



# Government of Assam

## Assam Inland Water Transport Development Society (AIWTDS),

### **CONSULTANCY SERVICES FOR ENVIRONMENTAL AND SOCIAL ASSESSMENT STUDIES FOR ASSAM INLAND WATER TRANSPORT PROJECT (Part of NW-2 & NW-16)**

**Assam Inland Water Transport Project IP1579291**

**Contract No.: AIWTDS/55/2018/597 dated 06.06.2018**

#### **Volume-I**

**Social Management Framework (SMF), RPF, IPDF & Gender Development Framework  
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**Abbreviations**

A&M	Approach & Methodology
AIPCL	Assam Inland Ports Corporation Ltd
AIWTCL	Assam Inland Water Transport Corporation Limited
AIWTDS	Assam Inland Water Transport Development Society
AIWTP	Assam Inland Water Transport Project
AoI	Area of Influence
CBO	Community Based Organizations
CEP	Citizen Engagement Plan
CIA	Cumulative Impact Assessment
CV	Curriculum Vitae
CWC	Central Water Commission
DBFOT	Design Build Finance Operate and Transfer
DAIWTDS	Directorate of Assam Inland Waterway Transport Development Society
DPR	Detailed Project Report
EA	Environmental Assessment
EHS	Environmental, Health and Safety
EIA	Environmental Impact Assessment
ESE	Environmental, Social and Economic
ESHS	Environmental, Social, Health and Safety
FGD	Focus group Discussion
GDI	Gender Development Index
GII	Gender Inequality Index
GIS	Geographic Information System
GoA	Government of Assam
GRM	Grievance Redress mechanism
HDI	Human Development Index
HFL	High Flood Level
IEC	Information, Education, Communication
IPDP	Indigenous People Development Plan
IR	Inception Report
IWAI	Inland Waterways Authority of India
IWT	Inland Waterways Transport
IBRD	International Bank for Reconstruction and Development
IDA	International Development Association
IPP	Indigenous Peoples Plan
RAP	Resettlement Action Plan
MIS	Management Information System
MoEF& CC	Ministry of Environment, Forests and Climate Change
MMPA	Million Metric Ton Per Annum
MPR	Monthly Progress Report
NGO	Non-Governmental Organization
O&M	Operation and Maintenance
PAP	Project Affected persons
PAF	Project Affected Family



PDP/F	Project Displaced Person/Family
PIA	Project Influence Area
PMU	Project Management Unit
QC	Quality Control
RFCTLAR&R	Right or Fare Compensation and Transparent Land Acquisition - Rehabilitation and Resettlement
RFP	Request for Proposals
R&R	Resettlement & Rehabilitation
RAP	Resettlement Action Plan
SA	Social Assessment
SCC	Special Conditions of Contract
SEESA	Strategic Environmental, Economic and Social Assessment
SIA	Social Impact Assessment
SMF	Social Management Framework
SMP	Social Management Plan
SPMG	State Project Management Group
TL	Team Leader
TNA	Training Needs Analysis/Assessment
TORs	Terms of Reference
VR	Village Road
WB	World Bank

## Executive Summary

### 1. Project Context

The Project's Development Objectives are to (a) improve passenger ferry infrastructure and services in Assam, and (b) to improve the institutional capacity and framework. The Project has three main components and eight sub-components collectively intended to tackle the regulatory, operational and infrastructure challenges of the sector. The three main components are:

1. Institutional, regulatory and safety strengthening (estimated cost USD 20 million). This component will include:

- a. Technical assistance: sector planning, design and roll-out of new Regulatory Authority, business planning for Assam Shipping Company and Assam Ports Company; training of staff to fulfill new roles in the restructured industry (USD 8 million);
- b. Safety management: river navigation aids, night navigation technology on some routes, and emergency response system (policy, procedures, vessel and equipment) (USD 12 million).

2. Fleet safety improvements and modernization (estimated cost USD 25 million). This will include financing of:

- a. GoA incentive scheme (known as Jibondinga) to assist industry transition to the new regulatory regime; it is designed to support the scrapping and replacement of unsafe or obsolete private vessels and replace them with new vessels, or retrofit existing but acceptable vessels with modern marine engines and safety equipment (USD 10 million);
- b. procurement of new vessels for the Assam Shipping Company (USD 15 million).

3. Improvement in terminal infrastructure (estimated cost USD 105 million). This will finance:

- a. provision of priority terminals for the Guwahati and Majuli Island ferry routes (USD 70 million); and
- b. provision of terminals on several other mainly rural routes, to be selected (USD 35 million).

This report comprises of the Social Management Framework (SMF), Resettlement Policy Framework (RPF), Indigenous People Development Framework (IPDF) and Gender Development Strategy for all project investments. The RPF has been prepared for construction of terminals and ancillary infrastructure such as road access, terminal buildings and other amenities for differently abled, women, children, old and infirm (Component 3).

5 priority terminals have been identified under Component 3(a) of the project. Site identification and planning for 3 priority terminals sites namely LachitGhat, North Guwahati and Aphalamukh is completed which will be developed in the first 18 months of the project. The remaining two priority sites, namely Kamlabari and Neamati are still under consideration for finalization and planning of design at initial stage. Other terminal sites under Component 3 (b) are yet to be identified and construction will be undertaken during phase two of the project. Thus, a consolidated RAP/IPDP has been prepared for the 3 identified locations in phase 1: LachitGhat, North Guwahati and Aphalamukh.

### 1.1. Project Area of Influence

Project Area of Influence includes both the area of direct impacts (physical footprint of the project) and the area of indirect impacts (10 km radius from each of the landing ghats).

Villages that fall within the 10 km radius from each of the landing centre/Ghats were found to be dependent on IWT facilities for socio-economic activities, particularly the rural communities living in the northern bank of the river. Hence, the 10 km radius helps capture all indirect or cumulative risks associated with the project. Area falling within 50 metres of the landing centre/ghats, where people using the IWT services, and those directly impacted (loss of livelihood, structure/land and other assets) by the project were identified. This area includes the physical footprint of the project such as the terminal and access road, work staging areas, and areas likely to be affected during the operational phase. 100% survey was done among PAPs within this area to generate information on the socio-economic baseline for the SIA.

### 1.2. Socio Economic Profile of Assam

The population of Assam is about 31,169,272 of which 15,954,927 are males and 15,214,345 are females. The sex ratio is 954 which is better than national average of 940 and under 6 years sex ratio is 957, again slightly better than national average of 914. The literacy rate in Assam is 73.18 percent (male 78.81, female 67.27) which is lower than India average of 74.04 percent (male 82.14, female 65.46). Almost 86 per cent of state's population still live in rural areas (85.92 %) far higher than national average (68.84%) while urban population is only 14.08 %. The high growth rate of population, partly due to heavy influx of cross border migrants, poses another set of challenges for the states planned development.

### 1.3. Summary of Social Safeguard Impacts and Risks

This section details out the potential social impacts of the project which were identified during the SIA of three pre-identified sub-projects namely LachitGhat, North Guwahati and Apahlamukh.

Name of/ type of sub-project	Amount of land required (in Acres)	Type of Land (private, government, community)		
		Private	Government	Community
LachitGhat	0.0378 Acres	Nil	0.0378 Acres	Nil
North Guwahati	0.0341 Acres	Nil	0.0341 Acres	Nil
Apahlamukh	0.3188 Acres	Nil	0.3188 Acres	Nil

The estimated no. of PAPs/squatters who are likely to be impacted are 13 in the three priority sub-projects. The RAP-cum-IPDP will provide a detailed assessment of the no. of PAPs affected and the type of losses incurred due to the project.

## 2.1. Relevant Policies and Social Legislations

Relevant GoI and GoA rules and regulations and applicable World Bank policies on social safeguard triggered under the project are listed below:

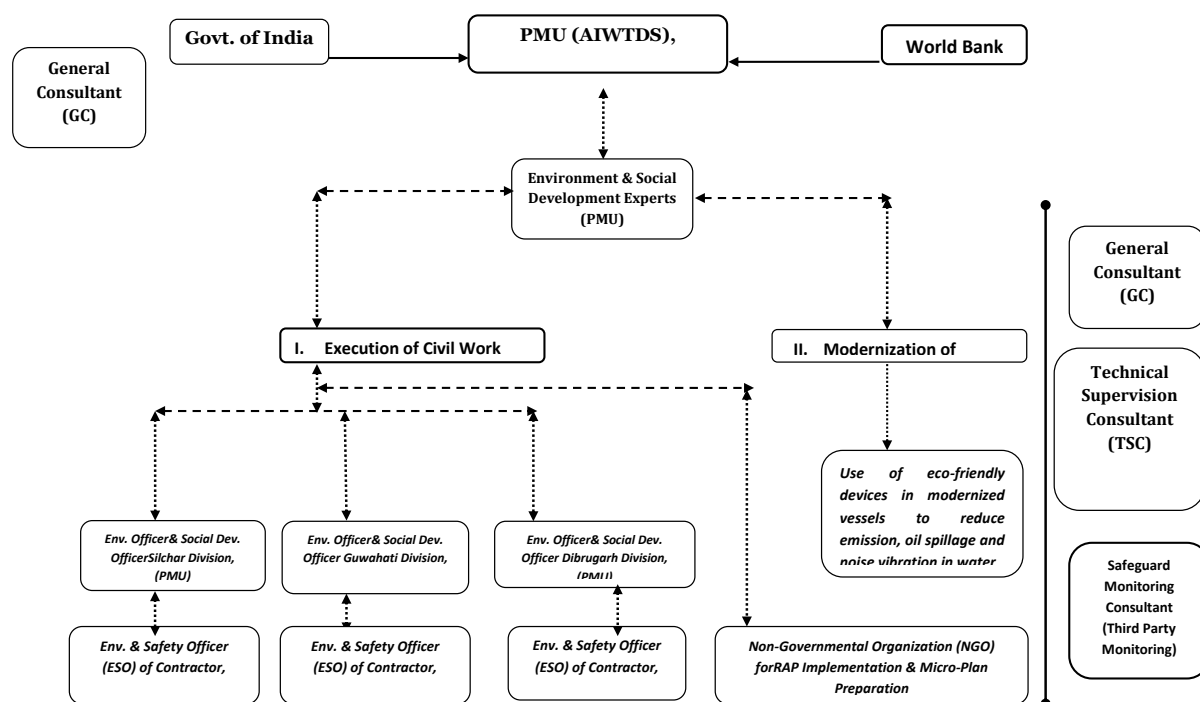
World Bank Policies on Social Safeguard	GoI&GoA Rules and Regulations
OP/BP 4.12: Involuntary Resettlement OP/BP 4.10: Indigenous People OP/BP 4.11: Physical Cultural Resources  ESSE Note on Adverse impacts of labour influx	RFCTLAR&R Act, 2013. Assam Right to Fair Compensation and Transparent Land Acquisition and Rehabilitation and Resettlement (RFCTLAR&R) Rules 2015.

## 3.1. Implementation Arrangement for Social Management at PMU

The project implementation will be led by the Project Management Unit (PMU), established within AIWTDS. The State Project Director (PD) will be the Head of the PMU and he will be assisted by an Additional State Project Director and a Deputy Director to discharge the functions of the PMU. The Social Development Specialist at PMU will be responsible for overall coordination and monitoring of the implementation of social safeguard instruments- SMF/RPF/IPDF and sub-project SMP/RAP cum IPDP. The PMU will monitor the activities of the social specialist at the Divisional office (E.&S Cell) in-charge of coordinating the field level activities related to the implementation of the SMP/RAP cum IPDP, with the assistance from a RAP Implementation Agency (supporting NGO), deployed for the purpose.

### Organogram:

**Flow Chart - B: Institutional Arrangements for Environmental & Social Safeguards Management <sup>1</sup>**



<sup>1</sup> Flow Chart- --- to be followed for GRM procedure

#### 4.1. Capacity Building Strategies

Capacity development and training is critical for successful implementation of the Project. All capacity building and training initiatives need to secure social and economic advantages from improved operations, enhancing the quality of service to IWT users, and lastly, promoting decent work and sustainable jobs. In order to increase the competency of the IWT staff and vessel crew, ISBP prescribes an approach for capacity development and a three-year training plan for the IWT sector. In line with the identified approach, the AIWTDS will undertake: Upgrading of curriculum followed by the Crew Training Centre (CTC) to include certain aspects of social management and safeguards: such as GRM including RTI, labour standard compliance including HR policies, safety and security of women users (including gender sensitization), disaster management, and passenger services for differently abled, senior citizens, women and children. Develop training calendar and modules for land acquisition and R&R process, grievance redressal and livelihood restoration for AIWTDS staff, supporting NGOs and other officials linked to these activities etc.

#### 5.1. Citizen Engagement

Citizen Engagement Plan aims to operate through suggestive measures /consultations with the community, especially the users of the IWT. Hence, it is important to understand the scope and purpose of the citizen engagement process. It helps to:

- Identify or prioritise the needs of the community at the planning stage itself which can be integrated into the project design.
- Inform the design of the engagement mechanism through an understanding of interests, incentives, and objectives of key stakeholders.
- Inform the decision-making or service delivery needs of the community
- Develop new or collaborative ways of implementing elements of the project
- Review progress on the project, through feedback mechanisms.

During the project preparation, consultations were carried out with all significant stakeholder groups including the project affected persons (PAP). Stakeholder Mapping has been done to list the key stakeholders, and project details were explained to them and their feedback recorded in such consultations which gives several valuable suggestions for the project design. KII and Focus Group Discussions were organised in all the Ghat areas with different social groups including indigenous people, women, livelihood groups, elected representatives and officials in the villages, and ferry operators. Several valid suggestions obtained from these PAPs were incorporated in the draft framework (SMF, RPF, IPDF) and the site-specific plans (SMP, RAP cum IPDP). The revised documents will be disclosed at a place accessible to displaced persons and other stakeholders in a form, manner, and language that are understandable to them.

#### 5.2. Community Monitoring of Incentivisation Scheme for Improvement of Country Boat Services (Jibondinga Scheme)

As per the proposed scheme, a vigilance body comprising of AIWT staff (*Jalsarathis*) or volunteers from local communities in the villages at each Jetty/Ghat will monitor the implementation of the Jibondinga scheme. The vigilance body will also monitor compliance to Standard Operating Procedures (SOPs) for ferry terminals to ensure convenience, safety and security of passengers, particularly women. They will report any incident or non-compliance of Scheme/SOP related to safety of passengers or use of any boat not compliant



to safety standards as specified by nodal agency at respective jetty/ghat. The members from local communities will also be trained and deployed to act as search & rescue team personnel, if required.

### **5.3. Citizen's charter**

The 'Citizens Charter' published at the website of AIWTD will be appropriately revised to ensure that the charter reflects the organisation's commitment towards its citizen with regard to the standard of service, participation, inclusion, grievance redressal, transparency and accountability in the AIWT sector.

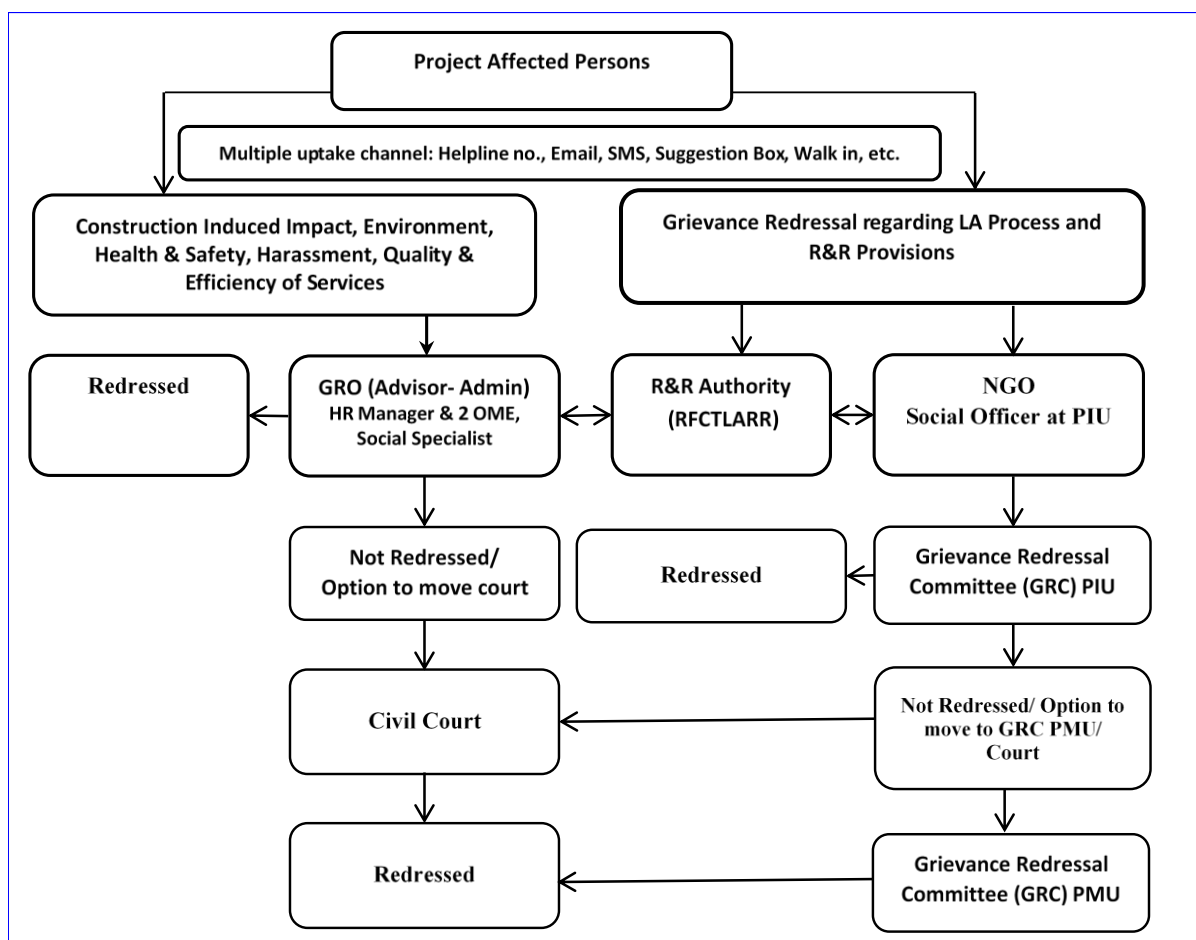
### **5.4. Grievance Redress Mechanism (GRM)**

Complaints can be registered through multiple grievance uptake channels, such as a dedicated helpline, email, by letter to the GRCs (a divisional level or upper level GRC) or walk-ins and registering a complaint on grievance logbook to be provided at each project site/ghat or suggestion box. There will be specific procedures for Gender Based Violence (GBV) including confidential reporting with safe and ethical documenting of GBV cases. An SOP/Guidebook will be developed which will lay down procedures for handling grievances in a timely and effective manner.

A divisional level Grievance Redressal Committee (GRC) will be set up to resolve the complaints from the field. The GRC will comprise of Divisional Executive Engineer; Additional Deputy Commissioner of concerned district; Social Officer-PIU, representatives of the concerned Village Panchayat/Council President or his/her authorised representative and supporting NGOs for implementing the RAP. Grievances of PAPs in writing will either be brought to GRC for redressal by the supporting NGO or through multiple uptake channels. The GRC will respond to the grievance within 7 days. Grievances brought to the GRC shall be redressed within a period of one month (30 days) from the date of receipt of grievance. The decision of the GRC will not be binding to PAPs i.e., decision of the GRC does not debar PAPs taking recourse to court of law.

Petitioners who wish to submit an appeal to the higher authorities can directly appeal to the GRC at the PMU, which will comprise of the Project Director, Advisor (Administration), Social Development Specialist, member of the Assam IWT Regulatory Authority, representative from the Revenue Department and a recognised NGO. On receiving the complaint, the Advisor (Administration), designated as the Officer in charge of GRM at the PMU will issue an acknowledgement to the petitioner within 7 days. The case will be disposed by the PMU within 30 days of receiving the complaint. Details of the resolved cases will be documented and published on the website.

As per the provisions of the Assam Right to Fair Compensation and Transparency in Land Acquisition Resettlement and Rehabilitation Rules 2015 (Section 45) the state Government will designate a Rehabilitation & Resettlement Authority to handle the disputes related to the payment of compensation for L.A and R&R issues.



## 6.1. Gender Development Strategy

The Gender Development Strategy for the project will ensure social inclusion, by providing women with an enabling environment to exercise their rights and equal access to opportunities and resources within the project. Inclusive and effective transport development can only be achieved if these gender differences in demand and impact are properly identified and addressed.

### 6.1.2. Gender Based Violence (GBV)

There are increasing instances of domestic violence and sexual assault/ harassment in the state of Assam. As per NCRB 2016, Assam has reported the highest crime rate under Section 498A 'Cruelty by Husband or His Relatives' (58.7%). Women also report feeling unsafe in public spaces, further reducing their mobility. As per the study conducted by the Centre for Urban Equity, women in Guwahati listed - general harassment by co-passengers, driver or conductor (47 %), eve-teasing (10 %), and stalking (7 %), as major constraints to use of public transportation. Assam is also a major source and transit point for human trafficking, accounting for 21.7 per cent of all cases relating to human trafficking recorded across the country (NCRB 2015).

The SIA studies revealed that most IWT terminals and vessels had limited seating; while waiting areas were mostly overcrowded. Few, if any had clean toilets or drinking water facility. Potential for sexual harassment of women and girls on IWT can be addressed by limiting overcrowding, providing sufficient seats and well-lit spaces. A Gender Action Plan

has been prepared to address these challenges through a set of activities, specifying the roles of different implementing agencies, including indicators to track its progress. Some of the key activities are:

- To encourage women's economic participation and mobility, certain measures such as proper approach road to the terminals, ramps for differently-abled, old and infirm, toilet facilities, adequate seating, dedicated facilities for patients/nursing mothers, storage, convenient boat operating schedules and pricing regulations, among others will be incorporated in the project design.
- In addition to deployment of a security personnel at every terminal, dedicated project helpline no. and state-run women helpline nos. will be displayed at the terminals & ferries.
- Regular user satisfaction survey will be conducted to evaluate how passengers, particularly women and girls experience IWT travel in terms of their safety, security and convenience.
- The upgraded GRM system for AIWT project will have specific procedures for GBV, including confidential reporting with safe and ethical documenting of GBV cases. Parallel GRM outside of the project GRM may be warranted for substantial to high risk situations.
- To address sexual harassment at the workplace, Internal Complaints Committees will be established, capacity building and awareness will be generated at the PIUs, PMUs and among contractors as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

### 7.1. Indigenous People Development Framework

The IPDF is intended to guide selection and preparation of subprojects under this project where impacts on ST are identified. The framework is prepared in accordance with the WB's OP/BP 4.10 on IP. The main objective of IPDF will be to ensure that the project activities do not adversely affect ST, and that they receive culturally compatible social and economic benefits. The framework will be applied, and the focus will be to carefully select and screen all subprojects and their locations and sites, to determine whether ST are present in the subproject area, and also to ensure their participation in the civil works selection and implementation processes. The screening of the ST will be undertaken with the help of the community leaders and local authorities. If the results of the screening indicate the presence of ST households in the zone of influence of the proposed subproject, a social impact assessment and IPDP will be undertaken for those areas. While conducting the SIA studies and preparing site-specific IPDPs for prioritised terminals (Phase- 1 and 2) under the project the following strategies will be adopted to avoid, mitigate or minimise adverse risks to the affected tribal communities within the project:

Stages	Procedures	Activities & Outcome
Preparation	<ul style="list-style-type: none"> <li>• Identify concerns/issues in relation to the project activities through Participatory Rural Appraisal (PRA) exercises</li> </ul>	<ul style="list-style-type: none"> <li>• Preparation of a list of issues during the social screening and scoping process</li> </ul>
	<ul style="list-style-type: none"> <li>• Communicate with Autonomous District Councils/GaonPanchayat to carry out Free, Prior, Informed</li> </ul>	<ul style="list-style-type: none"> <li>• Information dissemination on the project and brief account of project implementation plans</li> </ul>

Stages	Procedures	Activities & Outcome
	Consultation at the village level	and framework held on February 7 <sup>th</sup>
	<ul style="list-style-type: none"> <li>Organize consultation with STs to inform about the project activities and benefits</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholders' consultations and FGDs held at Majuli during the SIA.</li> </ul>
	<ul style="list-style-type: none"> <li>Identify key areas of constraints that may be improved through the project and develop detailed plan for tribal development</li> </ul>	<ul style="list-style-type: none"> <li>List areas of constraints</li> <li>Number of consultations &amp; signed minutes</li> <li>Prepare a site specific IPDP listing risks and mitigation measures specifically targeting tribal development</li> </ul>
Implementation	<ul style="list-style-type: none"> <li>One-time additional financial assistance of Rs. 50,000 to SC/ST PAFs who are displaced and require to relocate due to the project.</li> </ul>	<ul style="list-style-type: none"> <li>List the no. of PAFs accruing the benefit.</li> </ul>
	<ul style="list-style-type: none"> <li>Employment to members from tribal community in carrying out actual construction work</li> </ul>	<ul style="list-style-type: none"> <li>Number of STs employed</li> </ul>
Operation	<ul style="list-style-type: none"> <li>Improvement of terminals and ferry services to attract and promote tourism</li> <li>Free Prior and Informed Consultation with the tribal communities.</li> </ul>	<ul style="list-style-type: none"> <li>% of tourists visiting historic sites, areas, museums, other heritage attractions using the ferry</li> </ul>
	<ul style="list-style-type: none"> <li>Capacity building of ST/SC and other vulnerable groups, and skill up-gradation for institutional strengthening.</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>Training calendar to be prepared</li> <li>Number of trainings undertaken</li> <li>Number of tribal members trained</li> </ul>
	<ul style="list-style-type: none"> <li>Employment generation for ST in related sub project activities</li> </ul>	<ul style="list-style-type: none"> <li>Number of ST employed undertaking various activities under the project</li> </ul>
	<ul style="list-style-type: none"> <li>Help build linkages with major government schemes for skill enhancement and improvement of ferry services (Jibondinga scheme).</li> </ul>	<ul style="list-style-type: none"> <li>Number of STs that have availed the Jibondinga scheme or similar incentivization schemes.</li> </ul>
GRM	<ul style="list-style-type: none"> <li>Including a member of the ADC in the sixth schedule area in the GRC, to address R&amp;R and land related disputes.</li> </ul>	<ul style="list-style-type: none"> <li>Number of grievances brought forward in ST areas and addressed.</li> </ul>

### 7.1.2. GRM for IPP

The grievance redress mechanism will be the same as mentioned in the main chapter, with an additional emphasis to include a member of the Autonomous District Council in the GRC for project investments in the sixth scheduled areas.

## 8.1. Resettlement Policy Framework (RPF)

The main purpose of the RPF is to clarify resettlement principles, eligibility criteria, compensation entitlements, and organizational arrangements for land acquisition, asset loss, and resettlement of people that may be necessary during project implementation.

The RPF has been prepared for construction of terminals and ancillary infrastructure such as road access, terminal buildings and other amenities for differently abled, women, children, old and infirm (Component 3).

5 priority terminals have been identified under Component 3(a) of the project. Site identification and planning for 3 priority terminals at Lachit, North Guwahati and Aphlamukh is completed. The remaining two priority sites, namely Kamlabari and Neamati are still under consideration for finalization and planning of design at initial stage. The location of other terminal sites under Component 3 (b) which will be undertaken during phase two of the project are yet to be identified. A consolidated RAP-cum-IPDP with full details of all affected people for 3 priority terminals (Lachit, North Guwahati and Aphlamukh) have been prepared. The purpose of the RPF, therefore, is to clarify resettlement principles and compensation, as well as organizational arrangements, to be applied for proposed sub-projects financed during phase two of the project. As per the provisions of the RFCTLARR Act, 2013, State Revenue Department will oversee the LA and R&R process for any private land to be acquired under the project.

### 8.1.2. Objective of RPF

In accordance with the World Bank Operational Policy on Involuntary Resettlement (OP 4.12) and relevant central and state laws (RFCTLARR, 2013 and Assam LARR Rule, 2015), the RPF has been prepared with the objective to:

- Avoid or minimize adverse impacts and to conceive and execute resettlement activities for sustainable development of the project.
- Give affected person's opportunities to participate in the design and implementation of resettlement process.
- Assist affected persons in their efforts to improve their livelihoods and standards of living, or at least to restore these to pre-project levels.
- Develop Indigenous Peoples' Development plan along with RAP. Land for land for is an option across all sectors.

## 8.2. Entitlement Matrix

The entitlement framework designed for various categories is based on RFCTLARR 2013 and RTFCTLARR Rules, 2015 of GoA and World Bank Policy guidelines. Both, non-titleholders and titleholder will be compensated as per their eligibility and detailed in the entitlement matrix summarised below:

Sl. No.	Impact Category	Entitlements	Implementation Guidelines
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Sl. No.	Impact Category	Entitlements	Implementation Guidelines
<b>PART I. TITLE HOLDERS - Compensation for Loss of Private Property</b>			
1	Loss of Land (agricultural, homestead, commercial or otherwise or assets attached to the land)	1.1 Compensation for land at Replacement Cost or Land for land, where feasible.	<p>Land will be acquired by the competent authority in accordance with the provisions of RFCTLARR Act, 2013.</p> <p>Replacement cost for land will be: (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid for PPPs or private companies (whichever amount is higher).</p> <p>Plus 100% solatium and 12% interest from date of notification to award.</p> <p>The multiplied factor adopted by the GoA for land in rural area, based on the distance from urban area to the affected area, will be applied.</p> <p>In case only a part of any land plot is affected and its owner desires that the whole plot be acquired on the grounds that the plot has been rendered uneconomic or has been severed due to LA, the competent authority may make additional award as per section 94 of RFCT-LARR Act, 2013 for the remaining part of land without initiating the land acquisition process afresh.</p> <p>Value of Assets attached to the land/building: Compensation for trees/crops etc.</p> <p>a. Cash compensation as estimated u/s 29 (3), RFCT-LARR Act, 2013 by:</p> <ul style="list-style-type: none"> <li>i. Forest Department for timber trees</li> <li>ii. State Agriculture Department for crops</li> </ul>



Sl. No.	Impact Category	Entitlements		Implementation Guidelines
				<p>iii. Horticulture Department for horticulture, perennial trees</p> <p>iv. Cash assistance to title holders and non-squatters for loss of trees, crops and perennials at market value.</p> <p>b. Three months' advance notice to affected parties to harvest fruits, crops. In case standing crops, the affected parties shall receive three months' advance notice to salvage crops, or compensation in lieu thereof as determined above.</p>
2	Loss of Structure (house, shop, building or immovable property)	2.1	Compensation at replacement cost	<p>The market value of structures and other immovable properties will be determined based on relevant basic Schedule of Rates (SR) as on date without depreciation.</p> <p>Plus 100% solatium</p> <p>For partly affected structures, the PAP will have the option of claiming compensation for the entire structure, if the remaining portion is unviable.</p>
<b>PART II. REHABILITATION AND RESETTLEMENT – Both Land Owners and Families Whose livelihoods are primarily dependent on Land Acquired</b>				
3	Loss of Land	3.1	<p>Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages.</p> <p>or</p> <p>One-time payment of Rs. 5,00,000/- for each affected household</p> <p>or</p> <p>Annuity policy that shall pay Rs. 2000/- per month</p>	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			for 20 years with appropriate indexation to CPIAL	
		3.2	Subsistence allowance of Rs. 3,000/- per month for a period of one year to affected households who require to relocate due to the project	
		3.3	Transportation assistance of Rs. 50,000/- for affected households who require to relocate due to the project	
		3.4	One-time assistance of not less than Rs. 25,000/- to all those who lose a cattle shed or a petty shop.	<p>Cattle shed or petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of twenty-five thousand rupees for construction of cattle shed or petty shop as the case may be.</p> <p>Petty shop will include commercial kiosk, vendor where business is carried out.</p> <p>PIU and the implementation support NGO / agency will consult such PAPs and assess the requirement of subsistence allowance for kiosks and vendors receiving this cash assistance under the petty shop category.</p> <p>Cattle shed shall mean any permanent, semi-permanent structure or makeshift shed erected on long term basis for keeping cattle.</p>
		3.5	One-time Resettlement Allowance of Rs. 50,000/- for affected household who have to relocate	
		3.6	Additional one-time assistance of Rs. 50,000/- for scheduled caste and scheduled tribe families who are	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			displaced from scheduled areas and are required to relocate due to the project	
4	Loss of Residence	4.1	<p>An alternative house for those who have to relocate, as per PMAY-G specifications in rural areas and a constructed house/flat of minimum 50 sq. m. in urban areas;</p> <p>or</p> <p>Cash in lieu of house if opted, for those who do not have any homestead land and who have been residing in the affected area continuously for a minimum period of 3-years.</p>	<p>An alternative house for those who have to relocate, as per PMAY-G (IAY has been restructured) specifications in rural areas and a constructed house / flat of minimum 50 sq. m. in urban areas or cash in lieu of house if opted (the cash in lieu of house will be Rs.1,20,000/- (plain) and 1,30,000/- (difficult terrain) in line with GoI PMAY-G standards in rural areas and Rs.1,50,000 in case of urban areas).</p> <p>The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaces from such area.</p> <p>This assistance shall be extendable to mixed-use structures fulfilling residential and commercial purposes in owner as well as un-titled categories.</p>
		4.2	<p>Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages.</p> <p>or</p> <p>One-time payment of Rs. 5,00,000/- for each affected household</p>	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			or  Annuity policy that shall pay Rs. 2000/- per month for 20 years with appropriate indexation to CPIAL	
		4.3	Monthly subsistence allowance of Rs. 3,000/- per month for a period of one year to affected households who require to relocate due to the project	
		4.4	Transportation assistance of Rs. 50,000/- for affected households who require to relocate due to the project	
		4.5	One-time assistance of not less than Rs. 25,000/- to all those who lose a cattle shed or a petty shop.	<p>Cattle shed or petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of twenty-five thousand rupees for construction of cattle shed or petty shop as the case may be.</p> <p>Petty shop will include commercial kiosk, vendor where business is carried out.</p> <p>PIU and the implementation support NGO / agency will consult such PAPs and assess the requirement of subsistence allowance for kiosks and vendors receiving this cash assistance under the petty shop category.</p> <p>Cattle shed shall mean any permanent, semi-permanent structure or makeshift shed erected on long term basis for keeping cattle.</p>
		4.6	One-time assistance of Rs. 25,000/- for each affected family of an artisan or self-employed	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			and who has to relocate	
		4.7	One-time Resettlement Allowance of Rs. 50,000/- for affected household who have to relocate	
		4.8	Additional one-time assistance of Rs. 50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and are required to relocate due to the project	
		4.9	Right to salvage affected materials	
5	Loss of shop/ trade/ commercial structure	5.1	<p>Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages.</p> <p>or</p> <p>One-time payment of Rs.5,00,000/- for each affected household</p> <p>or</p> <p>Annuity policy that shall pay Rs. 2000/- per month for 20 years with appropriate indexation to CPIAL</p>	
		5.2	Monthly subsistence allowance of Rs. 3,000/- per month for a period of one year to affected households who require to relocate due to the project	
		5.3	Transportation	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			assistance of Rs. 50,000/- for affected households who are required to relocate due to the project.	
		5.4	One-time assistance of Rs. 25,000/- for each affected family of an artisan or self-employed or small trader and who has to relocate.	
		5.5	One-time Resettlement Allowance of Rs. 50,000/- for affected household who have to relocate	
		5.6	Additional onetime assistance of Rs. 50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	
		5.7	Right to salvage affected materials	
<b>PART III. IMPACT TO SQUATTERS AND ENCROACHERS – Those in the Right of Way where no Land Acquisition is done</b>				
6	Impact to Squatters	6.1	<b>Loss of House</b>	<p>Only those directly affected squatters who live there will be eligible for all assistance.</p> <p>Structure owners in government lands who do not live there and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances.</p>
		6.1.1	Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish the affected structure	
		6.1.2	Right to salvage the affected materials	
		6.1.3	House construction grant of Rs. 1,20,000/- for all those who have to relocate and who do not have a house. Additional house site grant of Rs. 50,000/- to those who do not have a house site	
		6.1.4	One-time subsistence allowance of Rs. 18,000/-	



Sl. No.	Impact Category	Entitlements		Implementation Guidelines
		6.1.5	Shifting assistance of Rs. 10,000/-	
		6.2	<b>Loss of Shop</b>	<p>Only those directly affected squatters who do business there will be eligible for all assistance.</p> <p>Structure owners in government land who do not do the business and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances.</p>
		6.2.1	Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish affected structure	
		6.2.2	Right to salvage the affected materials	
		6.2.3	One-time rehabilitation grant of Rs. 25,000 for reconstruction of affected shop.	
		6.2.4	One-time subsistence allowance of Rs. 18,000/-	
		6.2.5	Shifting assistance of Rs. 10,000/-	
		6.3	<b>Kiosks / Street Vendors</b>	<p>Petty shop will include commercial kiosk, vendor where business is carried out. Petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of twenty-five thousand rupees for construction of petty shop.</p> <p>PIU and the implementation support NGO / agency will consult such PAPs and assess the requirement of subsistence allowance for kiosks and vendors receiving the cash assistance under the petty shop category.</p>
		6.3.1	1-month advance notice to relocate to nearby place for continuance of economic activity.	
		6.3.2	For temporary loss of livelihood during construction period, a monthly subsistence allowance of Rs. 3,000/- will be paid for the duration of disruption to livelihood, but not exceeding 3-months	
		6.3.3	If relocation to nearby place and continuance of economic activity in the same place is not possible, then one time rehabilitation grant of Rs. 25, 000/-.	
		6.4	<b>Cultivation</b>	
		6.4.1	3-month notice to harvest standing crops or market value of compensation for standing crops	
7	Impact to Encroachers	7.1	<b>Cultivation</b>	Market value for the loss of standing crops will be decided by the PIU in consultation with the Agriculture or Horticulture Department
		7.1.1	3-month notice to harvest standing crops or market value of compensation	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			for standing crops, if notice is not given	
		7.2 7.2.1	<b>Structure</b> 1-month notice to demolish the encroached structure	
		7.2.2	Compensation at scheduled rates without depreciation for the affected portion of the structure	The value of commercial structures and other immovable properties will be determined on the basis of relevant Basic Schedule of Rates (SR) as on date without depreciation
<b>PART IV. IMPACT TO VULNERABLE HOUSEHOLDS</b>				
8	Vulnerable Households	8.1	One-time assistance of Rs. 25,000/- to DHs who have to relocate	<p>One adult member of the affected household, whose livelihood is affected, will be entitled for skill development.</p> <p>The PIU with support from the NGO will identify the number of eligible vulnerable displaced persons during joint verification and updating of the <b>RAP</b> and will conduct training need assessment in consultations with the PAPs so as to develop appropriate training programmes suitable to the PAP's skill and the region.</p> <p>Suitable trainers or local resources will be identified by PIU and NGO in consultation with relevant training institutes</p>
<b>PART V. IMPACT DURING CIVIL WORKS</b>				
9	Impact to structure / assets / tree / crops	9.1	The contractor is liable to pay damages to assets / trees / crops in private / public land, caused due to civil works	The PIU will ensure compliance to these provisions.
10	Use of Private Land	10.1	The contractor should obtain prior written consent from the land owner and pay mutually agreed rental for use of private land for storage of material or movement of vehicles and machinery or setting up of camps or diversion of docking areas during civil works.	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
PART VI. COMMON PROPERTY RESOURCES				
11	Impact to common property resources such as places of worship, community buildings, schools, etc.	11.1	Relocation or restoration, if feasible, or cash compensation at replacement cost.	
12	Utilities such as water supply, electricity, etc.	12.1	Will be relocated and services restored prior to commencement of civil works.	The PIU will ensure that utilities are relocated prior to commencement of civil works in accordance with the civil works schedule.
PART VII. UNFORESEEN IMPACTS				
Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of RFCTLAR 2013 / World Bank Safeguards Policies.				

### 8.2.1. Implementation Process and Arrangements:

The implementation of RAP is the responsibility of the AIWTDS along with the Revenue Department (in case of private land acquisition). A Social Development Specialist at PMU will be responsible for overall coordination of the implementation of SMP/RAP. The Social Specialist at the E&S Cell, PIU at the divisional level will coordinate the field level activities with the support of an NGO (RAP implementation agency).

### 8.2.2. Rehabilitation and Resettlement Award:

In accordance with the provisions of the RFCTLARR Act [Sec31 (1)], the competent authority will pass a Rehabilitation and Resettlement (R&R) Award. All the affected titleholders who are eligible for R&R assistance will be notified along with details of eligible assistance as per the provisions of RFCTLARR Act. Initially a draft list will be notified by giving minimum of 15 days' time inviting objections, if any, regarding discrepancies on the nature and quantum of assistance. The final list will be notified after taking into account the objections, if any. Similarly, the list of those affected non- title holders will also be notified along with the details of R&R assistance and a separate R&R award enquiry will be conducted for the non-titleholders. Non-title holders who settle in the affected areas after the cut-off date (start date of the project census survey) will not be eligible for compensation. They will however be given sufficient advance notice (60 days) to vacate the premises and dismantle affected structures prior to project implementation.

### 8.2.3. Micro plan:

The implementation support NGO will prepare the draft micro plan, milestone wise for each of the sub-project detailing the type of loss, tenure of the PAP, vulnerability status and the entitlements as per the provisions of the Entitlement Matrix (EM) in the RPF. The draft micro plan will be disclosed in the jurisdictional village panchayat where the PAPs are living/having business, and 1-week after the disclosure, the R&R award enquiry will be held by the jurisdictional Additional Collector (R&R Administrator).

Based on the R&R award enquiry outcome, the NGO will submit the final micro plan to the Executive Engineer, PIU for verification and onward transmission to Project Director, PMU.

The Project Director, PMU, after scrutiny of the micro plan will accord approval for the same and submit to the jurisdictional Additional Collector (R&R Administrator) with necessary funds for disbursement.

#### **8.2.4. R&R Award Process**

The Additional Collector (R&R Administrator) will hold R&R award enquiry in the project area and will send prior intimation to all concerned PAPs through the jurisdictional Patwaris and the NGO.

During the R&R award enquiry, each PAP will be informed about the type of loss and tenure as recorded during census and socio-economic survey and verified subsequently, and the entitlements due to the PAP as per the provisions contained in the Entitlement Matrix of the RPF. All the PAPs will be given an opportunity to be heard and concerns if any, will be addressed. The R&R proceedings will be recorded and copy of the R&R award will be issued to the PAP then and there.

#### **8.2.5. Livelihood Restoration and Income Generation Plan**

Majority of the eligible families for income restoration earn their livelihood through petty businesses and agricultural activities (marginal/small) therefore, it is imperative to ensure that the PAPs can reconstruct their livelihood. The NGOs engaged in the implementation of the RAP will ensure that the PAPs are facilitated to obtain plots near their existing habitation to minimize disruption to their social network and normal work pattern, wherever possible.

Other short-term strategies for restoring their income during periods immediately before and after relocation/vacating includes providing the PAPs with adequate compensation prior to relocation/vacating the premises, along with transit allowances, one-time relocation allowance, free transport to resettlement areas or assistance for transport, transitional/subsistence allowances or grants until adequate income is generated, special allowances for vulnerable groups. With consideration of PAPs skills and the project's workforce requirement, PAPs access to project-related employment opportunities will be encouraged.

The PAPs are required to participate in developing feasible long- term income generating strategies. The long- term options are expected to be developed during the implementation of the RAP and supported by the government assistance. Central and Assam state government runs various poverty alleviation and livelihood programmes. Partnering NGO can facilitate PAPs to participate in these programmes as per their choices and skill requirement.

### **9.1. Monitoring and Evaluation Framework:**

The social development specialist at the PMU is responsible for overall monitoring of social safeguards, with the assistance of the General Consultant during preparation and Technical Supervision Consultant at the construction phase. Internal monitoring and supervision of the project activities will be done by the General Consultant, at the time of implementation of the Project, to ensure that the set milestones of the project are met with and in line with the requirements of the SMF/RPF/IPDF and sub-project specific RAP/IPDP.

The PMU will carry out concurrent monitoring of RAP implementation through the PIU and prepare monthly and quarterly progress report in terms of physical and financial progress. Additionally, the monitoring process will also look at: grievance management; public consultation and information dissemination to PAPs on benefits; income restoration activities, community monitoring of the Jibondinga Scheme and compliance of safety measures; citizen engagement to assess users' satisfaction; labour standard compliance of all physical investments; training and capacity building; prevention of GBV and gender mainstreaming. The subsequent calendar month. The progress report will be reviewed by the PMU and feedback if any, will be communicated to PIU for immediate action. PMU will conduct periodic site visits to identify potential challenges faced in the project implementation and provide support to take timely corrective measures, if needed.

A third party monitoring will be carried out on a quarterly basis to review social and environmental safeguard activities being implemented in the project, and provide specific recommendations to mitigate the issues identified during the review period.

### **10.1. Labour Standard Compliance and Labour Influx Mitigation Framework:**

The influx of workers and followers can lead to adverse social and environmental impacts on local communities, especially if the communities are rural, remote or small. However, the current project for development of IWT involves both rural and urban areas of Assam. While some Ghats are in typical urban centres like Guwahati and Jorhat, others are located in remote rural settings of Majuli. Furthermore, IWT services offers one of the most important modes of connectivity for multiple sections of population, especially in rural areas.

Based on this assessment, potential adverse impacts of labour influx have been enumerated below: -

- Labour influx may influence the demographic composition of the existing mass of population in riparian areas, where there already seems to be a decline of man-land ratio, shortage of food, settlement pattern, and ethnic differences.
- Increased demand and competition for local social and health services, as well as for goods and services, which can lead to price hikes and crowding out of local consumers. SIA of three priority sites indicated low capacity of the community to manage and absorb the incoming labour force. This is particularly relevant for Assam, as it already deals with such risk from cross border and interstate migration.
- Bearing in mind the present socio-political environment, temporary labour influx due to the project may amplify social conflicts between the local community and the construction migrant workers.
- Project may result in increased rates of illicit behaviour and harassment, which is a real threat for Assam where incidence of crime against women is reportedly high.
- SIA of three priority sites revealed that the project will directly impact the livelihood of affected families who earn their living through petty businesses and agricultural activities (marginal/small) in the project area. It is therefore imperative to ensure that the PAPs can reconstruct their livelihood. The temporary labour influx may increase competition for jobs and have an impact on wage distribution.

#### **10.1.2. Recommended Mitigating Measures**

- The contractor is responsible for recruitment of labourers for construction work. Specifications on employment of local workforce including women should be reflected in

the civil works bidding documents and subsequent contracts to ensure that the contractors fulfil these commitments. Locals including women may be screened further for skills, and adequate orientations can be provided to recruit for the work. AIWTDS can prepare a roster of interested workers and their skills. The lists can be provided to contractors at the pre-bid meetings for recruitment consideration.

- The project contractor needs to prepare a site-specific Labour Influx Management Plan and/or a Workers' Camp Management Plan. This plan will include specific measures that will be undertaken to minimize the impact on the local community, including elements such as worker codes of conduct, grievance redressal, skills development, training programs and awareness generation on HIV/AIDS and gender-based violence (GBV) for the workers and host community. A Workers' Camp Management Plan will also address specific aspects of the establishment and operation of the workers' camps in compliance with relevant labour laws. The plan should include appropriate screening and monitoring mechanisms for addressing non-compliance.
- Adequate measures will be taken to ensure safety and security of women within the community and at the construction site. A security personnel will be deployed at the construction sites, and emergency nos. including contact details of local law enforcement officers, project's helpline no., existing state-run women helpline nos. will be prominently displayed at the site. The contractors will ensure that an Internal Complaints Committee (ICC) for each establishment is set-up to meet their corporate requirement and legal mandate under the Sexual Harassment at the Workplace Act, 2013.
- Welfare measures, such as canteens, first-aid facilities, creche, ambulance, housing accommodations for workers near the work place, as per the Building and Other Construction Workers (regulation of employment and conditions of service) act, 1996 is the contractor's responsibility.
- Awareness camps on HIV/AIDS and GBV for both, construction workers and neighbouring villages must be organised at regular intervals by NGOs.
- PMU must prepare and disseminate IEC materials on labour welfare and compliance.

### **11.1. Budgetary Allocation**

The estimated budget is about INR173million which covers institutional cost, awareness program and training, grievance redressal mechanism, compensation for land, structure, and other assets and resettlement and rehabilitation assistances, etc.



## Chapter 1. Introduction

### 1.1. Background

Inland water transport is one of the most energy efficient, environmental friendly and cost effective modes of transport and Assam has immense scope to develop inland water transport as it reportedly has 1980 km navigable waterways. The Brahmaputra and Barak Rivers are the most important for developing inland water transport system in the state. The Brahmaputra River with a length of 891 Km between the Bangladesh Border and Sadiya, was declared National Waterway no. 2 by the Government of India in 1988. The Barak River is declared as National Waterway 16 under the National Waterways Bill along with another 9 (nine) rivers in Assam. These rivers play a vital role in both urban and rural ferry services and it is the most important modes of connectivity for multiple sections of population, especially in rural areas. This provides further impetus for developing inland water transport system.

Development of navigation infrastructure is currently the responsibility of the Inland Waterways Authority of India (IWAI). The DIWTA, established in 1958 and part of the Assam Transport Department, is responsible for developing, maintaining and regulating IWT services in the state. It also operates and maintains many of the passenger transport services, ferry terminals and navigation aids on both Brahmaputra and Barak Rivers. But despite this, the ferry industry is under nourished. It is characterized by an aging and poorly equipped fleet. Informal sector operating traditional country boats without supporting infrastructure meets most needs and demands of services. Terminal facilities and navigational aids are insufficient. Most ferry terminals consist of no more than improvised moorings on the bank of the river. Such mooring requires constant relocation with changing river conditions, often over substantial distances. In the absence of bank protection, the main ferry terminals in or close to the urban centres (provided with floating, movable steel pontoons and temporary access roads) also require frequent relocation as per changing seasonal river conditions. The cargo sector also remains small scale because of a combination of factors like market circumstances, connectivity problems and lack of reliable year round use of large modern vessels that can deliver competitive advantage over other transport modes due to lack of navigation permits. Hence there is an immediate need to develop and equip inland water transport system in Assam.

### 1.2. Project Development Objective (PDO)

The Project's Development Objectives are to: (a) Improve passenger ferry infrastructure and services in Assam, and (b) to improve the institutional capacity and framework.

### 1.3. Project Description

The project is focused primarily on improving ferrying of cross-river passengers on the Brahmaputra, and seeks to use the opportunity to establish a tenable foundation for development of a modern IWT sector in Assam. The long absence of adequate policy response and piecemeal investments in IWT in the State (as also nationally) have resulted in somewhat unorganised and weak condition for the sector, which is not predisposed to a linear scale-up. Despite the odds however, Assam manages to provide ferry services to about 5 million people annually, usually along with their vehicles/livestock/goods. In order to support the functioning but ill-equipped IWT sector therefore requires a more granular approach encompassing a range of supply and demand side factors. As such, the project is

guided by a binding philosophy that admits wider, and even incremental interventions as long as they contribute to strengthening institutions and planning; operational efficiency and safety; and importantly sustainability. The Project has three main components and eight sub-components collectively intended to tackle the regulatory, operational and infrastructure challenges of the sector.

**1. COMPONENT 1: Institutional, regulatory and safety strengthening (estimated cost USD 20 million). This component will include;**

**a. Technical assistance: sector planning, design and roll-out of new Regulatory Authority, business planning for Assam Shipping Company and Assam Ports Company; training of staff to fulfil new roles in the restructured industry (USD 8 million);**

The subcomponent has essentially provided for technical assessments / studies to form basis for sector level strategic plans and institutional reforms. An Integrated Strategic Development Plan (ISDP) for the State is being prepared. The exercise involves preparing an overall transport strategy for Assam, and more specifically preparing investment plan to help mainstream Water Transport in the State including multi-modal integration and last mile connectivity. Studies on Environment Impact Assessment (EIA) and Social Impact Assessment (SIA) are also be undertaken.

Complementing the investments in infrastructure, the project aims to strengthen the Assam Inland Water Transport (IWT) Sector through a supportive Institutional Framework. A wide-ranging consultancy on Institutional Strengthening and Business Plan (ISBP) is assigned to study the system weaknesses in detail and develop prescription for more effective institutions. In doing so, the study has already provided the basic legislation for an Independent IWT regulatory authority (RA) to carry out the safety, environmental and economic regulation of the sector (shipping, ports, shipbuilding). An important emphasis of the sub-component while assessing sector laws and regulations is particular attention to Safety regulations for vessel and passenger movement, even more specifically for women and children. Recently, the Bill has been passed by the State in November 2018 for establishing an independent regulatory authority for Inland Water Transport.

Further, the operational and commercial functions of the government's shipping operations and terminal services have been decided to be vested in two new corporations, the Assam Shipping Corporation (ASC) and the Assam Ports Corporation (APC) respectively. The two new corporations will be constituted under the Companies Act (2013), and subject to rigors of the market. The ISBP will develop a Business Plan for the two companies and guide them through the initial period of independent operation.

Another important element supported under the component is sector capacity. The capacity of institutions needs to improve to deliver roles effectively in the upgraded sector. The consultancy studying institutions (ISBP) will undertake a detailed assessment of capacity building needs of DIWTA staff from the point of view of their professional development, re-skilling and job mapping needs. In particular, building capacity to undertake regular surveys and charting of the river, recording and analysis of data, which in turn helps institutionalize knowledge on river navigation is

of immense importance. The project therefore proposes to setup a new hydrography unit under the Directorate of IWT Assam.

**b. Safety management: river navigation aids, night navigation technology on some routes, and emergency response system (policy, procedures, vessel and equipment) (USD 12 million).**

The sub-component would draw on national / international experience in assessing appropriate aids to navigation, their procurement and deployment to allow 24-hour services / night navigation on most vulnerable / trafficked routes / crossing points. Beginning with pilots at 2-3 crucial locations, deployment of navigation aids will be scaled up based on the investment strategy for the sector.

An important objective will be to support establishment of a Search and Rescue (SAR) Organization/piloting emergency response system (policy, procedures, equipment, and management) as well as improving systems for emergency preparedness including climate and natural disasters.

**2. COMPONENT 2: Fleet safety improvements and modernization (estimated cost USD 25 million). This will include financing of:**

**a. GoA incentive scheme (known as Jibondinga) to assist industry transition to the new regulatory regime. It is designed to support the scrapping and replacement of unsafe or obsolete private vessels and replace them with new vessels, or retrofit existing but acceptable vessels with modern marine engines and safety equipment (USD 10 million);**

The objective of supporting an Incentive scheme is to encourage investment in modern shipping technology including adoption of greener and safer technologies, through review of fiscal and other barriers affecting quality of boat construction and maintenance. GoA has prepared a draft proposal entitled '*Jibondinga*' - meaning water as source for life/livelihood for private country boat operators, which provides incentive both for new vessel acquisition as well as for retrofitting. The scheme considers special incentive to encourage women entrepreneurs and women self-help groups. Vessels design and specifications for procurement and retrofitting will be standardized to have better regulation as well as for ease of repair and maintenance.

**b. Procurement of new vessels for the Assam Shipping Company and retrofitting of existing public vessels (USD 15 million).**

To begin with, the project is assisting the Assam Govt. to procure 20 passenger ferries with the capability of carrying motorcycles in two sizes. One can carry 50 passenger and 25 motorcycles the other 100 passengers and 50 motorcycles. Allowance has also been made for the carriage of substantial amount of hand carried cargo in line with local custom and practice. To ensure substantially improved stability the two-wheelers will be carried below the gunwales of the vessels. The vessels will be built to the class rules of a major classification society to ensure they are both robust and safe. The vessels are intended for operation as ferries across the river though they will have the capability to provide longer haul services to tourist traveling between Kaziranga National Park and Guwahati as well.

Simultaneously, the project has initiated condition surveys of the existing govt. fleet, hull & machinery, deck and outfit items for their suitability, impact stability (for the

area of operation), loading and other conditions. Select vessels may be retrofitted. This will also include measures to “green” the vessel fleet, including adoption of good waste management practices. A few medium-speed shallow draft Roll-On Roll-Off (Ro-Ro) passenger/cargo catamarans for selected major traffic routes are also planned for procurement.

The project would also like to improve connectivity / access to basic services for many islands, villages and far-off chars by using additional floating stock which is customized to specific needs. Discussion with the district administration and local governments during early preparation missions, particularly to the upper reaches of Brahmaputra (Dibrugarh, Jorhat, Majuli), had revealed serious connectivity constraints to basic public services such as health and education for numerous small islands and remote chars. These have had profound impacts on health (high maternal and infant mortality), education, jobs and trade. For example, many inhabited islands do not have medical facilities and people have to travel to other nearby bigger towns to access services, which become critical during emergencies. For this, the project plans to utilize the existing Govt. fleet, which may no longer be suited for intensive passenger ferrying but could be usefully converted into mobile clinics, schools / library and for other such important services. These vessels will be suitably retrofitted and customised to their intended use.

**3. COMPONENT 3: Improvement in terminal infrastructure (estimated cost USD 105 million). This will finance:**

**a. Provision of priority terminals for the Guwahati and Majuli Island ferry routes (USD 70 million);**

In particular, this will finance the design and construction of few priority terminals at identified busy crossings (such as Guwahati, Majuli etc.) plus a few others (mostly country side) where upgrading is urgent. It would also provide standard designs for scalable infrastructure that can be adapted for other urban and rural ferry terminals (ghats). The infrastructure improvements / designs will in particular adopt a ‘working with nature’ approach which ensures that project objectives are satisfied in a way that places natural ecosystem at center stage thereby making solutions non-damaging and sustainable (limit dredging, utilize portable / modular infrastructure design adaptation for landing stations to enhance climate change resiliency, low draft vessel designs, etc.). The developments would offer opportunities for ecotourism development, rejuvenating the river waterfront and integration of quality ferry terminals in the urban context.

**b. Provision of terminals on several other mainly rural routes, to be selected (USD 35 million).**

This will provide standard designs for modular and scalable infrastructure that can be adapted for other urban and rural ferry terminals. It also includes ancillary infrastructure such as road access, terminal buildings and other amenities for the physically challenged, women, children, old and infirm.

The total cost of the project is estimated at US\$ 150 million. The IBRD support is estimated at US\$120 million while the Govt. of Assam share will be US\$ 30 million.

**Priority physical works under the project (planned for first 18 months)**

In the initial phase, the project will make the following investments (physical works) under the three broad project components.

Project Component	Sub Component	Physical Investments planned
Component 1: <b>Institutional, regulatory and safety strengthening</b>	a. Technical assistance: sector planning, design and roll-out of new Regulatory Authority, business planning for Assam Shipping Company and Assam Ports Company; training of staff to fulfil new roles in the restructured industry	Upgradation of crew training centre
	b. Safety management: river navigation aids, night navigation technology on some routes, and emergency response system (policy, procedures, vessel and equipment)	
Component 2: <b>Fleet safety improvements and modernization</b>	a. GoA incentive scheme (known as Jibondinga) to assist industry transition to the new regulatory regime	Vessel improvement works for private boat operator (engine, hull etc.)
	b. Procurement of new vessels for the Assam Shipping Company and retrofitting of existing public vessels	<ul style="list-style-type: none"> <li>• Procurement of 20 new public vessels</li> <li>• Retrofitting of few govt. vessels</li> </ul>
Component 3: <b>Improvement in terminal infrastructure</b>	a. Provision of priority terminals for the Guwahati and Majuli Island ferry routes	<ul style="list-style-type: none"> <li>• 2 terminals at Guwahati (LachitGhat and North Guwahati)</li> <li>• 1 terminal at Majuli (Aphalamukh)</li> </ul>
	b. Provision of terminals on several other mainly rural routes, to be selected	---

**1.4. Objective of the Assignment**

The AIWTDS intends to ensure that the potential issues and risks for the Project are identified and appropriate Management Framework (MF) is prepared for the avoidance,

mitigation of adverse effects and enhancing benefits while implementing the same. This document comprises of the Social Management Framework (SMF), Resettlement Policy Framework (RPF) and Indigenous Peoples' Development Framework (IPDF) that would guide the AIWTDS in undertaking impact assessments and preparing management plans for development, management and oversight of works under the project, while ensuring sensitivity to social and cultural concerns.

The SMF/RPF/IPDF shall facilitate implementation of the project activities in compliance with the World Bank safeguard operational policies (OP 4.10 & OP 4.12) and applicable state and central laws and regulations. It also incorporates key issues pertaining to inter alia screening process, gender equity, labour influx and labour standard compliance, capacity building and, monitoring and evaluation measures.

### **1.5. Preparation of SIA cum RAP/IPDP**

Social Impact Assessment for 3 priority terminals viz a vis (1). Lachit Ghat and (2). North Guwahati Ghat in Guwahati division and (3). Aphalamukh Ghat in Dibrugarh division have been undertaken and accordingly, a Resettlement Action Plan (RAP) cum Indigenous People's Development Plan (IPDP) have been prepared in accordance with applicable World Bank policies (OP 4.10 and OP 4.12) and relevant national and Assam State Government requirements. The RAP cum IPDP has been prepared to ensure that the affected persons (mainly non-titleholders) are:

1. Informed about their options and rights pertaining to resettlement and rehabilitation;
2. Consulted, provided with technically and economically feasible resettlement alternatives and offered choices among them;
3. Provided prompt and effective compensation at full replacement cost for loss of assets caused due to the project;
4. Assisted (such as shifting allowance, transition allowance, etc.) during relocation and for a transition period, to restore their livelihood and standards of living;
5. Provided with skill development assistance such as training, in addition to compensation.
6. Provided with free, prior, and informed consultation with the affected Indigenous Peoples' communities.
7. Receive social and economic benefits that are culturally appropriate, including, any measures to avoid, minimize, mitigate, or compensate any adverse effects on the Indigenous Peoples' communities.



## Chapter2. Overview of Social Baseline of the Project Area

### 2.1. Project Area

The framework will be applicable to all linked investment activities financed under AIWT project. The first phase of the project is mainly focused on 5 pre-identified sites and locations as indicated in Table No.2.1, of which SIA and RAP-cum-IPDP have been prepared for three sites (Lachit Ghat, North Guwahati and Aphalamukh) to be taken up in the first 18 months of the project. These locations fall under 2 divisions of IWT namely, Guwahati Division and Dibrugarh Division. Sites for terminal up gradation along rural routes under Component 3 (b) of the project are yet to be determined and finalised.

**Table No.2.1. Pre-Identified Terminals / Ghats / Landing Points for development of ferry services**

Sl. No.	South Bank	North Bank	South Bank		North Bank	
			Latitude	Longitude	Latitude	Longitude
I.	IWT Division, Guwahati					
	LachitGhat	North Guwahati	26.179931 / 26.173157	91.734282 / 91.727483	26.186904/ 26.206178	91.721570/ 91.746654
II.	IWT Division, Dibrugarh					
	Neamati	Kamalabari	26.861196	94.241972	26.920215	94.167302
	Neamati	Aphalamukh	26.861196	94.241972	26.915871	94.299388

### 2.2. Area of Influence

Project Area of Influence includes both the area of direct impacts (physical footprint of the project) and the area of indirect impacts (10 km radius from each of the landing ghats).

Villages that fall within the 10 km radius from each of the landing centre/Ghats were found to be dependent on IWT facilities for socio-economic activities, particularly the rural communities living in the northern bank of the river. Hence, the 10 km radius helps capture all indirect or cumulative risks associated with the project. Specific number of villages within the 10 km radius is specified in Table no.2. 2.

Area falling within 50 metres of the landing centre/ghats, where people using the IWT services, and those directly impacted (loss of livelihood, structure/land and other assets) by the project were identified. This area includes the physical footprint of the project such as the terminal and access road, work staging areas, and areas likely to be affected during the operational phase. 100% survey was done among PAPs within this area to generate information on the socio-economic baseline for the SIA of the three priority sub-projects, namely Lachit Ghat, North Guwahati and Aphalamukh.



**Table no -2. 2. Villages falling in the core zone / buffer zone of the Priority Ghats**

Name of Ghat	Bank	No of Villages within the PIA		Total	District /s
		5 kmradius	10 km area		
IWT division, Guwahati					
LachitGhat	South	59	126	185	Kamrup
North Guwahati	North	65	104	169	
IWT Division, Dibrugarh					
Neamati	South	24	163	187	Jorhat
Kamalabari	North	35	90	125	
Aphalamukh	North	20	88	108	

### 2.3. Socio Economic Profile of Assam

Demographically, Assam has a population of 31 million compare to all India total 1210 million (2011 census) while density of population is calculated as 397 per sq. km higher than the national figure (382 per sq. km.).

The population of Assam is about 31,169,272 of which 15,954,927 are males and 15,214,345 are females. The sex ratio is 954 which is better than national average of 940 and under 6 years sex ratio is 957, again slightly better than national average of 914. The literacy rate in Assam is 73.18 percent (male 78.81, female 67.27) which is lower than India average of 74.04 percent (male 82.14, female 65.46). Almost 86 per cent of state population still live in rural areas (85.92 %) far higher than national average (68.84%) while urban population is only 14.08 % far lower than national average of 31.16 %. The high growth rate of population, partly due to heavy influx of cross border migrants, poses another set of challenges for the states planned development.

The Human Development Index (HDI) is considered as an important indicator of quality of life and development. Assam's HDI is 0.557 which is lower than the Indian HDI of 0.640 as per the data available (2014). Although there is an improvement over the years in states HDI score, the drivers of human development achievement seem to vary greatly across districts. About one third of the potential aggregate human development was lost due to these variations underlying achievements in education, health and income. Gender inequalities were also reported in HDI, with a 14 % variation between females and males. Assam is ranked 23<sup>rd</sup> among 29 states in India as per HDI rating. This is again an indication of how the state suffers from low socio-economic status and quality of life as compared to other Indian states.

#### 2.3.1. District profile of the Project Impact Area

The project villages fall mainly under 2 districts- Kamrup and Jorhat. Socio-economic statistics of these 2 districts based on the census data 2011 gives the following picture:

**Table 2.3- District Profile of the PIA**

Important statistics	Kamrup District	Jorhat District
Number of Households	3,10,078	2,35,011
Population	15,17,542	10,92,256
Male	7,78,461	5,56,805
Female	7,39,081	5,35,451
sex ratio	949	962
Rural population	13,75,148	8,71,722
Urban population	1,42,394	2,20,534
Percentage of urban population	9	20.19
Area (in sq Km.)	3105	2851
Density of population	489	383
Literates %	75.55	82.15
Male literates%	81.30	87.63
Female Literates%	69.47	76.45
Scheduled caste population %	7.11	8.12
Scheduled tribe population %	12	12.81
Total Number of workers %	41.45	45.65
Male workers%	55.04	57.6
Female workers%	27.12	33.22
Main workers %	27.76	31
Male main workers%	44.56	44.72
Female Main workers%	10.06	16.74
Marginal workers%	13.69	14.65
Marginal male workers%	10.49	12.88
Marginal Female workers%	17.06	16.48
Non workers %	58.55	54.35
Male non workers%	44.96	42.4
Female non workers %	72.88	66.78
Cultivators%	29.54	29.26
Agricultural labourers%	15.82	10.66
Household Industry workers%	10.99	6.33
Other workers%	43.65	53.76

Source- Census data 2011

## 2.4. Summary of Social Safeguard Impacts and Risks

This section details out the potential social impacts of the project which were identified during the SIA of three pre-identified sub-projects namely LachitGhat, North Guwahati and Aphalamukh. The estimated land requirement is summarised below:

Name of/ type of sub-project	Amount of land required (in Acres)	Type of Land (private, government, community) in Acres		
		Private	Government	Community
LachitGhat	0.0378	Nil	0.0378	Nil
North Guwahati	0.0341	Nil	0.0341	Nil
Aphlamukh	0.3183	Nil	0.3183	Nil

The land proposed for construction of the three terminals, are government owned, which are likely to impact an estimated no. of 13 squatters/non-titleholders who run small businesses and shops in the vicinity. Detailed description of the no. of PAPs affected and type of impact will be provided in the RAP-cum-IPDP of the three sub-projects.

**Labour Influx Risk Assessment:** Assam's unique geographical position makes it a hotspot for migration. Temporary in-migration (labour influx) have been reported in the project's area of influence for small-scale construction activities requiring skilled workers. Interactions with the community revealed that temporary migrant workers mostly work for lower wages, which may impact employment opportunities and wage distribution. In recent months, the mandatory registration of citizens (NRC) for the residents of Assam has led to identification of close to 4 million illegal immigrants in the state. Furthermore, public opposition in Assam to the Citizenship Amendment Bill, 2019 which grants citizenship to immigrants, may hamper social integration and aggravate conflicts between incoming workforce and host communities over religious, cultural and ethnic differences.

**Gender Based Violence (GBV):** Safety and security of the passengers' especially belonging to the vulnerable categories such as women, children, aged and differently abled, on board the ferries and at the terminals is critical. The FGD at Lachit Ghat revealed instances of sexual harassment of school and college going students while using the ferry services. A detailed study on gender inclusive IWT and the SIA studies for the three pre-identified sub-projects found that most terminals and ferries have little or no facilities (toilets, seats, accessible ramps, storage, etc) to cater to the needs of women users and other marginalised groups.

## **2.5. Other main socio-economic concerns identified involves:**

**River based agrarian economy with constant floods & land/life loss:** Assam is an agrarian economy fuelled by river system for irrigation and water supply. The river system comes with its own set of challenge and opportunities. While it supports the most important means of livelihood through abundant water supply for agriculture and transport. The state also suffers from flood related devastations, land and property loss, crop and livestock loss, loss of human life and other such devastations. The river expansion, claiming land area over the years poses its own set of renewed challenges. Constant and severe floods are as much a part of the States social fabric as the river itself. The financial, social and psychological implications of such close interaction with the river system embedded in social fabric need to be explored further to understand ground realities. A sustainable plan for coexisting with the river system and maximising potential use of water resource is crucial to ensure impactful progress and improve quality of life and livelihoods.

**Diverse social fabric with a large population of Scheduled Tribe:** Assam has a tribal indigenous status. 29 categories of Schedule Tribes are reported from the State. Each tribe has their own set of beliefs, customs, and culture. They are to be understood and heard from their diverse perspective of culture, language, beliefs, customs and practices and included in the sustainable planning. Diversity has posed its own set of political, economic and social challenges and unrest. An inclusive, participative approach is crucial for sustainable development plans.

**Char Land and related human settlements:** Presence of Chars is one of the peculiar features of the Brahmaputra River. When the river is reaching the Bay of Bengal it flows at a very slow pace depositing huge quantity of silts along the banks which eventually become habitable over a period of time. The chars or Riverine Island so formed are fertile lands which provide livelihood through agriculture to the habitants. Dhubri being one of the western most districts of Assam on the bank of River Brahmaputra houses a large number of Chars. The habitants of the Char areas have contributed largely to the socio-economic and cultural aspects of the district over the years. Settlers are mostly immigrant Muslims, Bengali refugees, Nepali immigrants and small number of indigenous people.

## Chapter 3. Relevant Policies and Social Legislations

Relevant Gol and GoA rules and regulations and applicable World Bank policies on social safeguard triggered under the project are listed below:

### 3.1. World Bank Policies on Social Safeguard

World Bank Policies on Social Safeguard		
OP/BP 4.12: Involuntary Resettlement	The key objective of the Bank's safeguard Policy 4.12 is to ensure that displaced persons are assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.	Although government land is available, minimal additional private land may be required resulting in relocation or loss of shelter; loss of assets or access to assets; loss of income sources or means of livelihood. Additionally, project may have an impact on encroachers and squatters in the project sites.
OP/BP 4.10: Indigenous People.	The key objective of the Bank's safeguard Policy 4.10 is to protect indigenous people (tribal/ethnic minorities) from the adverse impact of development, and to ensure that affected indigenous people benefit from development projects and programs.	To compensate /protect the interests of Indigenous people residing in the project areas that fall under the sixth schedule.
OP/BP 4.11 : Physical Cultural Resources	This policy aims at assisting in the preservation of cultural property, historical, religious and unique natural value-this includes remains left by previous human inhabitants and unique environment features, as well as in the protection and enhancement of cultural properties	The locations of all proposed investment subprojects will be screened for any known physical cultural resources. If identified, it is expected that most impacts can be avoided by adjusting the subproject location. Where this is not feasible, the provisions of the policy will be applied. In addition, all civil works contracts will include chance

	encountered in Bank-financed project.	find procedures
ESSE Note on Adverse impacts of labour influx	To establish an approach to identifying risks to and impacts on local communities associated with the temporary influx of labor that typically results from construction works and to measure to manage such risks.	To manage and mitigate any risk associated with labour influx during the construction of the ferry terminals and other ancillary infrastructure.

### 3.2. Relevant and applicable Laws:

<b>Gol&amp;GoA Rules and Regulations</b>	<b>Objective</b>	<b>Applicability</b>
RFCTLAR&R Act, 2013.	Provides for a transparent process and just and fair compensation to the affected families whose land is acquired or proposed to be acquired or are affected by such acquisition and provides for rehabilitation and resettlement of the affected families.	Entitlement of compensation, R & R assistance and benefits for the displaced families due to land acquisition with special provisions for ST and SC communities.
Assam Right to Fair Compensation and Transparent Land Acquisition and Rehabilitation and Resettlement (RFCTLAR&R) Rules 2015.	Procedures for land acquisition applicable in the state of Assam based on RFCTLAR&R Act, 2013.	Procedure for LA, disbursement of compensation, R & R assistance for the project will be followed as per the Rule.
Panchayat Extension to Scheduled Area Act (PESA).	Provides special provisions for Panchayats in Schedule V areas.	Applicable to PESA villages within project area
The Inland Waterways Authority of India Act, 1985	The Act was enacted by Central Government for regulation and development of inland waterways for the purpose of shipping and navigation and the matters related to it.	Control and Development of the waterways for the purposes of shipping and navigation shall be under Central Government.
National Waterways Act 2016	The inland waterways classified as NW 6 to	Out of the 111 NWs, 106 were created in 2016. The NW

	NW 111 under the Act have been declared as national waterways for the purposes of shipping and navigation.	network covers around 20,275.5 KM. out of total 111 NWs in India, 15 NWs falls in the State of Assam
Inland Water Transport Policy (IWTP), 2001	Government of India (GoI) prepared this policy, with the core objective of developing the inland waterway transportation sector into an attractive alternative for road transportation, wherever possible	It encouraged the bringing in of private participation into the realm of infrastructure provision and maintenance with significant contributions from the government reduced to around 40 percent in Build-Operate-Transfer (BOT) projects
Inland vessels Act 1917, Amended in 2007	The Act related to regulation of "Inland Vessel" or "Inland Mechanically propelled vessel" plying on inland water	Have provisions for regulation of vessels, protection of and carriage of passengers in, Inland Vessel Registration processes, investigations into causalities, and power of Court to commit for trial etc, State Government can make rules of this Act, insure mechanically propelled vessel against third party risk. prevention and control of pollution and protection of Inland Water, Penalties and legal proceeding comes under this
National Disaster Management Guidelines on Boat Safety, 2017	Framed by NDMA (GOI) for the management of disasters and accidents related to boats	Seek to promote inland water ways with safety concerns to reduce the increasing trend of accidents. The guidelines include action points towards drawing procedures and regulatory elements by states to streamline the passenger boat navigation in the established waterways in the regions
Control Management of Ferries Rules, 1968	These rules shall apply for registration of an Inland Steam or Motor Vessel and shall apply to all barges plying in the State of Assam	Registration Authority after inspection shall grant a certificate of registration and assign a registration mark for the vessel.



## Chapter 4. Institutional Arrangements for Safeguards Management

### 4.1. Implementation Arrangement for Social Management at PMU

The project implementation will be led by the Project Management Unit (PMU), established within AIWTDS. The State Project Director (PD) will be the Head of the PMU. The Social Development Specialist at PMU will be responsible for overall coordination and monitoring of the implementation of social safeguard instruments- SMF/RPF/IPDF and sub-project SMP/RAP cum IPDP. The PMU will monitor the activities of the social specialists at the Divisional office (E.&S Cell) in-charge of coordinating the field level activities related to the implementation of the SMP/RAP cum IPDP, with the assistance from supporting NGO, deployed for the purpose.

#### 4.1.1. Role of the Social Development Specialist

*Monitoring, reviewing and capacity building:*

- Monitor social development related activities as outlined in the Social Management Framework (SMF), Resettlement Policy Framework (RPF) and SMP/RAP/IPDP of the project, training and other capacity building initiatives and highlight opportunities to improve the social outcomes of the project.
- Ensure the timely submission of work plans, reports, outputs and other deliverables to Project Director and World Bank for review and evaluation, as appropriate. Coordinate periodic meetings (monthly) with the E&S cells at the Divisional level and supporting NGOs
- Periodically assess capacity building needs of the PMU for effective implementation of the social development related activities as outlined in the Social Management Framework (SMF) of the project.
- Facilitate necessary support to the E&S cell at Divisional office.

*Preparation and Implementation of safeguard documents:*

- Ensuring the preparation of sub-project SIA and RAP/IPDP and its timely disclosure.
- Ensure consultation and stakeholder participation in the preparation of RAP/IPDP.
- Guide and monitor the Social Specialists and the Support NGO (RAP implementation agency) for resettlement and rehabilitation and other social safeguard programmes .
- Coordinate with implementation agencies on a regular basis and undertake field visits and consultations with PAPs for first-hand information.
- Compile data related to resettlement and rehabilitation activities received from field officers and the PIUs

❖ **Support staff /data entry operator:** Assist and support in data entry operations related to monthly/quarterly/annual progress reports etc.

#### 4.1.2. Advisor (Administration) designated as GRO

Advisor (Administration) at the PMU is the designated officer for Grievance Redress Mechanism. The HR& Admin Manager and 2 Office Management Executive (OME) will

assist the Advisor (Administration) in carrying out the tasks for ensuring timely disposal of grievances. The Advisor will also be a member of the GRC at the PMU level.

## **4.2. Environmental and Social Cell (E&S Cell), PIU at the Divisional Level**

The Environmental and Social Cell (E&S Cell) created at the Divisional level will coordinate and monitor smooth implementation of the Project. They will liaison with all implementing agencies including the contractors for effective SMP implementation.

The Cell will comprise of a Social Development and Environmental Officer, along with support staff (one Data Entry operator). In addition to this, a supporting NGO with expertise in community engagement and R&R will be selected and attached to each of this Divisional Unit to assist the E&S cell, PIU in RAP-cum-IPDP implementation.

The E&S cell will implement the social safeguard plans (RAP, IPDP, Gender Development,) besides conducting training and capacity building at the community level, monitoring labour standard compliance and documentation of grievances, etc. at the divisional and sub-divisional level. To support and facilitate all grass root level activities, tie up with competent and skilled NGOs with proven track record is required. Such NGO will provide additional supporting role, particularly in the case of R&R for carrying out public consultations, conducting livelihood restoration activities, awareness generation, etc.

### **4.2.1. Role of Social Specialist at the E&S Cell**

- Will oversee implementation of site-specific RAP/ RAP-cum-IPDP and livelihood restoration plan.
- Co-ordination of R&R activities and implementation of RAP with the support of the selected NGOs.
- Coordination with District Administration /Line Departments to facilitate LA & RR issues.
- Maintain documentation of various processes related to LA & RR, including periodic reporting to PMU on progress related to implementation of RAP, GRM, labour compliance and other social safeguard issues.
- Carry out any other social management activities assigned by the PMU and implementing officers in charge.
- Ensure compliance of all relevant labour laws by the contractors including the following:
  - ⇒ setting up of camps for labourers at appropriate locations as per specifications of the law.
  - ⇒ scheduling of works to ensure the protection of women and prohibition of child labour.
  - ⇒facilitating awareness of HIV/ AIDS in campsites, etc.
- Provide support to PMU, social division in developing and vetting all development plans
- Oversee community development initiatives, including promotion of tourism and other socio-economic activities to benefit the community, particularly the marginalised through the project.

- Coordinate the implementation of Gender Development Plan, GBV Action Plan and other initiatives for gender mainstreaming in the Project.
- Prepare communication strategies for CEP and implement it through stakeholder consultations and other citizen engagement activities (citizen feedback) throughout the project cycle.
- Address queries and concerns raised through the GRM related to R&R/RAP on a timely manner. Additionally, manage grievance redressal issues pertaining to ferry services and safety of passengers including CD/Gender/IPP at divisional level. Will undertake follow ups, maintain documentation and reporting on progress related to GRM to Advisor (Administration) and Social Specialist at the PMU.
- Submit monthly/quarterly/yearly reports to the PMU in coordination with the supporting NGO (RAP implementation agency).
- Sensitize and help build capacity of the DIWTA officials at the divisional level, vessel crews, private operators, and other stakeholders on GRM, compliance of laws related to HR & labour, safety & security of women, and gender inclusiveness, among others.

#### **4.3. Supporting NGO at the PIU**

For the implementation of RAP and further support on management of safeguards and other social issues, a supporting NGO will be engaged. They will conduct further verification of affected families and prepare micro plans, prepare and distribute identify cards for every individual PAF, open joint bank accounts, disburse R&R assistance, counsel for the productive use of assistance amounts, monitor the use of assistance amount, plan for relocation of displaced households, allotment of replacement sites, and coordinate the entire shifting process. The tasks of the implementation team will be as follows:

- Develop rapport with PAPs and between PAPs and Project staff
- Verification of PAPs and geo-tagging the information and uploading it on a MIS platform.
- Consultations with the local community during the implementation of the RAP.
- Preparation of micro plan and assist the PAPs in receiving the rehabilitation assistance
- Preparation and distribution of ID cards
- Motivate and guide PAP for productive utilization of the compensation and assistance amounts.
- Assist the APs in getting benefits from the appropriate local development schemes
- Assist AIWTDS in planning for relocation of displaced persons and coordinate the shifting process.
- Forward the grievances of the PAPs to the grievance redressal mechanism. Disseminate information on GRM including RTI and other legal rights, entitlements, labour laws and information pertaining to safety of women.
- Assess the level of skills and identify training needs and organize training programs in consultation with the E&S Cell.
- Participate in the monthly review meetings with the Social Specialist (Resettlement) and Social Development Specialist (PMU).

- Carry out other responsibilities as required from time to time specified by the E&S Cell and the PMU.

#### **4.4. Contractor**

The contractor will be responsible for the following activities:

- Recruiting local labourers to the maximum possible extent in coordination with the Divisional office
- Setting up of temporary shelters for labourers at appropriate locations as per specifications of the law.
- Complying with all labour laws including the norms regarding child labour, proper scheduling of works to ensure the protection of women.
- Participating and facilitating awareness of HIV/ AIDS in the campsites.
- Respond to queries and issues raised through the grievance redress mechanism and assist PMU /Divisional office in responding to the queries.
- Follow the instructions of the PMU and PIU

#### **4.5. General Consultants (preparation stage) and Technical Supervision Consultant (Construction stage) in charge of Supervision and Monitoring**

General Consultants attached to PMU will be entrusted to supervise and monitor the environmental and social safeguard functions of the Project on a regular basis, once the implementation phase starts. They in turn will report to the PMU.

#### **4.6. Third party monitoring (quarterly)**

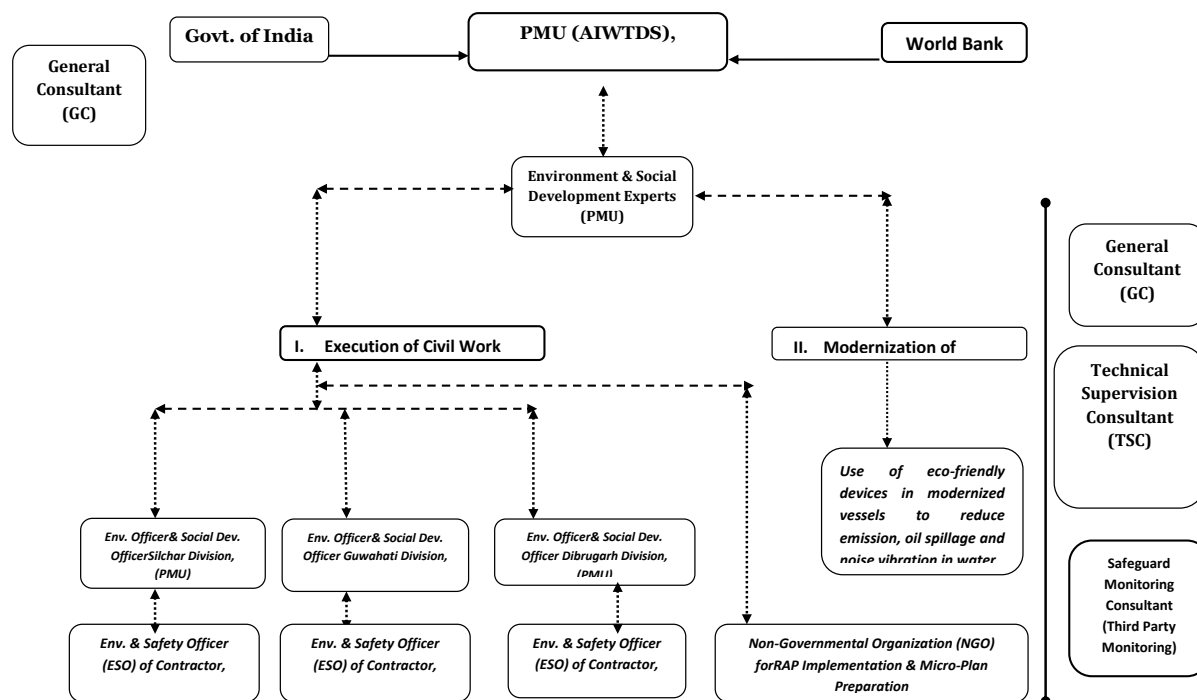
Independent Consultants (Safeguard Monitoring Consultants) will be deployed to do third party monitoring of the Environmental and Social safeguard aspects, on a quarterly basis. The objective of the assignment is to carry out a quarterly review of social and environmental safeguard activities being implemented in the project and provide specific recommendations to mitigate the issues identified during the review period.

The Consultants will visit the project sites, make use of available documents, reports, and its interactions with AIWTDS officials and other implementing agencies and PAPs /PAFs during the monitoring process; check compliance w.r.t. the RAP & EMP document; and flag any outstanding issues which may affect the quality or pace of the implementation process from social & / or regulatory requirements. The Consultants will also try to ascertain satisfaction and concern regarding the implementation process. One of the important tasks of the consultants shall be to verify whether the pre-determined tasks are completed prior to the handing over of the encumbrance free stretches to the contractors for initiating construction work. The consultants shall provide options and advice in accordance to the policy provisions on any additional land acquisition or resettlement impacts encountered during the implementation.

Additionally, the consultant will conduct satisfaction survey to assess the beneficiaries' satisfaction and perception on the GRM functionality, and service delivery during the operational stage of the project. The satisfaction survey will cover different group of people, such as users, affected people, private ferry service providers, community councils (male &

female), indigenes people, etc. The survey will cover all sites to be supported under AIWT project.

**Figure No-4.1-**  
**Flow Chart - B: Institutional Arrangements for Environmental & Social Safeguards Management <sup>1</sup>**



<sup>1</sup> Flow Chart- --- to be followed for GRM procedure

## Chapter 5. Institutional Capacity Building Strategies

Capacity development and training is critical for successful implementation of the Project. All capacity building and training initiatives needs to secure social and economic advantages from improved operations, enhancing the quality of service to IWT users, and lastly, promoting decent work and sustainable jobs. In order to increase the competency of the IWT staff and vessel crew, ISBP prescribes an approach for capacity development and a three-year training plan for the IWT sector. In line with the identified approach, the AIWTDS will undertake the following tasks:

Upgradation of Crew Training Centre	Upgrade curriculum followed by the Crew Training Centre (CTC) to include certain aspects of social management: such as GRM including RTI, labour standard compliance including HR policies, safety and security of women users (including gender sensitization), disaster management, and passenger services for differently abled, senior citizens, women and children.
Land Acquisition and R&R process	Develop training calendar and modules for land acquisition and R&R process, grievance redressal and livelihood restoration for AIWTDS staff, supporting NGOs and other officials linked to these activities.
Implementation and monitoring Social Safeguards	Develop training calendar and modules for E&S Cells on implementation and monitoring of social safeguard frameworks (SMF/RPF/IPDF), SMP/RAP/IPDP, citizen engagement, GRM including RTI, gender integration and labour standard compliance.
Training on management of GRM	Develop training calendar and modules for training of GRCs and IWT staff managing complaints on grievance redressal procedures, nature of complaints, response time, and appellate procedures, RTI, and due process of law, among others.
Contractors' and staff training on Labour Compliance and Mitigating risks of GBV and HIV/AIDS	Develop training calendar and modules for training of contractors, sub-contractors, supervision consultant and AIWT staff on labour laws compliance, mitigating risks related to labour influx, prevention and protection against GBV and HIV/AIDS, community and labour welfare.
IEC on passenger safety and security.	Develop strategies for information dissemination to the users and community stakeholders including preparation of appropriate Information-Education-Communication (IEC) materials on passenger safety, emergency preparedness, grievance redressal, LA & RR activities and project information.

PMU will be responsible for coordinating trainings at the state, divisional and sub-divisional level including preparation of training calendars, modules on different aspects of social safeguard; and lastly, facilitating all IEC activities under the project including media documentation.



## Chapter 6. Citizen Engagement

The approach to mainstreaming CE is guided by five principles: results-oriented, engaging with stakeholders throughout the operational cycle, institutional strengthening, context-specific and gradual process. As CE is not without cost, opportunities for engaging citizens during the project should be sought where such engagement can contribute to improved development results. While the preparation of project involves stakeholder consultations, CE during project implementation will be enhanced to facilitate ongoing learning and feedback to allow making adjustments to the project, as necessary.

Citizen Engagement Plan aims to operate through suggestive measures /consultations with the community, especially the users of the IWT. Hence, it is important to understand the scope and purpose of the citizen engagement process. It helps to:

- Identify or prioritise the needs of the community at the planning stage itself which can be integrated into the project design.
- Inform the design of the engagement mechanism through an understanding of interests, incentives, and objectives of key stakeholders, ensuring inclusion and representation of women and other marginal/vulnerable groups.
- Inform the decision-making or service delivery needs of the community to the operators for better performance
- Develop new or collaborative ways of implementing elements of the project
- Review progress on the project, through ongoing learning and feedback mechanisms.

### 6.1. Stakeholder Mapping and Analysis:

A stakeholder is defined as an individual, group or organization who is impacted by the outcome of a project. During the project preparation, consultations were carried out with all significant stakeholder groups. Stakeholder Mapping has been done to list the key stakeholders and are classified under six categories as detailed below. They are of high/medium /not so high/ no or less impact to the project, as summarized in Table No.6.1. Below

**TableNo.6.1.Stakeholder Mapping and analysis**

Stakeholder Name	Degree of Impact	Rationale	Relation to the project	Strategy for engaging the stakeholder
<b>Category-1- Ferry Operators</b>				
Ferry operators Government & Private Operators Associations	High impact	Livelihood and service delivery	Better Quality of service	Key Informant Interviews
IWTP Consultants	High impact	Preparation of supportive documents	Consultants	Consultations

<b>Category-2- Livelihood Groups</b>				
1. Farmers on the river banks 2. Fishermen 3.Small traders on the river banks	Medium impact	Livelihood impact	Beneficiary	FGD
<b>Category-3-Project Impacted Groups</b>				
Private land holders	High impact	Loss of land /assets/livelihood	Project Impacted/Displaced person	Census survey
Squatters/encroachers on the affected land	High impact	Loss of assets/livelihood	PDP/PAP	Census survey
Vulnerable categories Gender groups Indigenous people	Medium impact	Better access/ possible risks	Vulnerable beneficiary	FGD/PRA mapping
<b>Category-4-Local Self Govt. leaders/village level officers</b>				
GaonPanchayat leaders	Medium impact	Facilitation supports	Opinion leaders	Combined (EIA/SIA) questionnaire
Various Village level/ward level relevant offices	Medium impact	Data facilitation and supports	Providing village level information	Combined (EIA/SIA) questionnaire
<b>Category-5-Government offices</b>				
Revenue Department	High Impact	Details of land ownership/and transfer /LA	Land details and transfer	Official communication
Public Works Department (PWD)	High Impact	Valuation of structures	Impacted structures to be valued as per PWD rates	Official communication
Forest Department	Medium	Wherever forest land impacted	Land transfer	Official communication
Agricultural Department	Medium	Livelihood impact on PAPs	Mitigate supports/suggestions	Consultations
Water Resource Dept	Medium	Convergent functions	Supportive intervention	Consultations
Irrigation Department	Medium	Convergent functions	Supportive intervention	Consultations
State Disaster Management Authority	Medium	Convergent functions	Supportive intervention	Consultations
Fisheries Department	Medium	Livelihood impacts on PAPs	Mitigate supports/suggestions	Consultations
Scheduled Caste & Scheduled tribe	Medium	Convergent functions	Supportive intervention	Consultations

Department				
Social Welfare Department	Medium	Convergent functions	Supportive intervention	Consultations
Tourism Department	Medium	Convergent functions	Supportive intervention	Consultations
Labour Welfare Department	Medium	Convergent functions	Supportive intervention	Consultations
Archaeology Department	Medium	Convergent functions	Supportive intervention	Consultations
State Agricultural products marketing board	Medium	Convergent functions	Supportive intervention	Consultations
State/District Pollution Control Boards	High	Primary supports	Project facilitation	Consultations
<b>Category 6- Civil society organisations, Academics and media</b>				
Non-Government Organisations (NGOs)	High	Project supports	Supportive interventions	Consultations
IITs/Universities	Medium	Project supports	Supportive interventions	Consultations
Media (Newspaper/ TV channels)	High	Media supports	IEC supports	Consultation /contract
<b>Category-7 –Customers &amp; Users</b>				
General Passengers Small Traders/ Business categories Tourists	High impact	Primary stakeholder	Beneficiaries of the project	Focus group discussions

## 6.2. Consultations with the Project Affected People

The Consultants visited all the Ghat areas and interacted with the PAPs in the surrounding area. Formal meetings were also organised, with the support of Divisional IWT officials in each area. The project details were explained to them and their feedback recorded in such consultations which gives several valuable suggestions for the project design. KII and Focus Group Discussions were organised in all the Ghat areas with different social groups including indigenous people, women, livelihood groups, elected representatives and officials in the villages, and ferry operators. Several valid suggestions obtained from these PAPs were incorporated in this framework. Observations from the KII, FGD and Consultation Meetings held during the SIA of three priority terminals are summarised in **Annexure 1 (a)**.

## 6.3. Public Consultations and Disclosure

The consultation process established for the project will employ a range of formal and informal consultative methods. Different techniques of consultation with stakeholders are proposed, such as in-depth interviews, public meetings, and group discussions. Such form of community participation shall be undertaken at the following stages of the project:

- *Prioritization Stage* - to sensitize the community about the project and their role;
- *Planning Stage* - for disseminating information pertaining to the project, work schedule and the procedures involved; finalisation of project components with identification of impacts, entitled persons, mitigation measures; and Grievance Redressal. In scheduled tribe (ST) areas or areas with considerable ST population, free, prior and informed consultation will be undertaken to fully identify the views of the indigenous community and ascertain their support for the project;
- *Implementation Stage* - for addressing temporary impacts during construction and monitoring for transparency in the project implementation.
- *The revised SMF, RPF, IPDF and other site-specific plans, i.e. SMP, RAP cum IPDP will be disclosed at a place accessible to displaced persons and other stakeholders in a form, manner, and language that are understandable to them.*

### 6.3.1. Prioritization Stage

Consultant carried out initial site-visits at representative locations on 19<sup>th</sup> and 20<sup>th</sup> June 2018 for preliminary screening of the proposed project sites and to interact with various stakeholders associated with the project. On 4<sup>th</sup> July 2018 and 6<sup>th</sup> and 7<sup>th</sup> July 2018 a second visit and interactions were undertaken based on which a screening and scoping report was prepared. On 8<sup>th</sup> October 2018, a stakeholder consultation was organised in Guwahati to discuss the findings of the screening and scoping exercise. Observations from the stakeholder consultation are summarised in **Annexure-1 (b)**.

### 6.3.2. Planning Stage:

On completion of the SIA studies (Frameworks, SIA and SMP/RAP/IPDP), public consultations will be organised at the state and divisional levels to discuss the draft reports, before finalisation and submission for Bank's clearance. It will be ensured that all such consultations are recorded and details indicate: consultation method used to seek the views of affected stakeholders; the date and location of each consultation event; a list of the attendees and their affiliation(s) and contact information; a summary of the information provided and discussed; a summary of feedback provided by participants, and AIWTDS response to the feedback indicating how it will be taken into account. Each draft study will be finalized after incorporating all comments and observations from the consultations.

On 7<sup>th</sup> February 2019 a public consultation was organised to discuss the draft SMF/RPF/IPDF at Majuli (Jorhat division) with the affected community and stakeholders. A similar consultation was organised in Guwahati (Guwahati division) on 4<sup>th</sup> February 2019. The observations from the consultations are summarised in **Annexure-1 (c)**. Similar consultations will be organised to discuss the draft RAP-cum-IPDP for the three priority terminals in Guwahati and Majuli.

### 6.3.3. Implementation Stage:

At the implementation stage, communities will be encouraged to actively participate in the project monitoring which in turn will help sustain the quality of the project through transparent interventions. The themes of engagement have been listed below:

Stakeholder type		Timelines	Methods and themes of engagement			
Project	Affected	During R&R Disbursement	Empanelled	NGOs	will	conduct

Families Women, vulnerable groups and affected families losing land and any source of livelihood	FGDs for livelihood counselling (once every month)	<p>monthly counselling sessions with sets of affected persons, identifying their skill needs and advising them on the alternate livelihood options.</p> <p>Information about livelihood schemes, including Jibondhinga scheme will be provided during these group discussions.</p>
Users/Passengers of the ferry services	Assessment of impacts during operation stage (6 monthly) (3 <sup>rd</sup> & 4 <sup>th</sup> year)	<p>The Safeguard Monitoring Consultant (Third Party Monitoring) to conduct satisfaction survey to assess the beneficiaries' satisfaction and perception on the GRM functionality, and service delivery. The satisfaction survey will cover different group of people, such as users, affected people, private ferry service providers, community councils (male &amp; female), indigenes people, etc. The survey will cover all sites to be supported under AIWT project.</p> <p>The survey questions shall touch upon issues of quality of services, public safety and security of women, reliability, and frequency of services, responsiveness and transparency in service provision.</p> <p>The satisfaction survey shall be carried out offline as well as online. Provisions shall be created in the web portal to facilitate capturing of responses from the users on the satisfaction survey questions. Mobile survey designs shall also be developed to run on smart phones.</p>
Fishermen communities/ small scale traders/ farmers around project sites	Assessment of impacts during operation stage (6 monthly)	FGDs will be conducted to understand and assess if any impact on livelihood activities, including fish catch and discuss possible mitigation strategies.
Ferry Operators/ Vessel Owners / Dredgers	Every 6 months	Consultations and workshops will be conducted with ferry operators, vessel owners and dredgers for planning strategies of increased market response and familiarity to the project, safeguard provisions, understanding their constraints in operation and assessing institutional capacity in addressing those constraints.
NGOs, SHGs and empanelled NGOs	Every 6 months	Consultations with the prominent NGOs in linking affected families to

with NACO		various government schemes. Enhancing opportunities of health and sanitation in the affected area and spreading HIV awareness sessions through empanelled NGOs. Dissemination of strategies for prevention of harassment of women using the ferry services. NGOs empanelled with NACO shall be invited to organise awareness camps at the construction sites.
Indigenous Peoples'/Scheduled Tribe communities around the planned facilities	Every 6 months	A process of free, prior, and informed consultation with the affected IPs' communities at each stage of the project, and particularly during project preparation, to fully identify their views and ascertain their broad community support for the project.

### 6.3.4 Public Disclosure:

Instrument	Disclosure Requirement			Updating of Final Report	Re-disclosure
	Translation	Disclosure	Public Consultation		
Consolidated SMF/RPF/IP DF	Executive Summary & entitlement matrix translated in Assamese.	To be disclosed at Panchayat, municipality or municipal corporation at the village level.	2 ads issued in Assamese and English on <b>January 31<sup>st</sup></b>  Held on <b>February 7<sup>th</sup></b> at Majuli.  Consultation in Guwahati held on 4 <sup>th</sup> February	Submitted the revised document on 7 <sup>th</sup> March 2019	SMF to be disclosed on AIWTDS website and World Bank's external website.
SIA including RAPs for priority terminals with no land acquisition.	Translate the report in Assamese.	To be disclosed at Panchayat, municipality or municipal corporation at the village level.	Prior notice (2 weeks min.) through advertisement in two regional newspapers.	Submit the revised report.	SIA including RAPs to be disclosed on AIWTDS website and World Bank's external website.
SIA including SIMP by (Revenue Deptt.) for land acquisition.	<b>SIA notification</b> in Assamese as per Sec. RFCTLAR	Notification to be disclosed at Panchayat, municipality or municipal corporation at the village	-	-	-



	R Act 2013 and Rule 5 (1) Assam Rule 2015	level.			
	<b>SIA Report and SIMP</b> in Assamese as per Sec. <i>RFCTLAR R 2013 and Rule 5 (6) Assam Rule 2015.</i>	Report and Plan distributed to affected GaonPanchayat and municipal offices and in office of DC, Sub-divisional officer and Circle officer. <i>Rule 5(6) Assam Rule 2015</i>	Prior notice (3 weeks min.) through public notification, advertisement in local newspapers, direct communication with GaonPanchayat/Municipal Ward & uploading information on the website of the concerned district. <i>Rule 10 (3) Assam Rule 2015</i>	Updating and translation of the report and SIMP as per Rule 11. Appraisal of the SIA report by an expert group.	Recommendations of expert group to be given to affected GaonPanchayat and municipal offices and in office of DC, Sub-divisional officer and Circle officer & uploaded on the website of the state govt. and district concerned. <i>Rule 12 (2) Assam Rule 2015</i>  SIA Report and SIMP to be disclosed on AIWTDS website and World Bank's external website

**CE indicators** – The specific CE indicators to be included in the result framework for monitoring are:

- Beneficiaries (sex disaggregated, differently abled, and senior citizens) satisfied with [specified dimensions e.g. access, quality of services, responsiveness to needs, quality of facilities] (%)
- Percentage of grievances satisfactorily resolved within stipulated timeframe: 80%
- Public information posters on GRM and Project activities published in the project area: all sites.

The AIWTDS-society will engage an experienced consulting firm (safeguard monitoring consultant- third party monitoring) to conduct satisfaction survey to assess the beneficiaries' satisfaction and perception on the GRM functionality, and service delivery. The satisfaction survey will cover different group of people, such as users, affected people, private ferry service providers, community councils (male & female), Indigenous people, etc. The survey will cover all sites to be supported under AIWT project. The survey will be carried out in the 3rd & 4th year of the project implementation.

#### 6.4. Community Monitoring of Incentivisation Scheme for Improvement of Country Boat Services (Jibondinga Scheme)

As per the proposed scheme, a vigilance body comprising of AIWT staff (*Jalsarathis*) or volunteers from local communities in the villages at each Jetty/Ghat will monitor the implementation of the Jibondinga scheme. The vigilance body will also monitor compliance to



Standard Operating Procedures (SOPs) for ferry terminals to ensure convenience, safety and security of passengers. They will report any incident or non-compliance of Scheme/SOP related to safety of passengers or use of any boat not compliant to safety standards as specified by nodal agency at respective jetty/ghat.

The members from local communities may also be trained and deployed to act as search & rescue team personnel, if required. As per the scheme, number of members to be deployed in the vigilance body will be determined based on daily commuters in each ghat/jetty. DIWT will clearly establish the procedure for community monitoring, to meet the objectives of social development principles of inclusion, participation, transparency and accountability.

### **6.5. Citizen's charter**

The 'Citizens Charter' published at the website of AIWTD will be appropriately revised to ensure that the charter reflects the organisation's commitment towards its citizen with regard to the standard of service, participation, inclusion, grievance redressal, transparency and accountability in the AIWT sector. The charter will stipulate the mandate of AIWTD, how one can get in touch with its officials, what to expect by way of services and how to seek remedy if something goes wrong. The Citizen's Charter does not by itself create new legal rights but will assist in enforcing existing rights. Based on the guidelines provided by the Department of Administrative Reforms and Public Grievances (see- <https://goicharters.nic.in/welcome.html>), AIWTD shall constitute a task force to amend the "citizen's charter".

### **6.6. Grievance Redress Mechanism (GRM)**

#### **6.6.1. Existing Web-enabled GRM system and Hotline**

AIWTD has adopted a Centralized Public Grievance Redress and Monitoring System (CPGRAMS) which is an online web-enabled system developed by NIC, in association with the Directorate of Public Grievances (DPG) and Department of Administrative Reforms and Public Grievances (DARPG). CPGRAMS is the platform based on web technology which primarily aims to enable submission of grievances by the aggrieved citizens from anywhere and at anytime (24x7) to the concerned Ministries/Departments/Organisations who scrutinize and take action to redress these grievances. Grievances can be tracked through the system generated unique registration number.

In addition, AIWTD has a department website wherein complaints can be lodged at the following email id-[diwtassam@gmail.com](mailto:diwtassam@gmail.com). A dedicated helpline no. for grievance redressal has been setup at the PMU, AIWTD office, Guwahati (0361-2469885) where project related complaints can be registered at any time.

#### **6.6.2. Review of the Existing GRM Systems**

At present, the web-enabled CPGRAMS and the helpline no. does not have dedicated staff at AIWTD to operate the two systems. The helpline no. and email are being internally monitored by the Deputy Director, however there are no systematic procedures to track and assess progress in resolving the grievances reported through it. CPGRAMS, on the other hand generates a unique registration no. which facilitates the process of tracking.

The CPGRAMS has a process of acknowledgement and follow-up integrated into the system, which lacks in the dedicated helpline no. and email. Both, CPGRAMS and the helpline no./email id have not been adequately advertised or communicated to the public.

The existing GRM systems although seems responsive to the needs of the project, requires major overhauling to address the aforementioned gaps. The dedicated helpline no. must be *toll-free* to ensure accessibility to all. AIWTDS has designated the Advisor (Administration) in PMU as the Officer in charge of GRM who will be assisted by HR & Admin Manager and 2 Office Management Executives (OMEs) for addressing complaints through multiple grievance uptake channels (telephone, online, SMS, suggestion box, etc.). Additionally, a standard operating procedure/handbook for addressing grievances should be developed and it must include the following elements:

- *Purpose for the Helpline:* Complainants that the helpline is intended to serve and what are their needs.
- *Scope of services:* Type of service the helpline will offer (e.g. information, referral, support, redressal, etc), nature of grievances (public safety, harassment, quality & efficiency of services, disaster management, R&R, Environment Health & Safety, construction-induced impact, etc.) and languages spoken by the helpline staff; Generating of unique registration no./token id for monitoring of grievances; and an SMS system for acknowledgement and follow-up.
- *Operation of the helpline, including human and financial resources required:* Operational procedure for responding, staff and budget/logistics needed to support its operation.
- It is crucial to provide *training and supervision of helpline staff*, both to ensure they have relevant information to provide, necessary skills and related competencies for each mode of delivery: telephone, online or SMS.

There should be public awareness program conducted among the affected communities and other stakeholders about grievance process. The purpose would be to inform local communities, and other stakeholder about grievance service. It is also important to highlight that complaint can be registered through multiple grievance uptake channels, such as helpline, email, by letter to the GRCs (a divisional level or upper level GRC) or walk-ins and registering a complaint on grievance logbook to be provided at each project site/Ghat or suggestion box.

There should be specific procedures for Gender Based Violence (GBV) including confidential reporting with safe and ethical documenting of GBV cases. AIWTDS should have an MoU with specialised cells/organisations or state-run women helpline for referring victims of harassment to these organisations.

### **6.6.3. Grievance Redress Committee (GRC) at the PIU**

A divisional level Grievance Redressal Committee (GRC) will be formed by the Project Authority (vide issuance of Govt. Order) at the time of preparation of the RAP cum IPDP. The GRC will comprise Divisional Executive Engineer; Additional Deputy Commissioner of concerned district; Social Specialist- PIU, representatives of the concerned Village Panchayat/Council President or his/her authorised representative and supporting NGOs for implementing the RAP.

Grievances of PAPs in writing will either be brought to GRC for redressal by the supporting NGO or received through any other channel. The NGO will provide all necessary help to PAPs in presenting his/her case before the GRC. The GRC will respond to the grievance within 7 days. Grievances brought to the GRC shall be redressed within a period of one month (30 days) from the date of receipt of grievance. The decision of the GRC will not be binding to PAPs i.e., decision of the GRC does not debar PAPs taking recourse to court of law. The GRC will meet once in 15 days but may meet more frequently, depending upon the

number of such cases. GRCs will continue to function during the life of the Project including the defects liability period. Broad functions of GRC are as under:

- Record the grievances of PAPs, categorize and prioritize them and provide solution to their grievances related to resettlement and rehabilitation assistance, land related disputed or construction induced impacts.
- The GRC may undertake site visit, ask for relevant information from other government and non-government agencies, etc in order to resolve the grievances of PAPs.
- Fix a time frame within the stipulated time period of 30 days for resolving the grievance.
- Inform PAPs through the supporting NGO about the status of their case and their decision to PAPs.

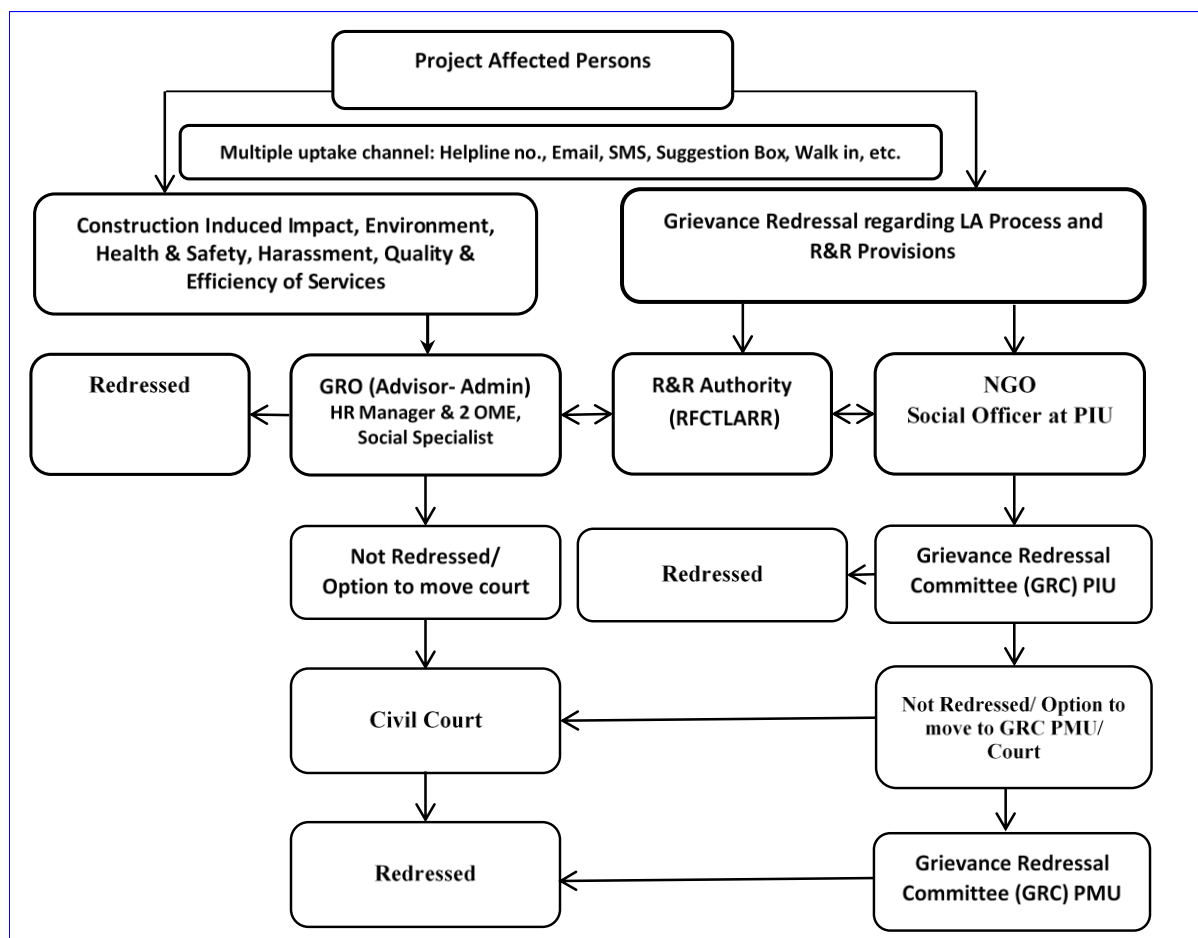
#### **6.6.4. GRC at the PMU**

Petitioners who wish to submit an appeal to the higher authorities can directly appeal to the GRC at the PMU, which will comprise of the Project Director, Advisor(Administration), Social Development Specialist, Environmental Specialist, representative from the Revenue Department and a recognised NGO. On receipt of a complaint at the PMU, an acknowledgement will be issued to the petitioner within 7 days. The case will be disposed by the PMU within 30 days of receiving the complaint. Details of the resolved cases will be documented and published on the website. Refer to **Fig. 6.1** for the process flow of GRM.

#### **6.6.5. R&R Authority under RFCTLARR Rules 2015**

In case of LA R&R issues, as per the provisions of the Assam Right to Fair Compensation and Transparency in Land Acquisition Resettlement and Rehabilitation Rules 2015 (Section 45) the state Government will designate a Rehabilitation & Resettlement Authority to handle the disputes related to the payment of compensation for L.A and R&R issues. As per this Section this R&R Authority will have the same powers as that of a civil court under Code of Civil Procedure in matters pertaining to land acquisition. The R&R authority is the designated authority to handle any disputes and grievances related to land acquisition and relocation.

Fig 6.1.GRM -Process flow diagram



## Chapter 7. Gender Development Strategy

A Gender Development Strategy for the project is needed to ensure social inclusion, by providing women with an enabling environment to exercise their rights and equal access to opportunities and resources within the project. The chapter discusses about the legal policy framework, gender profile of the state, consultations outcome and strategy for gender development.

### 7.1. Legal Policy Framework

Sl. No.	Name of the Act	Objective	Relevance to the project
1	Employees' State Insurance (Central) Amendment Rules, 2016	<ul style="list-style-type: none"> <li>To provide benefits to employees in the case of sickness, maternity and employment injury.</li> <li>Employees will receive medical relief, cash benefits, maternity benefits, pension to dependents of deceased workers and compensation for fatal and other injuries and diseases.</li> </ul>	<ul style="list-style-type: none"> <li>Applicable to female employees that are engaged on full time basis.</li> </ul>
2	SwasthyaBimaYojana	<ul style="list-style-type: none"> <li>Unorganized sector workers belonging to BPL category and their family members (a family unit of five) shall be the beneficiaries under the scheme.</li> <li>It will be the responsibility of the implementing agencies to verify the eligibility of the unorganized sector workers and the family members who are proposed to be benefited under the scheme.</li> </ul>	<ul style="list-style-type: none"> <li>Introduced for the health benefit of the unorganized sector labour working at the construction sites and as loaders in the ghats.</li> </ul>
3	The Immoral Traffic (Prevention) Act, 1956	<ul style="list-style-type: none"> <li>The Act leads to the codification of an Act that lays down rules and regulations regarding the sensitive issue of prostitution</li> <li>The Act intends to combat trafficking and sexual exploitation for commercial purposes.</li> </ul>	<ul style="list-style-type: none"> <li>Check exploitation of women in the unorganized sector.</li> </ul>
4	The Maternity Benefit (Amendment) Act, 2017	<ul style="list-style-type: none"> <li>The Act aims to regulate employment of women employees in certain establishments for certain periods before and after child birth and provides for maternity and certain other benefits.</li> <li>The State Government may extend the Act to any other establishment or class of establishments; industrial, commercial, agricultural or otherwise.</li> </ul>	<ul style="list-style-type: none"> <li>Applicable to the staff working at AIWTD and other institutions established under the project.</li> </ul>
5	Minimum Wages Act, 1948	<ul style="list-style-type: none"> <li>The Minimum Wages Act, 1948 safeguards the interests of workers by providing fixation of minimum wages mainly focusing on unorganized sector and in specified occupations (called scheduled employments)</li> </ul>	<ul style="list-style-type: none"> <li>The minimum wages established for construction work should be ensured by the employers/contractors.</li> </ul>

Sl. No.	Name of the Act	Objective	Relevance to the project
		<p>(Section 2 g)</p> <ul style="list-style-type: none"> <li>The act binds the employers to pay their workers the minimum wages fixed under the Act from time to time (Section 12).</li> <li>Owing to their jurisdiction, the Central and the State Governments fix, revise, review and enforce the payment of minimum wages without any discrimination of gender (Section 3).</li> </ul>	
6	Contract Labour (Regulation and Abolition) Act, 1970	<ul style="list-style-type: none"> <li>To regulate the employment of contract labourers in certain establishments and to provide for its abolition in certain circumstances and for matters connected therewith.</li> </ul>	<ul style="list-style-type: none"> <li>Applicable to the industrial and construction activities that engage contract labourers.</li> </ul>
7	Equal Remuneration Act, 1976	<ul style="list-style-type: none"> <li>To provide for the payment of equal remuneration to men and women workers and for the prevention of discrimination, on the ground of sex, against women in the matter of employment and for matters connected therewith or incidental thereto.</li> </ul>	<ul style="list-style-type: none"> <li>Women engaged in activities supported by the project should be paid at par with their male counterparts.</li> </ul>
8	The Child Labour (Prohibition And Regulation) Amendment Act, 2016	<ul style="list-style-type: none"> <li>Ban of employment of children below 14 years in specific occupation and processes.</li> <li>Lay down the procedure to decide modifications to the schedule of banned occupation and processes.</li> <li>Regulate the conditions of work of children in employments where they are not prohibited for working.</li> </ul>	<ul style="list-style-type: none"> <li>Applicable to all sectors of the project, especially, in the construction activities.</li> </ul>
9	Bonded Labour System(Abolition) Act, 1976	<ul style="list-style-type: none"> <li>To abolish all debt agreements and obligations arising out of India's longstanding bonded labour system.</li> <li>It frees all bonded labourers, cancels any outstanding debts against them, prohibits the creation of new bondage agreements, and orders the economic rehabilitation of freed bonded labourers by the state. It also criminalizes all post-act attempts to compel a person to engage in bonded labour, with maximum penalties of three years in prison and a 2,000 rupee fine.</li> </ul>	<ul style="list-style-type: none"> <li>Applicable to all sectors of the project.</li> </ul>
10	Sexual Harassment at the Workplace (Prevention, Prohibition and Redressal) Act. 2013	<ul style="list-style-type: none"> <li>This Act defines sexual harassment in the workplace, provides for an enquiry procedure in case of complaints and mandates the setting up of an Internal Complaints Committee or a Local Complaints Committee</li> </ul>	<ul style="list-style-type: none"> <li>Applicable to the staff working at AIWTD and other institutions established under the project.</li> </ul>



## 7.2. World Bank Gender Strategy

The World Bank's understanding of gender equality is framed across three interconnected pillars of human endowments, economic opportunities and voice and agency available to women. These 3 pillars serve as the framework for, the World Bank's Gender Strategy 2015. The four objectives of which are:

- i. Improving human endowments – health, education and social protection;
- ii. Removing constraints for more and better jobs;
- ii. Removing barriers to women's ownership and control of assets;
- iii. Enhancing women's voice and agency and engaging men and boys.

The World Bank is committed to the 2030 Agenda of leaving no one behind, and of strengthening a country-driven approach in all of their interventions. The Bank's responsible transport strategy understands inland waterways commercial potential and interests of the various communities that depend on them for their livelihood and their access to health, education, and social services.

The World Bank's responsible transport strategy identifies meeting the transport needs of women as an important dimension of a more inclusive transport development strategy. Inclusive and effective transport development can only be achieved if these gender differences in demand and impact are properly identified and addressed.

## 7.3. Gender Profile of Assam

### 7.3.1. Low Education status

The total literacy level in Assam is 73.18 %, of which male literacy is 78.81 % and female literacy is only 67.27 %. Female enrolment is seemingly higher in primary and elementary level, but as the level of education increases, enrolment rates decrease. Higher levels of education are not as easily assessable to girls; while they remain literate, employment or gainful economic engagement are not always achievable aims (MHRD Report 2013- 14).

### 7.3.2. Low Workforce Participation Rate

In Assam, workforce participation of males is 71.35 % while the workforce participation among females is abysmally low (28.64 %). Of the total female workers, only 48 % were main workers while 52 % were marginal workers (Economic Survey, 2016-17). Majority of women were engaged in agriculture, only 7 % were engaged in professional, technical or managerial work (NFHS-III).

### 7.3.3. Women's Access to Credit System

Only 11.7 % women have access to credit system or saving account in the state. This is less than the national average of 16.2 % (Economic Survey of Assam, 2016-17). This is again indicative of limited economic and financial independence of women in the state.

### 7.3.4. Health Status of Women

As per NFHS 4, the Infant Mortality Rate is 48 to 1000 live births, while the national figure is 37 (NFHS 4, Sample Registration System). Assam has the highest rate of maternal mortality (300), followed by Uttar Pradesh. Kamrup (metro) district reportedly has the second highest MMR (April 2016-Mar 2017) in the state. Home births are still prevalent in the state,



which prevents access to comprehensive healthcare for both, the mother and the child. Only 22.4 % births were recorded as institutional delivery, whereas 77.5 percent were recorded as home births in 2005-06 (India Human Development Report, 2011). Despite various preventive, protective and promotive measures taken after the recommendation of the Bhore Committee in 1942-43 on Public Health System and subsequent launching of various schemes, Infant Mortality Rate, Maternal Mortality Rate, Birth and Death Rate in the state still remains significantly high.

### **7.3.5. Women's Involvement in the Political Field**

Only 0.8% women were represented in Legislative Assembly of Assam in 1978, this has increased to 10.31 % in 2011. This figure has further reduced to 6.34 % in 2016 state assembly elections (Election commission of India).

### **7.3.6. Human Development Index (HDI)/Gender Development Index(GDI) /Gender inequality Index(GII) –Assam**

The HDR (2011) places Assam in the 16<sup>th</sup> position, out of the 23 states considered; and 26<sup>th</sup> among the 35 states compared for GDI. For GII, Assam falls in 28<sup>th</sup> position out of 35 states – much lower than its neighbouring states of Manipur, Meghalaya, Mizoram and Nagaland.

These rankings are indicative of the active interventions required to empower women and improve gender inclusion in all spheres of life in Assam. Thus, gender equality interventions need to go beyond the 'formal' mould that limits itself to creating a level playing field without paying attention to the differences between women and men and the 'protective' approaches that exclude women from opportunities. The interventions need to adopt a more sensitive 'corrective' approach keeping in mind the historic and structural factors that discriminate against women.

### **7.4. Gender Based Violence (GBV)**

There are increasing instances of domestic violence, sexual assault/ harassment and even robbery in the state. As per NCRB 2016, Assam has reported the highest crime rate under Section 498A 'Cruelty by Husband or His Relatives' (58.7%). Women also report feeling unsafe in public spaces, further reducing their mobility. As per the study conducted by the Centre for Urban Equity, women in Guwahati listed general harassment by co-passengers, driver or conductor (47 %), eve-teasing (10 %), and stalking (7 %), as major constraints to use of public transportation.

Assam is also a major source and transit point for human trafficking in India. As per the NCRB report of 2015, Assam (1,494 cases) accounted for 21.7 per cent of all cases relating to human trafficking recorded across the country. Of the 3,087 cases under procurement of minor girls (Sec. 366A IPC), Assam accounted for 1,303 cases, with highest crime rate (11.0) in the country (*increased by 52.8% as compared to the previous year*).

The SIA of Lachit Ghat (Guwahati Division) and a World Bank study on gender-inclusive Assam IWT, revealed that women particularly students (school/college) were susceptible to experiencing sexual harassment on board the vessel. The studies further revealed that most IWT terminals and vessels had limited seating; while waiting areas were mostly overcrowded.

Few, if any had clean toilets or drinking water facility. Based on the findings, the study provided the following recommendations:

- Potential for sexual harassment of women and girls on IWT can be addressed by limiting overcrowding, providing sufficient seats and well-lit spaces. All terminals should have toilet facilities that are safely accessible to all individuals including the differently-abled. Designated space for nursing mothers to breastfeed and to look after infants at the terminal, should be considered as well.
- The dedicated hotline for public grievances should include specific procedures for GBV including confidential reporting with safe and ethical documenting of GBV cases. AIWTDS should have aMoU with specialised cells/organisations or state-run women helpline for referring victims of harassment to these organisations.
- Display of women helpline nos., dedicated hotline for the project at prominent location of the terminals and ferries including deployment of security personnel at every terminal is needed.
- Initiatives to encourage greater bystander vigilance and sensitivity will also contribute to a safer travel environment. User satisfaction survey will include evaluating how women and girls experience IWT travel in terms of their safety, security and convenience.

#### **7.4.1. Risk Assessment**

Risk assessment indicators for the project were measured on country & state context, legal context, GBV context and project specific context (limited to Jorhat&Kamrup district). The project obtained an overall risk rating of 10 as indicated in the risk assessment matrix (**Annexure 2.**).

#### **7.4.2.Setting up of Internal Complaints Committee for addressing Sexual Harassment at the Workplace**

Internal Complaints Committees will be established, capacity building and awareness will be generated at the PMUs and PIUs including project contractors as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, which aims at prevention of sexual harassment at various work places. Such a committee will have the following functions as specified by the law. In general, responsibility of the Employer will include:

1. Creation and communication of a detailed policy and code of conduct against GBV and work place harassment;
2. Take measures to spread awareness and orientation on sexual harassment;
3. Constitute Complaints Committee/s in every workplace and district so that every woman is provided with a mechanism for redress of her complaint(s);
4. Ensure Complaints Committees are trained in both skill and capacity;
5. Prepare an annual report and report to the respective authorities;
6. District Officer will also appoint a nodal officer to receive complaints at the local level.

Internal Complaints Committee will deal with work place sexual harassment charges and will be chaired by senior women employee and two other women members committed to cause of women or with legal, social knowledge of women related issues, from the work place and collaborate with an NGO active in addressing sexual harassment charges to deal with recorded cases.

A Code of Conduct/SHW Policy will be established for every employee against workplace harassment, sexual harassment and GBV violation of which, if proven, will be handled with legal consequences. Refer to **Annexure 3** for a template of the Code of Conduct.

### **7.5. Women as producers and traders – gendered value chains**

In Assam, even though the ownership of land and other productive resources is limited, women are still the chief producers of food for their families. Additionally, they are also engaged in activities like weaving, rearing of livestock like cows, goats, pigs, chickens and ducks, fish processing, the manufacture of bamboo products, tailoring and in some locations in the brewing of traditional homemade wine.

The absence of safe and efficient IWT facilities not only limits women's mobility but has an impact on their participation in economic activities including access to and control of key productive assets. Studies have found that IWT timings are extremely erratic and unreliable. The unregulated schedules of IWT limits Mishing women's (*tribal community in Majuli*) ability to reach distant markets, and so they depend on selling to middlemen in a buyers' market and as a result forego the potential value of their products. Furthermore, transporting raw materials to and from ferries is hazardous due to lack of proper approach roads or other support facilities to aid women traders and entrepreneurs. To encourage women traders to use IWT, certain measures such as proper approach road to the terminals, restroom facilities, convenient boat operating schedules, pricing regulations and storage facilities to store their trade items, among others can be incorporated in the project design. Such measures can ensure gender inclusiveness of IWT and encourage women participation in trade.

#### **7.5.1. Challenges faced by women in using IWT are summarised below:**

1. The access roads and paths leading to Ghats were not well maintained, and women carrying loads, older people and differently abled found it difficult to reach the boats and ferries.
2. The IWT terminals had little or no facilities. Most of the terminals had very limited seating and overcrowded waiting areas. Mostly none had access to clean toilets or drinking water. Loading and unloading goods was also a challenge, since it was an unregulated service.
3. Vessels deployed are either government owned or belong to private operators. Vessels owned and operated by the DIWT meet a majority of the provisions of the Inland Waterways Act, however are of limited number. More than 75% passenger services are provided by private operators who function on profit motives. Overcrowding, overloading, unregulated vessel design, lack of periodic monitoring etc make such private vessels inconvenient and unsafe for women.
4. IWT is costly compared to road transport, mainly because of the cost of loading and unloading goods, and the lack of last mile connectivity. This facility is also seen to be unavailable or irregular.

### **7.6. Gender Action Plan**

A Gender Action Plan has been prepared for implementation of this project. The plan seeks to address the various gender related issues including gender-based violence, through a set of activities, specifying the roles of different implementing agencies, including indicators to track progress towards reducing gender disparities in the project.

**Table 7.2-Gender Action Plan**

Stages of the Project	Activities	Indicators	Responsibility
Planning	<p>Gender inclusive IWT and Trade Facilitation Study carried out to provide recommendations that can be integrated into the project design.</p> <p>Modification of fleet and terminal design features to accommodate requirements of women, children, infirm and differently abled from the perspective of quality, reliability, safety and security such as:</p> <p>Provision of clean, gender segregated, well-lit wheelchair accessible toilets.</p> <p>Specific women rest room (Nursing rooms) to accommodate facilities for women to breast feed and to look after infants and small children at the terminals.</p> <p>Provision within the terminal and vessels of an adequately covered area and seating keeping in view the volumes of passengers, at peak hours, particularly for women, differently abled and elderly persons.</p> <p>Standard Ramp with protective hand rail for barrier free entry-design consideration (ramp configuration, width, slope and landings, handrail, surface and tactile markings) for access to wheelchair users and people with mobility problems</p> <p>Provision of signage of appropriate visibility and provision for audio</p>	<p>Equity of access to key services through IWT (including health, education and economic centres)</p> <p>Beneficiaries (sex disaggregated, senior citizens, differently abled) satisfied with [specified dimensions e.g. access, quality of services, responsiveness to needs, quality of facilities] (%)</p> <p>No. of vessels operating that have:</p> <ul style="list-style-type: none"> <li>•Seats for all passengers</li> <li>•Life Jackets for all passengers</li> <li>•Safety instructions,</li> <li>•Secure spaces for goods</li> </ul> <p>No. of vessels that have disability access</p> <p>No. of long distance vessels with toilet facilities with disability access</p>	ISDP Consultant; DPR Consultant

	<p>announcements</p> <p>Utilizing the existing Govt. fleet, which may no longer be suited for intensive passenger ferrying but could be usefully converted into mobile clinics, schools / library and for other such important services. These vessels will be suitably retrofitted and customised to their intended use.</p>		
Preparation	<p>Gather gender disaggregated data during the SIA and organise consultations with users to incorporate their suggestions while planning and designing the Ghats/vessels.</p> <p><b><u>LA and R&amp;R:</u></b></p> <p>Ensure payment of compensation on joint names;</p> <p>One-time assistance to women headed households;</p> <p>Ensure training for skill development to women (and other vulnerable groups) whose livelihood is affected, including cost of training and financial assistance for travel/conveyance and food</p>	<p>No. of payments disbursed on joint names.</p> <p>No. of women headed households who've received one-time payment assistance</p> <p>No. of women who've received training on skill development</p>	Revenue officers and AIWTDS
Construction	<p>Measures such as compliance with various labour welfare legislations which mandate the contractor to provide facilities, which would encourage more women to join the workforce, such as those pertaining to crèches, working conditions and remuneration.</p> <p>Trainings and awareness camps on prevention and protection against GBV and HIV/AIDS</p> <p>Developing a code of conduct/SHW policy and setting up of ICC as per the mandate of</p>	<p>No. of skilled/unskilled/professional women employed in the project construction works.</p> <p>No. of female employees who have accessed employee welfare schemes and benefits under labour laws.</p> <p>No. of trainings and awareness camps on GBV and HIV/AIDS organised at the construction sites.</p>	Construction contractors General Consultant TSSC AIWTDS

	SHW Act, 2013.	ICC constituted at all establishments related to the project.	
Operation	<p>Strict and regulated scheduling (timing and price) of IWT services.</p> <p>Security personnel deployed at the terminals for safety and security of passengers, particularly women.</p> <p>Training of vessel crew and IWT staff on GRM including RTI, labour standard compliance including HR policies, safety and security of women users (including gender sensitization), and passenger services for differently abled, senior citizens, women and children.</p> <p>Under the Jibondinga scheme, registered women self-help groups shall be provided an additional 10% or equivalent in absolute terms, of the benefit amount for encouraging them to expand their target market</p> <p>Under the Jibondinga scheme, individual women entrepreneurs shall be eligible for an additional 5% or equivalent in absolute terms, of the benefit amount for encouraging them to expand their business</p>	<p>Display boards about boat schedules and strict adherence to the same.</p> <p>No. of trainings for vessel crews and IWT staff on GRM including RTI, labour standard compliance including HR policies, safety and security of women users (including gender sensitization), and passenger services for differently abled, senior citizens, women and children.</p> <p>No. of SHG applicants availing the Jibondinga Scheme</p> <p>No. of women entrepreneur applicants availing the Jibondinga Scheme</p>	<p>E&amp;S cell</p> <p>AIWT Regulatory Authority</p> <p>Crew Training Centre</p>
GRM	<p>Display the penal consequences of sexual harassment at a conspicuous place in the workplace.</p> <p>Display of the "citizen charter" at the terminals.</p> <p>Project helpline no. along with existing hotlines for women's</p>	<p>No. of SHW cases adjudicated by ICC and resolved.</p> <p>Dedicated helpline for the project established and working.</p> <p>No. and nature of complaints received from women.</p>	AIWTD/GRM system

	safety to be advertised on board the vessels and the terminals.	MoU with exiting women helpline nos. and/or prominent NGOs to report complaints of harassment.	
M&E	<p>Satisfaction survey shall be carried out to assess the feedback of beneficiaries and other citizens (50% women respondents) on the implementation of the project activities.</p> <p>Monitoring of safety and security of vessel as per the SOP by the vigilance team.</p> <p>Regular reporting on all social safeguard activities including training and capacity building, GRM, Labour Compliance, R&amp;R, citizen engagement and other project activities related to gender mainstreaming and prevention of GBV.</p>	<p>% of women respondents interviewed for the satisfaction survey.</p> <p>No of operators refused licences to operate because of non-compliance of safety provisions (percentage of total applicants) under the SOP.</p>	AIWTD AIWT Regulatory Authority



## Chapter 8. Indigenous Peoples Development Framework

### 8.1. Introduction

Assam has a considerable degree of ST population. Under Article 366 of the Constitution, following characteristics are used to define indigenous peoples [Scheduled Tribes (ST)], (i) tribes' primitive traits; (ii) distinctive culture; (iii) shyness with the public at large; (iv) geographical isolation; and (v) social and economic backwardness before notifying them as a Scheduled Tribe.

Essentially, indigenous people have a social and cultural identity distinct from the 'mainstream' society that makes them vulnerable to being overlooked or marginalized in the development processes. In the context of the project areas, STs who have no modern means of subsistence, with distinctive culture and are characterized by socio-economic backwardness could be identified as Indigenous Peoples.

According to the Census of India 2011, 8.61 percent of the Indian population is classified as ST. In comparison to the national figure, Assam has 12.45 percent of its populations classified as ST. According to census survey of India, 2011, The STs in Assam comprised 3.88 million of the total State population of 31.21 million. The major tribes of Assam are (i) The BodoKachari Tribes, (ii) The Mishing Tribe, (iii) The Deori Tribes, (iv) The Rabha Tribes, (v) The Tiwa or Lalung Tribes, (vi) The khamti Tribe, (vii) The Sonowalkachari Tribes, (viii) The Tai\_Phake or Phakial Tribes, (ix) The DimasaKachari Tribes, (x) The Karbi Tribes, (xi) The Barmans of Cachar, (xii) The Hmar Tribe, (xiii) The Kuki Tribe, (xiv) The Rengma Naga Tribes, (xv) ZemeNagas, (xvi) The Hajong Tribe, (xvii) The Garo Tribe, (xviii) The Khasi Tribe, (xix) The Jaintia Tribe and (xv) The Mech Tribe.

### 8.2. Rationale & Objective of IPPF

The project works might cause different impacts on ST families living within the project area. The SIA of the pre-identified Ghats revealed that there will not be direct impact on ST families (but some indirect impact may be there on the MishingTribe communities in the PIA who rely on the Ghat/ferry services for daily commute for pursuing socio-economic activities). The IPDF is intended to guide selection and preparation of subprojects under this project where impacts on ST are identified. The framework is prepared in accordance with the WB's OP/BP 4.10 on IP. The main objective of IPDF will be to ensure that the project activities do not adversely affect ST, and that they receive culturally compatible social and economic benefits. The focus will be to carefully select and screen all subprojects and their locations and sites, to determine whether ST are present in the sub-project area, and also to ensure their participation in the civil works selection and implementation processes. The screening of the ST will be undertaken with the help of the community leaders and local authorities. If the results of the screening indicate the presence of ST households in the zone of influence of the proposed sub-project, a social impact assessment and IPDP will be undertaken for those areas.

### 8.3. Social Profile

Tribal population have their own indigenous set of customs, practices, culture and dialect. Almost 94 % of the tribal population are concentrated in rural areas while urban areas have only 5 % of the tribal population. The overall sex ratio of ST population is 972, which is below the national average for STs (978) this is indicative of the gender gap in ST population. Literacy rate is also very low with under 3 % graduate level education. Work participation is high in the ST population areas with over 44 % registered workers. Out of this, majority are main workers (65.5%) and 35 % marginal workers. Inter tribe difference exists in the work participation rate and gender gap is also reported. ST population are mainly cultivators and farming is their predominate source of income.

**Table No 8.1 -Demographic profile of the ST families in 5 Project Impact districts**

Demographic details of ST	Goalpara	Jorhat	Kamrup	Cachar	Dhubri
Total population of the District	10,08,183	10,92,256	15,17,542	17,36,617	19,49,258
Percentage of ST population	22.97%	12.81%	12%	1.01%	0.32%
Total No of Households in the dist	1,98,080	235011	310078	379143	414055
Total No of ST households	45693	23358	38250	3685	1521
Households in the Rural area	43285	23982	307801	3482	1335
Households in urban area	2408	1376	449	203	186
Total ST population-persons	231570	139971	182038	17569	1521
ST –male population	116013	70795	92094	8736	6332
St- female population	115557	69176	89944	8833	3198
population in the age group 0 to 6	31718	19648	22593	2276	3198
ST-boys population	16243	10172	11623	1181	3134
ST-girls population	15475	9476	10970	1095	764
Literates-persons	160808	90709	120040	12948	379
Male Literates	84896	50145	65545	6654	385
Female Literates	75912	40564	54495	6294	3782
illiterates-persons	70762	49262	61998	4621	2101
Male-illiterates	31117	20650	26549	2082	1681
Female-illiterates	39645	28612	35449	2539	2550
Total workers-persons	104452	71990	85437	7295	1097
Male workers	63132	40387	52551	4857	1453
Female workers	41320	31603	32886	2438	3096
Total Main workers	71170	47261	52029	4868	1833
Main workers-male	50740	30995	40817	3901	1263
Main workers-female	20430	16266	11212	967	2137
Cultivators-main	38882	35092	28689	2506	1520
Cultivators-main -male	28538	22938	24535	2182	617
Cultivators-main -female	10344	12154	4154	324	588
Agricultural labourers-Main	11455	1766	5865	700	449
Agricultural labourers-Main -male	6794	990	3983	513	139
Agri labourers-Main -female	4661	776	1882	187	250
Household Industry workers-Main	1917	1875	2336	132	154
H.H I workers-Male	868	735	789	70	96

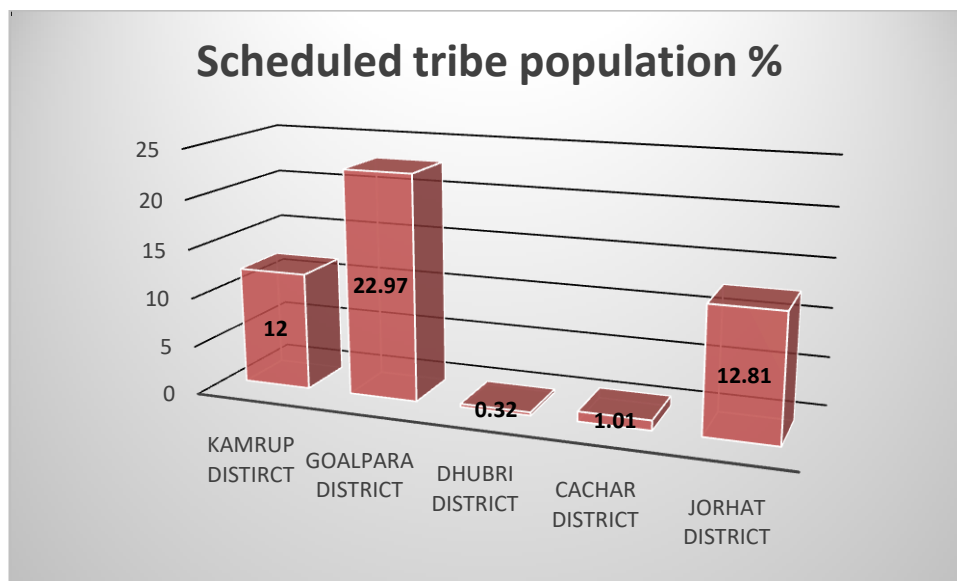
H.H I workers -female	1049	1140	1547	62	136
Other workers-Main	18916	8528	15139	1530	34
Other workers-Main -male	14540	6332	11510	1136	102
Other workers-Main -female	4376	2196	3629	394	1163
Marginal workers	33282	24729	33408	2427	883
Marginal workers -male	12392	9392	11734	956	280
Marginal workers -female	20890	15337	21674	1471	959
Cultivators-Marginal workers	7953	13269	8084	433	78
Cultivators-Marginal works -male	3173	5481	3424	218	37
Cultivators-Marginal works female	4780	7788	4660	215	41
Agri labourers-Marginal	15443	4535	11731	992	442
Agrilabourers marginal-male	4934	1413	4195	346	116
Agrilabourers marginal-female	10509	3122	7536	646	326
House hold industry-marginal	2228	2473	4954	203	99
H.H-I-marginal-male	454	509	635	28	5
H.H-I-marginal female	1774	1964	4319	175	94
other workers-marginal	7658	4452	8639	799	340
Other work-marginal-male.	3831	1989	3480	364	155
Other work-marginal -female	3827	2463	5159	435	185
Non workers/unemployed	127118	67981	96610	10274	3236
Male unemployed	52881	30408	39543	3879	1365
Female unemployed	74237	35573	57058	6395	1871

(Source- District Census 2011)

#### 8.4. Status of scheduled Tribes in the Project Districts

As per the Census data 2011 in the five project districts the percentage of Scheduled Tribe reported is maximum in Goalpara district (22.97%). Jorhat District has 12.81percent,while Kamrup district has 12 percent tribal population. In Dhubri, only 0.32 percent is reported while in Cachar district the presence of ST is only 1.01 percent of the total population, as detailed in **Fig8.1**.below.

**Fig No 8.1. Presence (%) of Scheduled tribes in Project impact Districts (census 2011 data)**



### 8.5. Indigenous Peoples Policy Objectives (IPPF)

A project proposed for World Bank financing that affects IPs requires: (a) screening to identify whether Indigenous Peoples are present in, or have collective attachment to, the project area; (b) a social assessment to establish baseline situation; (c) a process of free, prior, and informed consultation with the affected IPs' communities at each stage of the project, and particularly during project preparation, to fully identify their views and ascertain their broad community support for the project; (d) the preparation of an Indigenous Peoples Plan (IPP) or an Indigenous Peoples Planning Framework (IPPF); and (e) disclosure of the draft IPPF.

As AIWTP would be implemented across 5 project districts accounting for approx.30% of Assam's tribal population an IPF is required to be prepared and implemented. The IPF for the project has been prepared in line with the World Bank safeguard policies and its focus shall be to:

- Ensure that the project engages in free, prior and informed consultation with tribal people;
- Ensure that project benefits are accessible to the tribal community living in the project area;
- Avoid any kind of adverse impact on the tribal community to the extent possible and if unavoidable ensure that adverse impacts are minimized and mitigated;
- Ensure participation of tribal community in the entire process of preparation, implementation and monitoring of project; and
- Develop appropriate training / income generation activities in accordance to their own defined needs and priorities.

### 8.6. Applicable Legal and Policy Framework

The Indian Constitution has made certain special safeguards to protect the special needs of ST and protect them from all possible exploitation. Due to the considerable presence of ST population in project areas, World Bank OP 4.10 on indigenous people has been triggered.

In addition to World Bank policies, Central and State governments have also enacted laws to safeguard the interest of the tribal communities. These are summarised in the following Table no.8.2

**Table No- 8.2.Indigenous people –legal and policy framework**

Indian Constitution	Provisions
Article 14	equal rights and opportunities to all
Article 15	prohibits discrimination on ground of sex, religion, race, caste etc.
Article 15 (4)	confers with the State the right to make special provisions for advancement of any socially and educationally backward classes
Article 16 (4)	Empowers the State to make provision for reservation in appointments or posts in favour of any backward class of citizens, which in State's opinion is not adequately represented in the State services.
Article 46	Suggests for promotion with special care the educational and economic interests of the weaker sections of the people, in particular, the STs and promises to protect them from social injustice and all forms of exploitation.
Article 275(1)	Promises grant-in-aid for promoting the welfare of STs and for raising the level of administration of the Scheduled Areas.
Articles 330, 332 and 335	Stipulate reservation of seats for STs in the <i>Lok Sabha</i> and in the State Legislative Assemblies and in services.
, Article 340 and 342	Empowers the State to appoint a Commission to investigate the conditions of the socially and educationally backward classes and to specify those Tribes or Tribal Communities deemed to be as STs. High priority is accorded for the welfare and development of STs from the beginning of country's developmental planning by such constitutional provisions.
Fifth Schedule	The Fifth Schedule is incorporated in the Constitution of India to allow the character and life of tribal peoples to exist side by side with the general population. Article 244(1) of the Constitution mentions that the distinct identity and rights of the tribal people of the Scheduled Areas need to be protected. This Schedule protects the rights of the <i>Adivasis</i> on their land, forest and water as their natural rights.
Sixth Schedule	a self-contained Code for the governance of the tribal areas. Article 244 (2) of the Indian Constitution mentions that for "the administration of the tribal areas in the State of Assam" the provisions of the Sixth Schedule will apply
<b>National and State laws/policies</b>	
PESA Act 1996	Gives power to Gram Sabha to regulate the MFPs (Minor Forest Produce) in tribal areas and Scheduled Areas.
National Policy on Scheduled Tribes	The Ministry of Tribal Affairs, GoI drafted a National Policy on Scheduled Tribes to bring scheduled tribes into the mainstream society through a multi-pronged approach for their all-round development without disturbing their distinct culture.

The Scheduled tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006	Recognises and vests the forest rights and occupation in forest land to ST and other traditional forest dwellers residing in forests for generations.
The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989	The Act deals with atrocities against members of Scheduled Castes and Scheduled Tribes.
The Right to Fair Compensation and transparency in Land Acquisition, Resettlement and Rehabilitation Act 2013 of Govt of India and the Rules of LARR implemented in the state of Assam in 2015	Contains several special protection to SC/ST families affected due to land acquisition to ensure their safe resettlement and rehabilitation.
<b>State Rules</b>	
Chapter X of ALRR, 1886, protected belts & blocks)	State made provision for creation of Tribal Belts and Blocks, to protect the tribal population from immigrants and non-tribal population. This Line system' have been in place since 1920-21.
1945, Govt. resolution for protection of Tribal People	Guideline for protecting the interest of the Tribal and Other Backward Classes in villages with more than 50 % STs.
Re-categorisation of scheduled tribes (Hills) and scheduled tribes (Plains) as per constitutional amendment in 1976.	To give due recognition to their tribal status all over the State in a uniform way.( to get benefits etc)
<b>World Bank Policy</b>	
World Bank Policy OP 4.10	World Bank's safeguard Policy for Indigenous people

## 8.7. Indigenous People Development Framework

World Bank policy on Indigenous people development emphasizes the need for informed and participative decision making through free, prior, and informed consultation with the affected ST population. The FPIC has twin objectives of: (i) disseminating details about the proposed project, its adverse and favourable impact on the community; and (ii) integrating the indigenous households with suitable sub-project interventions. It is important to ensure that the tribal population receive adequate protection against project adverse impacts on their cultural identities. While conducting the SIA studies and preparing site-specific IPDPs for prioritised terminals (Phase- 1 and 2) under the project, following guiding principle will be strictly followed:

- As part of the social assessment and focus group discussions, free, prior and informed consultations with indigenous will be conducted.
- The project will, assure that the IPs do not suffer adverse effects during or after project implementation, as well as receive culturally compatible social and economic benefits.



- The development processes implemented by the project must foster full respect for the IPs' dignity, human rights and cultural uniqueness.
- Broad community support from all affected IPs will be determined in accordance with their respective laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the project activity, in a language and process understandable to the community.
- Field-based investigation and the process of Free and Prior Informed Consultations, will take into consideration the primary and customary practices of consensus-building
- The AIWT-society must ensure that none of the activities of the IWT will damage non-replicable cultural property. In cases where proposed terminals and access road will pass through sites considered as cultural properties of the IPs, the AIWT- society must exert its best effort to relocate or redesign the project, so these sites can be preserved and remain intact in situ.
- The IPs should be consulted to ensure that their rights will not be violated and that they are compensated for the use of any part of their domain, in a manner that is acceptable to them.
- Where IWT's operations pose potential adverse impacts on the environment and the socio-economic, cultural and political lives of these IP communities, IPs must be informed of such impacts and their rights to compensation.
- Should IPs grant their approval for IWT's operations with adverse impacts, the IWT license holder/applicant must ensure that affected IP communities are included in the development of action plans so they may meaningfully participate in the implementation, monitoring and evaluation of the mitigation measures agreed upon.
- Should potential effects be positive or beneficial to the IPs, specific plans shall be made so the benefits are culturally responsive.
- Project implementing agencies must adhere to the requirements for documentation of meetings conducted with IP communities, especially those related to the Free and Prior Informed Consultations leading to broad community support of IPs.
- IP dedicated meetings shall be conducted for purposes of monitoring and evaluation of mitigation measures.

The following strategies will be adopted to avoid, mitigate or minimise adverse risks to the affected tribal communities within the project:

Stages	Procedures	Activities & Outcome
Preparation	<ul style="list-style-type: none"> <li>• Identify concerns/issues in relation to the project activities through Participatory Rural Appraisal (PRA) exercises</li> </ul>	<ul style="list-style-type: none"> <li>• Preparation of a list of issues during the social screening and scoping process</li> </ul>
	<ul style="list-style-type: none"> <li>• Communicate with Autonomous District Councils/GaonPanchayat to</li> </ul>	<ul style="list-style-type: none"> <li>• Information dissemination on the project and brief account of project</li> </ul>



Stages	Procedures	Activities & Outcome
	carry out Free, Prior, Informed Consultation at the village level	implementation plans and framework held on February 7 <sup>th</sup>
	<ul style="list-style-type: none"> <li>Organize consultation with STs to inform about the project activities and benefits</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholders' consultations and FGDs held at Majuli during the SIA.</li> </ul>
	<ul style="list-style-type: none"> <li>Identify key areas of constraints that may be improved through the project and develop detailed plan for tribal development</li> </ul>	<ul style="list-style-type: none"> <li>List areas of constraints</li> <li>Number of consultations &amp; signed minutes</li> <li>Prepare a site specific IPDP listing risks and mitigation measures specifically targeting tribal development</li> </ul>
Implementation	<ul style="list-style-type: none"> <li>One-time additional financial assistance of Rs. 50,000 to SC/ST PAFs who are displaced and require to relocate due to the project.</li> </ul>	<ul style="list-style-type: none"> <li>List the no. of PAFs accruing the benefit.</li> </ul>
	<ul style="list-style-type: none"> <li>Employment to members from tribal community in carrying out actual construction work</li> </ul>	<ul style="list-style-type: none"> <li>Number of STs employed</li> </ul>
Operation	<ul style="list-style-type: none"> <li>Improvement of terminals and ferry services to attract and promote tourism</li> <li>Free Prior and Informed Consultation with the tribal communities.</li> </ul>	<ul style="list-style-type: none"> <li>% of tourists visiting historic sites, areas, museums, other heritage attractions using the ferry</li> </ul>
	<ul style="list-style-type: none"> <li>Capacity building of ST/SC and other vulnerable groups, and skill up-gradation for institutional strengthening.</li> </ul>	<ul style="list-style-type: none"> <li>Training calendar to be prepared</li> <li>Number of trainings undertaken</li> <li>Number of tribal members trained</li> </ul>
	<ul style="list-style-type: none"> <li>Employment generation for ST in related sub project activities</li> </ul>	<ul style="list-style-type: none"> <li>Number of ST employed undertaking various activities under the project</li> </ul>
	<ul style="list-style-type: none"> <li>Help build linkages with major government schemes for skill enhancement and improvement of ferry services (<i>Jibondingascheme</i>).</li> </ul>	<ul style="list-style-type: none"> <li>Number of STs that have availed the <i>Jibondinga</i> scheme or similar incentivization schemes.</li> </ul>
GRM	<ul style="list-style-type: none"> <li>Including a member of the ADC in the sixth schedule area in the GRC, to address R&amp;R and land related disputes.</li> </ul>	<ul style="list-style-type: none"> <li>Number of grievances brought forward in ST areas and addressed.</li> </ul>

### 8.8. Potential impacts on IP/STs

Under phase 1 of the project, although the PIAs are not located in the sixth scheduled areas of the state, the three sub-projects are located in districts namely, Kamrup and Jorhat which comprises of 12 percent and 12.81 percent of tribal population, respectively. The SIA of the three priority terminals revealed that there will not be direct impact on ST families, as most of the squatters occupying government land belongs to the Scheduled Caste communities. But the project may have an impact on ST beneficiaries (users of ferry services, operators, vessel crews, labourers) in Aphalamukh as the surrounding areas are inhabited by the

missing tribal community who rely on the ferry services for pursuing their socio-economic activities in urban areas of Jorhat.

### **8.9. GRM for IPP**

The grievance redress mechanism will be the same as mentioned in the main chapter, with an additional emphasis to include a member of the Autonomous District Council in the GRC for project investments in the sixth scheduled areas.

### **8.10. Institutional and Implementation Arrangements**

The Social Development Specialist, PMU and social officer at the E&S Cell, PIU (Divisional office) will be responsible for implementation of the IPDF and sub-project specific IPDPs. PMU will prepare a communication strategy for affected ST communities under the sub-projects.

### **8.11. Budget and Financing**

The budget will take into account all activities associated with the formulation and implementation of the IPDF and sub-project specific IPDP, including R&R assistance to affected IPs. Refer to Chapter 12 on Budget.

## Chapter.9. Resettlement Policy Framework (RPF)

**Purpose of the RPF.** The main purpose of the RPF is to clarify resettlement principles, eligibility criteria, compensation entitlements, and organizational arrangements for land acquisition, asset loss, and resettlement of people that may be necessary during project implementation.

**Guiding principles of the RPF.** (a) Avoid or minimise adverse impacts on persons and families likely to be affected by the project (PAPs), (b) all PAPs will be consulted throughout the operation, (c) all PAPs are eligible for compensation for losses resulting from project intervention irrespective of possession of title to land, and (d) all compensation for land or lost assets will be at replacement value.

### Why a Resettlement Policy Framework (RPF)?

The RPF has been prepared for construction of terminals and ancillary infrastructure such as road access, terminal buildings and other amenities for differently abled, women, children, old and infirm (Component 3).

5 priority terminals have been identified under Component 3 (a) of the project. Site identification and planning for 3 priority terminals sites at LachitGhat, North Guwahati and Aphalamukh is completed. The remaining two priority sites, namely Kamlabari and Neamati are still under consideration for finalization and planning of design at initial stage. The location of other terminal sites under Component 3 (b) which will be undertaken during phase two of the project have not been finalized at this stage. Therefore, site-specific resettlement plan for project investments under Component 3 (b) & two priority sites i.e. Kamlabari and Neamati under Component 3 (a) have not yet been prepared. The purpose of the RPF, therefore, is to clarify resettlement principles and compensation, as well as organizational arrangements, to be applied for any of the sub-projects to be financed during phase two of the project.

It is important to notice that a consolidated RAP/IPDP has been prepared for the 3 identified locations in phase 1: LachitGhat, North Guwahati and Aphalamukh for which the details are given in Chapter 2.

Private land acquisition for this project, if required, will be done on the basis of Right to Fair Compensation and Transparent Land Acquisition and Rehabilitation and Resettlement (RFCTLAR&R) Act, 2013 and Assam LARR Rules, 2015. As per the RFCTLARR Act, State Revenue Department will be in charge of conducting the SIA for any private land to be acquired under the project.

However, the Social Impact Assessment and preparation of a Resettlement Action Plan (RAP) for non-titleholders will be conducted by SIA consultants hired by AIWTDS, once it has been ascertained that there are no direct impacts on titleholders (loss of private land/structure).

### 9.1. Objective of RPF

In accordance with the World Bank Operational Policy on Involuntary Resettlement (OP 4.12) and relevant central and state laws (RFCTLARR, 2013 and Assam LARR Rule, 2015), the RPF has been prepared with the objective to:

- Avoid or minimize adverse impacts and to conceive and execute resettlement activities for sustainable development of the project.

- Give affected person's opportunities to participate in the design and implementation of resettlement process.
- Assist affected persons in their efforts to improve their livelihoods and standards of living, or at least to restore these to pre-project levels.
- Develop Indigenous Peoples' Development plan along with RAP. Land for land for is an option across all sectors.

## 9.2. Comparative Analysis of World Bank OP 4.12 on Involuntary Resettlement and RFCTLARR Act, 2013

Topics/Issues/Areas	World Bank OP4.12	RFCTLARR 2013
Application of LA	Applies to all components of the project that result in involuntary resettlement, regardless of the source of financing.	<b>Section 2</b> Applicable to projects where government acquires land for its own use, hold and control, including PSU and for public purpose; for PPP where ownership of land continues to vest with govt. private companies where 80% of <b>land owners</b> have given consent or 70% in case of PPP.
Principle of avoidance	Involuntary resettlement displacement should be avoided where feasible, or minimized, exploring all viable alternative project design.	Alternatives to be considered as Act in chapter II, Section # 4 (d) says "extent of land proposed for acquisition is the absolute bare minimum needed for the project; and (e) says land acquisition at an alternate place has been considered and found not feasible.
Linkages with other projects		No such provision  Act mentions avoidance of multiple displacements due to acquisition under the Act.  Some of the R&R Provisions could also be linked to other development projects to integrate for relocation and livelihood options.
Application of R&R	Same as above	In addition to the above, <b>Section 2(3)</b> land purchased by private company as prescribed by Govt. or when part acquired by govt.  The Act has detailed processes and provisions for R&R.  Under the Act, the process of R&R would start at the time of the R&R Census and ends with the Award of R&R duly

Topics/Issues/Areas	World Bank OP4.12	RFCTLAR&R 2013
		overseen by the Commissioner for R&R and the Committees where relevant. All provisions related to R&R are mandatory and have to be formally awarded in the course of the Acquisition procedure. No possession can be taken of land acquired unless R&R provisions are complied with.
Affected area	Involuntary take of land resulting in loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood	<b>Section 3(b):</b> Area notified for acquisition'
Family		<b>Section 3(m)</b> includes person, his and her spouse, minor children, minor brothers and sisters dependent.  Widows, divorcees, abandoned women will be considered as separate family.
Affected family for eligibility	All adversely affected people whether have formal legal rights or do not have formal legal rights on land	<b>Section 3 (a):</b> whose land and other immovable property acquired.  <b>(b)&amp;(e):</b> Family residing in affected area such as labourers, tenants, dependent on forest and water bodies, etc whose primary source of livelihood is affected due to acquisition  <b>(c)</b> Scheduled tribes and other forest dwellers whose rights recognized under the Forest Dwellers Act 2006.  <b>(f)</b> Family assigned land by state or central government under any schemes  <b>(g)</b> Family residing on any land in urban area that will be acquired or primary source of livelihood affected by acquisition.
Cut-Off date	<ul style="list-style-type: none"> <li>The cut-off date specified by World Bank is the 'date established by the borrower</li> </ul>	<b>Section 3 c (ii), (iv) (vi):</b> Families residing for preceding 3 yrs or more prior to "acquisition of land".

Topics/Issues/Areas	World Bank OP4.12	RFCTLAR&R 2013
	and acceptable to the Bank'. Normally, this cut-off date is the date the project census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.	
Non-application of Chapter II	Stand-alone SIA for all Investments	<b>Section 6(2):</b> Irrigation projects where EIA is required under other laws, provisions of SIA not applicable.  SIA may be exempted by Government in case of urgency provisions
Consultation – Phase I during Preparation	Consultation a continuous process during planning and implementation	<b>Section 4(1)</b> date issued for <i>first consultation</i> with PRIs, Urban local bodies, Municipalities, etc to carry out SIA.  <b>Section 5:</b> Public hearing of SIA in affected area. Provide adequate publicity of date and time.
Time duration to prepare SIA and SMP	Draft Social Assessment, Resettlement Action Plan and or Social	<b>Section 4 (2): within six months</b> from the date of its commencement.

Topics/Issues/Areas	World Bank OP4.12	RFCTLAR&R 2013
	Management Framework	
Disclosure – Stage I	To be disclosed before appraisal and 120 days before board date.	<b>Section 6(1):</b> Translated in local language available in PRI institutions and local urban government bodies; district administrative offices and websites of concerned government agency.
Formation of Expert Group to appraise SIA and SIMP	Appraised by Bank staff	<b>Section 7(1):</b> Constitute a multi-disciplinary Expert Group include members of decentralized govt. Institutes (PRIs, ULBs).
Time stipulated for Group to submit its report	Before the decision meeting for appraisal	<b>Section 7(4):</b> Submit its report <b><i>within two months from the date of its constitution</i></b>
Scope of work of the Expert group	Social Assessment, resettlement action Plan reviewed and appraised by Bank staff and approved by Regional safeguard advisor	<b>Section 7 (4) (a&amp;b):</b> assess whether it serves any public purpose or not; if social costs outweigh potential benefits then should be abandoned;  <b>Section 7 (5) (a&amp;b):</b> if serves public purpose, then it has considered minimum land acquisition, and alternate options to minimize displacement; potential benefits outweigh social costs
Consultation – Phase II during appraisal	In practice consultation workshops are organized in project affected areas at district and state level.	<b>Section 2 (2):</b> Prior consent of 80% and 70% of land owners in PPP and where private company has approached the govt. to acquire balance land has been obtained
Disclosure – Stage II	Information dissemination through the planning and implementation	<b>Section 7 (6):</b> recommendations of expert group under 7(4&5) to be made public in local language in district and block administrative office and PRIs
Minimize impact on multi-crop land	Select feasible design that has minimal adverse impact.	<b>Section 10:</b> In case irrigated multi-crop land is to be acquired under exceptional circumstances, the area to be acquired cannot exceed aggregate of land of all projects in district or state. The area to be acquired cannot exceed the total net sown area of the district or state.  Wasteland equivalent to twice the area acquired will be developed.
Information dissemination of preliminary notice	Continuous part of the preparation and participation	<b>Section 11 (1), (2) &amp; (3):</b> Notice published in local language and meetings called of gram sabahs, municipalities to



Topics/Issues/Areas	World Bank OP4.12	RFCTLAR&R 2013
		provide full information about the purpose of the project, summary of SIA and particulars of administrator appointed for R&R' summary of R&R scheme
Updating land records	To be part of RAP	<b>Section 11 (5):</b> Once established that the land is required for public purpose, accordingly notice to be issued <b>under section 19 following which land records to be updated within two months</b>
Census and preparation of R&R schemes	To be part of RAP	<b>Section 16 (1) (2):</b> carry out census of affected people and their assets to be affected, livelihood loss and common property to be affected; R&R scheme including time line for implementation.
Information dissemination and Public hearing - Stage III	Consultation throughout the process is mandatory	<b>Section 16(4)&amp;(5):</b> mandatory to disseminate information on R&R scheme including resettlement area and organize public hearing on the Draft R&R scheme in each Gram Sabha, Municipality and consultations in Scheduled area as required under PESA.
Approval of R&R Scheme		<b>Section 17 &amp; 18:</b> Draft R&R Scheme to be finalized after addressing objections raised during public hearing and approved.
Final declaration of R&R Scheme	Approved RAP including budgetary provisions to implement it	<b>Section 19 (2):</b> Only after the requiring body has deposited the money will the govt. issue the notice along with <b>19(1)</b> .
Time period stipulated.	Included in RAP – Time line synchronized with Government's procedures or adopts innovative methods to reduce the time which is based operated on the principles of participation and transparency.	<b>Section 19 (2):</b> the entire process to update land records, disseminate information, preliminary survey, census, hearing of objections, preparation of R&R schemes and approval, deposit of money must <b>complete within 12 months</b> from the date on which section 11, the preliminary notice issued.  <b>Section 19 (7):</b> If the final declaration not made within 12 months of section 11 (1), the process will lapse, except under special circumstances.
Preparation of land acquisition plans	Included in RAP.	<b>Section 20:</b> Land marked, measured for preparation of acquisition plans.
Hearing of claims		<b>Section 21(1) (2):</b> Notices issued

Topics/Issues/Areas	World Bank OP4.12	RFCTLAR&R 2013
		indicating govt's intension to take possession of land, and claims on compensation and R&R can be <b><i>made not less than one month and not more than six month</i></b> from the date of issue of section 21(1).
Time period stipulated for declaring the award		<b>Section 25:</b> It is required to announce the award <b><i>within 12 months of issue of Section 19 (final declaration to acquire land, approved R&amp;R scheme)</i></b> after completing land acquisition plans, hearing of objection, settling individual claims for declaration of the award. If award not made within the stipulated time, the entire proceedings will lapse.
LA Act 1984 deem to lapse and RFCTLAR&R is Applicable		<b>Section 24:</b> where award is not declared under section 11, or where made five years ago but land not taken in possession or where award declared but money not deposited in the account of majority of beneficiary.
Methodology for determining market value for land	Full replacement Cost	<b>Section 26 and First Schedule:</b> Recognizes 3 methods and whichever is higher will be considered which will be multiplied by a factor given in Schedule First; 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.
Valuation of structures	Full replacement Cost	<b>Section 29 (1)</b> without deducting the depreciated value.
Solatium and Interest		<b>Section 30(1)</b> 100% of the compensation amount <b>Section 30(3):</b> 12% per annum on the market rate from the date of notification of SIA to the date of ward or land taken over.
R&R Award	Total cost included in RAP to resettle and rehabilitate the affected persons and assist in their efforts to improve their livelihoods and standards of living or at least to restore them, in	<b>Section 31, Second Schedule:</b> A family as a unit will receive R&R grant over and above the compensation and those who are not entitled to compensation.  <b>Second Schedule:</b> Homeless entitled to constructed house, land for land in irrigation projects in lieu of compensation,

Topics/Issues/Areas	World Bank OP4.12	RFCTLAR&R 2013
	real terms, to pre displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher	in case of acquisition for urbanization 20% of developed land reserved for owners at a prices 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
Transparency		<b>Section 37(1):</b> Information of each individual family including loss, compensation awarded, etc will be available on the website.
Possession of Land	Taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons.	<b>Section 38(1):</b> Land will be taken over by the government within three months of compensation and 6 months of R&R benefits disbursed; infrastructure facilities at resettlement sites will be completed within 18 months from the date of award made under section 30 for compensation; in case of irrigation and hydel projects R&R completed six months prior to submergence.
Multiple Displacement		<b>Section 39:</b> Additional compensation equivalent to compensation determined will be paid to displaced
Acquisition for emergency purpose	Not permeable in bank funded projects	<b>Section 40 (5):</b> 75% additional compensation will be paid over and above the compensation amount
Prior consent before acquisition and alienation	Mandatory to carry out Free, Prior, Informed Consultation with Indigenous people.	<b>Section 41(3)</b> Mandatory to get consent from Gram Sabha, Panchayat, Autonomous Councils in Scheduled areas
Development plans for SC and ST	Indigenous Peoples' Development plan required along with RAP.  Land for land for is an option across all sectors.	<b>Section 41:</b> Separate development plans to be prepared, settle land rights before acquisition; provision of for alternate fuel fodder, non-timber produce on forest land to be developed within 5 years; 1/3 <sup>rd</sup> compensation amount to be paid as first instalment and rest at the time of taking possession; ST to be resettled within Scheduled area; land free of cost for community purpose; land alienation will be null and void and ST and SC considered for R&R benefits; fishing rights restored in irrigation and hydal projects; if wish to settle outside the

Topics/Issues/Areas	World Bank OP4.12	RFCTLAR&R 2013
		district additional benefits to be provided in monetary terms; all rights enjoyed under other laws will continue.  <b>Second Schedule:</b> additional provisions for SC&ST for land for land in irrigation projects, additional sum over and above the subsistence grant
Institutional Arrangement	Institutional arrangement must be agreed upon and included in RAP, IPDP.	<b>Section 43-45:</b> Appointment of administrator, R&R Commissioner, when more than 100 acres of land is to be acquired, R&R Committee will be formed at project level, social audit to be carried out by Gram Sabha and Municipalities.
Change of land use		<b>Section 46(4):</b> Land will not be transferred to the requisitioning authority till R&R is not complied with in full
Monitoring and Evaluation	Indicators and monitoring system included in RAP and IPDP	<b>Section 48-50:</b> Set up National and State level Monitoring Committee to review and monitor progress
Authority to settle claims		<b>Section 51-74:</b> the appropriate Government shall through notification establish one or more authorities as the rehabilitation and resettlement authority. Authority will be set up to settle any legal disputes that arise from acquisition and R&R, the aggrieved party can move to the high court thereafter.
Exempt from tax and fee		<b>Section 96:</b> Compensation and agreements will not be liable to tax and stamp duty
No change in status of land acquired		<b>Section 99:</b> Once the land is acquired for a particular purpose, its purpose cannot be changed
Return of unutilized land		<b>Section 101:</b> If the acquired land remains unutilized for 5 years, then it will be returned to original owner, heir or included in land bank
Distribution of increased value of land transferred		<b>Section 102:</b> 40% of appreciated value of acquired land will be distributed to owners provided no development has taken place.

### 9.3. Identification and measures to address gaps/discrepancies/ additional to World Bank Policy

- Instead of market value for land and structures, World Bank insist on full replacement cost. Wherever land acquisition of private property has been proposed, compensation would be determined by Competent Authority as per provisions under Section 26 of RFCTLARR Act, 2013, which specifies the following criterion for assessing and determining market value of the land (whichever is higher):
  - 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, or
  - The average sale price for similar type of land situated in the nearest village or nearest vicinity, ascertained from not less than 50% of the sale deeds registered during three years.

In addition to the market value of the land awarded, in every case the competent authority will award an amount at the rate of 12% per annum on such market value for the period commencing on and from the publication of the notification u/s 11 till the date of award or the date of taking possession, whichever is earlier.

For compensation for houses, buildings and other immovable properties, value of structure will be determined on the basis of current market value by referring to relevant Basic Schedule of Rates (SoR) as on date without depreciation.

- The cut-off date specified by World Bank is the 'date established by the borrower and acceptable to the Bank'. The cut-off date specified by World Bank is the 'date established by the borrower and acceptable to the Bank'. Normally, this cut-off date is the date the project census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx. There will be adequate notification of cut-off date and measures will be taken to prevent encroachments/squatting after the cut-off date is established.
- RFCTLARR Act 2013 only covers non-titleholders affected due to land acquisition. In accordance with OP 4.12, the RPF will also cover affected non-titleholders for eligibility in government land.
- As per the RFCTLARR Act, 2013, SIA needs to be completed within 6 months from the date of its commencement. For the purposes of this project, SIA for private land acquisition will be completed within this stipulated timeframe.

### 9.4. Definitions and Eligibility Criteria for Various Categories of Displaced Persons

The definitions provided below are as per Chapter 1 Section 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR).

**Table 9.2.Definitions -RFCTLARR**

<b>Administrator</b>	An officer appointed for the purpose of rehabilitation and resettlement of affected families under sub-section 1 of section 43 of the RFCTLARR Act 2013
<b>Affected Area</b>	Such area as may be notified by the Appropriate Government for the purposes of land acquisition
<b>Affected Family</b>	<p>Includes:</p> <p>A family whose land or other immovable property has been acquired;</p> <p>A family which does not own any land but a member or members of such family may be agricultural labourers, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans who may be working in the affected area for three years prior to the acquisition of the land, whose primary source of livelihood stand affected by the acquisition of land'</p> <p>The Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognized under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights)Act, 2006 due to acquisition of land;</p> <p>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 and such livelihood is affected due to acquisition of land;</p> <p>A member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition;</p> <p>A family residing on any land in the urban areas for preceding three years or more prior to the acquisition of the land or whose primary source of livelihood or three years prior to the acquisition of the land is affected by the acquisition of such land.</p>
<b>Appropriate Government</b>	<p>Means:</p> <p>In relation to acquisition of land situated within the territory of a State, the State Government;</p> <p>In relation to acquisition of land for public purpose in more than one State, the Central Government, in consultation with the concerned State Governments or Union territories;</p> <p>Provided that in respect of a public purpose in a District for an area not exceeding such as may be notified by the Appropriate Government, the Collector of such District shall be deemed to be the Appropriate Government</p>
<b>Collector</b>	<p>Means the Collector of a revenue district, and includes Deputy Commissioner</p> <p>And any officer specially designated by the Appropriate Government to perform the function of a Collector under the RFCTLARRA 2013</p>
<b>Commissioner</b>	Means the Commissioner for Rehabilitation and Resettlement appointed under sub-section (1) of section 44 of the RFCTLARRA 2013



<b>Cost of Acquisition</b>	<p>Includes:</p> <p>Amount of compensation which includes solatium, any enhanced compensation ordered by the Land Acquisition and Rehabilitation and Resettlement Authority or the Court and interest payable thereon and any other amount determined as payable to the affected families by such Authority or Court;</p> <p>Demurrage to be paid for damages caused to the land and standing crops in the process of acquisition</p> <p>Cost of acquisition of land and building for settlement of displaced or adversely affected families;</p> <p>Cost of development of infrastructure and amenities at the resettlement areas;</p> <p>Cost of rehabilitation and resettlement as determined in accordance with the provisions of the RFCTLARR Act 2013</p> <p>Administrative cost for (a) acquisition of land, including both in the project site and out of the project area lands, not exceeding such percentage of the cost of compensation as may be specified by the Appropriate Government; and (b) rehabilitation and resettlement of owners of the land and other affected families whose land has been acquired or proposed to be acquired or other families affected by such acquisition;</p> <p>Cost of undertaking Social Impact Assessment Study</p>
<b>Displaced Family</b>	Means any family, who on account of acquisition of land has to be relocated and resettled from an affected area to the resettlement area
<b>Family</b>	Includes a person, his or her spouse, minor children, minor brothers and minor sisters depended on him: provided that widows, divorces and women deserted by families shall be considered separate families
<b>Holding of Land</b>	Means the total land held by a person as an owner, occupant or tenant or otherwise
<b>Land</b>	Includes benefits to arise out of land, and things attached to the ear or permanently fastened to anything attached to the earth
<b>Landless</b>	<p>Means such persons or class of persons who may be:</p> <p>Considered or specified as such under any State law for the time being in force; or</p> <p>In a case of landless not being specified as above, as may be specified by the Appropriate Government</p>
<b>Land Owner</b>	<p>Includes any person:</p> <p>Whose name is recorded as the owner of the land or building or part thereof, in the records of the authority concerned; or</p> <p>Any person who is granted forest rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 or under any other law for the time being in force; or</p> <p>Who is entitled to be granted Patta rights on the land under any law of the State including assigned lands; or</p>



	Any person who has been declared as such by an order of the court or Authority
<b>Marginal Farmer</b>	means a cultivator with an un-irrigated land holding up to one hectare or irrigated land holding up to one-half hectare;
<b>Small Farmer</b>	means 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.
<b>Local Authority</b>	Includes a town planning authority (by whatever name called) set up under any law for the time being in force, a Panchayat as defined in article 243 and a Municipality as defined in article 243P of the Constitution
<b>Market Value</b>	Means the value of land determined in accordance with section 26 of the RFCTLARRA 2013
<b>Person Interested</b>	Means: All persons claiming an interest in compensation to be made on account of the acquisition of land under the RFCTLARRA 2013 The Scheduled Tribe and other traditional forest dwellers, who have lost any forest rights recognized under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006; A person interested in an easement affecting the land; Persons having tenancy rights under the relevant State laws including share-croppers by whatever name they may be called; and Any person whose primary source of livelihood is likely to be adversely affected;
<b>Resettlement Area</b>	Means an area where the affected families who have been displaced as a result of land acquisition are resettled by the Appropriate Government
<b>Scheduled Areas</b>	Means the Scheduled Areas as defined in section 2 of the Provision of the Panchayats (Extension to the Scheduled Areas) Act, 1996.
<b>Vulnerable Persons</b>	Physically challenged, widows, persons above sixty years of age, below-poverty line households and woman-headed household.

## 9.5. Entitlement Matrix

Based on the above analysis of RFCTLARR, 2013 and WB safeguard policy, the following will be eligible for entitlements adopted for this Project:

- i. those who have formal legal rights to land lost in its entirety or in part;
- ii. those who lost the land they occupy in its entirety or in part and have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national/state laws; and
- iii. those who lost the land they occupy in its entirety or in part and have neither formal legal rights nor recognized or recognizable claims to such land.

Non-title holders 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 (60 days) to vacate the premises and dismantle affected structures prior to project implementation. The project will recognize both licensed & non-licensed vendors and titled & non-titled households. The displaced persons will be entitled to the following six types of compensation and assistance packages:

- i. Compensation for the loss of land, crops/ trees at their replacement cost;
- ii. Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- iii. Assistance in lieu of the loss of business/ wage income and income restoration assistance;
- iv. Alternate housing or cash in lieu of house to physically displaced households not having any house site;
- v. Assistance for shifting and provision for the relocation site (if required), and
- vi. Rebuilding and/ or restoration of community resources/facilities.

The entitlement framework designed for various categories is based on RFCTLARR 2013 and RTFCTLARR Rules, 2015 of GoA and World Bank Policy guidelines. Both, non-titleholders and titleholder will be compensated as per their eligibility and detailed in the entitlement matrix summarised below

Table No.9.3.Entitlement Matrix

Sl. No.	Impact Category	Entitlements	Implementation Guidelines
<b>PART I. TITLE HOLDERS - Compensation for Loss of Private Property</b>			
1	Loss of Land (agricultural, homestead, commercial or otherwise or assets attached to the land)	1.1 Compensation for land at Replacement Cost or Land for land, where feasible.	<p>Land will be acquired by the competent authority in accordance with the provisions of RFCTLARR Act, 2013.</p> <p>Replacement cost for land will be: (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land, situated in the nearest village or nearest vicinity area, ascertained from the highest 50% of sale deeds of the preceding 3 years; or (iii) consented amount paid for PPPs or private companies (whichever amount is higher).</p> <p>Plus 100% solatium and 12% interest from date of notification to award.</p> <p>The multiplied factor adopted by the GoA for land in rural area, based on the distance from urban area to the affected area, will be applied.</p> <p>In case only a part of any land plot is affected and its owner desires that the whole plot be acquired on the grounds that the plot has been rendered uneconomic or has been severed due to LA, the competent authority any make additional award as per section 94 of RFCT-LARR Act, 2013 for the remaining part of land without initiating the land acquisition process afresh.</p> <p>Value of Assets attached to the land/building: Compensation for trees/crops etc.</p> <p>a. Cash compensation as estimated u/s 29 (3), RFCT-LARR Act, 2013 by:</p> <p>v. Forest Department for timber trees</p>

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
				vi. State Agriculture Department for crops vii. Horticulture Department for horticulture, perennial trees viii. Cash assistance to title holders and non-squatters for loss of trees, crops and perennials at market value. b. Three months' advance notice to affected parties to harvest fruits, crops. In case standing crops, the affected parties shall receive three months' advance notice to salvage crops, or compensation in lieu thereof as determined above.
2	Loss of Structure (house, shop, building or immovable property)	2.1	Compensation at replacement cost	The market value of structures and other immovable properties will be determined based on relevant basic Schedule of Rates (SR) as on date without depreciation.  Plus 100% solatium  For partly affected structures, the PAP will have the option of claiming compensation for the entire structure, if the remaining portion is unviable.
<b>PART II. REHABILITATION AND RESETTLEMENT – Both Land Owners and Families Whose livelihoods are primarily dependent on Land Acquired</b>				
3	Loss of Land	3.1	Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages.  or  One-time payment of Rs. 5,00,000/- for each affected household  or	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			Annuity policy that shall pay Rs. 2000/- per month for 20 years with appropriate indexation to CPIAL	
		3.2	Subsistence allowance of Rs. 3,000/- per month for a period of one year to affected households who require to relocate due to the project	
		3.3	Transportation assistance of Rs. 50,000/- for affected households who require to relocate due to the project	
		3.4	One-time assistance of not less than Rs. 25,000/- to all those who lose a cattle shed or a petty shop.	<p>Cattle shed or petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of twenty-five thousand rupees for construction of cattle shed or petty shop as the case may be.</p> <p>Petty shop will include commercial kiosk, vendor where business is carried out.</p> <p>PIU and the implementation support NGO / agency will consult such PAPs and assess the requirement of subsistence allowance for kiosks and vendors receiving this cash assistance under the petty shop category.</p> <p>Cattle shed shall mean any permanent, semi-permanent structure or makeshift shed erected on long term basis for keeping cattle.</p>
		3.5	One-time Resettlement Allowance of Rs. 50,000/- for affected household who have to relocate	
		3.6	Additional one-time assistance of Rs. 50,000/- for scheduled	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			caste and scheduled tribe families who are displaced from scheduled areas and are required to relocate due to the project	
4	Loss of Residence	4.1	<p>An alternative house for those who have to relocate, as per PMAY-G specifications in rural areas and a constructed house/flat of minimum 50 sq. m. in urban areas;</p> <p>or</p> <p>Cash in lieu of house if opted, for those who do not have any homestead land and who have been residing in the affected area continuously for a minimum period of 3-years.</p>	<p>An alternative house for those who have to relocate, as per PMAY-G (<i>IAY has been restructured</i>) specifications in rural areas and a constructed house / flat of minimum 50 sq. m. in urban areas or cash in lieu of house if opted (the cash in lieu of house will be Rs.1,20,000/- (plain) and 1,30,000/- (difficult terrain) in line with GoI PMAY-G standards in rural areas and Rs.1,50,000 in case of urban areas).</p> <p>The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaces from such area.</p> <p>This assistance shall be extendable to mixed-use structures fulfilling residential and commercial purposes in owner as well as un-titled categories.</p>
		4.2	<p>Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages.</p> <p>or</p> <p>One-time payment of Rs.</p>	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			5,00,000/- for each affected household  or  Annuity policy that shall pay Rs. 2000/- per month for 20 years with appropriate indexation to CPIAL	
		4.3	Monthly subsistence allowance of Rs. 3,000/- per month for a period of one year to affected households who require to relocate due to the project	
		4.4	Transportation assistance of Rs. 50,000/- for affected households who require to relocate due to the project	
		4.5	One-time assistance of not less than Rs. 25,000/- to all those who lose a cattle shed or a petty shop.	<p>Cattle shed or petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of twenty-five thousand rupees for construction of cattle shed or petty shop as the case may be.</p> <p>Petty shop will include commercial kiosk, vendor where business is carried out.</p> <p>PIU and the implementation support NGO / agency will consult such PAPs and assess the requirement of subsistence allowance for kiosks and vendors receiving this cash assistance under the petty shop category.</p> <p>Cattle shed shall mean any permanent, semi-permanent structure or makeshift shed erected on long term basis for keeping cattle.</p>
		4.6	One-time assistance of Rs. 25,000/- for each	



Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			affected family of an artisan or self-employed and who has to relocate	
		4.7	One-time Resettlement Allowance of Rs. 50,000/- for affected household who have to relocate	
		4.8	Additional one-time assistance of Rs. 50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and are required to relocate due to the project	
		4.9	Right to salvage affected materials	
5	Loss of shop/ trade/ commercial structure	5.1	<p>Employment to at least one member per affected family in the project or arrange for a job in such other project as may be required after providing suitable training and skill development in the required field and at a rate not lower than the minimum wages.</p> <p>or</p> <p>One-time payment of Rs.5,00,000/- for each affected household</p> <p>or</p> <p>Annuity policy that shall pay Rs. 2000/- per month for 20 years with appropriate indexation to CPIAL</p>	
		5.2	Monthly subsistence allowance of Rs. 3,000/- per month for a period of one year to affected households who require to relocate due to the	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			project	
		5.3	Transportation assistance of Rs. 50,000/- for affected households who are required to relocate due to the project.	
		5.4	One-time assistance of Rs. 25,000/- for each affected family of an artisan or self-employed or small trader and who has to relocate.	
		5.5	One-time Resettlement Allowance of Rs. 50,000/- for affected household who have to relocate	
		5.6	Additional onetime assistance of Rs. 50,000/- to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who require to relocate due to the project	
		5.7	Right to salvage affected materials	
<b>PART III. IMPACT TO SQUATTERS AND ENCROACHERS –where no Land Acquisition is done</b>				
6	Impact to Squatters	6.1	<b>Loss of House</b>	Only those directly affected squatters who live there will be eligible for all assistance.  Structure owners in government lands who do not live there and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances.
		6.1.1	Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish the affected structure	
		6.1.2	Right to salvage the affected materials	
		6.1.3	House construction grant of Rs. 1,20,000/- for all those who have to relocate and who do not have a house. Additional house site grant of Rs. 50,000/- to those who do not have a house site	
		6.1.4	One-time subsistence	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			allowance of Rs. 18,000/-	
		6.1.5	Shifting assistance of Rs. 10,000/-	
		6.2	<b>Loss of Shop</b>	<p>Only those directly affected squatters who do business there will be eligible for all assistance.</p> <p>Structure owners in government land who do not do the business and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances.</p>
		6.2.1	Compensation at scheduled rates without depreciation for structure with 1-month notice to demolish affected structure	
		6.2.2	Right to salvage the affected materials	
		6.2.3	One-time rehabilitation grant of Rs. 25,000 for reconstruction of affected shop.	
		6.2.4	One-time subsistence allowance of Rs. 18,000/-	
		6.2.5	Shifting assistance of Rs. 10,000/-	
		6.3	<b>Kiosks / Street Vendors</b>	<p>Petty shop will include commercial kiosk, vendor where business is carried out. Petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of twenty-five thousand rupees for construction of petty shop.</p> <p>PIU and the implementation support NGO / agency will consult such PAPs and assess the requirement of subsistence allowance for kiosks and vendors receiving the cash assistance under the petty shop category.</p>
		6.3.1	1-month advance notice to relocate to nearby place for continuance of economic activity.	
		6.3.2	For temporary loss of livelihood during construction period, a monthly subsistence allowance of Rs. 3,000/- will be paid for the duration of disruption to livelihood, but not exceeding 3-months	
		6.3.3	If relocation to nearby place and continuance of economic activity in the same place is not possible, then one time rehabilitation grant of Rs. 25, 000/-.	
		6.4	<b>Cultivation</b>	
		6.4.1	3-month notice to harvest standing crops or market value of compensation for standing crops	
7	Impact to	7.1	<b>Cultivation</b>	Market value for the loss of standing

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
	Encroachers	7.1.1	3-month notice to harvest standing crops or market value of compensation for standing crops, if notice is not given	crops will be decided by the PIU in consultation with the Agriculture or Horticulture Department
		7.2 7.2.1	<b>Structure</b> 1-month notice to demolish the encroached structure	
		7.2.2	Compensation at scheduled rates without depreciation for the affected portion of the structure	The value of commercial structures and other immovable properties will be determined on the basis of relevant Basic Schedule of Rates (SR) as on date without depreciation
<b>PART IV. IMPACT TO VULNERABLE HOUSEHOLDS</b>				
8	Vulnerable Households	8.1	One-time assistance of Rs. 25,000/- to DHs who have to relocate	<p>One adult member of the affected household, whose livelihood is affected, will be entitled for skill development.</p> <p>The PIU with support from the NGO will identify the number of eligible vulnerable displaced persons during joint verification and updating of the <b>RAP</b> and will conduct training need assessment in consultations with the PAPs so as to develop appropriate training programmes suitable to the PAP's skill and the region.</p> <p>Suitable trainers or local resources will be identified by PIU and NGO in consultation with relevant training institutes</p>
<b>PART V. IMPACT DURING CIVIL WORKS</b>				
9	Impact to structure / assets / tree / crops	9.1	The contractor is liable to pay damages to assets / trees / crops in private / public land, caused due to civil works	The PIU will ensure compliance to these provisions.
10	Use of Private Land	10.1	The contractor should obtain prior written consent from the land owner and pay mutually agreed rental for use of private land for storage of material or movement of vehicles and machinery or setting up of camps or diversion of docking	

Sl. No.	Impact Category	Entitlements		Implementation Guidelines
			areas during civil works.	
<b>PART VI. COMMON PROPERTY RESOURCES</b>				
11	Impact to common property resources such as places of worship, community buildings, schools, etc.	11.1	Relocation or restoration, if feasible, or cash compensation at replacement cost.	
12	Utilities such as water supply, electricity, etc.	12.1	Will be relocated and services restored prior to commencement of civil works.	The PIU will ensure that utilities are relocated prior to commencement of civil works in accordance with the civil works schedule.
<b>PART VII. UNFORESEEN IMPACTS</b>				
Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of RFCTLAR 2013 / World Bank Safeguards Policies.				

## 9.6. Process flow for Land Acquisition Process and R&R

### 9.6.1. Requisition of Land by AIWTDS

The proposal for acquisition of any private land will be made in the formats prescribed by the enacted rules of the Assam State Government on the RFCTLARR 2013. These formats will include khasra maps, along with the details of area of land to be acquired.

### 9.6.2. Appointment of “Administrator” for R&R

As per Section 2 of the RFCTLARR Act 2013, the appropriate government (concerned state governments) will acquire land on behalf of other ‘requiring body’. An officer appointed as the administrator will be responsible for the purpose of Rehabilitation and Resettlement as per Section 43 of the RFCTLARR Act 2013. An officer not below the rank of Collector, additional Collector or Deputy Collector or any other officer of an equivalent rank is appointed as the ‘Administrator’.

### 9.6.3. Notification, Declaration and Preparation of Award

Upon receiving the requisition application, the concerned State Government will conduct a Social Impact Assessment as per Chapter 2 of the RFCTLARR Act 2013 unless exempted as per procedures established in the state rules for RFCTLARR 2013. Upon completion of the assessment the ‘Administrator’ appointed by the concerned government shall issue preliminary notifications (as per Section 11 (1)), declarations (as per Section 19 (1) for the land to be acquired. A demand is prepared by the District Administration as per rules framed by the concerned state government under the Sections 26,27,28,29,30 of the RFCTLARR Act 2013. The R&R award list and scheme is prepared on the basis of the census and survey undertaken by the District Administration and after valuation of the assets affected is completed. The R&R scheme and award is forwarded to the R&R commissioner appointed for the state. If the State Government is satisfied with the Scheme, the District Administration may issue declaration as per Section 19 (1). The requiring body deposits the (full or part) amount prior to the declaration to enable the concerned State Government to make the declaration.

#### 9.6.4. Method of Valuation of Project Affected Areas

The valuation method and basis for the compensation for LA will be done as per the norms stipulated in Sections 26, 27, 28, 29, 30 and First Schedule of the RFCTLARR Act 2013. The Valuation method for compensation for land and structures and trees is given below:

- Valuation of Land – Land will be acquired in accordance with provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and while determining the compensation for land, the competent authority will be guided by the provisions of Sec 26, Sec 27, Sec 28, Sec 29 and Sec 30 of RFCTLARR Act, 2013. The compensation includes the multiplying factor of 1.25-1.75 times on the land value being higher of the guideline value or average of higher 50% of sale dead rates for last 3 years or any rates consented for PPP or private projects. In addition, 100% solatium for involuntary acquisition of land will be added. 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.
- Valuation of Structure - The replacement value of houses, buildings and other immovable properties will be determined on the basis of updated Basic Schedule of Rates (SoR) as on date without depreciation and 100% solatium will be added to the structure compensation. While considering the PWD SoR rate, PIU will ensure that it uses the latest SoR for the residential and commercial structures in the urban and rural areas of the region. Wherever the SoR for current financial year is not available, the PIU will update the SoR to current prices based on approved previous year escalations. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places through the local self-governing bodies like Village Panchayat/Village council in accordance with the modalities determined by such bodies to ensure correct use of the amount of compensation. Further, all compensation and assistance will be paid to PAPs at least 1 month prior to displacement or dispossession of assets.
- Valuation of trees- Compensation for trees will be based on their market value. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops, fruit bearing trees will be decided by the PIU in consultation with the Departments of Forest or Agriculture or Horticulture as the case may be. The valuation of fruit bearing trees will take into account the productive age of such trees. In line with the provision of RFCTLARR Act 2013, 100% solatium will be added to the assessed value of the trees. Prior to taking possession of the land or properties, the compensation will be fully paid and PAPs will have the opportunity to harvest crops/trees within 1-month from the date of payment of compensation.

Even after payment of compensation, PAPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that PAPs can take away the materials so salvaged within 15 days of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice. Trees standing on the land owned by the government will be disposed of through prevailing practice by the concerned Revenue Department/ Forest Department.

➤ Disbursement process

Once, the R&R scheme is approved by the appropriate government, the District Administration issues notices to titleholders losing land, trees and structures through camps in the affected area. The disbursement of assistances and compensation may happen in camps or at the District Administration's office, where in documentation of the PAHs is examined and assistances and compensation is deposited as cheques or deposited in individual accounts. The collector shall take possession of the land once all monetary disbursements are fully completed and the collector will be responsible for ensuring that the rehabilitation and resettlement process is complete before the displacement of the population as per Section 37 of the RFCTLARR Act 2013.

## 9.7. Implementation Process and Arrangements

The implementation of RAP is the responsibility of the Implementation Agency (AIWTDS) along with the Revenue Department. A Social Development Specialist at PMU will be responsible for overall coordination of the implementation of SIMP/RAP. The Social Specialist (Resettlement) at the E&S Cell, PIU at the divisional level will coordinate the field level activities.

**R&R Administrator:** As per the Section 43 of RFCTLARR Act 2013, an officer not below the rank of Additional Collector will be designated as the 'Administrator' of R&R. The R&R Administrator will be responsible for formulation, execution and monitoring of the R&R scheme/ RAP for titleholders (land owner and landless whose livelihoods are primarily dependent on the lands being acquired).

**Social Development Specialist at the PMU:** The specialist will be responsible for:

- Provide guidance to SIA Consultant appointed by AIWTDS in conducting the SIA and preparation of Resettlement Action Plan/ Indigenous Peoples' Development Plan for non-titleholders.
- Guide the SIA consultant to undertake due diligence on project sections where land was previously acquired to ensure compliance with government regulations. Prepare due diligence report and/or corrective action plan, if needed.
- After the SIA for land acquisition (titleholders), provide support to the R&R Administrator (or the agency outsourced by the Revenue Department) in conducting resettlement survey and census, meaningful consultations, and collecting data as per the requirements of RFCTLARR, 2013.
- Review the organizational structure and assess the institutional capacity of AIWTDS to implement the RAPs, and other social development-related measures and recommend improvements required before the start of land acquisition.
- Assist AIWTDS in recruitment of supporting NGOs for implementation of RAPs and IPDPs.
- Facilitate trainings to government personnel, NGOs and contractor in preparing and managing resettlement activities.
- Facilitate coordination between various government departments in land acquisition and implementation of the RAP.
- Carry out periodic review of the progress on RAP implementation and ensure that the progress reports are submitted in a timely manner.



- Verify whether the PIUs are handing over the land free from encumbrance as stipulated in the contract document.
- Consolidate the progress reports received from the respective PIUs and submit the quarterly progress report to WB and any other information as required by WB in a timely manner.

**Social Specialist at the PIU:** The specialist will be responsible for:

- Dissemination of project information to the project affected community with assistance from SIA Consultant
- Ensure establishment of Grievance Redress Committee at the district level for grievance redress with assistance from SIA Consultant
- Undertake field visits and advise the field staff about the RAP safeguards documentation required for sub-projects.
- Ascertain the extent of private land to be acquired and extent of government land to be transferred and liaison with the jurisdictional Additional Collector and concerned government departments in getting possession of the same.
- Review RAP for non-titleholders prepared by the SIA consultant and finalize the same.
- Disclosure of project information in public spaces and through relevant media.
- Facilitate the survey and census of affected persons by R&R Administrator (or the agency outsourced by the Revenue Department).
- Assist the R&R Administrator in finalizing the RAPs for titleholders based on the census data, including measures to restore livelihoods and quality of life.
- Based on the survey and census, identify permanent and temporary socio-economic impacts as a result of land acquisition, changes in land use, or restrictions of access to assets and common property resources.
- Assess and provide best estimate on impact to land assets and non-land assets for titleholders and non-titleholders.
- Assess risks and opportunities for affected people. Identify strategies and options to restore livelihoods and quality of life.
- Coordinate with the supporting NGO during the RAP implementation.
- Review and approve micro-plans, containing the list of PAPs and their entitlements, prepared by the NGO.
- Obtain necessary approval for the micro-plans and make necessary funds available for disbursement and for development of resettlement sites, if any.
- Ensure payment of compensation and R&R assistance to the PAPs.
- Facilitate consultation by the civil works contractor with community throughout implementation.
- Wherever required, coordinate with Additional Collector and field staff in identifying suitable land for resettlement sites and monitor the progress of development of site and relocation of PAPs.
- Undertake internal monitoring of the progress made in RAP implementation and take necessary corrective actions, if required.
- Review and consolidate the LA and RAP implementation progress reports submitted by the jurisdictional Additional Collector, Support NGO, and submit monthly progress report to PMU.

**Supporting NGO/(RAP implementing Agency):** The NGO will be responsible for the following:

- Assist PIU in verification and updating, if required, the detailed census and socio-economic survey of displaced persons carried out by the SIA Consultant (non-titleholders) and R&R Administrator (titleholders) based on detailed design, and verify the identity of below poverty line, female-headed, and other vulnerable households affected by land acquisition and involuntary resettlement and issue ID cards;
- Prepare micro plan and get vetted by PIU;
- Facilitate the process of disbursement of compensation to the PAPs – coordinating with the PIU and informing the displaced persons of the compensation disbursement process and timeline;
- Assist PAPs in opening bank accounts explaining the implications, the rules and the obligations in having a bank account, process of disbursement adopted by the Additional Collector and how s/he can access the resources s/he is entitled to;
- In case of relocation, assist the PAPs in ensuring a smooth transition (during the part or full relocation of the affected persons), helping them to take salvaged materials and shift;
- In consultation with the PAPs, inform the PIU about the shifting dates agreed with PAPs in writing and the arrangements they desire with respect to the entitlements;
- Organize training programs to the vulnerable for income restoration;
- Conduct meaningful consultations throughout the RAP implementation and ensure disclosure of the summary of RAPs in an accessible manner to the displaced persons;
- Assist PAPs in grievance redressal process;
- Assist PIU in keeping detailed records of progress and monitoring and reporting system of RAP implementation; and act as the information resource centre for community interaction with the project and maintain liaison between community, contractors, project implementing units and the administrator, during the execution of the works.

## **9.8. Rehabilitation and Resettlement Award**

In accordance with the provisions of the RFCTLARR Act [Sec31 (1)], the competent authority will pass a Rehabilitation and Resettlement (R&R) Award. All the affected titleholders who are eligible for R&R assistance will be notified along with details of eligible assistance as per the provisions of RFCTLARR Act. Initially a draft list will be notified by giving minimum of 15 days' time inviting objections, if any, regarding discrepancies on the nature and quantum of assistance. The final list will be notified after taking into account the objections, if any. Similarly, the list of those affected non- title holders will also be notified along with the details of R&R assistance and a separate R&R award enquiry will be conducted for the non-titleholders.

### **9.8.1. Micro plan**

The implementation support NGO will prepare the draft micro plan, milestone wise for each of the sub-project detailing the type of loss, tenure of the PAP, vulnerability status and the entitlements as per the provisions of the Entitlement Matrix (EM) in the RPF. The draft micro

plan will be disclosed in the jurisdictional Village Panchayat where the PAPs are living/having business, and 1-week after the disclosure, the R&R award enquiry will be held by the jurisdictional Additional Collector (R&R Administrator).

Based on the R&R award enquiry outcome, the NGO will submit the final micro plan to the Executive Engineer, PIU for verification and onward transmission to Project Director, PMU. The Project Director, PMU, after scrutiny of the micro plan will accord approval for the same and submit to the jurisdictional Additional Collector (R&R Administrator) with necessary funds for disbursement.

### **9.8.2. R&R Award Process**

The Additional Collector (R&R Administrator) will hold R&R award enquiry in the project area and will send prior intimation to all concerned PAPs through the jurisdictional Patwaris and the NGO.

During the R&R award enquiry, each PAP will be informed about the type of loss and tenure as recorded during census and socio-economic survey and verified subsequently, and the entitlements due to the PAP as per the provisions contained in the EM of the RPF. All the PAPs will be given an opportunity to be heard and concerns if any, will be addressed. The R&R proceedings will be recorded and copy of the R&R award will be issued to the PAP then and there.

### **9.8.3. E-RAP Tool**

A well-designed MIS will be created and will be maintained at the PIU as per the requirements of the Assam LARR Rule, 2015. The E-RAP MIS and mobile application tool will be used to manage and track the processes and data for the land acquisition process. The MIS will be supported with approved software and will be used for maintaining the PAPs baseline socio-economic characteristics, developing pre-defined reports, and tracking the land acquisition and resettlement progress. The individual entitlements, compensation calculations, structure valuation, etc. will be updated using MIS software. The data and information required for periodical progress reports will be generated using MIS database.

### **9.8.4. Capacity Building on LA and R&R**

The staff of PIU, NGO and the staff of PMU, who are involved in LA and R&R will require to be familiar with land acquisition procedures and WB Safeguards policy requirements. In order to build the capacity of the PIU and the PMU, an orientation and training in resettlement management at the beginning of the project will be undertaken. The training activities will focus on issues concerning (i) principles and procedures of land acquisition, (ii) public consultation and participation, (iii) entitlements and compensation disbursement mechanisms, (iv) Grievance redressal and (v) monitoring of resettlement operation.

## **9.9. Livelihood Restoration and Income Generation Plan**

Development project may have an adverse impact on the income of project-affected persons. The basic postulates of all developmental activities should be that no one is worse off than before the project. Restoration of pre-project levels of income is an important part of rehabilitating socioeconomic and cultural systems in affected communities. To achieve this

goal, preparation of Income Restoration Plan should be done in consultation with the affected persons and they should explicitly approve the Plan.

Majority of the eligible families for income restoration earn their livelihood through petty businesses and agricultural activities (marginal/small) therefore, it is imperative to ensure that the PAPs can reconstruct their livelihood. The NGOs engaged in the implementation of the RAP will ensure that the PAPs are facilitated to obtain plots near their existing habitation to minimize disruption to their social network and normal work pattern.

Other short-term strategies for restoring their income during periods immediately before and after relocation/vacating includes providing the PAPs with adequate compensation prior to relocation/vacating the premises, along with transit allowances, one-time relocation allowance, free transport to resettlement areas or assistance for transport, transitional/subsistence allowances or grants until adequate income is generated, special allowances for vulnerable groups. With consideration of PAPs skills and the project's workforce requirement, PAPs access to project related employment opportunities to either work under the main investment project at the terminals during the operational phase (For example: *unskilled work such as Bhandari, Chowkidar, Field Khalashi, Ghat Helper, GhatKhalashi, Painter Helper, Sweeper, etc.*) or during the construction phase of the project, among others will be promoted.

The PAPs are required to participate in developing feasible long- term income generating strategies. The long- term options are expected to be developed during the implementation of the RAP and also supported by the government assistance. Government of India along with the state governments runs various poverty alleviation programmes. Partnering NGO can facilitate PAPs to participate in these programmes as per their choices and skill requirement. One such scheme is the centralised Mahatma Gandhi National Rural Employment Guarantee Act which provides additional gainful employment for the unemployed population in rural areas, especially during lean agriculture season. Access to centrally sponsored schemes such as *Support to Training and Employment Programme for Women (STEP), Indira Gandhi Matritva Sahyog Yojna, NaiRoshni and Sawayam Sidh* which will socially and economically empower women PAPs. The NGOs can also facilitate in accessing state run schemes such as *Baideu* and *Nabou* Schemes which are aimed at providing financial assistance to unemployed single women and widows. Under the Baideu scheme, one-time financial assistance of Rs. 10,000 will be given to each unmarried unemployed woman of 45 years and above from BPL families. Under Nabou scheme, a one-time financial assistance is provided to unemployed widows.

Strategic interventions such as establishing training needs; identification of skills; hiring training staff; providing training to interested PAPs; ensuring that PAPs take up their new vocation; mid-term evaluation and corrective measures if required; and concurrent monitoring will be undertaken. The results of concurrent monitoring and mid-term evaluation will be shared with the NGO to bring in corrective measures. The Social Specialist (R&R) at the PIU through the contracted NGO will ensure that these steps are followed. The NGO will use the following parameters to identify an alternative livelihood/ income restoration scheme for each PAP:

- Education level of PAPs

- Skill possession
- Likely economic activities in the post displacement period
- Extent of land left
- Extent of land purchased
- Suitability of economic activity to supplement the income
- Market potential and marketing facilities

#### **9.10.R&R Budgets**

R&R Budget has been elaborated in Chapter 12 on Budgetary Allocation.

## Chapter.10. Monitoring and Evaluation Framework

Monitoring and evaluation of the project activities is to be done in a period manner (monthly/quarterly/ half yearly/annually) to ensure that the set milestones of the project are met with and in line with the requirements of the SMF/RPF/IPDF and sub-project specific RAP/IPDP. The project is responsible for internal monitoring on regular basis with the help of Social Development team in the Project Management Unit (PMU) of AIWTDS.

The Project Management Unit (PMU) will carry out concurrent monitoring of RAP implementation through the PIU and prepare monthly and quarterly progress report in terms of physical and financial progress. Additionally, the monitoring process will also look into: grievance management; public consultation and information dissemination to PAPs on benefits; income restoration activities, community monitoring of the Jibondinga Scheme and compliance of safety measures; labour standard compliance of all physical investments; training and capacity building; citizen engagement to assess users' satisfaction; GBV and gender mainstreaming. The monthly internal monitoring reports will be submitted to PMU by the end of 1st week of the subsequent calendar month. The progress report will be reviewed by the PMU and comments if any, will be communicated to PIU for immediate action.

The General Consultants of the PMU will take over the charge of supervising and monitoring the activities of the project during the time of implementation, which will include supporting and guiding the implementation and compliance on safeguards; documentation of various processes related to the implementation of RAP cum IPDP; sensitization and helping build capacity of the AIWTDS officials towards the implementation of the RAP cum IPDP provisions and assisting the social specialists of PIU in preparing monthly progress and quarterly process documentation reports. The technical supervision consultant will supervise and monitor labour standard compliance during the construction phase.

They will conduct periodic site visits to identify potential challenges faced in the project implementation and support to take timely corrective measures, if needed. A copy of the quarterly report will be made available to the World Bank by the PMU.

Services of an External Consultancy agency (third party) viz "Safeguard Monitoring Consultants (SMC) will be deployed to carry out external evaluation, of the environmental and social safeguard aspects, on a quarterly basis. They will especially monitor implementation and impact of Resettlement Action Plan (RAP) and other social and environmental safeguard aspects, including user satisfaction of ferry services from the perspective of safety, security and convenience of the passengers. Regarding land acquisition and Resettlement Action Plan, (RAP) implementation, following aspects will be monitored. (Annexure-5- ToR of Safeguard Monitoring Consultants)

- (i) Randomly verify the process followed in determining the compensation in line with the provisions of LARR including the inputs from the independent valuer;
- (ii) Verify timely payment of compensation to the landowners once the compensation awards are made. Participate in some of the compensation distribution meetings to ascertain the process followed for distribution of compensation cheques;



- (iii) Verify the process followed in the dissemination and administration of reimbursement of stamp duty or taxes in case those who buy alternative lands and houses out of compensation money;
- (iv) Verify the process followed for dealing with those cases where severance of lands are involved ;
- (v) Ascertain how the various provisions including payment of additional compensation in case of delay in completing the land acquisition process are administered under RFCTLARR 2013;
- (vi) Follow up on the status for dealing with grievances related to compensation rates;
- (vii) Follow-up on the progress in land acquisition in relation to civil work time table and report any likely delays which will affect the timely handing over of the lands to the contractors in accordance with the contract provisions;
- (viii) Report on any additional land acquisition requirements due to changes in route alignment or implementation of any associated facilities that are listed in this TOR;
- (ix) Any others tasks that are appropriate for dealing with land acquisition and compensation payment.
- (x) Verify and ascertain that the Entitlements as available in the Entitlement Matrix are administered to the various category of PAPs;
- (xi) Ascertain that the various proposals made in RAP to mitigate the impacts are implemented in the manner it was described in the RAP;
- (xii) Ascertain how various suggestion and concerns raised by the local people during consultations are incorporated or addressed during the project implementation;
- (xiii) Report on the Status of completion of reconstruction of affected community assets prior to handing over of the land to the contractor;
- (xiv) Report on the functioning of grievance redress mechanism to deal with the complainants grievances related to RAP implementation;
- (xv) Review the functioning of Data Base Management to track the implementation progress;
- (xvi) Review the periodical internal monitoring reports and identify any gaps in reporting or delay in implementation progress;
- (xvii) Verify the coordination between civil work contracts and RAP implementation to ensure that encumbrance free stretches are handing over to the contractors;
- (xviii) Monitor the role of consultants and NGOs in RAP implementation and identify any improvements required and suggestion for their services;
- (xix) Monitor the progress in providing unskilled jobs to the PAPs and local people;
- (xx) Participate in the meetings and consultations carried out by the implementing agency or carry out independent consultations to get first hand feedback from the affected and local people on the project implementation in general and RAP Implementation in particular;
- (xxi) Report on any additional R&R impacts due to changes in route alignment or implementation of any associated facilities that are listed in this TOR;
- (xxii) Any others tasks that are appropriate to deal with resettlement impacts and PAPs/local villagers concerns;
- (xxiii) Report other social safeguard issues such incidence of child labour, gender based violence, unequal wages, unhealthy work camps posing health or security hazards to the workers, etc.

### **10.1. Monitoring indicators for measuring social development outcomes**

The indicative monitoring indicators for RAP implementation will be: land acquired (ha) - private; land transferred (ha) - government; issue of ID cards; number of PAPs received full R&R assistance (titleholders); number of PAPs received full R&R assistance (non-titleholders); number of families provided alternative resettlement house; number of vulnerable people received additional support; number of payments disbursed on joint names; number of women PAPs who have receive compensation and R&R assistances;



number of PAPs (sex disaggregated) who've received training on skill development; number of CPRs relocated; and number of grievance received and resolved. The indicative monitoring indicators for financial monitoring will be: amount paid as land compensation; amount paid as structure compensation; amount paid as R&R assistances; and amount spent on common property resources. Some of the monitoring indicators for social development activities within other components of the project are:

- Beneficiaries (sex disaggregated, differently abled, senior citizens) satisfied with [specified dimensions e.g. access, quality of services, responsiveness to needs, quality of facilities] (%)
- % of women respondents interviewed for the satisfaction survey.
- Percentage of grievances satisfactorily resolved within stipulated timeframe: 70%
- Dedicated helpline for the project established and working.
- No. and type of IEC activities undertaken to disseminate information on GRM
- No. and nature of complaints received from women.
- MoU with exiting women helpline nos. and/or prominent NGOs to report complaints of harassment.
- ICC constituted at all establishments related to the project.
- No. of SHW cases adjudicated by ICC and resolved.
- Equity of access to key services through IWT (including health, education and economic centres)
- No. of vessels operating that have: seats for all passengers; life jackets for all passengers; safety instructions; secure spaces for goods
- No. of vessels that have disability access
- No. of long distance vessels with toilet facilities with disability access
- Display boards about boat schedules and strict adherence to the same.
- No. of SHG applicants availing the Jibondinga Scheme
- No. of women entrepreneur applicants availing the Jibondinga Scheme
- No of operators refused licences to operate because of non-compliance of safety provisions (percentage of total applicants) under the SOP.
- No. of skilled/ unskilled/ professional women employed in the project construction works.
- No. of female employees who have accessed employee welfare schemes and benefits under labour laws.
- No. of trainings and awareness camps on GBV and HIV/AIDS organised at the construction sites.
- No. of trainings for vessel crews and IWT staff on GRM including RTI, labour standard compliance including HR policies, safety and security of women users (including gender sensitization), and passenger services for differently abled, senior citizens, women and children.

## Chapter 11. Labour Standard Compliance and Labour Influx Mitigation Framework

Often developmental activities call for supply of labour forces and attract workers from different parts of the country. If not but to check, such trends can become a heavy burden on the resources, infrastructure, capital, social fabric, culture and economy of the affected area.

Due to its geographical placement, Assam is already subjected to severe migrations (interstate and cross border migration) from neighbouring areas. The State after all serves as the most important corridor that connects North Eastern States to the rest of India, and India to its neighbouring countries. Migrations trends prevalent in Assam is already putting severe strain on the existing resources and its limited land area, resulting in social conflicts and ethnic differences. Mass protests held against the recently tabled “Citizenship (Amendment) Bill, 2016” which seeks to legitimize the status of illegal immigrants, is a testimonial of prevalent social conflicts within the community which can easily be exacerbated by the influx of labours.

The State also reports higher instances of poverty and unemployment. Despite the abundant supply of raw materials, the lack of proper infrastructure limits Assam’s potential to a supplier of raw materials than producer of profitable end products. Another challenge salient to Assam is the population displacements due to floods and developmental projects. The Brahmaputra river poses a significant challenge to riparian communities who are often forced to move, due to floods. They are faced with heavy losses of property, land, household, agricultural products, animals and life, often causing severe economic and social distress to the inhabitants. Furthermore, insurgency and social conflicts in the recent past puts heavy strain on the social and economic equilibrium of the State.

### 11.1. Labour Influx Risk Assessment

The influx of workers and followers can lead to adverse social and environmental impacts on local communities, especially if the communities are rural, remote or small. However, the current project for development of IWT involves both rural and urban areas of Assam. While some Ghats are located in typical urban centres like Guwahati and Jorhat, others are located in remote rural settings of Majuli. Furthermore, IWT services offers one of the most important modes of connectivity for multiple sections of population, especially in rural areas.

As per the census 2001, out of the total population in Assam about 0.71 percent were international migrants, particularly from Bangladesh, Bhutan and Nepal. Bangladesh constituted 86.14% of the total immigration to Assam. The district which reported the highest number of immigrants were Cachar (1.63%), followed by Karimganj (1.61%), Bongaigaon (1.40%), Nagaon (1.13%) and Goalpara (0.95%). The district which had the lowest number of immigrants were Sibsagar (0.11%), followed by Jorhat (0.14%), Golaghat (0.18%) and Dibrugarh (0.33%).

Along with the international migration the migrants from the other states of India also contributes to the population growth in Assam. Out of the total migrants, the interstate migrant into Assam contributes about 2.39 per cent and 1.93 per cent during 1991 and 2001. In both years, Bihar contributed to the highest volume of interstate migrants as about 36.31

per cent and 33.50 per cent respectively, followed by West Bengal (17.62 per cent and 19.19 per cent) and Uttar Pradesh (10.17 per cent and 9.72 per cent). According to the 2011 Census, net interstate migration rate for Assam during 1991-2011 is estimated at -2.02%. The share of interstate migration has increased from -0.69% to -2.02% from 1991 to 2011. Influx of migrants from the different districts of India can be attributed to the existence of labour market and employment prospects in the destination area.

Based on this assessment, potential adverse impacts of labour influx have been enumerated below:-

- Labour influx may influence the demographic composition of the existing mass of population in riparian areas, where there already seems to be a decline of man-land ratio, shortage of food, settlement pattern, and ethnic differences.
- Increased demand and competition for local social and health services, as well as for goods and services, which can lead to price hikes and crowding out of local consumers. SIA of three priority sites indicated low capacity of the community to manage and absorb the incoming labour force. This is particularly relevant for Assam, as it already deals with such risk from cross border and interstate migration.
- Bearing in mind the present socio-political environment, temporary labour influx due to the project may amplify social conflicts between the local community and the construction migrant workers.
- Project may result in increased rates of illicit behaviour and crime against women, which is a real threat for Assam where gender-based violence is rampant.
- SIA of three priority sites revealed that the project will directly impact the livelihood of affected families who earn their living through petty businesses and agricultural activities (marginal/small) in the project area. It is therefore imperative to ensure that the PAPs can reconstruct their livelihood. The temporary labour influx may increase competition for jobs and have an impact on wage distribution.

While most of these potential impacts are identified in the Environmental and Social Impact Assessment (ESIA) carried out for the sub-projects, they may become fully known only after a project contractor is appointed to take decisive actions on sourcing the required labour force. It is vital to develop a dynamic plan for addressing risks associated with labour influx before the stipulated work starts. It is also important to update such plans as necessary to reflect project improvements and developments that result from the course of project implementation. Overall, adequate monitoring and adaptive management of the potential impacts from labour influx are crucial for properly addressing and mitigating the risks involved.

## 11.2. Recommended Mitigating Measures

- The most effective mitigation measure against labour influx is to reduce it. Unskilled workers are available in plenty, and many of them are migrating in search of employment, can be retained locally. The contractor is responsible for recruitment of labourers for construction work. Specifications on employment of local workforce including women should be reflected in the civil works bidding documents and subsequent contracts to ensure that the contractors fulfil these commitments. Locals including women may be screened further for skills, and adequate orientations can be provided to recruit for the work. AIWTDS can prepare a roster of interested workers and their skills. The lists can be provided to contractors at the pre-bid meetings for recruitment consideration.

- The project contractor needs to prepare a site-specific Labour Influx Management Plan and/or a Workers' Camp Management Plan. This plan will include specific measures that will be undertaken to minimize the impact on the local community, including elements such as worker codes of conduct, grievance redressal, skills development, training programs and awareness generation on HIV/AIDS and gender-based violence (GBV) for the workers and host community. A Workers' Camp Management Plan will also address specific aspects of the establishment and operation of the workers' camps in compliance with relevant labour laws. The plan should include appropriate screening and monitoring mechanisms for addressing non-compliance.
- Adequate measures will be taken to ensure safety and security of women within the community and at the construction site. A security personnel will be deployed at the construction sites, and emergency nos. including contact details of local law enforcement officers, project's helpline no., existing state-run women helpline nos. will be prominently displayed at the site. The contractors will ensure that an Internal Complaints Committee (ICC) for each establishment is set-up to meet their corporate requirement and legal mandate under the Sexual Harassment at the Workplace Act, 2013.
- Health problems of the workers should be taken care of by providing basic health-care facilities through health centres temporarily set up for the construction camp. The health centre should have the requisite staff, free medicines and minimum medical facilities to tackle first-aid requirements or minor accidental cases, linkage with nearest higher order hospital to refer patients of major illnesses and critical cases.
- Awareness camps on HIV/AIDS for both, construction workers and neighbouring villages must be organised at regular intervals by NGOs empanelled with NACO.
- It is expected that among the women workers there will be mothers with infants and small children. The provision of a day care crèche as per the Building and Other Construction Workers (regulation of employment and conditions of service) act, 1996 is the contractor's responsibility. The crèche should be provided with trained women to look after the children.
- In case work schedule extends up till night, it should be ensured that women workers are exempted night shifts.
- PMU must prepare and disseminate IEC materials on labour welfare and compliance. Additionally, the technical supervision consultant and PIU must monitor the labour standard compliance during the construction phase, as per the format provided in **Annexure.4**. The PIU with the support of the technical supervision consultant must document and furnish a monthly report on labour standard compliances including implementation of site-specific Labour Influx Management Plan/ Workers' Camp Management Plan and construction induced grievances to the PMU.

The following **Table no 11.1** describes mitigation measures related to cross cutting issues of labour influx under the AIWT activities:

Table 11.1. CROSS-CUTTING ISSUES	
Elements	Measures
Assess the magnitude of labour influx, relevant contextual	<ul style="list-style-type: none"> <li>• Unskilled workers are expected to be largely recruited locally in the project area. All these locally recruited will continue living in their homes, except where work sites are far away from their settlements, in which case they would reside in the labour camps,</li> </ul>

<b>factors, and related legal &amp; institutional framework</b>	as would workers from outside the immediate alignment.
<b>Contractually bind the Contractor to carry out social impact mitigation</b>	<ul style="list-style-type: none"> <li>• The Contractor is explicitly required under its contract to abide by the provisions of the site-specific SMP.</li> <li>• Before works may begin, the Contractor is required to obtain approval for its Contractor's camp, including plan for implementation of social and environmental risks, including labor influx.</li> <li>• The works contract specifies the sanctions that the Contractor will face if the contractor-related provisions of the site-specific SMP is not adhered to, including by sub-contractors.</li> <li>• The Contractor is required to have specific and qualified key staff to manage social mitigation and implement the project's safeguard instruments. The contractor safeguards expert will be responsible to verify compliance with and implementation of all mitigation measures. Physical works can only commence once these key staff are engaged.</li> </ul>
<b>Establish a mandatory Code of Conduct for workers</b>	<ul style="list-style-type: none"> <li>• The site specific SMP explicitly calls for the Contractor to establish and enforce the employees' Code of Conduct (CoC), including prevention of HIV/AIDS/STCs, prohibition of gender-related violence, treatment of minors, and other behaviours affecting community residents. PMU will review and approve the CoC before physical works commence.</li> <li>• The Contractor is required to implement the CoC.</li> <li>• The Contractor's social team is required to provide training to all workers on the CoC. The training will be applied to 100% of the workers. PMU will monitor compliance.</li> </ul>
<b>Reporting and auditing</b>	<ul style="list-style-type: none"> <li>• The PMU will prepare regular reports on the Contractor's compliance with all social impact mitigation plans.</li> </ul>
<b>SOCIAL IMPACTS</b>	
<b>Potential Adverse Impacts</b>	<b>Mitigation Measures</b>
<b>Aggravation or exploitation of social conflicts</b>	The SIA of the pre-identified sites have carefully analyzed and taken into account pre-existing cultural or social differences among groups in the project area.
<b>Increased burden on public service provision,</b>	Labour camps will provide their own water supply, electricity, waste-water treatment, solid waste disposal, medical services and transportation services, with no negative impacts on the supply of

<b>increasing costs to or crowding out the local population</b>	such services to local residents. The contractors will prepare a Labour Camp Management Plan which will include these provisions.
<b>Resettlement, compensation related to labour camps</b>	<ul style="list-style-type: none"> <li>• Sites for labour camps in project areas are most often on land leased for the duration of project execution, thereby avoiding any land acquisition.</li> </ul>
<b>Increased risk of communicable diseases</b>	<ul style="list-style-type: none"> <li>• The Contractor's social team is required to provide training to all workers on HIV/AIDS/STD prevention and GBV, in coordination with the local health service and with additional support of specialized entities in the project area. The training will be applied to 100% of the workers. PMU and Supervision Consultant will monitor compliance.</li> </ul>
<b>Gender-based violence and misconduct</b>  <b>Illicit behaviour and crime affecting the local population</b>	<ul style="list-style-type: none"> <li>• The Contractor is required to fully enforce compliance by its workers with the Code of Conduct, GBV action plan, including application of sanctions.</li> <li>• The Contractor is required to monitor the entry and exit of all personnel and visitors in and out of the labour camp.</li> <li>• PMU and the Contractor will maintain outreach to law enforcement and legal services for women, children and teenagers, to facilitate prompt and effective responses when needed.</li> <li>• The Grievance Redress Mechanism includes a specific mandate to address any kinds of gender-based violence including setting up of ICC under the Sexual Harassment at the Workplace Act, 2013.</li> </ul>
<b>Child labour and school dropout</b>	<ul style="list-style-type: none"> <li>• The works contract includes a clause prohibiting the economic exploitation of minors and employment that is deemed dangerous, which interferes with education and/or risks their health or physical mental, spiritual moral or social development.</li> </ul>
<b>Camp-related traffic and road safety</b>	<ul style="list-style-type: none"> <li>• Contractor must ensure terminal safety in and around the camps using signage, traffic control personnel, barriers, lighting, reflectors, proper pedestrian access, proper detours and access roads, and public information.</li> <li>• In reviewing the terminal design, the PMU will undertake safety audit.</li> </ul>
<b>Labour conditions</b>	<ul style="list-style-type: none"> <li>• The Contractor will be required to prepare and obtain approval of an Occupational Health and Safety (OHS) plan for its workers at the work site and in the labour camps.</li> </ul>



	<ul style="list-style-type: none"> <li>Contractor must abide by the national and state regulations on labour standard and norms for design, construction and management of labour camps per “Labour Accommodation: Processes and Standards”, a Guidance Note by IFC and the EBRD, found at the following link:</li> <li><a href="http://www.ebrd.com/downloads/about/sustainability/Workers_accommodation.pdf">http://www.ebrd.com/downloads/about/sustainability/Workers_accommodation.pdf</a></li> </ul>
<b>Camp-related land use, access roads, noise and lights</b>	The site-specific SMP provides relevant guidelines.
<b>Closure and site restoration</b>	The Contractors Plan will include detailed provisions for work camps’ closure and site restoration, including removal of buildings and ancillary facilities, rehabilitation of access ways, removal of all materials and equipment, restoration of the topography to its original state, and replanting of trees and other vegetation.

### 11.3 Relevant Labour Laws applicable during Construction

The construction sites established by the contractor needs to comply with all applicable labour laws, some which are listed below.

1.	The Payment of Gratuity Act 1972	Gratuity is payable to an employee under the Act on satisfaction of certain conditions on separation if an employee has completed 5 years’ service or more or on death at the rate of 15 days wages for every completed year of service. The Act is applicable to all establishments employing 10 or more employees.
2.	Trade Union Act 1926	The Act lays down the procedure for registration of trade unions of workmen and employers. The Trade Unions registered under the Act have been given certain immunities from civil and criminal liabilities.
3.	Workmen’s Compensation Act, 1923	The Act provides for compensation in case of injury, disease or death arising out of and during the course of employment.
4.	The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996	All the establishments who carry on any building or other construction work and employ 10 or more workers are covered under these Acts. All such establishments are required to pay cess at the rate not exceeding 2% of the cost of construction as may be notified by the Government. The Employer of the establishment is required to provide safety measures at the building or construction work and other welfare measures, such as Canteens, First – Aid facilities, Ambulance, Housing accommodations for workers near the work place etc. The Employer to whom



		the Act applies has to obtain a registration certificate from the Registering Officer appointed by the Government.
5.	Child Labour (Prohibition and Regulation) Act; 1986	The Act prohibits employment of children below 14 years of age in certain occupations and processes and provides for regulation of employment of children in all other occupations and processes. Employment of Child Labour is prohibited in the Building and Construction Industry.
6.	Inter-State Migrant Workmen's (Regulation of Employment and Conditions of Service) Act, 1979	The Act is applicable to an establishment which employs 5 or more inter-state migrant workmen through an intermediary (who has recruited workmen in one state for employment in the establishment situated in another state). The Inter-State migrant workmen, in an establishment to which this Act becomes applicable, are required to be provided certain facilities such as housing, medical aid, travelling expenses from home upto the establishment and back, etc.
7.	Contract Labour (Regulation & Abolition) Act 1970	The Act provides for certain welfare measures to be provided by the Contractor to contract labour and in case the Contractor fails to provide, the same are required to be provided, by the Principal Employer by law. The Principal Employer is required to take Certificate of Registration and the Contractor is required to take license from the designated Officer. The Act is applicable to the establishments or Contractor of Principal Employer if they employ 20 or more contract labour.
8.	Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013:	This Act defines sexual harassment in the workplace, provides for an enquiry procedure in case of complaints and mandates the setting up of an Internal Complaints Committee or a Local Complaints Committee
9.	Minimum Wages Act 1948	The Employer is supposed to pay not less than the Minimum Wages fixed by appropriate Government as per provisions of the Act if the employment is a scheduled employment. Construction of Buildings, Roads, Runways are scheduled employments.
10.	Payment of Wages Act 1936	It lays down the mode, manner and by what date the wages are to be paid, what deductions can be made from the wages of the workers.
11.	Employer's Liability Act, 1938	This Act protects workmen who bring suits for damages against employers in case of injuries endured in the course of employment. Such injuries could be on account of negligence on the part of the employer or persons employed by them in maintenance of all machinery, equipment etc. in healthy and sound

		condition.
12.	Employees State Insurance Act 1948	The Act provides for certain benefits to insured employees and their families in case of sickness, maternity and disablement arising out of an employment injury. The Act applies to all employees in factories (as defined) or establishments which may be so notified by the appropriate Government. The Act provides for the setting up of an Employees' State Insurance Fund, which is to be administered by the Employees State Insurance Corporation. Contributions to the Fund are paid by the employer and the employee at rates as prescribed by the Central Government. The Act also provides for benefits to dependents of insured persons in case of death as a result of an employment injury.
13.	The Personal Injuries (Compensation Insurance) Act, 1963	This Act provides for the employer's liability and responsibility to pay compensation to employees where workmen sustain personal injuries in the course of employment.
14.	Industrial Employment (Standing Order) Act 1946	It is applicable to all establishments employing 100 or more workmen (employment size reduced by some of the States and Central Government to 50). The Act provides for laying down rules governing the conditions of employment by the Employer on matters provided in the Act and get the same certified by the designated Authority.

## Chapter12. Budgetary Allocation

The following costs were estimated for implementing the Social management Plan . The budget estimates is for 3 years

**Table 12.1. Budget estimates forSMP**

Budget estimat+A43:E82es for SMF/IPDP/GDP/RPF/institutional supports				
Sl No	Details	Rate	Period	amount
1	<b>Institutional framework</b>			
1.1	Staff-PMU			
a	Social Development Specialist	100000	36mont hs	3600000
b	Data entry /support staff	20000	36	720000
1.2	Divisional office			
a	Social Specialist	60000	36	2160000
1.3	Supporting NGO (RAP Implementing Agency)			
a	4 specialists	100000	36	36,00,000
b	TA/DA/IEC	1000000	3years	30,00,000
2	<b>Capacity Development /Training/Study tours</b>			
2.1	Staff training	500000	3	1500000
2.2	Community Capacity Development	1000000	3	3000000
3	<b>Social Management Framework</b>			
3.1	Gender Development Plan	500000	36	18000000
3.2	IPDP for 36 months	300000	36	10800000
3.3	GRM for 36 months	200000	36	7200000
a	Setting up of Toll-free Helpline no.	500000	4	2000000
b	Staff for operating the Helpline	200000	4	800000
c	Functioning of GRC	500000	4	2000000
3.4	CEP ( quarterly rates)	100000	12	1200000
3.5	LIM(Quarterly rates)	100000	12	1200000
4	<b>Monitoring and Evaluation</b>			
4.1	Internal Monitoring	500000	3	1500000
4.2	External Monitoring Agency	500000	3	1400000
4.3	Web Based Application & Android based Mobile App for RAP implementation	300000	3	900000
	Sub-total for SMF and institutional supports			64,580,000
			64. 58million	
5	<b>Resettlement Policy Framework</b>			
	Cost for SIA	17000000		17000000
5.1	Cost of Land - approx 10acres @10lakh per acre	1000000	10 acres	10000000
5.2	Cost of Structures - approx 220 structures @100000	100000	220Nos	22000000

5.3	Replacement costs/ resettlement values @50000 X 220	50000	220	11000000
5.4	Livelihood compensation and enhancement plan 36000 X 220	36000	220	7920000
5.5	Special supports to SC/ST -@50000 x 100	50000	100Nos	5000000
5.6	Supports to vulnerable categories @ 50000 x 50	50000	50Nos	2500000
5.7	Development of R&R sites @ 2000000 in 10areas	2000000	10 sites	20000000
5.8	Livelihood and Income Restoration Activities	500000	20	10000000
	sub total			105420000
		105.42million		
	Total for RPF ,institutional supports and social safeguards			170,000000
	contingencies	1000000	3year	3000000
	<b>SMP Budget estimates -Grand Total (INR)</b>	<b>173 million</b>		
				173000,000

# Annexure – 1

## Annexure -1(A)

## Observations from the KII, FGD and Consultations

Table No 7.1 Community Consultations at Priority Ghat PIA

FGDs in LachitGhat PIA ( List of participants provided in Annexure- )	
FGD with Women Groups at LachitGhat PIA - Ward -2	Integration into project design and Action Plans
<ul style="list-style-type: none"> <li>Overall happiness over rising chances of business due to increase in tourism possibilities by women shop owners.</li> <li>Housewives are only occasional users of ferry services</li> <li>Demand for better jetty, approach road facilities, drinking water facilities.</li> <li>Request for safety measures such as better police protection</li> <li>Lady police officers on ferries,</li> <li>Job and education opportunities</li> <li>Change in social mentality to treat women as equal citizens</li> <li>Reasons for GBV and exploitation is lower status of women due to dependency and poverty.</li> <li>Reluctance and unwillingness to discuss direct instances of violence,</li> <li>GBV cases against school and college (eve teasing) students who used ferries.</li> </ul>	<p>Project plan will consider GRM for addressing instances of GBV on Ferry and Ghat areas</p> <p>Attempt to expand job opportunities for women in Ghat and ferry areas by giving them start up incentives</p> <p><i>Jibondinga</i> Scheme considers special incentive to encourage women entrepreneurs and women self-help groups</p>
FGD with unskilled labourers at LachitGhat area	
<ul style="list-style-type: none"> <li>Prevailing wage rate is Rs 300 only. That too is seasonal .Most of them are engaged in the loading and unloading jobs in the Ferry services</li> <li>Trade unions and labour unions are active in the area.</li> <li>Child labour, and GBV cases not reported.</li> <li>Labour in-migration is present in the area during winter. (Migration from rural to urban).</li> <li>Migrated persons usually stay in temporary shelters and dilapidated houses. Exact number of persons so arriving is not known</li> <li>Ferry accidents are reported recently.</li> </ul> <p>Open spaces are available to set up labour camps and hospital facilities are also available. Drug and alcohol abuse are reported by all 5 participants.</p>	<p>All labour welfare laws such as minimum wages, working hours and other such welfare measures will be incorporated in the labour compliance plan.</p> <p>Labour influx mitigation strategy will involve measures to utilize existing labour in the area, to be identified by the contractor. Adequate accommodation with basic facilities will be provided by the contractors for migrant labours working during the project construction period.</p> <p>Scope of skill training /skill up gradation training to people in the PIA, as per TNA exercise and demand incorporated in the Project framework</p>

Water supply facility is available and caters to the water requirements in the area.	
FGD with general public	
All of them reported the need for rest places, toilets, police, parking facilities at the terminal. Some facilities requested involves roads leading to Ghat area, crossing light, solutions for water shortage and waste disposal.	Steps will involve planned strategies to improve quality and assess of overall infrastructure on project site/area.

FGDs in North Guwahati PIA	
FGD with Women Groups	
No direct cases of GBV /domestic violence or employer exploitation reported	Steps will be taken to incorporate GRM mechanisms to address GBV issues
Request for increased security measures police protection	Include safety woman officers within the Ghat and ferry areas
Request for drinking water, toilets, roads	Measures to improve basic facilities
FGD with Labourers	
Water transportation workers union are actively involved. Not aware of labour welfare measures Alcohol and drug abuse, commercial sex work, child labour is not reported	Spread awareness regarding welfare measures, in code of conduct, set wages and working hours.
FGD with General public	
General lack of facilities such as drinking water, approach roads, toilets, waiting sheds, safety measures on Ghat location and ferry.	Measures to improve basic amenities like water supply, and better infrastructure facilities, including for the differently abled, senior citizens and nursing mothers will be provided. Measures to strengthen safety and security of users, particularly women will be incorporated.
FGDs in AphalmughGhat PIA	
FGD with Women Groups	Integration into project design and action plan
Concerned about inferior status in society Request for better economic opportunities Demand of better infrastructural facilities, empowerment measures	Measures such as storage facilities, toilets, better scheduled timings and safety measures at the Ghat and ferries will be considered to facilitate the use of ferries for trade related activities by women weavers in Majuli.  <i>Jibondinga</i> scheme provides incentives to SHGs to access the scheme.  Access to livelihood schemes for PAPs as a part of income restoration measure.



FGD with ST communities.	
ST women participants were unemployed while men were daily wage earners  Request for better roads, fixed jetties, regular river transport facilities  Hopeful about better opportunities with ferry development	Promoted further awareness of the project to minimize anxieties, measures to provide appropriate compensations. The project design will incorporate better infrastructural facilities in Ghat and ferry service, including the construction of an approach road. Provide opportunities for improved livelihood.
FGD with Labour groups	
They get minimum wages 200 only Labour in-migration during winter seasons GBV due to lack of stable/constant docking area.	Steps will be taken to set up stable landing sites as part of the project and integrating measures to ensure safe mobility of women such as proper lighting at the terminals, deploying of security personnel, display of helpline nos., among others.
FGD with General public	
Unaware about inland water transport project Demand for better infrastructure such as approach roads, waiting sheds, washrooms, better security, reliable and regular ferry services.	Regular public consultation and citizen engagement activities will be undertaken throughout the duration of the project. Provision of better infrastructure facilities has been integrated into the project design.
KII with Ferry operators	
Discussed Safety and security issues Explained about lack of proper facilities-toilets, washrooms, waiting sheds Lack of reliable boat services Other issues like overcrowding at certain times ,damage to boats from flowing waste materials due to river pollution Request for better skill training	Crew Training Centre will be upgraded and training policy including a three year plan has been developed to provide training to all fleet crews and operators.  The <i>Jibondinga</i> scheme will setup a vigilance body who will monitor compliance to Standard Operating Procedures (SOPs) for ferry terminals to ensure convenience, safety and security of passengers.  Terminals and vessels will be upgraded to include basic facilities for all passengers, including differently abled, senior citizen and nursing mothers. These would include adequate seating, toilets, ramps, nursing room/space and storage facilities, among others.

Picture- Consultations with Shop owners at Majuly



Picture-5. Consultations at Majuly Island





Annexure -1(B)				
Comments and Suggestions on Social Part of Screening and Scoping				
Sl. No.	NAME & DESIGNATION	Dept	COMMENTS/SUGGESTIONS	REMARKS
01.	Mr. L. Nath, Jr. Engineer (9864066886)	IWT Assam	<p>The following aspect is to be addressed during project implementation-</p> <ul style="list-style-type: none"> <li>Educate local community</li> <li>Maximum involvement of community so that community should not be deprived.</li> <li>During construction of any terminal etc., it should be sustainable.</li> <li>The river Brahmaputra is a diverse river so during project implementation no major livelihood is to be disrupted. (Compensation)</li> </ul>	<p>Project related Information Education and communication (IEC) will be a part of the project strategy</p> <p>Participatory decision making through stakeholder interactions,FGDs etc incorporated</p> <p>Designs are appropriate</p> <p>Impact on livelihood will be studied and appropriate compensations will be effected</p>
02.	Mr. D K Chakravarty, AEE (9613074344)	IWT Assam	<ul style="list-style-type: none"> <li>Maximum employment generation to be created.</li> <li>Optimum use of river related resources for all round development of the society.</li> <li>Ethnic culture of the society to be protected/safe guarded.</li> <li>Tourism potential of the state to be developed.</li> </ul>	<p>Labour Influx management plan will consider this.</p> <p>Protection of cultural heritage is considered important and action will be taken</p> <p>Improved infrastructure will invariably attract more tourists</p> <p>Focused approaches are required and will be recommended to Govt.</p>
03.	Mr. S. Ahmed, Jr. Engineer (9706054324)	IWT Assam	Provision for unemployed youth's engagement at river terminal facilities for establishing small shops etc.	Maximum involvement of local people in construction works will be ensured

04.	Mr.Diganta Talukdar , Jr. Engineer (9435340085)	IWT Assam	<ul style="list-style-type: none"> <li>Provision of financial assistance according to the need of river site inhabitants and awareness of safe travels including developing high-tech ticketing devices for frequent and prompt movement of ferry users.</li> <li>Combine efforts with irrigation, water resource and public health dept.</li> </ul>	<p>R&amp;R plan will be prepared and implemented to compensate the loss incurred by impacted people.</p> <p>Modernization of ferry services will consider such suggestions.</p> <p>Integrated action by the institutional stakeholders is planned in the project design. Consultations are done for this purpose.</p>
05.	Mr.Kaustabh Rakshit, Technical Superintendent (9435009229)	IIT Guwahati	<ul style="list-style-type: none"> <li>How many you have collected?-20%</li> <li>Why you have not surveyed in Majuli?</li> <li>How Many community you have covered?</li> <li>How many questions you have asked?</li> <li>Do you have the phone no. of the interviewed person?</li> <li>How many shops in the Ghat from pan shop to hotel?</li> <li>How many fishing boats are there?</li> <li>Effect of flood on the water-way-transportation?</li> <li>How many local persons hired for the survey?</li> <li>Have you meet Gaon Panchayat leader before survey?</li> </ul>	<p>Question is about primary data collection. The data collection is yet to start and all the concerns will be addressed and considered. Sample design was explained. Majuli is in the list for data collection.</p> <p>Gaon Panchayathas been considered for KII.</p> <p>Data collection mode, sampling ,survey agency engaged etc were explained</p>
06.	Mr. Islam Laskar, President	Senior Engineers' Forum	<ul style="list-style-type: none"> <li>Modern rate transport system has already been delayed for river Brahmaputra and Barak. Today's event</li> </ul>	<p>Feasibility studies have analysed the transport loads by road and water transport. More preference given to water transport based on</p>

	(9435062116)		<p>should have been done much earlier than today. Is it agreed – yes/no</p> <ul style="list-style-type: none"> <li>Whether any study has been carried out to assess what percentage of pressure on road surface transport will be reduced/relieved by virtue of promoting water transport system with modern technology. This may partially disrupt road transport, it is desired in this age of disruption.</li> <li>Adequate facility for food/snacks/tea-coffee is most wanted like Airlines/Railways.</li> </ul>	<p>such concerns only.</p> <p>Facilities for refreshments, cafeteria etc will be there in the design.</p>
07.	Mr. A. HarshaVardhan , Consultant (7738830613)	KPMG	<ul style="list-style-type: none"> <li>As river is following into Bay of Bengal, any impact due to oil spill/sitting will be felt by communities downstream.(until Bangladesh)</li> <li>*have the communities downstream and not just the area of development taken as impacted stakeholders in the target group.</li> <li>*Will the project have any issues related to Trans-boundary objection from Bangladesh.</li> </ul>	<p>Water quality issued analysed as part of EIA study</p> <p>Project Impact area includes 10 km radius surrounding the project sites.</p> <p>Overall impact analysed through secondary data analysis.</p> <p>No trans boundary issues</p>
08.	Mr.Vinuthne, Programme Officer	Oxfam India	<ul style="list-style-type: none"> <li>In South Salmara District, one village was totally erased and migrated to nearby</li> </ul>	<p>Flood situation of the river analysed in EIA studies.</p> <p>House construction assistance given to those who lose their</p>

	(9903177355)		<p>villages. Is there any house construction, any financial assistance?</p> <ul style="list-style-type: none"> <li>In South Salmara, due to erosion, school was erosion twice. And then is no ferry for end of the Manichar area. Is there any plan?</li> <li>Somewhat child details have to include in study.</li> </ul>	<p>residence due to the project. If any.</p> <p>Resettlement and Rehabilitation entitlement policy of state of Assam have such provisions and is adapted for this project.</p>
09.	Mr.Balin Das, Superintending Engineer (8811023706)	A.S.T.C	Transportation plays a vital role for development of society/locality. Hence we have to provide them last mile connectivity. This can be done by coordinating with local transport and transport department (ASTC)	Yes. Integrated approaches need to be considered and will be recommended in the studies.
10.	Dr.Rajib Sutradhar, Asst. Professor (9873647887)	O/C DISCO	Whether any assessment or consideration given to settlement of those dependent on existing ferry facilities? Who will run the proper ferry facility?	Yes. Social Impact Assessment studies will consider such issues. Private and Public ferry services will continue to operate with better facilities.
11.	Mr.Dr. A Sarma, Sr. River Engineer (9706768066)	General Co	<ul style="list-style-type: none"> <li>Have you conducted the SWOT analysis for each of the ghats proposed? In specific what are your threat perceptions owing to development of the ghat areas.</li> <li>The private boat operators are generally affected. What alternative arrangements have been made or suggested to earn their livelihood?</li> </ul>	<p>Yes. Studies analyse the positive and negative issues of each Ghat under this project. All negative impacts will be mitigated through appropriate actions.</p> <p>Private ferries will not be totally banned. Better employment opportunities and conditions are there in the project. For any livelihood loss due to the project compensation will be paid.</p>



			<ul style="list-style-type: none"> <li>Issue of encroachment needs to be highlighted.</li> </ul>	
12.	Mr.R.K.Dutta, Jr. Engineer (9085158544)	IWT	<ul style="list-style-type: none"> <li>Floating township considering the land scarcity.</li> <li>Tourism development for tourist.</li> </ul>	Further Tourism possibilities will have to be considered by the Govt
13.	Mr.SujitRanjan Nath, Jr. Engineer (9435734276)	IWT	<ul style="list-style-type: none"> <li>To generate the source of livelihood of local people.</li> <li>To promote tourism and development economy of the state.</li> </ul>	Yes. The project provides several opportunities to provide additional employment and income
14.		North East Network	<ul style="list-style-type: none"> <li>How do you plan to compensate for the loss of common property resources and livelihood of people?</li> <li>How will the low income group of commuters be able to access the ferries if the cost of the tickets is high?</li> </ul>	<p>Compensation for livelihood loss will be given as per the R&amp;R matrix in RFCTLARR act and rules adapted by GoA in 2015.</p> <p>The cost of tickets will never be high just because better facilities are provided through this project</p>
15	Mr.ParthaJyoti Das , Head (Water, Climate & hazard ) (9435116558)	Aaranyak	Name of indigenous communities like “Miris” and “Mikirs” should not be used. These are Objectionable terms. Instead, you should say “Misings” and “Karbis”	Yes. well taken
16.	K. G. Debkrori Consultant (9435405572)	Senior Engineers Forum, Guwahati(NER)	<ul style="list-style-type: none"> <li>Out of two river ecosystem, the social part belongs to terrestrial ecosystem. So selection of Ghats needs various consideration particularly demarcation of flood Planes</li> <li>The platform is ramp</li> </ul>	<p>EIA concern.</p> <p>Design concerns will be addressed by ISDP consultants.</p> <p>Approach roads to Ghats are also considered by the authorities.</p>

			<p>appears to be adjustable with ****(katarline) in different seasons. While constructing the foundation on the river bank failure of one jetty near straight bridge should be kept in view.</p> <ul style="list-style-type: none"><li>• The depth water on either shore should be studied for easy movement of passenger traffic.</li><li>• Nos. of passenger calculated should be viewed in respect of road transport passengers.</li><li>• Eight side of the Ferry Ghats should have good approach to be linked to main road.</li></ul>	
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**Annexure-1(C)****Discussion points at Stakeholders Meet at AfalamukhGhat (Majuli) held on 07.02.2019**

Around 50 participants from the island including affected persons, village leaders, teachers, women and a cross section of the area participated in the public consultation.

<b><u>Queries</u></b>	<b><u>Project interventions</u></b>
GaonPanchayat Member raised concern over the priority given to KamalabariGhat than AfalamukhGhat. He pointed out that Aphalmukhghat in Majuli Island is more near to NeamatiGhat as it is the shortest route from Majuly island to Neamati. So, while development ideas are considered under this project, first priority need to be given toAphalamukhGhat than KamalabariGhat.	Development of Aphlamukh has been considered on a priority basis under the project. The RAP cum IPDP has been prepared for three sites which includes Aphlamukh.
One of the participants requested that special boat facilities in ferry service to transport dead bodiesfor cremation, need to be considered, as it is a felt need of the island dwellers here.	The project plans to utilize the existing Govt. fleet, which may no longer be suited for intensive passenger ferrying but could be usefully converted into mobile clinics, schools / library and for other such important services. These vessels will be suitably retrofitted and customised to their intended use.
Facility for Boat Ambulance is another urgent demand since the facilities currently available are inadequate to shift patients from Majuly to Neamati and then to Jorhat.	
There is a Graveyard near by the AfalamukhGhat and that need to be developed, when the terminal facilities are developed, shifting the same to another place.	However this Graveyard do not fall within the affected area of the Ghat and hence not considered in the SIA. But in the consultation meet, there is such a suggestion from the local people that this Graveyard by the River bank need to be developed and it is recommended to be considered under “Green/Environmental CSR” by the Project Authorities.

**Stakeholder workshop at Guwahati on 4<sup>th</sup> February 2019, at Circuit House, Guwahati**

The ESIA Consultants presented the SMF framework and the participants sought clarifications. The Participants includes Officials from ISBP, ISDP , State Pollution Control Board, Guwahati Smart City Project, Forest Department, Agricultural Dept, PWD, EIA&SIA consultants, Officers from IWT and such other institutional stakeholders.

<b><u>Queries</u></b>	<b><u>Project interventions</u></b>
Participants asked about the employment potential of the project to the local people and chances for in-migration /labour influx and measures to control the same.	These were discussed based on the strategies specified in the draft SMF/ RPF.
Availability of Government land for construction purpose and design including indigenous design in some locations was also discussed and the design consultants present displayed their plans and designs	Emphasised on the need for integrating the requirements of vulnerable passengers, particularly women, children, differently abled, old and infirm in the terminals and ferries through universal design specifications.



## Annexure –2

## Gender Risk Assessment Indicators &amp; Score Annexure -2

Section A: Country Context								
Country-level violence background								
1	<u>Prevalence intimate partner violence (select the country then in the 'Common Indicators' tab and scroll to "Physical or sexual violence by a husband/partner")</u>	Lower than regional average	Low Risk	0	Higher Risk is having IPV prevalence above regional average per DHS data (see next tab). Lower Risk is having IPV prevalence below the regional average per DHS data (see next tab).	0		0.5
2	<u>Prevalence of any form of sexual violence (select the country then in the 'Complete List' tab and click the "Domestic Violence" tab. Select the "Experience of sexual violence" option, then select "Women who ever experience sexual violence" option)</u>	Lower than regional average	Low Risk	0	Higher Risk is having a sexual violence prevalence above regional average per DHS data (see next tab). Lower Risk is having a sexual violence prevalence below the regional average per DHS data (see next tab).	0		1.0
3	<u>Prevalence of child marriage (defined as marriage before exact age 18 reported by women)</u>	Medium prevalence (24-36.9)	Medium Risk	0.5	Low prevalence 0-23.9 Medium prevalence 24-36.9 High prevalence 37-100	0	0.5	1.0
4	<u>State Department Trafficking in Persons report (Tier 1-3, with one low and 3 high risk)</u>	Tier II	Medium Risk	0.25	Higher risk is Tier III and Tier II watch-list Medium risk is Tier II Lower risk is Tier I	0	0.25	0.5
5	<u>Presence of Peace-keeping mission</u>	No	Low Risk	0	Higher risk is if there is a mission Lower risk is if there is no mission	0		0.5
Legal context								
6	<u>Laws on domestic violence (click on the "domestic violence" tab, scroll to the given country and in the second column, see the response to "Is there domestic violence legislation")</u>	Yes	Low Risk	0	Higher Risk is having no laws on this topic Lower Risk is having laws on this topic	0		0.5
7	<u>Laws on marital rape (click on the "marital rape" tab, scroll to the given country and in the first column, see the response to "Does legislation explicitly criminalize marital rape?")</u>	No	High Risk	0.5	Higher Risk is having no laws on this topic Lower Risk is having laws on this topic	0		0.5

8	<u>Laws on sexual harassment</u> (click on the "sexual harassment" tab, scroll to the given country and in the first column, see the response to "Is there legislation that specifically addresses sexual harassment")	Yes	Low Risk	0	Higher Risk is having no laws on this topic Lower Risk is having laws on this topic	0		0.5
<b>Gender norms and beliefs</b>								
9	<u>Justification of wife beating</u> (Select Country in "Country" menu, --> click on Indicator box --> Complete List--> Select "Women's Empowerment" category--> Select indicator "Attitude toward wife beating" --> select "Wife-beating justified for at least one specific reason")	Wife beating justified below average	Low Risk	0	Higher risk is above the regional average Lower risk is below the regional average	0		0.5
10	<u>Help seeking to stop violence</u> (Select Country in "Country" menu, --> click on Indicator box --> Complete List--> Select "Domestic Violence" category--> Select indicator "Help-seeking to stop violence" --> select "Sought help to stop violence" or "told someone about the violence")	Help seeking below average	High Risk	0.5	Higher risk is help seeking below the regional average Lower risk is level of help seeking above the regional average	0		0.5
<b>National level capacity to respond to Gender-based violence</b>								
11	<u>National action plan on Women Peace and Security</u>	No	High Risk	0.5	Lower risk is having a NAP in place Higher risk is not having a NAP in place	0	0.25	0.5
12	<u>GBV Working Group</u>	Regional or national working group	Medium Risk	0.25	Higher risk is not having a GBV working group in place Medium risk is having a GBV working group with a national coordination level in place or a few sub-national structures in place Lower risk is having a GBV working group with a national and sub-national bodies in place including the project area;	0	0.25	0.5
13	National referral pathway protocol? (no =higher risk)	No	High Risk	1	Higher risk is no national referral pathway protocol Lower risk is having a national referral pathway	0	0.25	1
<b>Section B: Project Context</b>								



14	Is project in a humanitarian area of the country? Go to Country in the "Countries" tab-> click on Map of the country and view "Maps & Infographics section" and "Updates" for latest humanitarian and emergency situation.	No	Low Risk	0	Higher risk is humanitarian or emergency situation in project area Lower risk is no presence of humanitarian or emergency situation in project area	0		2
15	How much infrastructure construction, upgrading or rehabilitation does your project entail? (major = higher risk, medium = medium risk, small amount=lower risk)	Medium	Medium Risk	0.5	Higher risk is major rehabilitation and construction Medium risk is moderate rehabilitation and construction Lower risk is low rehabilitation and construction	0	0.5	1
16	According to the guidance from the laborinflux note, rate your project as high, medium or low risk related to the level of labor influx. If there is no labor influx, choose the low risk option. This determination is a self-judgement based on project parameters, using the labor influx note guidelines.	High	High Risk	2	Higher risk can be associated with large number of workers, small remote community (low absorption capacity) context with pre-existing social conflicts, high prevalence of GBV, weak law enforcement, presence of specific marginalized, vulnerable, ethnic groups, etc.	0	1	2
17	During project preparation, consultation was undertaken with women's groups, groups that advocate for children and adolescent rights, and other stakeholders. (Please note consultations should have provided a safe enabling environment for open conversation by women, recognizing that power dynamics in communities often limit women's full participation)	Consultations undertaken	Low Risk	0	Higher risk is no engagement with women's children's and adolescents' rights groups Lower risk is engagement with women's, children's and adolescents' rights groups	0	0.5	1
18	During community consultations and project appraisal, issues related to GBV and GBV-related concerns about the project have arisen in the community engagement discussions.	Yes	High Risk	2	Higher risk is Yes Lower risk is No	0	1	2
19	Are military or paid security forces being contracted as part of the project?	No	Low Risk	0	Higher risk is Yes Lower risk is No	0	0.5	1
20	Poverty in the project area is in bottom quartile of country?	No	Low Risk	0	Higher risk is being in the bottom quartile of poverty Lower risk is not being in the bottom quartile of poverty	0	0.5	1

21	Project in hard-to-supervise areas? (for instance, very remote or geographically diffuse projects)	No	Low Risk	0	Higher risk is hard-to-supervise areas Lower risk is compact or easily accessed project areas	0		2
22	Urban, peri-urban or rural?	Rural	High Risk	1	Higher risk is rural Medium risk is peri-urban Lower risk is urban	0	0.5	1
23	Project construction near school route or other pedestrian access that women and girls use for their daily activities?	Yes	High Risk	1	Higher risk is Yes Lower risk is No	0		1
24	Project able to monitor GBV and SEA risks across the full span of the work?	Yes	Low Risk	0	Higher risk is No Lower risk is Yes	0	1	2
25	Female workers in close proximity to male workers with limited supervision?	No	Lower Risk	0.5	Higher risk is Yes Lower risk is No	0	0.5	1
	<b>Total risk assessment rating</b>			<b>10</b>				<b>25.0</b>

## Annexure – 3

**Annexure-3****Code of Conduct/SHW Policy**

- Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Complaints Committee, within a period three months from the date of incident or in case of a series of incidents within a period of three months from the date of the last incident.
- If an aggrieved woman is unable to make a complaint in writing, the Presiding Officer or any member of the Committee shall render all reasonable assistance to her for making the complaint in writing.
- If the Complaints Committee is satisfied that the circumstances were such, which prevented the woman for filing a complaint within a period of three months, the Committee may extend the time limit not exceeding three months, for the reasons to be recorded in writing. [Section 9(1)]
- Where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by – a) Her relative or friend; or b) her co-worker; or c) an officer of the National Commission for Women or State Women's Commission; or d) any person who has knowledge of the incident, with the written consent of the aggrieved woman.
- Where aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by – a) her relative or friend; or b) a special educator; or c) a qualified psychiatrist or psychologist; or d) the guardian or authority under whom she is receiving treatment or care; or e) any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist or guardian or authority under whom she is receiving treatment or care.
- Where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent and where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir. (Rule 6)

The Internal Complaints Committee, before initiating an enquiry and at the request of the aggrieved woman, may take steps to settle the matter between her and the respondent through conciliation. Monetary settlement shall not be a basis of conciliation. Where a settlement has been arrived at, the Committee shall record the settlement so arrived and forward the same to the employer to take action as specified in the recommendations. The Committee shall provide the copies of the settlement to the aggrieved woman and the respondent. Where a settlement is arrived at, no further enquiry is required (Section 10).

The Internal Complaints Committee shall make enquiry into the complaint in accordance with the provisions of the Service Rules applicable to the respondent. Complaints Committee functions like a quasi-judicial authority and has powers of Civil Court of summoning and enforcing attendance of any person, examining him on own and requiring the discovery and production of documents. The enquiry shall be completed within a period

of 90 days. [Section 11(4)].

During the pendency of an enquiry, the Internal Complaints Committee, on a written request of aggrieved woman, may recommend to the employer to

- i. Transfer the aggrieved woman or the respondent to any other workplace; [Section 12(1)(a)] or
- ii. Grant leave to the aggrieved woman up to a period of three months; [Section 12(1)(b)] or
- iii. Restrain the respondent from reporting on the work performance of the aggrieved woman or writing her confidential report, and assign the same to another officer; [Rule 8(a)] or
- iv. Restrain the respondent from supervising any academic activity of the aggrieved woman [Rule 8(b)].

The employer is required to implement the above said recommendations of the Committee and send the report of such implementation to the Committee. [Section 12(3)]

On completion of the enquiry, the Internal Complaints Committee shall provide a report of its findings to the employer, within a period of 10 days from the date of completion of the enquiry and such report shall be made available to the concerned parties also. Where the Committee arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer that no action is required to be taken in the matter. Where the Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer to take action for sexual harassment as a misconduct in accordance with the relevant provisions of the service rules. The employer is required to implement the above said recommendations of the Committee, within sixty days of its receipt by him. [Section 13(4)]

Where the Internal Complaints Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made a false complaint or the aggrieved woman or another person making the complaint has produced any forged or misleading document, it may recommend to the employer, to take action against the woman or the person who has made the complaint, in accordance with the provisions of the service rules applicable to her or him. [Section 14(1)].

## Annexure – 4

## Annexure -4

## The labour standard compliance Formats

**CHECKLIST FOR TRACKING LABOUR-RELATED ISSUES**

1. PROJECT DATA				
1.1	Name of Project			
1.2	Duration			
1.3	Start Date			
1.4	Estimated Completion Date			
1.5	Location			
1.6	Name and Contact Information (email/phone) of Contractor			
1.7	Name and Contact Information (email/phone) of all sub-Contractors			
1.8	Type of Project (project description)			
1.9	Types of activities undertaken phase wise, with timeline	Phase 1 (timeline)	Phase 2 (timeline)	Phase 2 (timeline)
		Phase 1 (type of activity)	Phase 2 (type of activity)	Phase 2 (type of activity)

2. LABOUR PROFILE						
<p><i>This data is to be collected for each <u>individual</u> labourer working on the project, including temporary labour, labour hired through sub-contractors or labour contractors / groups</i></p>						
2.1	Number of labourers by sex	Male		Female		Total
2.2	Number of labourers by skill	Skilled		Semi-skilled	Unskilled	Total
2.3	Number of labourers by origin	Local (same or adjoining district)		Other state	Other Country	Total
2.4	Number of labourers by age	14-18	18-25	25-50	Above 50	Total
2.5	Source of labour	Contractor	Subcontractor	Independent	Other	Total



3. WAGES				
3.1	Amount of wages paid (men)	Skilled	Semi-skilled	Unskilled
3.2	Amount of wages paid (women)	Skilled	Semi-skilled	Unskilled
3.3	Rate of wages below, equal to or more than Minimum Wage?			
3.4	Frequency of payment (daily/weekly/monthly)			
3.5	Deductions made, if any (with details)			
3.6	Mode of Payment (cash / Bank transfer / cheques)			
3.7	Is overtime paid, and if so, at what rate?			
3.8	Is Overtime Register maintained at work-spot as per Form IV of Minimum Wages Central Rules			
3.9	Is Muster maintained at work-spot as per Form V of Minimum Wages Central Rules			
3.10	Is Register of Wages maintained at work-spot as per Form X of Minimum Wages Central Rules			
3.11	Is Labour provided with Wage Slip as per Form XI of Minimum Wages Central Rules			
3.12	How many hours is the working day?			
3.13	How many leaves in a week does the labour get?			

4. MAINTENANCE OF OTHER LABOR RECORDS		
4.1	Is a copy of photo ID of each labourer kept with the employer?	
4.2	Is verification of qualifications / experience for all semi-skilled and skilled labour done? If so, by which documents?	
4.3	Is contact information of labour's next-of-kin kept for each labourer?	
4.4	How many labourers have been employed from State Employment Exchange?	

5. FACILITIES					
5.1	Details of labour camps	Number	Permanent/Temp.	Location	Distance from nearest village/habitation
		1...			
		2...			
5.2	Type of housing in labour camp on leased land  (temporary shelters / kuchha /pukka)				
5.3	Is there any housing on public land like roadsides, open fields and other spaces?				
5.4	Is there any housing in rented accommodation in residential areas? If so, who is it rented by?				
5.5	How many labourers have families on/near worksite?				
5.6	Is drinking water available on site and at the campsite?				
5.7	Are latrines and urinals provided on site and at the campsite?				
5.8	Are First Aid facilities provided on site?				
5.9	Does a doctor visit the worksite / campsite regularly?				
5.10	Is there a tie-up with a hospital or dispensary near the worksite / campsite				
5.11	Is woollen clothing/rainwear				

	provided?	
5.12	Is there a provision for a crèche/nursery?	
5.13	Is there a facility for cooking / canteen facility for all labour?	
5.14	Are leisure activities / facilities available for all labour	
5.15	Is transport to and from the worksite provided to labour?	

6. SUPERVISION BY LABOUR OFFICIALS		
6.1	Has the worksite / campsite been inspected by a labour official?	
6.2	How many times has the worksite / campsite been inspected by a labour official since commencement of work?	
6.3	What documents were inspected by labour officials?	
6.4	What documents were maintained and which ones were not?	
6.5	What directions were given by labour officials?	
6.6	What is the mode of compliance with such directions?	
6.7	Are you facing any legal proceedings on labour issues in Labour Court/ Commissioner for Employees' Compensation/ Other?	

7. ACCIDENTS, EMERGENCIES AND INCIDENTS		
7.1	What is the nature of accidents / emergencies usually occurring at a	

	worksite like yours?	
7.2	Is a functioning First Aid available at the campsite / worksite?	
7.3	Is functioning fire-fighting equipment available at the campsite / worksite?	
7.4	Which is the nearest doctor / clinic / dispensary?	
7.5	Which is the nearest hospital?	
7.6	Which is the nearest Police Station?	
7.7	Are details of nearest doctor / clinic / dispensary / hospital / Police station available and prominently displayed at worksite / campsite?	
7.8	What is the system of informing next of kin?	
7.9	Do you have ESI / ECA coverage?	
7.10	What is your familiarity with accident reporting procedures?	
7.11	What is your familiarity with police reporting procedures?	
7.12	Has an Internal Complaints Committee been constituted and other appropriate measures undertaken at the workplace as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013?	

## Annexure-5

**Annexure-5****Term of Reference for Social and Environmental Safeguards Monitoring and Review  
Consultants for Assam Inland Water Transport Project (AIWTP)****1.0 Background**

Governments of Assam intend to upgrade the existing Inland water transport system in the State. To modernize and transform IWT in Assam, the World Bank is assisting the GoA through a phase-wise project which includes upgradation of ferry Infrastructure, last mile connectivity. Fleet modernization, institutional capacity development etc. for total 11 identified Terminal / Jetty / Landing point locations. In phase-I of the project, three Ghats/ landing points were selected for project implementation. The project includes civil works along with new construction activity, for which it has been categorized as Environment Category-A according to World Bank classifications.

Project development / civil intervention works during development may have interface with various physical, social and biological components of the environment and a detailed environment and social impact assessment has been carried out to assess all the potential impacts of the project. Environmental and Social Safeguard frameworks were prepared to ensure appropriate safeguard measures while implementing the Project. It is important to monitor and ensure that these safeguard measures are appropriately implemented at the field level and decided to engage an independent Consultant to do third party monitoring, of the **Social and Environmental Safeguards activities**.

**2.0 Scope of Work**

The objective of the assignment is to carry out a quarterly review of social and environmental safeguard activities being implemented in the project and provide specific recommendations to mitigate the issues identified during the review period.

The Consultants will visit the project sites, make use of available documents, reports, and its interactions with AIWTDS officials and other implementing agencies and PAPs /PAFs during the monitoring process; check compliance w.r.t. the RAP, IPDP& EMP document; and flag any outstanding issues which may affect the quality or pace of the implementation process from social & / or regulatory requirements. The Consultants will also try to ascertain satisfaction and concern regarding the implementation process. One of the important tasks of the consultants shall be to verify whether the pre-determined tasks are completed prior to the handing over of the encumbrance free stretches to the contractors for initiating construction work. The consultants shall provide options and advice in accordance to the policy provisions on any additional land acquisition or resettlement impacts encountered during the implementation.

**3. Details of Tasks**

The detailed Term of Reference for the assignment is furnished below:

**3.1. Resettlement Action Plan and Land Acquisition**

- i. Randomly verify the process followed in determining the compensation in line with the provisions of RFCTLARR and Assam LARR including the inputs from the independent valuer;

- ii. Verify timely payment of compensation to the landowners once the compensation awards are made. Participate in some of the compensation distribution meetings to ascertain the process followed for distribution of compensation cheques;
- iii. Verify the process followed in the dissemination and administration of reimbursement of stamp duty or taxes in case those who buy alternative lands and houses out of compensation money;
- iv. Verify the process followed for dealing with those cases where severance of lands are involved;
- v. Ascertain how the various provisions including payment of additional compensation in case of delay in completing the land acquisition process are administered under RFCTLARR 2013 and Assam LARR Rule, 2015;
- vi. Follow up on the status for dealing with grievances related to compensation rates;
- vii. Follow-up on the progress in land acquisition in relation to civil work time table and report any likely delays which will affect the timely handing over of the lands to the contractors in accordance with the contract provisions;
- viii. Report on any additional land acquisition requirements due to changes in route alignment or implementation of any associated facilities that are listed in this TOR;
- ix. Any others tasks that are appropriate for dealing with land acquisition and compensation payment.  
Resettlement and Rehabilitation
- x. Verify and ascertain that the Entitlements as available in the Entitlement Matrix are administered to the various category of PAPs;
- xi. Ascertain that the various proposals made in RAP to mitigate the impacts are implemented in the manner it was described in the RAP;
- xii. Ascertain how various suggestion and concerns raised by the local people during consultations are incorporated or addressed during the project implementation;
- xiii. Report on the status of completion of reconstruction of affected community assets prior to handing over of the land to the contractor;
- xiv. Report on the functioning of grievance redress mechanism to deal with the complainants grievances related to RAP implementation;
- xv. Review the functioning of Data Base Management to track the implementation progress;
- xvi. Review the periodical internal monitoring reports and identify any gaps in reporting or delay in implementation progress;
- xvii. Verify the coordination between civil work contracts and RAP implementation to ensure that encumbrance free stretches are handing over to the contractors;
- xviii. Monitor the role of consultants and NGOs in RAP implementation and identify any improvements required and suggestion for their services;
- xix. Monitor the progress in providing unskilled jobs to the PAPs and local people;
- xx. Participate in the meetings and consultations carried out by the implementing agency or carry out independent consultations to get first hand feedback from the affected and local people on the project implementation in general and RAP Implementation in particular;
- xxi. Report on any additional R&R impacts due to changes in route alignment or implementation of any associated facilities that are listed in this TOR;
- xxii. Any others tasks that are appropriate to deal with resettlement impacts and PAPs/local villagers concerns;
- xxiii. Report other social safeguard issues such incidence of child labour, gender based violence, unequal wages, unhealthy work camps posing health or security hazards to the workers, etc.
- xxiv.** Satisfaction surveys among user groups and other key stakeholders such as affected people, private ferry service providers, community councils (male &



female), indigenous people, etc. of the Project to assess the beneficiaries' satisfaction and perception on the GRM functionality, and service delivery during the operational stage of the project.

- xxv.** Review of land standard compliance at construction phase and adoption of risk mitigation measures for labour influx and gender based violence, within the project.

### **3.2. Environmental Management**

- i. Review the EMP and recommend the implementation plan for ensuring its implementation
- ii. Formulate necessary reporting formats for the contractors to monitor the implementation of environmental management activities in the AIWTDS
- iii. Plan and impart regular orientation / training programs for the AIWTDS / Contractor staff on the effective implementation of Environmental Management measures in the project
- iv. Ascertain that borrow area management plan duly agreed by AIWTDS is in place and borrow areas are opened, operated and closed as per EMP and in consultation with Engineer
- v. Review if Labour camp is set up as per EMP and monitor its satisfactory operation
- vi. Verify proper Health & Safety measures are in place for labours, employees working at site
- vii. Monitor whether Contractor(s) follows silicosis exposure reduction strategy formulated for the project.
- viii. Check trees are removed from the project area (land side) prior to start of construction following all procedures and with clearance from Forest Dept. Verify compensation paid to the owners of trees which are felled to clear the project site as per the provisions and green belt development work is undertaken
- ix. Review if Contractor(s) avoid soil pollution, remove top soil & keep safely stacked for re-use after construction work is over
- x. Monitor pollutants not making its way to water bodies and advise Contractor(s) accordingly, temporary drainage is provided at construction sites.
- xi. Check construction work is not carried during the night and during rainy/flood season, without necessary safety and precautionary measures.
- xii. Ensure that the contractor carries out regular environmental monitoring as per the EMP and recommend necessary mitigation measures, where the parameters exceed the permissible standards
- xiii. Verify adequate dust suppression measures are undertaken and these follow CPCB emission norms; periodical AAQ monitoring data to be checked w.r.t. standards
- xiv. Check construction equipment, vehicles & machineries have noise control measures, vehicles are fitted with exhaust silencer, vehicles' tyres are washed before it moved inside the river and outside construction sites
- xv. Check workers/ labours working on machineries generating noise are provided with ear muff / plug
- xvi. Check if construction is carried out close to any sensitive receptor without any, temporary noise barrier
- xvii. Monitor that the construction activities are carried without causing any unwanted land subsidence
- xviii. Check if silt fencing is provided by the contractor to avoid run-off to river/ canal / water body

- xix. Check solid waste and other types of construction wastes including hazardous waste are managed as per EMP and regulatory provision
- xx. Verify whether permission from the authority is obtained for withdrawal of water from ground water & / or natural water body
- xxi. Verify if forest clearance has been obtained for working on erstwhile forest land now taken over for AIWT project
- xxii. Ensure all personnel working at sites are aware of statutory provisions related to Wildlife
- xxiii. Participate in the meetings and consultations held by the implementing agencies/ contractor(s), Engineer
- xxiv. Report any lapse by Contractor(s) on environmental aspects to the Engineer with specific recommendations for remedial actions
- xxv. Preparation of quarterly progress report on all environmental issues and submission to the Engineer

#### 4. Deliverables and time lines

The assignment will be carried out for the entire construction period of the Project (2 years) and shall comprise the following out puts.

- Inception Report to be submitted within two weeks of commencement of the project, outlining the detailed approach and methodology, schedule of monitoring surveys and field activities
- Quarterly Review Report to be submitted within two weeks of the previous quarter presenting the details of review and recommendations for the addressing various issues identified.
- Completion Report to be submitted within four weeks of completion of social and environmental management activities, clearly summarizing the status

The consultant is also expected to conduct training and orientation workshops, at least one in six months with an objective to guide AIWTDS, GC, Contractors and other agencies on the implementation of SMF/RPF/RAP/IPDP/EMP/EMF and its compliance.

#### 5. Personnel requirements

The consultants should have adequate experience in monitoring the implementation of Social and Environmental Management activities in waterways / marine projects.

The consultant's team should comprise the following specialists in their team.

- **Senior Social Development Specialist** with about 10 years of experience in conducting SIA studies and monitoring the implementation of RAPs / RPF for waterways / marine projects.
  - **Senior Environmental Engineer** with about 10 years of experience in conducting EIA studies and monitoring the implementation of EMP / EMF for waterways / marine projects
  - **Social Development Specialist** with about 5 years of experience in the implementation of RAP / RPFs of waterways / marine projects
  - **Environmental Engineer / Planner** with about 5 years of experience in the implementation of Environmental Management of waterways / marine projects
- Depending on the study requirements, the consultant should deploy necessary additional staff for carrying out the assignment.

## 6. Time Frame

The services of the Safeguard Monitoring Consultant are required to be rendered over the entire life cycle of the project development. For a particular project, the SMC's work starts from the date of start of construction ends on beginning of jetty operation. Subsequent to filing of the Project Completion Report, the SMC shall make one visit after one quarter of such milestone to assess the overall performance of the asset created.