



Resettlement Plan

Project Number: 41614-033
October 2017

IND: Assam Power Sector Enhancement Investment Program - Tranche 2

Subproject: 132kV Hailakandi LILO

Submitted by

Assam Power Distribution Company Limited, Guwahati

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ASSAM POWER DISTRIBUTION COMPANY LIMITED

Reg. Office: Bijulee Bhawan, Paltanbazar, Guwahati-781 001, Assam

CIN: U40109AS2003SGC007242

PROJECT MANAGEMENT UNIT, 4th Floor, Bijulee Bhawan,

Tel. No.0361-2607533, Fax: 0361-2739526, E-mail: pmu_aseb@rediffmail.com

No. APDCL/PMU/APSEIP/ESMU/2014-15/249/359

Date : 13-09-2017

To,

The Country Director

Indian Resident Mission, ADB

4 San Martin Marg, Chanakyapuri,

New Delhi - 110021



Subject: Submission of -

- 1) Updated Resettlement Plan Report for 132kV SC of Agia-Matia Line under Loan No. 2677-IND, Tranche-2
- 2) Updated Resettlement Plan Report for 132kV SC of Hailakandi LILO under Loan No. 2677-IND, Tranche-2

Sir,

Please find enclosed herewith the Reports as detailed above for Tranche -2 under Loan No. 2677- IND for your needful action.

Thanking you

Yours faithfully,

[Signature] 13/9/17

Director (PMU)

APDCL



Soft copy recd 13.09.



Assam Power Sector Enhancement Investment Program

Tranche – II

(ADB Loan No.: 2677-IND)

Updated Resettlement Plan Report

132kV Hailakandi LILO

(September, 2017)

Prepared by
Assam Electricity Grid Corporation Limited (AEGCL)

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List of Acronyms

ADB	Asian Development Bank
AEGCL	Assam Electricity Grid Corporation Ltd.
AP	Affected Person
APSEIP	Assam Power Sector Enhancement Investment Program
ASEB	Assam State Electricity Board
D.C.	District Collector
EA	Executing Agency
ESMU	Environmental and Social Management Unit
GOA	Government of Assam
GOI	Government of India
GRC	Grievance Redress Mechanism
IA	Implementing Agency
IEE	Initial Environmental Examination
Ltd.	Limited
LAA	Land Acquisition Act
LAO	Land Acquisition Officer
MFF	Multi-Tranche Financing Facility
PAP	Project Affected Persons
PMU	Project Management Unit
ROW	Right of Way
RF	Resettlement Framework
RP	Resettlement Plan
S/S	Sub Station
T&D	Transmission and Distribution
T & T	Transmission and Transformation
T/L	Transmission Line

Executive Summary

ES1 Project Description

The Asian Development Bank (ADB) is supporting 'Assam Power Sector Enhancement Investment Program' (APSEIP) through a multi-tranche financing facility (MFF) to support continued investment in the state power sector, which is necessary to support economic growth and poverty reduction. The Tranche-II is one of the investments under the program, which has six investment components related to transmission system, energy efficiency enhancement and capacity building. The investment components are: i) 2 new 220/132/33 kV substation, (ii) 6 new 132/33 kV substations, (iii) 156.027 km. of 220 kV transmission lines, (iv) 129.32 km. of 132 kV transmission lines, (v) upgrade to OPGW, and (vi) extension and refurbishment of existing transmission substations (for 24 s/s). The 132kV S/C LILO of Panchgram – Dullavcherra Line at Hailakandi (sub-project) is one of the transmission lines under Tranche-II.

ES2 Objectives of Resettlement Plan

The aims and objectives of this Resettlement Plan (RP) are to mitigate all unavoidable impact due to implementation of the sub-project by providing adequate resettlement and rehabilitation assistance to the affected households, to restore or improve their pre-project standard of living. The plan has been prepared on the basis of findings of inventory survey, socio-economic census survey and consultation with various stakeholders as well as in compliance with ADB's safeguard policy and other social safeguard policies designed by the Bank to protect the rights of affected persons and communities. The RP also takes in to account the laws and policies of Government of India. A Resettlement Plan for the sub-project's original alignment was prepared in April, 2010, but the report has not reported affected person due to 132kV Hailakandi LILO transmission line. In order to capture impacts during implementation of this sub-project vis-à-vis damage to land and loss of trees. this RP has been updated.

ES4 Impacts

The construction of tower footings has damaged 0.205ha of private land, affecting 4 households. Additionally, within 27mtr transmission corridor 162 trees (Fruit Bearing & Timbers) are impacted that belongs to 5 households out of which 4 households also entitled for tower footings (**Annexure 4**).

ES5 Policy and Legal Frameworks

The policy framework and entitlements for the 'Assam Power Sector Enhancement Investment Program' is based on the Electricity Act 2003, The Indian Telegraph Act 1885, The Land Acquisition Act, 1894 (LAA, amended in 1984), The National Rehabilitation and Resettlement Policy, 2007 (NRRP) and ADB's Safeguards Policy Statement 2009.

In the sub-project, no land was acquired for transmission tower footings. However, the project authority has paid compensation to affected persons for damaged to their private land due to tower footings construction. This has been achieve by exercising sections 164 (power to execute provisions of ITA, 1885) and 165 (allowing to adopt land estimation process in LAA, 1894) of the Electricity Act 2003, and reading along with section 10 of the Indian Telegraph Act (ITA) 1885 that allow compensation for damage to private land but without acquiring any right.

ES6 Entitlements, Assurances and Benefits

All affected households (AHHs) are entitled to receive compensation for all losses and affected assets based on the principle of replacement value. All compensation and assistance is paid as per the entitlement matrix included in the RP. Special assistance is provided to vulnerable and severely affected households. In addition, all AHHs are entitled to livelihood restoration assistance to help improve or at least restore their pre-project living standards and income-earning capacities. The RP is fully implemented prior to commencement of any civil works. Unforeseen impacts will be mitigated in accordance with the principles of the RP prepared for this Project.

ES7 Resettlement and Rehabilitation Budget

The resettlement cost for this Project includes compensation, resettlement assistance and the support cost for RP implementation. The total resettlement cost for the 132 kV S/C LILO of Panchgram – Dullavcherra Line at Hailakandi is **INR 11,78,041**.

ES8 Consultation and Disclosure

Public Consultation was conducted during the socio economic census survey of the 132kV Hailakandi LILO line on 20/02/2015. The public consultations were participated by about nine APs including local peoples, and representatives from AEGCL. During the consultations the project features were explained, perceived benefits and losses due to the Project were discussed with the affected persons, and the various stakeholders' opinions were elicited.

The updated Final Resettlement Plan will be translated into the local language and disclosed at the local level, such as at project sites and the offices of the Gram Panchayats and of the Deputy Commissioner.

ES9 Grievance Redress Mechanism

The EA has established a mechanism to receive and ensure the resolution of affected persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to vulnerable groups. The grievance redress mechanism is designed to address AP's concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the displaced persons at no cost.

ES10 Institution Set-up

The executing agency (EA) through its Project Management Unit (PMU) in the Head Office is responsible for planning, coordinating, implementing and financing of all resettlement activities. The PMU has established an Environment and Social Management Unit (ESMU), headed by the Assistant General Manager, to deal with all social safeguards issues. The field units of PIU undertakes all related field level activities, including RP implementation.

ES11 Monitoring and Evaluation

This sub-project impacts are not significant, it is classified as Category B. The monitoring mechanism for implementation of the RP is limited to internal monitoring. The internal monitoring is the responsibility of the PIUs and ESMU. The PMU prepares biannual social monitoring reports on resettlement activities and submits the same to ADB for review, to determine whether the resettlement objectives have been achieved and livelihoods and

living standards have been restored or enhanced, and to recommend suitable corrective actions as required.

ES 12 Findings of Due Diligence

There is no land acquisition and no physical displacement of affected person. The persons affected have been compensated within the provisions of Resettlement Framework prepared for the APSEIP. In order to minimise the project's impact, the ownership of land damaged due to tower footings remains with respective land owner. In order to have sound and robust documentation of RP implementation, interaction and flow of information needs improvement between EA and its Implementing agency.

1. Introduction

1.1. Purpose of Resettlement Plan

1. A Resettlement Planning document (RP) was prepared in April, 2010 for the Tranche-2 project following the guidelines in Resettlement Framework (RF) of 'Assam Power Sector Enhancement Investment Program' (APSEIP). The RP list out the social impacts envisaged during implementation of the project, especially the due to eight sub-stations, but the RP has not captured the impacts due to the implementation of ten transmission lines. Consequently, to comply with ADB's safeguard policies, a separate RP for 132kV Hailakandi LILO is prepared and it is based on findings of the socio-economic census survey that was conducted on 20/02/2015 and RP implementation status collected from the Implementing Agency. The preparation of this Final RP for the sub-project in accordance with Resettlement Framework (RF) of the project, regulatory requirement of the country, and ADB's safeguard policies.
2. The main objective of this RP is to mitigate all involuntary resettlement impacts caused by the subproject and provide adequate R&R assistance to the affected households to restore or improve their pre-project standard of living. The RP is based on the final engineering design, findings of a census survey and consultation with various stakeholders, and R&R activities implementation status provided by Executing Agency. The RP is in compliance with national laws and policies, such as the Electricity Act 2003, The Indian Telegraph Act 1885, the National Rehabilitation and Resettlement Policy 2007, the Land Acquisition Act 1894 and the ADB Safeguard Policy Statement (SPS) 2009. Tranche-2 of APSEIP is classified as Involuntary Resettlement Category B due to its low significant impacts.
3. A due diligence exercise was carried out for resettlement & rehabilitation activities implemented in the sub-project. This was desired due to (a) all resettlement & rehabilitation (R&R) activities were already implemented without updating the RP, and (b) to ascertain compensation paid to APs identified during stringing of transmission line were as per RF. A due diligence chapter is included in Chapter 12 of this final RP.

1.2. Project Description

4. The Asian Development Bank (ADB) is supporting 'Assam Power Sector Enhancement Investment Program' (APSEIP) through a multi-tranche financing facility (MFF) to support continued investment in the state power sector, which is necessary to support economic growth and poverty reduction. The investments under the program are intended to (i) facilitate increased power transfers to accommodate increased demand and economic growth; (ii) improve supply-side energy efficiency by system de-bottlenecking and reducing technical losses; (iii) reduce the intensity of greenhouse gas (GHG) and other emissions via improved system efficiency; (iv) support expanded private sector participation in distribution system operations and other energy services; and (v) facilitate

poverty reduction via improved electricity services and economic growth.

5. The impact of the investment program will be a sustainable state power sector with increased T&D capacity to support inclusive economic growth. The outcome will be enhanced quality and expanded service delivery of electricity through improved technical, commercial, and financial performance and capability of power utilities.
6. The Tranche-II is one of the investments under the program, which has six investment components related to transmission system, energy efficiency enhancement and capacity building. The investment components are: i) 2 new 220/132/33 kV substation, (ii) 6 new 132/33 kV substations, (iii) 156.027 km. of 220 kV transmission lines, (iv) 129.32 km. of 132 kV transmission lines, (v) upgrade to OPGW, and (vi) extension and refurbishment of existing 24 substations.

1.3. Sub-project Profile

7. In Tranche-II, the physical investment for expansion and upgrade of transmission and distribution systems involves construction of eight sub-stations and ten transmission lines. 132 kV S/C LILO of Panchgram – Dullavcherra Line at Hailakandi is one of the transmission lines implemented under Tranche-II. The final alignment of the transmission line traverses through one village namely Chandpur under Panchgram Revenue Circle in Hailakandi district. The final transmission line length is 1.202km that will be laid over three towers. These towers are located in private land (Table 1.1). The approved final tower schedule is in **Annexure 2**.

Table 1.1: Details of Tower Schedule

Sl. No	Tower Location	Type of Towers	Village	Land Use
1	AP No. 81	C+3	Chandpur	Agriculture
2	AP No. 81/A	D+3		Agriculture
3	AP No. 82	D+3		Agriculture

According to the 2011 Census, Hailakandi has a population of 659296 with a population density of 497 persons per sq. km. The average literacy rate of Hailakandi district is 74.33%, with a male-female literacy of 80.74% and 68.26% respectively. The sex ratio of the district is 951 that at par with states recorded sex ratio of 958.

2. Impacts

2.0 General

8. The Resettlement Plan prepared is adopting the guidelines in Resettlement Framework of the project. The RP intended to minimise and mitigate social impacts due to construction of tower footings and stringing of transmission line. As per this RP, impacts due to the sub-project include damage to land, loss of trees, bamboos and tea plants (Table 2.1). No CPRs, structures, and any other assets were impacted. No non-titleholders were identified as affected. This RP is prepared to comply and incorporating comments received from ADB.
9. The identification of project affected people was limited to Project Impact Area, which is the Right of Way (RoW) required for stringing of transmission lines i.e. 27m for 132kV. The people affected were identified during Route Survey of sub-project alignment, which was jointly verified with Circle Officer. A census survey of the affected persons was carried out in the month February 20th, 2015 through already approved 'Census Survey Questionnaire Format' (**Annexure 1**) for the project has been used to collect information of affected persons and their losses.
10. In case of persons whose losses are limited to only trees/bamboos/tea plants located within transmission corridor, a joint verification exercise was conducted by the officials of Revenue Department during transmission corridor verification. The joint verification survey was done in phase manner and participated by officials of IA and respective affected persons as member of the team. The impacts recorded were jointly verified by all the members present during the joint verification exercise. Hence, the census survey was not carried out for such affected person.
11. The impacts identified in the RP are summarized in Table 2.1. The impact reported from henceforth is for the finalised transmission line alignment.

Table 2.1: Summary of Impacts - Final T/L Alignment

Sl. No	Impacts Description	Unit	Impacts
			Final RP
1	Total Affected Households (HHs)	No.	5 ¹
a.	AHs due to tower footings	No.	4
b.	AHs due to T/L stringing	No.	5
c.	Affected Tea Estate due to tower footings and stringing	No.	0
2	Total Land Requirement	ha	0.205
a.	Agriculture land	ha	0.205
b.	Tea estate land	ha	0

¹ The total AP's due to stringing of T/L is 5, which also include 4 AP's whose land has been damage due to tower footing.

3	Loss of Structure	No.	Nil
4	Loss of Trees (non-fruit + fruit tree)	No.	162
5	Loss of Bamboos	No.	0
6	Loss of Tea Plants	No.	0
7	Vulnerable Affected Person	No.	0
8	Loss of Assets	No.	Nil

2.2 Affected Households

12. A total of 5 households have been affected by the sub-project. All the towers constructed at private agriculture land and 30 persons have been economically affected for this transmission line (**Annexure 3**).

2.3 Land Requirements

13. As per final tower schedule and compensation payment status collected from Implementing Agency, a total of **0.205 ha** land area is damaged due to 3 tower footings construction. No other type of land is damaged due to sub-project.

The sub-project does not involve acquisition of land for tower footings. The details of procedures adopted to compensate affected households are discussed in Legal Frameworks chapter

2.4 Loss of Trees

14. The final alignment of Hailakandi LILO T/L has impacted 162 trees located within transmission corridor of 27m. The impact to trees includes 151 fruit bearing trees (Jack Fruit, Betelenut, Jamuk, Elephant Apple and Amra) and 11 non-fruit trees (Neem, Gamari, Chaitan, Jarul etc). The details of trees impacts are in **Annexure 4**.

Table 2.3: Number of households losing trees by type

Sl. No	Type of Trees	Number of AHHs	Percentage
1	Fruit trees	3	40
2	Non-fruit Trees	0	0
3	Both fruit and non-fruit trees	2	60
4	None	0	0
Total		5	100

2.5 Crop Damage

15. At the time of stringing, no standing crop area has been impacted.

2.6 Impacts on Structure and CPR's

16. No private structures and common property resources were impacted due to the sub-project.

2.7 Restrictions on Use of Land

17. Land use restriction is limited to the transmission corridor (27m) along the

transmission line. No construction of building and planting of tall trees within the transmission corridor is allowed to maintain safe vertical clearance of 6.1mt from the lowest conductor.

2.8 Income Loss

18. The construction of tower footings were done post harvesting of crops, as a result the overlapping with cultivation period has been avoided. This change in construction schedule has prevented impacting livelihood source of affected person involved in agriculture occupation.

2.9 Vulnerable Groups

19. No vulnerable person was impacted due to the sub-project.

3. Socio Economic Profile of Affected Persons

3.1 General

20. The chapter discusses the social and economic profile of nine households whose land is damaged and constitute 80% of total affected households. The profile of the affected households is established from the socio economic survey undertaken in February, 2015. The socio-economic information of one absence household is not included.
21. A joint verification exercise was conducted to estimate loss of tress due to stringing of transmission line by a team comprising officials of Revenue Department and Implementing Agency, and respective Affected Persons. However, the affected person due to stringing of T/L was not surveyed. The census survey findings discussion in subsequent paragraphs is for affected persons whose land is damaged due to tower footings and does not include affected persons whose loss is limited to trees.

3.2 Households

22. A total of 4 households comprising 30 persons have been affected due to tower footings construction. The households head off all affected household were available during census survey.

3.3 Gender Distribution

23. The gender distribution of 30 persons of 4 affected households is 70% are male and 30% are female.

Table 3.1: Distribution of AP Population

Sl. No	Gender	Total Population	Percentage
1	Male	21	70
2	Female	09	30
Total		30	100

3.4 Household Size

24. The majority i.e. 77.78% of affected household has household size of 4 to 6. This is followed by household size of 1 to 3 and 7 to 9.

Table 3.2: Distribution of Households Size

Sl. No	Household Size	No. of HHs	Percentage
1	1 to 3	0	0
2	4 to 6	1	25
3	7 to 9	2	50
4	10 to 12	1	25
Total		4	100

3.5 Literacy

25. As per socio-economic census survey 13.3.17% of affected person have attended graduate level. This is followed by people attended up to secondary (40%) and primary level (40%). The illiterate comprise only 6.7%, which is low. Details of Literacy level are mentioned in Table 3.3.

Table 3.3: Summary of Literacy Level

Sl. No	Education Status	Number of AP	Percentage
1	Illiterate	2	6.7
2	Primary (up to class 4)	12	40
3	Secondary (up to class 10)	12	40
4	Higher (up to graduate)	4	13.3
5	Technical	0	0.00
Total		30	100

3.6 Landholding

26. The data when compared with classification of Agriculture Census India. It is observed that 100% of affected households are in small category.

Table 3.4: Distribution of Landholdings

Sl. No	Farmer Classification	Land holding (ha)	No. of AHHs	Percentage
1	Marginal	below 1	0	0
2	Small	1-2	4	100
3	Semi-medium	2-4	0	0
Total			4	100

3.7 Workforce Participation

27. Of the 30 affected persons, only 30 of them are employed and remaining 70% are unemployed. Hence, the workforce participation rate (Table 3.5) among the affected person is 30%.

Table 3.5: Employment Status

Sl. No.	Employment Status	Number of Aps	Percent
1	Employed	9 ²	30
2	Unemployed	21	70
Total		30	100

² One no of affected persons belongs to Govt. Pensioner which is not included in to Employment status.

3.8 Income Distribution Pattern of Affected Households

28. As per census survey, of the total 4 households surveyed, the cumulative monthly income of all earning members range is above Rs. 3000.

Table 3.6: Income Pattern of Affected Households

Income Range in Rs/- per month	No. of HHs	HHs with no. of earning members			
		1	2	3	4
<2000	0	0	0	0	0
2000-3000	4	0	0	0	0
>3000	4	1	1	1	1
Total	4	1	1	1	1

29. The vulnerability of affected households is assessing by comparing their monthly income with the derived monthly poverty threshold limit³. It is evident from Table 3.6 that the affected households are earning more than monthly poverty threshold limit.

3.9 Social Stratification of Affected Families

30. As per socio economic census survey 100% of affected households belong to General Cast. The details of Social Stratification of affected HHs are in Table 3.7.

Table 3.7: Social Stratification of affected Households

Caste	Number of HH	Percent
General	4	100
Total	4	100

³ The Assam state poverty threshold limit of Rs. 691.7 monthly per capita for rural area for 2009-10 set by the Ministry of Development for North Eastern Region has been used to calculate a household monthly poverty threshold limit of Rs. 5182/-. This monthly poverty threshold limit is derived by multiplying rural area poverty threshold limit with affected HH average household size of 7.5.

4. Policy and Legal Frameworks

4.1 Policy Framework

31. The policy framework and entitlements for the 'Assam Power Sector Enhancement Investment Program' is based on the Electricity Act 2003, The Indian Telegraph Act 1885, The Land Acquisition Act, 1894 (LAA, amended in 1984), The National Rehabilitation and Resettlement Policy, 2007 (NRRP) and ADB's Safeguards Policy Statement 2009.

4.2 The Electricity Act, 2003

32. An Act to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity and generally for taking measures conducive to development of electricity industry, promoting competition therein, protecting interest of consumers and supply of electricity to all areas, rationalization of electricity tariff, ensuring transparent policies regarding subsidies, promotion of efficient and environmentally benign policies constitution of Central Electricity Authority, Regulatory Commissions and establishment of Appellate Tribunal and for matters connected therewith or incidental thereto. This act provides guidelines for compensating damage in private land when installing of electricity transmission equipment. The section of this acts relevant to RP preparation are;
 - a. The sub-section 3 of section 67 of part VIII stipulate to cause little damage and has made provision to make full compensation for any damage, detriment or inconvenience caused.
 - b. The sub-section 6 of section 68 of part VIII set provision for compensating trees affected due to lying of transmission line.
 - c. The section 164 of part XVII empowers to execute the provisions of the Indian Telegraph Act 1885.
 - d. The section 165 of part XVII empowers to acquire land under the provision of the Land Acquisition Act 1894.

4.3 The Indian Telegraph Act, 1885

33. The Indian Telegraph Act, 1885 main objective was to give power to the Government to install telegraph line and poles on private as well as public property. The act contain six parts, of which section 10 of part III details out the power of telegraph agency and procedures for compensating for damage sustained in private and public land at time of installing and maintaining of telegraph line and poles. Further, the act also clearly specify not to acquire any right other than that of user only in the property under, over, along, across in or upon which the telegraph authority places any telegraph line or post.

4.4 The National Resettlement and Rehabilitation Policy, 2007

34. The NRRP stipulates the minimum facilities to be ensured for persons displaced

due to the acquisition of land for public purposes and to provide for the basic minimum requirements. All projects leading to involuntary displacement of people must address the rehabilitation and resettlement issues comprehensively. The State Governments, Public Sector Undertakings or agencies, and other requiring bodies shall be at liberty to put in place greater benefit levels than those prescribed in the NRRP. The principles of this policy may also apply to the rehabilitation and resettlement of persons involuntarily displaced permanently due to any other reason. The objectives of the Policy are:

- i. to minimize displacement and to promote, as far as possible, non-displacing or least displacing alternatives;
- ii. to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of the affected families;
- iii. to ensure that special care is taken for protecting the rights of the weaker sections of society, especially members of the Scheduled Castes and Scheduled Tribes, and to create obligations on the State for their treatment with concern and sensitivity;
- iv. to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families;
- v. to integrate rehabilitation concerns into the development planning and implementation process; and
- vi. where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

The NRRP is applicable for projects where over 400 families in the plains or 200 families in hilly or tribal or Desert Development Program (DDP) areas are displaced. However, the basic principles can be applied to resettling and rehabilitating regardless of the number affected.

4.5 Land Acquisition Act, 1894 amended 1984

35. The LAA provides a framework for facilitating land acquisition in India. LAA enables the State Government to acquire private land for public purposes. LAA ensures that no person is deprived of land except under LAA and entitles APs to a hearing before acquisition. The main elements of LAA are:
 - i. Land identified for the purpose of a project is placed under Section 4 of the LAA. This constitutes notification. Objections must be made within 50 days to the District Collector (DC, the highest administrative officer of the concerned District).
 - ii. The land is then placed under Section 6 of the LAA. This is a declaration that the Government intends to acquire the land. The DC is directed to take steps for the acquisition, and the land is placed under Section 9. Interested parties are then invited to state their interest in the land and the price. Under Section 11, the DC will make an award within one year of the date of

publication of the declarations. Otherwise, the acquisition proceedings shall lapse.

- iii. In case of disagreement on the price awarded, within 6 weeks of the award, the parties (under Section 18) can request the District Collector (DC) to refer the matter to the Courts to make a final ruling on the amount of compensation.
- iv. Once the land has been placed under Section 4, no further sale or transfer is allowed.
- v. Compensation for land and improvements (such as houses, wells, trees, etc.) is paid in cash by the project authorities to the State Government, which in turn compensates landowners.
- vi. The price to be paid for the acquisition of agricultural land is based on sale prices recorded in the District Registrar's office averaged over the three years preceding notification under Section 4. The compensation is paid after the area is acquired, with actual payment by the State taking about two or three years. An additional 30 percent is added to the award as well as an escalation of 12 percent per year from the date of notification to the final placement under Section 9. For delayed payments, after placement under Section 9, an additional 12 percent per annum is paid for the first year and 15 percent for subsequent years.

4.6 ADB's Safeguard Policy Statement 2009

36. ADB has adopted the Safeguard Policy Statement (SPS) in 2009, including safeguard requirements for environment, involuntary resettlement and Indigenous People. The objectives of the Involuntary Resettlement Safeguard policy are to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.
37. The involuntary resettlement safeguards cover physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

4.7 Applicability of Legal Frameworks

38. This final RP has to be consistent with provisions of legal frameworks enforced in the country. An analysis has been carried out to identify acts, rules, and regulations triggered and its extent of applicability. The Table 4.1 summarises the applicability of various legal frameworks.

39. To minimise the impact on affected persons, the project authority decided not to acquire and to pay compensation for damaged private land due to tower footings construction. This has been accomplished by exercising sections 164 (power to execute provisions of ITA, 1885) and 165 (allowing to adopt land estimation process in LAA, 1894) of the Electricity Act 2003, and reading along with section 10 of the Indian Telegraph Act (ITA) 1885 that allow compensation for damage to private land but without acquiring any right.

Table 4.1: Applicability of Legal Frameworks

Sl.No	Legal Framework	Objectives	Applicability
1	The National Resettlement and Rehabilitation Policy (MoRD), 2007	The NRRP stipulates the minimum facilities to be ensured for persons displaced due to the acquisition of land for public purposes and to provide for the basic minimum requirements.	Applicable.
2	Land Acquisition Act, 1894 amended 1984	Provides a framework for facilitating land acquisition in India. LAA enables the State Government to acquire private land for public purposes. LAA ensures that no person is deprived of land except under LAA and entitles APs to a hearing before acquisition.	Applicable. The estimation of land damaged compensation has been carried out following the procedures stipulated in the LA Act 1894.
3	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCT in LARR), 2013	The Act lays down procedures for estimating fair compensation of the affected families (and not just the titleholders) due to land acquisition, rehabilitation and resettlement. The Act prohibits acquisition of multi-cropped irrigated land as a special provision to safeguard food security, unless in exceptional circumstances as a demonstrable last resort.	Not Applicable. The sub-project does not involve acquisition of land. Additionally, the estimates for land damage were done before enactment of this Act.
4	The Electricity Act-2003 as amended in 2007	An Act to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity and generally for taking measures conducive to development of electricity industry, promoting competition therein, protecting interest of consumers and supply of electricity to all areas, rationalization of electricity tariff, ensuring transparent policies regarding subsidies, promotion of efficient and environmentally benign policies constitution of Central Electricity Authority, Regulatory Commissions and establishment of Appellate Tribunal	Applicable.

Sl.No	Legal Framework	Objectives	Applicability
		and for matters connected therewith or incidental thereto.	
5	Indian Telegraph Act, 1885	The main object of the Telegraph Act was to give power to the Government to install telegraph lines on private as well as public property.	Applicable. The payment for land damage compensation without acquiring the right has been as per section 10 of the ITA, 1885.
6	ADB Safeguard Policy Statement (SPS), 2009	The objectives of the Involuntary Resettlement Safeguard policy in SPS, 2009 is to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.	Applicable.

5. Entitlements, Assistance and Benefits

5.1 Eligibility

40. The APs entitled to compensation and/or rehabilitation provisions for this sub-project include (i) all APs losing land either covered by legal title/traditional land rights, or without legal status; (ii) registered and unregistered tenants and sharecroppers; (iii) owners of buildings, crops, trees, plants, or other objects attached to the land; and (iv) APs losing income and/or access to natural resources.
41. Compensation eligibility is limited by a cut-off date set for the subproject. The day of the census survey will serve as the cut-off-date. APs who settle in the affected area after the cut-off date will not be eligible for compensation. They will however be given sufficient advance notice, requested to vacate the premises and dismantle affected structures prior to project implementation.

5.2 Entitlements

42. A Resettlement Framework for the Assam Power Sector Enhancement Investment Program under MFF. The Resettlement Framework explains the detailed description of compensation measure and assistance provided in the entitlement matrix. At the time of finalising this RP, the Resettlement Framework has been updated in August 2014. Since, the assessment of impacts due to the sub-project started in 2013 and compensation payment happened 2014 onwards, Resettlement Framework 2009 has been adopted to keep consistency of procedures and provision adopted in R&R budget. The entitlement matrix of original RF 2009 is detailed out in Table 5.1.
43. The construction of tower footings and stringing of transmission line are the key activities inducing social and environmental impacts due to implementation of the sub-project. Hence, the affected persons of this sub-project is entitled for:
- damage to private land due to tower footings construction;
 - loss of trees, bamboos, tea plants etc.;
 - vulnerable groups;

Table 5.1: Entitlement Matrix

Sl.No	Type of Loss	Application	Definition of Entitled Person	Entitlement
1	Loss of private land	Agricultural land, homestead land or vacant plot	Legal titleholders/ APs with customary land right/APs with Permit from local authority	<ul style="list-style-type: none"> • Compensation at replacement value or land-for-land where feasible. • Transitional allowance based on three months minimum wage rates. • Shifting assistance for households (@Rs.10,000/- per affected household). • Notice to harvest standing seasonal crops. If notice cannot be given,

Sl.No	Type of Loss	Application	Definition of Entitled Person	Entitlement
2	Loss of Government land			<ul style="list-style-type: none"> compensation for share of crops will be provided. • Additional compensation for vulnerable households.
			Tenants and leaseholders (whether having written tenancy/ lease documents or not)	<ul style="list-style-type: none"> • Compensation for rental deposit or unexpired lease. • Transitional allowance based on three months minimum wage rates. • Shifting assistance for households. • Notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. • Additional compensation for vulnerable households.
			Sharecroppers for agricultural land	<ul style="list-style-type: none"> • Notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. • Additional compensation for vulnerable households.
		Vacant plot, Agricultural land and homestead land	Leaseholders	<ul style="list-style-type: none"> • Reimbursement of unexpired lease. • Transitional allowance based on three months minimum wage rates. • Shifting assistance @ no less than Rs. 10,000/- per household. • Notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. • Additional compensation for vulnerable households.
			Encroachers	<ul style="list-style-type: none"> • Advance notice to shift from encroached land. • Notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. • Additional compensation for vulnerable households.
			Squatters	<ul style="list-style-type: none"> • Advance notice to shift from occupied land. • Notice to harvest standing seasonal crops. If notice cannot be given,

Sl.No	Type of Loss	Application	Definition of Entitled Person	Entitlement
				compensation for share of crops will be provided.
3	Loss of residential structure	Residential structure and other assets	Legal titleholders	<ul style="list-style-type: none"> • Replacement value of the structure and other assets (or part of the structure and other assets, if remainder is viable). • Fees, taxes, and other charges related to replacement structure. • Shifting assistance @ no less than Rs. 10,000/- per household. • Right to salvage materials from structure and other assets with no deductions from replacement value. • Additional compensation for vulnerable households.
			Tenants and leaseholders	<ul style="list-style-type: none"> • Replacement value of the structure and other assets (or part of the structure and other assets, if remainder is viable) constructed by the AP. • Compensation for rental deposit or unexpired lease. • Shifting assistance @ no less than Rs. 10,000/- per household. • Right to salvage materials from structure and other assets with no deductions from replacement value. • Additional compensation for vulnerable households.
			Encroachers and squatters	<ul style="list-style-type: none"> • Replacement value of the structure and other assets (or part of the structure and other assets, if remainder is viable) constructed by the AP. • Shifting assistance @ no less than Rs. 10,000/- per household. • Right to salvage materials from structure and other assets • Additional compensation for vulnerable households.
4	Loss of commercial structure	Commercial structure and other assets	Legal titleholders	<ul style="list-style-type: none"> • Replacement value of the structure and other assets (or part of the structure and other assets, if remainder is

Sl.No	Type of Loss	Application	Definition of Entitled Person	Entitlement
				<p>viable).</p> <ul style="list-style-type: none"> • Fees, taxes, and other charges related to replacement structure. • One time financial assistance @ Rs. 25,000/- per structure. • Shifting assistance @ no less than Rs. 10,000/- per household. • . • Right to salvage materials from structure and other assets with no deductions from replacement value. • Additional compensation for vulnerable households.
			Tenants and leaseholders	<ul style="list-style-type: none"> • Replacement value of the structure and other assets (or part of the structure and other assets, if remainder is viable) constructed by the AP. • Compensation for rental deposit or unexpired lease. • One time financial assistance @ Rs. 25,000/- per structure. . • Shifting assistance @ no less than Rs. 10,000/- per household. • Right to salvage materials from structure and other assets with no deductions from replacement value. • Additional compensation for vulnerable households.
			Encroachers and squatters	<ul style="list-style-type: none"> • Replacement value of the structure and other assets (or part of the structure and other assets, if remainder is viable) constructed by the AP. • One time financial assistance @ Rs. 25,000/- per structure. • Shifting assistance @ no less than Rs. 10,000/- per household. • Right to salvage materials from structure and other assets. • Additional compensation for vulnerable households

Sl.No	Type of Loss	Application	Definition of Entitled Person	Entitlement
5	Loss of livelihood	Livelihood	Legal titleholder/ tenant/ leaseholder/ non-titled /employee of commercial structure, farmer/ agricultural worker	<ul style="list-style-type: none"> Assistance for lost income based on three months minimum wage rates. Additional compensation for vulnerable households. Consideration for project employment.
6	Loss of trees and crops	Standing trees and crops	Legal titleholder/ tenant/ leaseholder /sharecropper/ non-titled AP	<ul style="list-style-type: none"> Notice to harvest standing seasonal crops If notice cannot be provided, compensation for standing crop (or share of crop for sharecroppers) at market value Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops.
7	Impacts on vulnerable APs	All impacts	Vulnerable APs	<ul style="list-style-type: none"> Additional one time financial assistance: Assistance in the form of grant will be paid to those below the poverty line and the vulnerable including households headed by women, SC, ST, disabled and the elderly at the rate of Rs.10,000 per eligible households Vulnerable households will be given priority in project construction employment.
8	Temporary loss of land	Land temporarily required for sub-project construction	Legal titleholders, non-titled APs	<ul style="list-style-type: none"> Provision of rent for period of occupation for legal titleholders. Compensation for assets lost at replacement value, Restoration of land to previous or better quality Additionally, Cash Compensation will be paid for the temporary damage of crop under the RoW during the maintenance and repair after the construction. Also,

Sl.No	Type of Loss	Application	Definition of Entitled Person	Entitlement
				the AP may be allowed to cultivate their land under the transmission lines (RoW)
9	Loss of common resources	Common resources	Communities	<ul style="list-style-type: none"> Replacement or restoration of the affected community facilities – including public water stand posts, public utility posts, temples, shrines, etc.
10	Any other loss not identified	-	-	<ul style="list-style-type: none"> Unanticipated involuntary impacts will be documented and mitigated based on the principles of the Resettlement Framework.

5.3 Valuation of Assets

44.	<p>Land: In the sub-project, land for tower footings has not been acquired under LAA, 1894, as a result the provision for loss of private land (Sl.No 1) in the entitlement matrix is not applicable. However, to mitigate the impact, the project authority has compensated 4 affected households for damaged to their land by exercising section 164 of part XVII of the Electricity Act 2003 and read along with section 10 of the Indian Telegraph Act 1885. Further, in accordance with sub-section (2) of section 165 in the Electricity Act 2003, the process defined under Land Acquisition Act, 1894 has been adopted for calculating compensation amount for the land area damage due to tower footings. The circle rate were collected from concern department for fixing the land price for different categories of land along the transmission corridor. Subsequently, the Deputy Commissioner of Hailakandi District has verified the estimates and declared as correct (Annexure 6) final land compensation amount. The land compensation amount also includes additional 30 percent solatium as well as interest rate of 12 percent per year from date of notification.</p>
45.	<p>Tree Loss: The compensation rate for trees has been decided after consulting concerned departments to arrive at a rate at-par with market value. For instance, rate for timber tree has been determined in consultation with the Forest Department, similarly, horticulture department was consulted to obtain remaining productive period of fruit bearing trees.</p>

6. Resettlement and Rehabilitation Budget

46. The resettlement cost for this project includes compensation for land damage and zirat; and the support cost for RP implementation. Ten percent contingency has been added to the budget. Based on the above, the final resettlement budget for the 132kV SC LILO Hailakandi LILO is **INR 11,78,041**.

Table 6.1: Resettlement Budget

Sl. No	Items	Unit	Unit Rate (INR)	Final T/L Alignment	
				Quantity	Total Cost (INR)
1	2	3	4	5	6
A	Compensation for damaged Land				
A1	Agriculture Land (Private)	Ha	Rate determine by the Circle Office	0.205	1,23,804
Sub Total for A					1,23,804
B	Compensation for Trees				
B1	Fruit Trees	No.	Rate determine by Forest Department/ horticulture department	151	9,09,591
B2	Timber Trees	No.		11	37,552
Sub Total for B					947,143
Total (A+B) (In Rs.)					10,70,947
Contingency (10%) on (A+B)					1,07,094
Grand Total (INR)					11,78,041
Grand Total in Million (INR)					1.17

7. Consultation and Disclosure

7.1 Consultation in the Project

47. To ensure participation of people in project planning, the public consultations were carried out and were continued during implementation stage of this sub-project. The details of consultation undertaken are summarised in Table 7.1

Summary of Consultation

Date	Venue	Number of Participants	Issues Discussed	Remark
28-01-2010	Kamakhya	14	<ul style="list-style-type: none"> Awareness about the project and environmental pollution. 	During Project Planning and Preparation Stage.
29-01-2010	Sonabil	10	<ul style="list-style-type: none"> Benefits of the projects. 	
01-02-2010	Hailakandi	12	<ul style="list-style-type: none"> Social and Environmental problems in the region. 	
13-03-2010	Bilasipara	20	<ul style="list-style-type: none"> Presence of environmental sensitive areas in the region. Health and safety issues. Compensation payment mechanism initiatives for minimal environmental / social 	

48. Public consultation in the project area was held at Chandpur village on February 20, 2015 through which the transmission line is traversing. The consultation was limited to one-on-one interaction with 4 affected persons of project area. The mode of consultation was informal meeting and one to one interaction. The consultations were conducted with major objectives of;

- Establishing an understanding on overall developmental goals and benefits of the project;
- Identifying the best suited alignment for stretch of transmission lines requiring rerouting;
- Understanding the views of the people affected, with reference to use of land and its due compensation;
- Understanding views of people on resettlement options, if any;
- Identifying and assess major economic and social characteristics of the villages to enable effective planning and implementation;
- Resolving issues related to impacts on community property and their relocation, if any;
- Examine APs' opinions on health safety issues during the construction and selection garbage materials or the waste materials;
- Identifying levels and extent of community participation in project

implementation and monitoring;

- Developing a thorough coordination between all the stakeholders for the successful implementation of the project;

7.2 Key Findings of Consultations

49. The key findings of the consultation on various issues such as general perception about the project, suggestions to mitigate any damage or loss of livelihood are presented below. **(Annexure 5)**

- People are happy for the proposed sub-project.
- The proposed project will be beneficial for the affected people to reduce the frequently power cut and lack of the electricity supply.
- The affected persons also suggested to starting tower erection works after harvesting of crops.
- One affected person requested to provide government job for his son.
- Affected persons informed that the compensation amount estimated and shared with them is less and expect enhancement in amount for the loss of their private land at par with those provided by National Power Grid Corporation Ltd., whose transmission line is also traverses from same village.

The local community and affected peoples have welcomed the initiative taken by AEGCL and perceived certain benefits from the proposed investment program, such as improved electricity, good power supply, better irrigation and better living condition etc.

7.3 Disclosure

50. To ensure transparency in planning and active involvement of APs and other stakeholders, the project information will be disseminated through disclosure of the updated Final RP. The summary of the final RP will be made available in Assamese language. The official of IA will continue interacting with affected persons and information dissemination through consultation will continue throughout Investment Program implementation. A copy of the final RP will also be disclosed in ADB's and AEGCL website.

8. Grievance Redress Mechanism

8.1 General

51. RP implementation requires an efficient grievance redress mechanism that will resolve the queries and complaints of the APs. The EA established a mechanism to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the needs of vulnerable groups. The grievance redress mechanism is required to address AP's concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the displaced persons at no costs.

8.2 Grievance Redress Mechanism

52. **PIU Level**

Grievances will first be addressed to Implementing Agency (IA) at the local level and registers grievances in a complaint register with details related to the date of complaint, the type and nature of the complaint, action taken, follow up and communication sent to the complainant. Investigation of grievances involves site visits and consultation with relevant parties, such as the affected persons, contractors, land acquisition officials and the like. If a grievance remains unresolved within 2 weeks it is referred to the Grievance Redress Committee (GRC).

53. **Grievance Redress Committee**

The GRC comprises representatives of the APs, PMU, PIU, ESMU, field level staff, district magistrate/commissioner, local administration, revenue authority and local community. The main responsibilities of the GRC are to: (i) provide support to APs on problems arising from land/property acquisition; (ii) record AP grievances, categorize, and prioritize grievances and resolve them; (iii) immediately inform the PMU of serious cases; and (iv) report to APs on the resolution of their grievances and decisions of the GRC and the PMU. Other than disputes relating to ownership rights, which require to be resolved by a court of law, the GRC will review grievances involving compensation assessment and payment, relocation and other assistance. The GRC will meet every month if grievances are brought to the Committee, determine the merit of each grievance, and resolve grievances within a month of receiving the complaint. Simultaneously, the affected person is free to access the country's legal system at any time, although the GRM is the preferred mechanism of grievance redress. All costs involved in resolving the complaints (meetings, consultations, communication, and reporting and information dissemination) will be borne by the Project. Records will be kept of all grievances received, including contact details of the complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date these were affected, and the final outcome. The GRCs will continue to function during the life of the Project including the defect liability period.

9. Institution Set-up

9.1 Key Institutions involved

54. The implementation of the RP requires the involvement of various institutions at different stages of the project cycle. This section deals with roles and responsibilities of various institutional actors. It is noted that the Program (MFF) has been under implementation, therefore, all the necessary institutions are already in place and functional. Additionally, the relevant staff has been trained to deal with safeguards issues and has been involved in RP implementation for several years. The primary institutions involved in the process are as follows:

- Assam Electricity Grid Corporation Limited (EA and IA)
- Project Management Unit (PMU)
- Environment and Social Management Unit (ESMU) at PMU Level
- Project Implementation Unit (PIU)

9.2 Executing Agency

55. The Assam Electricity Grid Corporation Limited (AEGCL) is the executing agency (EA) for the APSEIP. The AEGCL also functions as the implementing agency (IA) for APSEIP with a dedicated Project Management Unit (PMU). The PMU in AEGCL has been set up for the overall implementation of the subproject activities. PMU is responsible for planning, coordinating, implementing and financing all resettlement activities. The PMU also comprises an Environment and Social Management Unit (ESMU) headed by an Assistant General Manager to deal with the safeguards issues. A Land Acquisition Officer is placed in the PMU to handle land acquisition issues. Additionally, the EA/IA ensures that the office of the District Commissioner and its concerned staff are involved during the land acquisition process.

9.3 Environmental and Social Management Unit

56. The Environment and Social Management Unit (ESMU) has been set up within the PMU/AEGCL, along with other engineering units, to address all environmental and social issues of the APSEIP. The ESMU is headed by an Assistant General Manager, who works closely with other staff of the PMU and assists the PMU in getting all necessary clearances and in the implementation of the resettlement activities prior to the start of any civil works. The ESMU coordinates safeguard activities both at headquarter and PIU level. All activities are managed and supervised by the Assistant General Manager based at the Head Office.

9.4 Project Implementation Unit

57. In addition to the PMU, there is a PIU at the field level for the independent implementation of sub-project. The PIU is responsible for field level activities, including all social safeguards related requirements and RP implementation. The PIU maintains all databases, works closely with APs and other stakeholders and monitors day-to-day resettlement activities.

9.5 Social Safeguard Consultant

58. In addition to the above, a social safeguard consultant has also been engaged to facilitate the process of finalization of the Resettlement Plans prepared for sub-projects under the APSEIP. The key responsibility of the Social Safeguard Consultant is to review and update all sub-project RPs, based on the Resettlement Framework (RF) agreed for this MFF and the relevant ADB policies. In addition, the Consultant's responsibilities also include advising and assisting the EA/IA in mitigating Social and Environmental issues and administration and Implementation of measures in RP, as required.

10. Implementation Schedule

59. The implementation of the RP was scheduled as per the overall project implementation timeframe. All activities related to land acquisition and resettlement were planned to ensure that compensation is paid prior to the commencement of civil works. Public consultation, monitoring and grievance redress were undertaken intermittently throughout the project duration. As part of advance actions, the EA established the PMU, PIU, ESMU and GRC for resettlement implementation.
60. Payment of compensation to all 4 affected persons for whose losses of land damaged and tree cutting, out of these 1 affected person losing only trees due to stringing of transmission line is completed. The construction of the tower footings and stringing of this sub-project is completed.

11. Monitoring and Evaluation

11.1 General

61. RP implementation is closely monitored through both, internal and external monitoring arrangements, to assess resettlement progress and identify potential difficulties and problems. Internal monitoring is undertaken by the PIU with assistance from the PMU/ESMU. The extent of monitoring activities, including their scope and periodicity, is commensurate with the Project's risks and impacts. AEGCL is required to implement safeguard measures and relevant safeguard plans, as provided in the legal agreements, and to submit periodic monitoring reports on their implementation performance.

11.2 Internal Monitoring by PMU

62. The PMU internal monitoring include: (i) administrative monitoring: daily planning, implementation, feedback and trouble shooting, individual AP file maintenance, and progress reports; (ii) socio-economic monitoring: baseline information for comparing AP's socio-economic conditions, evacuation, demolition, salvaging materials, community relationships, dates for consultations, and number of appeals placed; and (iii) impact evaluation monitoring: Income standards restored/improved, and socioeconomic conditions of the affected persons.
63. Monitoring and evaluation reports documenting progress on resettlement implementation and RP completion reports will be provided bi-annually by the PMU to ADB for review.

11.3 Monitoring Indicators

64. The indicators related to physical progress of the work will include items such as:
 - Training of PIU and other staff completed
 - Census, assets inventories, assessments and socio-economic studies completed
 - Grievance redress procedures in-place and functional
 - Compensation payments disbursed, and
 - Monitoring and evaluation reports submitted.

These indicators will form the basis of the monitoring and evaluation of RP implementation. The information collected through the household survey will provide benchmarks for comparison on the socio-economic status of the DPs in the project implementation period. A key objective will be the maintenance or improvement of the APs incomes and quality of lives.

12. Findings of Due Diligence

12.1 General

65. The main purpose of the due diligence exercise is to (i) assess the compliance of all RP activities already implemented under the subproject with provisions of the RF, (ii) identify gaps, if any, and (iii) design corrective actions as required.

12.2 Compensation for Damaged Land

66. To minimise the impact on affected persons, the project authority decided not to acquire and to pay compensation for damaged private land due to tower footings construction. This has been achieved by exercising sections 164 (power to execute provisions of ITA, 1885) and 165 (allowing to adopt land estimation process in LAA, 1894) of the Electricity Act 2003, and reading along with section 10 of the Indian Telegraph Act (ITA) 1885 that allow compensation for damage to private land but without acquiring any right.
67. The total private land requirement assessed for tower footings is 0.205 Ha for this sub-project, which also include private tea estates. A total amount of INR. **1,23,804/-** has been paid as compensation for damaged to private agriculture land to 4 affected persons.

12.3 Compensation for Loss of Trees

68. Compensation for trees (fruit & non fruit) owned by 5 title holders has been paid based on their market value. The rates for compensation for these impacts were finalized by engaging the Horticulture and Forest Departments. The loss of fruit trees and timber was compensated at applicable market rates amounting to a total of INR 9,09,591/- and INR 37,552/-, respectively. The grand total amounts to INR 9,47,143/-.

12.4 R&R Assistance

69. From the socio economic survey, no households were identified in vulnerable category.

12.5 Findings and Conclusion

70. There is no land acquisition and no physical displacement of affected person. The APs are however, economically displaced due to damaging of their land. All affected persons have been paid the compensation for damage to private land, loss of trees. Even though compensation for land is paid, it is noted that the ownership of the land is not acquired and remains with respective individual owners. The usability of land has diminished, still the owner has the option to utilise the land for cultivation, which further minimise the impact of the project.

ANNEXURES

Annexure 1

Census Survey Questionnaire

Annexure 2: Census and Socio-Economic Survey Questionnaire

ASSAM STATE ELECTRICITY BOARD
ADB TA 7086- IND ASSAM POWER SECTOR DEVELOPMENT PROJECT 2
For all Tranches
<u>SURVEY QUESTIONNAIRE</u>

Date
/ /

Identification Number
/ /

Type of the Use

1 Agriculture Land	2 Residential	3 Commercial
4 Residential cum Commercial	5 Open Land/Plot	6 Plantation
7 Well	8 Hand Pump	9 Graveyard
10 School	11 Hospital	12 Bus Stop
13 Petrol Pump	14 Industries	15 Masjid
16 Mazar	17 Temple/Shrine	18 Others (specify)
19	20	21

No of Storeys	
G	0
G+1	0
G+2	0

Measurement of the Structure / Land (in mts)		
Length:	Breadth:	Area:
Assessment of the Supervisor (a brief note if required):		

(Note: Provide a sketch of the property on Page 3 of this questionnaire.)

A. IDENTIFICATIONS

A.1 General Identification

Province	District	Village/Hamlet/ Town/Municipality		
Private	Government	Trust	Community	Others
1	2	3	4	5

A.2 Type of Property

A.3 Ownership

A.3.1 Do you own the structure/ plot/age culture land?

1. Owner	2. Tenant
----------	-----------

A.3.2 Occupiers Name

S/o

A.3.3 If Tenant, Name and Address of the Owner

A.4 Utilities in the Property

Sl.No	Utilities	Unit owned
1.	Trees	
2.	Dug wells	
3.	Tube wells	
4.	Lift Irrigation Points	
5.	Water Tap	
6.	Water Tank	
7.	Hand Pump	
8.	Boundary Wall	
9.	Barbed Wire Fence	
10.	Cattle Shed	
11.	Others	

SMEC India Pvt. Ltd.

Census & Socio-economic Survey



ASES – ADR TA 7095 IND

(For Private Properties only)

A.3 Typology of the Main Structure

Roof	Wall	Floor	Boundary
RCC/RBC	Brick	Concrete	Brick
Thatched	Wood Plastic	Mud	Barbed Wire
Mud	Mud	Stone	Wood
GI / Asbestos	Asbestos	Others	Others
Bamboo	Others		
Others			

(only for Agricultural Property)

B. LAND UTILISATION

B.1 Details of landholding:

Sl.No	Particulars	Unit in acres
1.	Irrigated	
2.	Unirrigated	
3.	Fallow	

B.2 Cropping Pattern (Ask for only Major Crops)

Season	Sl. No.	Crop Name	Area cultivated (ha / acres)	Production (Kg per halacre)	Rate (in Rs./Kg ⁺)
Autumn Plant Kharif (Nov.- Mar)	1				
	2				
	3				
Spring Plant Rabi (July- Nov.)	1				
	2				
	3				
Summer Plant (Mar- July)	1				
	2				
	3				

C. RESETTLEMENT & REHABILITATION

(for Commercial Structures Only)

C.1 How old is the structure? (Mention the year since you are operating from this structure/ year of construction)

C.2 How long are you residing or operating from the structure? (Mention the year)

C.3 What type of business are you doing, in case of commercial use?

1. Tea Stall	8. Educational
2. Grocery	9. Hotel
3. Cloth/Garments	10. Electrical
4. Tailoring	11. Furniture
5. Medicines	12. Any other, please specify
6. Repairing	
7. Cigarette	

C.4 Is your business self owned? Yes / No

C.5 If No, how many partners? (number)

C.6 How many people have you employed? (number)

C.7 Where would you prefer to re-settle? (Distance in kms)

1. Same Village/Town
2. Outside Village/Town
3. Other Village/Town

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ASEB - ADB PA 7096 IND

C.8 Do you have any alternative land structure? Yes / No

C.9 If Yes, where? (name of the place / or distance from present location)

D.1: Household Details

D.1.1. Caste details Group of the Occupier.

ST (hills)	ST (Plain)	SC	MOBC	OBC	General
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others <input type="checkbox"/>					

D.1.2. No. of Persons in Household

Above 14 yrs	Below 14 yrs
<input type="text"/>	<input type="text"/>

Codes for Relationship

1	Self	2	Wife	3	Husband	4	Son
5	Daughter	6	Son-in-law	7	Daughter-in-law	8	Grandfather
9	Grandmother	10	Grandson	11	Grand daughter	12	Grandson-in-law
13	Grand daughter-in-law	14	Brother	15	Sister	16	Brother-in-law
17	Sister-in-law	18	Father	19	Mother	20	Father-in-law
21	Mother-in-law	22	Uncle	23	Aunt	24	Cousin
25	Nephew	26	Niece	27	Any other (specify)		

Provide a hand sketch drawing indicating the dimensions of the property (structure/land) in this blank place below:

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Annexure 2

Towers Schedule of Final 132kV DC Hailakandi LILO

DETAIL SURVEY TOWER SCHEDULE

CLIENT:- AEGCL LINK:- LILO of 132 KV S/C Panchgram-Durlavpara T/L

SL NO.	AP NO.	TOWER NO.	TYPE OF TOWER	ANGLE OF DEVIATION	SPAN IN (M)	SEC. LENG.	CUMULV LENGTH	R.L.	SUM OF ADJACENT SPAN	WEIGHT SPAN IN (HOT)			WEIGHT SPAN IN (COLD)			MAJOR CROSSING DETAIL	REMARKS	GPS CO-ORDINATE	
										LEFT	RIGHT	TOTAL	LEFT	RIGHT	TOTAL			EASTING	NORTHING
LOOP IN																			
1		T NO. 79	A+0	00°00'00"															
		T NO. 80	A+0	00°00'00"	323	323	323	107.70	323.00		177.28	177.28		193.06	193.06				
2		NT NO. 1	D+3	23°10'07" RT	229	229	552	97.89	306.00	83.95	28.35	112.30	53.39	18.20	71.60	VILL. MOKAM	92°31'39.1"	24°41'55.1"	
3		NT NO. 2	D+3	42°35'14" LT	77	77	629	98.33	109.00	48.65	88.48	135.13	58.80	156.96	215.75	VILL. MOKAM	92°31'58.7"	24°41'53.8"	
4		BAY	BAY		32	32	661	100.1	32.00	54.48		-54.48	-124.96		124.96	VILL. MOKAM	92°31'56.4"	24°41'52.4"	
LOOP OUT																			
5		BAY	BAY		68	68	68	95.96	68.00		-12.22	-12.22		-58.45	-58.45	VILL. MOKAM	92°31'35.7"	24°41'52.2"	
6		NT NO. 3	D+3	18°16'50" RT	213	213	281	98.73	281.00	80.22	91.16	171.38	126.43	75.82	202.27	VILL. MOKAM	92°34'34.8"	24°41'50.0"	
7		T NO. 83	A+0	90°00'00"	260	260	541	101.6	473.00	121.84	47.22	169.06	137.18	35.55	101.92	Pond. Metal Road			
8		T NO. 84	A+0	00°00'00"				113.7	260.00	212.78		212.78	295.96		295.96				



SURVEYED/SUBMITTED BY

CHECKED BY:-

APPROVED BY:-

APPROVED

(Signature) 15/1/16

Dy. GENERAL MANAGER

Gto the G.M., P&E, AEGCL

Narengi, Guwahati-26

Annexure 3**List of Persons Affected due to Tower Footings**

Tower Location	Name of Affected Person	Area (ha)	Compensation Amount (INR)
AP 81	Namar Ali Laskar	0.037	22,500
AP 81A	Kutub Ali Laskar	0.029	25,340
	Harus Ali Laskar	0.029	23,340
AP 82	Moyeen Uddin Laskar	0.11	50,624

Annexure 4

List of Persons Affected by Stringing of Transmission Line

Impacts (Quantity)											
Sl. No.	Location Number	Name of Affected Household	Loss Tree (Quantity)				Compensation Amount (Rs.)				Total Amount (Rs/-)
			Fruit Bearing	Timber	Bamboos	Tea Bushes	Fruit Bearing	Timber	Bamboos	Tea Bushes	
Sub-Project Name: 132kV Hailakandi LILO - Tranche 2											
1	Tower Loc. No. 81/0 to Tower Loc. No. 82	Moyeen Uddin Laskar	41	0	0	0	264,600	0	0	0	264,600
2		Harush Ali Laskar	82	0	0	0	476,991	0		0	476,991
3		Namar Ali Laskar	7	7	0	0	42,000	0	0	0	42,000
4		Rejak Uddin Laskar	13	8	0	0	78,000	15,357	0	0	93,357
4		Kutub Ali Laskar	8	3	0	0	48,000	22,195	0	0	70,195
		Total	151	18	0	0	909,591	37,552	0	0	947,143

Annexure 5

Public Consultation Minutes

Public Consultation	
Name of the sub-project	132 kV Hailakandi LILO (0.619km)
Name of the Village/s	Chandpur
Venue	Chandpur
Date	20/02/15
No. of Participants attended	4
Consultations conducted by	D.J. Baruah / D. Singha / M. Rogoi
Objectives: <ul style="list-style-type: none"> To inform the community about the sub-project To understand their overall socio-economic condition To understand their views and perceptions on project 	
Issues Discussed & Observation made: <ol style="list-style-type: none"> People are happy for the proposed project One of the affected person named Hameed Ali is not happy about the compensation amount because the provided Jirid amount is very less compare to the P&CL provided at the same district (Hailakandi) Out of 4 affected families, one person named Moisuddin Ali Laskate demand a Government job for his son. Otherwise, he is not agree to provide the land for tower footing. Stringing & erection works should be incorporated after the harvesting. 	

Public Consultation Attendance Sheet

Attendance Sheet

Date: 20/02/15
 Sub-Project Name: 132kV ~~Agia~~ Hailakandi LILO
 Village/s: Chendpur

Sl. No.	Name	Occupation	Signature
1	Harnul Ali	Agriculture	27/02/15
2	Pshak Ali Laskar	do-	
3	Alta Hussain Laskar		
4	Moinuddin Ali Laskar	Business	Alta Hussain Laskar
5		Business	
6		Ret. Teacher	
7	Dibya Jyoti Banuah	Soc & Env. Invest	
8	Deepjyoti Singha	do	
9	Manzil Gogoi	do	Manzil Gogoi
10			
11			
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Socio Economic Census Survey & Consultation Photographs

Photo 1: Socio Economic Survey at Chandpur Village for 132kV S/C Hailakandi LILO Dated 20-02-2015



Photo 2: Socio Economic Survey at Chandpur Village for 132kV S/C Hailakandi LILO Dated 20-02-2015



Photo 3: Socio Economic Survey at Chandpur Village for 132kV S/C Hailakandi LILO Dated 20-02-2015



Photo 4: Public Consultation at Chandpur Village for 132kV S/C Hailakandi LILO Dated 20-02-2015

Annexure 6

Land compensation estimates approved by Deputy Commissioner, Hailakandi District

The assessment of Compensation of surface damaged of Land & Jirat, caused due to shifting of three No. of Towers of 132 KV S/C Transmission line of the A.E.G.C.L, Sub-station, Panchgram at Village Chandput on joint re-verification dtd. 05/08/2015, with the A.E.G.C.L. official.

SLN. No.	Name of land lossers And address.	Loc No.	Patta No.	Dag No.	Area involved.	Rate per Bigha	Amount	Name of Jirat damaged.	No. of Jirat.	Rate.	Amount	Total Amount (8+12)	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	Sri Moyeen Uddin Laskar S/O Lt. Maktar Ali Laskar Vill- Chandpur Ph- Serispore. Dist- Hailakandi.	82(D-5)	1(one)	4.	3 K-6Ch.	3(three) Lakh	50,624/-	Betal Nut Guava	37 No. 4 No.	6,000 18,000	2,22,000/- 72,000/- 2,94,000/- (-129,400/-) 2,64,600	3,15,224.00	
2	Harus Ali Laskar S/O Lt. Abdul Bari Laskar Vill- Chandpur. Dist. HKD.	81(A)	-Do-	77	1K-11Ch.	-Do-	25,340/-	Jarul tree (8ft. x 15ft) Sour tree Betal Nut	5 No. 4 No. 73 No.	3,998 18,000 6,000	19,990/- 72,000/- 4,38,000/- 5,29,990 (-152,999/-) 4,76,991/-	5,02,331.00	
Total =												8,17,555.00	

Approved
Deputy Commissioner
Hailakandi
30/08/17

Sent to
report
30/08/17

Addl. Deputy Commissioner
Hailakandi
30/08/17

As verified earlier
by the LD staff
of Deptt & Aegcl officials
30/08/17
Deputy Commissioner
Hailakandi

Asst. Manager (PE)
Jare House
AEGCL, Panchgram
5/2/16

(2)

B. P. - 8,17,555/-

S.N. No.	Name of land loser And address.	Loc No.	Patta No.	Dag No.	Area involved.	Rate per Bigha	Amount	Name of Jirat damaged.	No. of Jirat.	Rate.	Amount	Total Amount (8 + 12)	Remarks
3	Namar Ali Laskar S/O Lt. Abdul Bari Laskar Vill- Chandpur Ph- Serispore. Dist- Hailakandi.	80-81	1(one)	77	1 K- 08 Ch	3(three) Lakh	22,500/-	Betal Nut	7 No.	6,000	42,000/-	64,500/-	
4	Rejak Uddin Laskar S/O Lt. Musabbir Ali Laskar Vill- Chandpur. Dist. HKD.	81(A)	-Do-	75 76	1K-00Ch.	-Do-	--	Makka Tetul (5ft. x 15ft) Chatni Tree Neem Tree(Small) Gamari(Small) Betal Nut	3 No. 2 No. 1 No. 2 No. 13 No	3,998 2,018 492 4,604 6,000	11,994/- 4,036/- 492/- 9,208/- 78,000/-	93,357/- 103,720/- 10,375/- 93,357/- Net.	
5	Kutub Ali Laskar S/O Lt. Kala Mia Laskar Vill- Chandpur Ph- Serispore Dist- Hailakandi	81 (A)	-Do-	77	1K-11 Ch	-Do-	25,340/-	Jarni Tree (5ft X 15 ft.) Betal Nut Tree 5 inch. brick Up to plinth Level (13 ft X 37 ft.) 10% deduction	3 No. 8 No. - - - For cutting	3,998 6,000 - - - Trees etc.	11,994/- 48,000/- 18,000/- 77,994/- 7,799/- 70,195/- Net.	95,535/-	

4. Total = 10,70,847/-

As verified earlier by the LD staff of Adept & legal officials
2/2/2017

Approved
Deputy Commissioner
Hailakandi
2/2/2017

Seen & verified
Addl. Deputy Commissioner
Hailakandi
2/2/2017

Decided
Asst. Manager
JSC, Assam
AEGCL, Panbazar
2/2/2017