

Resettlement Plan Implementation Monitoring Report

For the period covered July to December 2015
Project Number: 38412-023
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India: Assam Integrated Flood and Riverbank Erosion Risk Management Investment Program – Project 1

Prepared by the Flood and River Erosion Management Agency of Assam (FREMAA) for the State Government of Assam for the Asian Development Bank.

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Assam Integrated Flood and Riverbank Erosion Risk Management Investment Program (Loan No. 2684-IND)

Resettlement Plan Implementation Progress Report July 2015 to December 2015

Submitted to:
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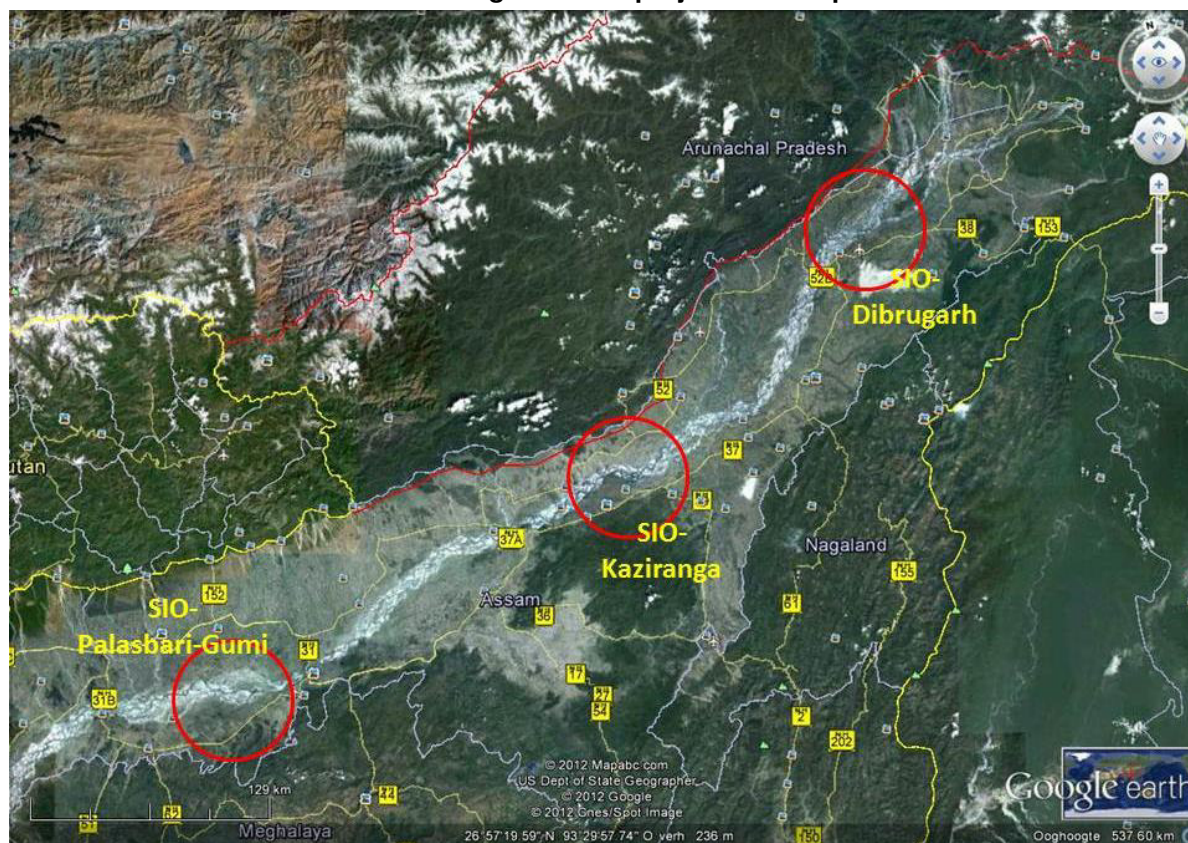
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1.0 Introduction

The Government of Assam (GOA) has committed to implement the program to manage flood and protect erosion from Brahmaputra River. The Program, Assam Integrated Flood and Riverbank Erosion Risk Management Investment Program (AIFRERMIP), has implemented with financial assistance from the Asian Development Bank (ADB) by using MFF lending modality. The MFF was approved in 25th October 2010 amounted US \$ 120 million for overall implementation 6 (six) years into 2 tranches. The first tranche amounted US \$ 56.9 million was approved at the same time with approval for the MFF. This was subsequently revised to US \$ 47.9 Million. The ADB Loan Number 2684-IND's for first tranche the effectiveness date was August 4, 2011. The loan closing date was set at September 30 2014, which is extended until July 2016.

The AIFRERMIP was created in order to enhance the reliability and the effectiveness of flood and riverbank erosion risk management (FRERM), in the Assam region along the Brahmaputra River. The direct and indirect benefits of this ample Program will affect the population living in the flood prone areas of the Brahmaputra River Basin in Assam. This phase was to involve field interventions in three pilot subproject areas—Palasbari, Dibrugarh and Kaziranga. A map of the subproject areas is shown in Figure 1.

Figure 1: Subproject area map



Source: Google Earth

The Project Works consist of:

- i) Structural measures (bank protection revetments, rehabilitated dikes, porcupine screens and sluices); and

- ii) Related non-structural measures (community awareness, enhanced preparedness levels, relocations and land acquisition), along with the appropriate implementation of planning, institutional and managerial practices by governmental and non-governmental agencies, with responsibilities in emergent situations of flooding and natural reconstruction of riverbanks.

The Project-1 under Tranche-I comprises Civil Works for the priority riverbank protection and flood embankment renovation works, at the three selected subproject sites of Palasbari-Gumi, Dibrugarh and Kaziranga, along with procurement of equipment, consulting services and operational costs. The Kaziranga subproject has been moved to Project II (Tranche 2) due to delay in environmental clearance from GoI. Table 1 includes details of each of the sub-projects.

Table 1: Description of Sub-Projects under Tranche 1

Sub-Project	Details
Palasbari	<ul style="list-style-type: none"> • Embankment works (retirement) of 5.02 kms; • Riverbank protection works of 4.9 kms;
Dibrugarh	<ul style="list-style-type: none"> • Strengthening and widening of the existing embankment of 8.53 kms; • Riverbank protection works at Mothola Reach-Revetment of 2.4 kms; • Construction of porcupine screens;

The embankment work in both Palasbari and Dibrugarh are the portion of the Civil Works which require land acquisition (LA) and have an impact on the resettlement and rehabilitation (R&R) issues along the subprojects. The remaining Civil Works listed in Table 1, are restricted to the riverbank and will not have an impact on the LA or R&R for the project.

Previous Resettlement Plans were prepared for both Palasbari and Dibrugarh in 2009 during PPTA stage. The update of the Resettlement Plans in accordance with the most up-to-date information on the ground and in coordination with the Civil Works plans was finalized and approved by ADB in May 2014 for Palasbari and July 2014 for Dibrugarh.

2.0 Internal Monitoring Overview

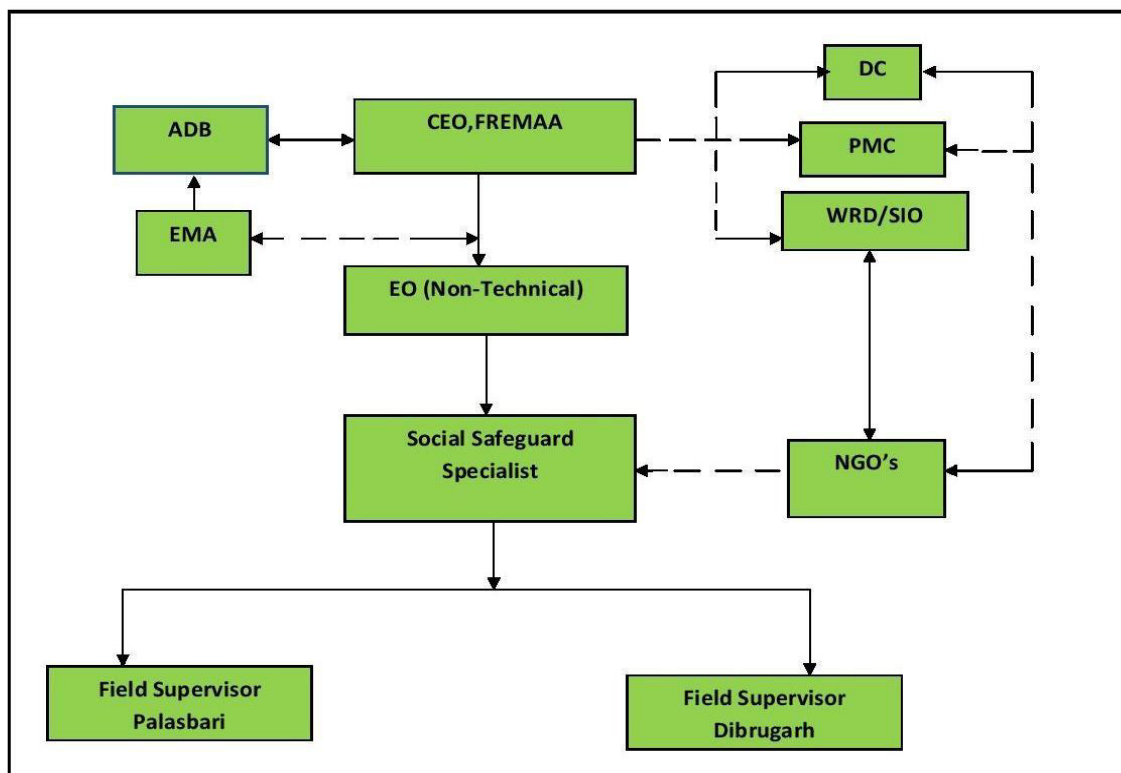
2.1 Institutional Arrangements

The project is being implemented by the Government of Assam (GoA) through the Water Resources Department (WRD) and the Executing Agency, Flood and River Erosion Management Agency of Assam (FREMAA) which was established as a multi-disciplinary Project Management Unit (PMU) by the State Government. FREMAA is headed by a Chief Executive Officer (CEO), a senior official from the Government of Assam and there is a Technical and Non-Technical wing within FREMAA.

The Non-technical wing, led by an Executive Officer, Non-Technical (EO) who oversees the Land Acquisition (LA) and Resettlement and Rehabilitation (R&R) activities as well as other non-technical components of the project. The Executive Officer (NT) is supported by one Deputy Executive Officer (NT), one Social Safeguard Specialist and one Field Supervisor to facilitate and monitor the LA and R&R activities.

The Project Management Consultant (PMC) was selected to assist FREMAA (the PMU) and their partner organizations, including the Water Resources Department (WRD), or Sub-project Implementation Offices (SIOs)) and other line departments, to implement the AIFRERMIP. The International Resettlement Specialist, National Resettlement Specialist and Social Development Specialist of the PMC are entrusted with the responsibilities of supporting effectively and work with FREMAA, SIOs and district administration officials comply land acquisition requirements and mitigation of resettlement impacts, work with affected communities and other stakeholders in implementing the Resettlement Plans (RPs) for both areas (Palasbari and Dibrugarh).

Figure 2: Institutional Arrangements for LA and R&R Implementation



2.2 NGO Activities

Two NGOs, Human Resource Development Foundation of South Kamrup (HRDFSK) for Palasbari and Socio Economic Welfare Association (SEWA) for Dibrugarh, were contracted by FREMAA to facilitate LA and R&R implementation. Both NGOs comprised of qualified social workers to carry out the R&R field activities. The NGOs are monitored by the Non-technical wing of FREMAA by way of review of reports, field observations, inputs from PMC resettlement consultant and consultations with the community, APs, SIOs and District Administration officials. The NGO activities are also facilitated and monitored by the Deputy Commissioners (DCs) in each area (Palasbari and Dibrugarh). Both these NGOs have been withdrawn from 2nd March 2014, hence, no NGO activities took place during the reporting period.

2.3 Overview of General Indicators of Resettlement Performance

The following table includes an overview of the General Indicators of Resettlement Performance and the way they will be verified for the AIFRERMIP:

Table 2: General Resettlement Indicators

Sequence	Activity	Indicator	Means of Verification
Inputs	Establishment of PMU	Qualified safeguard staff in place	
	Engagement of PMC	Qualified resettlement consultant in place	
		Finance available for project	
Process	Information to APs	Information disseminated	Documentation and community interaction
	Consultation and participation of APs	Meaningful consultation	
	Grievance Redress System	Grievance Redress Cell in place	
Outputs	Compensation	Compensation paid for acquired assets	Documentation of details of compensation
	Acquisition	Assets acquired	Documentation of details of acquired assets
	Compensation	Community assets replaced and relocation site prepared	Documentation, photographs and field visits
	Relocation of APs	Relocation completed and all compensations paid	Documentation, photographs and field visits

3.0 Final update and Approval of Resettlement Plans

Previous Resettlement Plans of AIFRERMIP were prepared for both Palasbari and Dibrugarh in 2009 under the Project Preparation Technical Assistance (PPTA) by the Asian Development Bank (ADB)¹. The focus of the LA and R&R work for the AIFRERMIP is to update the Resettlement Plans in accordance with the most up-to-date information on the ground and in coordination with the Civil Works plans. This Resettlement Plan (RP) has been prepared by FREMAA of the Government of Assam (GOA) with assistance provided by a local NGO, Human Resource Development Foundation of South Kamrup (HRDFSK). It addresses the land acquisition and resettlement aspects of the Palasbari Subproject – one of the three subprojects – designed under “sector” model with multi-tranche financing. This RP is based on the 100% Census of all affected households (AHH’s), as well as a Detailed Measurement Survey of the impacts, based on the alignment finalized by the Water Resource Department (WRD).

The resettlement plans of both Palasbari and Dibrugarh subprojects were finalized, submitted to ADB and approved by ADB during in May 2014 and July 2014 respectively. The delay in finalization of the RPs were due to approval of the land acquisition cost by GoA for finalization of RP budget since the procedure for finalization of cost and approval procedure is time consuming.

4.0 Update on Resettlement Plan Implementation Activities

This subsection provides an update of the activities related to the implementation of the Resettlement Plans (RPs) in the two subproject areas – Palasbari and Dibrugarh. The processes involved in the implementation of the RPs are found to be quite critical as it denotes the various processes and responsible parties involved. For both the land acquisition and resettlement processes, there are specific government procedures that must be followed – especially in relation to the valuations of the land, structures and trees as well as payment of compensations accordingly.

The final designs for the Palasbari Project works were finalized by the Water Resources Department (WRD) in March, 2012. The Resettlement Corridor of Impact (RCOI) – which indicates the area of construction needed to expand the dyke, as well as lay down areas for materials and space for construction equipment – was determined to be 75 meters from the edge of the Brahmaputra river – along the entire 5.02 km stretch of the Project area. The valuation for the structures, trees, crops, and the land have been finalized and approved through the established procedure the DC and submitted to the Government of Assam (GoA) in February, 2014. Approval of the GoA received during March 2014 for Kamrup (Metro) and April 2014 for Kamrup (Rural) Districts.

¹ADB PPTA – 4896-IND.

The final designs for the Dibrugarh Project works were finalized by the Water Resources Department (WRD) in January, 2012. The Resettlement Corridor of Impact (RCOI) – which indicates the area of construction needed to expand the dyke, as well as lay down areas for materials and space for construction equipment – was determined to be 14 meters on each side of the dyke – measuring from the center of the dyke – along the entire 8.53 km stretch of the Project area. The toe wall and drain were included to account for any seepage that may pass through the dyke, as well as minimizing impacts along the country side. The majority of the design for Dibrugarh is primarily within the existing line of the current dyke. The valuation for the structures, trees, crops, and the land have been finalized and approved through the DC office and approval of the Government of Assam received in April, 2014.

4.1 Impacts and Resettlement Plan implementation under Palasbari subproject

The project will impact 446 HHs affecting 1373 persons. The village/ward wise breakup is given in Table 3 below:

Table 3: Distribution of Affected HHs and Persons in Palasbari

No.	District	Village/ Town/ Ward	Affected Households	Affected Persons
1.	Kamrup	Kochpara	36	94
2.	Kamrup	Hudumpur Village	36	57
3.	Kamrup	Hudumpur Town	68	180
4.	Kamrup	Palasbari Ward 6	31	105
5.	Kamrup	Palasbari Ward 5	56	187
6.	Kamrup	Palasbari Ward 1	97	353
7.	Kamrup	Palasbari Ward 2	15	73
8.	Kamrup	Sadilapur	63	218
9.	Kamrup Metro	Majirgaon	44	106
Total:			446	1373

There were a total of 774 structures, 38 income restoration cases, and 37,312 trees identified as impacted in Palasbari – a total of 38,124 impacts (see Table 4).

Table 4: Listing of Assets and Income Loss Impacts by Area - Palasbari

No.	Village/ Town/ Ward	Residence	Commercial Enterprises	Residential/ cum Commercial	CPRs*	Other Assets	Income Restoration	Trees	Total (Structures only – less trees, tenants and income restoration)	Total (All)
1.	Kochpara	27	0	0	1	34	1	5765	62	5828
2.	Hudumpur Village	0	0	0	0	0	5	3453	0	3458
3.	Hudumpur Town	36	1	1	5	43	2	5244	86	5332
4.	Palasbari Ward 6	32	1	2	4	25	2	3078	64	3144
5.	Palasbari Ward 5	42	2	0	5	54	3	3130	103	3236
6.	Palasbari Ward 1	95	6	1	5	102	6	5562	209	5777
7.	Palasbari Ward 2	24	3	0	1	40	2	1162	68	1232
8.	Sadilapur	44	2	0	5	74	4	8396	125	8525
9.	Majirgaon*	31	0	0	4	22	13	1522	57	1592
Total:		331	15	4	30	394	38	37312	774	38124

*Note: CPRs = Common Property Resources (e.g. – community hand pumps or latrines, schools, temples, and others);

4.1.1 Payment of Compensation against Land, Structures and Trees/Horticulture

Total land required to be acquired for Palasbari subproject is 272.52 bigha the detailed break up is as at Table 5 below:

Table 5: Break up of Land Required for Palasbari Subproject

Subproject	District	Land Required in Bigha		
		Private Land	Govt. Land	Total
Palasbari	Kamrup	176.77	70.00	246.77
	Kamrup Metro	19.23	6.52	25.75
Total		196.00	76.52	272.52

GoA completed release of fund for payment of compensation against land, structures, trees etc. through FREMAA for both private and government land for Palasbari subproject by May 2014. Status of payment of compensations over private land till end of December 2015 is at Table 6 below:

Table 6: Status of Payment of Compensation against Land, Structures and Zirat over Private Land

Sl No	District	Village/Ward	Total Awardees	Payment Status against Land		Payment Status against Structures etc.		Remarks
				Paid	Unpaid	Paid	Unpaid	
1	Kamrup	Kochpara	19	8	4	7	0	Not applied 3 (Part of dag) , Dispute RA Case - 1 On process.
2	Kamrup	Hudumpur Village	36	15	4	17	0	Not applied 2 , Dispute RA Case - 1 On process- 1
3	Kamrup	Hudumpur Town	60	21	5	33	1	Land- Not applied 3, On process - 2 Zirat- Not applied 1
4	Kamrup	Parly Town	5	4	1	0	0	Not applied 1
5	Kamrup	2 No. Palasbari	169	49	8	108	4	Land- Not applied 4, T.S Case - 1, Dispute - 1, Proper document not available 2, Zirat- Not applied 2, Dispute - 1, T.S Case- 1
6	Kamrup	Sadilapur Town	13	3	0	10	0	Completed
7	Kamrup	Sadilapur Village	44	14	0	30	0	Completed
8	Kamrup (Metro)	Majirgaon	45	16	2	24	3	Land- Document not submitted 1, 1 in the DC office and in progress, Zirat- 1 in the DC office, Family Dispute 2
Total			391	130	24	229	8	

Status of payment against structures and zirat over government land till end December 2015 is at Table 7 below:

Table 7: Status of Payment against Structures and Zirat over Government Land

Sl	District	Village/Ward	Total Awardee	Payment Status		Remarks
				Paid	Unpaid	
1	Kamrup	Kochpara	20	20	0	
2	Kamrup	Hudumpur Village	5	5	0	
3	Kamrup	Hudumpur Town	3	3	0	
4	Kamrup	Parly Town	0	0	0	
5	Kamrup	2 No. Palasbari	43	43	0	
6	Kamrup	Sadilapur Town	3	3	0	
7	Kamrup	Sadilapur Village	39	37	2	Did not apply amount being small- 2
8	Kamrup (Metro)	Majirgaon	13	12	1	Under process - 1
Total			126	123	3	

4.1.2 Payment of Resettlement Assistances

Resettlement and rehabilitation assistances have been paid to all 224 eligible affected persons as per agreed entitlement matrix during this period. Income restoration assistances were also paid to all 39 eligible affected persons during this period.

4.1.3 Rehabilitation of Landless/Vulnerable Affected Households

It was determined that there will be 109 AHHs that are landless and will be homeless due to the Project – 96 AHHs from Kamrup district and 13 AHHs from Kamrup (Metro) district. The majority of these landless AHHs are also vulnerable – nearly 70% are Below Poverty Level (BPL), approximately 30% are elderly, and nearly 40% are female-headed households (note: several families have multiple vulnerabilities – e.g. -there are several cases of BPL families that are headed by an elderly female).

The GoA agreed to provide land to all these 109 AHHs free of cost and 3 (three) plots of land have been identified for rehabilitation of these AHHs. The land identified for rehabilitation of these landless/vulnerable AHHs is at Kochpara measuring 2 bigha 2 katha 11 lesa for 10 AHHs of Kochpara, Boratoli measuring 18 bigha 3 katha 4 lesa for 86 AHHs of Palasbari and Agchia measuring 1 bigha 0 katha 4 lesa for 13 AHHs of Majirgaon. GoA has allotted the lands to 96 families of Kamrup district at Kochpara and Boratoli on 10/03/2015 vide No. PC21/2015/412. Allotment of land for rehabilitation site at Agchia was done vide No.RSS.948/2015/21 dated 20/10/2015.

The land allotted to the 96 AHHs of at Kochpara, Boratoli and Agchia required land development and FREMAA has developed the land at Kochpara in April-May 2015 and 10 AHHs have been facilitated to shift to the rehabilitation site during this period. The land development of Boratoli rehabilitation site started in December 2015 and still ongoing and estimate has been prepared for land development of Agchia rehabilitation site

4.1.4 Requirement of Additional Land

It was identified during execution of work that additional private land measuring 16 bigha 11 katha belonging to 36 families would be required for construction of the embankment which was not included in the land acquisition process. GoA has decided to go for direct purchase of this additional land as per provision of land law since procedure for land acquisition is time consuming. The process of direct purchase started on 10/03/2015 and payment for 1st phase direct purchase was released on 12/06/2015 and 2nd Phase purchase was done in October 2015.

4.1.5 CPRs

Common Property Resources (CPRs). There are 30 affected CPRs in this sub project, as shown in Table 4 above, out of which 11 are major CPRs. The management committee for 7 of the 11 major CPRs took the responsibility of arranging land for their relocation site. The remaining 4 affected CPRs - Palasbari Girls High School, Palasbari Town *Balika Bidyalaya* Girls Primary School, Brahmaputra *Santi Dham* Crematorium and *Sankar Pita Namghar* Temple - require land for relocation. The respective Management Committees of these 4 CPRs have submitted applications to the Circle Officer in Palasbari for allotment of land. The Circle Officer in turn submitted a proposal to the Deputy Commissioner of Kamrup.

The following describes the current status of each of these outstanding CPRs:

- Of the 3 schools impacted in the Project area, 1 was only minimally impacted, and the other 2 – the Palasbari Girls High School, and the Palasbari Town Balika Prathomik Bidyalay (PTBPB) Girls Primary School – will be fully impacted. The following describes the current situation for each of these schools.

- **Palasbari Girls High School.** A proposal for allotment of land for the Palasbari Girls High School was submitted to the DC's office by the Circle Officer on 21 March 2013. Land measuring 4 bigha 2 katha 7 lesa was allotted on 16/11/2015 vide No.RSS.782/2014/37 adjacent to present Palasbari Boys High School is located. The Management Committee of the school has received the compensation against the loss structure, which is sufficient for a new school building.

DC has already constituted a Construction Supervision Committee under the Chairmanship of ADC (Education) and Head Teacher of the school as Member Secretary. The other members of the committee are the School Inspector, Executive Engineer of PWD, Executive Member of SIO and one representative of FREMAA. The school is proposed to be constructed using a standardized design already in place for schools. It has been decided to have the Girls' High School built by next year (April, 2016) and school should remain in place and functioning until they are able to shift the students to the new school versus trying to find interim space for the classrooms while the new one is under construction.

- **Palasbari Town Balika Prathomik Bidyalay (PTBPB) Girls Primary School.** A proposal for allotment of land for the Palasbari Town Balika Bidyalaya Girls Primary School was submitted to the DC's office by the Circle Officer on 21 March 2013. The DC originally approved the relocation of this school to the same plot that has been allocated for the Girls High School, as described above (on the site of the present Palasbari Boys High School).

However, the PTBPB Management Committee did not agree to relocate to this site as the area of the land is too small to house both of the schools and too distant a location for small children to walk to. Another plot was identified but could not be allotted as there is legal dispute over the land. Allotment and handing over of the land to the school committee is still pending. The Management Committee of the School and

Palasbari Municipal Board has taken the responsibility to arrange land for the school by themselves.

- **Crematorium.** Land for the crematorium has already allotted to the Management Committee.
- **Sankar Pita Namghar Temple.** The temple has received the compensation amount against the loss structure and land has been allotted by the DC near the old site. Construction of the new RCC temple is ongoing.
- **4 Community Latrines, 15 Community Hand Pumps.** The compensations for these structures has been given to the Town Committees. It is important to note that the compensation amounts provided to the community account for sifting and fully rebuilding these structures. In regards to these CPRs it is important that the project provides for continuity of service – therefore, these new structures should be constructed before the existing ones are removed; technical standards should be observed – providing an equivalent, or better, facility to the existing one; and the risk must be mitigated so that the community does not take the money and use it for other purposes. This should be planned accordingly and monitored closely.

4.2 Impacts and Resettlement Plan implementation Activities in Dibrugarh

There were a total of 462 affected households and 2179 affected persons identified in the 6 villages/wards as shown in Table 8.

Table 8: Distribution of Affected HHs and Persons in Dibrugarh

No.	District	Village/ Town/ Ward	Affected Households	Affected Persons
1.	Dibrugarh	Japaragoan	12	80
2.	Dibrugarh	Maijan Barsaikia	39	181
3.	Dibrugarh	Ward No. 16	182	808
4.	Dibrugarh	Ward No. 22	83	460
5.	Dibrugarh	Ward No. 7	43	113
6.	Dibrugarh	Ward No. 9	103	537
Total:			462	2179

There were a total of 501 structures, 66 income restoration cases, and 1292 trees identified as impacted in Dibrugarh – a total of 1859 impacts (see Table 9).

In regards to the impacted assets listed in Table 9:

- Of the 314 listed residences, 308 will be fully impacted and the remaining 6 will remain liveable;

- All of the 72 commercial enterprises will be fully impacted. These consist of 1 Dhaba, 54 shops, 5 hotels, 2 workshops, 3 office complexes, 2 factories, and 5 categorized as other;
- Of the 37 residential cum commercial structures, 36 will be fully impacted and 1 will remain useable;
- The Common Property Resources (CPRs) included: 9 temples and 1 pre-school² (the full list, as well as photos of each CPR, is included in Appendix C);
- The “Other Assets” include privately owned cow sheds, 36 hand pumps, 10 toilets, 4 Gudams (small warehouses), 4 private temples, and various other similar items (i.e. – assets other than residences which are privately owned);
- There are 152 HHs losing trees. Of the 1292 trees included in the table - 127 are timber/furniture trees and 1165 are fruit trees;

Table 9: Listing of Assets and Income Loss Impacts by Area - Dibrugarh

No.	Village/ Town/ Ward	Residence	Commercial Enterprises	Residential/ cum Commercial	CPRs*	Other Assets	Income Restoration	Trees	Total (Structures only - less trees and income restoration)	Total (All)
1.	Japaragoan	8	2	0	0	1	1	102	11	114
2.	Maijan Barsaikia	23	5	0	3	12	5	316	43	364
3.	Ward No. 16	138	36	19	5	14	35	179	212	426
4.	Ward No. 22	67	9	8	1	22	9	156	107	272
5.	Ward No. 7	13	5	2	1	5	4	167	26	197
6.	Ward No. 9	65	15	8	0	14	12	372	102	486
Total:		314	72	37	10	68	66	1292	501	1859

4.2.1 Payment of Compensation against Land, Structures and Trees/Horticulture

Total land required to be acquired for Dibrugarh subproject is 70.72 bigha the detailed break up is as at Table 10 below:

Table 10: Break up of Land Required for Dibrugarh Subproject

Subproject	District	Land Required in Bigha		
		Private Land	Govt. Land	Total
Dibrugarh	Dibrugarh	16.89	53.83	70.72

² Further discussion on the CPRs is discussed in section 4.2.1 below;

Total		16.89	53.83	70.72
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GoA completed release of fund for payment of compensation against land, structures, trees etc. through FREMAA for both private and government land for Dibrugarh subproject by June 2014. Payment of compensation details are in Table 11, Table 12 and Table 13 below:

Table 11 : Status of Payment of Compensation against Land, Structures and Zirat over Private Land to Title Holders

SI	Ward/Village	Case No	Total	Paid	Unpaid	Remarks
1	Barsaikia	DRA-50	12	6	6	Unclaimed-3, In process-2, Case filed-1
2	Extended Cantonment	DRA-18	4	1	3	Document not submitted-3
3	Cantonment	DRA-30	1	1	0	
4	Tinkunia	DRA-17	6	3	3	Unclaimed-2, Hearing inprocess-1
5	Marwarypatty	DRA-16	9	3	6	Unclaimed-4, Hearing inprocess-1, Report from CO-1
6	Amolapatty Gaon	DRA-20	18	8	10	Unclaimed-6, Case Filed-2, Dispute-1, In process-1
7	Purana Amolapatty	DRA-15	5	2	3	Unclaimed-3
8	Jopora Gaon	DRA-19	2	1	1	Hearing inprocess-1
	Total		57	25	32	

Table 12: Payment of Compensation against Structures and Zirat over Government Land

SI	Ward/Village	Total PAPs	Paid	Unpaid	Remarks
1	Amolapatty Gaon Ward	13	12	1	Unclaimed-1
2	Barsaikia Gaon	27	24	3	Unclaimed-3
3	Cantonment Ward	90	85	5	Unclaimed-5
4	Extended Cantonment Ward	3	2	1	Unclaimed-1
5	Jhapora Gaon Ward	8	8	0	
6	Khalihamari Ward	21	19	2	Unclaimed-2
7	Marwarypatty Ward	32	27	5	Complain-4, Inprocess-1
8	Purana Amolapatty Ward	94	87	6	Complain-1, Unclaimed-5

9	Rehabari Ward	52	49	3	Unclaimed-3
10	Tinkunia Ward	26	25	1	Unclaimed-1
Total		366	338	27	

Table 13: Payment of Compensation against Structures and Zirat over Private Land to Non Titleholders

Sl	Ward/Village	Total	Paid	Unpaid	Remarks
1	Barsaikia	22	20	2	Unclaimed-1, Document not submitted-1
2	Extended Cantonment	1	1	0	
3	Cantonment	0	0	0	
4	Tinkunia	10	10	0	
5	Marwarypatty	18	16	2	Unclaimed-1, Document not submitted-1
6	Amolapatty Gaon	14	14	0	
7	Purana Amolapatty	10	10	0	
8	Jopora Gaon	5	4	1	Unclaimed-1
	Total	80	75	5	

4.2.2 Payment of Resettlement Assistancess

Resettlement and rehabilitation assistances were paid to all 349 out of total 414 eligible affected persons as per agreed entitlement matrix during this period. Income restoration assistances were also paid to all 77 out of 78 eligible affected persons during this period.

4.2.3 CPRs

Common Property Resources (CPRs). There are 10 affected CPRs in this sub project, as shown in Table 9 above, 1 is a pre-school and 9 are temples. The pre-school will be given alternative land to build on from the government; however the remaining 9 CPRs – all temples built on the existing dyke, primarily on the riverside of the dyke – have not been provided any alternate land – these 9 CPRs will only receive compensation for the structures. There was discussion that several of the temples could be avoided through design changes and/or there may still be an opportunity to redesign around them – however due to their location on the riverside of the existing dyke and/or directly on top of the dyke, a redesign was not possible.

4.3 Activities/ Next Steps – Palasbari and Dibrugarh

Table 14 lists the activities/ next steps that will require follow-up in both of the subprojects, Palasbari and Dibrugarh, in the upcoming months, as well as a listing of the agency/agencies responsible for each action. Following the table, several of the items are described in more detail.

Table 14: Next Steps – Palasbari and Dibrugarh

Outstanding Issues	Responsible Agency	Time Line	Status
<u>PALASBARI only</u> : Arrangement of land for Palasbari LP School	MC of the school and Palasbari Municipal Board	April 2016	
<u>PALASBARI only</u> : Coordination with Construction Committee for new buildings for Palasbari Girls High & LP Schools	FREMAA, Deputy Commissioner, Kamrup	April 2016	
<u>PALASBARI only</u> : Initiate relocation of Girls HS and LP School (to be left in place until end of relocation work – to allow school to continue in place until new school construction is completed – planned July 2016)	MC of CPR, NGO, FREMAA, PMC & DC, Kamrup	July 2016	
Complete the direct purchase of additional land	Deputy Commissioners, Kamrup	April 2016	
<u>PALASBARI only</u> : Complete relocation of 86 landless AHHs to Boratoli and 13 AHHs to Achia rehabilitation site	FREMAA, DC, PMC	March 2016	
<u>PALASBARI only</u> : Provide basic amenities in all three rehabilitation site	FREMAA, DC	April 2016	
Engagement of External Agency for M&E of RP implementation of both Palasbari and Dibrugarh subprojects	FREMAA	April 2016	
Resolve the cases pending in the GRC of both Palasbari and Dibrugarh subprojects	FREMAA, DCs, WRD,	April 2016	

4.3.1 Engagement of External Monitoring Agency (EMA) to monitor RP implementation

It is important that an External Monitoring Agency (EMA) is selected to assess the status and outcomes of the Project in order to ensure that the objectives of the ADB Social Safeguards policy are met. The EMA will report directly to the EA. At present the process of appointment of an EMA is under process. Figure 2 illustrates the institutional arrangements established in order to implement and monitor the LA and R&R activities for the AIFRERMIP.

In January, 2015, FREMAA re-submitted a draft Terms of Reference (TOR) to ADB for review and approval. Upon approval from ADB, FREMAA will advertise and contract an EMA who will be responsible for oversight of the RP implementation.

This body will monitor and report on several aspects of the project implementation including, but not limited to, the following:

- Verify results of internal monitoring conducted by FREMAA and others;
- To ensure the amount of actual disbursement against the value finalized in RP (as per entitlement matrix)
 - a) Land compensation
 - b) Structure compensation
 - c) Restoration of common properties resources.

- d) Any other loss
- To identify the level of economic activities / business re-established by the affected families;
- To examine the level of return regained by affected families;
- To find out the level of employment/ job opportunities availed by the members of affected families;
- To assess the extent of vocational training provided to the affected families proved successful;
- To assess the level of satisfaction acquired by the affected families by redresses of their grievances;
- Assess whether during execution of work infrastructure affected are being rehabilitated or reconstructed;
- To observe the overall financial and physical status of the displaced families from pre to post settlement period;
- To assess the benefit derived by the project activities by the affected families;
- To identify the success story of the APs which can be replicate as a model for other resettlement projects;
- To assess whether resettlement objectives have been met; specifically, whether livelihoods and living standards have been restored or enhanced;
- To assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as a guide to future resettlement policy making and planning; and
- To ascertain whether the resettlement entitlements were appropriate to meeting the objectives, and whether the objectives were suited to AP conditions
- To identify issues raised during Monitoring and evaluation of RP implementation and action plan to improve of RP implementation;
- To keep documentation of Lesson learned and good practices in RP implementation of these sub-projects.

It is critical that the EMA be in place prior to the start of compensations to the APs, in regards to the payments provided through the ADB funding. ADB no objection to the ToR submitted by FREMAA has been received and FREMAA is in the process of recruiting the agency.

4.3.2 Removal of Remaining Structures, Trees, Others

Some structures and trees belonging to landless AHHs and dispute cases are yet to be removed in Palasbari subproject. Necessary actions are required to removing these structures, trees and other assets to complete the civil work on time. The buildings of Palasbari Girls High School and L. P. School are to be removed only after completion of new school building in the relocation site.

5.0 Consultations and Disclosure

An essential part of the RP is the involvement of the APs throughout the entire process. Open communication with the APs results in transparency of the process, a better understanding of timelines and what is expected of the APs, allowance for inputs/suggestions from the APs, and other similar benefits to the project.

HRDFSK and SEWA have had frequent informal and formal meetings with the APs till they were on board till February 2014. There has been number of consultations held with various stakeholders by the FREMAA and PMC which include, but are not limited to, the following:

- 03 July, 2015: Meeting between FREMAA, Circle Officer Palashbari, representative of affected peoples, Officials of NGO (SEWA) for joint survey in the palashbari to check the pending payment of compensation.
- 14 July, 2015: Preparation for distribution of cheques for purchase of additional land at Palashbari Sub-Project.
- 15 July, 2015: Cheque distribution at Deputy Commissioner Office, for direct purchase of additional land at Palashbari Sub-Project (First Phase).
- 12 August, 2015: Meeting between FREMAA, Deputy Commissioner Kamrup (R), Addl. Deputy Commissioner (LA), Circle Officer (Palashbari), Executive Engineer (WRD) and other stakeholders to discuss about the grievances of the affected peoples.
- 29 August, 2015: Visit to Palashbari, kochpara resettlement land for shifting of 10 landless families.
- 12 October, 2015: Cheque distribution at Deputy Commissioner Office, Kamrup (R) for direct purchase of additional land at palashbari sub-project (Second Phase).
- 29 October, 2015: Meeting between FREMAA, ADC (LA), Circle Officer (Palashbari) for shifting of Palashbari girls' high school.
- 03 November, 2015: Meeting between FREMAA and Deputy Commissioner, Kamrup (R) regarding outstanding issues related to LA in Palashbari.
- 26 November, 2015: Interaction with the project affected peoples in presence of FREMAA Officials and Circle Officer (Palashbari), to discuss the issues related to compensation.
- 10 December, 2015: Meeting between FREMAA and Deputy Commissioner, Dibrugarh regarding pending payment of compensation to the project affected peoples.

Figure 3: FREMAA and PMC consultations





Consultation with Landless APs of Majirgaon for Rehabilitation Plot Distribution



ExEn, SIO Distributing Cheque under Direct Purchase

The summary of the Resettlement Plans of both Palasbari and Dibrugarh have been translated into vernacular language and shared with all stakeholders and discussed during consultations with APs. The breakup of compensation and resettlement assistances as per the entitlement and procedure for disbursement of compensations/resettlement assistances have been disclosed to APs during FGDs/consultations held.

Plans for Ongoing/ Future Consultations:

FREMAA, PMC and WRD, with the potential help of the district administration, will undertake additional rounds of consultations with APs during RP implementation. The consultation will continue throughout the project implementation. The following set of activities should be undertaken for effective implementation of the Plan:

- FREMAA, WRD and PMC 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, public meetings will be organized on a regular basis to apprise the communities of 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.
- Public meetings should be organized to inform the community about the payment and assistance paid to the community.
- Intensive consultations with the local community and Management Committee of the CPRs to facilitate smooth and timely relocation of affected CPRs.
- In addition, regular update of the program and resettlement component of the project should be placed for public display at the subproject offices.
- Village wise awareness camps, FGD and small group meetings to organize Conflict Management Committees in each of the wards/villages shall be considered.

- Participation of APs will be further ensured through their involvement in the Grievance Redress Committee.
- Lastly, ongoing interaction with APs must be maintained to identify problems and undertake appropriate remedial measures.

6.0 Grievance Redressal

The mechanism for Grievance Redressal is in place as the grievances are likely to come after disclosure of the entitlements/compensations and during disbursement of the R&R assistance.

Three stages of Grievance Redressal have been established. These include:

- Stage 1:** SIO/WRD nominates a Safeguard Monitor to take care of the grievances raised by the community and APs and a Grievance Register be maintained at the SIO level by this appointed Safeguard Monitor. This will serve as the First Level of Grievance reporting. If the grievances cannot be addressed at the SIO level, within one month, the cases should then rise to the next level and be placed before the GRC.
- Stage 2:** The Grievance Redressal Committee (GRC) has been established to include the Deputy Commissioner, ADC (to deal with the project matters), the concerned Revenue Circle Officer, Executive Engineer of WRD, representative from local NGOs, members of the Municipal Corporation/ Panchayat, and representatives of affected persons (APs).
- Stage 3:** If the first two stages of Grievance Redressal do not resolve the identified issue, this may rise to the level of the court system.

GRC for both Palasbari and Dibrugarh subprojects were notified by the GoA in April 2012 with the following membership:

- | | | |
|---|---|------------------|
| 1. Deputy Commissioner of the concerned districts | - | Chairman |
| 2. Additional DC of the concerned districts | - | Member Secretary |
| 3. Executive Engineers, concerned SIOs | - | Member |
| 4. Chairman, concerned Municipal Board | - | Member |
| 5. One representative of affected persons | - | Member |
| 6. One representative of NGO | - | Member |

Two meetings of GRC held in the reporting period in Palasbari on 4th and 12th August 2015 to resolve 61 cases. The following is the breakup of the cases;

- | | |
|---|---------------|
| 1. Land for land | : 12 cases |
| 2. Reassessment/enhancement of zirat compensation | : 25 cases |
| 3. Earth filling of the remaining homestead land | : 4 cases |
| 4. Resettlement/rehabilitation | : 9 cases |
| 5. Land compensation | : 3 cases and |
| 6. Refilling of application | : 8 cases |

GRC has resolved 11 numbers of cases, necessary steps initiated for 29 numbers of cases and 21 numbers of cases rejected by GRC as these cases are found to be not genuine. One case could not be resolved by GRC and the petitioner has filed court case.

No GRC meeting held in Dibrugarh subproject as there were no cases pending. 11 cases are in process and 4 cases could not be resolved by GRC and the petitioners has filed court case.

