

Resettlement Planning Document

Short Resettlement Plan for Tranche-2 Components
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India: Preparing the Energy Efficiency Enhancement
Project in the Assam Power Sector

**Assam State Electricity Board
Government of Assam**

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

List of Acronyms

ADB	Asian Development Bank
AEGCL	Assam State Electricity Grid Corporation Ltd
APs	Affected Persons
ASEB	Assam State Electricity Board
DDP	Desert Development Program
DP	Displaced Persons
EA	Executing Agency
ESMU	Environment and Social Management Unit
FGD	Focus Group Discussions
GOA	Government of Assam
GOI	Government of India
GRC	Grievance Redress Committee
IA	Implementing Agency
IPDF	Indigenous Peoples Development Framework
INRM	India Resident Mission
Kms	Kilometers
LAA	Land Acquisition Act 1894, as amended in 1984
LAO	Land Acquisition Officer
M&E	Monitoring and Evaluation
MFF	Multi-Tranche Financing Facility
NRRP	National Rehabilitation and Resettlement Policy, 2007
PMU	Project Management Unit
RF	Resettlement Framework
RP	Resettlement Plan
SCs	Scheduled Castes
SIA	Social Impact Assessment
SPS	Safeguard Policy Statement
SRP	Short Resettlement Plan
SCs	Scheduled Castes
SRP	Short Resettlement Plan
STs	Scheduled Tribes

SHORT RESETTLEMENT PLAN

Preparing the Energy Efficiency Enhancement Project in the Assam Power Sector

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EXECUTIVE SUMMARY

(i) The proposed Program will be provided under a Multi-Tranche Financing Facility (MFF) lending approach. The Program, Energy Efficiency Enhancement Project in Assam, is an endeavor to conduct low carbon power sector development, among others, through (i) reducing technical loss and enhancing physical capacity of transmission and distribution network, and (ii) promoting Demand Side Management (DSM) in tandem with increase of power generation capacities mainly by other agencies. Assam State Electricity Board (ASEB) will be the Executing Agency (EA) for the MFF. This is a summary Resettlement Plan prepared for the tranche-2 components which includes construction of substations, transmission lines and augmentation/expansion of existing substations.

(ii) An assessment of land acquisition and resettlement has been carried out for the tranche-2 subprojects. There is no relocation anticipated since the subprojects include transmission components which entail minimum land acquisition. The substations under the sub projects will mostly be constructed in the government land. However, there will be minimum land acquisition required for the construction of sub stations. Land acquisition will be required for the construction of the substations. The total private land required for acquisition is 12.01 hectares. The total numbers of displaced families (DP) are 4 which are considered to be economically displaced due to the loss of their partial land. Additionally, land will be acquired from 2 tea estate owners on a mutually negotiated way. There are no structures or buildings and non-title holders found in the subproject area. Out of the 8 substations, 5 substations are proposed on government land (Sonapur, Kamakhya, Johrat West, Matia and Bilasipara). There are 2 substations, named Bordubi and Sonabil, which are proposed on tea estate land and the no objection from tea estate owner has been availed. There is only one substation (Hailakandi substation) for which fresh private land acquisition is required having 4 economically displaced families who do not belong to any tribal or indigenous group. A total of 34.76 Hectares of land will be required for the sub stations out of which 12.01 Hectares will be private land including the tea estate land and remaining 22.75 Hectares of land will be government land. The construction of transmission lines (345 kilometers) will not require any permanent land acquisition except for temporary affect on the crop during the construction. The total numbers of displaced persons are 36 out of which 23 are male and 13 are female. None of the affected households are severely affected as they are not losing more than 10% of their productive asset.

(iii) The summary of impacts are given below:

Summary Impact on Land Acquisition and Resettlement

Sl. No.	Impacts	Number/Amount
1	Total area of private land (hectare)	12.01
2	Total area of tea estate land (hectare)	10.70
3	Total Area of agricultural Land (hectare)	1.31
4	Total number of structures	0
5	Total number of community property resources	0
6	Total number of Trees	0
9	Total Number of Economically Displaced family	4 and 2 tea estate owner
10	Total Number of Vulnerable Households	0
11	Total number of Titleholders	4
12	Total number of non-title holders	0
13	Total Number of Economically Displaced Persons	36

(iv) The policy framework and entitlements for the Program are based on national laws: *The Land Acquisition Act, 1894* (LAA, amended in 1984) and *The National Rehabilitation and Resettlement Policy, 2007* (NRRP); and ADB's *Safeguard Policy Statement 2009*. Core involuntary resettlement principles for the Program to be followed for each sub-project, including Tranche 2 sub-projects are: (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative sub-project designs; (ii) where unavoidable, time-bound resettlement plans (RPs) will be prepared and DPs/APs will be assisted in improving or at least regaining their pre-program standard of living; (iii) consultation with DP/APs on compensation, disclosure of resettlement information to DPs/APs, and participation of APs in planning and implementing sub-projects will be ensured; (iv) vulnerable groups will be provided special assistance; (v) payment of compensation to DPs/APs including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates; (vi) payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities; (vii) provision of income restoration and rehabilitation; and (viii) establishment of appropriate grievance redress mechanisms. A detailed description of each compensation measure and assistance is provided in the entitlement matrix. DPs/APs will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the APs.

Entitlement Matrix

SI.N.	Type of Loss	Application	Definition of Entitled Person	Entitlement
1	Loss of private land	Agricultural land, homestead land or vacant plot	Legal titleholders/ DPS/APs with customary land right DPs/APs with Permit from local authority	<ul style="list-style-type: none"> – Compensation at replacement value or land-for-land where feasible. – Transitional allowance based on three months minimum wage rates. – Shifting assistance for households (@Rs.10,000/- per affected household). – Notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. – Additional compensation for vulnerable households.
2	Loss of Government land	Vacant plot, Agricultural land and homestead land	Appropriate government departments	<ul style="list-style-type: none"> – Transfer of land through inter government department – Payment of land value by ASEB to the concerned government and departmental transfer of ownership.
3	Loss of livelihood	Livelihood	Legal titleholder/ tenant/leaseholder/non-titled/employee of commercial structure, farmer/agricultural worker	<ul style="list-style-type: none"> – Assistance for lost income based on three months minimum wage rates. – Additional compensation for vulnerable households. – Consideration for project employment.
4	Loss of trees and crops	Standing trees and crops	Legal titleholder/ tenant/leaseholder/sharecropper/non-titled DP/ AP	<ul style="list-style-type: none"> – Notice to harvest standing seasonal crops – If notice cannot be provided, compensation for standing crop (or share of crop for sharecroppers) at market

SI.N.	Type of Loss	Application	Definition of Entitled Person	Entitlement
				<p>value</p> <ul style="list-style-type: none"> – Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops.
5	Temporary loss of land	Land temporarily required for sub-project construction	Legal titleholders, non-titled DPs/APs	<ul style="list-style-type: none"> – Provision of rent for period of occupation for legal titleholders. – Compensation for assets lost at replacement value; – Restoration of land to previous or better quality; – Additionally, Cash Compensation will be paid for the temporary damage of crop under the RoW during the maintenance and repair after the construction. Also, the AP may be allowed to cultivate their land under the transmission lines (RoW)
6	Any other loss not identified	-	-	<ul style="list-style-type: none"> – Unanticipated involuntary impacts will be documented and mitigated based on the principles of the Resettlement Framework.

(v) ASEB will function as the EA of the proposed MFF. The respective transmission and distribution companies will be the IAs for the proposed investment program. There is already an existing PMU which is functional and is responsible for implementing the ADB Phase-1 loan and is also responsible for the preparatory work for the proposed program. An Environment and Social Management Unit (ESMU) has been set up within the PMU along with other engineering units to address environmental and social issues of the program, and is headed by Environmental cum Resettlement Specialist. The ESMU will be assisted by designated engineers who will be responsible for the field activities. PMU will do the overall coordination, preparation, planning, implementation, and financing. The EA will ensure that key institutions including local governments are involved in RP preparation, updating and implementation.

(vi) Consultations have been carried out with various concerned government officials and local communities for the tranche 2 subprojects as part of the social and resettlement study in order to gather their views on the proposed program. All the DPs/APs were also consulted on a one to one basis through questionnaire surveys for the first tranche subproject activities. Additionally, focused group discussions were carried out at all the new proposed substation sites and along the transmission corridors. The local people expressed their cooperation for the smooth implementation of the project. The consultation process will be continued during the entire project cycle. The summary RP for tranche-2 will be translated to Assamese local language and will be made available at relevant government offices, project site offices of ASEB and in the Project Management Unit (PMU). The RP of the Tranche-2 subproject will be disclosed before the appraisal. The RP will also be disclosed on the ADB website. Efficient

Grievance redress mechanism has been developed to assist the DPs/APs resolve their queries and complaints. Each RP will detail specific grievance redress mechanisms. Grievances of APs will first be brought to the attention to the site office level of the IAs. Grievances not redressed by the IA staff (field level) will be brought to the Grievance Redress Committee (GRC). The GRC will have representatives from APs, PMU, IA, Environment and Social Management Unit (ESMU), field level staff, district magistrate/commissioner, local administration, revenue authority and local community.

(vii) The resettlement cost estimate for this subproject includes eligible compensation, resettlement assistance and support cost for RP implementation. These are part of the overall project cost. The total land acquisition and resettlement cost for the Tranche 2 subproject is estimated to be Rupees 73 mn. Land acquisition and resettlement costs will be considered as an integral component of sub-project costs. The EA (ASEB) will make the funds available in its annual budget for the disbursement of compensation and assistance.

(viii) All land acquisition, resettlement, and compensation will be completed before the start of civil works. All land required will be provided free of encumbrances to the contractor prior to handing over of sub-project sites and the start of civil works. Internal monitoring will be the responsibility of the PMU/PIU/ESMU. External monitoring will be done by external monitoring consultant.

SHORT RESETTLEMENT PLAN

A. Overview and Project Description

1. “Assam Power Sector Enhancement Investment Program” (The Program) will be provided under a Multi-Tranche Financing Facility (MFF) lending approach of Asian Development Bank (ADB). The Program, , is an endeavor to conduct low carbon power sector development, among others, through (i) reducing technical loss and enhancing physical capacity of transmission and distribution network, and (ii) promoting Demand Side Management (DSM) in tandem with increase of power generation capacities mainly by other agencies. Assam State Electricity Board (ASEB) will be the Executing Agency (EA) for the MFF.

2. Government of Assam (GoA) through Government of India (GOI) has requested the ADB for an MFF to partly fund the power sector investment program in the state of Assam. The investment program will cover physical investments in transmission, distribution, energy efficiency, and non-physical investments in management information system. The program will initially finance expansion and upgrade of transmission systems in the first and second loans (tranches) executed under the MFF. Energy efficiency will be included in the investment program scope, with specific projects/subprojects to be included in subsequent loans. The investments to be supported by ADB will (i) improve quality and reliability of power; (ii) remove transmission bottlenecks; (iii) facilitate in-state and interregional power transfers; (iv) facilitate a reduction in overall system losses; (v) improve energy efficiency, capitalize related carbon market opportunities; and (vi) improve utility operational and financial performance. The proposed program will sustain the reform agenda established with earlier ADB support, and is expected to help to attract other long-term financiers to the sector.

3. This Short Resettlement Plan¹ (SRP) is prepared for the Tranche-2 sub projects. The SRP contains the extent of impact caused by land acquisition due to construction of the sub project and spells out the compensation and rehabilitation of the Displaced Persons (DP) which is primarily economic displacement caused due to minimum land acquisition. The SRP is based on the engineering design and has been prepared in due consultation with the stake holders especially the local people. Attempts have been made by the engineering team during the design stage to minimize land acquisition and resettlement by adopting mitigate measures, i.e., selection of adequate site having no settlement or land belonging to government which is free from any use. However, there will be some land acquisition required which is minimum.

B. Objectives of the SRP

4. The aims and objectives of this SRP are to mitigate all unavoidable impact caused due to land acquisition and resettlement and to provide a guideline on implementation of the resettlement issues. The plan has been prepared on the basis of findings of inventory survey, socio-economic census survey and consultation with various stakeholders as well as in compliance with ADB's Safeguards Policy Statement

¹ Resettlement is insignificant when less than 200 people experience major “impacts” defined as involving AP being physically displaced from housing and/or having 10% or more of their productive, income generating assets lost. Resettlement having insignificant impact is categorized as B which requires a short resettlement plan.

2009 (SPS) along with the Operations Manual (OM) Section F1/ Bank Policies (BP) issued on 04 March 2010. The SRP also takes in to account the laws and policies of Government of India .The issues identified and addressed in this SRP are:

- Impact on land acquisition and resettlement
- Socio-economic details of the project area
- Policy, legal framework and entitlement matrix
- Consultation, information dissemination, disclosure, and grievance redress
- Institutional arrangements
- Resettlement budget
- Implementation schedule
- Monitoring

C. Impact on Land Acquisition and Resettlement

5. Permanent land acquisition is required for construction of new substations. However, some of the substations are designed on government land which does not require any private acquisition. The total private land required for acquisition is 12.01 hectares. The total numbers of displaced families (DP) are 4 which are considered to be economically displaced due to the loss of their partial land. Additionally, land will be acquired from 2 tea estate owners on a mutually negotiated way. There are no structures or buildings and non-title holders found in the subproject area. A census survey was conducted from 28 January to 13 March to assess various impacts of the economically displaced family. The details of the sub projects and its impacts on land acquisition are described in **Table 1**.

Table 1: Impact on Permanent Land Acquisition on Tranche-2 Components

SI No	Particulars	Capacity	Unit	Quantity	Impact on Land Acquisition (Hectare)			Number of Displaced Family	Status on Land Acquisition/Remarks
					Total	Private	Government		
A. NEW SUBSTATIONS									
1	Sonapur	220/132kV, 2x100 MVA and 132/33kV, 2x25MVA	Number	1	8.0297	0	8.0297	0	ASEB is in the process of acquiring the land.
2.	Sonalbil	220/132kV, 2x100 MVA and 132/33kV, 2x25MVA	Number	1	7.359	7.359	0	1	The land belongs to a tea estate owner and the land is barren. ASEB has taken the consent to purchase the land from the tea estate owner.
3.	Kamakhya	132/33kV, 2x40 MVA	Number	1	3.3457	0	3.3457	0	The land belongs to government which is free from any use.
4.	Jorhat West	132/33kV, 2x25 MVA	Number	1	2.6765	0	2.6765	0	The land belongs to government which is free from any use.
5.	Bordubi	132/33kV, 2x40 MVA	Number	1	3.3457	3.3457	0	1	The land belongs to a tea estate owner and the land is barren. ASEB has taken the consent to purchase the land from the tea estate owner.
6.	Matia	132/33kV, 2x16 MVA	Number	1	3.3457	0	3.3457	0	The land is already in the possession of the ASEB and Government.

SI No	Particulars	Capacity	Unit	Quantity	Impact on Land Acquisition (Hectare)			Number of Displaced Family	Status on Land Acquisition/Remarks
					Total	Private	Government		
7.	Bilasipara	132/33kV, 2x16 MVA	Number	1	5.3531	0	5.3531	0	The land is government land and free from any use.
8.	Hailakandi	132/33kV, 2x16 MVA	Number	1	1.305	1.305	0	4	ASEB is in the process of buying the land through direct negotiation.
B. NEW TRANSMISSION LINES									
1.	Double Circuit LILO Line of Samaguri – Sarusajai Line	220 kV D/C	KM	20	0	0	0	0	Not required
2.	Mariani - Namrup	220 kV S/C Line on D/C Towers	KM	140	0	0	0	0	Not required
3.	Samaguri-Balasipara PG line at Sonabil	220 KV D/C (LILO)	KM	25	0	0	0	0	Not required
4.	Depota-Gohpur	132 KV D/C	KM	15	0	0	0	0	Not required
5.	Double Circuit LILO Line of Kahilipara – Rangia/Sishugram Line.	132 kV D/C	KM	3	0	0	0	0	Not required
6.	Double Circuit LILO Line of Chandrapur – Kahilipara/Narangi Line	132 kV D/C	KM	25	0	0	0	0	Not required

SI No	Particulars	Capacity	Unit	Quantity	Impact on Land Acquisition (Hectare)			Number of Displaced Family	Status on Land Acquisition/Remarks
					Total	Private	Government		
7.	Johrat-Bokakhat Line at Johrat	132 KV S/C	KM	5	0	0	0	0	Not required
8.	Single Circuit LILO Line of Namrup-Tinsukia Line at Bordubi	132 kV S/C	KM	6	0	0	0	0	Not required
9.	Stringing of 2nd Circuit of 132 KV Samaguri- Lanka (Sankar Devnagar) Line	132 KV/DC	KM	61	0	0	0	0	Not required
10.	Panchgram-Dullavcherra Line at Hailakandi	132 KV S/C	KM	10	0	0	0	0	Not required
11.	Agia – Matia Line	132 kV S/C Line on D/C Towers	KM	35	0	0	0	0	Not required
C. Other Sub Project components									
1.	SCADA RTUs	-	-	-	-	-	-	-	Not required
2.	Station PLCC Equipment	-	-	-	-	-	-	-	Not required
3.	Line PLCC Equipment	-	-	-	-	-	-	-	Not required
4.	Augmentation, Extension and Refurbishment	-	-	-	-	-	-	-	Not required

6. An assessment of land acquisition and resettlement has been carried out for the tranche-2 subprojects. There is no relocation anticipated since the subprojects include transmission components which entail minimum land acquisition. The substations under the sub projects will mostly be constructed in the government land. However, there will be minimum land acquisition required for the construction of sub stations. The project will involve construction of new sub stations and transmission lines and augmentation of the existing sub stations. However, in most of the cases the land is available and the substations are planned on existing government land. Out of the 8 substations, 5 substations are proposed on government land (Sonapur, Kamakhya, Johrat West, Matia and Bilasipara). There are 2 substations, named Bordubi and Sonabil, which are proposed on tea estate land and the no objection from tea estate owner has been availed. There is only one substation (Hailakandi substation) for which fresh private land acquisition is required having 4 economically displaced families who do not belong to any tribal or indigenous group.

7. A total of 34.76 Hectares of land will be required for the sub stations out of which 12.01 Hectares will be private land including the tea estate land and remaining 22.75 Hectares of land will be government land. The construction of transmission lines (345 kilometers) will not require any permanent land acquisition except for temporary affect on the crop during the construction. The total numbers of economically displaced families are 4 who will be losing a strip of land which will not be more than 10% of their productive assets. The total numbers of displaced persons are 36 out of which 23 are male and 13 are female. There are no vulnerable families (Scheduled Tribe, Physically handicapped, Women headed, Below Poverty Line families) to be affected. None of the affected households are severely affected as they are not losing more than 10% of their productive asset. The summary of the impacts are given in **Table 2:**

Table 2: Summary Impact on Land Acquisition and Resettlement

Sl. No.	Impacts	Number/Amount
1	Total area of private land (hectare)	26.63
2	Total area of tea estate land (hectare)	10.7
3	Total number of structures	0
4	Total number of community property resources	0
5	Total number of Trees	0
6	Total Number of Economically Displaced family	4 and 2 tea estate owner
9	Total Number of Vulnerable Households	0
10	Total number of Titleholders	4
11	Total number of non-title holders	0
12	Total Number of Economically Displaced Persons	36

Source: Census and Inventory Survey, March-2010

D. Socio-Economic Details of Project Area

8. A social analysis has been carried out in the project area through a sample socio-economic household's survey to gather the baseline information. The average family size in the sub project area is 5.91 and the sex ratio of the project affected population is

871:1000. The total literacy is reported to be 79 %. About 95 % of the households reported practicing agriculture as main economic activity. In the subproject area about 60 % of the households reported having land. The average possession of land is 3.75 bigha (0.5 Hectare) and about 57% land is reported to be cultivable. Rice is mostly cultivated by the households living in the sub project area and few households also reported cultivating vegetables.

9. The total average annual income of the household along the project area is Rs. 106,255/-. The annual household expenditure reported to be Rs 86,496/- . About 52 % of the expenditure is incurred on food, followed by 7.7% on education and 5.33% on health. Indebtness among the households in the project affected area is not so common. Nearly one fifth (19%) of the surveyed households reported that a family member suffered from major illness during the last one year. Malaria & Appendicitis. Migration is not so common and only 7.41 % reported that a member have migrated during the last one year.

10. Besides household activities the women of the sampled household also are engaged in productive activities like cultivation, labourer both agricultural and non agricultural, household industries and silk weaving. Women participation in decision making is reported from 38 % of the households.

11. The major sources of drinking water are spring which is usually distributed through the pipe (55.56 %). One fourth of the household reported of not having any latrines at their household. LPG gas is the major source of fuel being used by the households (55.56%) for cooking followed by wood 20.99 %.The average age of the structures is 18.34 years. Most of the houses i.e. about 54% are of brick made. Similarly 59% of the households are permanent in nature followed by 30.86 % semi permanent. The average number of rooms per structure, according to the survey, is 4.33 out of which the average lighted rooms are 3.74 in numbers as far as the electrification is concerned. About 60 % of the households are electrified.

12. The main source of electrification is government grid. The average hours of consumption of electricity and the supply found to be 13.14 hours. Out of the surveyed households, 90% of the households reported having meter and it is regulated in a regular basis. On the other hand those who don't have a meter reported of paying a minimum charge to the electricity department. From the possession of electrical devices it was found that the average number of electric lamps per households is 4.14 followed by 3.18 fans, 1.06 TVs, and 0.18 each washing machines and water pumps. The average consumption among the 44 households those reported of having a meter was 55 units and the average expenditure per household on electricity is only Rs. 191/-. About one fourth (24.49 %) reported that there is incidence of power theft in their area. However majority about 68% reported that they will provide support to control power theft in their area. Among the households those reported having electricity at their household reported using kerosene /diesel, wood and gas as alternate energy along with electricity. Among the household those don't have electricity, 59.38% use Battery for lighting their house. 92.5% stated that they will pay electricity bill regularly if electricity is provided and admitted that they can afford an average increase in electricity bill up to 8.94 % to the current bill. About one fourth (24.69%) of the households opined that the usage of electricity will increase in future. About 69.14 % reported that the proposed project will help in increasing the living standard of the people in their area.

E. Impact on Indigenous People

13. The STs in the project area is considered to be IP. The impact assessment and the census survey enumerated that there will be no ST family who will be affected or displaced due to land acquisition. The ST people, in general, are quite integrated to the mainstream population in Assam. They have the access to infrastructure facilities such as roads, electricity, schools and hospitals etc. Special care has been taken to ensure that no indigenous people, especially the tribal people are affected. The tribal groups of the project area have free social interaction with the mainstream population and they are integrated to the main stream population. The tribes share their source of water, folklore, food, infrastructure and other belongings with the outside community. Moreover, these groups are also open to new ideas like family planning and formal education. Most of these tribes have a nuclear family norm. Thus, it is clearly established that in their social behavior and interactions they are not disconnected from the mainstream population but are assimilated with them.

F. Gender Impact and Mitigation Measures

14. The census survey revealed that none of the women headed households will be affected by the sub project. Women in the project area are largely involved in household work, cultivation and other agricultural activities. Women will not be affected negatively due to the program. Any negative impacts of a sub-project on female-headed households will be taken up on a case-to-case basis and assistance to these households will be treated on a priority basis. During disbursement of compensation and provision of assistance, priority will be given to female-headed households. Additionally, women headed households are considered as vulnerable and provision for additional assistance has been made in the entitlement of the Resettlement Framework. Provision for equal wage and health safety facilities during the construction will be ensured by the EA. Therefore, the sub project activities will not have any negative impact on women.

G. Policy, Legal Framework and Entitlement

15. The policy framework and entitlements for the Program are based on national laws: *The Land Acquisition Act, 1894* (LAA, amended in 1984) and *The National Rehabilitation and Resettlement Policy, 2007* (NRRP); and ADB's *Safeguards Policy Statement 2009*. The salient features of Government and ADB polices are summarized below.

1. Government Policy

1.1 The National Resettlement and Rehabilitation Policy (Ministry of Rural Development, Department of Land Resources), 2007

16. The, NRRP, 2007 was adopted by the Government of India in 31st October, 2007 to address development-induced resettlement issues. The NRRP stipulates the minimum facilities to be ensured for persons displaced due to the acquisition of land for public purposes and to provide for the basic minimum requirements. All projects leading to involuntary displacement of people must address the rehabilitation and resettlement issues comprehensively. The State Governments, Public Sector Undertakings or agencies, and other requiring bodies shall be at liberty to put in place greater benefit levels than those prescribed in the NRRP. The principles of this policy may also apply to

the rehabilitation and resettlement of persons involuntarily displaced permanently due to any other reason. The objectives of the Policy are:

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

17. The NRRP is applicable for projects where over 400 families in the plains or 200 families in hilly or tribal or Desert Development Program (DDP) areas are displaced. However, the basic principles can be applied to resettling and rehabilitating regardless of the number affected. NRRP's provisions are intended to mitigate adverse impacts on Project Affected Families (PAFs). The NRRP comprehensively deals with all the issues and provides wide range of eligibility to the affected persons and meets most of the requirement of ADB's Policy on Involuntary Resettlement (1995). The non title holders, under NRRP, are recognized as the people living in the affected area not less than three years after the declaration of the area as affected area. The NRRP addresses the vulnerable families with adequate entitlements and provides special provisions for Scheduled Castes (SC) and Scheduled Tribes (ST) Families. The NRRP takes in to account all the transparency as far as consultation, dissemination of information, disclosure and grievance is concerned. However, the law relating to the acquisition of privately owned immovable property is the Land Acquisition Act of 1894 (LAA, amended 1984) which is discussed in the following section.

1.2 Land Acquisition Act, 1894 amended 1984

18. The LAA provides a framework for facilitating land acquisition in India. LAA enables the State Government to acquire private land for public purposes. LAA ensures that no person is deprived of land except under LAA and entitles APs to a hearing before acquisition. The main elements of LAA are:

- (i) Land identified for the purpose of a project is placed under Section 4 of the LAA. This constitutes notification. Objections must be made within 50 days to the District Collector (DC, the highest administrative officer of the concerned District).
- (ii) The land is then placed under Section 6 of the LAA. This is a declaration that the Government intends to acquire the land. The DC is directed to take steps for the acquisition, and the land is placed under Section 9. Interested parties are then invited to state their interest in the land and the price. Under Section 11, the DC will make an award within one year of the

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

1.3: Land Acquisition (Amendment) Bill 2007²

19. Land acquired can be transferred only for a public purpose and with prior approval from the appropriate government. The principal Act permits land acquisition if the land is to be used for a 'public purpose' project. The Bill changes 'public purpose' to allow land acquisition only for (i) strategic naval, military, or air force purposes, (ii) public infrastructure projects, or (iii) for any purpose useful to the general public where 70% of the land has already been purchased from willing sellers through the free market. Currently, private land may be acquired on behalf of a company for a 'public purpose' project. The Bill prohibits land acquisition for companies unless they have already purchased 70% of the land needed.

20. If land acquisition results in the displacement of 400 families in the plains or 200 families in the hills or tribal areas, the government must conduct a social impact assessment. The study will include the effects of displacement, a Tribal Development Plan, and provisions for infrastructure development in resettlement areas.

21. The Bill states acquisition costs will include suffering or loss, payment for damages to the land during acquisition, cost of land needed for displaced residents, cost of infrastructure development at resettlement sites, and administrative costs of acquisition and resettlement. These costs must be borne by the entity acquiring the land.

22. The Collector must make details of the land acquisition process, including compensation amounts, publicly available.

23. In the principal Act, the Collector only needs to determine the current price value of the land for compensation amounts. The Bill requires the Collector to take the highest value of: (i) the minimum land value for the area as specified in the Indian Stamp Act, 1899; (ii) the average sale price of at least 50% of the higher priced sales of similar land

² This is the reference to the LA Bill which is yet to be approved by the government.

in the village or vicinity; or (iii) the average sale price of at least 50% of the higher priced land purchased for the project. The value of trees, plants, or standing crops damaged must also be included. In the event that a price is not available or the land is in an area where land sales have been previously restricted, the state government shall set the floor price per unit of land. This price will be determined by average prices of at least 50% of the higher priced land in the vicinity. While determining compensation, the Collector must also factor in the intended use of the land and the value of such land in the current market.

24. In the principal Act, the term 'person interested' includes those who are claiming land compensation and those interested in an easement (limited right of use of the land) on the land. The Bill proposes to expand the definition to include tribal and other traditional forest dwellers who have lost any traditional rights as well as individuals with tenancy rights under state law.

25. Payment for acquired land must be made within one year from the date of the declaration. The Collector can extend this time limit by six months with a penalty of 5% per month. If payment has not been made within one year nor has the Collector granted an extension, the land acquisition proceedings shall lapse. After the compensation amount is determined, the Collector must ensure that payment occurs within 60 days. Possession of land shall not be taken unless full compensation is paid or tendered to the land owner.

26. Currently, all land acquisition cases are referred to civil courts for a decision. The Bill establishes the Land Acquisition Compensation Disputes Settlement Authority at both the state and national levels to adjudicate all land acquisition disputes within six months. The Bill gives these Authorities the same powers as a civil court and deems all proceedings of the Authorities as judicial proceedings. The government may form more Authorities or benches.

2. ADB'S Safeguard Policy Statement, 2009

27. ADB has adopted Safeguard Policy Statement (SPS) in 2009 including safeguard requirements for environment, involuntary resettlement and indigenous people. The objectives of the Involuntary Resettlement Safeguard policy is to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

28. The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary. The main policy principles of the Involuntary Resettlement Safeguard are:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.

- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of 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. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value 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, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) 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, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) 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.
- (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) 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 affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.

- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) 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.

3. IR Principles Adopted for the Project

The NRRP represents a significant milestone in the development of a systematic approach to address resettlement issues in India. LAA, 1894 however gives directives for acquisition of land in public interest and provides benefits only to titleholders. The core involuntary resettlement principles for the Program to be followed for each sub-project, including tranche 2 sub-projects are: (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative sub-project designs; (ii) where unavoidable, time-bound resettlement plans (RPs) will be prepared and DPs/APs will be assisted in improving or at least regaining their pre-program standard of living; (iii) consultation with DPs/APs on compensation, disclosure of resettlement information to DPs/APs, and participation of DPs/APs in planning and implementing sub-projects will be ensured; (iv) vulnerable groups will be provided special assistance³; (v) payment of compensation to DPs/APs including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates; (vi) payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities; (vii) provision of income restoration and rehabilitation; and (viii) establishment of appropriate grievance redress mechanisms.

H. Entitlement Matrix

29. Based on the above broad principles, a detailed description of each compensation measure and assistance for the tranche 2 components is provided in the entitlement matrix. DPs/APs will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the APs. The loss of crop and agriculture during the construction of the transmission lines will be paid as instant cash compensation for the damaged period. Although, the Right of Way is reserved for future activities, i.e., repair etc by the EA, but in practice, people will be allowed to use the land below the lines after the construction. The EA will provide cash compensation to the DPs/APs for the temporary loss of crop, if occurred, during the time of maintenance and repair. Details of the entitlement is given in **Table 3**

Table 3: Entitlement Matrix

³ Vulnerable groups include poor households, households headed by women, the physically handicapped, scheduled tribes and scheduled caste.

S. No.	Type of Loss	Application	Definition of Entitled Person	Entitlement
1	Loss of private land	Agricultural land, homestead land or vacant plot	Legal titleholders/ DPS/APs with customary land right DP/APs with Permit from local authority	<ul style="list-style-type: none"> - Compensation at replacement value or land-for-land where feasible. - Transitional allowance based on three months minimum wage rates. - Shifting assistance for households (@Rs.10,000/- per affected household). - Notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. - Additional compensation for vulnerable households.
2	Loss of Government land	Vacant plot, Agricultural land and homestead land	Appropriate government departments	<ul style="list-style-type: none"> - Transfer of land through inter government department - Payment of land value (will be based on the zirat value as will be finalized by the concerned department and the district collector) by ASEB to the concerned government and departmental transfer of ownership.
3	Loss of livelihood	Livelihood	Legal titleholder/tenant/leaseholder/non-titled/employee of commercial structure, farmer/agricultural worker	<ul style="list-style-type: none"> - Assistance for lost income based on three months minimum wage rates. - Additional compensation for vulnerable households. - Consideration for project employment.
4	Loss of trees and crops	Standing trees and crops	Legal titleholder/tenant/leaseholder/sharecropper/non-titled DP/AP	<ul style="list-style-type: none"> - Notice to harvest standing seasonal crops - If notice cannot be provided, compensation for standing crop (or share of crop for sharecroppers) at market value - Compensation for trees based on timber value at market price, and compensation for perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/crops.
5	Temporary loss of land	Land temporarily required for sub-project construction	Legal titleholders, non-titled DP/APs	<ul style="list-style-type: none"> - Provision of rent for period of occupation for legal titleholders. - Compensation for assets lost at replacement value,. - Restoration of land to previous or better quality - Additionally, Cash Compensation will be paid for the temporary damage of crop under the RoW during the maintenance and repair after the construction. Also, the AP may be allowed to cultivate their land under the transmission lines (RoW)
6	Any other loss not identified	-	-	<ul style="list-style-type: none"> - Unanticipated involuntary impacts will be documented and mitigated based on the principles of the Resettlement Framework.

I. Eligibility and Cut-off-Date

30. DPs/Aps entitled for compensation or at least rehabilitation provisions under the Project are:

- All DPs/Aps losing land either covered by legal title/traditional land rights, or without legal status;
- Tenants and sharecroppers whether registered or not;
- Owners of buildings, crops, plants, or other objects attached to the land; and
- DPs/Aps losing business, income, and salaries.

Compensation eligibility will be limited by a cut-off date to be set for the subproject. For the legal title holder, the issuance of Section 4 notification of LA Act will serve as the cut-off-date. For the non-titleholder, the day of the beginning of the Census Survey (18 January 2010) will serve as the cut-off-date. DPs/Aps who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to project implementation.

J. Consultation, Disclosure, and Grievance Redress

1. Consultation

31. Public participation and community consultation has been taken up as an integral part of social and environmental assessment process of the project. Consultation was used as a tool to inform and educate stakeholders about the proposed action both before and after the development decisions were made. It assisted in identification of the problems associated with the project as well as the needs of the population likely to be impacted. This participatory process helped in reducing the public resistance to change and enabled the participation of the local people in the decision making process. Initial Public consultation has been carried out in the subproject areas with the objectives of minimising probable adverse impacts of the project through alternate design solutions and to achieve speedy implementation of the project through bringing in awareness among the community on the benefits of the project. The broad objectives of the consultation are as follows:

- Understand the views of the people affected, with reference to acquisition of land or loss of property and its due compensation.
- Identification of appropriate design
- Understand views of people on resettlement options, if any.
- Identify and assess major economic and social characteristics of the project area to enable effective planning and implementation.
- Resolve issues related to impacts on community property and their relocation.
- Examine DPs/Aps' opinions on health safety issues during the construction and selection garbage materials or the waste materials.
- Identify levels and extent of community participation in project implementation and monitoring.
- To establish an understanding for identification of overall developmental goals and benefits of the project.
- To develop a thorough coordination between all the stakeholders for the successful implementation of the project.

32. During the preparatory stages, consultations have been carried out with various concerned government officials (district magistrate, local revenue department, ASEB) and local communities for Tranche 2 subproject as part of the social and resettlement study in order to gather their views on the proposed program. All the displaced families were also consulted on a one to one basis through questionnaire surveys. Additionally, focused group discussions were also conducted in the substation and transmission lines area. Informal consultations were conducted by the route survey contractor during the route survey all along the transmission lines to get the information from local people

about the sensitive are and to avoid any sensitive area. The communities generally support the proposed investment components, as better electricity supply is expected to improve and some employment opportunities will be created. The consultations undertaken during field visits for the new substations are summarized in **Table 4**.

Table 4: Summary of Public Consultations

Date	Project Component / Venue	Number of Participants	Issues Discussed / Remarks
28 January 2010	Kamakhya S/S	14	<ul style="list-style-type: none"> – Awareness about the project and environmental pollution – Benefits of the projects – Social and Environmental problems in the region – Presence of environmental sensitive areas in the region – Health and safety issues – Compensation payment mechanism initiatives for minimal environmental/social impacts – Presence of Indigenous People – Likely participation of the people for the future project implementation
29 January 2010	Sonabil S/S	10	
01 February 2010	Hailakandi S/S	12	
13 March 2010	Bilasipara S/S	20	

Source: ADB /PPTA field survey and consultations.

2. Disclosure

33. The EA will formally notify about the project and affected area under the Section-4 of the Land Acquisition Act and published in the gazette in case the land is to be acquired through LAA. The draft RP will be made available in relevant local government agencies and in relevant ASEB/PMU and site offices before the appraisal. The summary RP will be made available in Assamese language. Finalized RP will also be disclosed in ADB's website; and information dissemination and consultation will continue throughout Investment Program implementation. The disclosure process has been ongoing depending on the progress of each tranches. The Resettlement Framework (RF) and the Indigenous Peoples Development Framework (IPDF) were disclosed to the affected area in May 2009 in the local language. The tranche-2 RP will also be disclosed to the DPs/Aps.

3. Grievance

34. Efficient Grievance redress mechanism has been developed to assist the Aps resolve their queries and complaints. Grievances of Aps will first be brought to the attention to the site office level of the Ias. Grievances not redressed by the IA staff (field level) will be brought to the Grievance Redress Committee (GRC). The GRC has representatives from DPs/Aps, PMU, IA, ESMU, field level staff, district magistrate/commissioner, local administration, revenue authority and local community. The main responsibilities of the GRC are to: (i) provide support to DPs/Aps on problems arising from land/property acquisition; (ii) record DP/AP grievances, categorize, and prioritize grievances and resolve them; (iii) immediately inform the PMU of serious cases; and (iv) report to DPs/Aps on developments regarding their grievances and

decisions of the GRC and the PMU. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, compensation, relocation, replacement cost and other assistance. The GRC will meet every month (if grievances are brought to the Committee), determine the merit of each grievance, and resolve grievances within a month of receiving the complaint—failing which the grievance will be referred to appropriate court of Law for redressal. Records will be kept of all grievances received including: contact details of complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. The GRCs will continue to function during the life of the Project including the defects liability period.

K. Institutional Arrangements

35. ASEB will function as the EA of the proposed MFF. The transmission company, Assam Electricity Grid Corporation Limited (AEGCL) will be the las for the proposed investment program. There is already an existing PMU which is functional and is responsible for implementing the ADB Phase-1 loan and is also responsible for the preparatory work for the proposed Tranche-2 sub project.

36. Keeping in view the capacity of ASEB and its existing PMU, it was proposed that an Environment and Social Management Unit (ESMU) would be set up within the PMU along with other engineering units to address environmental and social issues of the program, and will be headed by Environmental cum Resettlement Specialist. The ESMU has already been set up who is responsible for the overall coordination of land acquisition and resettlement issues and also responsible for the implementation of tranche-1 resettlement activities. The ESMU is assisted by designated site engineers who will be responsible for the field activities. For Tranche-2 RP, PMU will do the overall coordination, preparation, planning, implementation, and financing. The EA will ensure that key institutions including local governments are involved in RP preparation, updating and implementation. Further details on agencies responsible for RP activities are in **Table 5**.

Table 5: Institutional Roles and Responsibilities for Resettlement activities

Activity	Responsible Agency
Sub-project Initiation Stage	
Setting up of ESMU and staff	ASEB
Finalization of sites for sub-projects	ASEB/PMU/IA
Disclosure of proposed land acquisition and sub-project details by issuing Public Notice	PMU/ESMU/IA
Meetings at community/household level with APs	ESMU/ESMU/PMU/IA
RP Preparation and Updating Stage	
Conducting Census of all APs	PMU/ESMU/ IA
Conducting FGDs/meetings/	PMU/ESMU
Computation of replacement values of land/properties proposed for acquisition and for associated assets	PMU/IA/ESMU/LAO
Categorization of APs for finalizing entitlements	PMU/ESMU/LAO/IA
Formulating compensation and rehabilitation measures	PMU/ESMU/LAO/IA
Conducting discussions/meetings/consultation with APs and other stakeholders	PMU/ESMU/IA
Fixing compensation for land/property with	PMU//ESMU/LAO/IA

Activity	Responsible Agency
titleholders	
Finalizing entitlements and rehabilitation packages	PMU/ESMU/LAO/IA
Disclosure of final entitlements and rehabilitation packages	PMU/ESMU/IA
Approval of RP	EA/PMU/ESMU/ADB
RP Implementation Stage	
Sale deed execution and payment	EA/PMU/IA/ESMU/LAO/Appropriate Government/
Taking possession of land	EA/PMU
Implementation of proposed rehabilitation measures	PMU/ESMU/IA
Consultations with APs during rehabilitation activities	PMU/ESMU/IA
Grievances Redressal	PMU/ESMU/GRC/IA
Internal monitoring	PMU/ESMU/IA
External monitoring	External Monitoring Consultant

ADB-Asian Development Bank, ASEB= Assam State Electricity Board, AP-affected person, EA-Executing Agency, ESMU-Environment and Social Management Unit, FGD-focus group discussion, GRC-Grievance Redress Committee, IA- Implementing Agency, LAO-Land Acquisition Officer, Project Management Unit, RP-Resettlement Plan,

L. Resettlement Budget

37. The resettlement cost estimate for this subproject includes eligible compensation, resettlement assistance and support cost for RP implementation. These are part of the overall project cost. The unit cost for land and other assets in this budget has been derived through rapid field appraisal, consultation with affected families and relevant government authorities. Contingency provisions have also been made to take into account variations from this estimate. The components of the resettlement cost include various features such as, compensation for land at their replacement value; compensation for crops; assistance for transitional allowance, shifting allowances and cost for implementation of RP. ASEB will arrange in advance in its budget to meet the requirement of land acquisition and resettlement cost.

4. Compensation

38. Private Agricultural Land: The unit rate for agricultural land has been assessed as Rs 300,000/- per Hectare. This has been determined keeping in view the replacement cost and as decided by the revenue department.

39. Private Tea Estate Land: This is basically the abandoned Tea Estate land and the value has been assessed as Rs. 500,000/- per hectare as replacement cost.

40. Crop: The unit cost for the crop is Rs. 13500/- per Hectare. This has been assessed as per the yielding of the land and as revealed by the APs during the consultation.

41. The temporary losses on agriculture and urban land and the compensation for land for tower locations is assessed at Rs.18750 per tower location.

42. Solatium and Interest for Land Acquisition: The unit cost has been as per the provision made in the Land Acquisition Act of India. The unit cost is 30% of the compensation.

5. Assistance

43. Transitional Assistance: This has been calculated based on three months of minimum daily wage rates. The usual wage rate per day is Rs. 120/- and therefore the unit rate per household is Rs. 10,800/-

44. Shifting Allowances: This has been calculated based on a lump sum basis which is Rs.10,00/- per displaced family

6. RP Implementation and Support Cost

45. Resettlement Specialist/Consultants at ESMU/PMU: One environment cum resettlement specialist will be involved for a period of 12 person months .The unit cost of the Resettlement Specialist per person-month has been assessed as Rs 100,000/-.

46. Independent Monitoring and Evaluation Consultant: One IMA consultant will be involved intermittently for a period of 5 months @ Rs. 150,000/- per person month.

Based on the above parameters the resettlement budget has been calculated. The total land acquisition and resettlement cost for the Tranche-2 subproject is estimated to be Rs. 73.84 (Rs.73,845,420 crores) million equivalents to USD 1.6 million. The details are given in **Table 6**.

Table 6: Resettlement Budget

Item	Unit	Unit Rates Rs	Quantity	Total Cost (Rs)	
A: Compensation for Acquisition of Private Land					
A1	Agriculture Land (Private) for Permanent Acquisition	Hectare	1200000	1.31	1,572,000
A2	Tea Estate Land	Hectare	800000	10.7	8,560,000
A3	Temporary Loss of agricultural Land for crop/urban area impact to assets and compensation for Transmission Lines	Hectare	1200000	25.32	30,384,000
A4	Fees and stamp duties	20% of above		8,103,200	
A5	Land Acquisition (Agriculture) in case of Permanent Acquisition	30% Solatium		12,154,800	
A6	Government land transfer (zirat amount)	Hectare	100000	22.75	2,275,000
Subtotal: A				63,049,000	
B: Assistance					
B1	Shifting Allowance	Lump Sum	10,000	4	40,000

B2	Transitional Allowance	Lump Sum	10,800	4	43,200
Subtotal: B					83,200
C: Support Implementation of RP					
C1	Resettlement Specialist in PMU	Person month	250000	12	3,000,000
C2	Independent Monitoring & Evaluation	Person month	200000	5	1,000,000
Sub-Total C					4,000,000
TOTAL (A+B+C)					67,132,200
Contingency (10%)					6,713,220
Grand Total					73,845,420

M. Implementation Schedule

47. All land acquisition, resettlement, and compensation will be completed before the start of civil works All land required will be provided free of encumbrances to the contractor prior to handing over of sub-project sites and the start of civil works. However, public consultation and internal monitoring will be continued in an intermittent basis for the entire duration of project. Implementation schedule for R&R activities in the subproject including various sub tasks and time line matching with civil work schedule is prepared and presented in **Table 7**.

Table 7: Implementation Schedule

Subproject R&R Component/Activities	2010											
	1	2	3	4	5	6	7	8	9	10	11	12
Identification of sub project and notification	★											
Community Consultation	★	★	★	★	★	★	★	★	★	★	★	★
Identification of land and Census Survey		★	★									
Submission of RP for ADB Approval				★								
Disclosure of RP					★							
Establishment of PMU and PIU	★											
Establishment of ESMU	★											
Establishment of GRC	★											
Issue compensation to APs						★	★	★				
Payment of all eligible assistance								★	★	★		
Initiation of Rehabilitation Measures										★	★	
Schedule for Civil Work												★
Internal Monitoring by PMU and PIU						★	★	★	★	★	★	★
External Monitoring and Evaluation									★			★

N. Monitoring and Evaluation

1. Internal Monitoring

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

2. External Monitoring

49. The EA will engage the services of an independent consultant with project implementation to undertake external Monitoring and Evaluation (M&E). The external monitoring consultant, with previous experience in resettlement activities and familiarity with Government and ADB resettlement policy, will be engaged with ADB concurrence. The external monitor will monitor and verify RP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. The external monitoring will undertake monthly monitoring and impact evaluation on a sample basis during mid-term and project completion. Monitoring will also ensure recording AP views on resettlement issues; AP understanding of entitlement policies, options, and alternatives; site conditions; compensation valuation and disbursement; grievance redress procedures;

and staff competencies. The external monitor will also evaluate the performance of the PMU/ESMU related to resettlement issues. The external agency will report its findings simultaneously to the EA and to ADB twice a year. Provisions have been made in the resettlement budget component for engaging an external monitor. The internal monitoring report will be submitted quarterly to the ADB India Resident Mission (INRM) for review where as the external monitoring report will be submitted half yearly to the INRM for review.