



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

PUBLIC WORKS ROADS (DEVELOPMENT A-1 BRANCH) DEPARTMENT

NOTIFICATION

The 10th December, 2021

No. DA5R.30/2021/18.- The Governor of Assam is pleased to order "Entitlement Matrix for eligibility, entitlement of compensation and assistance to persons affected due to improvement and upgradation of roads in externally aided projects for secondary state roads" as enunciated in the enclosed document in Annexure 1. It will come into force with effect from the date of publication in the Assam Gazette and will remain in operation till such time as the State Government may consider fit and proper. The Government also reserves the right to make any amendment to the Entitlement Matrix from time to time.

Entitlement Matrix for ASRIP under Asom Mala

An Entitlement Matrix envisages all affected households and persons losing assets and livelihood and defines the entitlement of compensation and resettlement assistance depending on the nature of ownership rights on lost assets and extent of the impacts including socio-economic vulnerability of the displaced persons. The Entitlement Matrix, summarizing all possible types of losses and corresponding nature and scope of entitlements, in accordance with the principles of this Resettlement Planning Framework, is presented in **Table 1**.

Table 1: Entitlement Matrix

Sl.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
	Direct purchase by negotiated settlement through the State Policy of "Direct Purchase Policy of private Land for Linear Projects of Asom Mala and EAP"			
	Direct purchase of Land with negotiation through District Level Land Purchase Committee (DLLPC) headed by the Deputy Commissioner, Additional Deputy Commissioner (Revenue) as Member Secretary and comprising officials of the revenue, public works (buildings) and land acquisition departments.			
1.	Titleholder - Titleholder/Land owners and Interested persons (Eksonia holder/ Land occupiers with claims/ rights recognized under State/ Central laws, whose rights on the land assigned under any laws of the State, etc.	A. Loss of Land (Homestead Land, Commercial Land, Agricultural Land or Vacant Plot)	<ol style="list-style-type: none"> The base rate of land (Sub-section (1) of Section 26 of RFCTLARR Act 2013) will be determined by the highest value among: <ul style="list-style-type: none"> The market value, if any, specified in the Indian Stamp Act 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; The average sale price of similar type of land situated in the nearest village or nearest vicinity area; and Consented amount of compensation as agreed upon under sub-section (2) of section 2 of RFCTLARR Act 2013 in case of acquisition of lands for private companies or for public private partnership projects The market value of land shall be multiplied by a factor through Notification No. RLA 300/2013/Pt-II/7 dated 22nd Dec 2014 of Govt. of Assam (Sub-section (2) of Section 26 of RFCTLARR Act 2013), of <ul style="list-style-type: none"> 1.00 (One) for land in urban areas or, 1.50 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or, 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area In case of acquisition of Eksonia Land, situated under permissible limits as per the Revenue and Disaster Management Department of Govt. of Assam, the Eksonia Holder is entitled to get the compensation of the landowner as described above, subject to conversion of the Eksonia land to Myadi Patta Land, as specified by the Revenue and Disaster Management Department of Govt. of Assam. 	<p>The land owners will get an incentive of 25%, on the compensation calculated as per provisions of Section 26 to 30, Valuation of immovable assets & Schedule I of RFCTLARR Act 2013.</p> <p>The Price of Direct Purchase (P) will be: $P = 2.5 \times \{(R \times M \times A) + (B + O)\} + [0.12 \times Y \times (R \times M \times A) + (B + O)]$</p> <p>Where:</p> <ul style="list-style-type: none"> R is the base rate of Land M is the Multiplier A is the affected area B is the market value of Buildings O be cost of all immovable assets & standing crops Y is the proper or improper fraction of year from date of notification to award of compensation <p>Compensation shall not account for any depreciation.</p> <p>The Eksonia holder, whose Eksonia land cannot be converted to Myadi Patta Land, will be considered as Leaseholder.</p>

Sl.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<ol style="list-style-type: none"> 4. Solutium will be 100% on the compensation calculated as specified above. 5. The land owner will also get an additional incentive of 25% on total compensation after Solutium, calculated as specified above 6. The land value defined u/s 26 of RFCTLARR Act 2013, will also attract an amount calculated @ 12% per annum for the period commencing on and from the date of notification¹ till the date of award (Ref. sub-section (3) of Section 30 of RFCTLARR Act 2013). 	
		<p>B. Loss of Structure and other immovable assets including Trees and standing crops, attached to the land</p>	<ol style="list-style-type: none"> 1. Replacement value of building and other immovable property and assets attached to the land will be calculated by the competent Engineer or any other specialist in the relevant field (Ref. sub-section (1) of Section 29) <u>OR</u>, A few typical specifications of different categories of all possible immovable assets, attached to land may be defined. The guidance price of these typical assets may be prepared and vetted through appropriate authority. The valuation of immovable assets attached to the land will be calculated on pro-rata basis of the guidance price, without depreciation, of the respective asset. 2. Market Value of trees and plants attached to the land will be calculated by the experienced persons in the field of agriculture, forestry, horticulture, sericulture or any other relevant field, as the case may be (Ref. sub-section (2) of Section 29). 3. Market value of standing crops damaged during the process of land acquisition will be calculated by the experienced persons in the field of agriculture (Ref. sub-section (3) of Section 29). 4. Solutium will be 100% on the compensation calculated as specified above. 5. The land owner will also get an additional incentive of 25% on total compensation after Solutium, calculated as specified above 6. Right to salvage materials in favour of the owner of the affected building/structure, if the incumbent demolishes the affected part of the building/structure by own self. 	<p>Compensation Building/ structures will be determined by PWD (Building) Department. Valuation for trees on timber value to be determined by the Forest Department; and compensation for perennial crops and fruit trees to be determined by Agricultural Department.</p>
		<p>C. Rehabilitation & Resettlement Assistance</p>	<p>The Rehabilitation and Resettlement Benefit will be deemed included in the additional 25% allowances on Direct Purchase Price.</p>	<p>The direct purchase price shall be fixed on negotiations and mutual consent. Hence no rehabilitation and resettlement benefits shall be payable to land owners under Direct Purchase.</p>

¹General Notification to the landowners as per Section 4.4 (Step 4) of the Notification No. DA5R.80/2020/3 dt 20 Jan, 2021 by the District Level Land Purchase Committee..

Sl.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
2.	<p>Titleholder - Land Owners as recorded in revenue records, or Eksonia holder/ Land occupiers with claims/ rights recognized under State/ Central laws, whose rights on the land assigned under any laws of the State</p>	<p>A. Loss of Land Homestead Land, Agricultural Land or Vacant Plot</p>	<p>1. Replacement of land for land, where feasible. Provision of stamp duty, land registration fee, capital gains tax, value added tax incurred for replacement land, and other charges related to the replacement of the land</p> <p><u>OR</u>,</p> <p>2. Land will be acquired under Assam RFCTLARR Rules 2015 and Compensation at Replacement Value of land, (calculated through RFCTLARR Act 2013 and Resettlement Planning Framework for ASRP 2018) will be the highest among:</p> <p>a) The base rate of land (Sub-section (1) of Section 26 of RFCTLARR Act 2013) will be determined by the highest value among:</p> <ul style="list-style-type: none"> ▪ 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 of similar type of land situated in the nearest village or nearest vicinity area; or Consented amount of compensation as agreed upon under sub-section (2) of section 2 of RFCTLARR Act 2013 in case of acquisition of lands for private companies or for public private partnership projects, <p>b) The market value of land shall be multiplied by a factor through Notification No. RLA 300/2013/Pt-II/7 dated 22nd Dec 2014 of Govt. of Assam (Sub-section (2) of Section 26 of RFCTLARR Act 2013), of</p> <ul style="list-style-type: none"> ▪ 1.00 (One) for land in urban areas or, ▪ 1.50 (one and half) if the radial distance of the land is up to 10 km from the nearest urban area or, ▪ 2.00 (two) if the radial distance of the land is beyond 10 km from nearest urban area <p>c) Additional amount calculated @ 12% per annum, for the period from date of notification of Social Impact Assessment study till date of award of the District Collector/ Deputy Commissioner, on market value of land calculated u/s 26 of RFCTLARR Act, 2013 as a stand-alone component, i.e., not to be counted for the purpose of Multiplication factor and Solatium</p>	<p>If land for land is offered, title will go to both husband and wife. Retitling to be completed before project completion.</p> <p>If B is the base rate of land, M is the Multiplication factor & A is the affected area, then the compensation L will be, $L = 2 \times (B \times M \times A)$.</p> <p>If the Award of the compensation is after Y years from the date of SIA notification, then L will be incremented at 12% per annum to Ly, $Ly = L + (0.12 \times Y \times B \times A)$</p> <p>The expression of urban will be within the administrative border of any Municipality or Municipal Corporation</p> <p>Bank account will be in the name of husband and wife.</p>

Sl.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
		<p>d)</p> <p>e)</p> <p>f)</p>	<p>In case of acquisition of Eksonia Land, situated under permissible limits as per the Revenue and Disaster Management Department of Govt. of Assam, the Annual Patta Holder is entitled to get the compensation of the land as described above, subject to conversion of Eksonia Land to Myadi Patta Land as specified by the Revenue and Disaster Management Department of Govt. of Assam.</p> <p>If the left-over land plot is non-feasible or non-economic or unusable or if the land owner desires that the whole land to be acquired, the PWRD GOA or the Deputy Commissioner/ District Collector may acquire the total land of the land owner</p> <p>If the damage (if any) sustained by the landowner, at the time of the Deputy Commissioner/ District Collector taking possession of the land, by reason of severing such land from his other land and where land has been bisected by the acquisition an amount calculated at ten (10) per cent of the amount determined under sl. a) and b) above shall be paid.</p>	
	<p>B. Loss of Structure and other immovable assets including Trees and standing Crops, attached to the land</p>	<p>1. Replacement with a constructed house as per Prime Minister <i>Gramin Awas Yojana</i> (PMGAY) specification for rural areas or constructed house, not less than 50 square meter plinth area in urban areas, where feasible (Ref. <i>Schedule II of RFCTLARR 2013</i>). Provision of stamp duty, other fees payable for registration of house allotted and any other tax and other costs incurred for replacement house</p> <p>OR,</p> <p>2. a) Market value of building and other immovable property and assets attached to the land will be calculated by the competent Engineer or any other specialist in the relevant field (Ref. sub-section (1) of Section 29)</p> <p>Or, A few typical specifications of different categories of all possible immovable assets, attached to land may be defined. The guidance price of these typical assets may be prepared and vetted through appropriate authority. The valuation of immovable assets attached to the land will be calculated on pro-rata basis of the guidance price, without depreciation, of the respective asset.</p> <p>b) Market Value of trees and plants attached to the land will be calculated by the experienced persons in the field of agriculture,</p>	<p>Compensation Building/ structures will be determined by PWD (Building) Department. Valuation for trees on timber value to be determined by the Forest Department; and compensation for perennial crops and fruit trees to be determined by Agricultural Department. Ascertain work schedules to consider avoiding harvest season</p> <p>Request for harvesting prior to acquisition to be accommodated to the extent possible</p>	

Sl. No.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
			<p>forestry, horticulture, sericulture or any other relevant field, as the case may be (Ref. sub-section (2) of Section 29).</p> <p>c) Market Value of standing crops damaged during the process of land acquisition will be calculated by the experienced persons in the field of agriculture (Ref. sub-section (3) of Section 29).</p> <p>d) Solatium will be 100% on the compensation calculated as specified above.</p> <p>e) The land owner will get additional 25% value on the replacement cost of the affected part of the structure without solatium, for any partially acquired structure (if the remainder is still viable).</p> <p>f) Right to salvage materials in favour of the structure owner of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self within the stipulated period.</p> <p>g) Fees, taxes, stamp duty, and other charges related to replacement structure</p> <p>h) At least 90 days advance notice to shift</p>	<p>Undertake valuation of standing crops and perennial crops, and trees, and finalize compensation rates in consultation with affected people.</p> <p>Payment of compensation to the joint husband and wife bank account.</p> <p>The viability of the remainder structure will be certified by the PWD (Building) Department</p>
		C. Rehabilitation & Resettlement Assistances²	<ol style="list-style-type: none"> 1. Employment opportunity or Payment of lumpsum amount of Rs. 5,70,000 (Rupees five lakhs seventy thousand only) or Annuity of minimum of Rs. 2,280 (Rupees two thousand two hundred eighty only) per month per family for twenty years with appropriate indexation to the Consumer Price Index for Agricultural Labourers, as per Schedule 2 of RFCTLARR Act 2013, will be provided to all those landowner families, whose livelihood is primarily dependant on land acquired 2. One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any 3. One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family 	<p>Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> $\text{Inflation Rate} = 100 \times \frac{\text{CPI}_{\text{Apr 2021}} - \text{CPI}_{\text{Jan 2014}}}{\text{CPI}_{\text{Jan 2014}}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ <p>where, $\text{CPI}_{\text{Jan 2014}} = 139.7$ & $\text{CPI}_{\text{Apr 2021}} = 159.3$ in Assam with Base Year 2012 = 100³</p>

²Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

³ Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 (http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
		<p>4. Subsistence allowance of Rs. 3,420/- (Rupees three thousand four hundred twenty only) per month for one year, or, Rs. 41,040/- (Rupees forty-one thousand forty only) one-time, for each displaced family, require to relocate</p> <p>5. Any displaced family losing cattle sheds and/ or Petty Shops are entitled for at least Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed and/ or Petty Shops respectively</p> <p>Or, If Displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 28,500/- (Rupees twenty-eight thousand five hundred only).</p> <p>6. If the displaced family faced displacement or resettlement from any other project or this project previously, the displaced family will be entitled for an additional compensation equivalent to that of the compensation and assistance determined for all the cases as described above under Sl. 2A, 2B & 2C (1 through 7) for their second or successive displacements</p> <p>7. Three (3) months' advance notice to affected parties to harvest crops, fruits, flowers or product and by-products from the affected trees/ crops etc.</p>	<p>In addition to the Rs. 57,000 provided to all vulnerable affected people, the Vulnerable affected households will:</p> <ol style="list-style-type: none"> 1. Receive preference in income restoration training program under the project 2. Preference in employment under the project during construction, in accordance with qualification required. 3. Assistance to access to basic utilities and public services.
<p>3. Agricultural Tenants, Sharecroppers & Leaseholders of Land including Holders of Eksonia, which cannot be converted</p>	<p>A. Loss of Leased/ Sharecropping/ Tenancy Land</p> <p>B. Loss of Structure and other immovable assets including Trees and standing Crops,</p>	<p>Landowners will reimburse tenants, sharecroppers and leaseholders with respective land rental deposit for unexpired tenancy/ lease, if any.</p> <p>Employment opportunity or Payment of lumpsum amount of Rs. 5,70,000 (Rupees five lakhs seventy thousand only) or Annuity of minimum of Rs. 2,280 (Rupees two thousand two hundred eighty only) per month per family for twenty years with appropriate indexation to the Consumer Price Index for Agricultural Labourers, as per Schedule 2 of RFCTLARR Act 2013, will be provided to all those landowner families, whose livelihood is primarily dependant on land acquired.</p> <ol style="list-style-type: none"> 1. Three months' advance notice to affected parties to shift and harvest crops, fruits, flowers or product and by-products from the affected trees/ crops etc. 2. Cash compensation at replacement value, for loss of immovable assets, and market value for standing crop/ trees/ horticulture, as estimated u/s 29 of RFCTLARR Act 2013 & calculated by: 	<p>Users of Eksonia land, whose land cannot be regularised by whatsoever the reason, will also be considered as Leaseholder.</p> <p>The RP Implementation Agency will verify the reimbursement of rental deposit for unexpired tenancy/ lease, if any.</p>

Sl. No.	Entitled Person	Type of Loss attached to the land	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
		<ul style="list-style-type: none"> • Concerned PWD (Building) for Building/ structure and other immovable assets attached with the land • Concerned Forest Department or similar authority for Timber trees • Concerned State Agriculture Extension Department or similar authority for standing crops • Concerned Horticulture Department or similar authority for horticulture and/ or perennial trees <p>3. Right to salvage materials in favour of the structure owner of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self within the stipulated period.</p> <p>4. Fees, taxes, stamp duty, and other charges related to replacement structure</p>	<ul style="list-style-type: none"> 1. One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any 2. One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family 3. Livelihood restoration of Rs. 41,040/- (Rupees forty-one thousand forty only) one-time, for each displaced family (in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013) 4. Any displaced family losing cattle sheds, if any, are entitled for at least Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) or, any amount specified as the appropriate Government, towards reconstruction of the Cattle Shed. 5. If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,040/- per family and it will be borne by the Project Authority. 	<p>Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> $\text{Inflation Rate} = 100 \times \frac{\text{CPI}_{\text{Apr 2021}} - \text{CPI}_{\text{Jan 2014}}}{\text{CPI}_{\text{Jan 2014}}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ <p>where, $\text{CPI}_{\text{Jan 2014}} = 139.7$ & $\text{CPI}_{\text{Apr 2021}} = 159.3$ in Assam with Base Year 2012 = 100⁵</p>
4.	Non-titleholders (Encroacher or Squatter)	A. Loss of Land Land used residential/com	1. No entitlement for loss of land, in which the Encroacher has extended their land boundary onto the existing government land or Row, for residential or commercial or residential-cum-commercial or any other purposes.	

⁴ Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

⁵ Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 (http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
	<p>2. No entitlement for loss of land, in which the Squatter have occupied public/ government lands, without any formal agreement, for residential or commercial or residential-cum-commercial or any other purposes.</p>		
<p>B. Loss of Structure and other immovable assets including Trees and standing Crops, attached to the land</p>	<ol style="list-style-type: none"> 1. At least 3 months advance notice to shift or to demolish the partial structure. 2. Encroachers and squatters shall be paid the replacement cost of affected part of the structures and all other immovable assets attached to the land. 3. Right to salvage materials without any fee or charge in favour of the structure owner/occupier of the affected building/ structure, if the incumbent demolishes the affected part of the building/ structure by own self within the stipulated period. 		<p>The replacement cost of structure and other immovable assets shall be determined in accordance with the typical specifications for immovable assets as defined and approved by Appropriate Authority defined u/s 29 of RFCTLARR Act 2013.</p>
<p>C. Rehabilitation & Resettlement Assistances⁶</p>	<ol style="list-style-type: none"> 1. One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, building materials, belongings and cattle, if any for families getting physically displaced (require relocation). 2. One-time Resettlement Assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) for each displaced family 3. Subsistence allowance @ Rs. 3420/- per month or one-time allowance of Rs. 41,040/- (Rupees forty-one thousand forty only) to displaced family (<i>in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013</i>) 4. Any displaced family losing cattle sheds and/ or Petty Shops, or the displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, if any, are entitled for at least Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) or, any amount specified as the appropriate Government. 5. If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,000/- per family and will be borne by the Project Authority. 	<p>Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.</p> <p>where, $CPI_{Jan\ 2014} = 139.7$ & $CPI_{Apr\ 2021} = 159.3$ in Assam with Base Year 2012 = 100⁷</p> $Inflation\ Rate = 100 \times \frac{CPI_{Apr\ 2021} - CPI_{Jan\ 2014}}{CPI_{Jan\ 2014}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%,\ say\ 14\%$	

⁶Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.
⁷ Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 (http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

Sl.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation issues
5.	Tenants and Leaseholders of Residential/ Commercial or Residential-cum-Commercial structures	<p>A. Loss of Land Homestead Land/ Commercial Land</p> <p>B. Loss of Structure and other immovable assets</p>	<p>No entitlement for loss of land, in which the Tenants or Leaseholders occupy their residential or commercial or residential-cum-commercial structure under tenancy/ lease holding with some financial arrangements with the landlords, which may or may not be properly documented or legalized.</p> <p>1. Structure owners will reimburse tenants and leaseholders with rental deposit for unexpired tenancy/ lease for fully impacted structure Or, Lease/ Rental agreement with reduced rent/ lease rate in appropriate to be continued after reconstruction of the partly affected but feasible remaining structure, as the case may be</p> <p>2. Replacement cost of part or whole of structure constructed by the tenant/ leaseholder, and this will be deducted from the compensation amount of the owner.</p> <p>3. Right to salvage material of the portion constructed by tenant/leaseholder</p>	
		C. Rehabilitation & Resettlement Assurances⁸	<p>1. Three months' advance notice to affected parties to vacate the building/structure (residence, shop, etc.)</p> <p>2. On time Rental Allowances @ of Rs. 2,600/- (Rupees two thousand six hundred only) per month in rural areas and Rs. 3,900/- (Rupees three thousand nine hundred only) per month in urban areas, for 6 (six) months (Ref. Addendum to Resettlement Planning Framework for ASRP, Feb 2018 & regular rental increment of 10% per year)</p> <p>3. One-time financial assistance of Rs. 57,000/- (Rupees fifty-seven thousand only) as transportation cost for shifting of the family, belongings and cattle, if any (Ref. Schedule II of RFCTLARR 2013) for physically displaced family.</p> <p>4. Tenants of Commercial or Residential-cum-Commercial structures will be entitled for one-time financial grant of Rs. 28,500/- (Rupees twenty-eight thousand five hundred only) for loss of trade/ self-employment</p> <p>5. Tenants of Commercial or Residential-cum-Commercial structures will be entitled Livelihood restoration of Rs. 41,040/- (Rupees forty-one thousand forty only) one-time, for each displaced family (in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013)</p>	<p>Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> <p>Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> $\text{Inflation Rate} = 100 \times \frac{\text{CPI}_{\text{Apr 2021}} - \text{CPI}_{\text{Jan 2014}}}{\text{CPI}_{\text{Jan 2014}}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ <p>where, $\text{CPI}_{\text{Jan 2014}} = 139.7$ & $\text{CPI}_{\text{Apr 2021}} = 159.3$ in Assam with Base Year 2012 = 100⁹</p>

⁸Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

⁹ Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 (http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

Sl.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
6.	Any persons, other than the persons mentioned above, losing his/ her Livelihood/ source of Income	Rehabilitation & Resettlement Assistances ¹⁰	<p>6. If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,000/- per family and will be paid by the Project Authority.</p> <p>1. Livelihood restoration of Rs. 41,040/- (Rupees forty-one thousand forty only) one-time, for each displaced family (in line of subsistence allowance as per Schedule II of RFCTLARR Act 2013)</p> <p>2. If Displaced Person falls under the categories of Artisan, Small Traders, Self-employed persons or any other similar categories, One-time financial assistance of amount, as notified by the appropriate Government but not less than Rs. 28,500/- (Rupees twenty-eight thousand five hundred only).</p> <p>3. If the entitled person (EP) opts for alternative livelihood training for self or for any of his/ her family member will be entitled to have the training from National Skill Development Corporation or Assam Skill Development Mission or Assam State Urban Livelihood Mission or Assam State Rural Livelihood Mission, as the case may be. The cost of training will be capped to Rs. 41,000/- per family and will be borne by the Project Authority.</p>	<p>Financial assistance and/or all R&R allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from effective date of January 2014.</p> $\text{Inflation Rate} = 100 \times \frac{\text{CPI}_{\text{Apr 2021}} - \text{CPI}_{\text{Jan 2014}}}{\text{CPI}_{\text{Jan 2014}}} = 100 \times \frac{159.3 - 139.7}{139.7} = 14.03\%, \text{ say } 14\%$ <p>where, $\text{CPI}_{\text{Jan 2014}} = 139.7$ & $\text{CPI}_{\text{Apr 2021}} = 159.3$ in Assam with Base Year 2012 = 100¹¹</p>
7.	Any families operating their Agricultural Land, Residence and/ or Commercial establishments etc. adjacent to project road	Loss of Permanent/ Temporary Access	<ol style="list-style-type: none"> Three months' advance notice to affected parties Provision of proper alternate access or temporary access during the duration of the temporary loss of access, as the case may be Contractor's actions must ensure there is no income/ access loss through provision of access etc. Restoration/ enhancement of the affected access, land, structure, utilities and common property resources 	
8.	Owners with legal or legalizable title, tenants/ leaseholders	Temporary Loss of Land	<ol style="list-style-type: none"> Three months' advance notice to affected parties Rent at market price or mutually agreed land rental value during the duration of the temporary loss of land Restoration of the affected land to pre-project level or better 	Any land required by the project on temporary use will be compensated in consultation and negotiation with the landowner.
9.	Business owners, Traders, Self-employed,	Temporary Loss of Livelihood/	<ol style="list-style-type: none"> Provision of one-month advance notice to affected parties, including the duration and type of disruption 	

¹⁰Financial assistance and/or allowances has been appropriately indexed to the Consumer Price Index (CPI) to ensure real value of assistance from when it was effected in January 2014.

¹¹ Ref. Ministry of Statistics and Programme Implementation, Govt. of India Press Releases on Consumer Price Index Numbers on Base 2012 = 100 of March 2014 (http://mospi.nic.in/sites/default/files/press_release/t4_12mar14.pdf) and of May 2021 (http://www.mospi.nic.in/sites/default/files/press_release/CPI%20Press%20Release%20May2021.pdf)

Sl.	Entitled Person	Type of Loss	Entitlement (Compensation & Assistance)	Remarks and Implementation Issues
	tenants/ leaseholders, employees/ workers, kiosks/ vendors	source of Income	<ol style="list-style-type: none"> Assistance to mobile vendors/ hawkers to provide temporarily shifting locations for their continued economic activity For construction activities involving unavoidable livelihood disruption, Cash compensation on minimum wage or average earning per month for the loss of income/ livelihood for the duration of disruption to ensure there is no income or access loss Restoration of affected land, structure, utilities 	
10.	Loss of CPR	Community Assets	<p>The affected Common Property Resources, other than religious and Community Structures, will be replaced or rehabilitated or reconstructed as required in agreement with the local community in alternate land by the Project through contractor.</p> <p>Or, Cash compensation of the replacement value of the CPR structure (including the religious structures and community structures) for the re-construction or rehabilitation as per agreed mechanism between the Project Authority and the concerned community.</p>	<p>Alternate land will be explored (may be offered by the community or Gram Panchayat land or any other land agreed upon).</p> <p>The RP implementation agency in consultation with the local community and Project Authority shall facilitate the process of rehabilitation or reconstruction of CPRs.</p>
11	All vulnerable displaced persons	Vulnerable Affected Person	<ol style="list-style-type: none"> One Time lumpsum Assistance of Rs. 57,000 (Rupees fifty-seven thousand only) Priority in income restoration training programs Priority in employment under the project during construction as qualified Assistance to basic utilities and public services. 	<p>The Executing Agency shall verify the vulnerable families be identified during the census and implementation of the project.</p> <p>Kiosk shall not be considered under vulnerable category.</p>
12.	Any person or family or CPRs with unforeseen loss	Any other unforeseen impacts	Any unforeseen impacts, if any, will be documented and incorporated in the Entitlement Matrix and will be mitigated based on the principles agreed upon this framework.	

There shall be no income tax deductions on the Compensation and R&R Assurances of displaced families in line with Sec. 96 of the RFCTLARR Act.

RAJESH KEMPRAI,

Commissioner & Special Secretary to the Government of Assam,
Public Works (Roads) Department.