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## 11. SOCIAL IMPACT ASSESSMENT

### 11.1 INTRODUCTION

The government of India has envisaged to create a world-class infrastructure facility, to boost the economic development in the country, for which National Highways Authorities of India (herein after referred to as the “Authority” or “NHIDCL”) plays a key role. As part of endeavor, NHIDCL has appointed M/s Aarvee Associates Architects Engineers & Consultants Pvt. Ltd. for the work of Consultancy Services for preparation of DPR and Pre-construction services from – (i) Silchar ISBT (Start point of Silchar Bypass) to junction of NH-37 & NH-6 at Dhaleshwari, (ii) End of proposed Badarpur bypass to Churaibari (Assam-Tripura border), (iii) Spur from NH-8 near Karimganj to Sutarkandi.

The main objective of development of proposed stretch is to improve the performance of national road transport network. By doing the Capacity Augmentation of the above Project Highway, the Level of Service will be improved, and number of accidents may be reduced as the provision of underpasses will be considered based on the prevailing and future traffic needs.

### 11.2 PROJECT ROAD DESCRIPTION


National Highway 37 (NH 37) is a two-lane national highway in India that connects the northeastern states of Assam and Manipur. It starts from Badarpur in Assam and terminates at Imphal in Manipur. The highway is 356 kilometers long and passes through some of the most scenic and remote parts of the region.

It is a vital artery for the socio-economic development of Assam and Manipur. It helps transport agricultural produce, other goods, and essential commodities between the two states. The highway also facilitates tourism, trade, and cultural exchange between the two northeastern states.

NH 37 is a challenging highway to drive on, especially in the rainy season. The highway is narrow and winding, and there are many landslides and potholes. However, the government is working on improving the condition of the highway.

Here are some of the key features of NH 37:

- Length: 356 kilometers
- Starting point: Badarpur, Assam
- Ending point: Imphal, Manipur
- States it passes through: Assam and Manipur
- Major cities and towns it connects: Badarpur, Silchar, Karimganj, Numaligarh, Jorhat, Tezpur, Golaghat, Dimapur, Kohima, and Imphal
- Important tourist destinations it passes through: Kaziranga National Park, Manas National Park, Pobitora Wildlife Sanctuary, Loktak Lake, Dzükou Valley, and Dzukou Valley

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NH 37 is a vital highway for the people of Assam and Manipur. It helps connect the two states to the rest of India and plays a key role in their economic development. The government is working on improving the condition of the highway to make it safer and more comfortable for drivers.

The Project stretch is mostly passing through the plain terrain and a mixed land use of urban/rural and agricultural can be seen throughout the project corridor. The proposed scheme has to be developed keeping in view the four-lane cross section along with additional facilities to be incorporated in such a manner that the improvements are accommodated to the maximum extent within the right-of-way.

Facilities in the form of service roads, slip roads for grade separators such as under/over passes and road over bridges will be considered at the reasonable intervals for local traffic including pedestrians.

*Table 11-1: Proposed Project Highway Details*

S No.	NH No.	Section	Section No.	District	State
1	NH-37 & NH-8	End of proposed Badarpur bypass to Churaibari (Assam-Tripura Border)	II	Karimganj	Assam

With regard to district wise length of the road Karimganj district has a substantial 83.15 kilometers constituting 84.29 percent of the Project Stretch and a length of 12.75km is falling in Cachar District constituting 12.92 percent of the Project Stretch and a length of 2.75km falling in Hailakandi District with 2.79 percent.

*Table 11-2: District wise Length of Project Highway*


Sl. No.	State	Section	District	Length (Km.)	Percentage (%)
1	Assam	II	Karimganj	67.95	100

### 11.3 IMPORTANCE OF THE PROJECT ROAD

The main objective of development of proposed stretch is to improve the performance of national road transport network. By doing the Capacity Augmentation of the above Project Highway, the Level of Service will be improved, and number of accidents may be reduced as the provision of underpasses will be considered based on the prevailing and future traffic needs.

### 11.4 PROJECT IMPACTS

On account of development activities in and around the project stretch of NH-37 & NH-8, it is

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ascertained that Augmentation of existing 2-lane section is required. The Augmentation involves minuscule land acquisition from current owners/users. The construction of road project will have significant positive impacts, but they may simultaneously also bring negative impacts on nearby communities, if proper precaution is not taken during design and implementation stage of the project. Acquisition of land may cause social disruption and economic loss for project affected persons (PAPs) and their families. It is therefore important that disturbances and losses of PAPs due to project are minimized through proper planning. The Resettlement Action Plan needs a broad and comprehensive study and that will be incorporated in subsequent reports.

Social assessment study is generally carried out to identify critical locations and issues that need to be studied further in detailed in terms of impact assessment, mitigation measures and management plan. In socio-economic point of view, the identified areas directly served by the project road delineate the broad and immediate picture of influenced area. The salient features of SA road is presented in Table below

*Table 11-3: Salient Features of the Project Highway*

S. No	Particulars	Unit	Total
1	Total Length of Proposed Road (Design length)	Km.	67.95
2	Total no. of Revenue Villages in entire project area as per Draft 3A	No.	76
5	Total volume of land (Tentative) to be acquired for the proposed Project road	Ha.	383.74


### 11.5 OBJECTIVE OF THE STUDY

The objective of the survey is to generate an inventory of social impacts on the likely to be affected people by the project. The project impacts were identified through a series of exercises including social screening during early project preparation stage and informal discussion with villagers and road users. The screening on road sections focuses on:

- identification of social issues such as impact on livelihood due to land acquisition;
- current usage of land in proposed ROW;
- potential impact of the proposed project on productive resources, natural resources, common property resources and social infrastructures;
- social, economic, cultural and demographic characteristics of the potential project affected population;
- identification and special need analysis of vulnerable groups, ethnic minorities and SC/STs among the population;

### 11.6 METHODOLOGY

Approach and methodology mainly consist of quantitative and qualitative tools and techniques.

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The following are the activities undertaken for the social screening or initial social assessment survey.

#### **11.6.1 Collection and review of Project Literature**

This phase intends to familiarize with the concerned and important stakeholders to identify and collect the available literature and to scope the activities. The activity is involved in two-pronged approach (a) discussions with Project Implementing authorities and other concerned, b) collection of available relevant project literature. The laws and regulations enacted by Government of India and state government of Assam pertaining to R & R issues. Consultations were held with concerned revenue/ government officials to establish the ownership of land. Literature review and informal discussions formed the basis for identification of key stakeholders.

#### **11.6.2 Rapid reconnaissance survey to familiarize field activities**


In addition to review of literature and informal consultations, rapid preliminary field visits were conducted as part of ground truthing exercise. The reconnaissance survey helped to gather firsthand information on the likely to be affected area, revenue villages, land details e.g. private, government and forest etc.

#### **11.6.3 Identification of properties**

For construction of new alignment, the social team conducted an identification exercises on different types of land within 60 meter of proposed ROW. Prior to initiation of physical identification of the properties, a detailed discussions were held with concerned officials to collect information on ownership of land. Since 3(A) activities are underway hence the type and classification of land and exact number of private land owners cannot be ascertained at this stage. The exact number of likely to be affected households and thereby magnitude of impact can be determined after the completion of census and socioeconomic survey. All the affected properties belonging to legitimate owners shall be incorporated in the subsequent reports.

#### **11.6.4 Public Consultation Meeting**

Meaningful, informed, and effective public consultations are inevitable for successful of any infrastructural project. Approaches to the public involvement can yield productive, long-term and trusting relationships between citizen and government. Consultative procedures are critical but very important aspects in entire social impact assessment process. Public consultations in social impact assessment facilitates to make a rapport with the villagers and simultaneously provide clear communication about the purpose of the consultation and its relationship to the larger decision-making process. In this regard, the social assessment ensures the involvement of local communities through participatory and structured consultations that would endorse and integrate important resettlement issues in the project cycle. In this regard, we plan to disseminate the information to the villagers about the characteristic of the proposed alignment in terms of length, proposed right of way and upgradation features.

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## 11.7 INITIAL SOCIAL IMPACT ASSESSMENT

An Initial Social Impact Assessment (ISIA) is carried out to gauge the magnitude of impact and people's overall perception about the proposed project. It helps to understand if the project impacts are likely to be minor or limited, which can easily be predicted and evaluated, and for which mitigation measures can also be prescribed easily. Generally, information on ISIA is obtained during field visit from the areas that may probably be impacted by the project road. The ISIA is also done to confirm whether this indeed requires a full-scale Social Impact Assessment (SIA) or not. A detailed SIA therefore needs to be carried out to make project design responsive to social development concerns. Usually, a comprehensive SIA is required for large projects, which entails a more detailed study, time, and resources.

Reconnaissance and initial social assessment survey were undertaken to take a detailed note of affected properties. However, full-fledged survey needs to be undertaken for preparation of the Resettlement Plan as per the policy and guidelines of Central Government and State Government. In this regard, surveys relating to social assessment of the impact will be conducted within 60 m of proposed Row.

The focus of this study is to understand the factors underlying the agricultural activity with reference to requirement of land from the villages for Greenfield alignment. The input consists of a combination of secondary data and preliminary surveys and consultation with a cross-section of people.

In order to assess the potential impacts within the project corridor, critical sections from social impact point of view have been identified. Such locations have been identified with the potential issues and thereby possible options for minimizing the impact need to be suggested.

The primary information was collected through consultations with villagers to comprehend the socio-economic characteristics, physical features and cultural set-up of the project area before undertaking detailed field investigations. Relevant land data were also collected from local Revenue/Taluka offices.


### 11.7.1 Extent of Land Acquisition

The Available RoW along the Project Highway is about of 20m. The Augmentation of project stretch involves minuscule land acquisition from current owners/users. As per our initial assessment, the proposed project road would require both private and government land of approx. 383.74 hectares. A considerable length of 67.95 kilometer-long existing alignment passing through 76 revenue villages. The scope of land acquisition for the project road includes a) a minimum 45-60m RoW c) provisions on roadside amenities.

### 11.7.2 Revenue Villages in Project Area

The proposed road will pass through 105 villages covering 3 districts. Out of total 105 project affected villages, about 91 villages i.e. the highest in numbers come under Karimganj District




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followed by 11 villages in Cachar District, 3 villages in Hailakandi District. All these Districts fall in the territory of Assam state. The list of villages is given in Table below:

*Table 11-4: List of villages along package-V in section-II*

S.No.	Village name	Package	Taluk/ Circle	District
30	Bhuja	Package-V	Nilambazar	Karimganj
31	Rampasha Pt III			
32	Loharpara Pt I			
33	Alamkhani Pt I			
34	Alamkhani Pt III			
35	Kanakpur			
36	Singaria Pt-I Sheet-1& 2			
37				
38	Singaria Pt-II			
39	Uttarbandarkona Pt II Sheet-1			
40	Gondhorbo khani			
41	Ilaspur			
42	Utterbandaerkona Pt-I Sheet 1			
43	Boraigram			
44	Chayabari Pt II			
45	Dakshinbandarkuna (T.S.) Sheet-1			
46	Chayabari Pt I			
47	Kandigram Pt II			
48	Nankar			
49	Kandigram Pt I			
50	Saija Nagar			
51	Barcharra			
52	Purbogool			
53	Hatkhala Kitte Aalapur Guler Bond			
54	Rajbari			
55	Tatirbond			
56	Sripur			
57	Rajargaon			
58	Patharkandi Town Kitte Shripur			
			Patherkandi	



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S.No.	Village name	Package	Taluk/ Circle	District
59	Unamgaon			
60	Jamirala			
61	Kachubari T.S			
62				
63	Nalibari			

### 11.7.3 Village Wise Impact and Land Requirement

The extent of land to be acquired by the project is an indicator of impact on the social environment. The type and extent of land acquisition is presented in the below table. It is analyzed that about 145.13 ha. of land is required for the Project Highway 45, 60m RoW. The total extent of land to be acquired under the project consists of two categories (as stated in 3A data wrt 45, 60m RoW).

*Table 11-5: Village wise Project Impact & Requirement of Land in Hectare*

S.No.	Package	Taluk/ Circle	Starting chainage	Ending chainage	Village name	Area to be Acquired(Ha)
1	V	Nilambazar	62.70	63.80	Bhuja	6.5374
2			63.90	64.19	Rampasha Part III	1.5867
3			63.72	63.92	Loharpara Part I	3.1715
			64.19	64.57		
4			64.57	65.65	Alamkhani Part I	6.4801
5			65.65	67.84	Alamkhani Part III	13.1973
6			67.84	68.41	Kanakpur	3.3924
7			68.41	68.92	Singaria Part-I	6.9120
			68.92	69.56		
8			69.56	69.71	Singaria Part-II	2.7674
9			70.20	70.80	Uttarbandarkona Part II	4.5579
10			70.79	71.19	Gandarua khani	2.4180
11			71.19	72.28	Ilaspur	6.5629
12			72.28	73.62	Utterbandaerkona Part-I	8.1516
13			73.62	74.51	Baraigram	5.3951
14			74.51	75.77	Chayabari Part II	6.6366
15			75.36	75.42	Dakshinbandarkuna (T.S.)	0.3058
16	V	Patharkandi	75.69	77.10	Chayabari Part I	8.5294
17			77.10	77.95	Nankar	5.0439
18			77.95	78.13	Kandigram Part I	1.0860
19			78.13	80.15	Saija Nagar	7.5560

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S.No.	Package	Taluk/ Circle	Starting chainage	Ending chainage	Village name	Area to be Acquired(Ha)
20			78.70	79.16	Purbogool	3.0277
21			79.16	79.40	Hatkhala Kitte Aalapur Guler Bond	1.5436
22			80.15	80.75	Rajbari	3.5514
23			80.75	81.82	Tatirbond	6.5562
24			81.82	82.88	Sripur	5.6673
25			82.10	82.25	Rajargaon	0.4717
26			82.88	83.02	Patharkandi Town Kitte Shripur	0.9269
27			83.02	83.90	Unamgaon	5.2840
28			83.90	85.65	Jamirala	10.7020
29			85.65	86.85	Kachubari T.S	7.1154
			87.40	87.88		
Package-V					Total	145.1341

#### 11.7.4 Impact on Trees:


The trees not only serve as natural sheds during summer but also enhance the beauty of the area. Existing Avenue observed along the Project Highway. With regard to development of the road, Minimum Number of trees will be felled to make space for the expansion.

#### 11.7.5 Indigenous People and Vulnerable Groups:

Indigenous people are defined as those having a distinct social, cultural, economic, and political tradition and institutions compared with the mainstream or dominant society. According to Indian Constitution, indigenous people with similar cultural characteristics are recognized as Scheduled Tribes (ST). The number of likely to be affected ST population will be known after the completion of census and socio-economic survey. Proper provisions and adequate measures need to be taken to protect these vulnerable community.

#### 11.7.6 Gender Issues:

The consideration of gender issues is crucial in the planning and implementation of resettlement and rehabilitation programs. Special needs and requirements of women must be considered and addressed in all program aspects—site selection, site and housing design, provision of civic infrastructure, access to service, provision of land and housing title, payment of compensation, and income restoration etc. As per the primary assessment, women's participation and attendance in meeting is moderate in project area. However, majority of them do have decision making power at household level financial matters. Social and cultural factors may exclude women from participating actively in planning, implementing, and executing resettlement activities. Special efforts need to be made to ensure their inclusion.

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### 11.7.7 Land Use Pattern in Project Area:

Variation of land using pattern was observed with respect to environmental factors such as soil characteristics, climate, topography, and vegetation etc. In project area, the land use is characterized by agricultural lands, barren, water bodies, forests, hills and plantation etc. The Agriculture land and water bodies' together accounts for 60-70 per cent of the total land to be acquired for the proposed project road. With regard to land use pattern, a major tract of land is used for cultivation purposes. The project area is a mix of both fertile wet and dry land.

### 11.7.8 Cropping Pattern:

The cropping pattern in Karimganj districts of Assam is characterized by a predominance of rice, followed by pulses, oilseeds, sugarcane, and vegetables. Other important crops include tea, pineapple, and fruits.

The cropping pattern in these districts is influenced by a number of factors, including climate, soil type, and topography. The region experiences a humid subtropical climate with high rainfall, which is favorable for rice cultivation. The soils are generally fertile and well-drained, making them suitable for a variety of crops.

The main cropping season in these districts is the kharif season (June-September), during which rice is the dominant crop. Other important kharif crops include pulses, oilseeds, and vegetables. The rabi season (October-March) is shorter and less productive than the kharif season. The main rabi crops are rice, pulses, and oilseeds.

### 11.7.9 Land Value in Project Village:

The land price particularly under private transaction, varies from place to place. The market price of agricultural land ranges from Rs. 3 to 4 crores per hectare in Karimganj district.

### 11.7.10 Forest


Existing Alignment in package-V of the project corridor not traverse through the forest location.

Sl. No	From Km.	To Km.	Length in Km	Package	Location
Nill					

## 11.8 LEGAL POLICIES AND RESETTLEMENT FRAMEWORKS

### Principles and Policies needs to be adopted for the Project

The core involuntary resettlement and rehabilitation principles for this project are: (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative project designs; (ii) where unavoidable, time-bound resettlement action

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plan (RAP) will be prepared and APs will be assisted in improving or at least regaining their pre-project standard of living; (iii) Consultation with APs on compensation, disclosure of resettlement information to APs, and participation of in planning and implementing sub-projects will be ensured; (iv) payment of compensation to APs for acquired assets at replacement rates; (v) payment of compensation and resettlement assistance prior to the construction contractor taking physical acquisition of the land and prior to the commencement of any construction activities.

### Minimization of Social Impacts

According to the broad principle mentioned above, an appropriate decision by engineering, environmental and social impact assessment teams has to be taken to avoid land acquisition from fertile lands.

### Rehabilitation and Relocation of PAPs

Restoring livelihood for project affected people is an important task in resettlement plan. The required support shall be extended to the affected households during relocation (if required) and a time bound, fair & just entitlements shall also be given to the people to compensate and regain their pre-project level status.

### National Highways Act- 1956


Land acquisition for National Highways is done in accordance with the procedure laid in “The National Highways Act, 1956”. The act is applicable to the whole of India except the state of Jammu and Kashmir. The policy provides a broad guideline of procedure for land acquisition. The National Highways Act 1956 (NH Act) is commonly used for acquisition of land for public purpose of the road. It is used at the State level made to suit local requirements.

As a general practice Revenue Divisional Officer / Joint Collector in the District level is appointed as Competent Authority for Land Acquisition (CALA). Competent authority means any person or authority authorized by the Central Government, by notification in the Official Gazette, to perform the functions of the competent authority for such area as may be specified in the notification.

### Intention & Declaration

When a National Highways require a land, an application is required to be made by it to the revenue authority;

**3 (a) - Intention to Acquire Land:** The Central Government upon publication of the Gazette nominates “Competent Authority for Land Acquisition” and expresses its intention to acquire land in respective revenue villages;

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After the government has been fully satisfied about the purpose, the least area needed, and other relevant facts as provided under land acquisition rules, it will issue a notification under Section 3A of the act that the particular land is required for public purpose;

**3 (A) - Power to Acquire Land:** The central Government upon publication of this Gazette expresses its intention to acquire such land for construction, maintenance and management of National Highways. The same shall be intimated to the public through two local newspapers, one of which will be in vernacular language.

The application should be accompanied with a copy of the plan showing survey nos., purpose of acquisition and the reason for the particular site to be chosen and the provision made for the cost of the acquisition;

The Competent Authority will hold an inquiry under Section 3-B of the Act;

**3 (B) - Power to entry for Survey:** Upon getting the 3A notification published in the official Gazette, authorized persons are empowered to carryout survey, investigations and can cut trenches.

After notification the owner is prohibited from selling his property or disposing it off and prevented from carrying out any works of improvements for which no compensation will be paid if executed without prior permission from the collector.

#### Objection and Confirmation

Objections are invited from all persons interested in the land within 21 days from the date of notification under Section 3-A.


The objections will be valid on one or more of the following grounds:

- That the purpose for which the land is proposed for acquisition is not a public purpose.
- That the land is not or less suitable than another piece of land for the said purpose.
- That the area under acquisition is excessive.
- That the acquisition will destroy or impair historical or artistic monuments or will desecrate religious buildings, graveyards and the like.

**3 (C) - Hearing of Objections:** Any person interested in the land may within twenty-one days from the date of publication of the notification under sub-section (1) of section 3A, object to the use of the land for the purpose or purposes mentioned in that sub-section.

- The CALA after hearing the objections will submit his report to the Central government, who will finally declare the land for acquisition under Section 3-D of the Act.

**3 (D)- Declaration for Acquisition:** After hearing the objections the competent authority shall submit a report accordingly to the Central Government for declaring the extents of land proposed for acquisition. The Central Government shall declare, by notification in the Official Gazette, that the land should be acquired for the purpose or purposes mentioned in sub-section (1) of section 3A.

	<b>Consultancy services for preparation of DPR and Pre-Construction services from (i) Silchar ISBT (Start point of Silchar Bypass) to junction of NH-37 &amp; NH-6 at Dhaleshwari, (ii) End of proposed Badarpur bypass to Churaibari (Assam-Tripura border), (iii) Spur from NH-8 near Karimganj to Sutarkandi (Package-V)</b>	<b>SOCIAL IMPACT ASSESSMENT</b>
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- Upon publication of the declaration in the official Gazette the land shall vest absolutely in the Central Government free from all encumbrances. A declaration made by the Central Government under sub-section (1) shall not be called in question in any court or by any other authority.
- After notification the collector proceeds with the claim. He is authorized to mark out the site, measure and plan of the same made vide Section 3-E.
- Power to take possession: For the lands vested in the Central Government under section 3D upon determining the compensation, the competent authority shall intimate by notice in writing direct the owner as well as any other person who may be in possession to surrender or deliver possession to the competent authority or any person duly authoritative within sixty days of the service of the notice.

#### Claim and Award

- The CALA will issue notices under Section 3-G to all persons interested in the acquisition to file their claim reports;
- The claim filed should contain the names of the claimants and co-shares, if any rents or profits for last three years and a valuation report of the land from an architect or an engineer;
- In determining the compensation, the market value of the land is determined at the date of notification. The rise and fall in the value during the period of transaction and notification is taken into consideration;


Compensation is also payable when:

- Part of the property is proposed for acquisition in such a manner that the remainder depreciates in value.
- When the land notified for acquisition has standing crops or trees.
- If the person interested has to change his place of residence or business, then the excess rent payable for the new premises is also considered for compensation.

Matters which are not taken into consideration for the purpose of land acquisition are:

- The degree of urgency which has led to the acquisition.
- Any disinclination of the person interested to part with the land.
- Any increase in the land value likely to accrue from the use to which it will be put when acquired.
- After necessary inquiries the collector declares his award showing true area of the land, total amount of compensation payable and apportionment of compensation if there are more than one owner or claimants.
- The collector has to make the award under section 11 within a period of two years from the date of notification.



	<b>Consultancy services for preparation of DPR and Pre-Construction services from (i) Silchar ISBT (Start point of Silchar Bypass) to junction of NH-37 &amp; NH-6 at Dhaleshwari, (ii) End of proposed Badarpur bypass to Churaibari (Assam-Tripura border), (iii) Spur from NH-8 near Karimganj to Sutarkandi (Package-V)</b>	<b>SOCIAL IMPACT ASSESSMENT</b>
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### The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

The 1894 Land Acquisition Act was repealed, and a new comprehensive legislation was brought in Parliament and it came to effect on 1st January 2014. This Central Act ensures, in consultation with institutions of Local Self-Government and Gram Panchayats established under the Constitution, a humane, participative, informed and transparent process of land acquisition for industrialization, development of essential infrastructural facilities and urbanization with the least disturbance to the owners of the land and other affected families and provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition and make adequate provisions for such affected persons for their rehabilitation and resettlement and ensuring that the cumulative outcome of compulsory acquisition should be that the affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto.


The provisions of this Act Under Section 2(1) relating to land acquisition, compensation, rehabilitation and resettlement, shall apply, when the appropriate government acquires land for its own use, hold and control, including for Public Sector Undertakings and for public purpose. Under RFCTLARR- 2013 for land acquisition for various types of project, provisions of consent have been inbuilt to secure the interest of the stakeholders. As far as this project is concerned [when the appropriate government acquires land for infrastructural projects under Section-2 (1) (B) (Vii)] consent is not required.

*Table 11-6: Consent Requirements for Project As per Types and Sites*

Protect Type + Area	Landowners and Tenants	Consent
		Gram Sabha/ Panchayat/ Autonomous District Council
Public + Non-Scheduled Area	Not required	Not required
Public + Scheduled Area	Not required	Required
PPP + Non-Scheduled Area	Required (70%)	Not required
PPP + Scheduled Area	Required (70%)	Required
Private + Non-Scheduled Area	Required (80%)	Not Required
Private + Scheduled Area	Required (80%)	Required

The RFCTLARR, 2013 provides a framework for facilitating land acquisition in India. RFCTLARR, 2013 enables the State Government to acquire private land for public purposes. With regard to land acquisition for the proposed alignment, NHIDCL has to adopt its own act (Schedule-IV, LARR Act). For provision of compensation and other applicable entitlements it is



	<b>Consultancy services for preparation of DPR and Pre-Construction services from (i) Silchar ISBT (Start point of Silchar Bypass) to junction of NH-37 &amp; NH-6 at Dhaleshwari, (ii) End of proposed Badarpur bypass to Churaibari (Assam-Tripura border), (iii) Spur from NH-8 near Karimganj to Sutarkandi (Package-V)</b>	<b>SOCIAL IMPACT ASSESSMENT</b>
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bound to abide by the guiding principles laid down under Schedule- I and II, RFCTLARR Act-2013. Table 1.7 presents the sections of RFCTLARR Act-2013.

#### Scheduled Caste and Scheduled Tribes Orders (Amendment) Act, 2002

The Act provides for the inclusion in the lists of Scheduled Tribes (ST), of certain tribes or tribal communities or parts of or groups within tribes or tribal communities, equivalent names or synonyms of such tribes or communities, removal of area restrictions and bifurcation and clubbing of entries; imposition of area restriction in respect of certain castes in the lists of Scheduled Castes (SC) and the exclusion of certain castes and tribes from the lists of SCs and STs

Various Provisions under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(RFCTLARR Act)  
RFCTLARR Act-2013

1. LAND ACQUISITION
<p>In case of land acquisition, the amount of compensation to be determined is that of the value of the land +100 percent Solatium+12 percent additional market value from the date of notification to taking over the possession or award whichever is higher. Market value of land as mentioned under section 26 of RFCTLARR Act-2013 needs to be multiplied by the radial factor (based on the distance of project from urban area as notified by the appropriate government- e.g multiplication of 2 in Rural area and Multiplication of 1 in Urban area) plus value of assets attached to land or building (mentioned in Section 29 of RFCTLARR Act-2013) Plus Solatium (solatium includes 100% market value multiplied by 2 plus value of assets in Rural area and multiplied by 1 plus value of assets in urban area)</p>
2. PROVISION OF HOUSING UNITS IN CASE OF DISPLACEMENT
<p>If a house is lost in rural areas, a constructed house shall be provided as per the Indira Awas Yojana specifications. If a house is lost in urban areas, a constructed house shall be provided, which will be not less than 50 sq mts in plinth area.</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 which has been involuntarily displaced from such area:</p> <p>Provided that any such family in urban areas which opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees:</p> <p>Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house:</p>

	<b>Consultancy services for preparation of DPR and Pre-Construction services from (i) Silchar ISBT (Start point of Silchar Bypass) to junction of NH-37 &amp; NH-6 at Dhaleshwari, (ii) End of proposed Badarpur bypass to Churaibari (Assam-Tripura border), (iii) Spur from NH-8 near Karimganj to Sutarkandi (Package-V)</b>	<b>SOCIAL IMPACT ASSESSMENT</b>
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Provided also that no family affected by acquisition shall be given more than one house under the provisions of this Act.

Explanation- The houses in urban areas may, if necessary, be provided in multi-storied building complexes

### 3. CHOICE OF ANNUITY OR EMPLOYMENT

The appropriate Government shall ensure that the affected families are provided with the following options:

- (a) where jobs are created through the project, mandatory employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required; or
- (b) onetime payment of five lakhs rupees per affected family; or
- (c) Annuity policies that shall pay not less than two thousand rupees per month per family for twenty years, with appropriate indexation to the Consumer Price Index for Agriculture Laborers.

### 4. SUBSISTENCE GRANTS

The appropriate Government shall ensure that the affected families are provided with the following options:

Given monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award. In addition to this amount, the scheduled castes and the scheduled Tribes displaced from Scheduled Areas shall receive an amount equivalent to fifty thousand rupees.


### 5. TRANSPORTATION COST

The appropriate Government shall ensure that the affected families are provided with the following options:

Each affected family which is displaced shall get a onetime financial assistance of fifty thousand rupees as transportation cost for shifting of the family, building materials, belongings and cattle.

### 6. CATTLE SHED/ PETTY SHOPS COST

Each affected family having cattle or having a 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.

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## 7. ONE TIME GRANTS TO ARTISAN, SMALL TRADERS AND OTHERS

Each affected family of an artisan, small trader or self-employed person or an affected family which owned non-agricultural land or commercial, industrial or institutional structure in the affected area, and which has been involuntarily displaced from the affected area due to land acquisition, 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.

## 8. ONE TIME RESETTLEMENT ALLOWANCE

Each affected family shall be given a one-time "Resettlement Allowance" of fifty thousand rupees only.

## 9. STAMP DUTY REGISTRATION

- (1). The stamp duty and other fees payable for registration of the land or house allotted to the affected families shall be borne by the Requiring Body.
- (2). The land for house allotted to the affected families shall be free from all encumbrances.
- (3). The land or house allotted may be in the joint names of wife and husband of the affected family.

## 10. PROVISION OF INFRASTRUCTURAL AMENITIES

1. Roads within the resettled villages and an all-weather road link to the nearest pucca road, passages and easement rights for all the resettled families be adequately arranged.
2. Proper drainage as well as sanitation plans executed before physical resettlement.
3. One or more assured sources of safe drinking water for each family as per the norms prescribed by the Government of India.
4. Provision of Drinking water for cattle.
5. Grazing land as per proportion acceptable in the State.
6. A reasonable number of Fair price Shops
7. Panchayat Ghars, as appropriate.
8. Village level Post Offices, as appropriate, which facilities for opening saving accounts.
9. Appropriate seed-cum-fertilizer storage facility if needed.
10. Efforts must be made to provide basic irrigation facilities to the agricultural land allocated to the resettled families if not from the irrigation project, then by developing a cooperative or under some Government scheme or special assistance.
11. All new villages established for resettlement of the displaced persons shall be provided with suitable transport facilities which must include public transport facilities through local bus services with the nearby growth centres/ urban localities.

12. Burial or cremation ground, depending on the caste communities at the site and their practices.
13. Facilities for sanitation, including individual toilet points.
14. Individual single electric connections (or connection through non-conventional sources of energy like solar energy), for each household and for public lighting.
15. Anganwadi's providing child and mother supplemental nutritional services.
16. School as per the provisions of the right of children to Free and Compulsory Education Act, 2009 (35 of 2009);
17. Sub-health centre within two kilo metres range.
18. Primary Health Centre as prescribed by the Government of India.
19. Playground for children.
20. One community centre for every hundred families.
21. Places of worship and chowpal/tree platform for every fifty families for community assembly, of numbers and dimensions consonant with the affected area.
22. Separate land must be earmarked for traditional tribal institutions.
23. The forest dweller families must be provided, where possible, with their traditional rights on non-timber forest produce and common property resources, if available close to the new place of settlement and, in case any such family can continue their access or entry to such forest or common property in the area close to the place of eviction, they must continue to enjoy their earlier rights to the aforesaid sources of livelihood.
24. Appropriate security arrangements must be provided for the settlement, if needed.
25. Veterinary service centre as per norms.

#### **11. SPECIAL PROVISIONS FOR SCHEDULED CASTE AND SCHEDULED TRIBES**

- (1) In case of a project involving land acquisition on behalf of a Requiring Body which involves involuntary displacement of the Scheduled castes or the Scheduled Tribes families, a Development plan shall be prepared, in such form as may be prescribed, laying down the details of procedure for settling land rights due but not settled and restoring titles of tribals on alienated land by undertaking a special drive together with land acquisition.
- (2) The Development Plan shall also contain a programme for development of alternate fuel, fodder and non-timber forest produce resources on non-forest lands within a period of five years sufficient to meet the requirements of tribal communities as well as the Scheduled castes.
- (3) The concerned Gram Sabha or the Panchayats at the appropriate level in the Scheduled Areas under the Fifth Schedule to the Constitution or, as the case may be, Councils in the Sixth Scheduled Areas shall be consulted in all cases of land acquisition in such areas, including acquisition in case of urgency, before issue of a notification under this Act, or any

other Central Act or a State Act for the time being in force as per the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (40 of 1996) and other relevant laws.

(4) In case of land being acquired from members of the Scheduled Castes or the Scheduled Tribes, at least one-third of the compensation amount due shall be paid to the affected families at the outset as first instalment and the rest shall precede the taking over of the possession of the land.

(5) The Scheduled Tribes affected families shall be resettled preferably in the same Scheduled Area in a compact block, so that they can retain their ethnic, linguistic and cultural identity.

(6) The resettlement areas predominately inhabited by the Scheduled castes and the Scheduled Tribes shall get land, to such extent as may be decided by the appropriate Government, free of cost for community and social gatherings.

(7) In case of a project involving land acquisition on behalf of a Requiring body, the affected families belonging to the Scheduled Castes and the Scheduled Tribes resettled out of the district of acquisition will get twenty-five percent. Higher monetary benefits under Rehabilitation and Resettlement Scheme.


(8) Any alienation of tribal lands or lands belonging to members of the Scheduled Castes in disregard of the laws and regulations for the time being in force shall be treated as null and void; and in the case of acquisition of such lands, the rehabilitation and resettlement benefits shall be available to the original tribal land owners or land owners belonging to the Scheduled Castes.

(9) The affected Scheduled Tribes, other traditional forest dwellers and the Scheduled castes families having fishing rights in a river or pond or dam in the affected area shall be given fishing rights in the reservoir area of the irrigation or hydel projects.

(10) Where the affected Scheduled Castes and Scheduled Tribes are relocated outside of the district then they shall be paid an additional twenty-five percent. Rehabilitation and Resettlement benefits to which they are entitled in monetary terms along with a one-time entitlement of fifty thousand rupees.

### ENTITLEMENT MATRIX

The broad entitlement matrix comprising the R & R compensation and assistance is presented in below table. The landowner (titleholder) will receive compensation for land and assets, as decided by the competent authority. The titleholders are also entitled to receive R & R assistance/ allowances and exempted from stamp duty. They should be given advanced notice to harvest non-perennial crops, or compensation for lost standing crops. They will have the right to salvage material from existing structures.

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The RFCTLARR Act-2013, represents a significant milestone in the development of a systematic approach to address resettlement issues in India and closes significantly the gap between Indian national policies and operational policy of the World Bank/ADB. All the affected persons irrespective of ownership status are eligible for respective allowances. The Act gives directives for the acquisition of land in the public interest and even provides assistance to landless, agricultural labors, tenants, sharecropper, dependents and those who reside preceding three years prior to land acquisition for their loss of livelihood/income under R & R provisions



Table 11-7: Entitlement Matrix

Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
1.	Loss of Land	Land Owner	<p>Compensation for land shall be considered at Market value of land. This will be determined by the District Collector as per Sections 26 to 29 of TRFC&amp;TLARR (LARR) Act-2013).</p> <p>Amount equivalent to current stamp duty and registration charges on compensation amount for replacement of</p>	<ul style="list-style-type: none"> <li>• Compensation at market value of the land</li> <li>• Multiplier factor upto 2 for rural area</li> <li>• Value of the assets attached to land</li> <li>• Building/Trees/Wells/Crop etc. as valued by relevant govt. authority;</li> <li>• Solatium: 100% of total compensation</li> <li>• Additional 12% per annum on market value of land from the date of the publication of the notification of the SIA to till the date of the award or the date of taking possession of the land.</li> </ul>	<p>The method of calculation of market rate</p> <ul style="list-style-type: none"> <li>– the minimum land value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated;</li> <li>or</li> <li>– the average of the sale price for similar type of land situated in the immediate areas adjoining the land being acquired, ascertained from fifty per cent of the sale deeds registered during the preceding three years, where higher price has been paid;</li> </ul>



Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
			lost assets.		<p>or</p> <ul style="list-style-type: none"> <li>Consented amount of compensation as agreed upon under sub-section(2) of Section 2 in case of acquisition of lands for private companies or for public private partnership projects, whichever is higher</li> <li>All the entitlements for loss of land will be provided for each survey number based on ownership records to the legitimate owner or their heirs as applicable.</li> </ul>
			Land Value factor	Scale 1 to 2 based on the distance of project from urban area, as may be notified by appropriate government. Illustrative scale (0-10 km=1), (10-20=1.20), (20-30 km=1.40),	<ul style="list-style-type: none"> <li>The proposed alignment passes through rural areas in KAndigram, Nilambazar, Cheragi, Patharakandi in Assam state Thus, as per First</li> </ul>

Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
				(30-40 km=1.80), and (40-50 km=2).	Schedule of LARRA 2013 the radial factor of 1.25 - 2 shall be applicable for calculating the market value of the land. The multiplication factor is prerogative of state government and it certainly depends on distance from the urban location.
		Affected Family/Person	Land for land	Not applicable	Not applicable
2.	Loss of other Immovable Assets	Titleholder	Value of Assets attached to land or building	To be considered: ➤ Standing crops, Trees, Livelihood loss.	➤ As per LARRA 2013 under First Schedule Sl. No.2 (ref. Section 29).
3.	Loss of Land, Structure and other immovable assets (1+2)	Titleholder	Solatium	100% on total compensation (including value of assets)	Under Section 30(1) of the LARRA Act 2013.  The compensation is calculated for land and structures as applicable and the total compensation of all lost properties taken into

Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
					account before considering the solatium. As per Section 30(1) of the Act Solatium of 100% on the compensation be considered.
4.	Loss of Land and other assets	Titleholder	Additional 12% on market value of land.	In addition to the market value of land, additional 12% per annum to be paid on such market value commencing on and from the date of publication of notification, till award or date of taking possession of land whichever is earlier.	➤ Provision made Under section 30 (3) of the LARR Act 2013.
5a.	Loss of Structure	Titleholder	Provision of Housing unit or value of the lost structure	➤ If a house is lost in urban areas, a constructed house shall be provided, which will be not less than 50 sq. mts. in plinth area. ➤ Provided also that no family affected by acquisition shall be given more than one house under the provisions of this Act.	➤ As per section 30 (3) of the LARR Act- 2013.

Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
				<ul style="list-style-type: none"> <li>➤ Provided that any such family in urban areas which opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees. (Rs. 1,50,000.00)</li> <li>➤ Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house;</li> <li>➤ Provided also that no family affected by acquisition shall be given more than one house under the provisions of this Act.</li> </ul> <p>Explanation: The houses in urban areas may, if necessary, be provided in multi-story building complexes.</p>	
5b.	Loss of Structure	Non-titleholder	Provision of Housing unit or	The benefits listed above shall also be extended to any affected	➤ Even Non-titleholder is eligible as mentioned in II

Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
			value of the lost structure	<p>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 displaced from such area:</p> <ul style="list-style-type: none"> <li>➤ Provided that any such family in urban areas which opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees. (Rs. 1,50,000.00)</li> <li>➤ Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in</li> </ul>	Schedule of this LARR Act-2013 but it solely depend on the prerogative of the Executing Authority.

Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
				<p>lieu of the constructed house;</p> <p>➤ Provided also that no family affected by acquisition shall be given more than one house under the provisions of this Act.</p> <p>Explanation: The houses in urban areas may, if necessary, be provided in multi-story building complexes.</p>	
5c.	Loss of Livelihood	Affected Family/Person	<p>Annuity or Employment</p> <p>(a) Job OR</p> <p>(b) 5 lakh one-time payment OR</p> <p>Rs. 2000.00 per month for 20 years (with increment) (the option of availing</p>	<p>Where jobs are created through the project affected families will get after providing suitable training and skill development in the required field, make provision for employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be</p>	➤ As per Second Schedule of LARRA Act.

Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
			a, b, or c shall be that of the affected family)	required; or (b) onetime payment of five lakhs rupees (Rs.5,00,000) per affected family; or  (c) Annuity policies that shall pay not less than two thousand rupees per month per family for twenty years, with appropriate indexation to the Consumer Price Index for Agricultural Labourers. (Refer: <a href="http://labourbureau.nic.in">http://labourbureau.nic.in</a> ).	
6b.	Loss of Livelihood	Affected Family/Person	Subsistence grant for displaced families for a period of one year (even if the families displaced due to land acquisition)	➤ Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award. (Rs. 3000.00 per	➤ As per Second Schedule of LARRA Act.



Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
				month for one year = 36,000.)	
				➤ In addition to this amount, the Scheduled Castes and the Scheduled Tribes displaced from Scheduled Areas shall receive an amount equivalent to fifty thousand rupees. (Rs. 50000.00).	➤ Provision made in Second Schedule of LARR Act- 2013
7.	Structure	Affected Family/Person	Transportation cost for displaced families.	One time financial assistance of Rs. 50000.00 for shifting family, building material, belongings and cattle.	➤ Provision made in Second Schedule of LARR Act- 2013.
8.	Structure	Affected Family/Person	Commercial Establishments including Owners and Tenants	Each affected family having cattle or having a petty shop shall get one time financial assistance of such amount as the appropriate government may, by notification, specify subject to a minimum of Rs. 25000.00 for construction of cattle shed or petty shop as the case may be.	➤ Provision made in Second Schedule of LARR Act- 2013.

Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
9.	Livelihood	Affected Family/Person	One time grant to artisan, small traders and certain others	Each affected family of an artisan, small trader or self-employed person or an affected family which owned non-agricultural land or commercial, industrial or institutional structure in the affected area, and which has been involuntarily displaced from the affected area due to land acquisition, shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of Rs. 25000.00.	➤ Provision made in Second Schedule of LARR Act- 2013.
10.	Land/Structure/Livelihood	Affected Family/Person	One time resettlement allowance.	Each affected family shall be given a one-time "Resettlement Allowance" of Rs. 50000.00.	➤ As per LARRA 2013 under Second Schedule of the Act.
11.	Land/Structure	Titleholder	Stamp duty and registration fee.	(1) The stamp duty and other fees payable for registration of the land or house allotted to the affected families shall be borne by the Requiring Body.	➤ Provision made in Second Schedule of LARR Act- 2013

Entitlement Matrix					
Sl. No.	Category of Impact	Eligibility for Entitlement	RFCTLARR Act- 2013 Provisions		Remarks
			Entitlement	Provisions	
1	2	3	4	5	6
				<p>(2) The land for house allotted to the affected families shall be free from all encumbrances.</p> <p>(3) The land or house allotted may be in the joint names of wife and husband of the affected family.</p>	
12.	Land/Structure/Livelihood	Affected Family /Person	Any other unforeseen impact	Any unforeseen impact would be addressed and mitigated as necessary by the Implementing Agency.	

Note: The Ministry of Road Transport and Highways issued a number of orders/ clarifications regarding the applicability of provisions of the RFCTLARR Act to the NH Act, 1956. The same will be applicable.



Consultancy services for preparation of DPR and Pre-Construction services from (i) Silchar ISBT (Start point of Silchar Bypass) to junction of NH-37 & NH-6 at Dhaleshwari, (ii) End of proposed Badarpur bypass to Churaibari (Assam-Tripura border), (iii) Spur from NH-8 near Karimganj to Sutherkandi

**SOCIAL  
IMPACT  
ASSESSMENT**