



# Social Monitoring Report

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Project Number: 37143-023  
August 2017

Period: July 2015 – December 2015

## MFF - North Eastern State Roads Investment Program - Tranche 1

Subproject: Improvement & Up Gradation of Road Sections of Kalitakuchi – Barpeta (AS-37C) & Bilasipara (NH-31) – Fakiragram (AS-11)

Submitted by

Public Works Department (Border Roads and NEC Works), Government of Assam

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**Asian Development Bank**

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GM/AM

GOVT. OF ASSAM  
OFFICE OF THE CHIEF ENGINEER, PWD (BORDER ROADS AND NEC WORKS),  
ASSAM, CHANDMARI, GUWAHATI-3

No. CE/NESRIP/ADB/208/13-14/Pt/8

Dated Guwahati the 28<sup>th</sup> July, 2017

To.

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Sub:- Submission of Semi Annual Environmental Monitoring Report for the period of January 2017 to June 2017 and Re Submission of Semi Annual Social Monitoring Report for the period of July 2015 to December 2015 and January 2016 to June 2016 for improvement and Up gradation of road section of Kalitakuchi to Barpeta (AS-37) and Bilasipara (NH-37) to Fakiragram (AS-11) (Trench-1) roads in the state of Assam, under NESRIP project (Package No. AS-CW-1)

Ref: 1. EE's letter no. EE/NEC/TB-319/1707 dated 19/07/2017 &  
2. CSC's letter no. CSC/AS-CW1/05/2017-18/1258 dated 27/07/2017

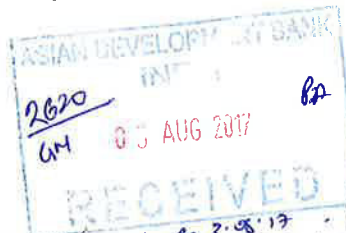
Dear Sir,

This is to inform you that the CSC " Rodic Consultants & AECOM India PVT Ltd (JV), NESRIP, Assam has submitted Semi Annual Environmental Monitoring Report for the period of January 2017 to June 2017 and resubmitted the Semi Annual Social Monitoring Reports for the period of July 2015 to December 2015 and January 2016 to June 2016 for Project-1 Roads, So, I am furnishing herewith the report for onward submission to MDONER.

This is for favour of your kind disposal.

Thanking you.

Encls: As stated above.



Yours faithfully,

Project Director,  
PIU, NESRIP, Assam.

Chandmari, Guwahati-3

Memo No CE/NESRIP/ADB/208/13-14/Pt/8 *Sgt wfy 2.08.17* Dated Guwahati the 28<sup>th</sup> July, 2017

Copy to:-

- 1) The Commissioner & Special Secretary to the Govt of Assam, Public Works (Roads), Dispur, Guwahati - 6 for favour of kind information.
- 2) The Director, MDoNER, Vigyan Bhawan Annexe, Moulana Azad Road, New Delhi for favour of kind information.
- 3) Shri J.K.Sinha ([sinhajk@nic.in](mailto:sinhajk@nic.in)), Joint Secretary-cum-Project Director, NESRIP for information.
- 4) Mr. Chen Chen, Transport Specialist Transport and Communication Division South Asia Department Asian Development Bank for kind information.
- 5) Mr. A. K. Matowani, Project Officer, ADB. ([akmatowani@adb.org](mailto:akmatowani@adb.org)) for information.
- 6) The Executive Engineer, PWRD, Guwahati NEC Division, Assam, Chandmari, Guwahati-3 for information
- 7) Sri R K Khatri Engineer, AECOM H#3, Goswami Bhawan, H.C. Goswami Road, Ward Street, Uzan Bazar, Guwahati-781001 E-mail : [raj.khatri@acem.com](mailto:raj.khatri@acem.com) for information
- 8) Mr P.N. Medhi, Deputy Team Leader/ Sr. Highway Engineer, PMC, (NESRIP), ACPL, Guwahati for information.
- 9) Prabash kumar Mishra/INRM/ADB ([pmishra@adb.org](mailto:pmishra@adb.org) or [pravash11@gmail.com](mailto:pravash11@gmail.com) ) for information.

*ed*  
Project Director,  
PIU, NESRIP, Assam.  
Chandmari, Guwahati-3

Improvement & Up Gradation of Road Sections of Kalitakuchi – Barpeta (AS-37C) & Bilasipara (NH-31) – Fakiragram (AS-11) (Tranche-1 roads in the state of Assam) under NESRIP Project (Package No. AS-CW1)

**SEMI ANNUAL SOCIAL MONITORING REPORT**

**Period : July 2015 – December 2015**

**AS-37C AND AS-11**

**North Eastern State Roads Investment Program (NESRIP),  
and MDONER**

**Funded by: ADB Loan No. 2770-India**



**Submitted by:**

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## **ABBREVIATIONS**

ADB	- Asian Development Bank
AH	- Affected Household
BSR	- Basic Schedule of Rates
CPRs	- Community Property Resources
CSC	- Construction Supervision Consultant
DH	- Displaced Household
DP	- Displaced Person
EA	- Executing Agency
EMP	- Environmental Management Plan
ESMU	- Environment and Social Management Unit
GRC	- Grievance Redressal Committee
ID	- Identity Card
IND	- India
IP	- Indigenous People
IPDP	- Indigenous People Development Plan
LA	- Land Acquisition
MDONER	- Ministry of Development of North East Region
NESRIP	- North Eastern State Roads Investment Program
NTH	- Non-Title Holder
PIU	- Project Implementation Unit
PMU	- Project Management Unit
PWD	- Public Works Department
R&R	- Resettlement and Rehabilitation
RFCTLARR	- Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement
RO	- Resettlement Officer
RP	- Resettlement Plan
SPS	- Safeguard Policy Statement

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## **SEMI-ANNUAL SOCIAL MONITORING REPORT**

### **1 INTRODUCTION AND PROJECT BACKGROUND**

1. Asian Development Bank (ADB) assistance under North Eastern State Roads Investment Program (NESRIP) project loan 2770-IND has identified, Tranche-I, to implement the up-gradation and improvement work of 2 road stretches i.e. Kalitakuchi to Barpeta (AS-37C) and Bilasipara (NH-31) to Fakiragram (AS-11) with total length of 74.7 kms for widening and up-gradation and strengthening of the existing road sections and construction of cross drainage structures. The 2 identified stretches are scattered in Kamrup, Nalbari, Barpeta and Dhubri districts.
2. The proposed project for widening, up-gradation and strengthening of State Highways, from intermediate lane/ two lane carriageways to two lane carriageways, the Public Works Department, Government of Assam, aimed at improving the state highways to provide reliable road transport services in the state of Assam.
3. The objective of the projects under NESRIP is to develop the road network and establish improved road connectivity. This Social Monitoring Report is concerned with the 2 sub-project roads i.e. AS-37C and AS-11. The details of concerned sub-projects are as under:

**Table-1: List of Sub-Project Roads**

Sl. No.	Name of Road	District	Length (km)
1	Kalitakuchi to Barpeta (AS-37C)	Kamrup, Nalbari and Barpeta	58.5
2	Bilasipara to Fakiragram (AS-11)	Dhubri	16.2

### **2 BRIEF DESCRIPTION OF SUB-PROJECTS**

#### **2.1 Name of the Road – Kalitakuchi to Barpeta (AS-37C)**

4. The project road (AS-37C) between Kalitakuchi to Barpeta (58.50km) is proposed for improvement and upgradation. It passes through three districts i.e. Kamrup, Nalbari and Barpeta and connects Guwahati, the capital city of the state. The project road is an intermediate bituminous road with length of about 58.5km and the carriageway varies between 5.0 and 5.5 m. The road passes through the flood plain of Brahmaputra River. It takes off at Kalitakuchi from the State Highway between Hajo and Nalbari and ends beyond Barpeta enroute to Jania. The entire stretch passes through the densely populated area. The proposed road improvement involves acquisition of land. Residential and commercial structures, other assets, common property resources within the Corridor of Impact will also be affected.

## 2.2 Name of the Road – Bilasipara to Fakiragram (AS-11)

5. The Project Road AS-11 is a State Highway and is a part or a place of the corridor among Kokrajhar, Fakiragram, Bilasipara and Dhubri. The corridor provides connectivity to the thickly populated area in Lower Assam between Fakiragram and Bilasipara. Fakiragram is connected by road network and railway and connected to Kokrajhar and beyond to Bongaigaon at NH-31 whereas on the lower end, Bilasipara is connected to Dhubri, both at NH-31B. For all practical purposes, this Road Corridor is a link between NH-31 and NH-31B through the interior lower Assam plain of the State.
6. The Project Road takes off from old NH-31 at Bilasipara. The road passes through plain terrain having flat gradient. The horizontal geometrics of the Project Road are easy without sharp and substandard curves. The embankment is low and almost entire length of the road gets submerged every year during monsoon period resulting in erosion of shoulders and disintegration of road pavement. The existing single lane road is now reduced up to 2 m width and in some stretches; the crust has been washed away altogether. The road passes through a number of village's en-route between Bilasipara and Fakiragram. Land use along the Project Road is predominantly agricultural but with stretches passing through road side villages and built-up areas. Total length of the Project Road as per design is 16.20 km.
7. The sub-project road AS-11 does not entail any LA and the assessment has revealed that there are no resettlement impacts on any NTH or CPRs. The construction of the AS-11 sub-project road has available width on entire stretches and handed over to the contractor.
8. **No RP has been prepared for AS-11 sub-project.** Hence this report contains the information on the impacts on only AS-37C sub-project.

## 3 RESETTLEMENT IMPACTS

### 3.1 Land Acquisition Impact

9. As per the data in the RP prepared for AS-37C, Land Acquisition was proposed for 45.60 ha and transfer of government land of 0.17 ha. Current data shows that the quantum of private land acquisition has been reduced to 25.69 ha and government land transfer requirement is now at 11.55 ha. Out of 25 LA Cases, 6 LA Cases has been finalised in Barpeta district and the details of other LA Cases are in progress and will be updated as and when the land acquisition proposals get finalised by the respective District Collectors. The details of land acquisition status are given in the **Table-2** and Status of Land Acquisition Notifications and Validity are attached in **Annexure-I**.

**Table-2: Summary of Land Impact in Hect.**

Name of District	LA as per RP		LA as per Final Design		Remarks
	Pvt.	Govt.	Pvt.	Govt.	
Kamrup	9.10	0.08	9.41	2.66	
Nalbari	27.01	0.12	13.25	8.89	
Barpeta	9.49	0.20	3.03	0.00	
<b>Total</b>	<b>45.60</b>	<b>0.40</b>	<b>25.69</b>	<b>11.55</b>	

10. In this reporting period the verification exercise has been done by the PWD team and finalise the Micro Plan of NTH. During the survey the extent of impact has been undertaken by the Resettlement team in the districts of Nalbari and Barpeta. The assessment has been done to evaluate the impact on the NTHs (squatters and encroachers) as well as the impact on the CPRs on government land. The verification exercise for patta land/private land will be done once the award list is finalized.

**Table-3: Summary of Impact on Structures**

Affected Households by Type	As per RP	As per Final Survey	Remarks
Titleholders	768	450	
Tenant	303	0	
Encroachers	35	56	As per the entitlement matrix of the project, only vulnerable encroachers are eligible for compensation and assistance. The total number of vulnerable DPs are 4 (Four) only.
Squatters	0	38	
<b>Total</b>	<b>1106</b>	<b>544</b>	

11. As per the RP there are a total number of 1106 structures are affected in the subproject and during the implementation of RP only 42 DPs will lose their structures and entitled for compensation.

**Table-4: Number of Displaced Households by type of Impact**

Affected Households by Type	As per RP	As per Final Survey	Remarks
Residential	510	5	
Commercial	439	37	
Resi-cum-Comm.	157	0	
<b>Total</b>	<b>1106</b>	<b>42</b>	



12. Out of 42 DPs only 10 DPs are vulnerable category and eligible for training assistance for skill upgradation.

**Table-5: Summary of Vulnerable DPs**

Affected Households by Type	As per RP	As per Final Survey	Remarks
ST	13	0	
SC	48	0	
BPL	85	5	
WHH	0	5	
<b>Total</b>	<b>146</b>	<b>10</b>	

### 3.2 Verification of Community Structures (CPRs)

13. CPR Impact on CPRs is a very critical issue for the point of view of community. The community feeling is attached with the community properties especially with the religious structures. Keeping in mind the importance of these CPRs for the community, the demolition of these CPRs were avoided for the sub-project and where it was not possible to avoid the demolition, the impact was minimized. It was observed the impact of CPRs in approved RPs and in the verified list of CPRs during implementation of RP is decreased. There are 11 numbers of CPRs affected by the project. The details of CPRs mentioned in approved RP report and actual impact on CPRs at the time of implementation stage presented in **Table-6**.

**Table-6: Community Structures as per Approved RP and Final Survey**

S. No	Type of Affected CPRs	No. of Impact CPRs		Remarks
		As per RP	As per Final Survey	
1	Temple	15	-	It was observed that there was sharp diminution in the number of affected CPRs
2	Mosque	18	7	
3	Graveyard	1	-	
4	School	17	2	
5	Hospital	1	-	
6	Shrine	10	-	
7	Others	51	2	
<b>Total</b>		<b>113</b>	<b>11</b>	

### 3.3 Impact on Indigenous People

14. Implementation of the IPDP monitored regularly and special attention paid the indigenous groups. The PMU will establish a monitoring system involving ESMU, representative of affected IP groups, and non-governmental and community-based organizations to ensure participatory monitoring arrangements. There were 13 IP households were assessed

during preparation RP and as per the Final Survey no IP household is getting affected by the project.

**Table-7: IP Households as per Approved RP and Final Survey**

S. No	Households	No. of Impact		Remarks
		As per RP	As per Final Survey	
1	ST	13	0	
	<b>Total</b>	<b>13</b>	<b>0</b>	

#### 4 PROJECT ENTITLEMENTS

15. The policy framework and entitlements for the program for the subprojects are based on national laws: The Land Acquisition Act, 1894 (LAA, amended in 1984), and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013; and the agreed Resettlement Framework between Government of Assam and ADB. RF has been prepared based on applicable legal and policy frameworks of the government and ADB's Safeguards Policy Statement (SPS), 2009. Thus provision of compensation and assistance for affected persons was made in the RF.
16. The RP has provisions for compensations to the DPs for all types of losses. In addition to the compensation for affected assets, the DPs will also receive other resettlement assistance such as; shifting allowance, income restoration/ training assistance. The DPs under the project will be compensated at full replacement cost based on Entitlement Matrix of RPs.

**Table-8: Entitlement Matrix**

Sl. No.	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
1A	Loss of Private Property	Agricultural Land assets	Household	Compensation by land for land (if land is available) or compensation at "replacement cost" or "actual market value"	1. Land acquisition for the Project will be as per Land Acquisition Act 1894. 2. In case of those Losing less than 10% of the total holding with remaining land being economically viable, the following would be provided: 2.a. If the compensation determined by the Competent Authority is less than the "market price/ replacement value", then the difference is to be paid by the EA as assistance. 2.b. Also, the Project displaced households (DHs) will be offered an ex-gratia amount of Rs. 10,000 per family. 3. In case of those losing more than 10% of the total holding or even less but remaining land becoming economically unviable, the following options will be given to the displaced person (DP): 3.a. The DP keeps the remaining land, and the compensation and assistance is paid to the DP for the land to be acquired. 3.b. Compensation and "assistance" are given for the entire plot including residual plot, if the

Sl. No.	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
					<p>owner of such land wishes that the project authority should also acquire his residual plot. The project authority will acquire the residual plot so paid.</p> <p>3.c. Land-for-land shall be the first option offered to AP, prior to payment of cash compensation. If land for land is not possible, Resettlement and Rehabilitation Officer (RRO) on receipt of request from the displaced household shall help oustees purchase private land and pattas to be issues in the joint name of husband and wife as per the provisions of Revenue Laws in force.</p> <p><b>R&amp;R Assistance</b></p> <p>1. All fees, taxes, and other charges, as applicable under the relevant laws, are to be borne by the project/EA.</p> <p>2. Training for skill upgradation for eligible APs</p> <p>3. In case of allotment of wasteland/degraded land in lieu of acquired land, each landowner shall get a one-time financial assistance of Rs. 15,000 per hectare for land development.</p> <p>4. In case of allotment of agricultural land, a one-time financial assistance of Rs. 10,000 per AF for agricultural production shall be given.</p> <p><b>Vulnerable APs:</b></p> <p>Apart from above, shall be entitled for:</p> <p>5. Each DP shall get a monthly subsistence allowance equivalent to twenty-five days minimum agricultural wages<sup>1</sup> per month for a period of nine months from the date of displacement. 6. Displaced households who have not been provided agriculture land or employment shall be entitled for rehabilitation grant equivalent to three hundred fifty days minimum agricultural wages.</p> <p>7. Preferred employment with the contractor in the category of unskilled workmen subject to fulfilling the requisite criteria/qualification.</p>
1B	Private property	Land and assets (nonagricultural) residential	Household	Compensation by house for house (if land is available) or compensation at "market replacement cost"	<p><b>Impact Category:</b> Loss of structure less than 25% of the total size of the structure and structure remains viable</p> <p>1. DP will be provided replacement cost of the residential structure (part or full), which will be calculated as per the prevailing basic schedule of rates (BSR) without depreciation, subject to relevant "quality standards" of BSR as maintained by PWD, Government of Assam.</p> <p>2. Compensation for the loss of residential land will be paid at replacement value.</p> <p>3. If replacement cost is more than the compensation (as determined by the Competent Authority), then the difference is to be paid by the project in the form of "assistance".</p>

<sup>1</sup> Minimum Agricultural Wages fixed by Labour and Employment Department, Assam

Sl. No.	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
					<p>4. Right to salvage materials from the demolished structure</p> <p>5. The Project Displaced Household will be offered an ex-gratia amount of Rs. 10,000 per family</p> <p><b>R&amp;R Assistance</b></p> <p>6. Shifting allowance of Rs. 10,000 per household Impact Category: Loss of structure more than 25% or even less but remaining structure becomes unviable Apart from entitlements as described above, such APs will also be entitled for</p> <p>7. A plot of 25 sq. m in urban areas and 50 sq. m in rural areas will be provided free of cost to vulnerable APs and those who become shelter less.</p> <p>8. Transitional allowance @Rs. 2,000 for a period of 3 months</p> <p>9. In case of self-relocation of displaced households below poverty line, resettlement assistance equivalent to the difference between the Government of India (GOI) norm for Economically Weaker Section (EWS) housing (maximum of Rs. 25,000) and the replacement value received shall be provided. If the difference is more than Rs. 25,000 it will be paid as compensation.</p> <p>10. Each DH shall get a monthly subsistence allowance equivalent to twenty-five days minimum agricultural wages per month for a period of nine months from the date of displacement.</p> <p>11. Preferred employment with the contractor in the category of unskilled workmen subject to fulfilling the requisite criteria/qualification.</p> <p>12. Absentee landlords will receive only the compensation at “replacement cost”.</p>
1C	Private property	Land and assets (non-agricultural) Commercial land and assets	Titleholder/ owner: Commercial	Compensation at “replacement cost”	<p><b>Impact category:</b> Loss of structure less than 25% of the total size of the structure and structure remains viable</p> <p>1. AP will be provided replacement cost of the commercial structure (part or full), which will be calculated as per the prevailing BSR without depreciation, subject to relevant “quality standards” of BSR as maintained by PWD, Government of Assam.</p> <p>2. Compensation for the loss of commercial land will be paid at replacement value.</p> <p>3. If replacement cost is more than the compensation (as determined by the Competent Authority), then the difference is to be paid by the project in the form of “assistance”.</p> <p>4. Right to salvage materials from the demolished structure.</p> <p>5. The DHs will be offered an ex-gratia amount of Rs. 10,000 per family</p> <p><b>R&amp;R Assistance</b></p>

Sl. No.	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
					<p>6. Shifting allowance of Rs. 10,000</p> <p>7. Rehabilitation grant equivalent to three hundred fifty days minimum non-agricultural wage rate Impact Category: Loss of structure more than 25% or even less but remaining structure becomes unviable Apart from entitlements as described above, such EPs will also be entitled for</p> <p>8. Training for skill upgradation for eligible <b>APs Vulnerable APs:</b></p> <p>Apart from above shall also be entitled for:</p> <p>9. Each DHs shall get a monthly subsistence allowance equivalent to twenty-five days minimum agricultural wages per month for a period of nine months from the date of displacement.</p> <p>10. Rehabilitation grant equivalent to three hundred fifty days minimum non-agricultural wage rate.</p> <p>11. Each displaced person who is a rural artisan, small trader or self-employed person and who has been displaced shall get one-time assistance of Rs. 25,000 for construction of working shed/shop</p> <p>12. A plot of 15 sq. m in urban areas and 35 sq. m in rural areas will be provided free of cost to vulnerable APs and landless provided government land should be available.</p> <p>13. Preferred employment with the contractor in the category of unskilled workmen subject to fulfilling the requisite criteria/ qualification.</p> <p>14. Absentee landlords will receive only the compensation at “replacement cost”.</p>
1D	Private property	Non-agricultural land and assets	Tenant: Residential	Compensation at replacement cost	<p>1. The amount of deposit or advance payment paid by the tenant to the landlord or the remaining amount at the time of expropriation. (This will be deducted from the payment to the landlord.)</p> <p>2. Notice period for 3 months and rental allowance of Rs. 1,500 per month for a period of 3 months.</p>
1E	Private property	Non-agricultural land and assets	Tenant: Commercial	Compensation at replacement cost	<p>1. The amount of deposit or advance payment paid by the tenant to the landlord or the remaining amount at the time of expropriation. (This will be deducted from the payment to the landlord.)</p> <p>2. Compensation for any structure the tenant has erected on the property. (This will be deducted from the payment to the landlord.)</p> <p>3. Notice period for 3 months and rental allowance of Rs. 1,500 per month for a period of 3 months</p> <p><b>Vulnerable APs</b></p> <p>4. Each AH shall get a monthly subsistence allowance equivalent to twenty-five days minimum non- agricultural wage rate per month for a period of one year from the date of displacement.</p>



Sl. No.	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
1F	Private property	Non-agricultural land and other assets	Recognizable title	Compensation at replacement cost	<p><b>Loss of land/structure:</b></p> <ol style="list-style-type: none"> <li>1. Compensation at replacement value for land/structure.</li> </ol> <p><b>R&amp;R</b></p> <ol style="list-style-type: none"> <li>2. Shifting allowance of Rs. 10,000.</li> <li>3. Right to salvage demolished material</li> </ol> <p><b>Vulnerable APs</b></p> <ol style="list-style-type: none"> <li>4. Each AH shall get a monthly subsistence allowance equivalent to twenty-five days minimum non- agricultural wage rate per month for a period of one year from the date of displacement.</li> <li>5. Rehabilitation grant equivalent to three hundred fifty days minimum agricultural wages</li> <li>6. Training for skill upgradation for eligible APs @Rs. 2500/ AH</li> <li>7. Employment in the project in the category of skilled/semiskilled/ unskilled workmen subject to fulfilling the requisite criteria/qualification</li> </ol>
2A	Loss of Livelihood	Wage earning	Individual	Income restoration	<p><b>Impact Category:</b> Loss of income due to acquisition of agriculture land where the person was working as agriculture labour or sharecropper, etc., or due to acquisition of commercial establishment where the person was engaged as working hand.</p> <ol style="list-style-type: none"> <li>1. Rehabilitation grant equivalent to three hundred fifty days minimum agricultural wages</li> <li>2. Training for skill upgradation for eligible APs @ Rs. 2500/ AH</li> <li>3. Each DHs shall get a monthly subsistence allowance equivalent to twenty five days minimum agricultural wages for a period of nine months from date of displacement</li> <li>4. Each displaced person who is a rural artisan, small trader or self-employed person shall get a one-time financial assistance of Rs. 15,000 for construction of working shed/shop</li> <li>5. Employment to displaced persons who lose their employment due to the project, subject to availability of vacancies and suitability of the displaced person for the employment (will apply only to the extent of one person per nuclear family of adult husband/wife and their minor children);</li> <li>6. Preference to willing landless labourers and unemployed displaced persons while engaging labour in the project during the construction phase.</li> <li>7. DHs who have not been provided agriculture land or employment shall be entitled to rehabilitation grant equivalent to three hundred fifty days minimum agricultural wages.</li> </ol>
2B		Non-perennial	Household	Compensation at	1. They will be given an advance notice of 4

Sl. No.	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
		crops		“replacement value”	months for harvesting the crop. 2. Grant towards crop lost before harvest due to forced relocation, equal to market value of crop lost plus cost of replacement of seeds for next season’s harvest.
2C		Perennial crops such as fruit trees	Household	Compensation at “replacement value”	1. Compensation for perennial crops and trees, calculated as annual produce value multiplied by the remaining life of the tree.
3A	Loss of Land and Structures by Non-titleholder	Encroachers	Household	Will receive no compensation for land but assistance for assets to the vulnerable	1. Encroachers will be notified in time in which to remove their assets (except trees) and harvest their crops. 2. Right to salvage materials from the demolished structure <b>For vulnerable APs</b> Apart from above, shall be entitled for 3. Compensation for structures at replacement cost
3B		Squatters	Household	Will receive no compensation for land but assistance for assets to the vulnerable	1. Compensation for loss of structure at replacement cost 2. Right to salvage materials from the demolished structure 3. Shifting assistance of Rs. 10,000 for each displaced household <b>For Vulnerable APs</b> Apart from above vulnerable APs will be entitled for: 4. Training for skill upgradation for eligible APs @Rs. 2500/household
3C		Perennial crops such as fruit trees	Household	Compensation	1. Compensation for perennial crops and trees calculated produce value multiplied by remaining life of the tree.
3D	Illegal use of RoW	Mobile and ambulatory vendors/ kiosks	Household		1. Shifting allowance of Rs. 10,000.
4A	Additional support to vulnerable groups	Housing	Household	Assistance	1. Each Vulnerable displaced household shall be given preference in allotment of land-for-land, provided government land should be available. 2. Each AH of Below Poverty Level (BPL) category shall get onetime financial assistance of Rs. 25,000 for construction of Assam Type house. <b>Specific Entitlements for Displaced IP/Tribal HHs:</b> 3. Each tribal DHs shall get an additional one-time financial assistance equivalent to 500 days minimum agricultural wages for loss of customary rights/usages of forest produce. 8. Tribal AFs will be resettled in the same Schedule Area in a compact block so that they can retain their ethnic, linguistic and cultural identity. Provided government land should be available. 9. Settlements predominantly inhabited by tribals shall get land free of cost for community and religious gatherings. 10. Tribal land alienated in violation of the

Sl. No.	Category	Type of Loss	Unit of Entitlement	Entitlement	Details
					laws and regulations in force on the subject would be treated as null and void. R&R benefits would be available only to the original tribal landowner.
5A	Community infrastructure, cohesion, and amenities	Common Property Resources	Community	Compensatory Replacement/ Relocation/ Enhancement	<p>1. Easily replaced resources, such as cultural properties will be conserved (by means of special protection, relocation, replacement, etc.) in consultation with the community.</p> <p>2. Loss of access to firewood, etc. will be compensated by involving the communities in a social forestry scheme, in coordination with the Department of Forests, wherever possible</p> <p>3. Adequate safety measures, particularly for pedestrians and children (for details refer to safety planning section in Project Design Document);</p> <p>4. Landscaping of community common areas; improved drainage; roadside rest areas, etc. are all provided in the design of the highways.</p> <p>5. Employment opportunities in the project during construction phase for able-bodied individuals, if possible.</p> <p>6. Loss of trees will be replaced by compensatory afforestation (for details refer to Environmental Management Plan, EMP).</p> <p>7. The common property resources and the community infrastructure shall be relocated in consultation with the community/gram panchayat.</p> <p>8. Included as part of the civil works contract and the environmental management plan.</p>
6A	Any Other Impact	Any other impact not yet identified, whether loss of asset or livelihood	Individual	Assistance	Unforeseen impacts will be documented and mitigated based on the principles agreed upon in this policy framework. For e.g., loss of access to agriculture field during construction stage.

## 5 PAYMENT OF COMPENSATION AND ASSISTANCE

17. The resettlement and rehabilitation framework of the project have been evolved from the ADB's SPS, 2009, relevant national, state and departmental policies. The implementation of the R & R Provisions of the project is governed by this framework developed.

18. The Survey team undertook the verification exercise for Kamrup, Nalbari and Barpeta districts. The Survey/Resettlement team of the PWD has verified 109 structures are affected. These include 38 are Squatters, 4 are vulnerable encroacher, whereas 56 are non-vulnerable encroacher. There are 4 HHs that are categorized as vulnerable encroachers in Barpeta. These are 4 HHs are vulnerable on account of being WHHs. Similarly, the total R&R budgets for the AS-37C sub-project, which included the cost of

compensation of structures, assistance and training support etc., are **Rs. 15,96,910.00** has been approved.

19. Similarly, the details of CPRs mentioned in approved RP report and actual impact on CPRs at the time of implementation stage is reduced. There are 11 CPRs (1 in Nalbari and 10 in Barpeta district) that are likely to be affected. The verification process is carried out and the valuation of affected CPRs has been calculated. The calculation includes the cost of CPRs are **Rs. 16,12,312.00**.

**Table-9: Payment of Compensation**

Compensation	Target		Progress of Disbursement in Reporting Period		Cumulative Progress		Balance	
	No DPs	Amount	No. DPs	Amount	No DPs	Amount	No DPs	Amount
Land	450	462837748	-	-	-	-	450	462837748
Structure	42	1596910	-	-	-	-	42	1596910
CPRs	11	1612312	-	-	-	-	11	1612312
<b>Total</b>	<b>503</b>	<b>465576970</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>503</b>	<b>466046970</b>

**Table-10: Payment of Assistance**

Assistance Type	Target		Progress of Disbursement in Reporting Period		Cumulative Progress		Balance	
	No DPs	Amount	No. DPs	Amount	No DPs	Amount	No. DPs	Amount
Shifting	38	380000	-	-	-	-	38	380000
Training	32	80000	-	-	-	-	32	80000
Vulnerable	4	10000	-	-	-	-	4	10000
<b>Total</b>		<b>470000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>470000</b>

## 6 CONSULTATION WITH THE STAKEHOLDERS

20. Public consultation/ meetings were organized with local communities including construction workers as well as women about the importance of the project for their betterment. In the meetings people were made aware about social issues, redressal of grievances, if any, advantages of the project and documented their suggestion regarding project.
21. The Public consultation were conducted to comprehend expectation from proposed project and also to understand the need and concerns of the local people including vulnerable and elderly population. The list of the participants were documented and photographed during consultation are attached as **Annexure-II**.
22. The list of consultations held with date, location and number of participants are presented in **Table-11**.

**Table-11: Details of Public Consultations**

Sl. No.	Village/ Location of Consultation	Date	Participation of community			Issues Discussed
			Male	Female	Total	
1	Khongra	03-07-2015	6	2	8	<ul style="list-style-type: none"> <li>• Proposal for Land acquisition,</li> <li>• Compensation for land and structures,</li> <li>• Alternative alignments</li> <li>• Assistance for Loss of livelihood</li> <li>• Resettlement options,</li> <li>• Awareness about HIV/ AIDS,</li> <li>• CPR requirement etc.</li> </ul>
2	Nagaon	18-11-2015	5	1	6	<ul style="list-style-type: none"> <li>• Compensation for Mosques,</li> <li>• Alternative alignments on Right Side from the Existing Center Line</li> <li>• Assistance for Loss of Commercial Structure</li> <li>• HIV/ AIDS awareness.</li> </ul>

## 7 INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF RESETTLEMENT PLAN (RP)

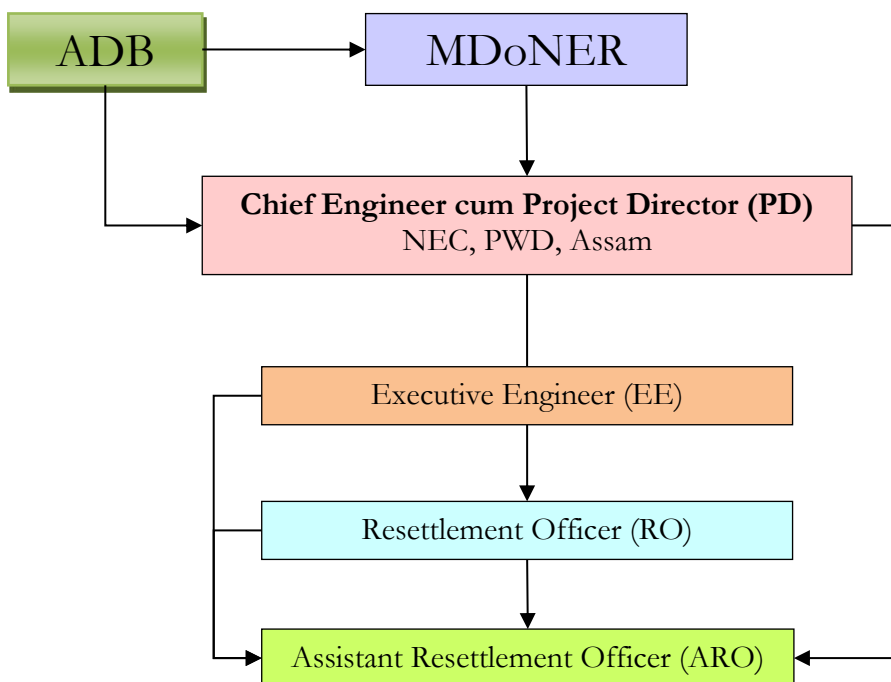
23. Public Works Department (PWD), Govt. of Assam is the implementing agency, whereas the Ministry of Development of North Eastern Region (MDoNER) is the executing agency of the Project. The PWD-PIU established has own the responsibility for proper implementation of Resettlement Plan. Implementation of Resettlement Plan of the project is being carried out by the Project Implementation Units (PIU), NEC Division, PWD, Assam. The PIU headed by Project Director (PD), has overall responsibility for policy guidance, coordination and planning, monitoring and overall reporting of the Project.

24. A Resettlement Officer (RO) of the rank of Assistant Engineer has been placed at to coordinate the process of RP implementation and to address the adverse impacts on the people along the project roads, if any, for the duration of resettlement activities. The CSC has a Land Acquisition and Resettlement specialist and a Socio Economic Monitoring Specialist have been mobilized and supporting the EA. The details of inputs provided the experts are given in table below.

S. No.	Name of the Expert	Designation	Period (Present on Site)
1	Arbind Kumar Soni	L. A. / R&R Specialist	10 Days
2	Dr. Rumjumroy Choudhary	Socio Economic Impact Monitoring Specialist	3 Days



25. The overall instructional arrangement for RP and IPP implementation is depicted below in the schematic format.



## 8 GRIEVANCE REDRESS

It would be pertinent here to refer the Asian Development Bank's policy, which requires proper mechanisms for resolution of disputes that may arise from any aspect of the compensation and development process. The mechanisms should be "affordable and accessible," and third parties independent of the implementers should be available at the appropriate point in the process. The grievance procedure need to be simple, administered in the first instance at the local level to facilitate access, flexibility and open to various proofs taking into account the need for speedy, just and fair resolution of their grievances.

A Grievance Redressal Committee (GRC) register have been placed at the Executive Engineer offices of the PWD for recording any complaint from the local public and other stakeholders. During this reporting period, asked the people during public consultation and no grievances were received from any of the community. When asked, most of the people told that they are not having any serious grievances against the project, while few grievances are settled by Consultant Team and Resettlement Officer in the beginning itself. But few grievances have been filed as the petition in the Guwahati High Court on 8 LA cases for compensation in accordance with the RFCTLARR Act-2013. Details of grievances, there reporting period and other details are provided in **Annexure-III** and the summary of the grievance is provided in **Table-12**.

**Table-12: Summary of Grievances**

Sl. No.	Date	Village	Name of Person lodging Grievance
1	27.02.2015	Kandhbari, Meruattary and Sapkata	Mr. Pradip Medhi & 22 Others
2	21.03.2015	Bhella	Mr. Manjil Husain (President) & Mr. Soni Aktar Ahmed (Secretary)
3	06.04.2015	Narayanpur and Mukalmua	Mr. Khairul Hoque Choudhary & 60 Others
4	27.05.2015	Rampur, 3 Larkuchi and Mulaghata	Mr. Manmohan Baishya & 83 Others

## 9 ISSUES AND ACTION PLAN

This process and its implementations are being attended by the Land Acquisition and Resettlement Specialists of both the PWD and the CSC. Solutions are kept in mind the technical feasibility as well as the need to minimize the resettlement impact.

Other issues that need to be urgently addressed at the earliest are as follows:

- The land acquisition process needs to be expedited by the state, machinery to enable faster assessment of impact and calculation of the compensation amount.
- The confirmation and publication of the final award list and subsequent payment of compensation to the affected families will expedite the process of handing over of land to the contractor.
- The frequent changes of the officers who are part of the resettlement team should be avoided.
- Speed up for distribution of ID Cards and disbursement of compensation and assistance.

## Annexure-I: Status of Land Acquisition Notifications

The land acquisition proposals upto Section 6(I) has been finalized for all three districts of Kamrup, Nalbari and Barpeta. The validity period of these notifications under section 6(I) is two years from the date of publication. The processes under Sections 9 to 11 are to be completed within the next two years (Refer clause no. 11 A of the LA Act 1894). Hence, if this process is not completed within these two years, the entire proceedings of the land acquisition will lapse. The validity period of these LA proposals of AS-37C is given in **Table-A1**.

The Section 9 of the LA Act, 1894 refers to the “Notice to Persons Interested”, Section 10 is the “Power to Require and Enforce the Making of Statements as to Names and Interests” while Section 11 refers to the “Enquiry and Award by Collector” or the Final award.

The Land Acquisition Notifications finalized till December 2015 are as follows:

**Table-A1: Status of Land Acquisition Notifications and Validity**

Sl. No.	Name of District	LA Case No	Section 4 (I) Notification Dates	Section 6(I) Notifications	Validity of Section 6(I) Notifications
1	Kamrup	4/- 2012	30/12/2013	22/12/2014	21/12/2016*
		5/- 2012			
		6/- 2012		23/12/2014	22/12/2016*
		7/- 2012			
		8/- 2012			
2	Nalbari	1/- 2011	28/05/2013	29/01/2015	28/01/2017
		2/- 2011	29/04/2013	26/12/2014	24/12/2016
		3/- 2011	28/05/2013	27/01/2015	26/01/2017
		4/- 2011	28/05/2013	21/01/2015	20/01/2017
		5/- 2011	28/05/2013	09/01/2015	07/01/2017
		6/- 2011	28/05/2013	28/01/2015	27/01/2017
		7/- 2011	28/05/2013	28/01/2015	27/01/2017
		8/- 2011	28/05/2013	22/01/2015	21/01/2017
		9/- 2011	28/05/2013	26/12/2014	24/12/2016
		10/- 2011	24/04/2013	21/06/2014	20/06/2016
		11/- 2011	28/05/2013	28/01/2015	27/01/2017
		12/-2011	28/05/2013	20/01/2015	19/01/2017
3	Barpeta	3/-2012	26/06/2013	29/05/2014	28/05/2016
		4/-2012	26/06/2013	29/05/2014	28/05/2016
		6/-2012	08/12/2013	29/05/2014	28/05/2016
		7/-2012	26/06/2013	29/05/2014	28/05/2016
		8/-2012	26/06/2013	29/05/2014	28/05/2016
		9/-2012	26/06/2013	29/05/2014	28/05/2016
		10/-2012	26/06/2013	29/05/2014	28/05/2016
		14/-2012	26/06/2013	29/05/2014	28/05/2016

\* Notification 6(i) has been de-notify by the revenue department in Kamrup District and required re-notification of Section 6(I).

The details of the validity period of the section 6(I) notifications in the three districts are given in the **Table-A1**. If the Final award is not declared within two years of the publication then the

entire process will lapse and will have to be redone as per Section 11A of the Land Acquisition Act, 1894 as follows:

*“11A. Period shall be which an award within made. The Collector shall make an award under section 11 within a period of two years from the date of the publication of the declaration and if no award is made within that period, the entire proceeding for the acquisition of the land shall lapse:*

*Provided that in a case where the said declaration has been published before the commencement of the Land Acquisition (Amendment) Act, 1984 (68 of 1984), the award shall be made within a period of two years from such commencement.*

*Explanation - In computing the period of two years referred to in this section, the period during which any action or proceeding to be taken in pursuance of the said declaration is stayed by an order of a Court shall be excluded.”*

## Annexure II: Attendance of Participants during Public Consultation and Photographs

Attendance Sheet

03-07-2015

S.No.	Name of the PAP	Village	Sex	Signature
1	Md. Rahim Ali	Khongra	M	Md. Ali
2	Md. Jahur Ali	"	M	Jahur
3	Tara Banu	"	F	Tarabonu
4	Md. Abdul Sobur	"	M	Abdusobur
5	Md. Safir Rahman	"	M	Safir
6	Rasamara Begum	"	F	Begum
7	Md. Abdul Rahman	"	M	Abdul Rahman
8	Md. Ali	"	M	Md. Ali



Attendance Sheet

18-11-2015

S.No.	Name of the PAP	Village	Sex	Signature
1	Md. Sahil Ali	Nagaon	M	Sahil Ali
2	Md. Akbar Ali	"	M	Akbar Ali
3	Ibrahim Ahamed	"	M	Ibrahim Ahamed
4	Amzad Ali	"	M	Amzad Ali
5	Md. Sheikh Ali	"	M	Sheikh Ali
6	Zarina Khatun	"	F	Zarina Khatun

### Photographs of Public Consultations



### Annexure-III: Grievance and Court Cases Address/ Received

Sl. No.	Date	Name of Person lodging Grievance/ Courte Case	Detail of Grievance/ Courte Cases	Action taken/ Disposal off the grievance/ court case with date
1	27.02.2015	Mr. Pradip Medhi & 22 Others on LA Case No 7/2011, 8/2011 & 12/2011	Eviction of the Patta Land without preliminary notification, hearing of objection and demand for payment of Compensation and R&R assistance as per the RFCTLARR Act-2013	Complain lodge on Court and Compensation for the affected land and all the assets attached to the land has been assessed as per RFCTLARR Act-2013 as per Circular No. RLA.300/2013/Pt-II/7 and RLA.300/2013/PI-II/152.
2	21.03.2015	Mr. Manjil Husain (President) & Mr. Soni Aktar Ahmed (Secretary)	Construction of Culvert Material are not proportionate and proper mixing of Cement and aggregates	Contractor has removed the materials of culvert on 18/04/2015 and reconstruction has been done as per approved drawing and the issue is resolved
3	06.04.2015	Mr. Khairul Hoque Choudhary & Others on LA Case No 9/2011 & 6/2011	Eviction of the Patta Land with commercial building, dwelling houses and shops without preliminary notification, hearing of objection and demand for payment of Compensation and R&R assistance as per the RFCTLARR Act-2013	Complain lodge on Court and Compensation for the affected land and all the assets attached to the land has been assessed as per RFCTLARR Act-2013 as per Circular No. RLA.300/2013/Pt-II/7 and RLA.300/2013/PI-II/152.
4	27.05.2015	Mr. Manmohan Baishya & 83 Others on LA Case No 3/2011, 4/2011 & 10/2011	Eviction of the Patta Land with commercial building, dwelling houses and shops without preliminary notification, hearing of objection and demand for payment of Compensation and R&R assistance as per the RFCTLARR Act-2013	Complain lodge on Court and Compensation for the affected land and all the assets attached to the land has been assessed as per RFCTLARR Act-2013 as per Circular No. RLA.300/2013/Pt-II/7 and RLA.300/2013/PI-II/152.



পঞ্জীভুক্ত নম্বৰ - ৭৬৮/৯৭

Registered No.-768/97



# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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

No. 295 Dispur, Tuesday, 23rd December, 2014, 2nd Pausa, 1936 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

REVENUE & D.M. (L.R.) DEPARTMENT : : LAND ACQUISITION BRANCH

## NOTIFICATION

The 22nd December, 2014

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

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

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

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

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

S. C. DAS,

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

**REVENUE & DISASTER MANAGEMENT (L.R.) DEPARTMENT  
ASSAM SECRETARIAT (CIVIL)  
DISPUR, GUWAHATI-6**

**NOTIFICATION**

No.RLA.300/2013/Pt-II/152 dated 15<sup>th</sup> October, 2015 - Whereas the provisions relating to rehabilitation and resettlement under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) (hereinafter referred to as "the said Act") shall apply in cases where, a private company purchases land, equal to or more than such limits in rural areas or urban areas, as may be prescribed by the appropriate Government, through private negotiation with the owner of the land in accordance with the provisions of section 46 of the said Act as provided under clause (a) of sub-section (3) of section 2 of the said Act;

And whereas the appropriate Government has to fix the 'limit or ceiling' for purchase of land through private negotiation by any person other than the specified persons, exceeding which the payment of Rehabilitation and Resettlement cost under the said Act will be required as provided under section 46 of the said Act;

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

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (3) of section 2 read with section 46 of the said Act, and of all other powers enabling in its behalf, the Government of Assam hereby fixes 100 Bigha (13.5 hectares) of land in urban area and 600 Bigha (80 hectares) of land in rural area as the limits or ceiling, beyond which provisions of rehabilitation and resettlement shall apply in all purchases of land through private negotiation under the said Act.

Sd/- S.C. Das, IAS

Addl. Chief Secretary to the Government of Assam  
Revenue & Disaster Management Department

(cont...p/2)



-2-

Memo No. RLA.300/2013 Pt-II/152-A

dated the 15<sup>th</sup> October, 2015

Copy for information to :

- 1 The Commissioner, Lower Assam Division, Guwhati/ North Assam Division, Tezpur/ Upper Assam Division, Jorhat/ Hills & Barak Valley Division, Guwahati-6.
- 2 The Principal Secretary, Bodoland Territorial Council, Kokrajhar/ Karbi Anglong Autonomous Council, Diphu/ N.C. Hills Autonomous Council, Hailong.
- 3 The Deputy Commissioner, .....
- 4 The Sub-Divisional Officer (Civil), .....
- 5 The Director of Land Requisition, Acquisition & Reforms, Assam, Rupnagar, Guwahati-32
- 6 The Director, Printing & Stationery, Assam, Bamunimaidam, Guwahati-21. He is requested to publish copy of the Notification No.RLA300/2013/Pt-II/152 dated 15/10/2015 in the Extra Ordinary Gazette and send 50 copies of the same to the Revenue & D.M. Department.
- 7 The Staff Officer to the Chief Secretary, Assam, Dispur, Guwahati-6
- 8 P.S. to the Hon'ble Chief Minister, Assam, Dispur, Guwahati-6
- 9 P.S. to the Hon'ble Minister, Revenue & D.M. etc., Dispur, Guwahati-6.
- 10 P.S. to the Addl. Chief Secretary to the Govt. of Assam, Revenue & D.M. Department, Dispur, Guwahati-6.

By orders etc.,

Deputy Secretary to the Government of Assam  
Revenue & D.M. (L.R.) Department