

GOVERNMENT OF MEGHALAYA

PUBLIC WORKS DEPARTMENT



सत्यमेव जयते

**MEGHALAYA INTEGRATED TRANSPORT PROJECT
FUNDED BY THE WORLD BANK**

**ADDENDUM
ON ENTITLEMENT MATRIX UNDER
ENVIRONMENTAL & SOCIAL
MANAGEMENT FRAMEWORK
(ESMF)**

ADDENDUM DATED: 5TH DECEMBER 2023

D. Loss of Residential/ Commercial Structures to Non-Titled Holders					
5	Structures on Government land	Owners of Structures or Occupants of structures identified as per Project Census Survey	Resettlement Rehabilitation Assistance	&	<ul style="list-style-type: none"> Non-titleholder shall be given three months' notice to vacate occupied land and provided with cash assistance at replacement cost for loss of structures as described in section 29 of the RFCTLARR Act 2013. All squatters (other than kiosks) will be eligible for one-time grant of rupees thirty-six thousand as subsistence allowance as per section 29 of the RFCTLARR Act 2013. <p>Market Kiosks/ Street Vendors with moveable structures moving from one side of the road to the other side shall be provided with a one-time grant of rupees five thousand.</p> <ul style="list-style-type: none"> Market Kiosks/ Street Vendors with moveable structures who have relocated to another site shall be provided with a one-time grant of rupees ten thousand.
E. Loss of Livelihood					
6	Families living within the project area	Title Holders/ Non-Title holders (encroachers and squatters)/ share croppers, agricultural labourers and employees; excluding market kiosks/ street vendors.	Resettlement Rehabilitation Assistance	&	<ul style="list-style-type: none"> Subsistence allowance of rupees thirty-six thousand as one-time grant. Training Assistance of rupees ten thousand for income generation per family. Temporary employment in the project construction work to project affected persons with particular attention to vulnerable groups by the project contractor during construction, to the extent possible and preference in the employment of semi-skilled and unskilled jobs in the project with adequate training for the job/ or One-time payment of five lakhs rupees per affected Family losing land and land-based livelihood.
F. Additional Support to Vulnerable Families					
7	Families within project area	As per government's definition of vulnerable households	Resettlement Rehabilitation Assistance	&	One-time additional financial assistance of rupees fifty thousand to all the project affected vulnerable households (SC, Particularly Vulnerable Tribal Group – PVTG, single woman and women headed households, households identified as vulnerable in SECC 2011 survey, households with disability having disability certificates under Meghalaya Rights of Persons With Disabilities Rules 2017, aged persons under BPL as per income criteria of BPL followed by the Government of Meghalaya, other criteria adopted by the Government of Meghalaya
G. Loss of Community Infrastructure/Common Property Resources					
8	Structures & other resources (e.g. land, water, access to structures etc.) within the project area	Affected communities and groups	Reconstruction of community structure and common property resources		Reconstruction of community structure and Common property resources in consultation with the community.

H. Temporary Impact During Construction				
9	Land & assets temporarily impacted during construction	Owner of land & Assets	Compensation for temporary impact during construction e.g. damage to adjacent parcel of land /assets due to movement of vehicles for transportation of equipment, machinery and construction activities for infrastructure development.	Compensation to be paid by the contractor for loss of assets, crops and any other damage as per prior agreement between the 'Contractor' and the 'Affected Party'.
I. Resettlement Site				
10	Loss of residential structures	Displaced titleholders and non-titleholders	Provision of resettlement site/ vendor market	<ul style="list-style-type: none"> • Resettlement sites will be developed as part of the project, if a minimum of 25 project displaced families opt for assisted resettlement. Vulnerable PAPs will be given preference in allotment of plots/flats at the resettlement site. Plot size will be equivalent to size lost subject to a maximum of provision given in RFCTLARR Act 2013. • Basic facilities shall be provided by the project at resettlement site as per the provisions given in the Third Schedule of RFCTLARR Act 2013. • Similarly, if at least 25 displaced commercial establishments (small business enterprises) opt for shopping units, the Project Authority will develop the vendor market at suitable location in the nearby area in consultation with displaced persons. • Basic facilities such as approach road, electricity connection, water and sanitation facility, will be provided in the vendor market by the project. • Vulnerable PAPs will be given preference in allotment, of shops in vendor market. One displaced family will be eligible for only one land plot at resettlement site or shop in the vendor market.

Note: All unit costs will be updated or revised to the year of payment, prior to payment as per consumer price index

(http://labourbureau.gov.in/LBO_indnum.htm; and <https://labourbureau.gov.in/general-index>)

PAGES EXTRACTED FROM ORIGINAL ESMF

5.4 Entitlement Matrix for PAPs/ PAFs¹

Table 1: Entitlement Matrix for PAPs/ PAFs

S. No.	Application	Definition of Entitlement Entitled Unit	Details	
A. Loss of Private, Agricultural or Commercial Land				
1	Land for the Project	Titleholder of the land/ family/ families with legal holding rights and or traditional Land Rights	<p>In case of voluntary consent to gift land to the State for public purpose</p> <p>Compensation in accordance with the First Schedule and rehabilitation and resettlement specified in the Second and Third Schedules of the RFCTLARR Act 2013</p>	<p>In case of voluntary donation of land through mutual understanding, then a gift-deed on stamp-duty will be executed between the titleholder and State PWD and one-time subsistence allowance of equivalent to at a rate of three thousand rupees per month for a period of one year from the date of the deed executed will be granted.</p>
			<p>In case of request for compensation for lost of land providing livelihood</p> <p>Compensation in accordance with the First Schedule and rehabilitation and resettlement specified in the Second and Third Schedules of the RFCTLARR Act 2013</p>	<p>In such cases the title holder will be offered “land for land” if available and a gift-deed on stamp-duty will be executed between the titleholder and State PWD. The land if allotted will be in the same name. For a household it will be allotted to both husband and wife.</p> <p>In addition to this amount, in case of Scheduled Castes and the Scheduled Tribes displaced from Scheduled Areas shall receive an amount equivalent to fifty thousand rupees and, as far as possible, the affected families shall be relocated in a similar ecological zone, so as to preserve the economic opportunities, language, culture and community life of the tribal communities.</p>
			<p>In case consented to part with the land at market value.</p> <p>Compensation in accordance with the First Schedule and rehabilitation and resettlement specified in the Second and Third Schedules of the RFCTLARR Act 2013</p>	<p>In case the titleholder of the land provides consent to give the land in lieu of “cost of the land to be paid”, then market value of the land will be paid to the concern person/ family.</p>

	Residual land (in case only part of land requires to be acquired for the project)	Titleholder family and families with traditional land Right	Compensation in accordance with the First Schedule of the RFCTLARR Act 2013	<p>In case residual land is found to be economically unviable, PAPs/ PAFs have the choice of:</p> <p>a) selling off the residual land at the market value to the project</p> <p>b) take 25% of the compensation value and retain the land parcel.</p>
B. Loss of Private Structures (Residential/Commercial)				
2	Loss of Structure	Title Holder/ Owner	Compensation in accordance with the First Schedule and rehabilitation and resettlement specified in the Second and Third Schedules of the RFCTLARR Act 2013	<ul style="list-style-type: none"> • A cash compensation for the loss of structure will be offered at market value which would be determined as per as per section 29 of the RFCTLARR Act 2013. • If a housing unit is lost in rural area, then 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. • The house if allotted will be in the name of both husband and wife. • The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaced from such area. • Any affected 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. • Any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house. • 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. • 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. • Each affected family having cattle or having a petty shop shall get one-time financial assistance to a minimum of twenty-five thousand rupees for construction of cattle shed or petty shop as the case may be • 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

				<p>get one-time financial assistance to a minimum of twenty-five thousand rupees</p> <ul style="list-style-type: none"> • Each affected family shall be given a one-time —Resettlement Allowance of fifty thousand rupees only.
3	Structure	Tenants/ Holders Lease	Resettlement & Rehabilitation Assistance	<ul style="list-style-type: none"> • Registered lessees/ tenants will be entitled to compensation payable to structure owner in case the lessee has erected any of the structure as per applicable local laws. • b) A three months vacating notice will be provided along with one-time Resettlement Allowance of fifty thousand rupees only.
C. Loss of Trees and Crops				
4	Standing Trees, Crops	Owners and beneficiaries (Registered/ Un-registered tenants, contract cultivators, leaseholders & sharecroppers)	Compensation at market value	<ul style="list-style-type: none"> • Three months advance notice to project affected persons to harvest fruits, standing crops and removal of trees. Compensation to be paid at the rate estimated by: <ul style="list-style-type: none"> ○ The Forest Department for timber trees ○ The State Agriculture Extension Department for crops ○ The Horticulture Department for fruit/flower bearing trees. • Registered tenants, contract cultivators & leaseholders & sharecroppers will be eligible for compensation for trees and crops as per the agreement document between the owner and the beneficiaries. • Un-registered tenants, contract cultivators, leaseholders & sharecroppers will be eligible for compensation for trees and crops as per mutual understanding between the owner and the beneficiaries.
D. Loss of Residential/ Commercial Structures to Non-Titled Holders				
5	Structures on Government land	Owners of Structures or Occupants of structures identified as per Project Census Survey	Resettlement & Rehabilitation Assistance	<ul style="list-style-type: none"> • Non-titleholder shall be given three months' notice to vacate occupied land and provided with cash assistance at replacement cost for loss of structures as described in section 29 of the RFCTLARR Act 2013. • All squatters (other than kiosks) will be eligible for one-time grant of rupees thirty-six thousand as subsistence allowance as per section 29 of the RFCTLARR Act 2013.
E. Loss of Livelihood				
6	Families living within the project area	Title Holders/ Non-Title holders/ sharecroppers, agricultural labourers and employees	Resettlement & Rehabilitation Assistance	<ul style="list-style-type: none"> • Subsistence allowance of rupees thirty-six thousand as one-time grant. • Training Assistance of rupees ten thousand for income generation per family. • Temporary employment in the project construction work to project affected persons with particular attention to vulnerable groups by the project contractor during construction, to the extent possible and preference in the employment of semi-skilled and unskilled jobs in the project with adequate training for the job/ or • Onetime payment of five lakhs rupees per affected family
F. Additional Support to Vulnerable Families				

7	Families within project area	As per definition of vulnerable	Resettlement & Rehabilitation Assistance	One-time additional financial assistance of rupees fifty thousand.
G. Loss of Community Infrastructure/Common Property Resources				
8	Structures & other resources (e.g. land, water, access to structures etc.) within the project area	Affected communities and groups	Reconstruction of community structure and common property resources	Reconstruction of community structure and Common property resources in consultation with the community.
H. Temporary Impact During Construction				
9	Land & assets temporarily impacted during construction	Owners of land & Assets	Compensation for temporary impact during construction e.g. damage to adjacent parcel of land / assets due to movement of vehicles for transportation of equipment's, machinery and construction activities for infrastructure development.	Compensation to be paid by the contractor for loss of assets, crops and any other damage as per prior agreement between the 'Contractor' and the 'Affected Party'.
I. Resettlement Site				
10	Loss of residential structures	Displaced titleholders and non-titleholders	Provision of resettlement site/ vendor market	<ul style="list-style-type: none"> Resettlement sites will be developed as part of the project, if a minimum of 25 project displaced families opt for assisted resettlement. Vulnerable PAPs will be given preference in allotment of plots/flats at the resettlement site. Plot size will be equivalent to size lost subject to a maximum of provision given in RFCTLARR Act 2013. Basic facilities shall be provided by the project at resettlement site as per the provisions given in the Third Schedule of RFCTLARR Act 2013. Similarly, if at least 25 displaced commercial establishments (small business enterprises) opt for shopping units, the Project Authority will develop the vendor market at suitable location in the nearby area in consultation with displaced persons. Basic facilities such as approach road, electricity connection, water and sanitation facility, will be provided in the vendor market by the project. Vulnerable PAPs will be given preference in allotment, of shops in vendor market. One displaced family will be eligible for only one land plot at resettlement site or shop in the vendor market.

Note: All unit costs will be updated or revised to the year of payment, prior to payment as per consumer price index http://labourbureau.gov.in/LBO_innum.htm; and <https://pib.gov.in/newsite/PrintRelease.aspx?relid=105121>

5.4.1 Updated Resettlement Unit Costs

The project has adopted the unit costs for R&R assistance as available in LARR Act, 2013. The Consumer Price Index for Agricultural labourer's (CPIAL) for the state of Meghalaya has increased by 30%² during the period between January 2014 to December 2019. Hence, all these unit have been updated and are presented in table below.

Table 2: Updated Resettlement Unit Costs applicable to Project

Entitlement	Unit rates as of January 2014 (in INR)	Revised as of December 2019 (rounded off to nearest INR)
Livelihood assistance (Lump sum)	5,00,000	6,50,000
One-time assistance for loss of Cattle shed/petty shop	25,000	32,500
One-time assistance for displaced artisan/small traders/small shops	25,000	32,500
Transportation / Shifting assistance for displaced	50,000	65,000
Subsistence allowance for displaced @ INR 3000 per month for 1 year	36,000	47,000
One-time Resettlement Allowance	50,000	65,000

Any other monetary allowance other than those listed above will be indexed to year of payment prior to payment

5.4.2 Valuation of Lost and Affected Assets

Compensation for Land and Assets attached to the Land: Land will be acquired through RFCTLARR Act 2013. All compensation and R&R assistances will be processed as per RFCTLARR Act 2013 Schedule I and II. The Compensation of the land to be acquired in urban and rural area will be calculated as under:
=market value x 1 for urban area and multiplier of 2 for rural areas plus value of assets attached to land or building plus (100% solatium).

The **market value** of the land will be determined in following manner: The ADC shall adopt the following criteria in assessing and determining the market value of the land, namely: —

- *the market value, if any, specified in the Indian Stamp Act, 1899 (2 of 1899) for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or*
- *the average sale price for similar type of land situated in the nearest village or nearest vicinity area;*

The date for determination of market value shall be the date on which the notification has been issued under section 11.

Compensation for Structures: The replacement value of houses, buildings and other immovable properties will be determined based on latest PWD Basic Schedule of Rates for valuation purpose as on date without depreciation. While considering the PWD rate, project will ensure that it uses the latest rates for the structures. Wherever the SR for current financial year is not available, the Competent Authority will update the BSR to current prices based on approved previous year escalations.

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

Further, all compensation and assistance will be paid to PAPs at least 1 month prior to displacement or dispossession of assets. The Project will assist beneficiaries to open a Bank account, in case they do not have Bank Account and in special cases, provide the payment through cheque.

²<https://pib.gov.in/newsite/PrintRelease.aspx?relid=105121>

Even after payment of compensation, displaced PAPs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for the same. A notice to that effect will be issued intimating that PAPs can take away the materials so salvaged within 15 days of their demolition.

There shall be no income tax deductions in line with Sec 96 of the RFCTLARR Act. In the event any deductions are made toward taxes, such amounts will have reimbursed.

5.5 *Livelihood Restoration/Enhancement Framework:*

Each PAPs whose income or livelihood is affected by a subproject will be assisted to improve or at least restore it to pre-project level. Income restoration schemes will be designed in consultation with affected persons and considering their resource base and existing skills. Project will identify the number of eligible PAPs/DPs and will conduct training need assessment in consultations with the affected persons so as to develop appropriate income restoration schemes.

1. The Project with support of specialised agency will examine local employment opportunities and produce a list of possible income restoration options. Suitable trainers or local resources will be identified by the project in consultation with local training institutes. Disadvantaged and vulnerable households will get special assistance in this regard. The project will also facilitate affected person access to Government schemes that could help them to restore income and livelihood. In addition, the entitlement matrix provides for one-time income restoration allowance.
2. Under sub-component 1.3, the project will form women self-help groups and collaborate with industrial training institutes (ITIs) across districts and provide short-term skills training including life-skills training to women SHGs for handling regular operations and maintenance (O&M) contracts awarded by PWD.
3. Harness Job Potential of the Transport Sector: GoM aims to tap the vast job potential of the sector (both direct and indirect) under its ongoing entrepreneurship program and started to prepare suitable training and incentive schemes for unemployed youth (both girls and boys including PAPs), to enhance their skills for employment in civil works contracts and to offer quality transport services for tourist destinations and private sector led way-side facilitates for tourist destinations. During construction phase of the project, contractor will give preference to local population for skilled Project to the extent possible (this will be added in the bid documents).
4. Mobilizing women PAPs and linking them to short-term skills training offered at district-level ITIs in construction, food processing, food-packaging and other relevant sectors, develop strategies to improve roll-out of training programs and facilitate linkages to markets and producer companies.