	3,142,685.40
Population affected	No.	3888385	542634	7550581	5651954	13,493,392
Human lives lost	No.	36	4	65	52	497
Loss of Cattle	No.	19988	15	4294	4319	65,967
Villages affected	No.	5090	1277	6807	7565	12,235
Area eroded	Hectare	-	5348.00	429657.00	12589.60	7829.72
Value of crop loss	Rs. in lakh	17351.57	835.79	14559.95	14700.00	-
Value of houses Damaged	Rs. in lakh	1648.45	259.49	4118.65	1869.22	-
Total value of Damages	Rs. in lakh	19000.02	1095.28	18678.60	16569.22	-

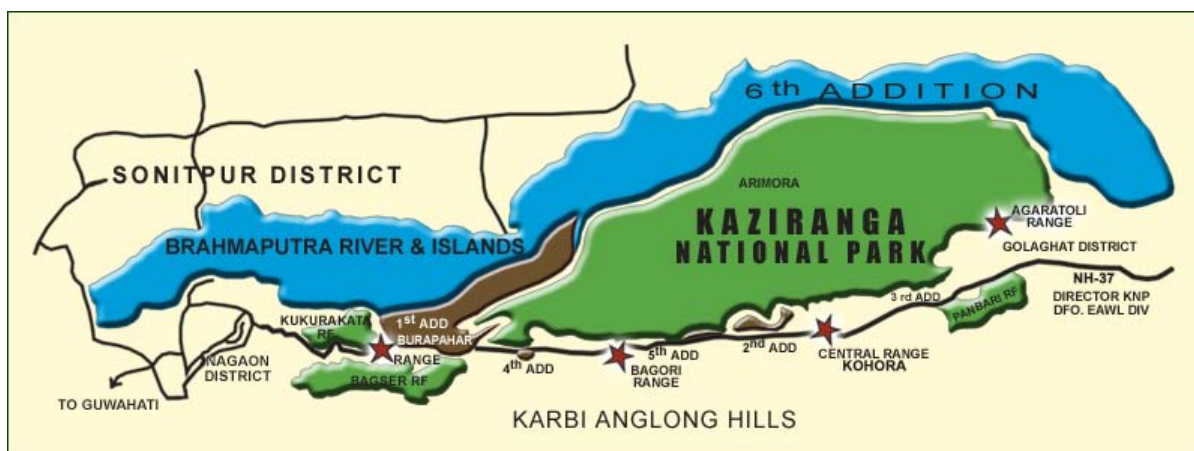
Source: Water Resource Department, Assam

20. This Project has hence been planned as a flood control measure to reduce the devastation being caused by the annual floods in the state.

2.2. Subproject Location – Socio- economic Scenario

21. The Kaziranga subproject area is in the Golaghat district (see Figure 1- Map of the Project Area). The area is located just south of the Kaziranga Reserve Forest. The district covers an area of 3502 sq km. Ninety-two percent of the district population (946,279 persons) live in rural areas.

Figure 1 – Map of the Subproject Area



22. The local villagers recalled erosion experience dating back to 1968. Since then, people in the subproject area have experienced flood and erosion almost every year. In 1988, the subproject area has experienced severe flooding. The small embankment around Bamungaon and Tilia Bari was damaged. An estimated 1500 families lost their agricultural land and about 3,000 cattle died in one month due to flood and starvation. The same scenario repeated again

during the flood of 1998 in which 300 families lost their land in Kaziranga area as a result of erosion. The houses are also affected during flooding – they either collapse or are flooded with water forcing people to move temporarily. In Kaziranga, Mishing tribe traditionally have a culture of making houses on raised silts, which is particularly useful during floods as the water does not enter the main house. However, this again is subject to the water level of the flood and is not very useful in case of high floods.

23. The economy of Golaghat district is mainly agro based. Tea, rice, and sugarcane are the main agricultural crops grown in the district. The Golaghat district has 103902.87 ha of forest land, which includes the Kaziranga Reserve Forest. The local tribes – particularly the Mishing – have historically lived off the forest, although their main source of living today is cultivation.

24. The recurring flood and incessant erosion has completely changed the lifestyles and livelihoods of the people. While every household in the past had their land, majority of them are now impoverished either as landless or marginal farmers. The changes are also noticeable in the case of women and their work. In group discussions, women reported growing impoverishment within the family as a result of loss of valuable cultivable land and lack of employment. Many women are forced into *hajira* (wage labour) to survive and meet basic needs of the family. During floods, women are even more adversely affected due to their restricted mobility and lack of work opportunities as wage labourer. The migration of men for work also puts extra burden on women in the family.

CHAPTER III

FINDINGS OF RESETTLEMENT SURVEY

25. The effective preparation and implementation of a Resettlement Plan largely depends to a large extent on appropriate and accurate socio-economic and resettlement census surveys of the affected households. The following chapter presents and discusses the findings of the resettlement census survey undertaken in the Kaziranga Subproject in March 2009.

3.1 Objective of the Resettlement Census Survey

26. The resettlement census survey is a comprehensive survey covering 100% households getting affected by the subproject, irrespective of their entitlement or ownership status. This survey was undertaken along the subproject by a trained survey team comprising of social researchers.

27. The objective of the census survey was to identify the affected persons and generate an inventory of social and economic impacts on the project affected persons, the structures affected, socio-economic profile of the project affected people, their perceptions about the project and rehabilitation and resettlement options. A schedule was prepared to collect detailed information on the socio-economic status of the affected persons and households. In addition, considering the type of loss namely – residential, residential-cum-commercial, land & trees etc, of the AP a loss-specific schedule was filled for that AP. A copy of the survey tools used during the census survey is annexed as **Annexure 1**.

28. The census survey identified a total of 80 affected households comprising of 407 persons will be affected by the subproject.

3.2 Methodology

29. The key methods employed by the survey team during the course of the survey are in order:

- Marking of affected assets and structures as per the engineering design;
- One-to-one household interview with the affected households;
- Small group consultations, key informant interviews and focus group discussions were also undertaken with affected persons including women and vulnerable groups, shopkeepers, revenue officials and property dealers during the survey.

3.3 Findings of the Resettlement Census Survey

30. The census survey has identified 80 affected households in the Kaziranga Subproject location from four villages namely- Methoni Bagisa Gaon, Borjuri Bagisa Gaon, Diffloo Pathar, Japori Pathar and Tamoli Pathar. It is pertinent to note that of the 80 AHH, 3 are absentee landlords from Japori Pathar (2 AHH) and Tamoli Pathar (1 AHH) and who would bear an impact on their assets because of the breaches that would be plugged here. The analysis presented in this chapter is primarily for 77 AHH and the three absentee AHH have been mentioned as absent in the relevant tables.

31. As can be seen from the following table, 51% of the AHH are from Japori Pathar, 24% from Borjuri Bagisa Gaon while Diffloo Pathar and Methoni Bagisa Gaon accounts for 11% and 10% respectively. Rest 4% of the AHH are from Tamoli Pathar.

Table 3.1: Village wise Distribution of the Affected Households

Name Of Village	Total
Borjuri Bagisa Gaon	19
Diffloo Pathar	9
Japori Pathar	41
Methoni Bagisa Gaon	8
Tamoli Pathar	3
Grand Total	80 HH

Source: Census Survey, 2009.

3.3.1. Vulnerable Groups

32. Certain sections of the society due to a wide variety of reasons are excluded from the development process and thus are unable to enjoy the benefits of the same. These reasons include gender, age, caste etc. In the subproject location, it has been seen that 31 AHH (40%) suffer from vulnerabilities. Table 3.2 enumerates the same.

33. Of the 80 AHH, 13% (10 AHH) are ST households followed by female headed households (8%). Borjuri Bagisa Gaon has the highest number of ST households (6 AHH) while Methoni Bagisa Gaon has 4 HH. There are no ST households in the other three affected villages. There are 4 AHH who suffer from more than one type of vulnerability.

34. Of the 31 vulnerable AHH, 42% of them are from Borjuri Bagisa Gaon, 29% from Japori Pathar while 16% are from Methoni Bagisa Gaon. Both Diffloo Pathar and Tamoli Pathar account for 6% each of the vulnerable affected households.

Table 3.2 Distribution of Vulnerable households by Village and Categories

Type Of Vulnerability	Name Of Village					Grand Total
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	Tamoli Pathar	
Below Poverty Line			2			2
Disabled	1				1	2
Elderly			4			4
Female Headed Household		2	2	1	1	6
SC	3					3
ST	6			4		10
More Than One	3		1			4
NA	6	7	30	3		46
Absent			2		1	3
Grand Total	19 HH	9 HH	41 HH	8 HH	3 HH	80 HH

Source: Census Survey, 2009.

3.3.2. Type of Family

35. The census survey has brought forth that 79% (61 AHH) live in nuclear families with 4-5 members living together while 8% of the AHH are of the joint and extended family type each. As can be seen from the table below (Table 3.3) all the affected households in Diffloo Pathar are nuclear families while in Japori Pathar 77% (30 AHH) of the 39 AHH are of the nuclear type. Similarly in both Borjuri Bagisa Gaon and Methoni Bagisa Gaon, the survey brought forth that the majority of the affected families comprised of nuclear families mainly since these are largely inhabited by employees of the Methoni Tea Company who live as individual family units than in joint or extended family systems. Most of these families have migrated from faraway places like Jharkhand and Bihar to work in the tea plantations generations before and settled in Assam thereafter.

36. Only in Japori Pathar, there exist extended families consisting of more than 10 members living and eating together.

Table 3.3 Distribution of Family Types by Villages

Name Of Village	Family Type				Grand Total
	Extended	Joint	Nuclear	Absent	
Borjuri Bagisa Gaon		5	14		19
Diffloo Pathar			9		9
Japori Pathar	8	1	30	2	41
Methoni Bagisa Gaon		1	7		8
Tamoli Pathar		1	1	1	3
Grand Total	8	8	61	3	80

Source: Census Survey, 2009

3.3.3. Primary Source of Income

37. The Kaziranga subproject location is largely a fertile area with regular supply of water from the Diffloo Channel as well as the Dhansiri River thus agriculture is the mainstay of the local economy. Additionally there are large tea plantations specially the Methoni Tea Company which employs many inhabitants of Borjuri Bagisa Gaon and Methoni Bagisa Gaon.

38. As seen in Table 3.4, 53% of the AHH depend on agriculture primarily to earn their source of livelihood. The common crop grown is paddy. Another 27% of the AHH depend on private service, which in this case work in the tea plantations for earning their livelihood. As can be seen from the table below, all the households deriving their income from the tea plantation are from either Borjuri Bagisa Gaon or Methoni Tea Estate. Further of the 39 AHH in Japori Pathar, 82% of them depend on agriculture solely to earn their livelihood.

39. Of the total AHH in the subproject location, 5% of the AHH depend on wages earned from non agriculture labour which include working in the nearby stone quarries, masonry etc.

Table 3.4 Distribution of Income Source by Villages

Primary Source Of Income	Name Of Village					Grand Total
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	Tamoli Pathar	
Agriculture	1	8	32			41
Dhaba	1					1
Govt. Service			2			2
Non Agri Labour	1		2		1	4
Profession	2			1	1	4
Pvt. Service	14			7		21
Trade/Business			2			2
Multiple		1	1			2
Absent			2		1	3
Grand Total	19 HH	9 HH	41 HH	8 HH	3 HH	80 HH

Source: Census Survey, 2009

40. The Table above enumerates the primary source of income of the households who would be directly impacted due to the construction of the new embankment and the sluice gates. However, it is pertinent to note that though these are the primary source of income for the households, the households also derive income from other sources. As aforementioned, Kaziranga is very fertile and conducive for growing both fruit bearing and timber trees like coconut, arcanut, bamboo, mango etc. Additionally income is earned from dairy and allied activities as well.

3.3.4. Total Annual Income

41. The data from the census survey has brought forth that the annual income of 35% of the AHH from all sources including the primary source of income is between Rs 25001 to Rs 45000 while 25% of AHH have an income between Rs 45001 to Rs 65000 from various sources. While only 5% (4 AHH) of the total affected households earn more than one lakh rupees annually, it is important to note that 16% of the total AHH has an annual income of less than Rs 25000 from various sources. Table 3.5 enumerates the total income earned by the affected households from various sources annually.

Table 3.5 Distribution of Total Income by Villages

Total Annual Income	Name Of Village					Grand Total
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	Tamoli Pathar	
25001 – 45000	10		12	4	2	28
45001 – 65000	2	2	14	2		20
65001 – 85000	1	5	3	1		10
85001 - 1 LAKH			2			2
Less Than 25000	3	2	7	1		13
More Than 1 Lakh	3		1			4
Absent			2		1	3
Grand Total	19 HH	9 HH	41 HH	8 HH	3 HH	80 HH

Source: Census Survey, 2009

3.4. Land Acquisition – Types and Tenure

42. In the Kaziranga subproject location, it has been seen that 73% of the 80 AHH would experience multiple losses while 25% of the total AHH of that of loss of agricultural land (Table 3.6). Further only one AHH would bear an impact on only their residential structure and one AHH on their orchards due to the project. Thus more than half of the affected households would bear a direct impact on more than one of their asset by way of the project.

Table 3.6 Type of Losses

Name Of Village	Type of Losses					Grand Total
	Agriculture	Orchards	Residential	Trees	More Than One	
Borjuri Bagisa Gaon	10				9	19
Diffloo Pathar			1		8	9
Japori Pathar	4	1		1	35	41
Methoni Bagisa Gaon	2				6	8
Tamoli Pathar	3					3
Grand Total	19 HH	1 HH	1 HH	1 HH	58 HH	80 HH

Source: Census Survey, 2009

3.4.1. Ownership Pattern of the Assets

43. The resettlement census survey has brought forth that 80 affected households (including the three absentee landlords) stand to incur impact on their agricultural land, residential assets, residential cum commercial assets, other assets, trees and irrigation units. The following table (Table 3.7) enumerates the ownership pattern of the assets namely agricultural land, residential asset and residential cum commercial assets.

44. As can be seen from the table below, 76% of the 80 AHH are titleholders' implying that they hold legal rights to the affected asset while 21% of them are non title holders followed by 3% of the households who are tenants. The tenants are from Borjuri Bagisa Gaon and Methoni Bagisa Gaon as they are living in the Methoni Tea Company quarters. These living quarters are given to the employees of the company during their tenure in the Company.

45. During the census survey it has been seen that 17 AHH in the subproject location are non title holders indicating that they do not have formal titles for the land they are using. Of these 14 AHH are households from Borjuri Bagisa Gaon and Methoni Bagisa Gaon. These are mainly employees of the Methoni Tea Company and do not own land elsewhere in the village and hence have been using the Company land for purposes of cultivation largely. Some of the families have been cultivating these lands for more than 20 years and derive a major portion of their income from the same. Thus the project would render many of these AHH landless and vulnerable.

Table 3.7: Distribution of Ownership Pattern of Assets by Villages

Name Of Village	Category			Grand Total
	Tenant	Title Holder	Non Title Holder	
Borjuri Bagisa Gaon	2	8	9	19
Diffloo Pathar		9		9
Japori Pathar		38	3	41
Methoni Bagisa Gaon		3	5	8
Tamoli Pathar		3		3
Grand Total	2 HH	61 HH	17 HH	80 HH

Source: Census Survey, 2009

3.4.2 Loss of Agricultural Land

46. The census survey has identified 52 plots of agricultural lands belonging to the affected households, which would be affected by way of construction of new embankment and the sluice gates. All these plots belong to titleholders. As seen in the table below (Table 3.8), 54% of the affected plots are unirrigated implying that they depend on the annual monsoon for cultivating their lands while the remaining 40% of the lands are irrigated. The main source of irrigation is the use of bore wells in Kaziranga.

Table 3.8 Type of Affected Agricultural Land

Name Of Village	Type of Land			Grand Total
	Irrigated	Unirrigated	Absent	
Borjuri Bagisa Gaon		17		17
Diffloo Pathar	7	1		8
Japori Pathar	11	6	2	19
Methoni Bagisa Gaon	1	4		5
Tamoli Pathar	2		1	3
Grand Total	21	28	3	52 plots

Source: Census Survey, 2009

3.4.3. Extent of Land Loss

47. As can be seen from table 3.9, in all the affected villages 54% of the affected households would lose more than 10% of their agricultural plot thus implying that the project would have a significant impact on the source of livelihood of the affected households. As per ADB policy on Involuntary Resettlement (OM Section F2/BP), when the affected household stands to lose more than 10% of their productive assets, it is categorised as 'significant' impact.

48. Another 10% of the affected household would bear an impact on 7-10% of their agriculture plot while the rest of the households would lose less than 7% of their agricultural plot.

Table 3.9 Extent of Loss of the Affected Agricultural Land

Extent of Loss	Name Of Village					Grand Total
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	Tamoli Pathar	
01 - 05%	1	3	3			7
05 - 07%		4	1		1	6
07 - 10%		1	3	1		5
Less Than 1%			3			3
More Than 10%	16		7	4	1	28
Absent			2		1	3
Grand Total	17	8	19	5	3	52 plots

Source: Census Survey, 2009

3.5. Impact on Residential Assets

49. Apart from the loss of agricultural land incurred by the affected households, the project would also bear a direct impact on the residential assets of the affected households. It has been seen from the data from the census survey that 52 residential assets would bear an impact by way of the project. It is important to note that there are no residential assets are being affected in Tamoli Pathar as here the land being acquired for the sluice gates is largely agricultural land.

50. It has been found that the maximum number (31) of residential assets affected is in Japori Pathar comprising 60% of the total affected residential assets (52). In both Borjuri Bagisa Gaon and Diffloo Pathar, 9 residential assets would be affected each while only 3 in Methoni Bagisa Gaon.

3.5.1. Type of Construction

51. In the resettlement census survey conducted in March 2009, it has been seen that majority of the residential structures constructed in the subproject location is of the Semi Pucca type i.e. these houses have mud plastered walls with usually a tin roof. These type of houses account for 79% of the affected residential assets of the total affected assets (52). Additionally 4 of the affected assets are of the Kutcha type of construction which is thatched houses while another 4 are Pucca houses implying that they have bricked walls but not necessarily having a cemented or concrete roof which could be made of tin.

52. Of the 52 affected residential assets, in 3 of them the main structure is not getting affected due to the construction of the new embankment and hence has not been included in this analysis. Table 3.10 enumerates the construction type of the affected residential assets.

Table 3.10 Type of Affected Houses by Construction Materials

Construction Type	Name Of Village				Grand Total
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	
Kuccha	1		3		4
Semi-Pucca	5	6	28	2	41
Pucca(1 Floor)	2	2			4
NA	1	1		1	3
Grand Total	9	9	31	3	52 structures

Source: Census Survey, 2009

3.5.2. Extent of Loss

53. The census data has brought forth that 94% of the affected residential assets would bear a direct impact on the main structure of the asset. In 2 of the total affected residential asset (52) garden area would be affected while in 1 only the plot/land would be impacted. Thus we can see that majority of the residential asset would incur an impact on the main structure of the asset by way of the project.

Table 3.11 Extent of Losses of Structures

Part of Asset Getting Affected	Name Of Village				Grand Total
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	
Garden Area	1			1	2
Main Structure	8	8	31	2	49
Plot/Land		1			1
Grand Total	9	9	31	3	52 structures

Source: Census Survey, 2009

3.5.3. Severity of Impact

54. Following from the above, wherein the data has revealed that 49 of the 52 affected residential assets would incur an impact on the main structure of the asset, it can be seen from Table 3.12 that all the 49 assets would be rendered non liveable by way of the project. thus implying that the affected households owning these residential assets would bear 100% loss of their homes. Provisions have been made in the RP for the same.

Table 3.12 Severity of Impact on Affected Houses

Severity Of Impact	Name Of Village				Grand Total
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	
Liveable	1	1		1	3
Non-Liveable	8	8	31	2	49
Grand Total	9	9	31	3	52 structures

Source: Census Survey, 2009

3.5.4. Relocation Options

55. As mentioned previously, 49 of the 52 affected residential assets would be bear an impact on their entire structure rendering them completely nonviable for further use and hence require relocation and resettlement. The households owning 39 of these 49 affected assets have voiced their opinion that they would like to opt for self managed relocation while 3 have opted for project assistance for relocation.

56. In the consultations that were held with the affected households owning these 39 affected residential assets, it was noted that in most cases, the affected household had land which they plan to use to build houses. However, the only problem was that the land owned by them was low lying land and hence unsuitable for house construction purposes. The community thus voiced that if the project could assist them in filling up the low-lying land available with them

they would be able to build their house on a raised platform called 'bheti'. This would also be an added bonus in terms of protection against the annual floods. The affected owners of structure indicated clearly the need for a fair compensation and any additional assistance necessary to rebuild their residential and commercial structures.

Table 3.13 Relocation Options Preferred by the Owners of the Affected Houses

In Case Of Significant Loss	Name Of Village				Grand Total
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	
Project Assisted	1		2		3
Self-Managed	1	8	28	2	39
No Response	2		1		3
NA	5	1		1	7
Grand Total	9	9	31	3	52 structures

Source: Census Survey, 2009

3.6. Impact on Residential Cum Commercial Asset

57. The Project will also affect one household, which is operating a commercial enterprise such as small shop as well as residing in the same. Such a structure has been classified as a residential-cum commercial asset. Only one such semi pucca asset has been identified in the census survey belonging to a titleholder in Japori Pathar.

58. A small shop is being operated in this affected structure, which will be completely affected by the project thereby impacting the livelihood source as well as residence of the affected household.

3.7. Loss of Trees

59. Assam has a favourable climate for the growth of a wide variety of plants and trees like coconut, arcanut, bamboo, sandalwood, teak etc. In the subproject location, the project would impact 2721 fruit bearing trees belonging to 49 HH and 7804 furniture trees belonging to 48 HH in four affected villages (Table 3.14). During the census survey, it was seen that majority of the HH derive some part of their income from these trees. Additionally one of the affected household in Japori Pathar would incur loss of his orchard which largely consisted of banana trees and arcanut trees.

Table 3.14 Loss of Trees

Name Of Village	Loss of Trees			
	No. of Fruit bearing Trees	AHH	No. of Timber/ Furniture bearing Trees	AHH
Borjuri Bagisa Gaon	239	6	1041	4
Diffloo Pathar	339	8	1124	7
Japori Pathar	2031	32	4814	32
Methoni Bagisa Gaon	112	3	825	5
Grand Total	2721 Trees	49 HH	7804 Trees	48 HH

Source: Census Survey, 2009

3.8. Loss of Other Assets

60. Apart from the loss of residential and residential cum commercial asset by the affected households in the subproject location, the census survey also identified the loss of 59 other assets belonging to 41 HH. These assets include cattle shed, temporary shed used for storage, hand pumps, personal temple as well as pond. Of these 59 assets, 17 of them are cattle sheds. It is pertinent to note that 15 AHH bear an impact on more than one other asset by way of project. Further it is important to note that all the 59 other assets would be completely affected. Table 3.15 enumerates the loss of these assets household wise in each affected village.

Table 3.15 Loss of Other Assets

Usage	Name Of Village				Grand Total
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	
Car Shed	1				1
Cattle Shed	1	2	14		17
Hand pump			2		2
Pond				1	1
Temporary Shed	2		2	1	5
More Than One		5	10		15
Grand Total	4 HH	7 HH	28 HH	2 HH	41 HH

3.9. Loss of Irrigation Units

61. As mentioned earlier, the census survey has brought forth that 36% of the affected agricultural lands are irrigated. The most common means used for irrigation is the use of bore wells. In all 9 bore wells would be affected due to the project of which 7 are in Japori Pathar and the remaining 2 in Diffloo Pathar.

Table 3.16 Type of Irrigation Unit Getting Affected

Type of Irrigation Unit Getting Affected	Name Of Village		
	Diffloo Pathar	Japori Pathar	Grand Total
Bore well	2	7	9
Grand Total	2	7	9 bore wells

Source: Census Survey, 2009

3.10. Perceived Benefits of the Project

62. Both during the community consultations as well as census survey, it was found that the affected households perceived the project as beneficial for the entire community though it meant loss of assets and sources of livelihood. The key benefits envisaged by the affected households were the overall development of the area with increased transport facilities and access to markets and resources. Additionally protection from wild animals of KNP has been cited as one of the most important positive impact of the project.

3.11. Eligibility for Income Restoration Support

63. The construction of the new embankment and the sluice gates has necessitated the acquisition of assets of 80 households in five villages. The data from the census survey has brought forth that 50% of the 80 AHH are eligible for income restoration support as they stand to lose a significant¹² part of their productive assets.

64. As can be seen from the table (Table 3.17) the maximum number of households affected is from Japori Pathar (41 AHH). Of these 41 AHH, 73% of them are eligible for income restoration assistance. Similarly in Diffloo Pathar, 78% of the 9 AHH are eligible for income restoration support as they stand to lose a substantial part of their productive assets.

Table 3.17 Eligibility for Income Restoration Support

Name Of Village	Eligibility for Income Restoration Support			
	No	Yes	Absent	Grand Total
Borjuri Bagisa Gaon	16	3		19
Diffloo Pathar	2	7		9
Japori Pathar	9	30	2	41
Methoni Bagisa Gaon	8			8
Tamoli Pathar	2		1	3
Grand Total	37 HH	40 HH	3 HH	80 HH

Source: Census Survey, 2009

3.11.1 Type of Income Restoration Support Preferred

65. As mentioned above, 50% of the 80 AHH are eligible for income restoration support as they would incur significant impact on their productive assets. During the census survey it was seen that 9 AHH have opined their preference for income restoration support for cattle rearing while 7 AHH for shops. According to these 7 AHH the new embankment would open up new avenues for business due to better transport facility and access to market and resources. Additionally respondents from 3 AHH have expressed that they would like to be provided with loan facility for starting their own business.

Table 3.18 Type of Income Restoration Support Preferred

Type of Income Restoration Support Preferred	Name Of Village					Grand Total
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	Tamoli Pathar	
Agriculture	2					2
Business			1			1
Loan For Business			3			3
Loan For Dairy-			1			1

¹² According to ADB Operational Manual on Involuntary Resettlement (OM Section F2/BP) resettlement would be 'significant' when the affected people being physically displaced from housing and/or having 10% or more of their productive, income generating assets lost.

Type of Income Restoration Support Preferred	Name Of Village					
	Borjuri Bagisa Gaon	Diffloo Pathar	Japori Pathar	Methoni Bagisa Gaon	Tamoli Pathar	Grand Total
Farm						
Shop		1	6			7
Cattle Rearing			9			9
No Response	1	6	10			17
NA	16	2	9	8	2	37
Absent			2		1	3
Grand Total	19 HH	9 HH	41 HH	8 HH	3 HH	80 HH

Source: Census Survey, 2009

3.12. Common Property Resources (CPRs)

66. In every village there are some resources which belong to the community as a whole and are classified as Common Property Resources (CPRs). In the project area, 6 such CPRs would be affected as a result of the Project. Amongst them, 2 comprise of Lower Primary schools in Diffloo Pathar and Japori Pathar, three temples (one in Methoni Bagisa Gaon and remaining two in Japori Pathar) and one hand pump in Japori Pathar.

67. Community consultations were undertaken with the community to take their opinions on the relocation and rehabilitation of the affected CPRs. During the community consultation, the villagers suggested that the schools getting affected should not be shifted elsewhere from the village. This was especially stressed by each village as other Primary schools were at least at a distance of 5 kms from the villages making it difficult for the children to go there. In both Diffloo Pathar and Japori Pathar, the villagers opined that they should be rebuilt on the same plot of land if land is available post acquisition or push it further behind the current location after acquiring the requisite land for the embankment.

68. As far as the Namghar (temple) in Japori Pathar was concerned the villagers have proposed that they be built on the raised platforms along the embankment on the current location only (Plot numbers 69 and 85 as per the Cadastral Map of the villages). In Methoni Bagisa Gaon, the villagers suggested that the Methoni Manav Dharam Ashram be built along the NH 37 so that it is easily accessible to the entire community including those who live in the Company Quarters.

3.13. Impact on Indigenous Peoples.

69. According to the 2001 Census, the population of Assam has been recorded at 26,655,528. Of them, 3,308,570 persons are Scheduled Tribes (STs), constituting 12.4 per cent of the total population of the state. There are twenty three (23) notified STs in the state which includes the Boro, Mishing, Santhal, Oraon among others. Boro is the most populous tribe having a population of 13,52,771 i.e. 41 per cent of the total ST population of the State. Miri (Mishing), Mikir and Rabha, are the next largest tribes constituting 18%, 11% and 8% respectively of the total ST population of the State.

70. The ST population in Assam is predominantly rural with 95.3 per cent rural and only 4.7 per cent urban population. The ST population of Assam has recorded 62.5 per cent literacy rate, which is well above the national average for STs (47.1 per cent). The male and female literacy

rate of 72.3 per cent and 52.4 per cent respectively show that women are lagging behind by 19.9 percentage points.

71. The Scheduled Tribes of Assam are predominantly cultivators as 70.6 per cent of the total ST main workers have been recorded as cultivators, while merely 6.1 per cent as agricultural labourer as per Census 2001.

72. In Kaziranga, the resettlement census survey has identified only 10 Scheduled Tribes households who would bear a direct impact on their assets by way of the Project. It is imperative to note that Schedule tribes affected in the subproject location and amongst the affected households, the analysis of impacts and losses did not bring forth any “significant” risk and impact on the socio-economic and cultural lives and patterns of the ST households. The Project will also not have any adverse differential impact on their socio-cultural aspects as these groups are part of the mainstream population with no socio-cultural distinctions.

73. The Indigenous People Screening checklist below summarises the impact of the Project on the tribal population in the area:

Table 3.19: Impact of the Project on Indigenous People

Impact on tribal peoples	Yes	No	Remarks or identified problems, if any
Are there tribal groups present in project locations?	✓		Presence of <i>Santhal and Munda population</i> was noted along the Kaziranga sub project location.
Do they maintain distinctive customs or economic activities that may make them vulnerable to hardship?		✓	Like the other population group in the area comprising of SC and general caste groups, the tribal too are engaged in subsistence agriculture and private service (tea garden mostly). Hence, as such no distinctive custom or economic activity is being undertaken by ST households in the area.
Will the sub-project restrict their economic and social activity and make them particularly vulnerable in the context of project?	✓		As voiced by the ST households during community consultations and as derived from the census survey, the only adverse impact of the Project on the tribal's would be in terms of involuntary resettlement impacts. In majority of the cases, this impact would be on agriculture land, residential structures, other assets, and trees. However, mitigation measures are provided for in the Entitlement Matrix in the RP.
Will the sub-project change their socioeconomic and cultural integrity?¹³		✓	As mentioned in previous sections, no differences (except for a few festivals) were noticed between the ST and non-ST households in the area. The ST households are largely assimilated with the mainstream population. Hence the subproject will not have any impact on their socio-economic and cultural integrity patterns.
Will the sub-project disrupt their community life?		✓	

¹³ That is, undermine their production systems and the maintenance and transmission of their cultural patterns.

Impact on tribal peoples	Yes	No	Remarks or identified problems, if any
Will the sub-project positively affect their health, education, livelihood, or social security status?	✓		IP households were positive about the subproject and regard it as beneficial and positive for their own development. One of the key benefits of the project will be in terms of improved access to markets and resources and mobility.
Will the sub-project negatively affect their health, education, livelihood, or social security status?		✓	No negative impacts of this nature have surfaced during the detailed assessments and while interacting with the community. The project would have a direct impact on 6 residential structures belonging to IP's. Provisions have been incorporated in the RP to address the same. These households have extra land wherein they can rebuild their assets and thus do not require shifting from the village.
Will the sub-project alter or undermine the recognition of their knowledge, preclude customary behaviors, or undermine customary institutions?		✓	The detailed assessments undertaken at the time of IPSA and census survey did not bring forth any such risks.
In case there is no disruption of tribal community life as a whole, will there be loss of housing, loss of land, crops, trees, and other fixed assets owned or controlled by individual tribal households?	✓		The only adverse impact of the Project on the tribals would be in terms of involuntary resettlement impacts. A total of 10 ST households will be affected by the Project. In majority of the cases, this impact would be on agriculture land, residential structures, othera ssets and trees. The detailed analysis of the IR impact on ST households is done in the following section. Adequate provisions have been incorporated into the Entitlement Matrix (in the RP) to mitigate and compensate for the same.

74. It would also be also worthwhile to note that the IP households were positive about the subproject and did not feel that they will encounter any adverse socio-cultural or economic impacts as a result of the Project. They voiced that the project will benefit them socially and economically by improving access to resources and markets as well as mobility.

75. The following section enumerates the key findings of census survey on the 10 ST AHH.

3.13.1 Number and Distribution of Affected Households

76. The project as mentioned earlier would affect 80 HH in the Kaziranga Subproject location. Of these total affected households 13% are ST households (10). It is important to note that all these AHH are in Borjuri Bagisa Gaon and Methoni Bagisa Gaon which is largely inhabited by the employees of the Methoni Tea Company. These affected households mainly belong to the Santhal and Munda tribe. There are no ST affected household in the rest of the three affected villages.

77. In terms of presence it has been seen that of the 10 AHH, 60% of the AHH, fall in Borjuri Bagisa Gaon and the rest 40% in Mathoni Bagisa Gaon.

Table 3.20 Number of ST Affected Households

Name Of Village	Number of ST AHH
Borjuri Bagisa Gaon	6
Methoni Bagisa Gaon	4
Total	10 HH

Source: Census Survey, 2009

3.13.2. Family Type

78. The resettlement census survey has brought forth that among the affected ST households in the subproject location, 80% of them are nuclear families mainly since these are largely employees of the Methoni Tea Company who live as individual family units than in joint or extended family systems. Only 20% of the affected households continue to live in joint family system which along with extended family system has been common family system found among the indigenous people of India as a whole. The following table (Table 3.21) enumerates the type of family systems found among the ST AHH.

Table 3.21 Type of Family found among ST Affected Households

Name Of Village	Family Type		
	Joint	Nuclear	Grand Total
Borjuri Bagisa Gaon	1	5	6
Methoni Bagisa Gaon	1	3	4
Grand Total	2 HH	8 HH	10 HH

Source: Census Survey, 2009

3.13.3. Primary source of Income

79. As aforementioned, all the affected ST households are from the Borjuri Bagisa Gaon and Methoni Bagisa Gaon. The data from the census survey has revealed that 80% of the 10 affected household depend primarily on private service for earning their livelihood. It is important to note that all these households are working in the tea gardens and offices of the Methoni Tea Company. Only one household depends solely on agriculture and the remaining one household on non agricultural labour to earn their livelihood. Table 3.22 illustrates the primary source of income of the AHH's.

Table 3.22 Primary Source of Income

Primary Source Of Income	Name Of Village		
	Borjuri Bagisa Gaon	Methoni Bagisa Gaon	Grand Total
Agriculture	1		1
Non Agri Labour	1		1
Pvt.Service	4	4	8
Grand Total	6 HH	4 HH	10 HH

Source: Census Survey, 2009

3.13.4 Type of Losses

80. 70% of the total affected ST households (10) would bear an impact on more than one of their assets by way of the project. These include agricultural land, residential assets, other assets and trees. The rest of the 3 affected households stand to lose their agricultural plot of land. Table 3.23 presents the type of loss incurred by the ST AHH.

Table 3.23 Type of Losses

Name Of Village	Type of Losses		
	Borjuri Bagisa Gaon	Methoni Bagisa Gaon	Grand Total
Agriculture	2	1	3
More Than One	4	3	7
Grand Total	6 HH	4 HH	10 HH

Source: Census Survey, 2009

3.13.5 Ownership Pattern

81. Following from the above, it can be seen that the majority (70%) of the affected households would bear an impact on more than one of their assets while the rest on their agricultural plot of land. The census data has brought forth 80% of the households losing their assets are titleholders implying that they have legal title to the assets impacted by the project. The remaining two households are non titleholders who are primarily employees of the Methoni Tea Company and using the Company land for cultivation and other purposes. These households do not own land elsewhere in the villages and suffer a severe impact on their productive assets. Table 3.24 enumerates the ownership pattern among the ST AHH.

Table 3.24 Ownership Pattern

Name Of Village	Ownership Pattern		
	Title Holder	Non Titleholders	Grand Total
Borjuri Bagisa Gaon	5	1	6
Methoni Bagisa Gaon	3	1	4
Grand Total	8 HH	2 HH	10 HH

Source: Census Survey, 2009

3.13.6. Loss of Residential Assets

82. As aforementioned in table 3.23, there are 7 households who would be losing more than one of their assets which include their residential structures and trees. The census has brought forth that in these 7 AHH, 6 would bear a direct impact on their residential structure while one of the AHH on their garden area. It is pertinent to note that all the residential structures are semi pucca houses made of plastered walls with tin roof and would be rendered non livable by way of project. Table 3.25 enumerates the part of structure getting affected.

Table 3.25 Part of Structure Getting Affected

Name Of Village	Part of Structure Getting Affected			
	Garden Area	Main structure	NA	Grand Total
Borjuri Bagisa Gaon		4	2	6
Methoni Bagisa Gaon	1	2	1	4
Grand Total	1 HH	6 HH	3 HH	10 HH

Source: Census Survey, 2009

3.13.7 Relocation Options

83. Following from the above, it can be seen that 6 AHH would bear a direct impact of the project on their residential assets rendering them non livable for the future. Thus during the census survey, the preference of the AHH about the relocation options was assessed. The data has brought forth that 3 AHH of the total 6 AHH whose main structures are affected have chosen for self managed relocation wherein they would shift on their own. However only one household in Borjuri Bagisa Gaon has opted for project assistance in case of relocation. All the AHH have unanimously emphasised on adequate and timely compensation. Table 3.26 presents the relocation options preferred by the ST AHH.

Table 3.26 Relocation Options Preferred

Name Of Village	Relocation Options Preferred				Grand Total
	Project Assisted	Self Managed	No Response	NA	
Borjuri Bagisa Gaon	1	1	2	2	6
Methoni Bagisa Gaon		2		2	4
Grand Total	1 HH	3 HH	2 HH	4 HH	10 HH

Source: Census Survey, 2009

3.13.6. Perceived Benefits of the Project

84. During the consultations with the 10 ST affected households to gauge their perception on the benefits of the project, it was seen that they did considered the project to be beneficial for all the community members though it did entail loss of assets and adverse impact on sources of livelihood. According to the AHH, access to markets and resources and increased mobility were important benefits of the project.

3.13.7 Mitigation Measures for the ST Households

85. During the resettlement census survey conducted in the sub project location of Kaziranga, it was seen that the Scheduled Tribe households affected by the project are mainly of the Santhal and Munda tribe. They have been living in the subproject location for generations and are well assimilated into the mainstream population. They are practicing agriculture though 80% of them earn their source of income solely through their employment in the Methoni Tea Company. It was also observed that the ST AHH do not have any particular cultural distinction vis-vis the rest of the population.

86. To mitigate the adverse impact of the project on the affected ST households, the RP has the following provisions included:

- **Compensation of land at Replacement cost or cash compensation at replacement cost.**
- **Replacement value of the affected residential and commercial structure**, which will be calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation.
- ST Households shall be **allowed to take salvaged material** from the affected structures
- **Transitional Allowance:** Title holders & non-titleholders incurring impact on their primary income due to displacement will be assisted with allowance to for loss of their income during the transitional period. This allowance would be in form of providing Minimum agriculture wage (MAW) for a certain number of days taking into account the extent and nature of lose:
 - In case of **Titleholders losing income through agriculture**, Transitional allowance equivalent 250 days of Minimum Agricultural Wage¹⁴ (MAW) in the state at the time of Section 4 notification under LA Act in cases where the loss of land is less than 10% of the total land holding or equivalent to 500 MAW in case where the loss of land is more than 10% of the total land holding.
- **Additional assistance for ST households:** Vulnerable¹⁵ affected households will be given additional assistance of Rs.10,000 as lump sum.

3.14. Types of Losses – A Summary

87. The census survey has identified the extent and details of the types of losses to be incurred by the affected households and communities. To sum up, the losses include:

- (i) Loss of agricultural, residential and residential cum commercial land
- (ii) Loss of structures – residential and residence-cum-commercial
- (iii) Loss of crops and tress
- (iv) Loss of income and employment – both land-based and others
- (v) Loss of common property resources

88. The project entitlement matrix has considered the various types of losses. These are further discussed in **Chapter IV**.

¹⁴ The Minimum Wage Rate in Assam is Rs 79.60.

¹⁵ The groups of population are considered socially '**vulnerable**' comprise of - (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.

CHAPTER IV

RESETTLEMENT POLICY FRAMEWORK AND ENTITLEMENT MATRIX

89. This chapter describes the principles and approach to be followed in minimizing and mitigating negative social and economic impacts by the projects. The principles are derived from ADB Policy on Involuntary Resettlement (1995), Operations Manual F2 (2006) as well as the Land Acquisition Act (1894) and National R&R Policy (Govt. of India, 2007). The principles adopted for the project comply with the social safeguard requirements of ADB. .

4.1. LA Act and GOI National R&R Policy

90. In India, compensation for land acquisition and resettlement assistance for project-affected people is generally governed by the Land Acquisition Act (1894), which has been amended from time to time. The Act has no provision for resettlement assistance and benefits particularly for people without titles or ownership records such informal settlers. The revised NPRR (2007) covers gaps not addressed in the LA Act and aims to minimize displacement and promote, as far as possible, non-displacing or least displacing alternatives. The policy also aims to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of those affected and recognizes the need for protecting the weaker sections of the society especially members of the Scheduled Castes and Scheduled Tribes.

91. The policy also recognizes non-titleholders such as any agricultural or non-agricultural labourer, landless person (not having homestead land, agricultural land, or either homestead or agricultural land), rural artisan, small trader or self-employed person; who has been residing or engaged in any trade, business, occupation or vocation continuously for a period of not less than three years as affected families. The policy further makes provisions for public disclosures of draft R&R Plans to the community, grievance redress procedures and monitoring & evaluation.

4.2. Gaps and Project-specific Actions

92. The revised NPRR (2007) meets many of the ADB policy requirements. However, there are some differences and gaps.¹⁶ The RP for the Subproject has adopted measures to filling up the gaps in the development of entitlement matrix. These include: (i) RP requires to minimize impacts through alternative design/choices of subproject; (ii) RP requires both compensation and resettlement assistance/benefits, including replacement value for acquired assets; (iii) RP based on full census of affected households (both titled and non-titled); (iv) RP has provisions for income restoration and livelihood programs, particularly for vulnerable households, in post-resettlement period; (v) RP contains an inclusive entitlement matrix; (vi) RP is based on consultation with affected communities and also has specific provisions for further consultation, disclosure of RP and involvement of APs during RP implementation; and (vii) RP lays down provisions for both internal and external monitoring by specialists.

4.3. LA & Resettlement – Policy Framework

93. Based on the review of both ADB and GOI policies, the policy framework for the Project includes the following elements:

¹⁶ See **Annex 2** for a comparison of ADB Policy with Indian LA Act (1894) and NPRR (2007).

- a) As a matter of policy, land acquisition, and other involuntary resettlement impacts would be minimized as much as possible;
- b) Any land acquisition and/or resettlement will be carried out and compensation provided in order to improve or at least restore the pre-project income and living standards of the affected people;
- c) All information related to resettlement preparation and implementation will be disclosed to all concerned, and people's participation will be ensured in planning and implementation of the project;
- d) All land acquisition would be as per the Land Acquisition Act, 1894 which provides for compensation for properties to be acquired. The persons affected by the project who do not own land or other properties, but who have economic interest or lose their livelihoods will be assisted as per the broad principles brought out in this policy.
- e) Payment of compensation for acquired assets at replacement cost;
- f) Payment of compensation for lost land, housing, assets and resettlement allowances in full prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities;
- g) All compensation and other assistances¹⁷ will be paid to all APs prior to commencement of civil works on the site acquired.
- h) Broad entitlement framework of different categories of project-affected people has been assessed and is given in the Entitlement Matrix. Provisions will be kept in the budget for those who were not present at the time of the survey. However, anyone moving into the subproject area after the cut-off date will not be entitled to assistance.
- i) Income restoration and rehabilitation; and
- j) All activities related to resettlement planning, implementation, and monitoring would ensure involvement of women. Efforts will also be made to ensure that vulnerable groups are included.
- k) Appropriate grievances redress mechanism to ensure speedy resolution of disputes.

94. The above principles and resettlement procedural guidelines shall apply to this project under the loan in compliance with the GOI national and ADB policies so as to ensure that persons affected by land acquisition and/or involuntary resettlement will be eligible for appropriate compensation and rehabilitation assistance.

4.4. Entitlement Matrix

95. In accordance with the policy framework adopted in this project, all affected households will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the affected persons. In general terms, the affected persons in the project will be entitled to five types of compensation and assistance:

- (i) compensation for loss of land, trees at replacement value;

¹⁷ While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Affected people will be provided with certain resettlement entitlements, such as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

- (ii) compensation for structures (residential/residential cum commercial) and other immovable assets at replacement value;
- (iii) assistance for loss of business/wage income;
- (iv) assistance for shifting;
- (v) rebuilding and/or restoration of community resources/facilities and
- (vi) special additional assistance for vulnerable¹⁸ households

96. The ADB Policy requires compensation for the lost assets at the current replacement value to both titled and non-title holders¹⁹ and resettlement assistance for lost income and livelihoods. In this subproject, the absence of formal titles will not constitute a bar to resettlement assistance and rehabilitation. Based on the inventory of losses, an entitlement matrix has been developed, which recognizes and lists various types of losses resulting out of the subproject. The matrix provides the basic tools and guidelines for preparation of compensation and resettlement benefits.

97. As per the Entitlement Matrix (Table 4.1), the affected people will receive compensation for land and other assets at the replacement value. In case of loss of frontage/structure, the affected households will be allowed to take the salvageable at no extra costs. The entitlements have been decided in consultation with the community and the various stakeholders. The shifting allowance has been fixed in consultation with the communities and local prevalent rates, which were found acceptable to the affected households.

Table 4.1: Entitlement Matrix

Type of Loss	Identification of Affected Households	Entitlement	Details
A: LOSS OF LAND			
1. Loss of agricultural land	Owner/Titleholder/traditional land rights ²⁰ of the affected plot	Compensation at Replacement cost	<p>a). Replacement land as per the law or cash compensation at replacement cost</p> <p>b). APs with traditional title/occupancy rights will also be eligible for full compensation for land, plus the difference or additional grant.</p> <p>c). If the residual plot(s) is (are) not viable, i.e., the AP becomes a marginal farmer, any of the following three options are to be given to the AP, subject to his/her acceptance:</p> <ul style="list-style-type: none"> • The AP remains on the plot, and the compensation and assistance paid to the tune of required amount of land to be acquired. • Compensation and assistance are to be provided for the entire plot including

¹⁸ The groups of population are considered socially 'vulnerable' comprise of - (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.

¹⁹ However, no assistance will be paid to encroachers, who are not socio-economically vulnerable and do not fall in the vulnerable category as defined under the RP.

²⁰ Traditional land rights refer to households with customary rights to land and shall be treated equivalent to titleholders.

Type of Loss	Identification of Affected Households	Entitlement	Details
			<p>residual part, if the owner of such land wishes that his/her residual plot should also be acquired by the EA, EA will acquire the residual plot and pay the compensation for it.</p> <ul style="list-style-type: none"> If AP is from vulnerable group, compensation for the entire land by means of land for land will be provided if AP wishes so, provided that the land of equal or more productive value is available. <p>d) All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the EA.</p>
2. Loss of homestead land (residential and residential cum commercial land)	Owner/Titleholder/traditional land rights ²¹ of the affected plot	Compensation at replacement cost	<p>a) Replacement of land or cash compensation at replacement cost including cost for land filling (i.e. earth work) for low lying land to build houses on raised platform.</p> <p>c) All fees, stamp duties, taxes and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the EA.</p>
B: LOSS OF RESIDENTIAL, COMMERCIAL & OTHER STRUCTURES			
3. Loss of structure (residential and residential cum commercial structures)	Titleholder of affected structure	<ul style="list-style-type: none"> Compensation at Replacement cost Transfer grant Rental assistance 	<p>a) AP will be provided replacement value of the residential structure, which will be calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation.</p> <p>b) Affected person shall be allowed to take salvaged material from the demolished structure at no costs.</p> <p>c). A lump sum transfer grant of an amount of Rs 5,000 per household for shifting households' assets and other belonging to the new area.</p> <p>d). Rental assistance as per the prevalent rate in the form of grant of Rs. 10,000 to cover maximum three month rental accommodation</p>
	Tenants	<ul style="list-style-type: none"> Transfer grant Compensation (in case additional structure erected) 	<p>a) A lump sum transfer grant of an amount of Rs 5,000 per household for shifting households' assets and other belonging to the new area.</p>
C: LOSS OF CROPS & TREES			

²¹ Traditional land rights refers to households with customary rights to land and shall be treated equivalent to titleholders

Type of Loss	Identification of Affected Households	Entitlement	Details
4. Loss of crops and trees	<ul style="list-style-type: none"> • Land Owners • Sharecroppers • Leaseholders • Non Titleholders 	Compensation at 'market value'	<p>a) Advance notice to APs to harvest crops/fruits and remove trees.</p> <p>b) In case of standing crops, cash compensation for loss of agricultural crops at current market value of mature crops based on average production.</p> <p>c) Compensation for loss of timber trees at current market value of wood/timber or firewood depending on the kind of tree to be computed with assistance from horticulture department.</p> <p>d) In case of fruit trees, compensation at average fruit production for next 15 years to be computed with assistance from horticulture department.</p>
D: LOSSES OF NON-TITLEHOLDERS			
5. Loss of structure (immovable assets constructed by squatters and encroachers)	Encroachers	No compensation for land but assistance for assets to vulnerable groups	<p>a). Encroachers will be notified and given one month time to remove their assets.</p> <p>b). Compensation for affected structures to the vulnerable²² households</p> <p>c). Right to salvage material from demolished structure at no cost.</p>
	Squatters and informal settlers	No compensation for land but compensation for structure at replacement cost and other assistance	<p>a) Squatters will be notified and given one month time to remove their assets.</p> <p>b) Compensation for affected structures</p> <p>c) A lump sum transfer grant of an amount of Rs. 5,000 for shifting households' assets and other belonging to the new area.</p> <p>d) Right to salvage material from demolished structure at no cost.</p>
E: LOSS OF LIVELIHOOD SOURCE			
6. Loss of primary source of income for the titleholders	Titleholders losing income through agriculture	Rehabilitation Assistance for income restoration	<p>a) APs losing strip of land (insignificant) due to acquisition will be eligible to set ex-gratia payment of Rs. 20,000.</p> <p>b) Transitional allowance equivalent 250 days of Minimum Agricultural Wage²³ (MAW) in the state at the time of Section 4 notification under LA Act in cases where</p>

²² The groups of population are considered socially 'vulnerable' comprise of - (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.

²³ The Minimum Wage Rate in Assam as per the recent notification in March 2008 is Rs. 79.60 per day.

Type of Loss	Identification of Affected Households	Entitlement	Details
			the loss of land is less than 10% of the total land holding or equivalent to 500 MAW in case where the loss of land is more than 10% of the total land holding.
	Titleholders losing income through business	Transitional assistance	a) Monthly subsistence allowance equivalent to twenty-five days minimum agricultural wages ²⁴ per month for a period of one year from date of displacement.
7. Loss of primary source of income for the non- titleholders [wage earning employees, agricultural labour, non-agricultural labour, squatters and vulnerable encroachers]	Non-titleholders namely squatters and vulnerable encroachers losing primary source of income	Training Assistance for income restoration	a) One-time financial assistance for transitional income support equivalent to one time payment of 60 days (2 months) of minimum wages ²⁵ as fixed by the govt. b) Employment opportunity in the construction work if desired so by them.
	Wage earning employees indirectly affected due to displacement of commercial structure	Transitional assistance	a). This is valid for persons indirectly affected due to the employer having being displaced, onetime payment of 60 days (2 months) of minimum wages ²⁶ as fixed by the govt.
F: LOSS OF COMMON PROPERTY RESOURCES			
8. Loss of Common Property Resources	Affected community/Institution responsible	Cash compensation/reconstruction	a). Cash compensation at replacement cost or reconstruction of the community structure in consultation with the community
G: ADDITIONAL SUPPORT TO VULNERABLE			
9. Additional assistance to vulnerable groups	Households categorized as vulnerable (BPL households, female-headed households, SC/STs, disabled/elderly)	One time Lump sum assistance	a). Additional one-time lump sum assistance of Rs. 10,000 per household to vulnerable households. This will be over and above the other assistance/s as per this framework.
H: OTHER UNANTICIPATED IMPACTS			
10. Temporary impact during construction like disruption of normal traffic, damage to adjacent parcel of land/assets due to movement of machinery and plant site for contractor etc	<ul style="list-style-type: none"> Owner/ Titleholder/ traditional rights of the affected plot Community 	Cash compensation for loss of income potential	a) The contractor shall bear the cost of any impact on structure or land due to movement of machinery during construction or establishment of construction plant. b) Compensation for standing crops and trees as per the market rate c) Restoration of land to its previous or better quality

²⁴ The Minimum Wage Rate in Assam as per the recent notification in March 2008 is Rs. 79.60 per day.

²⁵ The Minimum Wage Rate in Assam as per the recent notification in March 2008 is Rs. 79.60 per day.

²⁶ The Minimum Wage Rate in Assam as per the recent notification in March 2008 is Rs. 79.60 per day.

Type of Loss	Identification of Affected Households	Entitlement	Details
			d) The contractor will negotiate a rental rate with the owner for all temporary use of land outside proposed RoW.
11. Any unanticipated adverse impact due to project intervention	Any unanticipated consequence of the project will be documented and mitigated based on the spirit of the principles agreed upon in this policy framework.		

4.5. Cut-off date

98. The cut off date for those who have legal titles of their land/asset is the date of notification of acquisition under the Land Acquisition Act and for those without titles the cut-off will be the date of the resettlement survey as undertaken from March 2009. People moving into the subproject area after this date will not be entitled for support. During the census survey all the affected assets were covered with the respective affected households. In case of absent households, the affected assets too were listed into the database. The census database hence shall act as an instrument to check fresh arrivals and influx, if any, into the affected area. All further claims being made (apart from those listed in census database) shall be verified by the SEIU with assistance from the RP implementing NGO.

4.6. Valuation of affected assets

99. The asset valuation of the acquired land and asset will be done based on the principle of compensation at the replacement value of the affected asset.

100. **Valuation of Land:** For land acquisition for the project, a High Powered Committee (HPC) will be established at the district level. The Committee will comprise of the following: (i) Deputy Commissioner; (ii) District Land Acquisition Officer; (iii) Executive Engineer – WRD; (iv) Representative(s) of the Affected Persons; and (v) a local NGO representative. The HPC will be responsible to make independent valuation of land based on existing market replacement value. In addition, the Committee will also establish the transitional allowance and rental assistance to be provided to affected persons based on the prevailing rates to restore the pre-project levels of livelihoods. The HPC will also undertake direct negotiation settlements with the APs, wherever required.

101. Land surveys for determining the payment of compensation would be conducted by the HPC on the basis of updated official records and ground facts. In determining *the replacement value of land* the HPC will (i) appraise recent sales and transfer of title deeds and registration certificates for land in subproject area and (ii) determine whether the rates established for the Project are sufficient to purchase the same quality and quantity of land based on compilation of appraised rates. The land records containing information like legal title, and classification of land will be updated expeditiously for ensuring adequate cost compensation and allotment of land to the entitled persons. Records as they are on the cut-off date will be taken into consideration while determining the current use of land. The residual land will be compensated in keeping with the provisions as laid down in the Entitlement Matrix.

102. **Valuation of Structures:** The value of houses, buildings and other immovable properties will be determined on the basis of relevant Basic Schedule of Rates (B.S.R.) as on date without depreciation. While considering the BSR rate, EA will ensure that it uses the latest

BSR for the residential and commercial structures in the state. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies/appropriate authority in accordance with the modalities determined by such bodies / authority to ensure correct use of the amount of compensation.

103. **Valuation of Crops & Trees:** The valuation of *crops and trees* will be based on survey of market prices in the area for different types of crops to establish an average market price and an assessment to know whether the compensation is less or greater than that price. The same may be computed with assistance from horticulture department.

104. All compensation and other assistances²⁷ will be paid to all APs prior to commencement of civil works. After payment of compensation, APs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that APs can take away the materials. APs receiving compensation for trees will be allowed to take away timber of their acquired trees for their domestic use. Trees standing on the land owned by the government will be disposed off through open auction by the concerned Revenue Department/ Forest Department.

4.7. Disposal of Acquired Properties

105. The acquired land and properties would vest in the Project paying compensation for such lands/properties. However, even after payment of compensation, APs would be allowed to take away the materials salvaged from their houses and shops etc. acquired by the project and no charges will be levied upon them for the same. A notice to that effect will be issued to take away the materials so salvaged within 48 hours of their demolition, if not taken then the same will be disposed by the project authority without giving any further notice.

106. APs receiving compensation for trees will be allowed to take away timber of their acquired trees for their domestic use. Trees standing on Govt. land will be disposed off by open auction by the Revenue Department/Forest Department. APs will be provided with an advance notice of 3 months prior to dislocation. Further, all compensation will be paid to APs at least three months before displacement or dispossession of assets to enable APs to effect relocation in a timely manner. In the event of any change in the Project design and RP budget, the RP will be revised accordingly and will be subject to ADB approval before award of any civil works contract.

WRD will organize public consultations and disclosures involving all stakeholders, affected persons, local representatives in local language to disclose the entitlement matrix as outlined in the RP. The public disclosure of this RP will be undertaken before the ADB's Management Review Meeting (MRM).

4.8. Income and Livelihood Restoration

107. The entitlement matrix has provisions for cash assistance for restoration of income. In addition, there will be additional programs for income and livelihood restoration during RP implementation. The RP implementing NGO will devise appropriate programs with particular

²⁷ While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Affected people will be provided with certain resettlement entitlements, such as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

attention to the needs of the vulnerable/ST populations. A draft TOR for Income Restoration Program is in Annex 3. A separate JFPR-funded project²⁸ is under preparation for community risk management and social development/safety net program. The social development and safety net will focus on the biggest problem of “survival”, particularly by the poor and vulnerable groups (e.g., poor female-headed households, elderly, tribal/ethnic minorities), in terms of income and livelihoods, including provisions for micro-credit for income generating activities and enhanced organizational and leadership/advocacy among the poor through training and skill development. The program will establish a sustainable social development/safety network for poor women.

²⁸ Community Risk Management and Social Development/Safety Net for the Assam Integrated Flood and Riverbank Erosion Management Project (Draft - May 2008).

CHAPTER V

STAKEHOLDER PARTICIPATION AND CONSULTATION

5.1. Consultation Processes

108. In keeping with GOI NPRR (2007) ADB's Policy on IR (1995) and Public Communication Policy (2005) the affected people have been fully informed and closely consulted during the preparation of the project. The consultation started with social impact assessment phase and will continue throughout the implementation of the Subprojects. Indeed, local stakeholders will be involved with the implementation of the project, including project monitoring results and impacts.

109. During the social assessment, consultation and discussions were held in the major habitations and villages falling along the river with the project beneficiary families and other stakeholders such as Gaon Bura (Village headmen), *panchayat* members, women, socio economically disadvantaged groups – tribal, elderly, children etc. In addition to this, semi structured interviews and interactions were also undertaken with the local officials from WRD, Block Development Officer (BDO), Medical and Health Officer and civil society leaders and local school teachers. The various methods employed during the consultation process are mentioned below in Table 5.1.

Table 5.1: Methods employed during the course of the Consultations

Stakeholders	Method
Local communities	Individual Interviews, field level observations, transect walk, PRA Exercises, community consultations & meetings
Goan bura (local village headman)	Small discussions/ individual interview/ Village Profiling
Women's and Children groups	Focus Group Discussions and PRA Exercises
Other vulnerable groups (ST, Poor)	Focus Group Discussions
Small and medium business enterprises	Focus Group Discussions
BDO's, SDO, Circle Officer, CMO's, ANM's	Semi-structured interviews
Education & Health Workers	Semi-structured interviews
Elderly	Semi-structured interviews

Source: IPSA & Census Survey, 2009

5.2. Consultation- Scope and Issues

110. The main objective of the survey team during community consultation was to (a) get a basic understanding of the affected villages in terms of its socio- economic profile; (b) ascertain the views of the APs, with reference to land acquisition and project impacts; (c) To ascertain the views of the affected persons on the project, its relevance in their lives, its benefits and adverse impacts; (d) understand views of the community on Resettlement and Rehabilitation (R&R) issues and rehabilitation options; and (e) to provide an overview and explain the project and the purpose of the assessment and survey.

5.3. Feedback from Community Consultations

5.3.1. Consultation during IPSA

111. Since Assam is flooded annually bring havoc to the riverine community, the proposal to strengthen and/or retired embankment seeks to address these key issues and concerns of the people. The project has thus been welcomed by majority of the people of the Subproject area, who clearly see the benefit of these measures in their day to day life. Some of the major highlights of these consultations and discussions are as follows:

- **Reduction in floods and erosion as well as protection of assets and livelihood:** The project would curtail the affect of floods to a large extent and subsequently, there would be reduced loss of assets as well as livelihood sources. This would ultimately lead to a better and settled life for a large number of people.
- **Gender impact:** the project would definitely benefit the larger community especially the women who have been literally forced to take up '*hajira*' apart from the burden of suffering shelter loss, taking care of the family and rebuilding their lives year after year.
- **Impact on ST (Mishing Tribe):** These people, who for various cultural reasons reside near the river, are extremely vulnerable to the effects of floods as they lose their agricultural as well as residential land annually. Hence they opine that the project would extremely beneficial for them.
- **Resettlement Impact:** most of the people agreed that even if there are asset losses for the project, they would bear it as it meant protection of lives and assets for a large number of people.

5.3.2. Consultation during the Census Survey

112. Four community consultations were held in all the four affected villages. The purpose of these consultations was to address the issues and fears of the affected persons as well as to arrive at a consensus on the locations for the raised platforms. A summary of the issues and concerns raised is in Table 5.2.

Table 5.2: Summary of Community Consultations

Village	Date	Number & Profile of Participants	Issues Discussed & Concerns Raised
Borjuri Bagisa Gaon	15 th March '09	56 members of the community including Social and Resettlement as well as Design	The consultation held in the village was primarily to ascertain their views on the best alignment for the construction of the new embankment so as to minimise resettlement

Village	Date	Number & Profile of Participants	Issues Discussed & Concerns Raised
		Specialist.	<p>impacts.</p> <p>The villagers are of the opinion that an embankment is definitely needed and would be beneficial even though it meant loss of assets for many. Not only would it minimise the effect of floods and be used for transportation but also offer protection from the wild animals of KNP.</p> <p>Additionally they proposed that the embankment which would start from the NH passing through the Tea Estate colony move along the KNP boundary and crossing the Diffloo channel connect to the existing embankment. However since this alignment would require displacing another set of households (Tea Estate colony), it was not considered feasible. Thus the alternate alignment was finalised.</p> <p>The villagers opined that even before the construction of the new embankment begins, they wanted that the concerned department plugged the existing breaches using sluice gates.</p> <p>Also they clearly stated that they need to be paid adequate compensation for the loss of each of their affected asset loss.</p> <p>Information regarding ADB role in the project, its policies and provisions was shared with the villagers.</p>
Borjuri Bagisa Gaon	16 th March '09	75 members of the community including Engineers from the WRD, Social & Resettlement Specialist and the Design Specialist.	<p>Following from the previous meeting, the villagers raised their issues and concerns regarding the embankment and especially about the possible use of their land as borrow pits with the WRD officials. During the consultation, the villagers were informed that for the construction of the embankment, 100 mtrs of land would be acquired (60 mtrs for the seat of the embankment and 20 mtrs on either side as buffer zone).</p> <p>The villagers have stressed that they would not allow the Project/EA to use their land as borrow pits for strengthening the embankment as in the past, they were not paid compensation for the same. The villagers opined that either the government should acquire land for the same or the earth for land filling should be brought from outside</p>

Village	Date	Number & Profile of Participants	Issues Discussed & Concerns Raised
			(truck load). The villagers were assured during the consultation that WRD would ensure that the concerns of the villagers are appropriately addressed. Additionally, they were asked to keep their land patta (title) with them to make the acquisition process easier. Further, the community was also informed that there would be no additional land acquisition for building platforms as they would be built in the buffer zone itself.
Japori Pathar	2 nd April '09	37 persons including two school teachers, affected persons of two affected villages namely Japori Pathar and Diffloo Pathar.	According to the affected persons, there should be three common platforms for the construction of two Namghars (Temple) and school on plot nos 69 and 85 in Japori Pathar Gaon. Further several affected households who would lose their entire homestead land and structure opined that though they would relocate on their own they would need government assistance (land filling) to build raised platforms called 'bheti' prior to construction of their homes. This is primarily because these areas are low lying areas and hence prone to flooding which is why houses are built on higher platforms. The above suggestions have been included as part of the entitlement matrix and budgeted for in this RP.
Methoni Bagisa Gaon	3 rd April '09	11 persons including the Ward member and the affected persons of Methoni Bagisa Gaon and Borjuri Bagisa Gaon.	As per the affected persons, a raised platform could be constructed on plot no. 3 in Borjuri Bagisa Gaon which would be accessible to people from both the villages.

Source: Census Survey, 2009

113. The key issues discussed during the consultation meetings are further summarized and presented below.

- (i) **The need for the Project:** By and large the communities have expressed their consent for the construction for the new embankment and agree that it would be beneficial for the entire community. For many it implies opening up of a vast number of opportunities in terms of connectivity, water, commercial purposes as well as tourism. In addition it would reduce the devastation caused by the annual floods and protection from the wild animals of KNP.

- (ii) **Borrow pits:** Most of the villagers expressed their concern over the use of their land as burrow pits during any civil works as they are seldom compensated for the same. They quoted the instance that last time land was acquired to build the road, they were neither compensated for the acquired land nor the land that was used as burrow pit. They have refused to repeat the practice in this project and asked the ASG to arrange for alternative solution for the same. They have expressed that the government should either acquire the requisite land or arrange for the earth used for land filling to be brought from outside (truck load).
- (iv) **Land filling:** The villagers raised their concern over the loss of their agriculture as well as residential land and structure. This was more so a concern as they said that the land available with them for building a new house is agricultural land and that too a low lying one. These households want the project to assist them in filling this land so that it can be raised substantially and they can build their new homes at a higher platform. This will also ensure additional protection against the floods.
- (v) **Compensation:** Unanimously all agreed that they had to be compensated fairly and on time for each of their asset loss so that they can reconstruct their residential and commercial structures and re-establish their incomes and livelihoods and since they have not been compensated earlier also they have refused to give their land unless they are compensated and are given enough time to shift to another place. Many were also of the opinion that they should be assisted to open some new shops and given other livelihood assistance.

5.4. Disclosure of Resettlement Plan

114. A summary of this Resettlement Plan (RP) will be translated into Ahami (Assamese) language and will be made available to the affected people by WRD prior to project appraisal through local workshop. Copies of summary RP will also be made available at the local level public offices such as revenue offices and gram panchayat to stakeholders for local inputs prior to award of civil work contract. The proceedings of the disclosure workshop and the feedback received will be sent to ADB for review. The summary of the final RP will also be disclosed on the WRD and ADB websites.

115. In case of change in subproject design thereby entailing change in resettlement impacts, this RP shall be updated, endorsed and disclosed to the APs and shall then be submitted to ADB for approval prior to award of civil works contracts for the subproject. The updated RP, not just the summary, will be disclosed to the APs as well as uploaded on the ADB website after ADB review and approval.

5.5. Plans for further Consultation

116. WRD will undertake additional rounds of consultations with APs prior to and during implementation. A local NGO/agency will be entrusted with the task of conducting these consultations during RP implementation, which will involve agreements on compensation, assistance options, and entitlement package and income restoration. The consultation will continue throughout the project implementation. The following set of activities will be undertaken for effective implementation of the Plan:

- The SEIU, with NGO/agency assistance, will conduct information dissemination sessions in the subproject area and solicit the help of the local community/ leaders and encourage the participation of the AP's in Plan implementation
- During the implementation of RP, a contracted NGO/agency and/or SEIU, Resettlement Officers (ROs) will organize public meetings, and will appraise the communities about the progress in the implementation of subproject works, particularly in areas to be affected by the Project improvement.
- Consultation and focus group discussions will be conducted with vulnerable groups like women to ensure that the vulnerable groups understand the process and their needs are specifically taken into consideration.
- The SEIU, RO and/or NGO/agency will organize public meetings to inform the community about the payment and assistance paid to the community.
- In addition, regular update of the program and resettlement component of the project will be placed for public display at the subproject offices.
- Lastly, participation of APs will be further ensured through their involvement in the Grievance Redress Committee.

117. Lastly, EA through SEIU will maintain an ongoing interaction with APs to identify problems and undertake appropriate remedial measures.

CHAPTER VI

INSTITUTIONAL ARRANGEMENTS

6.1. Introduction

118. Recognizing the importance of environment and social risk management for the IFRERM project, a separate Social and Environment Safeguards Management unit (SEMU) will be established within the Special Purpose Vehicle (SPV) so as to address and manage environment and social issues. The primary role of SEMU will be to ensure that projects undertaken meets all the social and environment safeguard policy requirement to carry out internal monitoring during RP implementation etc. The SEMU would have resources and authority to plan and manage the resettlement implementation. SEMU will appoint 2 key persons as its staff to be the Social Safeguard Officer and Environment Safeguards Officer who will oversee and coordinate the safeguard aspects of the project. The SEMU's Social Safeguard Officer will have a masters or higher degree in social science with at least 6-8 years of experience in conducting/reviewing social assessments and working with resettlement and tribal issues in India. Familiarity with GOI and ASG regulations and procedures will be essential and exposure to social safeguards at multilaterals will be desirable.

119. In addition to SEMU, at each subproject level there will be a Social and Environment Implementation unit (SEIU). The role of SEIU will be to handle Land Acquisition and RP implementation at subproject level. The SEIU will have a Land Acquisition Officer (on deputation from DC office) to handle the land acquisition for the subproject along with Resettlement Implementation Officer and a local NGO.

6.1.1. Land Acquisition Officer

120. The Land acquisition officer will be responsible for the following:

- (i) Timely ground survey (in coordination with technical team) to prepare Land Acquisition Plan for all affected assets.
- (ii) To closely work with district civil authorities for timely notification of LA
- (iii) To inform affected households about procedures of LA and compensation disbursement procedures
- (iv) To ensure timely disbursement of the compensation to affected HHs
- (v) To provide completion report of LA and timely payment of compensation

6.1.2. Resettlement Implementation Officer

121. The Resettlement Implementation Officer's will be responsible for:

- (i) Ensuring proper implementation of RP.
- (ii) Preparation of social safeguard requirements for subprojects as per agreed framework and policies.
- (iii) Identifying critical social issues, if any, in the subproject
- (iv) Closely working with the NGO to ensure proactive engagement on social issue
- (v) Ensuring proper implementation of JFPR
- (vi) Coordinating with sub-projects for assessment, monitoring, and review as required.
- (vii) Checking the adequacy and effectiveness of safeguard measures taken, if any.

6.1.3. Non Government Organisation

122. In addition to the above, an implementing NGO will also be engaged which will play a key role in the RP implementation. Some of the key roles and responsibilities of the NGO will comprise of the following:

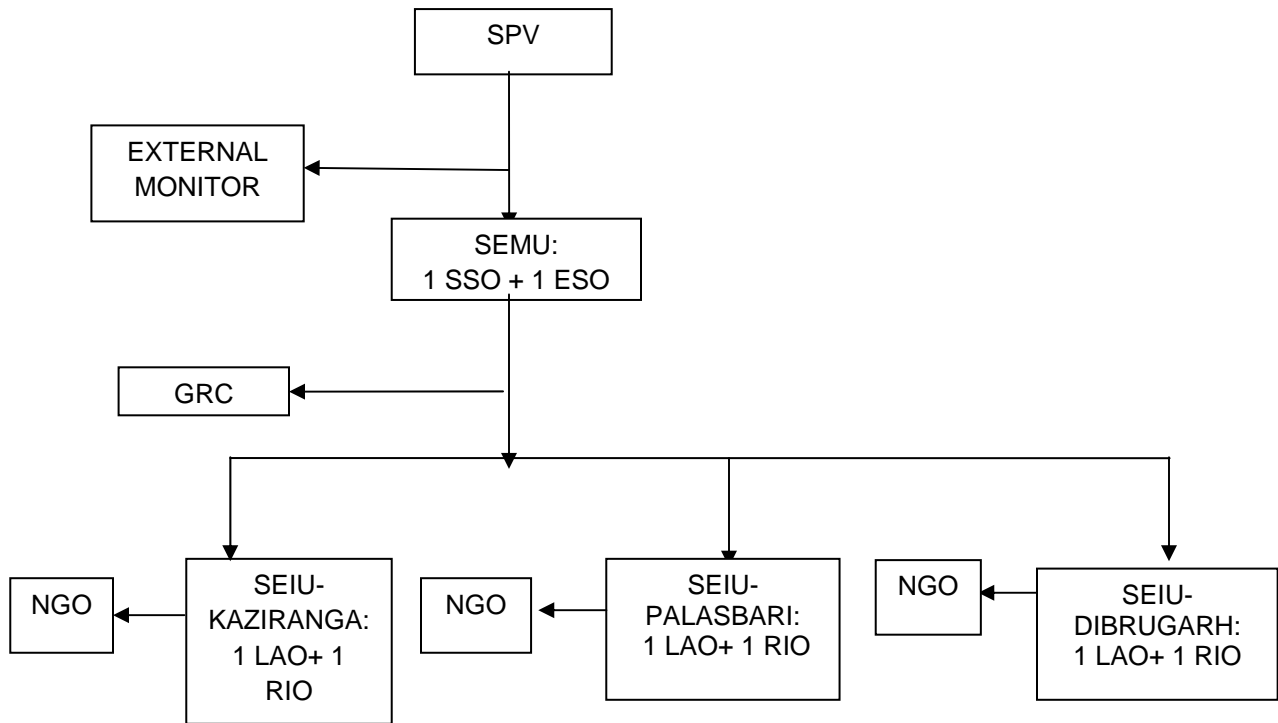
- (i) Closely working with affected community and disseminate information to ensure correct and complete information is available to affected households.
- (ii) To assist LAO and RIO in land acquisition process and disbursement of compensation (making of ID cards etc)
- (iii) To take lead responsibility in planning and implementing the livelihood activities under the RP
- (iv) To ensure gender sensitivity and to safeguard interest of poor and marginalised.

123. The detailed Terms of Reference for the NGO are enclosed as Annex 4.

6.1.4. Grievance Redressal Committee

124. The Grievance Redressal Committee will be constituted at SEIU level comprising of the Project Director, Resettlement Officer, representative from local NGOs, elected representative from Zilla Parishad/District Council, representatives of affected persons including vulnerable groups and women in the committee. It is proposed GRC will meet regularly (atleast once a month) on a prefixed date. All the grievances of the people will be reviewed and resolved within 6 weeks of the date of submission.. Through public consultations and disclosure, the APs will be informed that they have a right to grievance redress. The APs can call upon the support of the NGO to assist them in presenting their grievances or queries to GRC. Figure 6.A illustrates the institutional arrangements with an organogram:

Figure 6.A



6.1.5. Previous Land Acquisition Cases

125. Floods and Erosions have been an ongoing phenomenon in the project state of Assam and people have been living with the effects of the same. The Water Resources Division of the GOA (earlier known as the Embankment and Drainage Division) is responsible to execute all civil works to minimize the impacts of floods and erosions. According to the WRD 3,142,685.40 ha area of land has been affected by floods in Assam till 2004.

126. As part of the measures to prevent and minimize the impact of floods and erosions, the WRD has been building embankments, spurs and porcupines in the flood affected areas which require land acquisition. However it has been seen that the Division has been acquiring land without completing land acquisition process including timely and adequate payments to affected HH. In some cases compensation has been paid only partially. There are several land acquisition cases which are pending in the Golaghat District Collectorate.

127. Considering the past land acquisition cases a due diligence will be undertaken in the subproject location to assess the status of the pending cases and an updated status report would be prepared. The due diligence would be carried forth by meeting the District Collector and then assessing the status of pending land acquisition cases through the Circle office and land records. Additionally community consultations would also be held for the same. Based on these an updated status report would be prepared which would also include budgetary allocations for disbursing the pending land acquisition cases. An independent external monitor would be hired to monitor the disbursement of pending compensations.

6.2. Implementation Schedule

128. It is likely that the overall project will be implemented over a two year period likely to commence soon after loan approval. As part of advance actions following loan negotiations, the EA will establish the SEIUs, appoint NGO/agency for resettlement implementation and establish GRC. Prior to implementation of resettlement and related activities an updation of AP list based on the final detailed design will be undertaken. All compensation and other assistances²⁹ will be paid to all APs prior to commencement of civil works. Figure 6.B below enumerates the RP implementation schedule.

²⁹ While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Affected peouch as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

Figure 6.B: Implementation Schedule																
PROJECT COMPONENT & ACTIVITIES	YEAR 2008				YEAR 2009				YEAR 2010				YEAR 2011			
	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4
A. Project Preparation Phase																
Initial Poverty & Social Assessment (Completed)																
Census survey of the subproject (Completed)																
Finalization of subproject design and RP disclosure																
Establishment of SEIU																
Appointment of NGO/agency & Establishment of GRC																
Preparation of LA Plan (by EA)																
Updating of AP list based on final detailed design																
Submission of RP based on final detailed design																
Review and approval of RP																
Information Campaign & Community Consultation																
B. LA Activity & RP Implementation																
Publication of notification under the State LA Act - appointment of competent authority																
Land Market survey																
Final List of AP & distribution of ID cards																
Determination of Compensation & issue of award by competent authority																
Payment of compensation for Land & structures																
Payment of all other eligible assistance																

CHAPTER VII

COST ESTIMATE AND BUDGET

129. The following section comprises of the cost estimate for RP implementation. The cost estimate includes all the costs related to land acquisition, compensation, resettlement assistance, transport, monitoring and evaluation. The Executing Agency (EA) will make available required budget to cover all compensation and R&R cost. The budget rates, as well as the costs, are based on field-level information and past experience in resettlement management. The cost estimates included in this plan also make adequate provision for contingencies (Fifteen per cent).

130. The rates for land, structures, and trees that have been used in the cost estimates prepared in this plan have been derived through rapid appraisal and consultation with local revenue authorities, affected households, and recent property sale/transfer to assist in the establishing of the market value for various types of land. Based on this, Table 7.1 lays down the total estimated project budget for the subproject, which is Rs. 2,78,13,990 (\$ 567632).

Table 7.1: Consolidated Resettlement budget & Cost Estimates

Item		Unit Rates (in Rs.)	Total Quantity	Compensation (in Rs.)	R&R Assistance (in Rs.)	Total (in Rs.)	
A: Compensation for acquisition of Private Property							
1	Agriculture Land Irrigated	60500/acre	14.90 acres	Rs. 9,01,450	-	Rs. 9,01,450	
2	Private Land Residential & commercial	60500/acre	35.89 acres	Rs. 21,71,345	-	Rs. 21,71,345	
3	Residential structure	Pucca/ Permanent	2388.42 sq mt	497.77 sq mt	Rs. 11,88,884	-	Rs. 29,27,653
		Semi-Pucca	568.27 sq mt	3013.42 sq mt	Rs.17,12,436		
		Kutcha	175.59 sq mt	149.97 sq mt	Rs. 26,333		
4	Residential cum commercial	Semi-Pucca	568.27 sq mt	144.27 sq mt	Rs. 81,984	-	Rs. 81,984
5	Other Asset	175.59 sq mt	1149.56 sq mt	Rs. 2,01,851	-	Rs. 2,01,851	
6	Pond	Lump sum	Rs 10,000	3	Rs 30,000	-	Rs 30,000
7	Hand Pumps	5500/unit	14	Rs. 77,000	-	Rs. 77,000	
8	Bore Well	15000/unit	9	Rs. 1,35,000	-	Rs. 1,35,000	

Item		Unit Rates (in Rs.)	Total Quantity	Compensation (in Rs.)	R&R Assistance (in Rs.)	Total (in Rs.)	
9	Well	30000/unit	1	Rs. 30,000	-	Rs. 30,000	
10	Trees	Fruit-bearing	In actual	2721	Rs. 5789290	-	Rs. 8958070
		Furniture/ Industry	In actuals	7804	Rs. 2740200	-	
	Orchard	In actuals	393	Rs. 428580			
11	Common Property Resources	Lump sum		Rs. 2,505,000	-	Rs. 2,505,000	
				Sub-total		Rs. 18019353	
B: R&R Assistance							
1. Transitional Allowance							
1.1. Titleholders losing income through agriculture							
A. Transitional allowance equivalent to 250 days of Minimum Agricultural Wage ³⁰ (MAW) in the state in cases where the loss of land is less than 10% of the total land holding		Rs. 19,900/ household	21 households	-		Rs. 4,17,900	
B. Transitional allowance equivalent to 500 MAW in case where the loss of land is more than 10% of the total land holding		Rs. 39,800/ household	28 households	-		Rs. 11,14,400	
1.2. Titleholders losing income through business [Monthly subsistence allowance equivalent to twenty-five days minimum agricultural wages ³¹ per month for a period of one year from date of displacement]		Rs 1990/ household	1 households	-		Rs. 1990	
2. Rental Assistance	Affected households	Rs. 10,000	50 households	-		Rs. 5,00,000	
3. Shifting Assistance		Rs. 5000/ household	66 households	-		Rs. 3,30,000	
4. Assistance to Vulnerable households		Rs. 10,000/ household	31 households	-		Rs. 3,10,000	
5. Addition assistance for land filling for low lying land for raised platform		Rs. 39.6/ cu mt	9909.98 cu mt			Rs. 3,92,435	
6. Income Restoration for affected households		Lump sum	40 households			Rs. 2,500,000	

³⁰ The Minimum Wage Rate in Assam is Rs. 79.60 per day.

³¹ The Minimum Wage Rate in Assam is Rs. 79.60 per day.

Item	Unit Rates (in Rs.)	Total Quantity	Compensation (in Rs.)	R&R Assistance (in Rs.)	Total (in Rs.)
Sub Total	-			Rs. 5566725	
C: Support implementation of RP					
Independent Monitoring & Evaluation Agency	Lump sum	-		Rs. 200,000	
NGOs Assistance for RP Implementation	Lump sum	-		Rs. 400,000	
Sub-Total				Rs. 600,000	
TOTAL (in Rs.) of Part A, Part B& Part C				Rs. 2,41,86,078	
Contingency (15% of the total)				Rs. 36,27,912	
Grand total (in Rs.)				Rs. 2,78,13,990 (US\$ 567,632³²)	

³² The current rate of USD =Rs 49/- (May 2009)

CHAPTER VIII

MONITORING AND EVALUATION

8.1. Need for Monitoring

131. Monitoring and Evaluation (M&E) are critical activities in involuntary resettlement in order to ameliorate problems faced by the APs and develop solutions immediately. Monitoring is a periodic assessment of planned activities providing midway inputs. It facilitates change and gives necessary feedback of activities and the directions on which they are going, whereas evaluation is a summing up activity at the end of the project assessing whether the activities have actually achieved their intended goals and purposes. In other words, M&E apparatus is a crucial mechanism for measuring project performance and fulfilment of the project objectives.

8.2. Monitoring at the EA Level

132. The monitoring mechanism will have a two-tier system at the EA level – (i) Internal Monitoring and (ii) External Monitoring.

(i) First Tier Monitoring: Internal Monitoring

133. One of the main roles of the SEIU will be to oversee, proper and timely implementation of all activities in RP. Internal Monitoring will be a regular activity for the SEIU, which will oversee the timely implementation of R&R activities. Internal Monitoring will be carried out by the SEIU and its agents, such as NGOs and will prepare monthly reports on the progress of RP Implementation. SEIU will collect information from the subproject site and assimilate it in the form of monthly report to assess the progress and results of RP implementation and adjust work programme where necessary, in case of delays or problems. Both monitoring and evaluation will form parts of regular activities and reporting on this will be extremely important in order to undertake mid-way corrective steps.

(ii) Second Tier Monitoring: External or Independent Monitoring

134. External (or independent) monitoring will be hired by the EA to provide an independent periodic assessment of resettlement implementation and impacts to verify internal monitoring, and to suggest adjustment of delivery mechanisms and procedures as required. A social and economic assessment of the results of delivered entitlements and measurement of the income and standards of living of the APs before and after resettlement will be integral components of this monitoring activity.

135. To function effectively, the consultant/agency responsible for external monitoring will be independent of the governmental agencies involved in resettlement implementation. The consultant/agency will provide an independent periodic assessment of resettlement implementation and impacts to verify internal monitoring, and to suggest adjustment of delivery mechanisms and procedures as required. The external monitor will submit bi-annual review directly to ADB and the EA to determine the effectiveness of RP implementation. The monitoring consultant/agency will be selected within three months of loan approval by the EA with ADB concurrence. A draft TOR for external monitoring is enclosed as Annex 5. The monitoring will be carried out every year during the RP implementation. The key tasks during external monitoring will include:

- Review and verify the internal monitoring reports prepared by EA;
- Review of socio-economic baseline census information of pre-displaced persons;
- Identification and selection of impact indicators;
- Impact assessment through formal and informal surveys with the affected persons;
- Consultation with APs, officials, community leaders for preparing review report;
- Assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement policy formulation and planning.

136. The following should be considered as the basis for indicators in monitoring and evaluation of the project: (i) socio-economic conditions of the APs in the post-resettlement period; (ii) communication and reactions from APs on entitlements, compensation, options, alternative developments and relocation timetables etc.; (iii) changes in housing and income levels; (iv) rehabilitation of informal settlers; (v) valuation of property; (vi) grievance procedures; (vii) disbursement of compensation; and (viii) level of satisfaction of APs in the post resettlement period.

8.3. Reporting Requirements

(i) Internal Monitoring

137. SEIU responsible for supervision and implementation of the RP will prepare monthly progress reports on resettlement activities to the Secretary - WRD. EA will submit quarterly reports to ADB.

(ii) External Monitoring

138. The independent monitoring agency/expert, responsible for overall monitoring of the Project, will submit a bi-annual review directly to ADB and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored /enhanced and suggest suitable recommendations for improvements. The external monitoring reports will be disclosed to the affected people and on WRD and ADB websites. Further, the monitoring reports will be discussed in meetings between the EA and ADB and necessary follow up actions will be undertaken on the problems and issues identified in the reports and follow up discussions.

ANNEX I

CENSUS SURVEY

01. Name of the Project: _____
02. State: _____
03. AP Code: _____
04. Category: _____
- a. Title holder b. Squatter c. Tenant d. Lease
- e. User's right
05. Type of Loss: a. Agriculture b. Residential c. Commercial
- d. R+C e. Trees f. Orchards g. Irrigation h. Others
06. Name of Village & No.: _____
07. Panchayat: _____
08. Block: _____
09. District: _____
10. Name of the Respondent: _____
11. Sex: a. Male b. Female
12. Status of the Respondent in the family: _____
- a. Self b. Husband c. Wife d. Son e. Daughter f. Son-in-Law
- g. Daughter-in-Law h. Grand Son i. Grand Daughter j. Grand Father
- k. Grand Mother
13. Name of the Registration holder: _____
14. Living status of the Registration Holder: a. Alive b. Dead
15. Is it a FHH: a. Yes b. No
16. Is it a ST HH: a. Yes b. No
17. If ST, specify the name of the Tribe: _____
18. Religious group: a: Muslim b: Sikh c: Buddhists
- d: Hindu e: Christian f: Others(.....)
19. Total members in the household (i.e. living and eating together):
20. Family Type: a: Joint b: Nuclear c: Extended
21. Education Level of the HoH: _____

a: Primary: Class I – V b: Middle: Class VI – VIII c: Secondary: Class IX-X d: Higher Secondary: Class XI –XII e: Graduate f: Post Graduate g: Illiterate h: Functional Literacy i: No response

22. Do you have a ration card? a. Yes b. No
23. Is your name included in the voter's list? a. Yes b. No
24. Agricultural Land (Title Holder) : _____ In Acres
25. Agricultural Land (Encroacher) : _____ In Acres
26. Agricultural Land (Leased land) : _____ In Acres
27. Agricultural Land (Squatted land): _____ In Acres
28. Residential (Title Holder) : _____ In Units
29. Residential (Encroached) : _____ In Units
30. Residential (Tenant): _____ In Units
31. Residential (Squatter) : _____ In Units
32. Commercial (Title Holder) : _____ In Units
33. Commercial Assets (Encroached) : _____ In Units
34. Commercial Assets (Tenant): _____ In Units
35. Commercial Assets (Squatter) : _____ In Units
36. R+C Assets (Title Holder) : _____ In Units
37. R+C Assets (Encroached): _____ In Units
38. R+C Assets (Tenant): _____ In Units
39. R+C Assets (Squatter): _____ In Units
40. Trees (Fruit): _____ In Units
41. Trees (Timber/Furniture/Industry) : _____ In Units
42. Primary source of income: _____
- a. Agriculture b. Allied Agriculture c. Dairy d. Forestry e. HH Industry
 f. Trade/business g. Profession h. Govt. Service i. Pvt. Service
 j. Agri Labour K. Non Agri Labour l. Others(.....)
43. What is the Annual Income earned from Primary Source: a. Less than 25000
 b. 25001-45000 c. 45001-65000 d. 65001-85000 e. 85001-1 lakh
 f. More than 1 lakh
44. Is the Primary Source of Income getting affected: a. Yes b. No
45. Do you have another source of income: a. Yes b. No

46. If yes, then what is the income earned from the other sources: a. Less than 25000
 b. 25001-45000 c. 45001-65000 d. 65001-85000 e. 85001-1 lakh
 f. More than 1 lakh
47. Total annual income: a. Less than 25000 b. 25001-45000 c. 45001-65000
 d. 65001-85000 e. 85001-1 lakh f. More than 1 lakh
48. Do you have a bank account: a. Yes b. No c. No Response
49. Have you taken any credit: a. Yes b. No c. No Response
50. If yes, please indicate your source of borrowing:
 a. Bank b. Private money lender c. Friends/relatives
 d. Others (specify.....) e. NA
51. Purpose for borrowing:
 a: Investment in agriculture b: Investment in business c: House Construction
 d: Wedding/social functions e: Emergency f: Any other (specify)
 g. NA
52. Do you have any information regarding the proposed Project?
 a. Yes, I know about the Project b. Yes, somewhat c. No d. No response
53. If yes, from where did you hear about the Project?
 a. Govt. Deptt. b. Tech. Surveyors c. Newspapers d. Neighbours
 e. Any Other..... f. NA
54. What are Positive Impacts you anticipate in your Family and income:
 a. Education b. Health c. Access to resources/market d. Mobility
 e. Increase in the value of the assets f. No response g. Increase in sales/
 production h. Reduce in transportation cost i. Any Other.....
55. What are the Negative Impacts you anticipate in your Family and income:
 a. Loss of Assets b. Accidents c. Relocation d. Shifting of assets &
 belongings e. Break in cultural & social ties f. No response g. Decrease in
 sales/production h. Any Other.....
56. Vulnerability:
 a. Female headed household b: ST c: Marginal Farmer d: Below Poverty Line
 e: Disabled (only adult) f: SC g.: Elderly h: Not Applicable
57. Eligibility for Livelihood Restoration: a. Yes b) No

NAME OF SURVEYOR.....

DATE:.....

(In block letters)

AGRICULTURAL LAND

58. AP Code: _____

59. Khasa No.: _____

60. JB No: _____

61. Type of Land:

- a. Irrigated b. Unirrigated c. Pasture/Wasteland d. Any other.....

62. Total Land Loss _____ In Acres

63. Percentage of Loss _____

64. In case residual becomes unviable for cultivation, would you like the executing agency to acquire the remaining portion of your land aswell?

- a. Yes b. No c. No response d. NA

RESIDENTIAL LOSS

65. AP Code: _____

66. Khasra No: _____

67. JB No: _____

68. Part's of Asset getting affected:

- a. Plot/land b. boundary Wall c. Garden Area d. Main Structure
e. Backyard f. Any Other

69. Total Residential Land: (in Sqmtrs)

70. Total Affected Residential Land: (in Sqmtrs)

71. Percentage of Land Loss

72. Total Residential Structure: (in Sqmtrs)

73. Total Affected Residential Structure: (in Sqmtrs)

74. Percentage of Structure Loss

75. Severity of Loss a. Livable b. Non-Livable

76. Construction Type of Affected Structure

- a. Kuccha b. Semi-Pucca c. Pucca (1 Floor) d. Pucca (2 Floor)

77. Is there any tenant in the house? a. Yes b. No c. NA

78. If yes, number of tenants:

79. In case of significant loss of the residential asset, thereby making it non-livable, what kind of relocation option would you prefer?

- a. Self-managed b. Project assisted c. No response d. Not Available
e. Not Applicable

80. In case of self –managed relocation, where would you relocate?

- a. Within the city b. Outside the city c. Can't Say d: Not Available
e. Not Applicable

81. In case of project assisted relocation, please suggest an appropriate location in and around the area where you can be relocated?

.....

COMMERCIAL LOSS

82. AP Code: _____

83. Khasra No: _____

84. JB No: _____

85. Part's of Asset getting affected:

- a. Plot/land b. boundary Wall c. Main Structure d. Any Other

86. Usage: a. Shop/s b. Hotel c. Dhaba d. Gumti/kiosk/khokha

e. Pvt.Clinic f. STD Booth g. Workshop h. Office Complex

i. Factory j. Other(.....)

87. Total Commercial Land: (in Sqmtrs)

88. Total Affected Commercial Land: (in Sqmtrs)

89. Percentage of Land Loss

90. Total Commercial Structure: (in Sqmtrs)

91. Total Affected Commercial Structure: (in Sqmtrs)

92. Percentage of Structure Loss

93. Total Monthly Income In Rs.

TREES

131. AP Code: _____
132. Fruit bearing trees getting affected:
133. Value of Loss.....
134. Furniture/Industry trees getting affected:.....
135. Value of loss.....

ORCHARDS

136. AP Code: _____
137. Khasa No.: _____
138. JB No: _____
139. Total Land: (in Sqmtrs)
140. Total Affected Land: (in Sqmtrs)
141. Percentage of Land Loss
142. Total no. of Trees getting affected
143. Value of Loss.....

IRRIGATION UNITS

144. AP Code: _____
145. Type of Irrigation Unit getting affected:
146. Value of Loss.....

OTHER ASSETS

147. AP Code: _____
148. Khasra No: _____
149. JB No: _____
150. Usage: _____
151. Total Land: (in Sqmtrs)
152. Total Affected Land: (in Sqmtrs)

153. Percentage of Land Loss
154. Total Structure: (in Sqmtrs)
155. Total Affected Structure: (in Sqmtrs)
156. Percentage of Structure Loss
157. Severity of Loss a. Livable b. Non-Livable
158. Type of Affected Structure
- a. Kuccha b. Semi-Pucca c. Pucca (1 Floor) d. Pucca (2 Floor)

ANNEX II

Comparative Matrix of ADB Policy and India LA Act (1894) and NPRR (2007)

ADB IR Policy	Indian LA Act (1894)	NPRR (2007)	Gaps	Gap Mitigations thru RF and Entitlement Matrix
(i) Avoid involuntary resettlement	No provision in the LA Act	Chapter II, Clause 2.1(a) states the objectives of the NRRP is to minimize the displacement and to promote, as far as possible, non displacing or least displacing alternatives.	No gaps between ADB and NPRR policy requirements	N/A
(ii) Minimize involuntary resettlement	LA Act does not include any provision for minimizing impact	The broad aim of the Policy as given in the Preamble (1.4) is to minimize large scale displacement as far as possible	Policy focus more on Displacement and not explicit on IR minimization	RF requires to minimize impacts thru alternative design /choices of subprojects (para 6)
(iii) Mitigate adverse social impacts thru appropriate land, compensation, housing, infrastructure amenities so that APs social and economic conditions as favorable with the project as without it.	Provision for cash compensation only for acquisition of land and other assets	NPRR aims to restore and improve livelihoods of persons with housing, agricultural land, employment and providing necessary training facilities for development of entrepreneurship, technical and professional skills for self employment. There are provisions of providing comprehensive infrastructural amenities and facilities to the resettlers.	NPRR Policies are similar with ADB and aims at improving the standards of the affected people.	RF contains similar objectives with regard to assistance and compensation, including provisions for replacement value for acquired assets (para 9)
(iv) Identify, assess and address the	Identification of APs limited to titleholders	Chapter VI spells out the ways and means to identify and assess at an	The policy objectives are similar.	Provisions in the RF (para 8) provides

ADB IR Policy	Indian LA Act (1894)	NPRR (2007)	Gaps	Gap Mitigations thru RF and Entitlement Matrix
potential social and economic effects of a project. Resettlement should be conceived and executed as a development program	of acquired assets. A full assessment of social and economic impacts is not required.	early stage of the project cycle the potential IR impacts through a baseline survey and census. And it also looks into the direct and indirect effects due to the project like loss of livelihood of agricultural laborers, rural artisans, etc. through Social Impact Assessment	Compensation and resettlement assistance are aimed to re-establish and improve livelihoods those affected.	specific guidance for impact identification; the entitlement matrix has provision to assist APs restore their livelihoods in post resettlement period.
(v) Affected people should be fully informed and closely consulted on resettlement and compensation options. Disclose RPs to the affected people. (vi) Support existing social and cultural institutions so that APs are integrated socially and economically with the host communities	LA Act has provision to notify acquisition decisions only. No requirement for consultation. N/A	NPRR has provisions for consultation with affected persons/communities prior to drafting the RP. R&R Administrator is required to hold consultations; also, provision to set up a Grievance Redressal Mechanism called R and R Committee. No specific mention of support to socio-cultural organization of the resettlers.	Very close to ADB requirements Gaps with ADB Policy	FR (para 15-16) has specific provisions for consultation, disclosure and involvement of the APs. RF (para 9) has provision for social and economic support to APs and integration with host communities.

ADB IR Policy	Indian LA Act (1894)	NPRR (2007)	Gaps	Gap Mitigations thru RF and Entitlement Matrix
(vii) Absence of formal title is no bar to compensation and resettlement benefits; special attention to vulnerable groups	Non-titled persons are ineligible for any compensation	NPRR has provisions (Chapter IV) to consider all impacts with particular attention to any impacts on the poor and vulnerable affected persons.	So specific clause with regard to benefits of non-titled holders.	Resettlement framework has inclusive policy and clearly states in the matrix.
(viii) Full costs of resettlement included in the project costs	N/A	NPRR (Chapter VI, clause 6.14.2) spells out the components of the RP. It also includes the budgets and full costs (clause 6.16 and 6.17).	No difference	RF (para 19) also requires preparation of a full budget and cost for resettlement
(ix) Restoration of income in post-resettlement period	No provision in the LA Act	NPRR (Clause 7.22 of Chapter VII) talks of the amenities and infrastructural facilities to be provided at resettlement areas.	No specific statement concerning restoration of livelihood	Resettlement framework addresses this in para 8.
Supervision and Monitoring to be carried out throughout the project period by persons with expertise in resettlement	No provision in the LA Act	NPRR (Chapter IX) clearly lays down the setting of a National Monitoring Committee, National Monitoring Cell, Internal Oversight Committee, External Oversight Committee, its composition and responsibilities. However there is no clear view on the procedure or regularity of monitoring.	Monitoring groups are mainly local officials – not specialists; also no procedures for regular monitoring	RF (para 20) requires both internal and external monitoring by specialists.

ANNEX III

Terms of Reference for Income Restoration Programme

I. Project description

1. The proposed Assam Flood and Erosion Management Project (the Project) involves (i) construction of riverbank protection work in selected high priority areas; (ii) strengthening and/or improvements of existing embankments; (iii) “non-structural” measures such as forecasting and early warning systems, and preparedness; and (iv) community flood proofing in selected localities. The planned activities intend to stabilize the Brahmaputra and its distributaries along the four reaches of the subproject areas – Palasbari, Dibrugarh, Kaziranga and Matmara. The proposed subprojects by leading to the reduction in flood and erosion will provide the local communities protection against loss of crops, assets and displacement. Thus, the project aims to enhance the security against ongoing flood and erosions.

2. Despite the anticipated benefits, bank protection work and flood embankment for the subprojects would require land acquisition. The Kaziranga Subproject involving the construction of new embankments of approximately 4.5 km will entail significant impacts in terms of land acquisition and displacement of the affected households (Table 1.1). The Subproject will affect 108 households in three villages – Borjuri, Japhori Pathar and Diffloo Pathar – in the Golaghat district. About 45 acres of land will be acquired, of which 32 acres are agricultural land; the rest are residential, commercial and residence-cum-commercial land. A large number of trees will also be affected by the project land acquisition. The loss of land, especially agricultural land and residential land will incur adverse impact on the livelihoods of the affected households.

3. In order to address and restore the livelihoods of the affected households, an income restoration programme shall be undertaken as part of the RP implementation for the affected households. The Project intends to engage an experienced NGO/agency to assist with the implementation of the social and resettlement aspects of the Project namely the subproject Resettlement Plan (RP). The income restoration programme shall be executed by the Livelihood specialist to be engaged by the NGO (engaged for RP implementation).

II. General Objectives

4. The primary objective of the income restoration program (IRP) is to restore or improve the socio-economic conditions of the severely affected and the vulnerable households whose incomes are directly affected by embankment construction and/or rehabilitation project. The IRP takes cognizant of the fact that these severely affected and vulnerable households – already affected by ongoing floods and erosions in the area – need additional assistance to restore their livelihoods and incomes for sustenance and survival.

III. Scope of work

5. The key tasks of the Livelihood Specialist shall comprise of the following:

- Undertake a detailed need analysis & assessment in consultation with the affected households so as to map their existing skills as well as identify the livelihood options
- Prepare a list of existing enterprises in the area and differentiate them as land based and non-land based.

- Prepare an inventory of skills available with the local population and relate with enterprises identified.
- Based on the above analysis and mapping, conduct a market survey to assess the economics and social aspects involved in the identified enterprises. The market feasibility study shall also explore more potential enterprises and options as well as shall check on viability of the enterprises voiced by the community
- To study the possible market linkages and the access to the market for the identified enterprises.
- Preparation of individual business plans for the affected families detailing the current and anticipated future activities of an identified enterprises, and of all the factors (such as marketing, development and production, and financial aspects) that will have a bearing on those activities.
- Interactions with other agencies / technical institutes working on Micro enterprise development to provide the needed skill building input and business counseling support on an ongoing basis to the affected households in setting up and running their enterprises
- Follow up and facilitation on an ongoing basis of the affected households and the status of their enterprises
- Facilitate creation of linkages with banks, markets and micro finance institutions to develop the requisite capital and market support

IV. Time frame

6. The income restoration activities are scheduled to start in ***** and will continue till the end of the Project i.e. *****. The Livelihood specialist should be fully prepared to carry out the livelihood activities and tasks laid down above.

V. Selection criteria

7. The Livelihood Specialist to be selected for the tasks must have proven experience in working on livelihood issues and income restoration programmes. Specifically, key quality criteria include background preferably in Social sciences and at least 5 years of experience in direct implementation of income restoration programs in local, similar and/or other states;

VI. Reporting requirements

8. The Income Restoration Program must include concrete actions for income restoration plan, including budget, timetable, and responsibility for implementation, risks and contingency arrangements. The reporting requirements are as follows:

a. Inception Report:

- A review of current socio-economic conditions of the participating AHs households as outlined earlier.
- Detailed action plan to carry out the IRP's various components of the program will be prepared for the first and second year.
- Plans for monitoring and holding of quarterly assessment and planning to ensure that strategic goals and objectives are met.
- Organization plan for implementing the IRP.
- Budget, financial management, and schedule

- b. Progress Reports (Quarterly). The report will include the results of the quarterly assessment and plans for the next quarter, keeping in mind the goals and objectives of the IRP as outlined in the inception report.
 - c. Completion Report. This will include a concise history of the program, an evaluation of its implementation, including financial audit statements.
 - d. Post-evaluation Report. This will include post-evaluation of the implementation, case studies, conclusion and lessons learned.
9. The reports will be posted in ADB and WRD websites.

ANNEX IV

TERMS OF REFERENCE FOR THE NON-GOVERNMENT ORGANIZATION (NGO)/AGENCY

I. Project description

1. The proposed Assam Flood and Erosion Management Project (the Project) involves (i) construction of riverbank protection work in selected high priority areas; (ii) strengthening and/or improvements of existing embankments; (iii) “non-structural” measures such as forecasting and early warning systems, and preparedness; and (iv) community flood proofing in selected localities. The planned activities intend to stabilize the Brahmaputra and its distributaries along the four reaches of the subproject areas – Palasbari, Dibrugarh, Kaziranga and Matmara. The proposed subprojects by leading to the reduction in flood and erosion will provide the local communities protection against loss of crops, assets and displacement. Thus, the project aims to enhance the security against ongoing flood and erosions.

2. Despite the anticipated benefits, bank protection work and flood embankment for the subprojects would require land acquisition. The Kaziranga Subproject involving the construction of new embankments of approximately 4.5 km will entail significant impacts in terms of land acquisition and displacement of the affected households (Table 1.1). The Subproject will affect 108 households in three villages – Borjuri, Japhori Pathar and Diffloo Pathar – in the Golaghat district. About 45 acres of land will be acquired, of which 32 acres are agricultural land; the rest are residential, commercial and residence-cum-commercial land. A large number of trees will also be affected by the project land acquisition. The loss of land, especially agricultural land and residential land will be added burden on the already difficult situations created by ongoing erosion and flood in the area. The Project intends to engage an experienced NGO/agency to assist with the implementation of the social and resettlement aspects of the Project namely the subproject Resettlement Plan (RP).

II. Scope of work

3. In general, the PIU will be responsible to the Executing Agency, for the effective, timely and efficient execution of the RP. The key tasks of the selected organization will be responsible for the following:

(i) **Information Campaign on Resettlement Entitlements**

The agency will design, plan and implement an information campaign in the affected areas primarily to inform the APs about the entitlement policy and how to avail their respective entitlements. In particular, the agency will be responsible for undertaking a public information campaign at the project areas to inform the affected persons regarding:

- The need for Land Acquisition (LA), wherever necessary;
- The likely consequences of the project on the communities;
- The R&R policy and entitlements;
- Assist APs in getting the compensation for their land and properties acquired for the project;
- Ensure proper utilization by the APs of various grants available under the R&R package. The agency will be responsible for advising the APs on how best to utilize any cash that may be provided under the RP, with

emphasis placed on using such funds in sustainable way e.g. purchasing replacement land for that acquired.

The campaign would include measures such as distribution of information booklets, leaflets, notices and other materials among the APs, community meetings, public announcements, and any other measures necessary to provide information to all the APs.

(ii) **Identification of APs and Issuance of Identity (ID) Cards**

The agency will identify and verify APs, on the basis of the resettlement census survey carried out and will facilitate the distribution of ID cards.

This work will include identification of APs based on a census survey, preparation of ID cards, taking photograph of APs in the field, issuance of ID cards to APs and updating of ID cards, if required. An identity card would include a photograph of the AP, his/her socio-economic profile and vulnerability, the nature and extent of loss suffered due to the project construction, and the choice AP with regard to the mode of compensation and assistance (if applies, as per the RP).

The agency shall prepare a list of APs, enlisting the losses and the entitlements as per the RP, after verification. During the identification and verification of the eligible APs, agency shall ensure that each of the APs are contacted and consulted either in groups or individually. The agency shall especially ensure consultation with vulnerable groups namely (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.

(iii) **Updating of AP Database and Creation/Computerization of Database and AP Files**

The agency will be responsible for updating and preparing a comprehensive computerised database containing the data on land, structure, trees and other affected properties of the APs which will be used to prepare AP files and entitlements cards (EC). The database will contain information from land records and resettlement census data. The AP and EC files will be used for making payments of entitlements to the APs and monitoring the progress of resettlement work.

(iv) **Participation in Grievance Redress**

The agency will play a key role in assisting the APs in presenting their grievances or queries to the Grievance Redress Committee (GRC) which will be established at the PMU level with the primary objective of providing a mechanism to mediate conflict and cut down on lengthy litigation.

(v) **Income Restoration**

The agency will also play a key role in providing income restoration assistance to the affected households losing their primary sources of livelihood/income as a result of the Project. The agency shall undertake consultations with the affected households on finalizing the skills training and also undertake a market feasibility

survey to ascertain the feasibility of the skills being imparted to those affected. Based on the outputs of these, the NGO will plan out livelihood restoration activities as per it. Emphasis will be paid on the vulnerable groups such as female headed households, SC & ST households, poor etc. A separate ToR for income restoration Programme has been enclosed as Annex III.

In addition, the development agency would also be responsible for liasoning with the various government departments, in order to create a link up between the existing government schemes and the affected groups.

(vi) **Relocation assistance**

The development agency shall facilitate the process of relocation of the affected households getting displaced as a result of the project as per/in keeping with the RP.

III. Time frame

4. The work is scheduled to start in ***** and will continue till the end of the Project i.e. *****. The agency should be fully prepared in terms of all logistics support to tackle and carry out the resettlement activities and tasks laid down above.

IV. Selection criteria, Staffing, Implementation Plan

5. The NGO to be selected for the tasks must have proven experience in resettlement planning and implementation. Specifically, key quality criteria include:

- Experience in direct implementation of programs in local, similar and/or other states;
- Availability of trained staff capable of including APs into their programs;
- Competence, transparency and accountability based on neutral evaluations, internal reports, and audited accounts; and
- Integrity and experience to represent vulnerable groups against abuses and demonstrable mandate to represent local groups.
- Demonstrated experience in computerizing and managing resettlement-related database,
- Experience in resettlement survey, planning, monitoring and evaluation.

6. The agency chosen will have to agree to the terms and conditions under the RP. The following staffing provision may be necessary for smooth and effective implementation of the RP within the time frame:

- Team Leader ;
- Livelihood Specialist
- Field coordinator ;
- Resettlement Implementation Worker

7. Interested agency should submit proposal for the work with a brief statement of the approach, methodology, and field plan to carry out the tasks. The proposal should include: -

- (i) Relevant information concerning previous experience on resettlement implementation and preparation of reports.
- (ii) The proposal should also include samples of ID cards, information brochures, AP files etc. to be used during the implementation phase.
- (iii) The field plan must address training and mobilization of resettlement workers.

8. Full CVs (2-3 pages) of key personnel (for e.g. the Team Leader, Field Co-coordinator) must be submitted along with the proposal. The Team Leader must have degree in social science (preferably economics, sociology, anthropology, development studies). The Field coordinator must have prior experience in resettlement operation and management.

9. The agency must be an established organization registered with the Government of India.

V. Budget

10. ***** copies of the proposal - both technical and financial - should be submitted. The budget should include all expenses such as staff salary, training, computer/database, transport, field and any other logistics necessary for resettlement implementation. Additional expense claims whatsoever outside the budget will not be entertained.

ANNEX V

TERMS OF REFERENCE FOR AN EXTERNAL MONITORING & EVALUATION CONSULTANT/AGENCY

I. Project description

1. The proposed Assam Flood and Erosion Management Project (the Project) involves (i) construction of riverbank protection work in selected high priority areas; (ii) strengthening and/or improvements of existing embankments; (iii) “non-structural” measures such as forecasting and early warning systems, and preparedness; and (iv) community flood proofing in selected localities. The planned activities intend to stabilize the Brahmaputra and its distributaries along the four reaches of the subproject areas – Palasbari, Dibrugarh, Kaziranga and Matmara. The proposed subprojects by leading to the reduction in flood and erosion will provide the local communities protection against loss of crops, assets and displacement. Thus, the project aims to enhance the security against ongoing flood and erosions.

Despite the anticipated benefits, bank protection work and flood embankment for the subprojects would require land acquisition. The Kaziranga Subproject involving the construction of new embankments of approximately 4.5 km will entail significant impacts in terms of land acquisition and displacement of the affected households (Table 1.1). The Subproject will affect 108 households in three villages – Borjuri, Japhori Pathar and Diffloo Pathar – in the Golaghat district. About 45 acres of land will be acquired, of which 32 acres are agricultural land; the rest are residential, commercial and residence-cum-commercial land. A large number of trees will also be affected by the project land acquisition. The loss of land, especially agricultural land and residential land will be added burden on the already difficult situations created by ongoing erosion and flood in the area. The Project includes a provision for monitoring and evaluation of the implementation of the subproject resettlement plan by an external monitor. Therefore, the Water Resource Department (WRD), which is the Executing Agency (EA) for this project, requires services of a reputed individual/consultancy firm for monitoring and evaluation of RP implementation.

II. Scope of work - Generic

- ❑ To review and verify the progress in resettlement implementation as outlined in the RP;
- ❑ To monitor the effectiveness and efficiency of PIC, PIU and NGO in RP implementation.
- ❑ To assess whether resettlement objectives, particularly livelihoods and living standards of the Affected Persons (APs) have been restored or enhanced;
- ❑ To assess the efforts of PIU & NGO in implementation of the ‘Community Participation strategy’ with particular attention on participation of vulnerable groups namely (a) those who are below the poverty line (BPL); (b) those who belong to scheduled castes (SC), scheduled tribes (ST); (c) female-headed households (FHH); (d) elderly and (e) disabled persons.
- ❑ To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.

- To review the project impacts on Indigenous People and groups and assess the effectiveness of the mitigative actions taken;

III. Scope of work- Specific

2. An Independent monitoring agency will be involved in ongoing monitoring of the resettlement efforts by the EA. The major tasks expected from the external monitor are:

- (i) To develop specific monitoring indicators for undertaking monitoring for Resettlement, Indigenous People Development Plan and the Community Participation Strategy;
- (ii) Review results of internal monitoring and verify claims through random checking at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes.
- (iii) Identify the strengths and weaknesses of the land acquisition/resettlement objectives and approaches, implementation strategies.
- (iv) To review and verify the progress in land acquisition/resettlement implementation of subproject on a sample basis and prepare bi-annual reports for the EA and ADB.
- (v) Evaluate and assess the adequacy of compensation given to the APs and the livelihood opportunities and incomes as well as the quality of life of APs of project-induced changes.
- (vi) To evaluate and assess the adequacy and effectiveness of the consultative process with affected APs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these.

IV. Time Frame and Reporting

3. The independent monitoring agency will be responsible for overall monitoring of both the Executing Agency (EA) and will submit biannual review directly to ADB and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/ enhanced and suggest suitable recommendations for improvement.

V. Qualifications

4. The monitoring agency will have significant experience in resettlement policy analysis and RP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. Candidates with degrees in anthropology, sociology, and development studies will be preferred.

5. Interested agencies/consultants should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on Monitoring of resettlement implementation and preparation of reports.

6. The profile of agency along with full CV of monitors to be engaged must be submitted along with the proposal. The agency must be an established organization registered with the Government of India.

VI. Budget and Logistics

7. ***** copies of the proposal - both technical and financial - should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring. Additional expense claims whatsoever outside the budget will not be entertained.