



GOVERNMENT OF ASSAM

**Assam Integrated River Basin Management Project (AIRBMP) – Phase I
(Funded by The World Bank)**

Resettlement Policy Framework (RPF)

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Prepared by



FREMAA

**Flood and River Erosion Management Agency of Assam (FREMAA)
Water Resources Department**

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List of Acronyms

ADB	Asian Development Bank
ADC	Autonomous District Council
AIFRERMIP	Assam Integrated Flood and Riverbank Erosion Risk Management Investment Program
AIRBMP	Assam Integrated River Basin Management Program
AP	Affected Person
APL	Annual Patta Land
ARAP	Abbreviated Resettlement Action Plan
ASDMA	Assam State Disaster Management Authority
AWRMI	Assam Water Research and Management Institute
BPL	Below Poverty Level
CDD	Community Driven Development
CEO	Chief Executive Officer
COVID	Coronavirus Disease
CPGRAMS	Centralised Public Grievance Redress and Monitoring System
CPI	Consumer Price Index
CPR	Community Property Resources
DLLPC	District Level Land Purchase Committee
DPR	Detailed Project Report
E&S	Environmental and Social
EA	Executing Agency
EAP	Externally Aided Project
EM	Entitlement Matrix
EOC	Assam Emergency Operations Centre
EONT	Executive Officer (Non-Technical)
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FGD	Focus Group Discussion
FREMAA	Flood and River Erosion Management Agency of Assam
GBV	Gender Based Violence
GOA	Government of Assam
GOI	Government of India
GRC	Grievance Redressal Committee
GRM	Grievance Redressal Mechanism
GVB/SEA	Gender Based Violence/ Sexual Exploitation and Abuse
HIV/AIDS	Human Immunodeficiency Virus, Acquired Immunodeficiency Syndrome
IC	Internal Committee
INR	Indian National Rupee
IP	Indigenous People
TDF	Tribal Development Framework Tribal Development Plan (TDP)
IR	Involuntary Resettlement

LA	Land Acquisition
LARRA	Land Acquisition Rehabilitation and Resettlement Authority
LMP	Labour Management Procedure
MPA	Multiphase Programmatic Approach
NESAC	North Eastern Space Applications Centre
NGO	Non-Governmental Organization
PAF	Project Affected Family
PAP	Project Affected Person
PDO	Project Development Objective
PIU	Project Implementation Unit
PMTc	Project Management Technical Consultancy
PMU	Project Management Unit
R&R	Resettlement and Rehabilitation
RAP	Resettlement Action Plan
RFCTLARR Act 2013	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
RPF	Resettlement Policy Framework
SEA/SH	Sexual Exploitation and Abuse/ Sexual Harassment
SEP	Stakeholder Engagement Plan
WB	The World Bank
WRD	Water Resources Department

Executive Summary

Project Description

The AIRBMP has 4 components; 1) Institutional Strengthening and Strategic Studies, 2) Water Resources Management, 3) Disaster Risk Management and 4) Contingent Emergency Response Component. Component 2 and 3 will have civil works that require land. The Phase (I) AIRBMP will mainly focus on three (Buridehing, Beki and Jiadhah) of the six subbasins of the Brahmaputra River in Assam. The investments in Phase 1 of the project are implemented in the lower portions of the Buridehing basin in the districts of Dibrugarh and Tinsukia and in the lower portions of the Beki basin in the districts of Baksa and Barpeta. All project activities under AIRBMP are implemented through two project implementing units (PIUs), i.e., Water Resource Department (WRD), and Assam State Disaster Management Authority (ASDMA). The Flood and River Erosion Management Agency of Assam (FREMAA) will coordinate and oversee all the project preparation and implementation activities.

Potential Adverse Impacts

The type of works/activities proposed are 1) WRD Works: Anti-erosion works along critical riverbank stretches and rehabilitation of existing levees to ensure structural integrity and enhance climate resilience; and Assam Water Centre Annex, and 2) ASDMA Works: Construction of new flood shelters and the retrofitting of existing flood shelter structures, mainly schools, Technical Demonstration Units (TDUs) and Climate Resilient Villages (CRVs). An Environmental and Social Impact Assessments was conducted for the first set of investments (Phase I). This indicates that for proposed anti-erosion works and embankment strengthening requires both government and private lands. The impact assessment indicated that there are squatters both residential and commercial and encroachers in government land at some sites. The potential social risks/impacts are: Loss of land of title holders; impact on assets of non-titleholders, loss of structures of titleholders and non-titleholders, partial/minor impacts on community/ religious land and structures and other common/ community properties, etc. the ASDMA works are on government land and do not require any private land.

Resettlement Policy Framework

This RPF is prepared consistent with World Bank's ESS5 under ESF and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR), Assam RFCTLARR Rules, 2015, Land Acquisition through consent under the RFCTLARR Act 2013 provisions. The RPF lays down the principles and procedures for management of social impacts caused by the project and guide the social impact assessment and preparation of Resettlement Action Plans. This RPF provides for land acquisition through a) Land Acquisition through Consent and b) using the LARR Act 2013. The RPF bridges the gaps identified in the national and state regulation to conform to the provisions of World Bank's ESS. These gap-filling measures are reflected in the entitlement matrix. Some of the gap filling measures are special assistance to title holders whose land is acquired through consent and entitlements to squatters and encroachers, etc.

Institutional Arrangements

PMU at FREMAA will be specifically responsible for handling of all social, resettlement and land related issues at the sub-basin level, with the help of PIUs and NGOs hired by FREMAA. The Deputy Commissioner of the concerned district, based on the provisions of RFCTLARR Act 2013, will have the competent administrative authority for land acquisition. This will include notification of the process of LA, commissioning of the Social Impact Assessment (SIA) as 'appropriate government' (under Section 4 of LARR, 2013), hearing grievances and suggestions related to the process, monitoring the process of LA, handing over of compensation to PAPs/PAFs, land use changes and hand over of the property/ assets to the concerned administrative department/ municipal corporation. The District level Land Purchase Committees (DLLPC) will be responsible for negotiation and seeking consent. Agriculture, Horticulture, Public Works, Forest etc. departments will provide coordinated support to

the Deputy Commissioner as the 'Appropriate Government' by providing estimates for valuation of the structures, assets, trees, crops and related resources. The Land Acquisition, payment of compensation, and R&R assistances will be done by the Deputy Commissioner of the concerned district. The Notices to vacate the sites will be given by the respective PIUs within the prescribed time frame.

Internal Monitoring & External Evaluation

Internal monitoring will be the responsibility of the PMU; which includes, socio-economic monitoring: baseline information for comparing PAP's socio-economic conditions, evacuation, demolition, salvaging materials, community relationships, dates for consultations, etc. Monitoring reports documenting progress on resettlement implementation and RAP completion reports will be prepared by the FREMAA and shared with all concerned and disclosed. The AIRBMP will engage the services of an independent evaluation agency to undertake evaluation twice – at mid and at end term. The external agency, monitor and verify RAP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement.

Coordination with Civil works

The land acquisition and resettlement implementation will be coordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of cleared sections to the contractors. The RAPs will be prepared, reviewed, and approved prior to invitation of bids for the respective contracts. The bid documents will specify the extent of unencumbered land to be handed over at the time of commencement of works and subsequent milestones. This will be strictly followed to ensure that land is provided on a timely basis to the contractors and plan implementation of land acquisition and resettlement consistent with procurement and civil works schedule.

Grievance Mechanism

A Grievance Redressal Mechanism (GRM) will be established to address stakeholders and project affected peoples' grievances. This GRM will ensure that the stakeholders have access to legitimate, reliable, transparent, and efficient institutional mechanisms responsive to their complaints. The GRM will work within existing legal and cultural frameworks. The grievances arising from the project interventions are proposed to be dealt with through two separate grievance mechanisms – i) Component-2, managed by WRD and ii) Component-3, managed by ASDMA. The PMU (FREMAA) will have a Grievance Redressal Committee (GRC) as the appellate authority under the Project. For Component 2 activities, GRM is established at the 2 (two) levels, viz, (i) Divisional level, (ii) District level will be headed by the Deputy Commissioner. The PIU of WRD will oversee the divisional level GRM. There will be 2 levels of GRM for Component 3 activities, (i) Sub-Project Level, and (ii) PIU Level. Grievances are accepted, acknowledged, and registered and will be responded to the complainant in writing within a month and in the prescribed manner. The Grievance Redress Committees will have representation from the communities. All grievances will be reviewed and resolved within six weeks of submission date. Queries or complaints received in various forms, directly from PAPs or third parties, will be registered in grievance registers and online portal.

Budget

The RPF contains an estimated resettlement budget that includes the cost of LA, R&R assistances, purchase of goods and consultancy services such as hiring of agencies for RAP implementation and Impact evaluation, etc. The cost of LA and R&R has been budgeted as part of the overall project costs and shall be met with Government of Assam funds. The World Bank's loan will be available for costs

such as works, purchase of goods and NGO consultancy, M&E services, if required following the World Bank's procurement guidelines.

Disclosure and updating of RPF

The PMU and PIUs will disclose the RPF in English and this Executive Summary in both English and Assamese. The Entitlement Matrix will also be disclosed in Assamese. This RPF will be updated/ revised, where necessary to meet the requirements of country's legislations and Bank ESF.

1. Introduction¹

1.1 Project Description

1. Assam is strategically important as the largest and most populous State in the Northeast; it faces many of the challenges prevalent in other parts of the Northeast, but also holds tremendous potential for development through improved water resources management. Assam forms the physical and economic backbone of the region, connecting the other Northeastern States and joining them with the Siliguri corridor. Climate change is expected to exacerbate the water-related challenges in Assam. Climate modeling studies project an increase in the frequency of extreme flooding events for the period 2020-2059 due to higher monsoon precipitation over the Indus-Ganga- Brahmaputra River basins and accelerated glacial melting in the Himalayas and the Tibetan Plateau due to warmer temperatures.

2. The 2020 Brahmaputra floods that hit Assam between May and October impacted over 7 million people and forced more than 47,000 people into 564 relief camps², raising fears of new COVID outbreak clusters. Floods can exacerbate COVID-19 transmission risks by interrupting preventive and essential health services such as water and sanitation, which already has poor coverage in this area. Disruptions in water supply due to floods make it more difficult for affected households to undertake basic hygiene practices such as handwashing. Building resilience to flooding and erosion risks and achieving water security in Assam takes on greater urgency in the current COVID-19 crisis. Given the currently weak starting base and complexities, the reality is that considerable time and a gradual approach to tackling these challenges will be needed.

3. The Government of Assam (GoA) has approached the World Bank to provide support through the proposed Assam Integrated River Basin Management Program (AIRBMP)³. The proposed program focuses on strengthening institutions, filling critical knowledge gaps, and implementing integrated solutions to tackle the current challenges of floods and erosion, amongst others, and to seize opportunities for climate-resilient growth and improved livelihoods. The proposed program is aligned with the Government of India's initiative to make more optimal use of water resources and mitigate water-related risks in the Northeast to catalyze economic growth in the region.

1.2 AIRBMP

4. The AIRBMP is envisioned as a three-phase Multiphase Programmatic Approach (MPA). The Project Development Objective (PDO) of phase 1 is to "strengthen institutional capacity to improve integrated water resources planning and management and to build resilience to flood and erosion risks in Assam." The proposed project has four components. The project activities proposed under AIRBMP **Component 2 of phase 1**, no-regret investments of the Beki and Buridehing Sub-Basins and Emergency Works includes anti-erosion and river bank embankments works are undertaken. And under the **component 3, climate** resilient villages and flood shelters, small scale infrastructure works are undertaken.

¹ This RPF has been approved by FREMAA for implementation and public disclosure on 24 November 2022

² Flood report as on July 25, 2020, Assam State Disaster Management Authority website, http://www.asdma.gov.in/pdf/flood_report/2020/Daily_Flood_Report_25.07.2020.pdf, accessed on July 26, 2020.

³The ESMF including RPP, IPPF, LMP, GAP & SEP and ESIA & RAP were prepared with support from **Scorpion**, Guwahati and **Center for Excellence in Management & Technology Pvt. Ltd.**, Hyderabad, Telangana.

1.3 Implementing Agencies and Partners

5. All project activities under AIRBMP shall be implemented through two project implementing units (PIUs), i.e., Water Resource Department (WRD), Government of Assam & Assam State Disaster Management Authority (ASDMA). The Flood and River Erosion Management Agency of Assam (FREMAA) shall coordinate and oversee all the project preparation and implementation activities. The activities under the RPF shall be implemented by Revenue department through Deputy Commissioner (DC) for all land and resettlement activities. PWD for construction activities and Autonomous Development Council (ADC) for endorsing the implementation plans following due consultations.

6. The Project will be implemented in all districts of assam. In Phase I of the project will be implemented 10 districts.

1.4 Project Beneficiaries

7. These are people from villages/communities who are directly affected due to river bank erosion, soil erosion and floods, and suffered losses of life, land, assets, livelihoods, etc. These include all sections of society, i.e., men, women, and other genders from all community groups, including vulnerable populations such as elderly persons (above 60 years) pregnant women, children, persons with disabilities, sexual minorities, religious minorities, etc.

2. Principles and Objectives of RPF

8. The Resettlement Policy Framework has been prepared based on the assessment findings conducted thus far and from the review of applicable legal and policy framework discussed above. The framework bridges the above-mentioned gaps to conform to the provisions of World Bank's ESS. It lays down the principles and procedures for management of social impacts caused by the project and guide the social impact assessment and preparation of Resettlement Action Plans. It brings together and built upon the current good practices in terms of procedures to address more systematic and institutional issues; and establish institutional arrangements at project and state for the implementation of RAP. However, there more sub-projects for which locations are yet not identified at present. Hence, conducting ESIA towards preparation of Resettlement Action Plans for these works cannot commence at present, therefore necessitating preparation of a Resettlement Policy Framework (RPF). Once DPRs with final designs and details of all activities are firmed up, ESIA to assess risks and impacts shall be carried out and mitigation plans as per provisions of the RPF will be prepared and implemented. This aspect shall be explicitly stated in the Environment and Social Commitment Plan (ESCP). This Framework shall apply to all sub-projects under AIRBMP and all associated facilities⁴.

2.1 Principles of RPF

9. Based on the above analysis of Government statutes and the World Bank ESF, the following resettlement principles will be adopted to this project:

- **Screening:** The project sites will be screened early on to identify past, present, and future involuntary resettlement impacts and risks. A screening checklist is prepared and kept in project files. Based on the screening results, conduct a social impact assessment, when necessary, as informed by screening. Determine the scope of resettlement planning through a census and socio-economic survey of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. Take due precautions to minimize disturbance to human habitations, tribal areas and places of cultural significance. Following the approach of Mitigation hierarchy, measures include the following: (i) explore alternatives which minimize impacts, (ii) ensure the appropriate design is used to reduce land requirements, (iii) modify the designs of components to maximize usage of the available Corridor of Impact and ensure involuntary resettlement is avoided or minimized and (iv) will help in identifying tribals, if any which will confirm the need for a tribal development plan. The Census survey questionnaire to be used for the Project is kept in project files.

Where displacement is unavoidable, improve, or at least restore, the livelihoods of all displaced persons through; (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, and (iii) prompt compensation at full replacement cost for assets that cannot be restored.

- **Non-Titleholders:** The displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land

⁴Associated Facilities as per ESF, WorldBank2016, means facilities or activities that are not funded as part of the project and, in the judgment of the Bank, are:(a)directly and significantly related to the project;(b) carried out or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist. For facilities or activities to be Associated Facilities, they must meet all three criteria.

assets at replacement value.

- **Standards of Living:** The standards of living of the affected families including poor and other vulnerable groups, including women, will be improved to national minimum standards or standard before displacement whichever is higher. The vulnerable families will be provided additional (vulnerable assistance) support to improve their living standards.
- **Replacement Cost:** The compensation offered under the Act is equivalent to replacement cost and people can buy lost assets in the open market including transaction costs, considering that the compensation is multiple times of the market value.
- **Meaningful Consultations:** Meaningful consultations will be carried out with displaced persons, host communities, and concerned agencies/departments. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay attention to the needs of disadvantaged and vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations. For tribals, Indigenous the process of meaningful consultation will also: (a) involve tribals' representative bodies and organizations (b) provide sufficient time for tribals decision making processes; and (c) allow for tribals effective participation in the design of project activities or mitigation measures that could potentially affect them either positively or negatively. A checklist for the proposed focus group discussion is prepared and kept in project files.
- **Assessment and Management Plans:** A Social Impact Assessment (SIA)⁵ will be conducted, and a Resettlement Action Plan (RAP) will be prepared elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. The format for Resettlement Action Plan is prepared and kept in project files.
- **Disclosure:** The draft Resettlement Action Plan, including documentation of the consultation process will be disclosed in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Final RAP after incorporating the outcome of consultations and its updates will be disclosed to displaced persons and other stakeholders as well.
- **Payment of Compensation Before Start of Civil Works:** Compensation and all resettlement entitlements will be disbursed prior to taking over of land and assets, before physical or economic displacement and before commencement of civil works in that stretch of the sub-project. RAP will be implemented under close supervision throughout project implementation.
- **Grievance Mechanism:** An accessible Grievance Mechanism consistent with elements of ESS10 will be established to receive and facilitate resolution of the concerns/ grievances of affected persons within stipulated timeframes.
- **Monitoring and Evaluation:** The resettlement outcomes, their impacts on the standard of

⁵ As part of ESIA

living of displaced persons, and whether the objectives of the resettlement plan have been achieved will be monitored and evaluated by considering the baseline conditions and the results of resettlement monitoring.

- Govt of Assam has a prevalent “ Rehabilitation policy for erosion affected families of Assam 2020” vide notification no. RGR.785/2014/91 dated 06/01/2021 (See Annexure 3). Erosion effected families who are rendered landless, homeless or lost their homestead land or agriculture land due to erosion are the beneficiaries. For execution of civil works under AIRBMP, **if any project lands recorded in the baseline census surveys are eroded before they are acquired**, FREMAA will use the provisions under this policy to support and facilitate through the District level Committee constituted under the policy to provide the financial assistance to the eligible families as per the policy norms. The policy is applicable for titleholders and the funds for execution of the policy is granted under State Disaster Response Funds. However, for the non-titleholders, compensation will be provided using the project funds for loss of livelihood. Further, the Government shall pay compensation for land and assets prior to taking over land for construction works.

3. Description of RAP Process

10. The FREMAA/WRD/ASDMA will follow the process of a) planning with survey of land and asset losses, census of affected persons and establishment of a socio-economic baseline, b) prepare a Resettlement Action Plan (RAP) with details of displaced persons' entitlements, income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and a time-bound implementation schedule. In the baseline information, customary rights, collective or communal forms of land tenure needs to be included. The gender perspective needs to be considered in the above context. All data needs to be gender disaggregated. The affected persons need to be consulted during the entire process of planning and implementation. The RAPs need to be disclosed. When displacement is only economic, a livelihood restoration plan needs to be prepared and implemented.

1. The FREMAA/WRD/ASDMA will assist beneficiaries to open a Bank account, in case they do not have Bank Account and all payments will be made through electronic transfers through District Administration.
2. Pay Compensation and Entitlements at least one month before any physical or economic displacement under the project.
3. Even after payment of compensation, displaced PAPs would be allowed to take away the materials salvaged from their dismantled houses/shops and other assets and no charges will be levied upon them for the same. One month notice will be issued intimating PAPs for demolition the affected portion and take away the materials so salvaged; otherwise, the same will be disposed by the project authority without giving any further notice.
4. Trees standing on the land owned by the government will be disposed of through open auction by the concerned Revenue Department/ Forest Department as per prevalent norms.
5. There shall be stamp duty exemption and no income tax deductions in line with Sec 96 of the RFCTLARR Act. In the event any deductions are made toward taxes, such amounts will have to be reimbursed.
6. In case title holder are not traceable, the land compensation shall be deposited in concerned district civil court/ escrow account.
7. If there are more than one titleholder the compensation will be distributed as per their share of land and assets. If there are disputes among the co-owners/titleholders the same will be deposited in the court/ escrow accounts. Under such exceptional case, with prior agreement of the Bank, after demonstrating all reasonable efforts to resolve such matters, the PMU will deposit compensation funds as required by the RAP into an interest-bearing escrow or other deposit account and proceed with the relevant project activities. Compensation placed in escrow will be made available to eligible persons in a timely manner as issues are resolved.
8. Use suitably qualified and experienced experts, for Monitoring and assessing resettlement outcomes, impacts on the standards of living of affected persons, achievement of objectives, etc. and disclose the monitoring reports.
9. The compensation amount are not subject to income tax and if required the cost of income tax will be reimbursed.

4. Estimated Key Adverse Impacts

11. The type of works/activities proposed in aforementioned components are as follows-
1. Anti-erosion works along critical riverbank stretches and rehabilitation of existing levees to ensure structural integrity and enhance climate resilience.
 2. Construction of new flood shelters and the retrofitting of existing flood shelter structures, mainly schools.
 3. Construction of Technical Demonstration Units (TDUs) Climate Resilient Villages (CRVs) which is being implemented at the village level towards resilient housing, and Assam Water Center Annex.
12. Based on the proposed infrastructure works and Environmental and Social Impact Assessments conducted for the first set of investments as well as future proposed investments, social risks and impacts likely are as follows:
13. The potential social risks/impacts have been enumerated below:
- I. Pre-construction stage
 - Loss of land (agricultural/ homestead/ commercial/ Community land etc.) of title holders
 - Impact on assets of non-titleholders (encroachers, squatters).
 - Loss of structures (residential/ commercial/ residential cum commercial, cattle sheds) of titleholders and non-titleholders
 - Disproportionate impacts on vulnerable groups including women, indigenous people, income below the poverty line families and People with Disabilities (PWDs)
 - partial/minor impacts on community/ religious land and structures and other common/ community properties e.g., Anganwadi centre
 - temporary or permanent disruption of livelihoods, including the loss of tenancy (rental structures) due to clearing of RoW particularly, petty shop owners, squatters and encroachers;
 - Loss of trees and crops
 - Loss of village grazing land and land owned for religious activities such as Temples, Mosques, burial grounds, cremation platforms, etc.
 - II. Construction stage
 - Temporary disruption/access to settlement and utilities
 - Temporary loss of livelihoods – fishing and boating
 - Disruption to traffic movement leading to time delays;
 - Damage to adjacent land parcels and structures

4.1 Estimation of land requirement

14. The land requirement is calculated based on the DPRs for each of sites. The AIRBMP project in Phase I of WRD component requires both Government and Private land: Government land 127 Ha and Private land 42 Ha. Due to dynamic behavior of river in the project area that causes regular floods and river bank erosion, also there might be possibility of certain lands that are previously submerged that may be reclaimed now. Therefore, the actual estimates of land to be acquired will have to reassessed before commencement of civil works.

Table 1: Land requirement - WRD

District	Required land	Govt. land	Private land
Dibrugarh	924.35 Bigha 123.67 (Hectare)	858.02 Bigha 114.79 (Hectare)	66.33 Bigha 8.87 (Hectare)
Tinsukia	29.46 Bigha 3.94 (Hectare)	10.14 Bigha 1.35 (Hectare)	19.32 Bigha 2.58 (Hectare)
Barpeta	191.53 Bigha 25.62 (Hectare)	46.60 Bigha 6.23 (Hectare)	144.93 Bigha 19.39 (Hectare)
Baksa	124.50 Bigha (Tentative) 16.65 (Hectare)	43.55 Bigha (Tentative) 5.82 (Hectare)	81 Bigha (Tentative) 10.83 (Hectare)
TOTAL	169 (Hectare)	127 (Hectare)	42 (Hectare)

15. For the ASDMA, 10 new flood shelters are proposed in Phase I requires 3.5 Ha which is government land. Augmentation of school buildings for flood shelter will not require any further land.

16. No land is required for Assam Water Center Annex building which is proposed to be constructed in premises of Assam Water Center, Water Resources Department.

Table 2: Land requirement – ASDMA New Flood Shelter

Sl. No.	District	Govt. Land
1	Biswanath	1 Bigha
2	Dibrugarh	3 Bigha
3	Golaghat	3 Bigha
4		3 Bigha
5		2.21 Bigha
6		5.31 Bigha
7	Majuli	1 Bigha
8		1 Bigha
9	Sivasagar	3 Bigha
10	Sonitpur	3 Bigha
	Total	3.50 Hectare

17. The estimated land requirement is based on presently identified sub-projects. The requirement will increase where more sub-projects are added to the project. It should be noted that the anti-erosion works and embankment protection works are an urgent requirement from the environmental and social perspective, in order to reduce further damage to land, assets and lives. Once the sub-project are finalized and civil works contracts are entrusted to the contractors, the land related activities including survey of land required, preparation of land acquisition plans, verification of revenue records, updation of revenue records, tracing the absentee titleholders, etc. to ensure smooth land acquisition process and speedy implementation of the sub-project works will be over.

5. Eligibility Criteria

5.1 Identification of PAFs/ PAPs/PAHs

18. An early screening of project activities will help to identify past, present, and future involuntary resettlement impacts and risks which helps in avoiding or minimizing impacts through alternatives and redesigns of project activities. The project proposes community participation in identification of PAFs/ PAFs/PAHs, mobilizing community in implementing RAPs (if any), and in addressing community's grievances if any. The following process will be adopted to identify PAFs/ PAFs/PAHs:

- Once the land required is identified, it is classified as either government land and/or Community Land or encroached land and/or private land based on ownership status.
- The project announces a cut-off date as the Baseline Census and Socio-Economic survey date for identification of affected people.
- The project will identify the encroachers and titleholders as per the ownership status with the help of community members, revenue department staff, and gram panchayat staff and relevant documents.
- Based on this information, the Project proponents will arrive at the total number of PAFs/ PAFs.
- Continuous consultations and community participation will help in identifying the affected persons who are not available or not traceable to receive the entitlements.

19. A 100% census and socio-economic survey will be conducted and extensive consultations will be held with the PAFs/ PAFs. Each target community will be identified and differentiated on the basis of their source and level of income, sexual orientation and gender identity (Census survey questionnaire is prepared and kept in project files). The survey will focus on land and various productive assets including wages. This information will be used to determine the nature and extent of livelihood support/assistance (over and above the provision made for compensation) required to restore adequate income levels. All these measures will be taken only after consulting the project affected families.

20. The following affected persons/ families are eligible for entitlements:

1. Title Holders/ Land owners/ Families with Traditional land rights/ occupiers – Agriculture/ Homestead/ Commercial/ Eksonia
2. Tenants and Leaseholders – registered/ unregistered tenants/ contract cultivators/ share croppers
3. Encroachers
4. Squatters
5. Livelihood losers and business owners
6. Vulnerable affected families/ communities

6. Applicable Legal and Regulatory Framework

21. A review of the legal and regulatory framework in terms of their relevance and applicability to the project is presented in this section. Table 3 lists all the applicable Government of India and Government of Assam regulations and their relevance to this project.

Table 3: Applicable Legal and Regulatory Framework

Sl. No.	Act / Rules	Key provisions and purpose	Applicability to Project
1	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR)	The Act provides for a transparent process and fair compensation in land acquisition for public purpose and provides for rehabilitation and resettlement of land owners and those affected by land acquisition. It comprises four schedules that provide the minimum applicable norms for compensation based on market value, multiplier and solatium; resettlement and rehabilitation (R&R) entitlements to land owners and livelihood losers; and facilities at resettlement sites for displaced persons, besides providing flexibility to states and implementing agencies to provide higher norms for compensation and R&R.	Applicable for activities where land is required to be taken on involuntary basis through eminent domain
2	Assam RFCTLARR Rules, 2015	The rules describe the process to be adopted when requisition for land is made by the requiring body, the process of conducting social impact assessment through the State Social Impact Assessment Unit formed exclusively for the purpose of conducting social impact assessment and functioning under the Commissioner of Rehabilitation and Resettlement. The rules also describe the process of obtaining consent from affected families in case of land acquisition for private companies. Further, the method of publication of preliminary notification, the information that is required to be published in the preliminary notification, the details required in the report of the Collectors on hearing of objections and the details required in the land acquisition award is described.	Applicable to all activities when land is required to be taken on involuntary basis through eminent domain
3	Notification on Land Acquisition of Land through Direct Purchase by way negotiated settlement for public purpose of all departments in the State of Assam, RLA.177/2021/3 dated 07/03/2022	<p>To expedite acquisition of land for speedy implementation of the programs, GoA intend to follow the process of acquisition by direct purchase through negotiations with the interested landowners.</p> <p>Acquisition of land is imminent for a public purpose, following two options will be available with the concerned WRD-</p> <p>i) Acquisition by direct purchase through negotiation on willing seller and willing buyer basis, under the RFCTLARR Act 2013 through consent.</p> <p>ii) Acquisition under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 [RFCTLARR]</p> <p>With a view to substantially reduce the time taken to process the land acquisition procedures laid down in Act 2013 and Rules 2015, while adhering to the prevailing statutory requirements, the WRD will give requisition to concerned Deputy Commissioner / District Collector as per Section 11 of RFCTARR Act 2013. A District Level Land Purchase Committee (DLLPC) under the Chairmanship of concerned Deputy Commissioner and Addl. Deputy Commissioner (Revenue) as Member Secretary and with members for concerned Revenue Circle office, Executive Engineer (WRD) and Sub-Registrar will be constituted. A</p>	

		<p>joint inspection will be conducted by EE(WRD) and Revenue Officer to ascertain the extent of land required and assets attached to land. DLLPC will prepare the valuation of land and assets. The price of assets attached to the land will be calculated on pro-rata basis on guidance price through appropriate authority. The direct price will be 25% higher on the compensation calculated as per provisions of Section 26 to 30 & Schedule I of RFCTLARR Act 2013 with multiplier rate of land defined as per Assam Land Acquisition Notification No. RLA300/20013/Pt-II/7 dated 22nd December 2014 (in compliance with Serial 2 of First Schedule & Section (2) of RFCTLARR Act 2013). The Resettlement and Rehabilitation (R&R) benefits are included in the 25%.</p> <p>In addition to the above, additional R&R Support measures will be provided for titleholders who are losing livelihoods and/ or, physically and/or economically displaced, such as livelihood assistance, subsistence allowance, transportation cost, one-time resettlement allowances, provision of housing, choice of annuity or employment, etc. will be also be provided.</p>	
6	The Right to Information Act, 2005	The Act provides for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental there to.	Applicable to the project as a whole.
8	The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	This law provides for recognition of forest rights to Scheduled Tribes in occupation of the forest land prior to 13.12.2005 and to other traditional forest dwellers who are in occupation of the forest land for at least 3 generations i.e., 75 years, up to maximum of 4 hectares. These rights are heritable but not alienable or transferable.	Applicable, if sub-projects are chosen in such tribal dominated areas.
9	The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996	One of the important provisions of this act states “the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-settling or rehabilitating persons affected by such projects in the Scheduled Areas.	Applicable as there are Scheduled Areas in the proposed investments”
10	Rehabilitation Policy for Erosion affected families of Assam, 2020 (No. RGR.785/2014/91 dated 06/01/2021)	The Rehabilitation policy for erosion affected families of Assam, 2020, will address those aggrieved families who are rendered landless, homeless or lost their homestead land or agriculture due to erosion.	Applicable if any land lost due to erosion before they are taken over for the project.

6.1 World Bank ESF Policy and Standards – Extent of Relevance

22. Section below discusses the relevance of ESS 5 in particular and briefly describes a few relevant ESS that need to be considered in conjunction with ESS 5 for devising this RPF:

Table 4: Relevant WB’s ESF Policy and Standards

World Bank ESS Policy, Standards	Objectives	Requirements	Relevance to the sub-project/project
<p>ESS-5 Land-Acquisition- Restrictions-on-Land-Use-and-Involuntary-Resettlement</p>	<p>Avoid or minimize involuntary resettlement by exploring project design alternatives. Avoid forced displacement. Mitigate unavoidable adverse impacts from land acquisition or restrictions on land use by providing compensation at replacement cost. Assist displaced persons in their efforts to improve, or at least restore, livelihoods and living standards to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. Improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure. Conceive and execute resettlement activities as sustainable development programs.</p>	<p>Applies to permanent or temporary physical and economic displacement resulting from different types of land acquisition and restrictions on access. Does not apply to voluntary market transactions, except which results in displacement of persons (third parties). Provides criteria for “voluntary” land donations, sale of community land, and parties obtaining income from illegal rentals. Prohibits forced displacement (removal against the will of affected people, without legal and other protection including all applicable procedures and principles in ESS5). Possession of land and assets happens only after payment of compensation and resettlement. Requires community engagement and consultation, disclosure of information and a grievance mechanism.</p>	<p>Land will be required anti-erosion works, embankment strengthening and new/upgradation of flood shelters. Hence impacts on land, private and community owned assets including structures, trees and crops is likely. Physical and economic displacement too is very likely.</p>

6.2 Analysis of Key National, State Acts and Policies and Bank's ESF

23. ESS 5 applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation.

- a) Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law
- b) Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures.
- c) Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights;
- d) Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;
- e) Displacement of people as a result of project impacts that render their land unusable or inaccessible;
- f) Restriction on access to land or use of other resources including communal property and natural resources such as grazing and cropping areas;
- g) Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
- h) Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.

24. The above stated scope for application of ESS 5 covers the approaches that shall be adopted by the FREMAA to acquire land for this project.

1. Land acquisition using RFCTLARR Act 2013 and 2015 Assam RFCTLARR Rules
2. Land acquisition through consent

6.3 Land Acquisition using RFCTLARR Act 2013 and Assam RFCTLARR Rules 2015

25. The key features of the RFCTLARR Act 2013 and Rules 2015 are briefly described below:

- i) Mandatory social assessments to determine whether the acquisition serves a public purpose or not.
- ii) Requirement to ascertain and justify the minimum land requirements for the purpose for which land is being acquired.
- iii) Assessment of the impact of land acquisition on life, livelihoods, public infrastructure, common properties, customary rights, and community assets of impacted communities.
- iv) Identification of steps to minimize any adverse or negative impacts of the acquisition.
- v) Livelihoods support for affected persons, including compensation and support for permanent or temporary relocation using realistic compensation fixing methods.
- vi) Detailed census of affected families to map their socio-economic profile, potential losses or adverse impacts on livelihoods and/or public community and individual assets.
- vii) Special provisions for disadvantaged and vulnerable categories of project affected persons/ households; mandatory requirement for settlement of compensation and assistance for affected persons before actual land acquisition.
- viii) Mechanisms for consultations, grievance redress and full information disclosure.

26. The above are adopted in this RPF through a) conducting a SIA and preparation of RAP, b) acquiring only the minimum required land, c) considering all impact such as livelihoods losses,

common properties, customary rights, community assets, etc., during the assessment for mitigation/management, d) minimizing the land requirement through design modifications, e) providing livelihoods support to affected persons, support for temporary relocation, realistic compensation estimation without depreciation, and through preparation and implementation of RAP, f) conducting a detailed census surveys of all affected families mapping socio-economic profiles and losses and adverse impacts on individual and community assets, g) making special provisions in the RPF for disadvantage and vulnerable categories of affected people, h) making it necessary in the RPF that payment of compensation and all other assistance be provided before taking possession of land, and i). provision for consultation, GRM and information disclosure in the SEP.

6.4 Land Acquisition through Consent

27. For this Externally Aided Project (EAPs) to be implemented by Water Resources Department (WRD), the Government of Assam will adhere to Government of India's (GoI) readiness criteria for the EAPs that 50% of land acquisition for a project has to be completed before loan negotiation. In order to streamline and reduce the time taken during the land acquisition process, while adhering to the prevailing statutory requirements, the Assam Government has issued a notification on direct purchase through negotiated settlement for public purpose of all departments in the state of Assam (RLA.177/2021/3 dated 07/03/2022). This Government Order is annexed to this RPF as Annexure 2.

28. Purpose for Land Acquisition through Consent

- Policy will expedite the land acquisition procedures and will meet GoI's readiness criteria for the project.
- Policy will expedite land availability for the project in shorter time.
- Policy has the provision for pre-informed negotiated settlements with the land owners and land will be possessed by paying agreed price directly to land owners through the District level land purchase committee (DLLPC) chaired by the Deputy Commissioner of the concerned districts.
- If the titleholders gives consent for 5 times the market value compensation, it will be proceeded, otherwise land will be acquired applying the RFCTLARR Act 2013.

29. Key features and approach under the Government order are as follows:

- The WRD will finalize the minimum land requirement and give requisition to the concerned Deputy Commissioner/ District Collector (DC) in Form-A (Form-1 previously).
- A District Level Land Purchase Committee (DLLPC) will be constituted with concerned Deputy Commissioner as Chairman and Additional Deputy Commissioner (Revenue) as Member Secretary. The DLLPC will have Revenue officials, representation from WRD, and may also have representation from other required departments.
- The Revenue Circle Officer will conduct joint inspection of the requisite land along with concerned Executive Engineer of WRD. The area of the land and immovable properties attached on it will be measured, mapped and ownership details will be updated.
- The DLLPC will issue a notification as per Section 21 of LARR Act 2013 inviting attention of the land owners about the proposed purchase of the land in Form B
- A list of willing land owner will prepared by ascertaining the actual ownership of land, if necessary through field enquiry. A consent will be taken from willing owner in writing in Form C.
- The list of land owners agreed for consent to 5 time compensation, it will be published inviting objections, within 1 month, regarding interest and ownership of the land etc. if any. (Form B)
- DLLPC will prepare the valuation of the land and assets, if any thereon the particulars of the land, name of owner, etc.

- The DLLPC fixes price as per provisions under Section 26-30 of the RFCTLARR Act and on multiplier (*Ref. Notification No. RIA 300/2013/pt-II/7 dated 22nd Dec 2014 of Govt. of Assam*)
 - 100% solatium on determined value provided on all assets on land.
 - Also, structures are valued as per Schedule of Rates including depreciation.
- The direct purchase rate is calculated as per provisions of Section 26 to 30 & Schedule I of RFCTLARR Act 2013 with multiplier of market rate defined in Assam. The land owners will get an incentive of additional 25%, inclusive of R&R Benefits, on the compensation is calculated.
The Price of Direct Purchase
(DP) will be: $DP = 1.25 \times \{2 \times [(R \times M \times A) + (B + O)] + [0.12 \times Y \times (R \times A)]\}$
Where:
 - R is the base rate of Land
 - M is the Multiplier factor
 - A is the affected area
 - B is the market value of Buildings
 - O be cost of all immovable assets & standing crops
 - Y is the year from date of notification to award of compensation
- A pre-informed negotiation(s), with regard to price of land, with the respective land owners will be carried out by DLLPC. The settlement reached in the negotiation shall be recorded in Agreement. Once land owner signs an undertaking, will not claim for higher compensation in any court of law or any other forum.
- The land will be possessed and registered through paying the negotiated price through electronic transfer to their respective bank accounts.
- The concerned Deputy Commissioner will transfer the land in favor of WRD and make necessary changes/corrections in the land records.
- In the event of any owner refusing to sell the land, any unresolved disputed ownership or court cases, the respective land will be acquired through regular land acquisition process of Assam Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules 2015.
- In case of affected non-titleholders, suitable compensation (ex-gratia payments) for loss of assets and R&R assistance is proposed in the entitlement matrix.
- There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act. In the event any deductions are made toward taxes, such amounts will have to be reimbursed.
- **Support measures are such as livelihood assistance, subsistence allowance, transportation cost, one-time resettlement allowances, provision of housing, choice of annuity or employment, etc. as per The Second Schedule of the RFCTLARR Act 2013, in case of loss of livelihoods or physical displacement, etc. as additional benefits will be provided.**

6.5 Comparative Analysis of GO on Land Acquisition through consent under RFCTLARR Act and ESS-5

30. A comparison between RFCTLARR Act, GO on land acquisition through consent and World Bank's ESF is summarized here. Annexure 1 presents the details along with gap-filling measures reflected in the entitlement matrix of the RPF that is applicable to AIRBMP.

- **Conducting of SIA:** The Act, like provisions of ESS, requires SIAs for projects involving land acquisition with elaborate process of consultation at every notification stage to identify impacts due to land acquisition. The government orders for direct purchase has no such provision for conducting SIA, as the area to be acquired is limited.
- **Replacement Costs:** The land acquisition through consent will offer 25% higher on the compensation rate determined through the Act. The Act in its computation of compensation is not

explicit about providing replacement cost of structures, though presumably the provision of 100% solatium will help arrive at replacement cost of structures or higher. The GO too follows this principle and considers 100% solatium on the cost of structures without depreciation and an additional 25% over above. The ESS 5 however, requires replacement compensation for structures to be of equal or greater value. In case the affected persons are displaced, then they are given additional resettlement support as given in the Entitlement Matrix.

- **Timing of payment:** The Act similar to World Bank's ESF requires compensation to be paid, prior to project taking possession of any land and provide Rehabilitation and Resettlement support including transitional support and moving allowances.
 - In case of consent, all payments are preferably to be paid in one single installment to the affected land owner prior to taking over land and its transfer to the project. Support measures as relevant are proposed such as livelihood assistance, subsistence allowance, transportation cost, one-time resettlement allowances, provision of housing, choice of annuity, lump sum, or employment, etc. as per The Second Schedule of the RFCTLARR Act 2013. These additional provisions if relevant are also available to those whose lands are acquired through consent.
 - There are certain gaps when compared to ESS-5: (i) cut-off-date for non-titleholders to be eligible for assistance under the 2013 Act is three years preceding acquisition, and for the titleholders it is the date of preliminary notification, while as per ESS-5 eligibility criteria for both title and non- title holders it is the date of notification or census; For direct purchase for the titleholders it is the date of preliminary notification (ii) Act does not recognize non-titleholders (squatters/ encroachers) using public/government lands and hence no compensation is allowed, while the Bank recognizes the right of non- title holders to be compensated and (iii) While the ESF emphasizes on replacement property (e.g., agricultural or commercial sites) of equal or greater value, Act and GO does not include any provision on providing replacement property for commercial purposes. Replacement land is provided in the case of irrigation projects and acquisition of land belonging to the Scheduled Castes and Tribes, the Act however is silent on the market value of the replacement land.
 - The other provisions are a) Cutoff date: This will be the date of socio-economic survey, b) Disclosure: This RPF including all the RAPs will be disclosed by FREMAA and WRD/ ASDMA, c) Grievances: The grievances will be redressed under the GRM proposed for the project and the GRM proposed under the LA Act 2013, and the aggrieved have the option to approach the courts of law, d) Relocation: The respective RAPs will have relocation arrangements clearly planned, if anyone is physically displaced, e) Loss of Livelihoods: In case of loss of livelihoods, this will be taken care of by providing livelihood assistances, and f) Income Tax Deductions: Income Tax will not be deducted for the amounts paid as compensation under the LA Act 2013 or through direct purchase; if income tax is to be deducted or to be paid by the PAPs, then the same will be paid to the PAPs over and above the compensation in advance.
- **Provisions for NTH:** Unlike the Act and the ESS, land acquisition through consent does not have any provisions for non-titleholders as it deals only with private landowners and does not recognize encroachments and squatters on private land to be acquired. To address the gaps in consent, the following will be adopted:
 - Social screening and SIA (wherever required) will be conducted for all sub-projects to identify potential adverse social impacts.
 - All impacted persons; landowners and users of land (non-titleholders such as squatters and encroachers) would be consulted during the process.

- Structure to be compensated at replacement cost without depreciation, besides commensurate provisions to address livelihood issues. Specific provisions are incorporated in the Entitlement Matrix, to address impacts on non-titleholders as well.

31. In the event of any conflict or inconsistency between the provisions of RFCTLARR Act 2013, Government Order of GoA and the RPF, the provisions of World Bank's ESF and legal agreements shall prevail.

6.6 Valuation of Structures and Assets (Trees, crops)

32. The project shall utilize the services of various state departments. Experts in civil engineering/ geology/ agriculture/ horticulture as required or alternatively hire the services of government approved valuers for valuation of structures and other immovable assets. The objective of this exercise is to establish the extent of loss and estimation of replacement cost. The major tasks are as follows:

1. Measurement of affected structure/ immovable assets
2. Establishing construction typology
3. Establishing extent of loss
4. Estimation of replacement cost

33. The measurement will provide required information for valuation. For valuation, the latest Schedules of Rates (SoR) of the PWD (Building) will be applicable. This SoR provides the consolidated unit rates for permanent, semi- permanent and temporary construction/ structures/ assets. Details as to how such consolidated unit rates have been arrived at is also explained, generally in the respective SoRs. Using the analysis as guide, the Expert/ Valuer can arrive at the compensation value of a structure/ asset. Various SoRs also provides rates for hand pumps, dug-wells, tube wells, etc. including installation charges. Extent of loss would be determined primarily in terms of the portion of the structure affected. While calculating replacement cost the following principles need to be kept in mind:

- If a structure/ asset is affected 50% or more, then consider the whole structure as affected. When a portion of the structure is affected, and if it becomes unviable for use as per the PAF/ PAP, then consider the whole structure as affected.
- If the residual land, remaining after acquisition, is unviable, the owner of such land/property will have the right to seek acquisition of his entire contiguous holding/property provided the residual land is less than the minimal land holding of the district/State. Owner's choice in this regard should be obtained either prior to payment in case of direct purchase or prior to declaration of award.
- Do not depreciate the cost of the structure/ asset for its age.
- Wherever the SoR for current financial year is not available, the Competent Authority will update the Basic Schedule Rates (BSR) to current prices based on approved previous year escalations.
- Allow the PAFs/ PAPs to salvage and carry, for free, any materials for their use.
- Do not include the cost of salvaged material in the replacement cost.
- Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places.

34. In case of crops, give prior Two months' notice and allow sufficient time, as required by PAF/ PAPs to harvest crops or pay compensation for the crops as determined by concerned departments.

Common property resources⁶ on the other hand will be restored to an acceptable level at an appropriate place as agreed with the community. Community will be fully involved in the replacement and thereafter in the operation and maintenance/augmentation of the common property resources.

35. In case of land acquisition through consent, DLLPC with WRD will define few typical immovable assets of different category and fix the guidance price through expert/valuator. The price of the assets is calculated based on the guidance price on pro-rata basis. The minimum negotiated price shall be not be less than market value and, in any case, not be lower than the compensation and other entitlements under RFCTLARR Act 2013. In case of failure of negotiations, compensation will be paid as mentioned in the Entitlement Matrix. Details of compensation for private negotiation process are also specified in the Entitlement Matrix. In any case the payment for compensation will made in a single payment through electronic transfer to the respective bank accounts.

36. Each displaced person whose income or livelihood is affected by a project intervention will be assisted to improve or at least restore this livelihood to pre-project level. Livelihood restoration allowance for the Affected Persons have been provisioned in the Entitlement Matrix. The Project Implementation Unit (PIU) with support from NGO, will verify and assess the respective members of the PAFs, on training needs of him/ her or any of his/ her family members, to develop appropriate income restoration program, if the PAP opted for livelihood training for any of his/ her family member. This training will be organized by the project and paid for by the project. A livelihood assistance of Rs. 25,000/-, will be paid to the respective PAP, over and above of all other Rehabilitation and Resettlement Assistance paid.

37. In case of land to be acquired in tribal area the free prior informed consent needs to be obtained by holding Gram Sabha meetings ensuring representation of the tribal households on project interventions. The PIU will send letters of intimation to Gaon Sabha, PRI Members, local Civil Society Organizations about the meetings/ consultations in advance say at least 10 days before. Along with the intimation, sends project activity related details and agenda. Ensure that there is participation from all sections of tribals including females and more than two thirds participation. Record the meeting discussions and issue minutes/ proceedings and maintain records. Take consent of the Gaon Sabha for any project activity.

38. If the residual land, remaining after acquisition, is unviable, the owner of such land/property will have the right to seek acquisition of his entire contiguous holding/property provided the residual land is less than the minimal land holding of the district/State. Owner's choice in this regard should be obtained either prior to payment in case of direct purchase or prior to declaration of award.

⁶Grazing lands, places of worship, places of heritage value, burial grounds, water points, community wells, bore wells for drinking water, roads, path ways, community meeting places, wood lots, etc.

7. Entitlement Matrix

7.1 Proposed Entitlement Matrix

39. This Entitlement Matrix is developed giving various entitlements for all categories of PAFs/ PAPs, based on state and national laws and ESS5 requirements. All the families will be entitled to five broad categories of assistance; 1) Compensation for the loss of land, crops/ trees at their replacement cost; 2) Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost; 3) Alternative housing in case of physical displacement; 4) Assistance in lieu of the loss of business/ wage income, loss of agriculture livelihoods and income restoration assistance; 5) Assistance for shifting and provision for the relocation site (if required), and 6) Rebuilding and/ or restoration of community or common property resources/facilities.

7.2 Terms

1 Bigha (local unit of	14400 sq. feet
1 Katha	2880 sq. feet
1 Lecha	144 Sq. feet
Hectare	A unit for area
District Level Land Purchase Committee (DLLPC)	A committee constituted at district level with negotiate land price with land owners and purchase required land through negotiated settlement. The concerned Deputy Commissioner is Chairman and Additional Deputy Commissioner (Revenue) as Member Secretary and with the member Revenue officials, representation from WRD, and may also have representation from other required departments.
Deputy Commissioner	Administrative head of a District.
Sub division	Administrative entities that are a level below of District
Revenue Circle	Revenue administration unit comprising of group of villages
Block	A number of villages grouped together form a Development Block.
Goan Panchayat	Elected local self-governing body at village level.
Goan Bura	A leader of an Assamese gaon or village. Gaon Buras (village headman), village-level functionaries of the district administration, will henceforth be called 'Gaon Pradhan's'
VGR	Village Grazing Reserve
Eksonia Land holder	Eksonia Land holder are not a Land Holder but a Settlement Holder only to whom settlement of land is offered only for one year or three years, in rural and urban areas respectively.
Periodic (Myadi) Patta Land	Eksonia land can be converted to Periodic (Myadi) patta land by paying premium of conversion as per the Revenue and Disaster Management Department of Govt. of Assam
Zirat	Structure valuation

Table 5: Entitlement Matrix

S No	Impact	Entitled Unit	Entitlements	Implementation guidelines
A. Loss of Private Agricultural, Home-Stead & Commercial Land				
1	Loss of Land (agricultural, homestead, commercial and Eksonia)	Affected family (Land owner/Titleholder family and families with traditional land right/occupiers)	<p>There are two options; 1. Land acquired through RFCTL&RR Act,2013 and 2) Land taken through consent</p> <p>(i) Compensation/lease amount shall be calculated and payable in accordance with Sections 26 to 30 and Schedule 1 of RFCTLARR Act 2013</p> <ul style="list-style-type: none"> • compensation at market value of the land, including valuation of all assets (structures, trees, crops) attached to the land; multiplication factor as applicable; plus a “Solatium” equal to the amount of compensation (100%) for land including all attached assets. <p>(ii) Partial Impact on Land: In case only part of any land plot is affected, and its owner desires the whole plot be acquired on grounds that the plot has become uneconomic or has been severed due to LA (under Section 94), the competent authority can award compensation for remaining part of the plot or award 25% of actual value of the remaining land holding as additional compensation, allowing the owner to retain the remaining land plot, if agreeable.</p> <p>OR</p> <p>in case of consent, DLLPC will consider acquiring remaining unviable parcel at the same rate.</p> <p>(iii) For all land acquired RFCTLARR Act,2013 Rehabilitation and Resettlement Assistance as per Schedule II of the Act 2013</p> <ul style="list-style-type: none"> • subsistence allowance of Rs 36,000, • Scheduled Castes and the Scheduled Tribes displaced from Scheduled Areas will get additional Rs 50,000 • Resettlement Allowance of Rs 50,000; <p>(iv) If as a result of land acquisition, the Affected family becomes landless or is reduced to the status of a “small” or “marginal” farmer,</p> <ul style="list-style-type: none"> - Assistance amount of Rs.5.0 lakhs - Each affected family shall be given a one-time "Resettlement Allowance" of Rs.50,000/-only. <p>(v) Support for livelihood restoration/enhancement: livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. Those</p>	<p>Under consent, the land owners will get an incentive of 25%, on the compensation calculated as per provisions of Section 26 to 30, Valuation of immovable assets & Schedule I of RFCTLARR Act 2013.</p> <p>The Price of Direct Purchase (DP) will be: $DP = 1.25 \times \{2x[(R \times M \times A)+(B+O)] + [0.12 \times Y \times (R \times A)]\}$</p> <p>Where: R is the base rate of Land M is the Multiplier factor A is the affected area B is the market value of Buildings O be cost of all immovable assets & standing crops Y is the year from date of notification to award of compensation</p> <p>R&R entitlements such as livelihood assistance, subsistence allowance, transportation cost, one-time resettlement allowance, provision of</p>

			<p>who have undergone training will be given Rs. 25,000/- per family. The training cost will be borne by the Project Authority.</p> <p>Refund of stamp duty and registration charges at 6% and 8.5% respectively or as prevailing at the time of purchase, incurred for replacement land to be paid by the project; replacement land must be bought within a year from the date of payment of compensation to project affected persons.</p>	<p>housing, choice of annuity or employment, etc. will be provided, in case of loss of livelihoods or physical displacement, etc. as per this RPF.</p>
B. Loss of Private Structures (Residential/Commercial)				
2	Loss of Structure (house, shop, building or immovable property or assets attached to the land)	Title Holder/ Owner	<p>(i) Cash compensation at replacement value, for loss of immovable assets as estimated u/s 29 of RFCTLARR Act 2013</p> <p>(ii) Lump-sum amount of Rs. 25,000/- to all families who lose cattle shed, or replacement cost of structure, whichever is higher.</p> <p>(iii) For each affected family of an artisan or self-employed or own non-agricultural land, that is displaced and must be relocated, and</p> <ul style="list-style-type: none"> - a one-time assistance of Rs. 25,000/- would be payable; and - One-time subsistence grant of Rs. 36,000/- for each affected family who are displaced and required to relocate would be payable; <p>(iv) One-time financial assistance of Rs. 50,000/-for each displaced family towards shifting/transportation cost for shifting of the family, building materials, belongings, and cattle.</p> <p>(v) Right to salvage material from affected structures</p> <p>(vi) TWO months advance notice to vacate structure</p> <p>(vii) Refund of stamp duty and registration charges for purchase of new alternative houses/shops at prevailing rates on the market value as determined. Alternative houses/shops must be bought within a year from the date of payment of compensation</p> <p>(viii) In case of partial impact, 25% additional award to be paid on compensation award for the affected part of the structure to enable damage repair where the owner/occupier of his/her own will, interested to retain the remaining part of the structure, provided the unimpaired continuous use of the such structure is possible without hazards</p> <p>(ix) For commercial PAPs, Support for livelihood restoration/enhancement: Counselling, skill development/Training support shall be imparted through by RAP implementing agency, based on needs assessments This assistance includes cost of training and financial assistance for travel/conveyance and food. Project work opportunities too would be explored</p>	<p>In case of consent DLLPC with WRD will define typical immovable assets (that cannot be carried away without a reduction in value) of different category and fix the guidance price through expert/ valuator. This price of the asset is then calculated based on the guidance price on pro-rata basis. The minimum negotiated price shall not be less than market value and, in any case, not be lower than the compensation and other entitlements under RFCTLARR Act 2013.</p>
3	Loss of Structure (house, shop,	Tenants/ Lease Holders	<p>(i) Registered lessees will be entitled to an apportionment of the compensation payable to structure owner as per applicable local laws.</p>	

	building or immovable property or assets attached to the land)		(ii) One-time financial assistance of Rs. 50,000/- as transportation and relocation cost in case of tenants, two months written notice will be provided to vacate. In case no notice provided to vacate structures, then three months' rental allowance will be provided in lieu of notice	
C. Loss of Trees and Crop				
4	Standing Trees, Crops within ROW	Owners and beneficiaries (Registered/ Un-registered tenants, contract cultivators, leaseholders & sharecroppers	<p>(i) Cash compensation at market value for standing crop/ trees/ horticulture, as estimated u/s 29 of RFCTLARR Act 2013 & calculated by:</p> <ul style="list-style-type: none"> • Concerned Forest Department or similar authority for Timber trees • Concerned State Agriculture Extension Department or similar authority for standing crops <p>(ii) Three months advance notice to project affected persons to harvest fruits, standing crops and removal of trees, or compensation in lieu as determined above. Registered tenants, contract cultivators & leaseholders & sharecroppers will be eligible for compensation for trees and crops as per the agreement document between the owner and the beneficiaries. Un-registered tenants, contract cultivators, leaseholders & sharecroppers will be eligible for compensation for trees and crops as per mutual understanding between the owner and the beneficiaries</p>	
D. Loss of Residential/ Commercial Structures to Non-Title Holders				
5	Impact on Structures/ other Assets of Squatters and Encroachers	Owners of Structures or Occupants of structures (Encroachers, Squatters) identified as per Project Census Survey	<p>For Residential</p> <p>(i) The market value of structures and other immovable properties will be determined by PWD (Buildings) on the basis of relevant PWD Schedule of Rates (SoR) as on date without depreciation or replacement cost, whichever is higher.</p> <p>(ii) One-time subsistence grant of Rs. 36,000</p> <p>(iii) Shifting/transportation assistance of Rs.50,000/-</p> <p>(iv) Encroachers shall be given one months' notice to vacate occupied land.</p> <p>(v) Right to salvage the affected materials</p> <p>Commercial Structure (including Kiosk, petty shops)</p> <p>(vi) Compensation at PWD BSR without depreciation for structure</p> <p>(vii) One-time subsistence grant of Rs. 36,000</p> <p>(viii) One-time rehabilitation grant of Rs. 25,000/- for reconstruction of affected shop given to artisans</p> <p>(ix) Shifting/transportation assistance of Rs.50,000/-</p> <p>(x) Encroachers /Squatters shall be given ONE month notice to vacate occupied land</p>	

			<p>(xi) Right to salvage the affected materials</p> <p>(xii) Support for livelihood restoration/enhancement: livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. Those who have undergone training will be given Rs. 25,000/- per family. The training cost will be borne by the Project Authority.</p> <p>(xiii) For alternative sites/houses, the land size will be equal to IAY houses and construction cost same as that of the IAY will be provided at prevailing rates.</p>	
E. Loss of Livelihood				
6	Loss of employment in non-agricultural activities or daily agricultural wages or other wage earners	Livelihood Loser	<p>Subsistence allowance equivalent to Minimum Wages/Minimum Agricultural Wages for 3 months as per the department of labour (Present minimum wage is INR 343.16 as per Labour Commissioner Assam Notification ACL/41/2004/8264-330 Dated 31 August 2022)</p> <p>Only agricultural labourers who are in fulltime / permanent employment of the land owner, or those affected full time employees of the business, will be eligible for this assistance. Seasonal agricultural labourers will not be entitled for this assistance</p>	
7	Temporary loss of business	Business Owners	Compensation for temporary loss of income due to loss of access shall be determined as per data on income collected during SIA, and paid commensurate to the period of loss of income	
8	Temporarily loss of livelihoods due to restriction access for fishing and boating	Livelihood Loser	Losing income as a result of loss of livelihood due physical relocation/ restriction access for fishing and boating will receive the equivalent of 3 months minimum wage as per district's rate or monthly income for 3 months, whichever is higher, as applicable from Project Authorities, i.e., respective PIUs.	
F. Additional Support to Vulnerable Group				
9	Families within the ROW/public lands required for the project.	Vulnerable affected families	(i) One-time Resettlement Allowance of Rs. 50,000/-	
G. Loss of Community Infrastructure/Common Property Resources				
10	Community Assets (CAs)	Affected community	<p>Affected Community Assets will be replaced or rehabilitated or reconstructed and transfer to local authorities for maintenance/ Augmentation</p> <p>Additional documented consultation with communities and relocation assistance are required. Alternate land will be explored (may be offered by the community or Gram Panchayat land or any other land agreed upon).</p>	

11	Utilities such as water supply, drainage, sewerage, electricity, etc.	Affected community	Will be relocated and services restored prior to commencement of civil works. The project will ensure that utilities are relocated prior to commencement of civil works in accordance with the civil works schedule	
I. Temporary Impact During Construction				
12	Land and assets temporarily impacted during construction regardless of their legal status	Owners of Land and assets	Temporary losses incurred during construction will be paid by the contract or as determined below ⁷ : i. Damaged structure: Compensation will be estimated as per latest Schedule of Rates (SOR) of Public Works Department, without depreciation ii. Crops and Trees: Compensation for crops & tree damages will be estimated as per Section 29(3) of RFCTLARR Act. All temporary use of land out side right of way, would be done based on written /prior approval of landowner and contractor	
J. Provision of Resettlement Site/Vendor Markets				
13	Loss of residential and commercial structures of landless peoples (non-Title Holders) due to project	with basic amenities in the site.	The project will provide suitable alternative sites for relocation to landless persons in case required and subject to availability of suitable Govt. land. If suitable government lands are not available, then private lands will be purchased and allotted. The infrastructural facilities and basic minimum amenities are to be provided at the cost of the Requisitioning Authority to ensure that the resettled population in the new village or colony can secure for themselves a reasonable standard of community life and can attempt to minimise the trauma involved in displacement as per Schedule III of RFCTLARR Act.	

⁷These provisions will be added to the Bid Documents.

7.3 Updation of Resettlement unit costs

40. The project has adopted the unit costs for Rehabilitation and Resettlement assistance as available in RFCTLARR Act, 2013. The amounts given in the Entitlement Matrix are for the financial year 2013-14. Financial assistance and/or allowances to be appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was affected in January 2014.

41. Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.

$$\text{InflationRate} = 100 \times \frac{\text{CPI Mar 2022} - \text{CPI Jan 2014}}{\text{CPI Jan 2014}}$$

$$= 100 \times \frac{168.3 - 139.7}{139.7}$$

$$= 22.47\%, \text{ say } 23\%$$

where, CPI Jan 2014 = 139.7 & CPI Mar 2022 = 168.3 in Assam with Base Year 2012 = 100

42. If payments are made after year 2022, then the CPI of that year, during which payment is made, will be used for calculation of inflation rate. The unit rates will be revised every year prior to March 31. All these units have been updated as of March 2022 and are presented in Table 3.

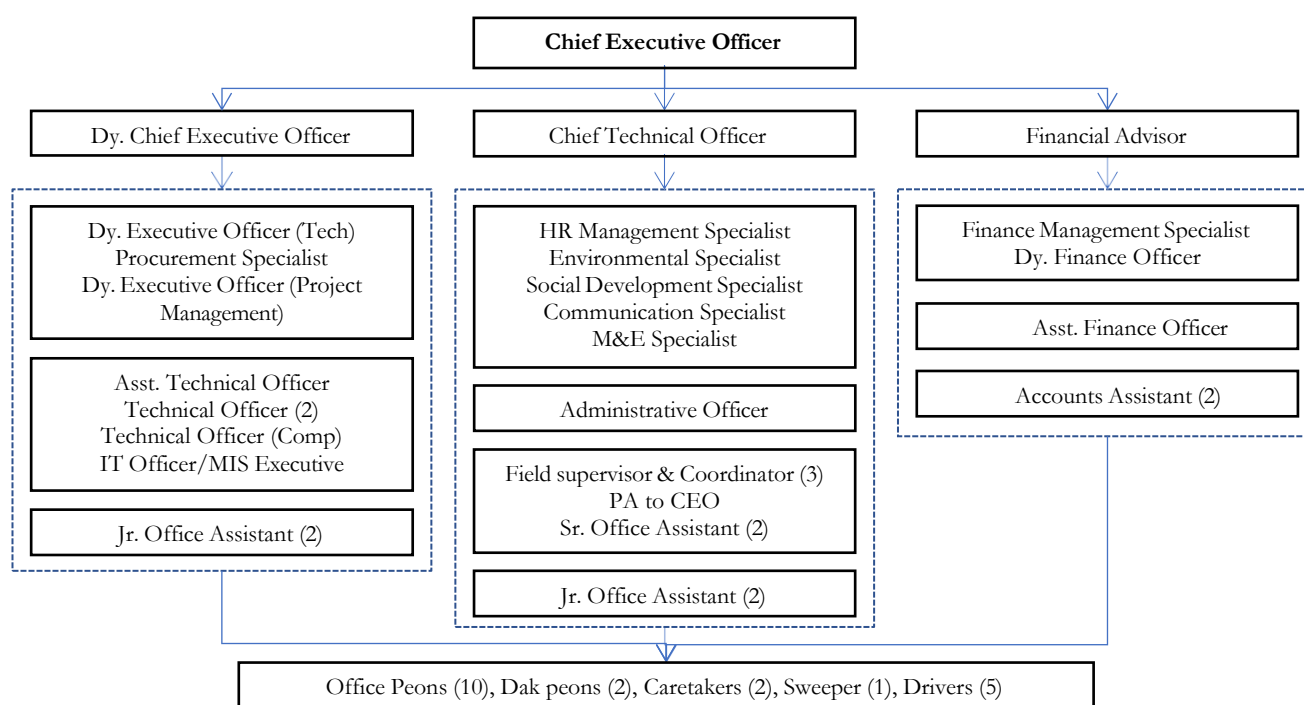
Table 6: Unit rates and revised as of March 2022

No	Entitlement	Unit rates as of January 2014 (in INR)	Revised as of March 2022 (rounded off to nearest INR)
1	Livelihood assistance (Lumpsum)	5,00,000	6,15,000
2	Livelihood assistance (Annuity)	2,000/per month for 12 months x 20years	2,000/per month for 12 months x 20 years (to be adjusted every year as per CPI index)
3	One-time assistance for loss of Cattle shed/petty shop	25,000	30,750
4	One-time assistance for displaced artisan/small traders/small shops	25,000	30,750
5	Cash in lieu of house, if opted (as per indexed and updated figures at time of payment)		0
	Rural	1.3lakhs	Amounts to be updated as per PMAY guidelines as prevalent at the time of implementation.
	Urban	1.5lakhs	
6	Transportation/ Shifting assistance for Displaced	50,000	61,500
7	Subsistence allowance for displaced @INR 3000 per month for 1 year	36,000	44,280
8	One-time Resettlement Allowance	50,000	61,500

8. Organizational and Implementation Arrangements

8.1 WRD - FREMAA

43. A State Project Management Unit (PMU) is established at the, Flood and River Erosion Management Agency of Assam (FREMAA) headed by a Chief Executive Officer (CEO) for the implementation. The CEO, FREMAA has administrative and financial powers of INR 2 Crore. Over and above this, the Executive Body (EB) permission is required. This RPF will be approved by the Chairperson, EB with the concurrence of Revenue and Finance Departments. For environment and social management, the overall responsibility for day-to-day monitoring and supervision will be with the Deputy CEO, supported by a) Social Development Specialist who is overall responsible for social development of the project; b) Environmental Specialist, a focal point for environmental management. The primary responsibility for implementation of ESMF, RPF and IPPF rests with the PMU. The PMU shall apportion and allot the responsibility for implementation of these instruments to project implementing units (WRD/ASDMA), including contractors, and suppliers/ vendors. The Land Acquisition and payment of compensation will be done by the Deputy Commissioner of the concerned district. The R&R assistance will be paid by the concerned Deputy Commissioner. The Notice to Vacate the sites will be given by the respective PIUs within the prescribed time frame. The LA and R&R implementation responsibilities are described below:



44. Deputy Commissioner of the concerned district, based on the provisions of RFCTLARR Act 2013, will have the competent administrative authority for land acquisition. This will include notification of the process of LA, commissioning of the Social Impact Assessment (SIA) as 'appropriate government' (under Section 4 of LARR, 2013), hearing grievances and suggestions related to the process, monitoring the process of LA, handing over of compensation to PAPs/PAFs, land use changes and hand over of the property/ assets to the concerned administrative department/ municipal corporation.

45. The District level Land Purchase Committees (DLLPC) will be responsible for steering the process of private negotiation on behalf of FREMAA and the Revenue Department.

46. Coordinating departments to support the 'appropriate government' by providing estimates for valuation of the structures, assets, trees, crops, and related resources are Agriculture Department, Horticulture Department, etc.

47. PMU at FREMAA will be specifically responsible for handling of all social, resettlement and land related issues at the sub-basin level, with the help of PIUs and NGOs hired by FREMAA. The overall coordination and guidance will be provided by the Social Development Specialist (focal person for social management) in the PMU. This will include review of the preparation of sub-basin level RAPs, facilitating and monitoring the SIA including meaningful and informed stakeholder consultations, socio-economic surveys/ census, coordinating the preparation and implementation of RAPs, oversee the identification of PAFs/PAPs, including those differentially impacted and estimation of impacts, identification of innovative, promising strategies for restoring livelihoods of the impacted, coordinate the implementation of risk mitigation measures proposed under the RAPs, ensure functionality and awareness about the GRM set up for PAPs and mandatory disclosure of RPF/ RAP (including their availability in local language) and prepare periodic safeguards reports.

48. Deputy Chief Executive Officer through the PMU will be responsible for the entire land procurement process, coordination between different agencies responsible for land transfer to the department/ project/ municipal corporations and its compliance with World Bank procedures (ESS5) and measures outlined by RFCTLARR Act, 2013 and other national/ state regulations.

49. NGOs will be hired to support social mobilization, provide oversight on the process of SIA, ensure identification of vulnerable/ excluded groups and likely project impacts on them, facilitate community consultations as part of RAP preparation and implementation, facilitate RAP implementation, stakeholder engagement through the project life cycle and support capacity building on livelihoods, skill development and income restoration and on R&R procedures.

8.2 ASDMA

50. A Project Implementation Unit (PIU) is established at Assam State Disaster Management Authority (ASDMA) headed by a Chief Executive Officer (CEO) for the implementation of the ASDMA Component. The Environment Social Management Unit is established under AIRBMP-ASDMA project to oversee the social and environmental aspects of the project. For environment and social management, the overall responsibility for day-to-day monitoring and supervision at PIU level will be with the State Project coordinator (SPC), supported by a) Social Development Specialist who is overall responsible for social development of the project; b) Environmental Specialist, a focal point for environmental management. The PIU responsibility for implementation of ESMF, SEP and IPPF at the project level rests with the PIU ASDMA. The PIU shall work closely with other line departments for participation, inclusiveness, accountability, equity, transparency, and sustainable implementation of these instruments including contractors, and suppliers/ vendors.

51. Deputy Commissioner of the project districts being chairperson of the District Disaster Management Authority (DDMA) shall monitor the implementation of the sub project activities at the district level. He will be facilitated by the District Project Officer (DPO), DDMA on a regular basis to understand the progress of the project. Land allotment for the civil works activities such as structural investment that are going to be undertaken is verified as per the guidelines of Sub Divisional Land Advisory Committee (SDLAC), a competent authority at the district level in the matter of land resource management and administration. However, if during subsequent phases when private land is required, the RPF will be applied in full and, moreover if any squatters or encroachers happens to be identified during the social assessment, proper arrangements will be mandated as per the RPF.

52. PIU-ASDMA will be specifically responsible for handling of all social, environmental and land related issues at the project level, with the help of DDMA and agencies hired by ASDMA. The overall coordination and guidance in relation to both social and environmental safeguards will be provided by the Social Development Specialist and Environmental specialist in the PIU. This will include review of the preparation of Safeguard documents, facilitating and monitoring the SIA, Environmental Impact Assessment (EIA) including meaningful and informed stakeholder consultations, socio-economic surveys/ census, coordinating with the line departments for preparation and implementation of ESMF, including SEP, LMP, GAP and other actions listed in the ESCP, those indirectly impacted and estimation of impacts, identification of innovative, promising strategies for restoring livelihoods of the impacted, coordinate the implementation of risk mitigation measures, ensure functionality and awareness about the GRM set up (including their availability in local language) and prepare periodic safeguards reports.

8.3 Coordination with Civil Works

53. The land acquisition and resettlement implementation will be co-coordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications, and will be linked to procurement and bidding schedules, award of contracts, and release of cleared sections to the contractors. The project will provide adequate notification, counselling, and assistance to affected people so that they are able to move or give up their assets without undue hardship before commencement of civil works and after receiving the compensation. The bid documents will specify the extent of unencumbered land to be handed over at the time of commencement of works and subsequent milestones. This will be strictly followed to ensure that land is provided on a timely basis to the contractors and plan implementation of land acquisition and resettlement in line with procurement and civil works schedule.

The below table lists the actions to be completed by different stages:

List of actions linked to civil works implementation	
Stage of civil works	Activities
Before Issuance of civil work bids	Preparation of Land Acquisition Plan and Strip Plan
	Preparation, approval and disclosure of RAP based on Social Impact Assessment comprising Census & Socio Economic survey of affected persons and its disclosure
	List of encumbrance free stretches available for construction
	Issuance of draft Notification 11 of the Land Acquisition
	Appointment of Arbitrator
	Formation of District Level Land Purchase Committee
Before Award of civil works contract	Appointment of RAP implementation agency/NGO
	Private Negotiations with Titleholders by District Level Land Purchase Committee & Award
	Identification & Verification of PAPs by NGO
	Valuation of structures
	Preparation of Micro Plans for Rehabilitation & Resettlement by the NGO
	Issuance of ID Cards
	Update draft Resettlement plan to reflect surveys, consultations, design changes, and due diligence results
Consultations disclosure & awareness generation	

	Compensation Award for Titleholders R&R for Non-Titleholders
	Preparation and Approval of Micro Plans
	Disbursement of Compensation and R&R assistance amounts
Before Hand over of land to contractor	List of encumbrance free stretches available for construction by first & second milestone dates. For the remaining milestones the required encumbrance free stretches should be made ready before start of work on that particular milestone
	Hand over of land to contractors first & second milestone
	Payment of compensation and Resettlement assistance before handing over of land to contractor
	Notice period for vacating sites as per prescribed time frame

Establishment of Escrow account. Both ESS5 and RTFCTLARR act, 2013 requires that compensation is paid prior to taking over of land and assets. There are several land owners whose lands are identified for acquisition to the project but are not available and there could be instances where some people may not be available to receive compensation when offered or some may refuse to accept the offered compensation. In order to deal these cases, a separate escrow account will be created prior to commencement of compensation payment and the compensation payment for these cases will be transferred to this escrow account from Deputy Commissioner's account where land compensation is deposited and then only those lands will be taken over. This is to ensure that the compensation is readily available as when the land owners come forward to receive the compensation.

9. Grievance Redressal Mechanism

54. A Grievance Redressal Mechanism (GRM) is established to address stakeholders' grievances and dissatisfactions about actual or perceived impacts and to find a satisfactory solution. Some grievances may arise during the project design and planning stage, while others may come up during project implementation. The GRM will be implemented throughout the project cycle for use by stakeholders to address concerns and complaints promptly and transparently. The GRM will ensure that the stakeholders have access to legitimate, reliable, transparent, and efficient institutional mechanisms that are responsive to their complaints.

55. The GRM will work within existing legal and cultural frameworks, providing an additional opportunity to resolve grievances at the local and sub-project level.

The key objectives of the GRM are:

- Educate stakeholders on the GRM
- Receive and record the grievances
- Resolve and close the grievances
- Escalate unsolved grievances to concerned authority
- Notify/ update the stakeholders of the solutions

56. The types of grievances the stakeholders may file for all the project components include, but are not limited to:

- Non-payment, or inadequate compensation and/or due R&R assistances; wrong measurement of parcel
- Construction related impacts – damages to structures; dust damaging crops/trees
- Health and safety risks;
- Negative impacts on the environment;
- Negative impacts on communities, which may include, but not be limited to financial loss, physical harm and nuisance from construction or operational activities;
- Impacts arising from migrant labor on local communities
- Exclusion from beneficiary lists
- Lack of information and opportunities for participation

57. In the previous ADB (Tranche-II) Project, Grievance Redressal Committee (GRC) was established at three levels, one at the project level, another at the District level, and the third at Executing Agency (PMU) level, to receive, evaluate and facilitate the resolution of affected person concerns, complaints, and grievances. During the execution of the project, total 143 nos. of grievances petitions were received at the project and district level, most of the grievances were related to the enhancement of land and zirat valuations; few petitioners claimed land/zirat compensation, and few of the PAPs claimed the land for relocation and establishment of new houses, etc. All the grievances were resolved at the division and district levels by the GR committees. Upon receiving the complaints, field-level verifications were done by the project and district-level officials, follow-up meetings were done in the concerned Deputy Commissioner's Offices and in a few instances, joint meetings were done between the petitioners and GRC members for the corrective decisions on the grievance petitions. The proposed GRM elaborated below, builds from this previous experience of FREMAA and WRD.

58. Further, under ASDMA, there is an active disaster information system established at State Emergency Operation Centre (SEOC) at the state head quarter. The information system operates as a response during flood, landslide, or any other disaster. Emergencies such as evacuation are immediately responded with the help of SDMA and NDMA's assistance. Also, depending upon the nature of disaster, emergency services are also provided by the Air force for relief and evacuation. In

terms of relief and rehabilitation, people take shelter in designated relief camps in schools and community halls where supply for flood relief is distributed within 24 hours' time. A toll-free helpline number is in operation that acts as a service provider during emergency for both the state and districts (1079, 1070/1077). The helpline number acts as a response e.g., any information received firsthand is disseminated to the respective District Emergency Operation Centre (DEOC). The DEOC disseminates to the DDMA and the DDMA acts accordingly to resolve the issue. The Project Officer (Response) is the designated official in ASDMA to coordinate with SEOC for monitoring and evaluation of the data received. The scope of the Tollfree numbers will be expanded as intake channels for grievances under the project.

59. Non-designated relief camps/ temporary shelter issues, such as emergency relief, safety and security, health, etc. of the disaster affected people are communicated to the gaon burhas, lat mondol, and circle officers. Supply of relief and medical aid to the temporary relief camps is primarily provided by the District Disaster Management Authority (DDMA) immediately after evacuation. A designated field officer at Circle level with the help of the lat mondals address the issues raised by the disaster affected people in the temporary shelters. There is a notified Circle level Task force Committee headed by the Circle officer, where officials from the emergency Dept. are its members. The CLTFC becomes active during and post disaster. If any issue related to the violation of D.M. Act is found, then the District Disaster Management Authority under the chairmanship of Deputy Commissioner and State Disaster Management Authority under Chairmanship of Chief Executive Officer is the competent authority to take decision.

60. Presently, FREMAA, WRD and ASDMA are also addressing grievances raised through the Centralized Public Grievance Redress and Monitoring System (CPGRAMS), which is an online portal implemented by the Govt. of India and hosted by National Informatics Centre (NIC). The Chief Minister of Assam can be contacted for any help at phone numbers 0361-2262222/ 2237043, Fax Number 0361-2262069 and email cm@assam.gov.in

9.1 Five Key Elements of GRM under the project

61. The project GRM has the following five key elements and procedures for satisfactory functioning:

1. **Different ways of Grievance Registration:** The grievances can be registered by person, phone, text message, mail, email, via website, verbal, etc. Prior to registering the complaint/ query, a procedural step will be in place to assess its eligibility and check that issues raised in the complaint fall within the scope that the GRM is mandated to address. Queries or complaints may be received in a variety of forms ranging from verbal communications to formal and written complaints; also, directly from APs or via third parties. Whatever the source and the form in which the query or complaint is received, it will be accepted by the focal points and registered in a grievance register and online portal. It is also to be mentioned that uniformity will be maintained in the complaint registration systems across different sections and agencies of the project.

Component – 2	Component - 3
Grievance Register (manual) at office of PIU	Grievance Register (manual) at office of PIU
Complaints through Email (provision on the official website)	Complaints through Email (provision on the official website)
Complaints Register (on-site) maintained by Contractor	Complaints Register and drop box (on-site) maintained by Contractor
Verbal complaints received by officials/ staff – record entered in the Register	Online GRM Portal

Written complaints received through posts	Verbal complaints received by officials/ staff – record entered in the Register & Online Portal
Complained received through phone	Toll-Free number maintained at ASDMA-PIU Telephone numbers maintained at WRD and FREMAA
Complaints receive through mail or email	Written complaints received through posts

2. **A log of Grievances and Database:** A Grievance Register will be maintained in which all grievances are recorded and digitized and maintained as a database at the PIU level by the designated official to document the grievance as per the prescribed format attached including details of the date and type of grievance received, the date of personal hearing provided to the complainant, the date when grievance was redressed or if not redressed date of forwarding the grievance to GRC. Provision will be made to record and maintain grievances received directly on-site and incorporated in the Grievance Register. This register will be placed at the Executive Engineer’s office of the concerned division. This will serve as the First Level of Grievance resolution.
3. **Redressal Durations and Disclosed Procedures:** The GRM procedures will be publicly advertised and popularized for use by the stakeholders. The GRM will also set out the length of time users can expect to wait for acknowledgement, response, and resolution of their grievances. The GRM system will be popularized among the communities through IEC campaigns, IEC material, wall writings, etc. In addition to this, the length of time the complaints can expect to wait for acknowledgment, response, and resolution of different types of grievances. Grievances thus accepted, acknowledged and registered will be responded to the complainant in writing within a specified response time and in the prescribed manner, following the Three-Level Grievance Redressal Mechanism under the project. The PIU will also ensure installation of Display Boards at site with GRM information with support from the civil works contractors/ implementing support NGO and in consultation with project Management Unit (PMU), FREMAA. The GRC will meet once in a month.
4. **Transparency and Good Governance:** The GRM procedures, governing structure and decision-making process will be popularized among the communities through IEC materials and campaigns. For transparency and good governance, community members are selected as members of the GRC at field level, Grievances that cannot be resolved at the PIU/ PMU level and in cases where the complainant is not satisfied with the decision, will be referred to the District level GRC. Consultative meetings along with distribution of leaflets with the community and APs will also be conducted to educate them on the GRM and its escalation matrix for resolving grievances to encourage them to use and access it in case of need. With reference to complaints related to GVB/ SEA, the PIU will refer the case to the concerned Service Provider with an intimation to the Internal Committee (IC) under PMU and PIU and adhere to the principle of confidentiality while informing the same to the District level GRC (if required) as the case may be. The designated official at the PIU will also be responsible to ensure that a mechanism is put in place to address grievances of labors and staff deployed at project sites by the Contractors.
5. **Escalation:** The project GRM provides for escalation at different levels, so that the unresolved grievances might be redressed at higher levels of GRM. Mediation is also encouraged as an option when the users are not satisfied with the grievance redressal. Further, for land related grievances, the GRC will provide an opportunity to have their grievances redressed prior to approaching the State level LARR Authority, constituted by Government of Assam in accordance with Section 51(1) of the RFCTLARR Act, 2013. Decision of the District Level GRC will be final, unless an appeal is preferred with the PMU level. If the committee is unable to arrive at a decision through consensus, the matter will be referred to the appellate authority with a note on opinion of the committee members. Other than disputes relating to ownership rights and apportionment issues, on which the LARR Authority

has jurisdiction, GRC will review grievances involving eligibility, valuation, all resettlement and rehabilitation benefits, relocation, and payment of assistances.

62. In addition, those who are unsatisfied with the project grievance redressal may seek justice under the courts of law under the national judicial system at their own cost.

9.2 GRM at PMU – Appellate Authority

63. The grievances arising out of the project interventions is proposed to be dealt through 2 (two) separate grievance mechanisms – i) Component-2 managed by WRD and ii) Component-3 managed by ASDMA. The PMU (FREMAA) will have a GR committee as the appellate authority under the Project. The PMU level Committee and GR Committees of WRD at District and Division level have been notified. The GR committees of ASDMA shall be constituted by December 2022.

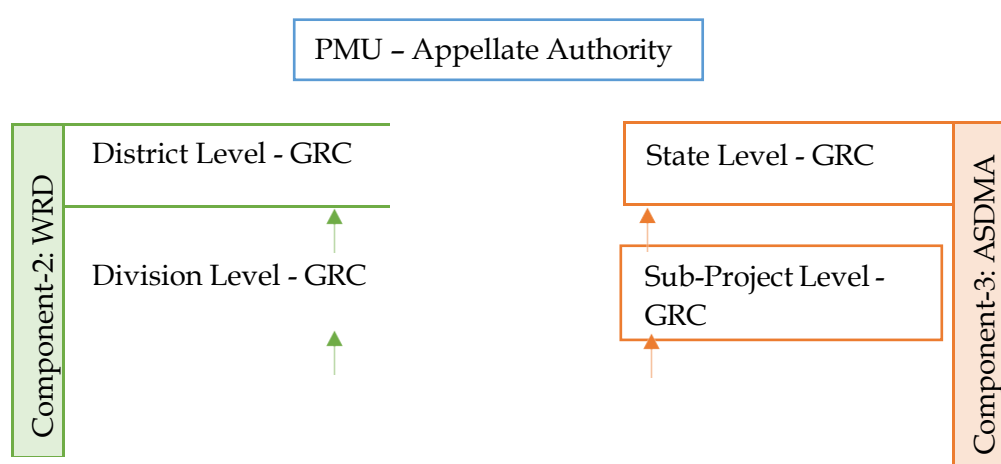


Figure 1: Diagrammatic representation of the Grievance Redressal Mechanism under AIRBMP

9.3 Project Management Unit (PMU)

64. Composition of the GRC: The GRC at PMU as the Appellate Authority is constituted with the following members:

1.	Chief Executive Officer (CEO) Flood and River Erosion Management Agency of Assam (FREMAA)	Chairperson
2.	Chief Executive Officer (CEO) Assam State Disaster Management Authority (ASDMA)	Member
3.	Secretary to the Govt. of Assam Revenue and Disaster Management Department	Member
4.	Chief Engineer Water Resources Department (WRD)	Member
5.	Deputy Chief Executive Officer (DCEO) Flood and River Erosion Management Agency of Assam (FREMAA)	Member-Secretary
6.	Chief Technical Officer (CTO) Flood and River Erosion Management Agency of Assam (FREMAA)	Member

65. The Committee is formed to address stakeholders’ grievances and dissatisfaction about actual or perceived impacts and to find a satisfactory solution. The Committee will function throughout the project cycle for use by stakeholders to address concerns and complaints promptly and transparently. The Committee will ensure that the stakeholders have access to legitimate, reliable, transparent, and

efficient institutional mechanisms that are responsive to their complaints. The grievances related to Component 2, received through the previously mentioned platforms such as CPGRAMS are forwarded to WRD, which will in turn be placed before the PMU level committee for redressal.

9.4 GRM for Component 2: WRD

66. GRM is formed at the 2 (two) levels, viz, (i) Division level, (ii) District level handled by WRD to address stakeholders' grievances and dissatisfactions about actual or perceived impacts and to find a satisfactory solution.

9.4.1 Division Level

67. The concerned Project Implementation Unit (PIU)/Water Resources Division (WRD) will nominate 1 (one) official to oversee the implementation of Resettlement Action Plan (RAP) and to provide response to the grievances raised by the community and Affected Person(s) (AP). The GRC at Division Level is constituted with the following members:

1.	Executive Engineer (WRD) – concerned Division	Chairperson
2.	Assistant Executive Engineer (WRD) – concerned Division	Member-Secretary
3.	Gaon Bura of the concerned village	Member
4.	Two Community Members (Female)	Members

9.4.2 District Level

68. The Second Level Grievance Redressal Committee (GRC) is notified by the Deputy Commissioner. The GRC at district level is constituted with the following members:

1.	Deputy Commissioner	Chairperson
2.	Additional Deputy Commissioner (LA)	Member-Secretary
3.	Revenue Circle Officer(s) – concerned Revenue Circles	Member
4.	Executive Engineer (WRD) – concerned Division	Member
5.	Assistant Executive Engineer (WRD) – concerned Division	Member
6.	Nominated official from RAP implementing NGO	Member
7.	Two Community Members (Female PAPs)	Members

1. There shall be not more than 7 (seven) members in the committee.
2. There shall be minimum one-third women representation in the committee.

9.5 GRM for Component-3 ASDMA

9.5.1 Sub-Project Level GRM

69. At the sub-project level, there is a Flood Shelter management and Maintenance Committee and Community based Shelter Management Committee. These committees address grievances pertaining to flood shelters, CRV, CQRT and EWS. The DDMA of the project district with intimation to the ASDMA shall form the GRC at the project level for with the following officials as members. The composition of the GRC at the sub-project level shall be constitute with the following members:

1	Deputy Commissioner, DDMA	Chairperson
2	CEO, Zila Parishad	Member

3	Addl. Deputy Commissioner, DDMA	Member
4	District Project Officer, DDMA	Member-Secretary
5	Circle Officer, Revenue circle	Member
6	Field Officer, Circle Disaster Management Committee	Member
7	Panchayat Pradhan, PRI	Member
8	One member from School Management Committee	Member
9	Women Representative (ASHA/Anganwadi)	Member

1. The committee may be notified by Addl. Deputy Commissioner, DDMA.
2. A Grievance Redressal drop box to be installed in the project sites that can be easily accessible.
3. A notified Grievance Redressal Officer to be nominate at Project level by the designated committee for regular facilitation of GRC.
4. Responsible for monitoring all the grievances submitted manually through drop box/electronically and enter in register with a reference number.
5. Ensure reporting on grievances monthly and resolve it within time frame.
6. Prior to registering the complaint/ query, a procedural step will be in place to assess its eligibility and check that issues raised in the complaint fall within the scope that the GRM is mandated to address.
7. Grievances will be recorded as per the prescribed format
8. Grievances thus accepted, acknowledged, and registered will be responded to the complainant in writing within a month and in the prescribed manner.
9. Grievances that cannot be resolved at the sub-project level and in cases where the complainant is not satisfied with the decision will be referred to the State level PIU Grievance Redressal Committee.
10. The designated official/Grievance Redressal officer at the Sub-project level will also be responsible to ensure that a mechanism is put in place to address grievances of laborers and staff deployed at project sites by the Contractors.
11. The committee will also ensure display of IEC materials including Grievance Redressal Mechanism at the sub project level.

9.5.2 State level GRM

70. The GRC at State level may be constituted with the following members:

1	Chief Executive Officer (CEO) Assam State Disaster Management Authority (ASDMA)	Chairperson
2	Dy. Chief Executive Officer, ASDMA	Member-Secretary
3	State Project Coordinator, ASDMA	Member
4	Project Advisor, ASDMA	Member
5	Women Officer representative, ASDMA	Member

- The GRC will meet regularly at least once a month on a prefixed date.
- Grievances will be recorded as per the prescribed format
- All grievances will be reviewed and resolved within four weeks of the date of submission.
- The complainant/petitioner will have the right to be heard by the GRC before the committee gives its decision.
- Communication in writing should be sent to the aggrieved person about the date, time and venue of the GRC sitting.
- Communication will also be sent through implementation support NGO/District DDMC to ensure that the petitioner is informed about the date of the GRC sitting.
- Decision of the PIU Level GRC will be final, unless an appeal is preferred with the PMU level

- If the committee is unable to arrive at a decision through consensus, the matter will be referred to the appellate authority with a note incorporating opinion of the committee members.
- The GRC will continue to function, for the benefit of the stakeholders, during the entire life of the project including the defects liability period.
- Grievances received through other platforms like CPGRAMS will be forwarded to the Revenue and Disaster Management Department, which will be forwarded onward to the State level committee for redressal.

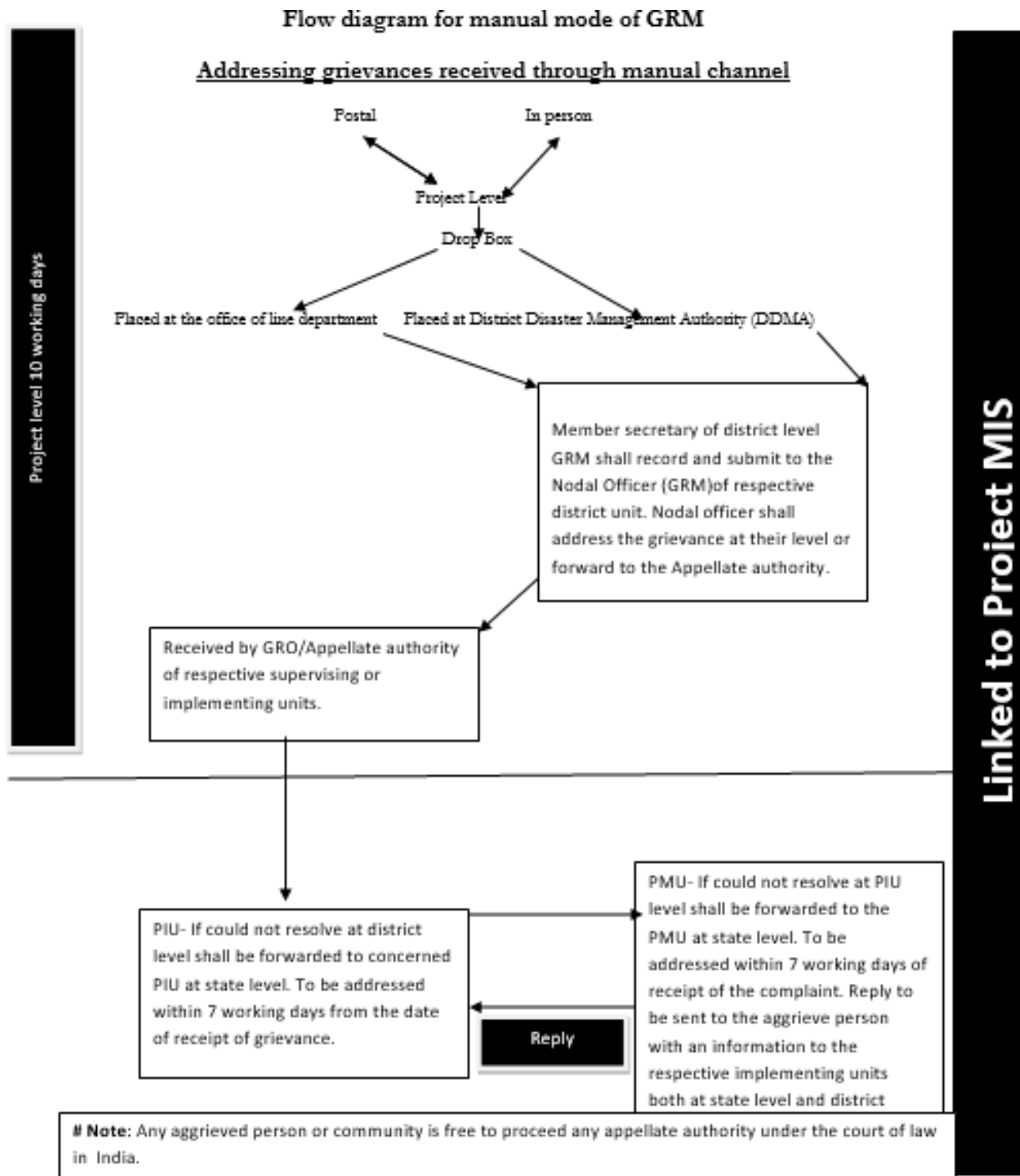


Figure 2: ASDMA – Manual Mode of GRM

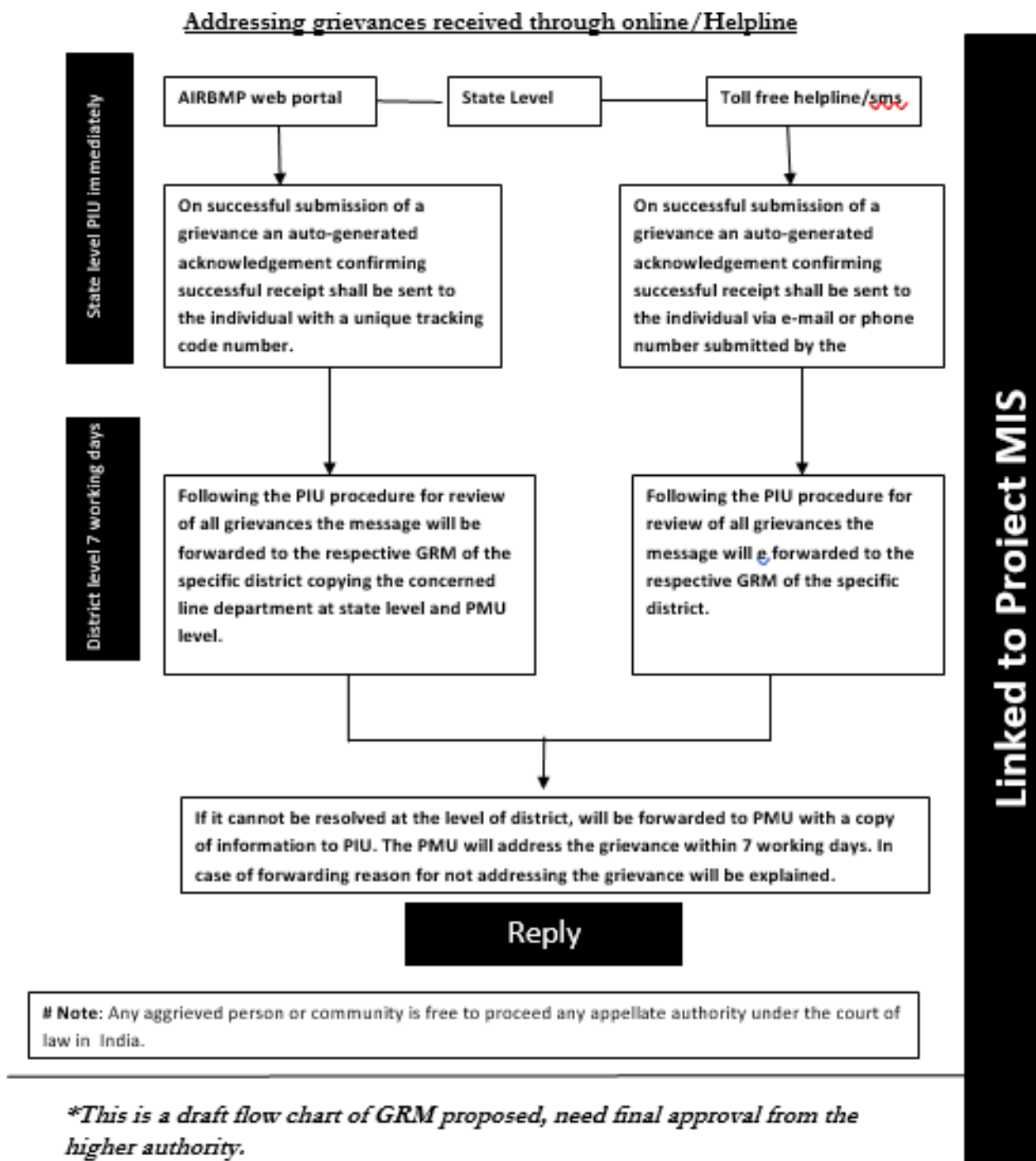


Figure 3: ASDMA – Helpline and Online Mode of GRM

9.6 Grievances related to GBV/ SEA

71. To address complaints related to GBV/ SEA, the implementing agencies are mandated to constitute Internal Committee (IC) as per provisions contained in Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act 2013, at headquarters as well as division / district level. PMU, FREMAA has notified the IC along with an approved ToR for the Committee. Further, GBV Service providers will be identified at State and District level and linkages will be formalized with the implementing agencies through signing of MoUs to support in case referral, redressal and awareness on GBV/ SEA. The ICs of the implementing agencies will thus be

responsible for addressing complaints related to GBV/ SEA. Additionally, information on Sexual Harassment electronic Box (SHe-Box) an online portal by MWCD, GoI will be provided. For more details on GBV/ SEA mitigation plan please refer to ESMF

9.7 GRM Monitoring and Reporting

72. The GRM implemented under the project will be responsible for tracking and monitoring the process of grievance redressal, implementation of the decisions made and of ensuring that the redressal is granted to the complainant in a timely and effective manner. The monitoring process will also include follow up on the implementation of grievance redressal protocols, timelines, document details of complaints received and the progress in solving them.

73. The concerned PIU and FREMAA officials will jointly monitor the status of handling construction-related grievances by the contractor prior to the monthly meetings at the office of the PIU. Accordingly, progress reports on the status of complaints resolved and on new complaints received through all intake channels will be presented and follow-up will be planned till the next monthly meeting. In addition, databases on complaints resolved and on new complaints received will be maintained in the online portals at both PIU level and FREMAA. The concerned social and environmental officials and staff also will make regular field visits for inspection to verify the information reported by different agencies. A consolidated report of the progress of complaint handling will be prepared on the basis of the database maintained in the GRM portal for onward submission to the CEO, FREMAA.

74. An overall system will be put in place to assess the overall effectiveness and the impact of the GRMs. Such evaluations will be conducted quarterly and their results will be shared with all concerned at the PIU to facilitate improvement in the performance of the GRM and provide necessary feedback. The following points may be assessed during such evaluations:

- Number of complaints/ queries received
- Category of complaints
- Category of complainants (AP, vulnerable or other associated individuals)
- Status of the complaints (rejected, closed, reopened, ongoing)
- Response time involved in resolution of complaints
- Feedback from the aggrieved/ complainants
- Effectiveness and efficiency of redressal

9.8 GRM Contact Information

75. The contact information of all focal points and intake channels for registering a complaint/ query will be publicly disclosed and included in all IEC materials. The information will be widely shared with the stakeholders and displayed in the official websites of PMU and PIU (<https://fremaa.assam.gov.in/>; <https://waterresources.assam.gov.in/> ; <https://asdma.assam.gov.in/>). The same will be facilitated with the associated departments and the Contractors.

10. Resettlement Budget and Funding

76. The resettlement budget will comprise itemized estimate of compensation for land, structures, trees, crops, various resettlement assistances, rehabilitation, or replacement of CPRs including land, if government land is not available, institutional cost, contingency, additional studies if required, cost towards implementation, engagement of RAP implementation agency, evaluation consultants, etc. Based on the initial estimates provided by the RAP preparation consultants and later by the RAP implementation agency, the PMU shall update and prepare final estimates for compensation and assistances payable. They shall jointly review the compensation for land with the Revenue department and with Public Works Department for cost of structures and CPRs. Based on these estimates, the PMU shall prepare a request for funds and submit the same to the Government of Assam for release of funds for disbursement. The source of funds is GoA and the budget will be approved by the Additional Chief Secretary, WRD. The funds will be transferred to FREMAA from the GoA, and from there will be released to Deputy Commissioners of the concerned districts. For those who do not accept the compensation and R&R assistance the same will be deposited in the Escrow account for disbursement later. Each sub-basin specific RAP shall provide for contingency costs to meet any unforeseen expenditure.

77. The cost of LA and R&R has been budgeted as part of the overall project costs and shall be met with Government of Assam funds and included in the counterpart funds. The funds as estimated in the budget for the financial year and additional fund as required based on the revised estimates, shall be available at the disposal of FREMAA. The CEO, FREMAA being PMU of the project will provide necessary funds for compensation of land and structure and cost of resettlement assistance in a timely manner to the jurisdiction of the respective Deputy Commissioners. The World Bank's loan will be available for costs purchase of goods and NGO consultancy, M&E services, if required following the applicable procurement guidelines.

11. Consultation & Disclosure

78. Consultations with various stakeholders will be carried out throughout the project cycle, i.e., preparation, implementation and post implementation, in accordance with the Project's overall Stakeholder Engagement Plan. The consultations will be conducted by the PMU and the PIUs. Stakeholders will include primary stakeholders who are project affected persons, project beneficiaries, FREMAA, PMU, PIUs, and other stakeholder departments. Additionally, the concerned Deputy Commissioner of the district and revenue officials are also considered to be the key stakeholders. Other stakeholders in the project include ward level members, local councilors, local community groups, women's groups, ADCs, NGOs, and people of the project area. During the preparation of ESMF/ ESIA, several consultations were held with the primary stakeholders and presented in the Stakeholder Engagement Plan. Based on the feedback from the above consultations, the IAs have proposed suitable measures in the ESMF, RPF, IPPF and the Environmental and Social Management Plans. A summary of the issues noted from these consultations are presented below:

Project affected parties (and beneficiaries of such measures)	<ol style="list-style-type: none"> 1. wanted early construction of anti-erosion works as every year they face loss of land, assets, animals and, in some cases, loss of human life. 2. were are also of the opinion that floods bring fertility to the soil. 3. were are of the opinion that during the strengthening of embankment, i.e., during construction, the works will obstruct access to people and cattle from settlements to the riverside resources and requested to make appropriate design provisions. Another request is to provide for concrete ramps and steps at roads crossing the embankments. 4. there could be accidents due to vehicular movements during construction. 5. willing to work during construction, if proper payments are made. 6. Private landholders expressed their concerns regarding extent of land that will be affected and related compensation. 7. Encroachers, who are mostly doing agriculture, were apprehensive if they will be evicted when the construction activities take place. 8. Local communities do fishing for their own consumption and sale. This may be temporarily affected. 9. Some villagers own boats for crossing the river to reach villages on the other side of the river. These may get affected. 10. Wants to engaged and communicated through regular project meetings, Gaon Sabha meetings, Aapda mitras and WhatsApp groups.
Other interested parties	<ol style="list-style-type: none"> 1. There will be a possibility of temporary access block to the nearby villagers/ communities during construction activities 2. The community might face problems of labour influx in terms of health and safety issues and utilization of community resources. 3. There are some schools, places of worship, and other buildings close to the proposed construction sites of some of the sub-projects. These might get affected. 4. Presently information about program is communicated through Gaon burah and through Circle Officials and Mandal. 5. Wants to engaged and communicated through regular Gaon Sabha meetings and Aapda mitras..

Disadvantaged/ vulnerable	<ol style="list-style-type: none"> 1. The villagers shared their concern for protecting the land demarcated for anti-erosion works as the river would continue eroding the land till the commissioning of the works. 2. Wants to engaged and communicated through regular project meetings, Gaon Sabha meetings, Aapda mitras and WhatsApp groups.
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79. Consultations will be held with special emphasis on vulnerable groups. Encouraging public participation in consultations informs the public of the project and serves as a venue for the public to express their opinion on priorities which the project should address.

80. The PMU and PIUs will ensure that PAPs and other stakeholders are informed and consulted about the project sites, its impact, their entitlements and options, and allowed to participate actively in the development of the sub-project. Stakeholder consultations were organized for comments/ feedback on the draft ESMF instruments (ESMF, RPF, IPPF, LMP and SEP). The feedback received from the consultation was incorporated in the revised documents. The outcomes of the consultation and information disclosure are summarized in the Stakeholder Engagement Plan. The World Bank approved RPF is translated into local language (Assamese) and disclosed through the FREMAA website. The documents available in public domain include:

- Entitlement Matrix and RAP (and executive summary in local language)
- List of eligible PAFs for various R&R benefits.
- Also progress reports on RAP implementation will be disclosed in accordance with the Stakeholder Engagement Plan

81. As per Access to Information Policy of the WB, this RPF will be made available at the World Bank Portal. This RPF will be kept in FREMAA/WRD/ASDMA portals and their District offices.

12. RAP Implementation Monitoring

82. The RAP implementation monitoring at the site level will be the responsibility of the concerned PIUs. This internal monitoring will include:

- (i) Administrative monitoring: daily planning, implementation, feedback and troubleshoot, individual PAP file maintenance, and progress reports, etc.
- (ii) Socio-economic monitoring: baseline information for comparing PAP's socio-economic conditions, disbursement of compensation and R&R assistance, community relationships, dates for consultations, etc.

Monitoring and evaluation reports documenting progress on resettlement implementation, and RAP completion reports based on the data captured will be provided by the FREMAA to World Bank for review.

12.1 Internal Monitoring:

83. Tables below provides indicative monitoring Indicators for Physical & financial Progress and grievances. These indicators would be finalized during implementation.

Table 7: Indicative monitoring Indicators for Physical Progress

Monitoring Indicators	Implementation Target	Revised Implementation Target	Progress this Month	% against Revised Implementation Target
Preparation and dissemination of leaflets to various stakeholders				
Compensation for Structures, other assets (cattle sheds)				
Preparation and approval of micro-Plans				
Number of joint bank accounts opened				
Issuance of identity cards				
Submission of monthly progress reports				
Onetime rehabilitation grant provided				
Livelihood Restoration Allowance for affected Categories				
Allowances paid to Vulnerable groups				
Community Assets rehabilitated/ Restored				
No. of PAPs who have received training for livelihood restoration/enhancement				
PAP untraceable				

Table 8: Indicative monitoring indicators for financial Progress

Category	Estimated Cost(INR)	Progress this month
R&R Assistance		
RAP Implementation NGO		
M&E Services		

Table 9: Monitoring of Grievances received and redressed

Particulars	Quarters			
	Q1	Q2	Q3	Q4 & Cumulative Total
No. of cases referred to GRC				
No. of cases settled by GRC				
No. of cases pending with GRC				
a. Project Level				
b. District Level				
c. PMU Level				
Average time taken for settlement of				
No. of GRC meetings				
No. of PAPs moved Court				
No. of pending cases with the court				
No. of cases settled by the court				

12.2 External Evaluation

84. The AIRBMP will engage the services of an independent agency not associated with project implementation to undertake concurrent monitoring quarterly and evaluation twice – at mid and at end term. The external agency, with previous experience in resettlement activities and familiarity with Government and World Bank, will be engaged to monitor and verify RAP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. The external agency will undertake impact evaluation on a sample basis during mid-term and project completion. It will record PAPs views on resettlement issues; PAPs understanding of entitlement policies, options, and alternatives; site conditions; compensation valuation and disbursement; grievance redress procedures; and staff competencies. The agency will also evaluate the performance of the PMU related to resettlement issues.

Table 10: Indicative Impact Evaluation Indicators

Parameter	Breakup of parameter	Baseline(%)	Mid-Term(%)	End-Term (%)
Occupation of HH*	Agriculture			
	Trade/Business			
	Petty shopkeeping			
	Agri labour			
	Non-Agrilabour			
	Service			
Average Annual Income*	<Rs 75000			
	Rs 75001–1lakh			
	Rs 1lakh–2.5lakh			
	Rs 2.5lakh–5lakh			
	Below Poverty Line			
Possession of Assets*	TV			
	Fridge			
	Cycle			

	Motorcycle			
	Car			
Housing Conditions	Pucca house (RCC Roof, Brick Walls, Cement Flooring)			
	Semi-Pucca House (Bamboo, Sheet Roof, Mud/ Brick Walls, Mud/ cement flooring)			
	Kutchra House (Thatched Roof, Mud Wall, Mud Flooring)			
Land Assets	Marginal Farmers			
	Small Farmers			

13. Updating of Resettlement Policy Framework

85. This RPF will be an “up-to-date” or a “live document” enabling revision, when and where necessary. Since the more sub-basin/sites can be taken up and any unexpected situations and/or changes in the project or subcomponent design would therefore be assessed and appropriate management measures will be incorporated by updating the Resettlement Policy Framework to meet the requirements of country’s legislations and Bank ESF. Such revisions will also cover and update any changes/modifications introduced in the legal/regulatory regime of the country/ state. Also, based on the experience of application and implementation of this framework, the provisions and procedures would be updated, as appropriate in consultation with stakeholders and PAPs and approved by FREMAA and redisclosed.

Annexures

Annexure 1: Comparative Analysis of GO on consent, RFCTLARR Act and ESS5

	Environment and Social Framework 2016	Provisions in RFCTLARR Act, 2013	GO No. RLA.177/2021/3 dated 07/03/2022).	Measures to bridge the Gap between Policy/Acts and ESF, 2016 of World Bank
1.	Avoid forced eviction and involuntary resettlement wherever feasible	Social Impact assessment (SIA) should include: (i) whether the extent of land proposed for acquisition is the absolute bare minimum extent needed for the project; (ii) whether land acquisition at an alternate place has been considered and found not feasible [Ref: Section 4 sub-section 4(d) and 4(e)]	None	ESIA will be conducted for sub-project under AIRBMP
2.	If unavoidable, minimize involuntary resettlement by exploring project and design alternatives	None	None	Usage of principle of mitigation hierarchy to analyse alternatives to avoid/minimize/compensate or offset
3.	To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels	None	None	Would be ensured through suitable provisions in the RAP
4.	To improve the standards of living of the displaced poor and other vulnerable groups.	None	None	Would be ensured through suitable provisions in the RAP
5.	Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks	While the policy does not specify any requirement for screening of the project at an early stage for resettlement impacts and risks, it requires carrying out social impact assessment before any proposal for land acquisition (section-16).	None	Screening of all sub-projects towards enabling identification of the potential resettlement impacts and associated risks will be carried out
6.	Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender	Carry out census of affected people and their assets to be affected, livelihood loss and common property to be affected; R&R scheme	Provides for assessment of land and structures including	The ESS-1 requirements will be followed based on which census and socio-economic has been carried out for this sub-project

	analysis, specifically related to resettlement impacts and risks (ESS-1)	including timeline for implementation. (Section: 16. (1) and (2)).	photography of structures	
7.	Carryout consultations with displaced persons, host communities and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options (ESS-10)	<ul style="list-style-type: none"> • Consultation with Panchayat, Municipality, to carry out SIA. (Section: 4. (1)) • Public hearing for Social Impact Assessment. Section: 5. • Discussion on and public hearing for Draft Rehabilitation and Resettlement Scheme Section: 16. (4). and (5) 	Provides for consultations and negotiations with land owners only. It has no provisions for non-titleholders.	All impacted persons – land owners and users of land (non-titleholders such as squatters and encroachers) would be consulted. The ESS-10 requirements will be followed
8.	Establish grievance redressal mechanism (ESS-1 and ESS-5)	<ul style="list-style-type: none"> • Establishment of Land Acquisition, Rehabilitation and Resettlement Authority for disposal of disputes relating to land acquisition, resettlement. Section: 51. (1). and Section: 64. compensation, rehabilitation and • The Requiring Body or any person aggrieved by the Award passed by an Authority under section 69 may file an appeal to the High Court within sixty days from the date of award. Section: 74. (1). and (2). 	No provision	A project level GRM will be included in the RAP and Resettlement policy framework (RPF).
9.	Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase. (ESS-1 and ESS-5)	Social Impact Assessment is must before taking final decision on acquisition of land followed by preparation of R&R Scheme	No provision	Social Impact Assessment, consultations with relevant stakeholders – affected and interested parties will be done
10	Improve or restore the livelihoods of all displaced persons through (i) land-based resettlement strategies (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored,	<ul style="list-style-type: none"> • Land for land in case of irrigation projects to the landowners losing agricultural land. Land for land in every project to landowners belong to SC and ST community up to 2.5 acres of land. Section: 31 and The Second Schedule • Provision of housing units in case of 	No provision. However, relating to computation of compensation, the order provides for compensation to land owners with	Structure to be compensated at replacement cost without depreciation, besides commensurate provisions to address livelihood issues. Provisions made in EM will be delivered to address impacts on non-titleholders need to be incorporated

	and (iv) additional revenues and services through benefit sharing schemes where possible. (ESS-5)	<p>displacement. Offer for developed land. Section: 31 and The Second Schedule</p> <ul style="list-style-type: none"> Recognizes 3 methods and whichever is higher will be considered which will be multiplied by a factor given in The First Schedule. Compensation given earlier will not be considered; If rates not available floor price can be set; Steps to be taken to update the market value. (Section 26 and The First Schedule) Provision for employment, fishing rights, annuity policy etc. (Section: 31 and The Second Schedule) 	an incentive of additional 25%, inclusive of R&R Benefits, on the compensation calculated.	
11	If there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required. (ESS-5) and extension of project benefits to host communities; provide transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required. (ESS-5)	<ul style="list-style-type: none"> A family as a unit will receive R&R grant over and above the compensation and those who are not entitled to compensation. Section: 31 Homeless entitled to constructed house, land for land in irrigation projects in lieu of compensation, in case of acquisition for urbanization 20% of developed land reserved for owners at a price equal to compensation' jobs or onetime payment or annuity for 20 years' subsistence grant, transportation, land and house registered on joint name husband and wife, etc. Second Schedule Provision for infrastructural amenities in resettlement areas. Section: 32 and Third Schedule 	No provision	Relocation is not envisaged under the proposed sub-project as designs are avoiding full impact on structures
12	Improve the standards of living of the displaced poor and other vulnerable	<ul style="list-style-type: none"> Landless people are considered and eligible for R&R grants. Section:16. (2). Widows, divorcees, abandoned women will 	No provision	Adequate measures would be provided for in the RAP

	groups, including women, to at least national minimum standards. (ESS-5)	<p>be considered as separate family and entitled to R&R provisions Section: 3. (m)</p> <ul style="list-style-type: none"> • Homeless entitled to constructed house and landless entitled to land in irrigation project. Second Schedule • Special provision for Scheduled Caste/Scheduled Tribe; Section: 41. • Additional provisions for SC&ST for land for land in irrigation projects, additional sum over and above the subsistence grant. Second Schedule 		
13	If land acquisition is through negotiated settlement, ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status. (ESS-5)	<ul style="list-style-type: none"> • R&R entitlements apply in case of land acquired/purchased for PPP projects and for Private Companies. Section: 2. (2), and 46 	The replacement cost of land and other immovable assets as per the provision of Section 26 ,27,28, and 29 and Schedule I of RFCTLARR Act 2013. Additional 25%, inclusive of R&R Benefits, on the compensation is calculated. It has no provisions for non-titleholders.	Provisions as applied in the RFTCLARR Act will be used and additional measures where required will be used for vulnerable and disadvantaged persons.
14	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets. (ESS-5)	<p>The Act recognises: Section: 3 (c)</p> <ul style="list-style-type: none"> • a family which does not own any land but belong to the family of an agricultural labourer, tenant, sharecroppers, or artisans or working in affected area for three years prior to the acquisition of the land 	No Specific Provision	Under this project, provision would be made to that in the case of land acquisition, the date of publication of preliminary notification for acquisition under Section 21 of the LARRA Act 2013 will be treated as

		<ul style="list-style-type: none"> the Scheduled Tribes and other traditional forest dweller who have lost any of their forest rights family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher folk and boatmen · a livelihoods on any land in the urban areas for preceding three years or more prior to the acquisition of the land family residing or earning 		the cut-off date for title holders, and for non-titleholders such as squatters the start date of the project census survey
15	Prepare a resettlement plan / indigenous peoples plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time bound implementation schedule. (ESS-5 and ESS-7)	<ul style="list-style-type: none"> Preparation of Rehabilitation and Resettlement Scheme including timeline for implementation. Section: 16. (1) and (2). Separate development plans to be prepared. Section 41 	No specific provision	For sub-projects, RAP will be prepared.
16	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders. (ESS-10)	<ul style="list-style-type: none"> The draft Rehabilitation and Resettlement Scheme prepared shall be made known locally by wide publicity in the affected area and discussed in the concerned Gram Sabhas or Municipalities and in website. Section: 16. (4) The approved Rehabilitation and Resettlement Scheme to be made available in the local language to the Panchayat, Municipality or Municipal Corporation and in website. Section: 18. 	No specific provision	In addition to the publishing of the approved resettlement action plan, the RAP and RPF includes provision for disclosure of the various documents pertaining to RAP implementation in accordance with Stakeholder Engagement Plan (SEP)

17	Include the full costs of measures proposed in the resettlement plan and indigenous peoples plan as part of project's costs and benefits. For a project with significant involuntary resettlement impacts and / or indigenous peoples plan, consider implementing the involuntary resettlement component of the project as a stand-alone operation. (ESS-5)	The requiring body shall bear the cost of acquisition covering compensation and R&R cost. Section: 19. (2) and Section 95. (1)	No specific provision	None
18	Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation. (ESS-5)	<ul style="list-style-type: none"> • The Collector shall take possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid within three months for the compensation and a period of six months for the monetary part of rehabilitation and resettlement entitlements. Section: 38. (1) • The Collector shall be responsible for ensuring that the rehabilitation and resettlement process is completed in all its aspects before displacing the affected families. Section: 38. (2) 	The replacement cost of land and other immovable assets as per the provision of Section 26 ,27,28,and 29 and Schedule I of RFCTLARR Act 2013.	None
19	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports. (ESS-5)	<ul style="list-style-type: none"> • The Rehabilitation and Resettlement Committee, to monitor and review the progress of implementation of the Rehabilitation and Resettlement scheme and to carry out postimplementation social audits in consultation with the Gram Sabha in rural areas and municipality in urban areas. Section: 45. (1) • Set up National and State level Monitoring Committee to review and monitor progress. Section 48- 50 		The ESS-5 requirements will be followed.

Annexure 2: Copy of Government Orders No. RLA.177/2021/3 dated 07/03/2022 related to Direct Purchase

পঞ্জীভুক্ত নম্বৰ - ৭৬৮ /৯৭

Registered No.-768/97

অসম  ৰাজপত্ৰ
सत्यमेव जयते
THE ASSAM GAZETTE

অসাধাৰণ
EXTRAORDINARY
প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত
PUBLISHED BY THE AUTHORITY

নং 178 দিশপুৰ, শুক্ৰবাৰ, 11 মাৰ্চ, 2022, 20 ফাল্গুন 1943 (শক)
No. 178 Dispur, Friday, 11th March, 2022, 20th Phalguna, 1943 (S. E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
REVENUE & DISASTER MANAGEMENT (L. R.) DEPARTMENT

NOTIFICATION

The 7th March, 2022

No.RLA.177/2021/3.- In pursuance to Cabinet decision dated 12/01/2022 taken on the additional item No.15, vide file No. WR(G).123/2020 of Water Resources Department, Assam, the Governor of Assam is pleased to order “Land acquisition through Direct Purchase by way of negotiated settlement for all Departments in the State of Assam” as enunciated in the enclosed document in Annexure-I. It will come into force with effect from the date of publication of the Notification in the Assam Gazette and will remain in operation till such time as the State Government may consider fit and proper. The Government reserves the right to make any amendment to the same from time to time.

Annexure-I

Land acquisition through Direct Purchase by way of negotiated settlement for public purpose of all Departments in the State of Assam.

- 1) The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 enacted by the Government of India came into force with effect from 1st January, 2014, repealing the Land Acquisition Act, 1894. It includes provisions for Rehabilitation and Resettlement (R&R) of project affected families and persons in addition to the compensation for acquisition of land. The Government of Assam framed the Assam RFCTLARR Rules, 2015 under the RFCTLARR Act, 2013 with a number of sequential compulsory processes, involvement of a number of bodies as well as statutory waiting time between different processes. Acquisition of land as per the procedures laid down in the said Act and Rules takes considerable time from issuance of Notification to taking over possession of land.
- 2) Adopting the policy of Direct Purchase will not only fast track the process of land procurement but also will simplify the process. This will provide the opportunity to the land losers to negotiate on the cost of their land they will be paid, which will result in less litigation from the land owners.
- 3) Steps and features of Direct Purchase procedure:
 - (i) Step 1: The Requiring Department shall finalize the minimum extent of land required for the public purpose and submit requisition to the concerned Deputy Commissioner/Collector in **Form-A**.
 - (ii) Step 2: A District Level Land Purchase Committee (DLLPC) under the chairmanship of the Deputy Commissioner is to be constituted for direct purchase of land as well as fixation of market value etc. The DLLPC will comprise of the following persons:
 - Deputy CommissionerChairman
 - Additional Deputy Commissioner (Revenue)Member Secretary
 - Representative of the Requisitioning Deptt..... Member
 - Revenue Circle Officer.....Member
 - Sub-Registrar Member
 - Representative of the other concerned assessing Department..... Member
 - (iii) Step 3: Concerned Revenue Circle Officer and the representative of the Requisitioning Deptt. will conduct joint inspection of the requisite land. The area of land and immovable properties attached to it will be measured and mapped.
 - (iv) Step 4: General Notice will be issued by the District Level Land Purchase Committee (DLLPC) to the land owners regarding proposed purchase of the land.
 - (v) Step 5: A list may be prepared for those land owners who may agree to sell the land after ascertaining the actual owner of the land, if necessary, by conducting field enquiry. Willingness of the land owners shall be obtained in writing in **Form-B**.

- (vi) Step 6: The list shall be published inviting objections, if any, regarding interest and ownership of the land, etc. For receiving objections from the land owners, a waiting period of 1 (one) month shall be given.
- (vii) Step 7: DLLPC will prepare the valuation of land and assets. The Requiring Department may also define a few typical immovable assets of different categories and fix the guidance price through appropriate authority. This price of the assets attached to the land may be calculated on pro-rata basis on typical immovable assets mentioned above.
- (viii) Step 8: The valuation of the land and assets, if any thereon, the particulars of the land, name of owners, etc. shall be prepared.
- (ix) Step 9: The Direct Purchase price shall be higher on the compensation calculated as per provisions of section 26 to 30 & First Schedule of the RFCTLARR Act, 2013 with multiplier of market rate of land defined through the Govt. Notification No.RLA.300/2013/Pt-II/7 dated 22/12/2014. The resettlement & rehabilitation benefit shall be deemed included in it.
- (x) Step 10: On completion of the statutory waiting period specified in step 6, the DLLPC will inform the respective land owners, who are interested or not raising any objections for negotiation.
- (xi) Step 11: Pre-informed negotiation(s) with the respective land owners will be carried out by DLLPC.
- (xii) Step 12: The settlement reached in the negotiation shall be recorded as Agreement through **Form-C** and **Form -D** for land owners and for interested persons other than the land owners, if any, respectively. An undertaking (in Form-B) may be signed by the land owners declaring that they will not claim for payment of higher compensation in any court of law or any other forum and shall abide by the sale agreement finalized in the DLLPC. The land owners and other interested persons have to provide their electronic transfer details through electronic transfer Mandate Form.
- (xiii) Step 13: The District Collector/ Deputy Commissioner may requisition necessary funds from the Requiring Department.
- (xiv) Step 14: The Deputy Commissioner/District Collector shall make an award according to the terms of such agreement. Possession of the land is taken through paying the negotiated price directly to the land owners or persons interested other than the land owners, if any, through electronic transfer to their respective bank accounts.
- (xv) Step 15: The list of the willing rightful land owners so prepared may be communicated to the concerned Sub-Registry office for registration of Conveyance Deed. The Stamp duty in the Indian Stamp Act, 1899 will be exempted in respect of instrument executed by or on behalf of, or in favour of Government.
- (xvi) Step 16: The concerned Deputy Commissioner will transfer the land in favour of the Requiring Department and make necessary changes/corrections in the land records.

- (xvii) Step 17: In the event of any owner refusing to sell the land or any of the owners having objected or not interested with the direct purchase through negotiation, the respective land may be acquired through land acquisition process of the RFCTLARR Act, 2013 and the rules framed thereunder.
- 4) The cost of Direct Purchase and process of Direct Purchase shall be borne by the Requisitioning Department.
 - 5) The Direct Purchase method will be all encompassing and inclusive of all compensation and Resettlement and Rehabilitation (R&R) benefits, as specified in the RFCTLARR Act, 2013 or in R&R benefits of Multilateral Development Banks for Titleholders. The purchase price of land shall be fixed based on negotiations and mutual consent and hence, no separate R&R benefits shall be payable to the land owners.
 - 6) The formats for application and other requisite Forms are enclosed as Annexure-2. The procedure for calculating the Direct Purchase price of land, and other properties attached with it is provided in Annexure-3.

THE ASSAM GAZETTE, EXTRAORDINARY, MARCH 11, 2022

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Annexure 2:

Requisite Forms for Direct Purchase process

Form-A

Requisition for Land Acquisition

No. : _____ Date _____

From : Name
Designation of the Requiring body

To : The Deputy commissioner/ District Collector

The undersigned is in requirement ofacre (s) of land for
.....project/ purpose and the details are furnished in
Appendix 1 and 2, along with two copies of trace maps showing the full/ parts of lands required.

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

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

Enclosure: Appendix 1 and 2 & two copies of trace Maps.

Yours faithfully,

Requiring body

Memo No. _____

Date _____

Copy to:

1. The Secretary to the Govt. of Assam, Revenue & Disaster Management Department,
for information.

Requiring body

Appendix 1 to Form-A

Requisition for Land

- (i) Name of District.....
- (ii) Name of the Project
- (iii) Details of requisition of land

District **Revenue Circle**

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

- (iv) Total area under requisition (Acres)
- (v) Are any religious structure, graveyard or tomb etc. proposed for acquisition? (Yes/ No).....
- (vi) If yes, reasons for such inclusion of religious structures.

Requiring body

THE ASSAM GAZETTE, EXTRAORDINARY, MARCH 11, 2022

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Appendix 2 to Form-A

Certificate with requisition for land

Name of the Project _____

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

Requiring body

Form-B-1

For land owners.

Undertaking to be signed by the person(s) interested before
the DLLPC

I/We, Sri/Smti. S/o,W/o, D/o owner /owners/ of the
land in Dag No. Patta no. of village
.....Mouza Revenue Circle District, here by agree
for the voluntary sale through consent my/our land to the Collector for the purpose of

I/We Solemnly affirm that I/we, am/are the absolute owner/owners of the land mentioned above
and the land is not encumbered. The sale consideration payable for this land maybe paid to me/may be
paid to

I/We / am/are agreeable to the payment of all inclusive of sale consideration of land, things
attached to land including perceived livelihood loss/equivalent costs for Rehabilitation and Resettlement
etc., agreed to in the District Level Negotiation Committee/DLLPC.

I/We hereby declare that I/we will not claim for payment of higher consideration in any court of
law or in any other forum/authority and I/we shall abide by the sale agreement finalized in the District
Level Negotiation Committee.

Signature and Name of the land owners

Date:

Attestation of Deputy Commissioner/Authorized Representative

Name and Designation:

Date:

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Form-B-II

Undertaking to be signed by persons interested other than land owners

I/We, Sri/Smti.S/o,W/o,D/o are persons interested in
the land in Dag No.Patta no ofvillage
.....MouzaRevenue Circle District.

I/We enclose document in support of my / our claim as an
interested person in the said land.

I/We hereby agree for receiving the R & R benefits in the lump sum as per provisions.

I/We hereby declare that I/we will not claim for payment of higher consideration in any court of
law or in any other forum/authority and I/ we shall abide by the amount finalized in the District Level
Negotiation Committee/DLLPC.

Signature and Name of the interested persons

Date:

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Form-C

Agreement with land owners

An Agreement made this _____ day of _____ 20 ____ between _____ here in after called the 'owner'(which expression shall unless repugnant to the context or meaning thereof include his/her heirs, executors) and the Requisitioning Agency represented by _____ hereinafter called the 'Requisitioning Agency', on the other part and recommended by Negotiation Committee.

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

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

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

AND WHEREAS the owner and the Requisitioning Agency agreed for payment of compensation at _____ as a lump-sum deal for an extent of coveringacres land in _____ Dag No _____ Patta No _____ of Village/ward _____ of _____ Mouza/Municipality/Municipal Corporation _____ Sub-Division _____ District. The lump-sum deal represents the market value of the land including value of any immovable property/assets attached to the said land and value of standing tree and crops, solatiumetc., under the Act and over and above of these, as applicable, there may be incentive of direct purchase which also includes more than the Rehabilitation and Resettlement costs as per Schedule under the Act and also apportion the same among themselves as hereinafter provided.

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

Signature of the land owners

- 1.
- 2.
- 3.

Signature o Requisitioning Agency

Attested by Member Secretary
District Level Land Purchase Committee

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Form-D

Agreement with persons interested other than the land owners

An Agreement made this _____ day of _____ 20 ____ between _____ one part 'persons interested' (which expression shall unless repugnant to the context or meaning thereof include their successors and assignees) and the Requisitioning Agency represented by _____ hereinafter called the 'Requisitioning Agency', on the other part and recommended by Negotiation Committee.

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

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

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

AND WHEREAS the interested party and the Requisitioning Agency agreed for payment of compensation at _____ as a lump-sum deal for an extent of covering acres _____ in Dag No _____ Patta No _____ of Village /ward _____ of _____ Mouza/Municipality/Municipal Corporation of _____ Sub-Division _____ District. The lump-sum deal represents the Rehabilitation and Resettlement benefits as per the provisions.

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

Signature of the persons interested

- 1.
- 2.
- 3.

Signature of Requisitioning Agency

Attested by Member Secretary
District Level Land Purchase Committee

Annexure-3

Calculation of Direct Purchase Price

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

1. Section 26 of RFCTLARR Act, 2013:
 - a) The base rate of land [Sub-section (1)] of Section 26 of the RFCTLARR Act, 2013 will be determined by the highest value among:
 - The market value, if any, specified in the Indian Stamp Act, 1899 for the registration of Sale deeds or agreements to sell, as the case may be, in the area, where the land is situated;
 - The average sale price of similar type of land situated in the nearest village or nearest vicinity area; and
 - Consented amount of compensation as agreed upon under sub-section (2) of section 2 of the RFCTLARR Act, 2013 in case of acquisition of lands for private companies or for public private partnership projects.
 - b) The market value of land shall be multiplied by a factor [Sub-section (2) of section 26 of the RFCTLARR Act, 2013], of i) 1.00 (one) for land of urban areas or, ii) 1.5 (one and a half) if the radial distance of the land is up to 10 km from the nearest urban area or, iii) 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area (Ref Notification No.RLA.300/2013/Pt-II/7 dated 22/12/2014 of the Govt. of Assam).
2. Section 29 of the RFCTLARR Act, 2013:
 - a) Market value of building and other immovable property and assets attached to the land will be calculated by the competent Engineer or any other specialist in the relevant field [Ref. sub-section (1) of section 29].
 - b) Value of trees and plants attached to the land will be calculated by the experienced persons in the field of agriculture, forestry, horticulture, sericulture or any other relevant field, as the case may be [Ref. sub-section (2) of section 29].
3. Section 30 of the RFCTLARR Act, 2013 :
 - a) A Solatium @ 100% on the value of land, immovable assets attached to the land and standing crops will be added to determine the total compensation [Ref. sub-section (1) of section 30 of the RFCTLARR Act, 2013].
 - b) Individual awards detailing the particulars of compensation and details of payment of compensation as specified in the First Schedule of the RFCTLARR Act, 2013 will be issued [Ref. sub-section (2) of section 30 of the RFCTLARR Act, 2013]
 - c) The land value defined u/s 26 of the RFCTLARR Act, 2013 will also attract an amount calculated @ 12% per annum for the period commencing on and from the date of notification till the date of award [Ref. sub-section (3) of Section 30 of the RFCTLARR Act, 2013]

4. Simple valuation of immovable assets attached to the land :

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

5. Direct purchase price:

The land owners will get an incentive of 25%, inclusive of R&R benefits, on the compensation calculated as per provisions of Section 26 to 30 and First Schedule of the Act, as he has readily agreed to be a part of the project.

The Price of Direct Purchase (DP) will be: -

$$DP = 1.25 \times \{ 2 \times [(R \times M \times A) + (B+O)] + [0.12 \times Y \times (R \times A)] \}$$

Where :

R is the base rate of land

M is the Multiplication factor

A is the affected area

B is the market value of Buildings

O is the value of all immovable assets & standing crops

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

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

AVINASH JOSHI,

Principal Secretary to the Government of Assam,
Revenue & D. M. Department.

Annexure 3: Copy of Government order No. RGR.785/2014/91 dated 06/01/2021

**GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
DISPUR, GUWAHATI -6**

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 6th January, 2021

No.RGR.785/2014/91: The Governor of Assam is pleased to introduce **“REHABILITATION POLICY FOR EROSION AFFECTED FAMILIES OF ASSAM, 2020”** to rehabilitate erosion affected families across the State.

A. Background:

Assam is perennially affected by flood and erosion rendering a large number of people homeless and landless because of which they are forced to live on embankments, roadsides, educational institutions, religious organizations, char or forest lands, Govt. Khas lands, VGRs, PGRs etc. Since erosion is not covered under the guidelines of SDRF, the rehabilitation of these people has remained unattended. Rehabilitation Policy of Erosion Affected Families of Assam, 2020 intended assist the erosion affected families financially.

A fund of Rs 500.00 Lakh has been provided for the purpose as Grants-in-Aid under Plan in the Budget allocation of ASDMA for 2014-15 vide letter No. RGR.785/2014/11 dated 24th March, 2015. But, the fund couldn't be utilized as there was no concrete provision in earlier guidelines notified vide letter No. RGR.785/2014/6 dated 12th March, 2015.

Further, 15th Finance Commission in its recommendation has suggested resettlement of displaced people affected by river erosion and mentioned that both Union and State Governments should develop a policy to deal with the extensive displacement of people caused by coastal and river erosion. In this regard, to implement this policy, an allocation of Rs 200 Cr for 2020-21 to address the issue of displacement at the State level across India. Moreover, the State Governments shall submit specific proposals for assistance to resettle displaced people. Such assistance should be made available through the resources available from the recovery and reconstruction window of the NDRF. Such resettlement should ensure safer sites for the people being resettled.

In this backdrop, it has become necessary to have a specific policy dealing with the issue and formulate norms and procedure to address rehabilitation of erosion affected families across the State.

B. Criteria for selection of Beneficiaries:

(1) This Rehabilitation Policy shall only cover the erosion affected but not families under any other natural calamities or man-made disasters.

(2) The erosion-affected families (river-erosion) would be categorized as follows:

Category I - Families who have lost all their lands, both homestead and agricultural land, due to erosion and they have no other land anywhere in the State;

Category II - Families who have lost their homestead land, and not agricultural lands;

Category III - Families who have lost their all agricultural lands, but have homestead lands.

(3) **Identification of beneficiary families, therefore, in order of priority shall be as follows:**

- (i) Families rendered landless and homeless due to river erosion;
- (ii) Families rendered homeless only due to river erosion;
- (iii) Families left with less than 3 Bighas of agricultural land, but has not been rendered homeless;

(4) The definition of landless person/ family will be as per the Land Policy in force.

(5) Eligibility for consideration, as beneficiary:

- i) Families should have the eroded lands recorded in their names in the Record- Of- Rights, as either P.P. or A.P. land or allotted land.
- ii) Families occupying Govt. lands as encroachers shall not be eligible for rehabilitation.

C. Rehabilitation Package:

1. Rehabilitation package for the aforesaid categories of erosion-affected families from 2014-15 onwards shall as follows:

i) For the **Category I** of families as mentioned above, who are rendered landless completely and become homeless by erosion,

- (a) An amount of Rs. 5.00 Lakh per Bigha or the actual land value as per zonal valuation, whichever is less, for purchase of land upto 2.5 (Two and half) Kathas only, on their own for subsequent construction of house.
- (b) A cash amount of Rs. 1,50,000.00 (Rupees one lakh fifty thousand only) for construction of house and IHHL,
- (c) Financial assistance of Rs 1.00 Lakh per Bigha, or actual cost of the land, whichever is less, for purchase of land, maximum upto 3(Three) Bighas, on their own for agricultural purpose only.

ii) For the **Category II** families, as mentioned above, who have lost their homestead land, and not agricultural land,

- (a) An amount of Rs. 5.00 Lakh per Bigha or the actual land value as per zonal valuation, whichever is less, for purchase of land upto 2.5 (Two and half) Kathas only, on their own for subsequent construction of house.
- (b) A cash amount of Rs. 1,50,000.00 (Rupees one lakh fifty thousand only) for construction of house and IHHL

iii) For the **Category III** families as mentioned above, who have lost their all agricultural lands, but have homestead lands,

Financial assistance of Rs 1.00 Lakh per Bigha, or actual cost of the land, whichever is less, for purchase of land, maximum upto 3(Three) Bighas, on their own for agricultural purpose only.

2. This Rehabilitation package would not be applicable in case of families having any member of the family as a permanent Govt./ Semi-Govt./PSU/ Banking or other financial institutions/ Private Organization employee drawing annual salary in excess of

Rs. 5.00 Lakh or whose annual income/turnover from business or other source of income exceeds Rs.5.00 Lakh per annum.

3. If any of the erosion affected families has received any allotment of Government land earlier under any other scheme, they shall not be entitled to financial assistance under this scheme.

D. Procedure for Selection of Beneficiaries:

- The erosion affected person shall submit an application to the concerned Circle officer.
 - The Circle officer shall verify the details submitted by the applicant with the revenue records and also through the field verification by the Lot Mandal.
 - The Circle Officer will compile the applications and submit a proposal, along with verification reports to the Deputy Commissioner.
- a) The proposals received from the Revenue Circles will be placed before a District Level Committee Chaired by the Deputy Commissioner.

District Level Committee:

(i) Deputy Commissioner	----	Chairperson/Chairperson
(ii) All M.P.s / M.L.A.s	-----	Member
(iii) President, Zilla Paishad	-----	Member
(iv) SDO (Civil)/SDO (Sadar)	-----	Member
(v) All Revenue Circle Officers	-----	Member
(vi) District Agriculture Officer	-----	Member
(vii) ADC (Revenue)	-----	Member-Secretary

b) The District Level Committee will examine the proposals, received from the Circle Officers and finalize the list of beneficiaries. Approved list of beneficiaries with recommendation for financial assistance under this policy along with other details will be submitted to Assam State Disaster Management Authority (ASDMA) by the Deputy Commissioners.

c) The lists received from the Districts will be examined and compiled by ASDMA and place the same before the State Executive Committee for its approval.

d) The SEC constituted for SDRF will function as the SEC for this scheme too.

e) With the approval of SEC, the necessary financial sanctions will be issued by the Revenue and Disaster Management Department.

f) The financial assistance to the beneficiaries, as approved by the SEC and sanctioned by the Revenue Department, shall be released to the Deputy Commissioners in advance for payment to beneficiaries on application.

g) The Revenue and Disaster Management Department shall make arrangement for availability of funds and necessary budget provisions for implementation of the policy.

h) The Deputy Commissioners shall have to open a separate Bank account to keep and utilize the funds under this policy.

i) After the financial sanction issued the funds shall be released to the Deputy Commissioners in advance.

E. Procedure for purchase of Land:

a) Once financial sanction is received from the Government, the Deputy Commissioner shall intimate the beneficiaries so that they can make arrangement for purchase of land.

b) The beneficiary will purchase land within the District where he / she belongs to.

c) The beneficiary shall submit application for purchase after identifying land on his / her own for building of house or land for agriculture purpose or both (where applicable) in prescribed format with declaration landless and bank details, IFSC Code, Mobile No. etc., at office of Revenue Circle Officer. Moreover, the said application should be made jointly by both the seller & buyer and shall submit as joint application for purchase of land at the office of the Revenue Circle Officer.

d) On receipt of the application, Revenue Circle Officer will submit the proposal of NOC for Land Sale Permission within a month from the date of application to the concerned Deputy Commissioner for necessary approval.

e) After approval of NOC for Land Sale Permission from the Deputy Commissioner, the amount for purchase of land for building house or land for agriculture purpose or both (where applicable) shall sanction and release to the buyer's (beneficiary) account through NEFT / DBT within a week.

f) The buyer and seller shall immediately execute registration of the transfer of land following due procedure in the jurisdictional Sub-Registrar's Office.

g) After execution of the registered sale deed, the same will be submitted by the beneficiary to the Circle officer for correction of land records.

h) In the Record of Rights (RoR), the name of all family members of the beneficiary family shall be entered.

i) The copy of the registered sale deed and the copy of RoR may be submitted to Deputy Commissioner, with an application to release the money for construction of the house.

j) The beneficiary will submit an affidavit to the Deputy Commissioner mentioning that the fund intended for construction of house on the purchased land will be used for construction of house only.

k) On receipt of the above documents at (e) & (f), the Deputy Commissioner shall release the amount for construction of the house (where applicable) in the land purchased within a month.

l) The land purchased by the beneficiary under this Rehabilitation Policy shall not be transferable at least fifteen years from the date of purchase.

m) The Revenue Circle Officer will submit individual report against the beneficiaries to the Deputy Commissioner and maintain records of beneficiaries rehabilitated under this scheme and also upload in the MIS of Revenue & DM Department.

F. Review and Monitoring Committee at State Level:

A State Level Review and Monitoring Committee under the Chairmanship of Chief Secretary, will be constituted to monitor the implementation of the policy as follows

Chief Secretary	-----	Chairman
Addl. Chief Secretary, Revenue and DM	-----	Member
Principal Secretary, Agriculture	-----	Member
Principal Secretary, P& RD	-----	Member
CEO, ASDMA	-----	Member Secretary

G. Administrative Cost:

An amount equivalent to 3% of the total cost of the scheme will be earmarked for the administrative expenses, including printing of forms, publicity, etc.

H. Source of Fund:

To implement this policy, Rs 200 Crore for 2020-21 has been allocated by the Central Govt. to address the issue of displacement at the State Level as recommended by the Fifteenth Finance Commission at Para XV (f) under "Resettlement of Displaced People Affected by Coastal and River Erosion". In this regard, the State Government will submit specific proposals for assistance to NDMA to resettle displaced people on receipt of proposals from the concerned Deputy Commissioners. The fund required in this case will not be borne under SOPD-G.

The Rehabilitation Policy for Erosion Affected Families of Assam, 2020 will address those aggrieved families who are rendered landless, homeless or lost their homestead land or agricultural land due to erosion.


Commissioner & Secretary to the Govt. of Assam,
Revenue & D.M. Department
Dispur, Guwahati - 6.

SPC
Memo No. No.RGR.785/2014/91-A

Dated Dispur, the 6th January, 2021

Copy to:

- ✓ 1. The Chief Executive Officer, Assam State Disaster Management Authority, Dispur, Guwahati - 6.
2. All Commissioners of Divisions.
3. All Deputy Commissioners.
4. The Director of Printing & Stationary, Assam, Govt. Press, Bamunimaidam, Guwahati - 21 for publication in the next issue of Assam Gazette.
5. The S.O. to the Chief Secretary, Assam.
6. The P.S. to the Hon'ble Minister, Revenue & D.M. Department.

By order etc.,



Joint Secretary to the Govt. of Assam,
Revenue & D.M. Department
Dispur, Guwahati - 6.

Annexure 4: Definitions

In this Resettlement Policy Framework, following terms shall mean as described below, unless the context requires otherwise. These are related to the ESS5, ESS7 and TRFCTLARR Act 2013,

- **Autonomous Council:** Autonomous Councils of Scheduled Areas are endowed with legislative, judicial executive and financial powers for the benefit tribal people.
- **Affected family:** As defined in RFCTLARR Act 2013 and also as identified from the Census-Socioeconomic survey carried for the project interventions.
- **Agricultural Land:** land used for: (i) agriculture or horticulture; (ii) dairy farming, poultry farming, pisciculture, sericulture, seed farming, breeding of livestock or nursery growing medicinal herbs; (iii) raising of crops, trees, grass or garden produce; and (iv) land used for the grazing of cattle
- **Agricultural labourer:** means a person primarily resident in the affected area for a period of not less than five years immediately before the declaration of the affected area, who does not hold any land in the affected area but who earns his livelihood mainly by manual labour on agricultural land therein immediately before such declaration and who has been deprived of his livelihood;
- **Assistance:** All support mechanisms such as monetary help (R&R assistances), services, trainings or assets given to Project Affected Persons/Project Affected Families constitute assistance in this project.
- **Below poverty line (BPL) family:** means below poverty line families as defined by the Planning Commission of India, from time to time and those included in the BPL list for the time-being in force;
- **Commissioner** means the Commissioner for Rehabilitation and Resettlement appointed under sub-section (l) of section 44 of RFCTLARR Act 2013;
- **Compensation:** Compensation refers to: i) amount negotiated with the land owner based on the private negotiations method; ii) restitution made to property under Sec 26-30 as per provisions laid down in RFCTLARR Act 2013 as per the provision of this RPF;
- **Cut-off Date:** For title holders, the date of first notification – Section 4 (1) under LA Act 2013 will be treated as the cut-off date, and for non-titleholders the start date of project census survey for that sub-project will be the cut-off date. In case of acquisition by Private negotiations, cutoff date is the first date of notification shall be Section 11 (1) for Title holders.
- **Displaced family** means any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area;
- **Encroacher:** Any person illegally occupying public property by extending their land boundary or a portion of their building onto the existing government land or RoW is an encroacher.
- **Entitled Person (EP):** Entitled Person includes all those who qualify for, or are entitled to, compensation / assistance since being impacted by the project. The basis for identification of Entitled Persons (EP) in the project will be the cut-off date (for NTH) and first notification for land acquisition (for TH).
- **Eksonia Land:** The land settled for one year mostly in Villages as Annual Patta land (APL) or three years mostly in Towns, as Short Lease Patta Land (SLPL). The Eksonia Land holder is not a Land Holder but a Settlement Holder only to whom settlement of land is offered only for one year or three years, in rural and urban areas respectively. Except for the hereditary right, the Settlement Holders has no transferable right over the Eksonia Land. Eksonia Holder needs to pay premium for conversion of his Eksonia land to Periodic Patta (Ownership) land. The rate of premium for conversion, as per the Revenue and Disaster Management Department of Govt. of Assam, is for Agriculture Rs 20/bigha, Commercial/Trade/Industry Rs 75/bigha and Residential Rs 40/bigha in rural areas.

There are certain restrictions on the conversion of the Eksonia Land:

- No portion of the annual lease falling within 22.5 meters (75 ft.) from the center line of PWD Roads/ NH will be converted into periodic.
- No portion of the annual lease falling within 15 meters (50 ft.) from the center line of roads, other than PWD/ NH, will be converted into periodic.
- Areas falling within the mining lease shall not be converted into periodic.
- Lands falling near the registered beel and fishery must not be converted into periodic.
- Minimum area allowed to be converted into periodic is up to the ceiling limit in rural areas which is inclusive of the area already held or converted into periodic lease.
- Land falling within the radius of 10 KMs from the boundary in case of Guwahati Municipal Corporation and 3 KMs in case of other Municipal and Revenue town should not be converted by the Circle Office
- **Kiosk:** A kiosk is a booth/stall/cabin/cubicle made of wood or iron or any other building material which could be shifted to another location as a single unit without much damage and is used for carrying out petty business/ commercial activities and has been in operation/existence prior to cut off date;
- **Landowner:** A person who is an allottee or a grantee of any land under any scheme of the Government under which such allotment or grant is to mature into ownership, who has mortgaged his land (or any portion thereof) or who has permanent rights and interest in land;
- **Landless agricultural labourer:** A person who does not hold any agricultural land and who has been deriving his main income by working on the lands of others as subtenant or as an agricultural labourer prior to the cutoff date.
- **Land Loser with Unclear Title:** Land losers with unclear titles for the categories of PAPs whose ownership titles are not clear, like people whose lands are eroded, are occupying neighbours land; lands eroded or lands reclaimed after a couple of years, but the ownership records are not clear; the replacement cost of the land would be provided in the form of replacement assistance. For such cases rehabilitation assistance would be provided as for the non-agricultural titleholders
- **Non-agricultural laborer:** means a person who is not an agricultural labourer but is primarily residing in the affected area for a period of not less than five years immediately before the declaration of the affected area and who does not hold any land under the affected area but who earns his livelihood mainly by manual labour or as a rural artisan immediately before such declaration and who has been deprived of earning his livelihood mainly by manual labour or as such artisan in the affected area;
- **Marginal Farmer:** A cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to one-half hectare;
- **Market value** means the value of land determined in accordance with section 26 of RFCLARR Act 2013;
- **Major Impact:** A PAP suffering the following impacts and requiring relocating are categorized as Major Impacted: (i) loss of place of dwelling, (ii) loss of place of business; (iii) loss of livelihood; (iv) loss of agricultural productive land of marginal farmers; those who become marginal farmers or landless after acquisition;
- **Minor Impact:** A PAP suffering minor impact is one who is affected to a lesser degree than the major impacts defined above or lose less than 10% of their productive assets
- **Minimum Wages** means the minimum wage of a person for his/her services/labor by type of trade per day as stipulated by Department of Labor of the project state.
- **Non-Perennial Crop:** Any plant species, either grown naturally or through cultivation that lives for a season and perishes with harvesting of its yields has been considered as a non-perennial crop in the project.

- **Non-titleholder:** Affected persons/families/ households with no legal title to the land, structures and other assets adversely affected by the project. Non-titleholders include encroachers, squatters, etc.;
- **Notification:** means a notification published in the Gazette of Assam;
- **Occupier:** means a member of a Scheduled Tribes community in possession of forest land prior to the 13th day of December, 2005;
- **Project displaced person (PDP):** Any tenure holder, tenant, Government lessee or owner of other property, or non-titleholder who on account of the project has been involuntarily displaced from such land including plot in the other property will be considered as PDP. A displaced will always be a PAP but all PAP may not be PDP;
- **Project affected household (PAH):** A social unit consisting of a family and/or non-family members living together, and is affected by the project negatively and/or positively;
- **Project affected area:** Refers to the area of village or locality under a project for which land will be acquired under Direct Purchase/RFCTLARR Act 2013 through declaration by Notification in the Official Gazette by the appropriate Government or for which land belonging to the Government will be cleared from obstructions;
- **Project Affected person (PAP):** Any tenure holder, tenant, Government lessee or owner of other property, or non-titleholder who on account of the project has been affected from such land including plot in the other property in the affected area will be considered as PAP;
- **Project:** Project refers to the AIRBMP funded by the World Bank and implemented by FREMAA through WRD and ASDMA
- **Perennial Crop:** Any plant species that live for years and yields its products after a certain age of maturity is a perennial crop. Generally, trees, either grown naturally or horticulturally and yield fruits or timber have been considered as perennial crop in the project. For example, tamarind, coconut, mango, teak, neem etc. are perennial crops.
- **Persons losing their livelihood (Economic Displacement):** Persons losing their livelihood are individual members of the Displaced Households, who are at least 18 years of age and are impacted by loss of primary occupation or source of income and experience an impact more than 10% of their productive assets.
- **Private Property Owners:** Private property owners are persons who have legal title to structures, land or other assets.
- **Permanent Buildings or Pucca Structure:** the building or structure is affixed to a permanent foundation or slab or to posts planted in the ground or is not movable without demolishing or dismantling it.
- **Replacement Cost:** A replacement cost/value of any land or other asset is the cost/value equivalent to or sufficient to replace/purchase the same land or other asset; and has been provided in the Entitlements;
- **Resettlement Area** means an area where the affected families who have been displaced because of land acquisition, are resettled by the project authority/appropriate Government;
- **Residual Land:** Residual land can be defined as the remaining portion of land left with the owner of the holding after acquisition of land by the project.
- **Sharecroppers:** Persons who cultivate land of a titleholder on terms of sharing income there from with the titleholder.
- **Small Farmer:** A cultivator with an un-irrigated land holding up to two hectares or with an irrigated land holding up to one hectare, but more than the holding of a marginal farmer.
- **Semi-Permanent Building or structure:** Buildings of a semi-permanent type with tiled roof and walls not of concrete or permanent brickwork.
- **Scheduled Areas** means the Scheduled Areas as defined in section 2 of the Provisions of the panchayats (Extension to the Scheduled Areas) Act, 1996 (Six tribal districts of Assam: Karbi Anglong, Dima Hasao, Kokrajhar, Chirang, Baksa & Udalguri have been declared as the Scheduled VI Areas).

- **Squatter:** A person who has settled on public/government land, land belonging to institutions, trust, etc. and or someone else's land illegally for residential, business and or other purposes and/or has been occupying land and building/asset without authority.
- **Subtenants:** Persons, who not being tenants, can cultivate land on certain terms and conditions.
- **Tenant:** A person who holds/occupies land-/structure of another person and (but for a special contract) would be liable to pay rent for that land/structure. This arrangement includes the predecessor and successor-in-interest of the tenant but does not include mortgage of the rights of a landowner or a person to whom holding has been transferred; or an estate/holding has been let in farm for the recovery of an arrear of land revenue; or of a sum recoverable as such an arrear or a person who takes from Government a lease of unoccupied land for the purpose of subletting it;
- **Temporary Building/Kutch structure:** Temporary building or structure means a temporary type of structure, which includes buildings with roofs constructed of thatch, galvanized iron or asbestos.
- **Women Headed Household (WHH):** A household that is headed by a woman and does not have an adult male earning member is a Woman Headed Household. This woman may be a widowed, separated or deserted person.
- **Vulnerable Groups:** This includes Scheduled Castes, Scheduled Tribes, Muslim OBC, families/households headed by women, families/ households having Persons with Disabilities as family members, Below Poverty Line (BPL) families (proof ration card), widows, and persons above the age of 65 years irrespective of their status of title (ownership). Vulnerable groups would also include those farmers who (after acquisition of land) become small/marginal farmers. For such cases, total land holding of the landowner in that particular revenue village will be considered in which land has been acquired.
- **Wage earner:** Wage earners are those whose livelihood would be affected due to the displacement of the employer. The person must be in continuous employment for at least six months prior to the cut-off date with the said employer and must have reliable documentary evidence to prove his/her employment.