

Community Participation Framework

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IND: Second Rural Connectivity Investment Program

Odisha

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CURRENCY EQUIVALENTS

(as of 6 July 2017)

Currency unit	–	Indian Rupees (INR/Rs)
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\$1.00	=	INR 64.73

ABBREVIATIONS

ADB	:	Asian Development Bank
APs	:	Affected Persons
BPL	:	Below Poverty Line
CPF	:	Community Participation Framework
FFA	:	Framework Financing Agreement
GOI	:	Government of India
GRC	:	Grievances Redressal Committee
IA	:	Implementing Agency
MFF	:	Multitranchise Financing Facility
MORD	:	Ministry of Rural Development
MOU	:	Memorandum of Understanding
NC	:	Not Connected
NGO	:	Non-Government Organization
NRRDA	:	National Rural Road Development Agency
NREGA	:	National Rural Employment Guarantee Act
PFR	:	Periodic Finance Request
PIC	:	Project Implementation Consultants
PIU	:	Project Implementation Unit
PMGSY	:	Pradhan Mantri Gram Sadak Yojana
PPTA	:	Project Preparatory Technical Assistance
RCIP	:	Rural Connectivity Investment Program
ROW	:	Right-of-Way
RRSIIP	:	Rural Roads Sector Investment Program III
ST	:	Scheduled Tribes
TA	:	Technical Assistance
TOR	:	Terms of Reference
TSC	:	Technical Support Consultants
VAP	:	Vulnerable Affected Person
WHH	:	Women Headed Households

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I. INTRODUCTION

A. Investment Program Description

1. The Rural Connectivity Investment Program II – RCIP II (the Program) involves construction and upgrading of rural roads under PMGSY in the states of Madhya Pradesh, Chhattisgarh, Assam, Orissa and West Bengal. The Program forms part of the nationally popular program called *Pradhan Mantri Gram Sadak Yojana* (Prime Minister's Rural Roads Program or PMGSY), which started in 2000, and aims to provide connectivity to hitherto unconnected villages¹ and promote access to economic opportunities and social services, including increased agricultural incomes and employment/trading opportunities for the local villagers.

2. The Ministry of Rural Development (MORD) administers the PMGSY as a centrally sponsored scheme in all the states and Union Territories. In the state of Assam, the Assam State Road Board (ASRB) is implementing the PMGSY through the Program Implementation Units (PIUs) established at the district level.

3. The Government of India (GOI) requested the Asian Development Bank (ADB) for financing part of the Program. Under RCIP II, ADB will extend loans, to finance multiple contract package(s) for civil works. The government and ADB are considering to adopt the result-based lending (RBL) modality for the Second Rural Connectivity Invest Program. Shifting to result based lending modality will reduce the transaction costs, streamline the implementation process of PMGSY, and more importantly, provide opportunities of value addition on improving the program and systems, promoting institutional and capacity development, and supporting development coordination and harmonization.

B. Need for a Community Participation Framework (CPF)

4. The PMGSY employs a bottom-up approach for project planning and preparation. The Core Network, from which the roads to be improved are selected, is prepared at the block level in consultation with the concerned *Panchayats* and consolidated at the district level. The list of roads to be taken up in each yearly allocation is first prepared by the PIU, approved by the *Zilla Parishad*, and then forwarded to the state government for further approval.

5. In the preparation stage, the alignment of PMGSY roads is finalized through community consultation. The PMGSY guidelines require the PIU to conduct transect walk & consultations along project roads before finalizing the alignment, to ensure active community participation, select the alignment that best suits the community's needs and minimizes adverse social and environmental impacts of the proposed improvement.

6. Under the PMGSY, the existing revenue tracks are taken up for construction as per standards in the Rural Roads Manual and other relevant specifications. The available width of the existing tracks is not always sufficient to accommodate the proposed improvements, thereby posing the requirement for additional land. However, the extent of impacts on land, structures and livelihood sources is expected to be minimal, as the road improvements are generally carried out along the existing tracks.

¹ In 2000, about 40% of villages in rural India still remained unconnected by all-weather roads.

7. Additional land required for road improvement under the PMGSY is secured through voluntary donation by the land/asset owners. To ensure that donation is voluntary and the negative social and economic impacts due to the Project will be avoided or minimized, this Framework establishes guidelines supplemental to the current PMGSY guidelines for community consultation, detailing the procedural steps and requirements to be followed for all subprojects to be included under the Project to be financed under ADB Loans.

8. The community consultation process under this Framework for subproject preparation will result in a set of documents that will collectively serve as a plan to implement mitigation measures for the perceived likely negative impacts of each subproject.

C. Guiding Principles of CPF

9. This Framework is a continuation of the principles adopted during the RCIP I and guided by the national and state level legislations and policies, relevant to the Programme, as well as ADB Safeguard Policy Statement (2009). The key principles guiding this framework are as follows:

- (i) there is meaningful consultation with landowners and any non-titled people on site selection;
- (ii) voluntary donations do not severely affect the living standards of affected people and are directly linked to benefits for the affected people, with community sanctioned measures to replace any losses that are agreed through verbal and written record by affected people;
- (iii) any voluntary donation will be confirmed through verbal and written record and verified by an independent third party; and
- (iv) adequate grievance redress mechanisms are in place.

D. Preparation of CPF

10. This Framework has been prepared on the basis of the following:

- Review of the national as well as state level legislations and policies relevant to the Program;
- Review of the ADB Safeguard Policy Statement (2009) and GOI-World Bank 'Environmental and Social Management Framework' and 'Resettlement and Participation Framework' adopted for implementation of PMGSY in the states of Himachal Pradesh, Jharkhand, Rajasthan and Uttar Pradesh.
- Assessment of conditions of the sample subproject roads under the Program spread over 4 districts in Madhya Pradesh, 3 districts in Chhattisgarh, 5 districts in Assam, 4 districts in Orissa and 5 districts in West Bengal. The details of the issues related to social safeguard and participation in each of the states have been included in the respective reports on community participation prepared separately

II. ASSESSMENT OF CURRENT CONDITIONS

A. Sample Subproject Roads in Orissa

11. As part of the framework, an assessment of the prevailing socio-economic conditions in each state was undertaken, by means of field visits to sample project roads and consultations with the villagers in the sample subproject areas, so as to identify project related concerns, if any.

12. For the state of Orissa, the assessment has been made for 108.14km road length, covering 33 road sections, lying in the districts of Bargarh, Sundargarh, Bolangir and Jharsuguda. Details of the sample subprojects in Orissa are provided in Table 1.

Table 1: Details of Sample Subprojects in Orissa

State	District	Total Number of sample road stretches	Total Road length (km)
Orissa	Bargarh	19	49.38
	Sundargarh	02	05.63
	Bolangir	06	31.14
	Jharsuguda	06	21.99
		33	108.14

B. Socio-Demographic Overview of Orissa

13. The state of Orissa, with Bhubaneswar as its capital city, is spread across an area of 155,707 km² in the eastern belt of the country. It is bound by Jharkhand on north, West Bengal on the northeast, Chhattisgarh on the west, Andhra Pradesh on the south and the Bay of Bengal on the east, with a total coast line of about 450 km.

14. As per the 2001 census, the population of the state is approximately 36,804,660, spread across 30 Districts, further divided in to 314 Blocks/316 Tehsils. Agriculture sector absorbs about 80% of the total work force with paddy being the principal crop cultivated. Table 2 brings to light certain socio-demographic trends of the state and the sample subproject areas.

Table 2: Socio-demographic Profile of the State and Sample Subproject Areas

Place (Year 2001)	Population			Density (per sq. km)	Literacy			Sex Ratio
	Total	SC%*	ST%*		Total %	Male %	Female %	
All- India	1,21,01,93,422	16.6	8.6	382	74.04	82.14	65.46	940
Orissa	4,19,74,218	17.13	22.85	270	72.87	81.59	64.01	979
Bargarh	1,478,833	20.17	18.98	254	74.62	83.68	65.38	977
Sundargarh	20,93,437	9.16	50.75	216	73.34	81.01	65.48	973
Bolangir	1,648,997	17.88	21.05	251	64.72	75.85	53.5	987
Jharsuguda	579,505	18.05	30.5	274	78.86	86.61	70.73	953

Sources: Census of India, 2011

15. It is good to note that the sex ratio at both state as well as the sample subproject districts level is higher than the national average of 940, with the highest sex ratio of 987 in case of district Bolangir.

16. Literacy rates across the state and sample subproject areas are close to or higher than the national average, with the exception of Bolangir district that shows a comparatively lower literacy rate of 64.72%. Though wide gaps in terms of male and female literacy exist at both all India and state level, the gap is largest for Bolangir district, with 75.85% male literacy and only 53.5% female literacy.

17. Jharsuguda district, on the other hand, shows a relatively high rate of literacy of 78.86%, even higher than the national average, with a male literacy of 86.61% and female literacy of 70.73%.

18. Orissa is endowed with rich natural resources in the form of vast mineral deposits, forest, fertile land, ground water resources and a long coast line; however the resources have

not been exploited adequately for income generation activities. As a result, Orissa ranks very low among the Indian states in terms of per capita income, and has become one of the poorest states of the country.

19. Reflective of the state pattern, the four sample subproject areas of Orissa also show a high prevalence of SCs and STs, with more than half the population of Sundergarh district belonging to STs. There are close to 62 tribal communities in the state of Orissa, mainly inhabiting the Eastern Ghats hill range, which runs in the north-south direction. More than half of their population is concentrated in three districts of Koraput, Sundergarh and Mayurbhanj.

III. LEGISLATIONS AND POLICIES APPLICABLE

A. Introduction

20. The principles adopted for addressing social issues in the project have been guided by the existing legislation and policies of the GOI, the Government of Orissa, and the Asian Development Bank. Prior to the preparation of the Framework, a detailed analysis of the existing national and state policies was undertaken. The section below provides details of the various national and state level legislations studied and their application within this framework.

B. National Level Policies and Legislations

1. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCT in LARR), 2013

1. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCT in LARR Act - 2013) has been effective from January 1, 2014 after receiving the assent of the President of Republic of India. The Act replaced the Land Acquisition Act, 1894.

2. **Salient Features of the Policy:** The aims and objectives of the Act include: (i) to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the constitution of India, a humane, participative, informed and transparent process for 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; (ii) 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; (iii) make adequate provisions for such affected persons for their rehabilitation and resettlement; (iv) ensure that the cumulative outcome of compulsory acquisition should be that 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.

3. Section 27 of the Act defines the method by which market value of the land shall be computed under the proposed law. Schedule I outlines the proposed minimum compensation based on a multiple of market value. Schedule II through VI outline the resettlement and rehabilitation entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule I.

4. **Application to the Project:** The Act would have to be kept in mind during the conduction of the SIA study, keeping community participation at the core of the process and laying importance to entitlements of APs and vulnerable APs.

2. The Constitution (73rd Amendment) Act, Part IX of the Constitution of India, 1992

21. This Act enables the Participation of *Panchayat* level institutions in decision making by broadening the village level functions and supporting implementation of development schemes.

22. Salient Features of the Act:

- **Article 243 B:** Constitution of three-tier Panchayat System
- **Article 243 C:** Direct Election by the People of the Panchayat
- **Article 243 D:** Reservation of seats for SC, ST and women
- **Article 243 G:** Powers, authority and responsibilities of *Panchayats*

23. The state may, by law, endow the *Panchayats* with such powers and authority as may be necessary to function as institutions of self-government. This Article further enables, subject to state law, devolution of powers and responsibilities with respect to:

- a) The preparation of plans for economic development and social justice; and
- b) The implementation of schemes for economic development and social justice including those in relation to matters listed in the Eleventh Schedule—including the matters related to roads, culverts, and bridges.

24. **Application to the Project:** The Act provides for involvement of the PRIs, especially the *Gram Panchayat* during preparation and implementation of the Project. The *Gram Panchayat* will coordinate with the PIU to finalize the alignment, land width requirements, community consultation and incorporation of their suggestions, identification of vulnerable affected persons (APs), entitlement provisions, Grievance Redressal and collection of MOU for transfer of land or assets.

3. Panchayats Extension to the Scheduled Areas Act (PESA), 1996

25. **Main Feature of the Act:** The PESA Act is one of the progressive legislations for the Adivasi regions, providing for self-governance and recognizing the traditional rights of indigenous communities over their natural resources. The PESA Act was enacted to safeguard and preserve traditions and customs of tribal communities and prevent alienation from their homelands. The Act provides for the extension of Provisions of Part IX of the Constitution relating to *Panchayats* to Scheduled Areas.

26. **Key Provisions under the Act:** The main rationale behind the Act is to preserve the tribal population from exploitation by ensuring active involvement of the *Gram Sabha*. As per PESA, *Gram Sabha* will be involved in approval of development plans, and programmes, land availability and rehabilitation of affected persons, and has given control of land, forest and water in the hands of tribal through the *Gram Sabha*. The Act entrusts the *Gram Sabha* with the following:

- **Section 4.d:** *Gram Sabha* shall safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution
- **Section 4.e (i):** *Gram Sabha* shall be responsible for approval of plans, programmes and projects for social and economic development
- **Section 4.e (ii):** responsible for the identification or selection of persons as beneficiaries under the development programmes
- **Section 4.i:** Consultation with Panchayat prior to land acquisition and R&R activities in the scheduled areas
- **Section 4.m (ii):** Endows ownership of minor forest produce to *Panchayats*
- **Section 4.m (iii):** endows power to prevent alienation of land in Scheduled areas and to take appropriate action to restore any unlawfully alienated land of STs

27. **Application to the Project:** Approval of the plans, land acquisition and safeguard mechanisms consistent with the existing customary laws and practices through *Gram Panchayat* will achieve legal sanctity through this Act. The PRIs will be the responsible agencies for implementation of the tasks involved in the provisions of the Act. The intermediate and District *Panchayat* will approve the road network for blocks and district. The finalization of alignment, including identification of APs, vulnerable APs and entitlement framework will be through involvement of *Gram Panchayat* and local community.

4. **Pradhan Mantri Gram Sadak Yojana (PMGSY) Programme Guidelines, November 2004 and Operations Manual, February 2005**

28. The broad principles as laid down in the PMGSY Guidelines and Operations Manual pertaining to land availability are as follows:

- No fund to be provided under PMGSY for Land Acquisition. Land Acquisition can be done by the State Government but at its own cost. (PMGSY Guidelines section 6.12)
- Responsibility of State Government/District Panchayat to ensure land availability for taking up the proposed road works. (PMGSY Guidelines section 6.12)
- State Government may lay down guidelines for voluntary land donation, exchange or other mechanisms. (PMGSY Guidelines section 6.12)
- The process of making land available for the road works should sub-serve the common good and also be just and equitable. (PMGSY Guidelines section 6.12, and Operations Manual section 4.3.5)
- Stress on participation of local people and community including those likely to be affected by the proposed alignment to put forth their views through Transect Walks. (PMGSY Guidelines sections 6.13, and 8.4, Operations Manual section 5.3.3)

C. **Relevant State Level Legislations**

1. **Orissa Resettlement & Rehabilitation Policy, 2006**

29. **The Policy and Application.** In order to ensure sustained development through a participatory and transparent process, the Government of Orissa has framed a comprehensive state resettlement and rehabilitation (R&R) policy.

30. It shall apply to all those projects, for which acquisition of private land under Land Acquisition Act, 1894 or under any other law's for the time being in force or proclamation inviting objections in case of Government land is notified.

31. This shall also be applicable to all projects for which land is acquired through negotiation under the provisions of this Policy.

32. **Salient Features of the Policy**

- The policy seeks to avoid displacement where possible and minimize it, exercising available options otherwise.
- Recognize voices of displaced communities emphasizing the needs of the indigenous communities and vulnerable sections
- Ensure environmental sustainability through participatory and transparent process
- Help in guiding the process of developing institutional mechanism for implementation, monitoring, conflict resolution and grievance redressal
- For the purpose of R & R benefits and rehabilitation assistance under this Policy, Development Projects are classified in to the following types:
 - a) Industrial Projects
 - b) Mining Projects
 - c) Irrigation Projects, National Parks and Sanctuaries
 - d) Urban Projects and Linear Projects like roads and railways, power lines
 - e) Any other Projects
- Special benefits to displaced indigenous families and primitive tribal groups

33. **Application to the Project:** The state policy recognizes the need to streamline the procedures related to the R&R of those displaced and provides for special assistance to the vulnerable groups. In addition taking into account the needs of the tribal community, the policy provides for special provisions for their treatment. The state policy further provides for a grievance Redressal system to handle and address all project related grievances of the APs. All these principles have been appropriately incorporated in this Framework.

5. **The Orissa Scheduled Areas Transfer of Immovable Property by (Scheduled Tribes) Amendment Regulation, 2000 [A regulation further to amend the Orissa Scheduled Areas Transfer of immovable Property (by ST) Regulation, 1956]**

34. **Main Objective of the Act:** To prevent the land alienation of the tribal communities thereby putting a restriction on the sale, purchase as well as gift of tribal land

35. **Relevant Sections of the Act:**

- **Section 3 (1):** The Act clearly states that - Notwithstanding anything contained in any law for the time being in force, any transfer of immovable property by a member of a ST, (except by way of mortgage executed in favor of any public financial institution securing a loan granted by such institution for agricultural

purpose), shall be absolutely NULL and VOID and no force of effect whatsoever, unless such transfer² is made in favor of another member of a ST.

- **Section 3 (1 - iii):** It further provides that a member of ST shall not transfer any land, even to a ST, if the total extent of his land remaining after the transfer will be reduced to less than 2 acres in case of irrigated land or 5 acres in case of un-irrigated land.

36. **Application to the Project:** The Act puts restriction on the sale and purchase of land belonging to tribals. In keeping with the **provisions** as laid down in the Act, this Framework follows the existing laws and legislation with regard to transfer of tribal land for the Project.

IV. PARTICIPATORY PROJECT PREPARATION

A. Introduction

37. This Chapter provides guidance for the tasks indicated in Table 4.1 below, which will be followed in planning and preparation of each subproject to identify and deal with Project-related social issues.

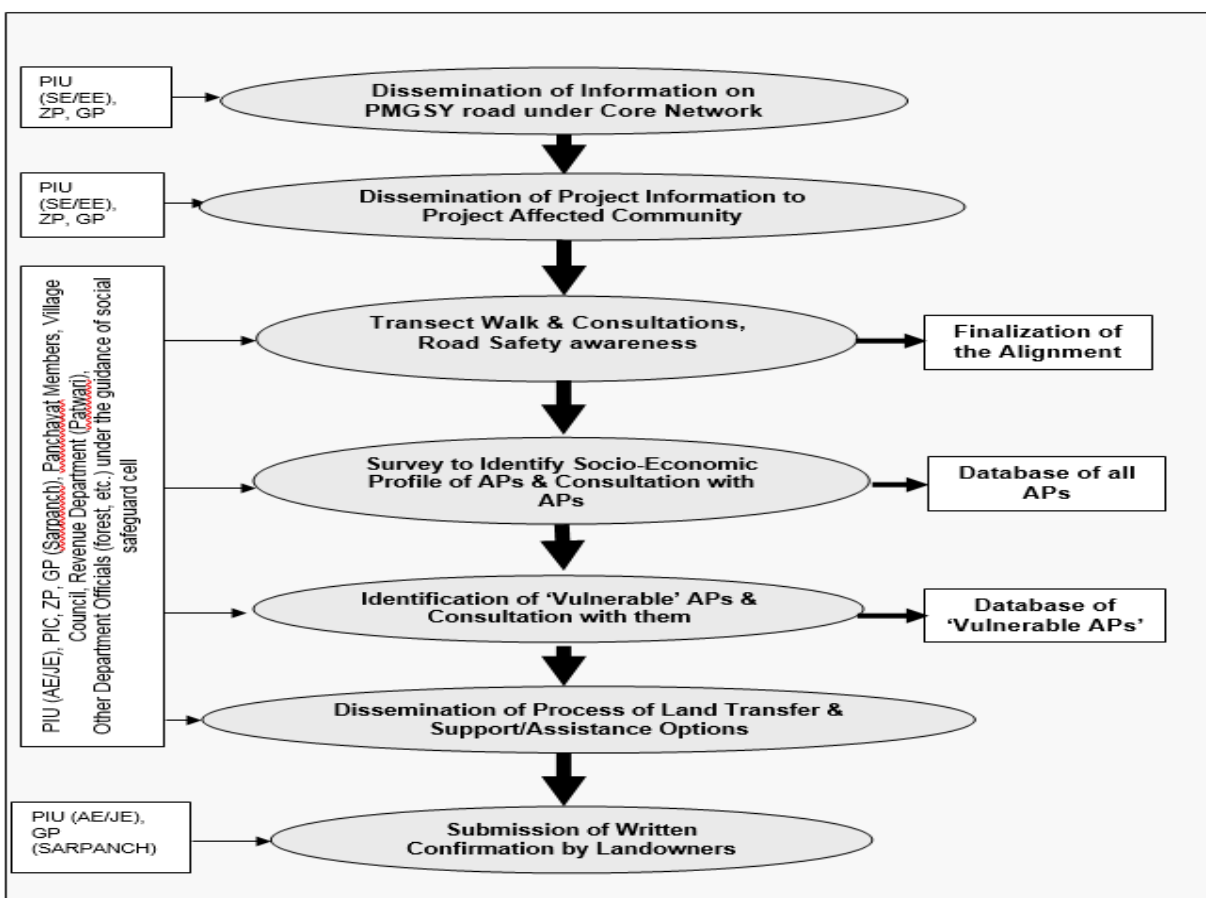


Figure 1: Stages in Participatory Project Preparation

² Section 2 (f) of the 1956 Regulation, clearly defines 'transfer of immovable property' as **mortgage with or without possession lease, sale, gift, exchange or any other dealings with such property** not being a testamentary disposition and includes a charge or contract relating to such property.

B. Dissemination of Information on PMGSY roads under Core Network

38. Information on the salient features of the finalized PMGSY roads under the Core Network will be disseminated to the public. This information will be displayed at the notice boards of the *Zilla Parishad* and the concerned *Gram Panchayats*. The information to be displayed shall include (i) map of the Core Network of the concerned district/block showing roads to be taken up under PMGSY, (ii) list of villages to be connected, (iii) length and type (link route or through route) of the roads, and (iv) contact persons of the PIU concerned. The format for the display is in **Annex 1**.

C. Selection of Roads

39. The selection of roads for improvement under the Project shall be from the PMGSY Core Network. The following criteria shall be adopted while selecting these roads:

- Adequate land width availability as specified in the Rural Roads Manual, Specification for Rural Roads 2004 and PMGSY Operations Manual 2005
- The proposed alignment involves limited land loss and the remaining land and or/structures remain viable for continued use
- In case impacts are unavoidable, the impacts will be minimized through one or more of the following mechanisms:
 - a. **Design modifications** by reduction of land width, alignment shifts, and modifications in cross-sections etc, to the extent required from safety considerations;
 - b. **Voluntary donation** of land/assets by the land/asset owner by means of MOU to the PIU or the state government; and
 - c. **Vulnerable affected households** comprising of BPL, women headed households, ST, SC, disabled, elderly, and landless, etc will not be asked to donate land. In cases wherein they are willing to donate land/assets for the Project, compensation and assistance will be provided to these affected households, as per eligibility, through GP and rural development (RD) schemes and agreed mitigation matrix.

40. Roads for which no scope exists for addressing the social impacts through any of the mechanisms above shall not be taken up under the Project for that particular year. Such roads will be taken up after the social issues are resolved by the community and there is a demand made for the improvement of the roads by the community to the PIU.

D. Dissemination of Project Information

41. After selection of roads and prior to finalization of the alignment, a brochure in local language providing an overview of the PMGSY in the state will be available for distribution in every *Gram Panchayat* along the selected roads. The main purpose of this will be to sensitize the community on the project related issues, and how the likely issues will be addressed during project preparation and implementation stages. **Annex 2** provides details of the information package to be included in the brochure.

E. Finalization of Alignment through Transect Walk

42. Community will play a decisive role in the finalization of the alignment. To ensure fuller community participation, transect walks and consultations will be undertaken on each of the proposed alignments. Transect Walks will be organized by the respective PIU in close

coordination with the *Gram Panchayats* concerned and the revenue officials at the village level (*Patwari*). Road Safety Sessions would be undertaken along each road section during the transect walk.

1. Objectives of the Transect Walk

- Finalization of alignment through consultations with the communities and their elected representatives
- A joint on-site inventory, cross-checking and verification of the alignment (as per the revenue map)
- Identification of grievances on ground and redressal of the same
- Identification of APs and vulnerable groups among them
- Acceptance of the Project and alignment by the community
- Communication of Road Safety Measures and receipt of feedback from community members

2. Participants in the Transect Walk

43. Various stakeholders from the government, *Panchayati Raj* Institutions (PRIs), and the local community will participate in the Transect Walk, as enumerated below:

a. From the Government:

- Field level PIU staff comprising Assistant Engineer (AE)/Junior Engineer (JE)
- Revenue Department Officials (*Patwari*)
- Forest Officials
- Social Safeguard Specialist and Environmental Specialist of the Project Implementation Consultant (PIC) engaged to support the concerned PIU

b. From Panchayati Raj Institutions (PRI):

- Village Pradhan or Sarpanch
- Member of the Gram Panchayat

c. From the Community: (selection to be done by PRI):

- Community representatives including APs and non-APs
- School teacher
- Women representatives
- Vulnerable groups comprising households below poverty line (BPL), Scheduled Caste (SC), Scheduled Tribes (ST) and female headed households.
- Elderly people of the village

44. Amongst the above stakeholders, the participation of PIU, Gram panchayat representatives, community representatives, women and vulnerable groups is essential in the transect walk.

3. Main Stages in a Transect Walk

45. **Preparation Stage:**

- The PIU to intimate the PRI as well as the community regarding the transect walk with adequate advance publicity including by means of a formal notice at the *Gram Panchayat* building. The notice shall include:
 - (i) salient features of the proposed improvement including maps to show the alignment (refer to **Annex 1**);
 - (ii) PMGSY scheme and how the issues related to the proposed improvement will be addressed (refer to **Annex 2**);
 - (iii) date and time of the Transect Walk and the location where the Walk starts; and
 - (iv) contact persons in the PIU and PRI concerned for further inquiry (name, designation, address, phone numbers, etc.)
- Collect the village revenue map and mark the proposed alignment
- Identify the landowners along the alignment from the revenue records
- The PRI to identify a group of villagers (key informants) who will participate in the walk (This shall not prevent other villagers from participating in the Transect Walk.)
- Distribute responsibility for recording information during the walk amongst PRI member, *Patwari* and key informants

46. Implementation Stage:

- PIU representatives to inform the participants on the possible extent of improvements and how the Transect Walk and the subsequent consultation/survey will be conducted
- Participants to slowly travel along the alignment, observe the physical features along the alignment, and get as much information as possible from the villagers and the locals
- Make notes of all vital information gathered and record in detail such information on the revenue map. Information to be recorded on the revenue map will include sensitive locations such as major junctions, cultural properties, water crossings, and forest locations with large numbers of trees, where additional efforts need to be taken before finalizing the design.
- Understand and make notes of the following social aspects:

KEY SOCIAL ASPECTS

2. Sites for additional land take
3. Encroachments
4. Squatters
5. Land categories impacted
6. Land with traditional, customary rights
7. Population characteristics including vulnerable groups
8. Assessment of social impacts on:
 - Land
 - Structures (Residential/Commercial)
 - Other structures (temples/wells)
 - Trees, standing crops
 - Common properties
 - Livelihood and economic opportunities

- The PIU to provide adequate responses on queries related to social issues, voluntary land donation process, possibility of alignment changes to minimize impacts, and engineering requirements to enhance safety of road users
- Conduct consultations on Road Safety Awareness with stakeholders such as men, women, children, elderly, teachers, police officials, PRI members, etc.
- Identify persons likely to get affected by the Project and vulnerable groups among them

47. **Road Safety Session.** At the time of the transect walk, a Road Safety Consultation will be taken on each road section by the PIU with support of the PIC for all vulnerable road users, including men, women, children, disabled, elderly, as well as community leaders such as school teachers and local officials. The sessions would be facilitated with the aid of Road Safety leaflets prepared in the State's local language, distributed to each of the participants during the discourse on road safety measures. The session would further invite participants to voice road safety concerns, suggestions, comments and share feedback for further action.

48. List of Road Safety leaflets and instructions can be viewed in **Annex 2**.

49. **Documentation Stage:**

- Document all queries and concerns raised
- Discuss with villagers and participants on key aspects and concerns
- Record information and data collected
- Prepare illustrative diagram of the transect walk on the revenue map highlighting likely location for additional land requirements and community suggestions
- Prepare chain-age wise matrix as mentioned in Annexure 3
- Finalize the date for formal consultation (within four weeks from the Transect Walk)
-

50. **Annex 3** provides a format for documenting the Transect Walk.

F. Preparation of Detailed Project Report (DPR)

51. The PIC, based on the findings of the Transect Walk, will prepare the transect drawings for the road, reflecting the concerns of the community, to be duly considered during the detailed design stage. The PIU in turn will make sure that these suggestions and concerns are addressed, to the extent possible, in the DPR.

G. Census of Affected Persons (APs)

52. Following the formal consultation, the PIU with support of the PIC will undertake a census of the identified APs to assess current socio-economic status of the APs including ownership of land/asset affected, and the overall Project impact on each of the APs. The concerned *Gram Panchayat* will facilitate the survey. **Annex 5** provides a sample census questionnaire. Based on the census, a database of all affected households will be prepared, which enables identification of vulnerable APs. **Format A** in **Annex 6** will be used for summarizing the census results.

H. Identification of Vulnerable APs and Assistance/Support Options

53. The Framework provides for assistance and support to the vulnerable APs to ensure that they are not adversely affected by the Project. The following categories of APs shall be entitled for assistance/support as vulnerable APs:

Definition of Vulnerable APs	
<input type="checkbox"/>	Households Below Poverty Line (BPL) as per the state poverty line for rural areas;
<input type="checkbox"/>	Households who will become BPL as result of loss to assets and / or livelihoods.
<input type="checkbox"/>	Households losing structure
<input type="checkbox"/>	Female headed household
<input type="checkbox"/>	Scheduled Caste
<input type="checkbox"/>	Scheduled Tribe
<input type="checkbox"/>	Disabled person

54. Based on the census data, the PIU, with support of the PIC and in collaboration with the PRI, assess the vulnerability of APs (households). This assessment will be discussed with APs and then finalized. Thereafter a list of vulnerable APs and the support/assistance options to them will be formulated and displayed at the *Gram Panchayat* office along with the eligibility criteria based on which the list was derived. This list will be prepared as per **Format B** in **Annex 6**. The options for community support/assistance to be provided to vulnerable APs will be based on the nature of their losses. The details of these options are in **Chapter 5**.

I. Integration of Impact Mitigation Measures in DPR

55. In order to ensure that the design of the subproject roads are sensitive to the social issues raised during the above consultation process and have incorporated the social considerations with a view to minimizing adverse project impacts and enhancing benefits, the DPR will be finalized only after the tasks listed in sections 4.1 to 4.8 have been completed. Based on the output of the Transect Walk and subsequent community consultation, as applicable, the PIU will prepare a summarized overview of the Project impact as per **Annex 7**.

56. The documents listed below will form part of the DPR:

- Major output of the Transect Walk recorded as per **Annex 3**
- Proceedings of the Community Consultations and willingness of people for land donation documented as per **Annex 4**
- Census data detailing the profile of the APs and the type and the extent of losses as per **Format A** in **Annex 6**.
- List of eligible APs for support/assistance documented as per **Format B** in **Annex 6**.
- Summary overview of the Project impact as per **Annex 7**.

57. These collectively will form a plan to implement mitigation measures for the perceived likely negative impacts of each subproject.

58. These documents will be reviewed by the **Technical Support Consultant (TSC)** as part of the DPR scrutiny. The TSC will also verify on a sample basis the information contained in these documents through field visits to project affected communities.

59. After review by the TSC and approval by the STA, the format in **Annex 7** will be included in the state's subproject proposals to the NRRDA for further review and sanctioning.

J. Information Dissemination on Process of Land Transfer and Support/ Assistance

60. In addition to information dissemination required at each of the community participation steps above, the PIU in coordination with the PRI shall make sure that the following information is known to the community concerned prior to the start of collection of MOU:

- Project details (refer to **Annex 1**)
- Responsible agencies (refer to **Annex 2**)
- Process of land transfer (refer to **Annex 2**)
- List of APs (refer to **Format A in Annex 6**)
- List of vulnerable APs and support/assistance options to them (refer to **Format B in Annex 6**)
- Grievance redressal mechanism (refer to **Annex 2**)
- Likely construction schedule

61. Information dissemination, in addition to through the respective formats to be displayed at the *Gram Panchayat* building, would be through banners, posters, and pamphlets displayed at *Gram Panchayat* building or other prominent places such as schools, health centers etc.

K. Submission of Written Confirmation by Landowners to PRI/PIU

62. **Voluntary Donation:** The Project recognizes that voluntary land donation is a long established standard practice adopted for rural road developments in India. Keeping this in mind the entire process of land donation emphasizes on the spirit of "free will", minus any element of coercion. For this, individual verification to ensure that people are "volunteering" for donation of their land toward the project is mandatory.

63. **Written Confirmation of Voluntary Donation:** To ensure transparency, written confirmation of voluntary donation will be submitted by the owners of land/asset affected by the Project. The confirmation will be in the form of a memorandum of understanding (MOU), which will be done between the landowner(s) and the PIU concerned or the state government, and will be verified by an independent third party. In this case, the PRI concerned, which is an independent legally constituted body, will be the third party. Samples of the MOU are attached as Annex 8. To ensure legal possession of the land under consideration, a copy of the proof of the ownership, as applicable, shall be obtained by the PIU, with assistance from the PRI. In case the land owner has unclear titles or is unable to provide proof of ownership, the PRI concerned, the *Patwari* and the village community will be involved to verify the ownership of the concerned land owner on the land parcel or asset in question.

64. **Land Involving Traditional and/or Tenurial Rights:** In case of impact on land involving traditional and tenurial rights, the legal provisions laid down by the central and state governments pertaining to transfer of land will be duly followed. The existing customary rights of the tribal communities on various categories of land shall be taken into account during the process of land transfer. It will be the responsibility of the AE/JE of the PIU along with village level *Panchayat* members to assess the impact on livelihood and extent of dependence of such communities on these lands through consultations.

65. **Execution of Civil Works:** For the execution of civil works contracts under the Project, the states will acquire or make available on a timely basis the land and rights in land, free from any encumbrances. No section or part thereof under the civil works contract shall be handed over to the contractor unless the applicable provisions of the CPF and EAF/ECOP have been complied with.

V. IMPACTS AND MITIGATION MEASURES

A. Mitigation Measure Matrix

66. A specific mitigation measures matrix is prepared to address the following categories of impacts caused by the Project. The matrix ensures that affected persons are equally or better off after the project and includes provisions for replacement cost for relevant items:

Table 3: Mitigation Measures Matrix

Impact Category	Mitigation Measures	Responsibility
Loss of Agricultural Land	<ul style="list-style-type: none"> • Willing transfer of land by means of MOU • Advance notice to harvest standing crops • For vulnerable affected persons (APs), assistance/support by means of (a) alternate land sites provided by GP, or (b) compensation as per replacement cost³ by the Gram Panchayat (GP) to meet loss of land; and inclusion as beneficiaries in the existing poverty alleviation/livelihood restoration programs (enumerated in Annex 9) • For land involving traditional and tenurial rights, the legal provisions applicable of the central and state governments pertaining to transfer of land will be followed. Existing customary rights of the tribal communities on various categories of land shall be taken into account during the process of land transfer. 	GP, PIU and land revenue department
Loss of Structure	<ul style="list-style-type: none"> • Provision of alternate plot of land and structure of equivalent quality and value to be provided as per AP's choice, or compensation by GP to meet the loss of land and structure allowing the AP to purchase land and rebuild structure of equivalent standard • For loss of boundary walls and fences, willing transfer by means of MOU. In case voluntary donation of such structures are not possible, compensation as per replacement cost by GP to meet loss of such structures, or provision of materials and/or labor by GP to allow the AP to replace/rebuild the same • For vulnerable APs, inclusion as beneficiaries in the rural development (RD) programs/housing schemes (enumerated in Annex 9) • For tenants, assistance to find alternative rental arrangements by GP, or cash assistance equivalent to advance payments made to the owner • For squatters, provision of alternative relocation site, or cash assistance as per replacement cost, or provision of building material and/or labor by GP, or inclusion as beneficiaries in the RD programs/housing schemes. • 	GP, PIU and land revenue department

³ Replacement cost means the "cost" to replace the lost asset at current market value or its nearest equivalent, plus any transaction costs such as administrative charges, taxes, registration and titling costs allowing the individual / community to replace what is lost and their economic and social circumstances to be at least restored to the pre-project level.

Impact Category	Mitigation Measures	Responsibility
	<ul style="list-style-type: none"> For land and structure involving traditional and tenurial rights, the legal provisions applicable of the central and state governments pertaining to transfer of land will be followed. Existing customary rights of the tribal communities on various categories of land shall be taken into account during the process of land transfer. 	
Loss of livelihood	<ul style="list-style-type: none"> For vulnerable APs, inclusion as beneficiaries in the existing poverty alleviation /livelihood restoration programs (enumerated in Annex 9). In case of non inclusion in such programs, cash assistance to meet the loss of income during transitional phase and for income restoration. Assistance for asset creation⁴ by community and Gram Panchayat. 	GP and PIU
Loss of Assets such as Trees, Well, and Ponds	<ul style="list-style-type: none"> Willing transfer of the asset by means of MOU. For vulnerable APs, assistance for the loss of these assets through inclusion as beneficiaries in the existing poverty alleviation/livelihood restoration programs (enumerated in Annex 9). In case of non inclusion in such programs, compensation by GP to meet the loss of assets and income. 	GP, PIU and land revenue department
Loss of community owned assets such as temple, wells, ponds, grazing land etc	<ul style="list-style-type: none"> Relocation or construction of asset by GP with technical inputs from PIU Consultations with the concerned section of the community in case of grazing land, etc 	GP, PIU and land revenue department
Temporary impacts during construction	<ul style="list-style-type: none"> Civil works contract conditions to include provisions to obligate the contractor to implement appropriate mitigation measures for the temporary impacts include disruption of normal traffic, increased noise levels, dust generation, and damage to adjacent parcel of land due to movement of heavy machinery to be included the Civil Works Contract 	PIU
Other impacts not identified	Unforeseen impacts will be documented and mitigated based on the principles in this Framework.	

B. Due Diligence of Rural Development Schemes

67. This section will be drafted after completing the discussion with key stakeholders, which includes, BDO, PRI, communities, to get their feedback on availability and effectiveness of various government schemes. This will be completed after the census survey.

VI. IMPLEMENTATION ARRANGEMENTS

A. Key Agencies Involved

68. The key agencies involved in implementation of this Framework are as follows:

- Social safeguard cell
- Program Implementation Unit (**PIU**) with support of the Project Implementation Consultant (**PIC**)

⁴ Assistance for asset creation shall comprise of assistance for creation of cattle shed, shop, production unit or any other form of income generating asset that will enable the affected household in restoring their livelihood.

- Panchayat Raj Institution (**PRI**)
- State Implementing Agency: Orissa State Rural Roads Agency (**OSRRA**)
- State Executing Agency: **Rural Works Organisation**
- Ministry of Rural Development (**MORD**)/National Rural Roads Development Agency (**NRRDA**)

69. The detailed organizational chart is in **Annex 11**.

B. Major Tasks

70. Major tasks under the CPF and responsible agencies for them are summarized below.

Table 4: Major Tasks under the CPF and Responsible Agencies

Project stage	Task	Target Groups	Responsible agency/Person	Time Frame	Formats/details to be filled and attached
Road Selection stage	Dissemination of PMGSY road under Core network	Community	PIU (EE/AE), ZP, GP (Sarpanch)	After approval of Core Network	Annex 1 for information disclosure at ZP and GP offices
	Selection of Roads		PIU (EE/AE), ZP, GP		-
Project Planning & Design Stage	DPR Preparation Stage	Dissemination of Project Information	PIU (AE/JE), GP (Sarpanch), PIC	First week of DPR preparation	Annex 2 to be translated into local language and disclosed
		Sensitization of community	PIU (AE/JE), GP (Sarpanch), panchayat Members, PIC	First week of DPR preparation	Annexes 1 and 2 for disclosure and advance publicity
		Finalization of alignment (Transect Walk, alignment shifts & incorporation of community suggestion)	PIU (AE/JE), GP (Sarpanch), Panchayat Members, Revenue Dept (Patwari), Other Dept Officials (if required), PIC	First month of DPR Preparation	Annex 3 to be filled and signed by PIU and GP representatives
		Consultations with Community/APs	PIU (AE/JE), GP (Sarpanch), Panchayat Members, PIC	5 th week of DPR Preparation, after alignment finalization	Annex 4 to be filled and signed by participants
		Census for Profile of APs	PIU (AE/JE), GP (Sarpanch), Panchayat Members, PIC	5 th to 6 th week of DPR Preparation	Annexes 5 and 6 Format A to be filled
		Identification of vulnerable APs	PIU (AE/JE), GP (Sarpanch), Panchayat Members, PIC	6 th week of the DPR preparation	Annex 6 Format B for consultation and disclosure

Project stage		Task	Target Groups	Responsible agency/Person	Time Frame	Formats/details to be filled and attached
		Dissemination of process of voluntary donation, support/assistance options and grievance procedures	APs	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members, PIC	7 th week of DPR Preparation	Annexes 2 and 6 Format B for disclosure
		Finalization of support/assistance	Vulnerable APs	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members, DRDA, DoSW, DoTW, PIC	8 th week of DPR preparation	Annex 6 Format B to be used as reference
		Marking of Alignment	-	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members, Revenue Dept (<i>Patwari</i>), PIC	12 th week of DPR Preparation	-
		Incorporating impact mitigation measures in DPR	-	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members, PIC	End of fourth month of DPR preparation	Annexes 3, 4, 6 A, 6 B and 7
		Scrutiny and approval of DPR	-	State Technical Agency and TSC		Annexes 3, 4, 6 A, 6 B and 7 to be reviewed by TSC
Site Preparation Stage	Post DPR Stage	Collection of MOUs	APs	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members, Revenue Dept (<i>Patwari</i>),	First month of implementation after approval of DPR	Annex 8 to be used
		Advance notice to farmers with standing crops	APs	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members,	First month of implementation after approval of DPR	-
		Relocation/Shifting of structures / Common Property Resources	Community/ APs	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members, Revenue Dept (<i>Patwari</i>),	By the 2 nd month of implementation after approval	-
		Provision of assistance	Eligible APs	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members,	Between 3 rd -5 th month of implementation after approval of DPR	-
		Enrollment into RD schemes	Eligible APs	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members, DRDS, DoSW, DoTW	From 3 rd month of implementation after approval of DPR	-

Project stage		Task	Target Groups	Responsible agency/Person	Time Frame	Formats/details to be filled and attached
Construction stage	Pre Construction	Physical possession of land by PIU	-	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members, Revenue Dept (<i>Patwari</i>),	From 3 rd month of implementation after approval of DPR	-
		Temporary impacts during construction	community	GP (<i>Sarpanch</i>), Panchayat Members, Contractors	From 4 th month of project implementation till completion of construction work	-
		Health impacts including HIV/AIDS	Community	GP (<i>Sarpanch</i>), Panchayat Members, Contractors, PHC, DACS	From 4 th month of Project implementation, till completion of construction work	-
	Construction	Redressal of grievances	Community/APs	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members, Revenue Dept (<i>Patwari</i>),	Throughout Project cycle	-
		Unforeseen impacts	Community	PIU (AE/JE), GP (<i>Sarpanch</i>), Panchayat Members, Revenue Dept (<i>Patwari</i>), Contractors	From 4 th month of project implementation, till completion of construction work	-
		MOU for local resources	Community	Contractor, GP (<i>Sarpanch</i>)	From 4 th month of Project implementation till completion of construction work	-
	Post Construction	Reclamation of temporarily used land, borrow area, water body, etc.	Community	Contractor as per contract conditions		-
		Tree Plantation	Community	GP (<i>Sarpanch</i>), Panchayat Members, Community		-
		Monitoring Progress		Internal: PIU (AE/JE) External: TSC		Annex 10

PIU – Project Implementation Unit, GP – Gram panchayat, ZP – Zilla Parishad, DRDA – District Rural Development Agency, DoRD – Department of Rural Development, DoSW/TD – Department of Social Welfare/Tribal Development, DACS – District Aids Control Society, PHC – Primary Health Centre, TSC- Technical Support Consultants.

C. Responsibility of Key Agencies

71. The following section provides detailed description of the responsibilities of the agencies listed above:

1. State Social Safeguard Cells

72. In order to ensure effective implementation of social safeguard process and accountability of Social Safeguarding interests, procedures and documents post the demobilization of the PIC, it may be necessary to formulate state level Social Safeguard Cells.

- Coordinate all agencies involved in dealing with Social safeguards process
- Assist the PIU and PIC in organizing social safeguard processes as mentioned in CPF
- Ensuring documentation of all documents on time
- Facilitate PIU/PIC for better linkage of APs.
- Monitoring PIU and PIC

2. Program Implementation Unit (PIU)

73. The PIU will play the **key role of coordinating with other concerned agencies and facilitating the entire process**. The PIU will facilitate and coordinate the enrollment of vulnerable APs in rural development schemes and delivery of entitlements as described in the agreed mitigation measures matrix. In case of delivery of cash assistance, PRI will be responsible and PIU will coordinate as well as monitor the delivery of assistance.

74. The PIU will ensure that no malpractices are involved during the disbursement of assistance through PRI and during enrollment of vulnerable APs in the RD schemes.

a. District Level (EE/SE)

- Ensure disclosure of the Core Network by the *Zilla Parishad* and *Gram Panchayats* at Panchayat offices (refer to 4.1)
- Oversee land availability for taking up proposed roads (4.2)
- Ensure that Transect Walks and subsequent community consultation are properly conducted by AE/JE (4.4)
- Provide support to AE/JE in making revenue records and maps available before the Transect Walk (4.4.3)
- Ensure that MOUs are signed and support/assistance provided on time (4.11)

b. Field level (AE/JE)

- Disseminate Project information at various stages of the Project implementation as envisaged in this Framework (4.1, 4.3 and 4.10)
- Ensure availability of revenue records and maps prior to the Transect Walk (4.4.3)
- Organize the Transect Walk with the *Gram Panchayat* concerned and with participation of Revenue Department officials and forest officials, if required (4.4.3)
- Finalize alignment through community participation giving proper consideration to road safety and scope for future growth (4.5)
- Along with *Patwari* and PRI identify land to be additionally required and land/asset ownership including customary rights in tribal areas (4.3, and 4.10)

- Verify ownership of impacted land parcels through proof of ownership during census (4.7)
- Verify vulnerability of APs based on the criteria adopted (4.8)
- Coordinate with DRDA, DoTW, DoSW etc for finalization of support/assistance and schedule for enrolments (4.8, and 5.1)
- Ensure provision of support/assistance as per schedule with support of PRI
- Initiate process of land transfer and addressal of grievances involving the PRI
- Collect MOU from landowners with support of PRI (4.10)
- Responsible for addressal of additional unforeseen impacts during construction (5.1)
- Ensure incorporation of social issues in DPR prior to approval from STA (4.9)
- Monitor the progress of Framework tasks during implementation in coordination with PRI

c. Project Implementation Consultant (PIC)

75. At the PIU level the Social Development/Safeguard Specialist of the PIC will support the PIU in every aspect of the implementation of the Framework provisions and identified impact mitigation measures. He/she will also closely interact with the PRI and representatives of other agencies at the village and district levels concerned with social safeguard aspects of the Project. He/she will be a professionally trained expert with a Master's Degree in relevant disciplines.

- Assist the PIU in organizing Transect Walk for documenting the social features and profile along the subproject roads (4.4)
- Undertake a detailed inventory of the land and structures getting affected along the proposed alignment by means of a census covering the 100% affected households along the alignment, and identify vulnerable APs among them (4.6 and 4.7)
- Based on the survey, prepare support/assistance options for the APs with particular attention to vulnerable groups (4.8)
- Assist the PIU and the relevant *panchayats* in disseminating information on land transfer, support/assistance options and grievance procedures (4.9)
- Assist the PIU and the concerned *panchayat* in preparing the documentation for land transfer (MOU) (4.11)
- Assist the PIU in monitoring of the progress of mitigation measures during implementation (7.2)

3. Panchayati Raj Institutions

a. District Level (*Zilla Parishad*)

- Display of Core Network at the *Zilla Parishad* and *Gram Panchayat* Office (4.1)
- Disseminate project information to the project affected community in coordination with the PIU (4.3)
- Ensure establishment of a Land Management Committee at the village level and a Grievance Redressal Committee at the district level for grievance Redressal (6.4)

b. Field level (*Sarpanch* and other *Panchayat* Members)

- Display of Core Network at the *Zilla Parishad* and *Gram Panchayat* Office (4.1)
- Disseminate Project information to the community in coordination with the PIU (4.3)
- Facilitate finalization of alignment during Transect Walk along with PIU and Revenue Department (4.4.3)
- Encourage community participation during Transect Walk and consultations (4.4 and 4.6)
- Organize consultations involving community and APs to disclose Transect Walk output (4.6)
- Encourage community/APs to voluntarily donate assets especially land
- Facilitate the survey of profiles of APs (4.7)
- Facilitate identifying vulnerable APs and their verification (4.8)
- Facilitate finalization of procedure for land transfer and provision of support/assistance (4.10)
- Collect MOU from land owners and subsequently submit to PIU (4.11)
- Facilitate consultation by the civil works contractor with community prior to mobilization of machinery (4.11)
- Supervise the mitigation measures during implementation and its progress in coordination with PIU (7.2)

4. State IA

- Ensure that all DPR for subprojects are completed with the required formats on community participation and social safeguard aspects (4.9)
- Ensure that the DPRs are reviewed by the Technical Support Consultants and also by the State Technical Agency (STA) (4.9)
- Ensure that bidding document of civil works covers mitigation measures to address temporary impacts during construction (5.1)
- Undertake routine monitoring on the implementation of mitigation measures and grievances and advise PIUs in resolving grievances (7.2)

5. State EA

- Provide the State IA and PIUs with resources required to implement the CPF
- Ensure that all CPF requirements are met by the State IA
- Ensure that MOU are signed and support/assistance provided on time (4.11 and 5.1)

6. MORD/NRRDA

- Undertake due diligence systematically for the implementation of the CPF.
- Guide state agencies to resolve critical implementation issues and, if required, update the Framework through review of the internal and external monitoring outputs. Enforcement of all such changes will be carried forward with prior approval from ADB.
- Required to submit the subproject proposals for the additional 100 km rural roads in the state for ADB review prior to giving final approval. ADB will also conduct field review of the implementation of the Framework provisions for the same

subprojects. If ADB is satisfied with the implementation of the core sample subprojects and additional 100 km subprojects, further approval of subproject proposals will be by MORD.

D. Grievance Redressal Mechanism

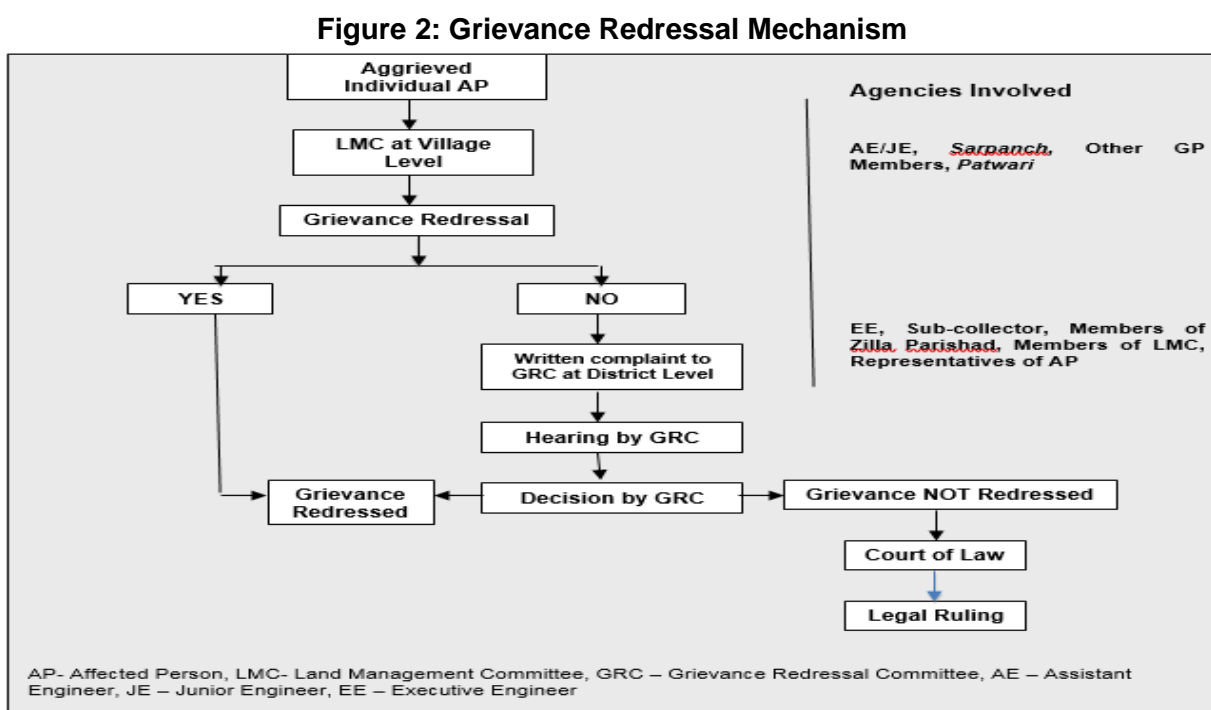
76. Grievances, if any, will be resolved at the village level. A **Land Management Committee (LMC)** consisting of all members of Gram Panchayat, Lekhpal of Gram Sabha as Secretary, Pradhan, Up-Pradhan of Gram Panchayat will be the Chairman and Vice-Chairman of the LMC. The LMC shall act as the village level grievance committee, and will meet for addressing grievances once in a month until DPR approval and quarterly after initiation of the construction work until completion of the construction work. Residual grievances shall be addressed through a **Grievance Redressal Committee (GRC)** at the district level, comprising:

- (i) Executive Engineer of the PIU
- (ii) Sub-collector of Revenue Department
- (iii) Member of Zilla Parishad
- (iv) Member of the grievance committee of the concerned GP

77. Representatives of APs will be active participants in the proceedings of grievance redressal. The LMC and GRC will be responsible for maintaining database of all grievances/complaints, recording decisions, issuing minutes of the meetings and monitoring to see that formal orders are issued and the decisions carried out. Grievances will be documented and personal details (name, address, date of complaint, etc.) will be included.

78. In the event that a grievance cannot be resolved directly by the LMC or GRC, the affected person can seek alternative redress through the appropriate court of law.

79. Figure 2 below further represents the grievance redressal mechanism.



VII. MONITORING AND REPORTING PROCEDURES

A. Monitoring System

80. The State IA shall be responsible for supervision of the Framework implementation. In order to monitor the implementation of the Framework provisions, a two-tier monitoring system will be followed:

- a) Internal Monitoring
- b) External Monitoring and Evaluation

B. Internal Monitoring:

81. The **Project Implementation Units (PIUs)** will be responsible for the internal monitoring throughout the implementation of the Project. The PIU shall collect the data as per the monitoring indicators adopted and report them to the State IA. The data shall be later audited by the Social Development Specialist of the Technical Support Consultant (TSC). The Junior Engineer (JE) will communicate the report, on a monthly basis, to the *Gram Panchayat* to enable a discussion on the same in quarterly meeting of the *Panchayat*.

C. External Monitoring and Evaluation

82. The **Technical Support Consultant (TSC)** will perform the task of the external monitoring and evaluation. The TSC will have Social Development Specialist as part of the team, who will be responsible for organizing tasks for monitoring and evaluation. The monitoring cycle will be once in six months. The TSC will submit monitoring reports to the State IA, NRRDA and ADB.

83. As external monitor, TSC will be responsible for the following:

- (i) Review DPRs for all additional subprojects prepared by PIUs to assess whether the Framework requirements have been generally met during the planning and preparation stages. Conduct verification on a sample basis of the information contained in the DPRs through field visits to project affected communities.
- (ii) Review and verify the progress of the identified mitigation measures during implementation on a sample basis.
- (iii) Based on the review and verification above, evaluate the effectiveness of the community participation process defined in the Framework in mitigating adverse socioeconomic impacts of the Project, and recommend improvements to the Framework procedures.
- (iv) Conduct on a sample basis monitoring of socioeconomic indicators associated with the well-being of the project affected communities and persons, and evaluate if the mitigation measures have brought about intended outcome.

84. The key formats for reporting and monitoring implementation of the Framework requirements and impact mitigation measures are in **Annex 10**.

85. In addition, Gram Panchayat, which is an independent legally constituted people's body will be the independent third party monitor for the Project.

VIII. BUDGET FRAMEWORK

86. The State Government will provide the budget for the implementation of the mitigation measures in this Framework. Table 5 below provides a broad stage-wise budget framework. The budget is indicative, for a typical road with an average length of 4 km.

Table 5: Stage-wise Budget Framework

S.No.	Item	Unit	Rate	Quantity	Cost (in Rs.)	Assumption
Information Dissemination						
1.	Brochures	Brochure	20	100	2,000	Approx. Village Population -1000 and 10% along the road
2.	Pamphlets	Pamphlet	5	1,000	5,000	To be distributed at various stages of the project
Consultation and Profiling of APs						
1.	Organization of public consultations	Tea and other logistic costs	5000	4	20000	Approx. 6 villages in 2 km and 1 consultation amongst 2 village
2.	Conducting census	Survey forms	10	200	2000	Estimated 100 APs
Display of List of Vulnerable APs						
1.	Preparation and printing of the list	Display of eligible APs			2,000	
Transfer of land						
1.	Issuance of advance notices	Notice			5,000	
2.	Legal cost of land transfer	Form			In actual as per law	
Support/Assistance for APs						
1.	Cost of land	In actual	-	-	In actual as per the replacement cost for vulnerable AP	-
2.	Cost of Structure	-	-	-	As per ownership status and vulnerability	
3.	Cost of trees, wells, ponds	-	-	-	Cash assistance for vulnerable APs	
4.	Loss of Livelihood	-	-	-	Cash assistance to vulnerable	
5.	Cost of CPRs	-	-	-	Reconstruction cost	
6.	Cost of temporary impacts during construction	-	-	-	To be borne under the civil works contracts as per contract conditions	

S.No.	Item	Unit	Rate	Quantity	Cost (in Rs.)	Assumption
Grievance Redressal						
1.	Per meeting	Meeting	200	4	8,000	
	TOTAL (in Rs.)				Rs26,000*	

* This amount is excluding the legal cost for land transfer, which will be in actuals.

87. In addition, the support/assistance to the vulnerable APs as given in the Mitigation Measures Matrix (Table 3) will be the responsibility of the State Government.

ANNEX 1: INFORMATION ON CORE ROAD NETWORK**Format for Displaying Information on Core Network****State:****District:**

Block Name & code	Name of Road	Through Route or Link Route	Code in Core Network	Length (km)	Population served			Names and Populations of Habitations to be Connected
					Total	SC	ST	

Further details available at:

<u>Agency Name:</u>	<u>Address:</u>
---------------------	-----------------

<u>Contact Person Name:</u>	<u>Phone No.:</u>
-----------------------------	-------------------

The map of the Core Network should clearly communicate

- Administrative boundaries (District/Block/Tehsil/Village) and locations of Panchayat offices
- Names and locations of connected habitation/s
- Locations of social service facilities such as health centers and schools
- Types of roads (link route or through route)

Responsible Agency /Person:

PIU (EE/SE), District Panchayat (Zila Pradhan), Gram Panchayat (Sarpanch and other members)

ANNEX 2: INFORMATION PACKAGE TO BE DISCLOSED

A. What is *Pradhan Mantri Gram Sadak Yojana (PMGSY)*?

PMGSY is a central government program to build all-weather rural roads to connect villages with population of 500 persons or more in the rural areas. In desert, hill and tribal areas, the villages with population of 250 and more will be provided connectivity. Only villages currently unserved with all-weather roads are eligible under PMGSY.

B. What does “all-weather road” mean?

The Project road will be improved to a standard that will be passable throughout the year with necessary culverts and cross-drainage structures. This does not necessarily mean that the road will be sealed or blacktopped. The standards adopted for improvement will be determined by many factors including topography, climatic and environmental conditions, and future traffic volume.

C. Who will improve the road?

PMGSY is administered by the Ministry of Rural Development (MORD) at the center. In West Bengal, West Bengal State Rural Development Agency (WBSRDA) implements PMGSY through the Programme Implementation Units (PIUs) established at the district level. The PIU are staffed with senior officers and engineers from the state department. The PIU works with the District and Gram Panchayats and plays the key coordination role in planning, design, implementation and monitoring of the road improvement. Construction works will be done by the private contractor engaged by the WBSRDA. For design and supervision of the construction works, PIU will be supported by a team of consultants.

D. The Project & Asian Development Bank

The Government of India will finance the proposed PMGSY works through financial assistance from the Asian Development Bank, which is a multilateral development finance institution covering Asia and the Pacific based in Manila, Philippines. ADB has a country office in New Delhi.

E. How are the Project roads selected?

The Project roads will be selected from the ‘Core Network’ which is the minimal network of roads to give eligible villages at least a single all-weather road. The Core Network will be displayed at the notice boards of the District and the Gram Panchayat offices.

The criteria below will apply while selecting the Project roads:

- ☐ Adequate land width availability as specified in the national design standards for rural roads;
- ☐ The proposed alignment involves little or no loss of land or structures, and the remaining land and or/structures remain viable for continued use;
- ☐ In case wherein the impacts are unavoidable, the losses will be minimized through the adoption of one or more of the following mechanisms:
 - a. Design modifications by reduction of land width, alignment shifts, and modifications in cross-sections etc, to the extent required from safety considerations;
 - b. Voluntary donation of land/assets by the land/asset owner by means of MoU to the PIU or the state government; and

- c. Providing support and assistance to the vulnerable affected persons¹ through GP and rural development (RD) schemes.

Roads for which no scope exists for addressing the social impacts through any of the mechanisms above will not be taken up under the Project for that particular year. Such roads will be taken up after the social issues are resolved by the community and there is a demand for the improvement of the roads by the community to the PIU.

With regard to transfer of land, affected persons have the choice of opting for donating or refusing to donate their land/assets.

F. How will the Community participate in the Project?

The community is the major beneficiary of the Project and is also accountable for the Project's success. The community will participate directly or through Panchayats in the following (details are provided in Table 1):

- Selection of the Project roads from the Core Network
- Finalization of the alignment by participation in the transect walk
- Facilitate identification of issues and concerns
- Suggest measures for mitigating impacts including impacts on vulnerable groups
- Redressing grievances at the individual/community level.
- Providing assistance to the contractor to ensure speedy implementation

Table 1: Community Participation at Various Stages of the Project

Project Stage/Activities	Responsible Person/Agency	Responsible Person/Agency will:	Community is expected to:
PRIORITIZATION			
After finalization of Core Network	PIU and Zila Panchayat	Disseminate information on Core Network to Community - List and maps of Core Network roads will be posted at District and Gram Panchayat offices	Provide opinions on the Project roads to GP and PIU or later provide such feedback during Transect Walk
PLANNING			
Prior to finalization of alignment	PIU, Zila Panchayat and Gram Panchayat	Distribute Project information - Brochures with key project information at Village Chaupal, Haat, Local Newspaper, etc.	Understand the purpose of the Project, nature of road improvement envisaged, and responsibility of the community in project preparation and implementation
Transect Walk	PIU, Gram Panchayat, and Patwari	Announce the date, time and route of Transect Walk one week before the Walk Explain how the Walk and subsequent consultation will be conducted Walk with the community people along the proposed alignment and listen to the issues and concerns raised Identify the locations requiring additional land, environmentally sensitive areas, vulnerable groups of people, etc. Identify modifications to be made to the design Distribute road safety awareness	Provide concerns related to proposed road improvement such as extent of land take, impacts on vulnerable people and common properties, land with traditional rights, etc. Provide suggestions to be incorporated in the road design such as issues relating to drainage lines, irrigation water courses, road safety, etc. Take measures to increase road safety awareness in the community, including through dedicated road safety lessons in schools, follow road safety

¹ Affected persons are defined as people (households) who stand to lose, as a consequence of the project, all or part of their physical and non-physical assets irrespective of legal or ownership titles.

		leaflets and make community aware of road safety issues caused by the increase in speed and traffic volume Explain road safety rules and measures to be taken by the community	rules and enforce them
Census Survey of Affected Persons	PIU, and Gram Panchayat	Dispatch survey enumerators to individual affected persons/households to identify (i) extent of impacts, (ii) vulnerability of affected persons, and (iii) extent of support required	Cooperate with the survey enumerators in gathering data on socio-economic profiles of individual affected persons/households
Finalization of Support/Assistance	PIU, and Gram Panchayat	Consult individually with vulnerable affected persons/households to agree on support/assistance Announce community-wise the finalized support/assistance as a public notice at the Gram Panchayat office	State preferred modality of support/assistance Raise concerns, if any, about support/assistance proposed
IMPLEMENTATION			
Prior to initiating construction works	PIU, Gram Panchayat, and Patwari	Collect MOU for transfer of land required for implementing road improvement as per finalized alignment	Sign MOU for willing transfer of required land Sarpanch or other village representatives will verify the MOU.

G. Definition of Vulnerable Affected Persons (APs)

The following categories of Affected Persons are eligible for support and assistance as vulnerable APs:

- Households Below Poverty Line² (BPL) as per the state poverty line for rural areas
- Households becoming BPL as a result of loss of assets and / or livelihood.
- Households losing structure
- Female headed household
- Scheduled Caste
- Scheduled Tribe
- Disabled person

H. Support/Assistance Provisions for APs

Table 2: Mitigation Measures Matrix

Impact Category	Mitigation Measures	Responsibility
Loss of Agricultural Land	<ul style="list-style-type: none"> • Willing transfer of land by means of MOU • Advance notice to harvest standing crops • For vulnerable affected persons (APs), assistance/support by means of (a) alternate land sites provided by GP, or (b) cash assistance as per replacement cost³ by the Gram Panchayat (GP) to meet loss of land; and inclusion as beneficiaries in the existing poverty alleviation/livelihood restoration programs (enumerated in Annex 9) • For land involving traditional and tenurial rights, the legal provisions applicable of the central and state governments pertaining to transfer of land will be followed. Existing customary rights of the tribal communities on various categories of land shall be taken into account during the process of land transfer. 	GP, PIU and land revenue department

² The determination of BPL households under the CPF will be as per two criteria: a) Government list or BPL card b) Community meeting, wherein the community confirms that an affected family falls in the category of economically weaker section and thus needs to be assisted under the Project.

³ Replacement cost means the "cost" to replace the lost asset at current market value or its nearest equivalent, plus any transaction costs such as administrative charges, taxes, registration and titling costs allowing the individual / community to replace what is lost and their economic and social circumstances to be at least restored to the pre-project level.

Loss of Structure	<ul style="list-style-type: none"> Provision of alternate plot of land and structure of equivalent quality and value to be provided as per AP's choice, or cash assistance by GP to meet the loss of land and structure allowing the AP to purchase land and rebuild structure of equivalent standard For loss of boundary walls and fences, willing transfer by means of MOU. In case voluntary donation of such structures are not possible, cash assistance as per replacement cost by GP to meet loss of such structures, or provision of materials and/or labor by GP to allow the AP to replace/rebuild the same For vulnerable APs, inclusion as beneficiaries in the rural development (RD) programs/housing schemes (enumerated in Annex 9) For tenants, assistance to find alternative rental arrangements by GP, or cash assistance equivalent to advance payments made to the owner For squatters, provision of alternative relocation site, or cash assistance as per replacement cost, or provision of building material and/or labor by GP, or inclusion as beneficiaries in the RD programs/housing schemes. For land and structure involving traditional and tenurial rights, the legal provisions applicable of the central and state governments pertaining to transfer of land will be followed. Existing customary rights of the tribal communities on various categories of land shall be taken into account during the process of land transfer. 	GP, PIU and land revenue department
Loss of livelihood	<ul style="list-style-type: none"> For vulnerable APs, inclusion as beneficiaries in the existing poverty alleviation /livelihood restoration programs (enumerated in Annex 9). In case of non inclusion in such programs, cash assistance to meet the loss of income during transitional phase and for income restoration. Assistance for asset creation by community and Gram Panchayat 	GP and PIU
Loss of Assets such as Trees, Well, and Ponds	<ul style="list-style-type: none"> Willing transfer of the asset by means of MOU. For vulnerable APs, assistance for the loss of these assets through inclusion as beneficiaries in the existing poverty alleviation/livelihood restoration programs (enumerated in Annex 9). In case of non inclusion in such programs, cash assistance by GP to meet the loss of assets and income. 	PIU, GP and land revenue department
Loss of community owned assets such as temple, wells, ponds, grazing land etc	<ul style="list-style-type: none"> Relocation or construction of asset by GP with technical inputs from PIU Consultations with the concerned section of the community in case of grazing land, etc 	GP and PIU
Temporary impacts during construction include disruption of normal traffic, increased noise levels, dust generation, and damage to adjacent parcel of land due to movement of heavy machinery	<ul style="list-style-type: none"> The contractor shall bear the cost of any impact on structure or land due to movement of machinery during construction All temporary use of lands outside proposed RoW to be through written approval of the landowner and contractor. Location of Construction camps by contractors in consultation with PRI Contractor shall be responsible for regulating time of usage of heavy machineries, dust suppression, schedule of construction to allow normal traffic during morning and evening and signage of sensitive areas where safety is a concern. 	PIU, Land Revenue Dept, GP, Contractor and Panchayat as the third party
Increased road safety risks	<ul style="list-style-type: none"> During transect walk, and shortly before putting roads into operation: Increasing awareness of affected communities on road safety risks and measures to be implemented 	GP and PIU
Other impacts not identified	<ul style="list-style-type: none"> Unforeseen impacts will be documented and mitigated based on the principles in this framework. 	

I. Grievance Redressal Mechanism

Grievances, if any, will be resolved at the village level. A **Land Management Committee (LMC)** consisting of all members of Gram Panchayat, Lekhpal of Gram Sabha as Secretary, Pradhan, Up-Pradhan of Gram Panchayat will be the Chairman and Vice-Chairman of LMC. The LMC shall act as the village level Grievance Committee, and will

meet once in a month till DPR preparation and quarterly after initiation of the construction work for addressing grievances till the construction is completed. Residual grievances shall be addressed through a Grievance Redressal Committee at the district level, comprising:

- (i) Executive Engineer of the PIU
- (ii) Sub-divisional Magistrate
- (iii) Member of Zila Parishad
- (iv) Member of the Grievance Committee of the concerned GP

Representatives of APs will be active participants during the proceedings of grievance redressal.

J. Information about Implementing Agencies and Contact Persons

SRRDA

Address: _____ Tel: _____ E-mail: _____

Contact Person & Designation _____

Panchayat and Rural Development Department, Government of West Bengal/Chattishgarh/Madhya Pradesh/Odisha/Assam

Address: _____ Tel: _____ E-mail: _____

Contact Person & Designation _____

The official website of PMGSY (www.pmgsy.nic.in) provides detailed project information at the national, state and district level.

ANNEX 3: FORMAT FOR RECORDING THE TRANSECT WALK

- 1) **Name of Road:**
- 2) **Villages:**
- 3) **Gram Panchayat:**
- 4) **Block:**
- 5) **District:**
- 6) **Date; Time:**
- 7) **Total Number of Participants in the Transect walk:**
- 8) **Numbers of Participants falling in the following categories:**
 - Female headed household:
 - Scheduled Caste:
 - Scheduled Tribe:
 - Disabled:
 - BPL:
 - Households losing structure:
 - Women in general:
- 9) **Name & Designation of the Key Participants:**
 - **From Government:**
 - **From Panchayati Raj Institutions (PRI):**
- 10) **Issues and suggestions raised by the Participants**
 - i. **Road alignment and design in general (PIUs to consult prompt list in Annex 3(b):**
 - ii. **Road width and land availability:**
 - iii. **The determination of **BPL households** under the CPF will be as per two criteria: (a) written verification (entry in the Government list of BPL or possession of a BPL card) or (b) community confirmation that an affected person/family falls in the category of economically weaker section and thus needs to be assisted under the Project:**
 - iv. **Land owned/used by vulnerable groups of people:**
 - v. **Sensitive locations (forests, cultural properties, etc.):**

- vi. **Water-related issues** (drainage lines, rivers and water crossings, irrigation water courses, other water bodies, etc.):

- vii. **Road safety-related issues** (major junctions, curves, bends, etc.):

- viii. **Other suggestions** (such as regarding cattle crossing, borrow pits, etc.):

11) Major Outcomes of the Transect Walk:

- i. **Changes to be incorporated in the design:**

- ii. **Extent of land take and willingness/unwillingness of land owner/users for donation:**

- iii. **Environmental issues to be resolved:**

iv. Other issues:

- Brief Summary of consultation held during transect walk:
- Major Issues discussed during the Consultation:
- Recommendations of the Social Safeguard Specialist:

The road alignment will be finalized with the best efforts to address the above issues.

Countersigned

(Signature & name)
Sarpanch/Secretary, Gram Panchayat
(Name)

(Signature & name)
AE/JE, PIU (name)

CHAINAGE WISE TRANSECT WALK FINDINGS:

Chainage	Existing Land Width	Additional Land Required		Losses		Type of Loss		Village	Remarks/Suggestions
		LHS	RHS	LHS	RHS	LHS	RHS		

5. The road alignment will be finalized with the best efforts to address the above issues. The next consultation with the likely affected persons will be on (date) at (location).

Countersigned

(signature & name)

(signature & name)

Sarpanch/Secretary, Gram Panchayat
(name)

AE/JE, PIU (name)

☐ Attendance

(to be recorded on a separate sheet in the following format)

Community		PIU/PRI	
Name of the Participants	Signature	Name and designation of the official	Signature

.....
Suggested Guidelines for Formal Consultation Session:

The meeting duration shall be for about 1-1/2 to 2 hours and shall cover the following.

All these steps of the consultation shall be recorded in the format.

I: The session shall start with a description of the project by the PIU officials to the community. The following information shall be covered:

- o Overview of PMGSY and criteria for selection
- o Involvement of PRIs & communities in project planning, design and implementation
- o Expectations of the project from the beneficiaries, the communities
- o Outputs of the transect walk and how the concerns of the communities have been incorporated into the design, if not, why they have not been incorporated
- o Procedure to be adopted for accretion of land assets (MOU)
- o Environmental issues in the project and how the issues will be resolved
- o Schedule of census survey, and method and criteria for identifying vulnerable APs
- o Options for support/assistance to APs identified as vulnerable
- o Mechanisms for grievance redressal
- o Likely construction schedule

II: After the description of the project, suggestions from the community on the project and issues will be obtained.**III: Responses to the issues raised will be provided by the PIU, PRI during the meeting. For issues that require a visit to the site or involves certain engineering decisions, or consultations with other Government agencies, a date shall be committed for response to the same. The response shall be given by the PIU to the PRI within the specified date.****IV: The PIU summarizes the issues. Record willingness of the participants to donate land.****V: Conclusion by the PRI representatives.**

**Annex 3(b) Prompt List on Community Consultation
on Road Alignment and Design Issues
(for the use by PIUs)**

Question	Yes	No	N/a
1. Are there any flood prone areas on the road?			
If yes:			
1.1 Are locations specified and inspected?			
1.2. Is high flood level specified for each stretch?			
1.3 Are locations specified and inspected?			
2. Are there any locations on the road where irrigations ducts need to be provided?			
If yes:			
2.1 Are locations specified and inspected?			
3. Can the road be used as a shortcut by through traffic?			
4. Does the road lead to any quarries, mining areas, brick kilns, logging areas, tourist attractions etc.?			
5. Are there plans to build new schools, hospitals, temples etc			
6. Is there potential for double connectivity?			
If yes on any of 3-6:			
6.1 Is information on location, size and nature of additional traffic generators and specific routes obtained?			
7. Is there a need for deviations from existing track?			
If yes:			
7.1 Were the proposals for deviation shown on site and explained to the community?			
7.2 Is the land availability checked?			
7.3 If there is a need for donation, were the owners consulted regarding their agreement to donate the land?			
8. Is there a need for speed breakers?			
If yes:			
8.1 Is location and rationale for speed breakers identified?			
8.2 Is rationale verified and checked on site?			
8.3 Are alternative or additional locations discussed?			
9. Are all existing intersections checked with the community on site?			
9.1 Is the use of intersecting roads identified (e.g. school children, farm machinery, etc)?			
10. Are proposed culvert locations verified with the community?			
10.1 Is there a need for additional culverts?			
10.2 If yes, are locations identified?			
m			
11.1 If yes, are locations identified?			

Annex 3(c): ROAD SAFETY SESSION LEAFLETS**I. ROAD SAFETY AWARENESS LEAFLET FOR PARENTS - CHILDREN****CHILDREN SHOULD BE TAUGHT TO OBEY ROAD SAFETY RULES****Parents, remember – you are responsible!**

- ☐ Children should be taught road safety rules
- ☐ Children learn by example, so follow the rules yourself
- ☐ Practice road safety rules with your children on roads
- ☐ Children should not be allowed on the road alone until they can understand and follow rules properly.
- ☐ When going out with small children, always walk on the traffic side and hold their hands firmly.
- ☐ You need always enforce the rules: every time you see children not following the rules – make them follow the rules.
- ☐ Teach older children in the family to take care of younger ones on road.

Parents, remember – new roads can be dangerous!

- ☐ Vehicles will drive with much higher speeds on completed roads.
- ☐ Many accidents happen shortly after road is completed, as road users are not used to high speeds

KEY RULES OF THE ROAD

1. Walk on pedestrian footpaths. In the absence, walk on the extreme right hand side of road, on the right shoulder - facing the oncoming traffic.
2. When walking at night, avoid wearing dark clothing. Clothes having retro-reflective inserts will make you even more visible. Remember: you can see headlights very far away, but drivers may not see you even at close distances
3. When walking on road, avoid sudden movements, e.g., running, turning etc.
4. Before road crossing, look for the traffic in both directions and cross when it is safe.
5. Cross only at places where you can see approaching cars in both directions, and where the drivers can see you. Use zebra crossings where available
6. Do not run across the road trying to cross in front of approaching cars - you may slip and fall. Always remember that life is more precious than a saved minute.
7. Stand in a queue off the roadway when boarding cars & busses.
8. Do not keep the limbs out of the vehicle window.
9. Do not jump in or out of the running bus or any vehicle or hold on to a moving vehicle.
10. When walking on road in a group be alert and give heads up to others in case of danger

11. Do not ride on back of trucks, tractor trolleys, or other transport unsuitable for passengers
12. Do not ride as a second or third pillion rider on two wheelers
13. When riding a bike on road: ride on the left of the road (with traffic), be predictable (no abrupt turns etc), never overtake a vehicle, when passing a parked vehicle beware of doors which may suddenly open, obey stop signs like the rest of traffic, use reflectors, and never play tricks on road.
14. Wear motorcycle helmets when riding even as a passenger– it will reduce the risk of fatality by more than 40% and of severe brain injury by almost 70%.

II. ROAD SAFETY AWARENESS LEAFLET FOR TEACHERS - CHILDREN

STUDENTS SHOULD BE TAUGHT TO OBEY ROAD SAFETY RULES

Teachers, remember – you are responsible!

- ☐ Students should be taught road safety rules
- ☐ Dedicate at least one lesson at the beginning of school year to teach road safety rules. Invite police representative to the road safety lessons so that they could give real world examples and share lessons learned
- ☐ Dedicate one meeting with parents at the beginning of school year to teach road safety rules and explain responsibilities of parents
- ☐ Practice these rules with your students every time you are with them on roads
- ☐ Students learn by example, so follow the rules yourself
- ☐ Students should not be allowed on the road alone until they can understand and follow rules properly.
- ☐ You need always enforce the rules: every time you see students not following the rules – make them follow the rules.

Teachers, remember – new roads can be dangerous!

- ☐ Vehicles will drive with much higher speeds on completed roads.
- ☐ Many accidents happen shortly after road is completed, as they road users are not used to high speeds

Teachers, check if the ways to school are safe

- ☐ At least one time every year: Walk with children coming from different places to school and from school
- ☐ Observe the compliance of students with road safety rules, enforce and practice the rules
- ☐ Identify locations which are dangerous and propose new routes for students. Discuss with the road authorities and police in charge of the locations so that they could help develop countermeasures and implement them
- ☐ Discuss the new "safe way to schools" with parents, police and students
- ☐ Ensure that the mode of transport used by students is safe.
- ☐ Teach how to negotiate risky locations, such as railway crossings etc

Government can support and reward

Government can provide grant of financial assistance (in the amount of up to Rs. five lakhs) for administering road safety programs to any voluntary organization registered under the Registration of Societies Act, 1860 or under Societies Registration Act of concerned State or UT /autonomous body/educational institution engaged in research activity or field programs relating to road safety for a period of at least two years. More on how to apply for grant-in-aid for undertaking road safety activities is at:

<http://morth.nic.in/index2.asp?sublinkid=206&langid=2>.

National awards for best work in road safety in year are also available (cash prize of Rs 50,000 for individuals and Rs. 100,000 for organizations)

Teaching materials

Practical Book on Road Safety by Dr. C.S. Raju, Chennai

KEY RULES OF THE ROAD

15. Walk on pedestrian footpaths. In the absence, walk on the extreme right hand side of road, on the right shoulder - facing the oncoming traffic.
16. When walking at night, avoid wearing dark clothing. Clothes having retro-reflective inserts will make you even more visible. Remember: you can see headlights very far away, but drivers may not see you even at close distances
17. When walking on road, avoid sudden movements, e.g., running, turning etc.
18. Before road crossing, look for the traffic in both directions and cross when it is safe.
19. Cross only at places where you can see approaching cars in both directions, and where the drivers can see you. Use zebra crossings where available.
20. Do not run across the road trying to cross in front of approaching cars - you may slip and fall. Always remember that life is more precious than a saved minute.
21. Stand in a queue off the roadway when boarding cars & busses.
22. Do not keep the limbs out of the vehicle window.
23. Do not jump in or out of the running bus or any vehicle or hold on to a moving vehicle.

24. When walking on road in a group be alert and give heads up to others in case of danger
25. Do not ride on back of trucks, tractor trolleys, or other transport unsuitable for passengers
26. Do not ride as a second or third pillion rider on two wheelers
27. When riding a bike on road: ride on the left of the road (with traffic), be predictable (no abrupt turns etc), never overtake a vehicle, when passing a parked vehicle beware of doors which may suddenly open, obey stop signs like the rest of traffic, use reflectors, and never play tricks on road.
28. Wear motorcycle helmets when riding even as a passenger– it will reduce the risk of fatality by more than 40% and of severe brain injury by almost 70%.

III. INSTRUCTION TO PIUs AND PICs ON ROAD SAFETY AWARENESS CAMPAIGN.

Road Safety Awareness sessions will be conducted:

- on the roads proposed to be constructed (during transect walk – by PICs and PIUs)
- during construction (by PICs as a part of road safety inspections, and PIUs)
- on existing roads (by PICs as a part of road safety inspections, and PIUs)

The sessions will concentrate on the most vulnerable groups: pedestrians and bicyclists.

Procedure to be followed:

Announce road safety awareness session as in advance. Invite teachers, PRI representatives, and police to participate.

If this is a follow up session, ask participants what was done following earlier session.

Distribute leaflets at the outset of the session

Start with explaining road risks. Use key statistics, e.g.

- More than 120000 people die in road accidents in India every year
- The number of severe injuries is much higher.
- There are 60% more road fatalities in rural areas than in urban areas
- Many road accidents happen on new roads due to higher speeds, traffic, and ignorance of traffic rules by the communities
- Many of these fatal and severe injury accidents are preventable by following simple traffic rules

Follow the leaflets when leading the session. Explain each bullet point, ask for questions and answer them. Invite police to share real life stories and lessons learned

- Start with the leaflet for parents and adults in genera
- Follow by the leaflet for teachers
- Conclude by:
 - Asking what information of the session was most interesting and important
 - Informing that there will be follow up sessions.

ANNEX 4: FORMAT FOR DOCUMENTING AND DISPLAYING THE DETAILS OF APS

A: FORMAT DOCUMENTING PROFILES OF ALL AFFECTED PERSONS (APs)

District:	Tehsil:	Block:
Name of Subproject Road:		
Road No.:	Total length (in km):	

Details of APs

S.No.	Village name	Name of the AP	Vulnerable Category							Type of Impact/Loss				Extent of Loss	Ownership
			Schedule d Caste	Scheduled Tribe	Below Poverty Line ⁶	HH becoming BPL	Female headed Household	Disabled	Households losing structure(R, C, R+C, boundary / Fence)	Land (total land holding size) with type of land (Irrigated / un-irrigated)	Livelihood	Structure (partial / total and type of structure (sqm)	CPR, trees, crops (specify)	Land (sqm) (size of residual holding)	Structure (sq m)
Total															

Responsible agency/Person: PIU (AE/JE), Gram Panchayat (Sarpanch and other members)

⁶ The determination of BPL households under the CPF will be as per two criterions: a) Government list or BPL card b) Community meeting, wherein the community confirms that an affected family falls in the category of economically weaker section and thus needs to be assisted under the Project.

B: FORMAT DISPLAYING INFORMATION OF VULNERABLE APs

District:
 Block:
 Village:
 Name of Subproject Road:
 Road No.:

Village-wise Details of Eligible APs

S.No.	Name of the AP	Type of Loss	Vulnerability Category	Support/Assistance Options

Note: The following category of APs shall be entitled for support and assistance as Vulnerable APs:

- Households Below Poverty Line⁷ (BPL) as per the state poverty line for rural areas;
- Households becoming BPL as a result of loss of assets and / or livelihood.
- Households losing structure
- Female headed household
- Scheduled Caste
- Scheduled Tribe
- Disabled person

The mitigation proposed for the Project impacts on these vulnerable households will be as per the Mitigation Measures Matrix in the Project brochure.

The PIU will facilitate and coordinate the enrollment of vulnerable APs in the existing Rural Development (RD) schemes as per his/her vulnerability and delivery of entitlements as described in the agreed mitigation matrix. The date and location for enrollment as well as procedure of support/assistance shall be disclosed by the PIU in advance to the Vulnerable APs.

Further details available at:

Agency Name: _____ Address: _____
 Contact Person Name: _____ Phone No.: _____

⁷ The determination of BPL households under the CPF will be as per two criterions: a) Government list or BPL card b) Community meeting, wherein the community confirms that an affected family falls in the category of economically weaker section and thus needs to be assisted under the Project.

ANNEX 5: SAMPLE CENSUS QUESTIONNAIRE

1. Project Road :
2. Household Identification Number :
3. Plot No./Patta No./Khasra No. :
4. Name of the Head of the Household:.....
5. **Vulnerability** : Tick here if belong to any of the following:
 - ☐ Households Below Poverty Line⁴ (BPL) as per the state poverty line for rural areas;
 - ☐ Households becoming BPL as a result of loss of asset and / or livelihood.
 - ☐ Households losing structure
 - ☐ Female headed household
 - ☐ Scheduled Caste
 - ☐ Scheduled Tribe
 - ☐ Disabled person
6. Household Size :
7. No. of Adult earning members :
8. No. of Dependents :
9. Annual Income (prior to donation) -
10. Nature of Impact :
 - ☐ Loss of Agriculture land
 - ☐ loss of Residence
 - ☐ Loss of Commercial Structure
 - ☐ Any Other (Specify)
11. Type of land: 1. Irrigated 2. Un-irrigated 3. Barren 4. Govt land
12. Type of structure: 1. Kutcha 2. Semi Pucca 3/ kutcha
13. Category of AP: 1. Titleholder 2. Squatter 3. Encroacher 4. Tenant 5. Others (specify)
- 14. Agriculture**
 - 14.1 Size of Total Land holding (in acres):
 - 14.2 Marginal farmer⁵ : a) Yes b) No
 - 14.3 Extent of impact (% of total land holding including any other land parcels owned elsewhere by the APs). Specify extent of Loss in the following:

Less than 5%	More than 5% - less than 10%	More than 10% - less than 15%	More than 15% - less than 20%	More than 20% - less than 25%	More than 25%.....

⁴ The determination of BPL households under the CPF will be as per two criterions: a) Government list or BPL card b) Community meeting, wherein the community confirms that an affected family falls in the category of economically weaker section and thus needs to be assisted under the Project.

⁵ Marginal Farmer is defined as any landowner whose landholding size is less than the district average land holding size.

14.4 Size of the residual holding (in acres) :

15. Residence

15.1 Plot size (in sq mts) :

15.2 Extent of impact (Full/partial) :

15.3 Impacted Area (in sq. mts) :

15.4 Residual Plot viable : a) Yes b) No

15.5 If No, Alternate house site (if relocation required):

Yes	No	If yes, specify

16. Commercial establishment

16.1 Plot size (in sq mts) :

16.2 Extent of impact (Full/partial) :

16.3 Impacted Area (in sq. mts) :

16.4 Commercial Plot viable : a) Yes b) No

16.5 If No, Alternate commercial site (if relocation required):

Yes	No	If yes, specify

17. Asset Loss

17.1 Inventory assets lost (Trees, Wells, hand pump, CPRs etc):

18. Livelihood Loss due to donation of asset (Rs / year)

18.1 Alternate livelihood sources, other than mentioned above:

Yes	No	If yes, specify

18.2 If yes, annual income from alternate source?

18.3 Annual Income (in Rs) after donation of asset?

Major Issues discussed during the Consultation:

(issues will include: (i) Concerns raised during transect walk addressed in DPR; (ii) Why concerns raised could not be addressed in DPR; (iii) land width requirements; (iv) procedure for land transfer (MoU or other documentation acceptable to ADB); (v) Impacts and support/assistance provisions for vulnerable APs; (vi) Procedure of support/assistance; (vii) mechanism of grievance

redressal)

.....
.....
.....

Willingness to donate land

Yes (No. of APs)

No (No. of APs), if no then why?.....

.....

□ **Summary of Discussion:**.....

.....

.....

ANNEX 6: LIST OF AFFECTED PERSONS

(Not included for privacy reasons)

ANNEX 7: SUMMARY OVERVIEW OF THE PROJECT IMPACT

State:	District:	Block:
Village:		
Name of Subproject Road:		Road No.:

Date of Transect Walk: (day, month, year)

Date of Consultation with Affected Persons: (day, month, year)

Date of Census Survey: (day, month, year)

List of Vulnerable Affected Persons Publicly Displayed on: (day, month, year)

Types of Impacts	As per the field verification	Remarks
Impacts on Land (sq m)		
Private land		
Gram Sabha/Community Land include <i>Pashuchar/ Gauchar/Open land</i> etc.		
Government/Departmental Land include Forest Land, Gair Majua kahs & Aam		
TOTAL		
Category of Impact		
Loss of Land (No. of APs)		
Loss of land (no. of Vulnerable APs)		
Loss of Structure (No. of APs)		
Loss of Common Property Resources (No. of Structures)		
Non-titleholders (No. of APs losing land, no of APs losing structure)		
TOTAL APs		

Note: This format will be compiled by PIU and attached to the DPR, together with (i) record of Transect Walk as per Annex 3, (ii) minutes of consultation with affected persons as per Annex 4, (iii) list of all affected persons as per Annex 6 A, and (iv) list of vulnerable affected persons as per Annex 6 B..

ANNEX 8: MEMORANDUM OF UNDERSTANDING

MEMORANDUM OF UNDERSTANDING

(in case signing is done individually)

This memorandum of understanding is made on _____ day of _____ 2011 between Sri/Srimati _____ resident of _____ (hereinafter referred to as "the First Party") and the Governor of (State) through Sri/Srimati _____ (designation) _____ (hereinafter referred to as "the Second Party").

THESE PRESENTS WITNESS AS FOLLOW:

1. That the First Party is landowners with transferable right of _____ acres of land bearing khasra Nos _____ in village _____ block _____, tehsil _____, district _____.
2. That the First Party has taken part in the transect walk conducted under the requirements of the Pradhan Mantri Gram Sadak Yojana (PMGSY) and has been made to understand the benefits of obtaining a rural road for the village under PMGSY.
3. That the First Party hereby grants to the Second Party, out of its free will, above said land for the construction and development of PMGSY rural road in the village _____ under _____ Panchayat for the benefit of the villagers and the public at large.
4. That the First Party would not claim any compensation against the above said grant of land.
5. That the Second Party agrees to accept the above grant of land for the purposes mentioned in Clause 3.
6. That the Second Party shall construct and develop the PMGSY road and take all possible precautions to avoid damage to land adjacent to PMGSY road.
7. That the First Party also assures the Second Party that the first party will not indulge in any willful act of damaging the PMGSY road or obstructing the movement of public and vehicles on the PMGSY road.
8. That both the Parties hereto agree that the PMGSY road so constructed/developed shall be public premises.
9. That the provisions of the MEMORANDUM OF UNDERSTANDING will come into force and effect from the date of signing of this deed.

IN WITNESS WHEREOF the Parties hereto have signed this deed on the day and the year first above written.

Signatures of the First Party

Signature for and on behalf of the Second Party

Witnesses:

Witnesses:

1. _____

1. _____

2. _____
(Signature, name and address)

2. _____
(Signature, name and address)

Note: The witnesses will include the panchayat head and the Junior Engineer conducting the transect walk. More witnesses can be added – including NGOs, village elders etc.

MEMORANDUM OF UNDERSTANDING
(in case signing is done community-wise)

This memorandum of understanding is made on _____ day of _____ 2011 between the persons listed below on the one part (hereinafter collectively referred to as "the First Party"), and the Governor of (State) through Sri/Srimati _____ (designation) _____ (hereinafter referred to as "the Second Party").

THESE PRESENTS WITNESS AS FOLLOW:

1. That the First Party is the landowners with transferable right of the respective acres (OR OTHER UNITS AS APPLICABLE) of land bearing khasra Nos as listed below in village _____, block _____, tehsil _____, district _____.
2. That the First Party has taken part in the transect walk conducted under the requirements of the Pradhan Mantri Gram Sadak Yojana (PMGSY) and has been made to understand the benefits of obtaining a rural road for the village under PMGSY.
3. That the First Party hereby grants to the Second Party, out of their free will, above said land as detailed in the list below for the construction and development of PMGSY rural road in the village _____ under _____ Panchayat, for the benefit of the villagers and the public at large.
4. That the First Party would not claim any compensation against the above said grant of land.
5. That the Second Party agrees to accept the above grant of land for the purposes mentioned in Clause 3.
6. That the Second Party shall construct and develop the PMGSY road and take all possible precautions to avoid damage to land adjacent to PMGSY road.
7. That the First Party also assures the Second Party that the first party will not indulge in any willful act of damaging the PMGSY road or obstructing the movement of public and vehicles on the PMGSY road.
8. That both the Parties hereto agree that the PMGSY road so constructed/developed shall be public premises.
9. That the provisions of the MEMORANDUM OF UNDERSTANDING will come into force and effect from the date of signing of this deed.

S.No:	Name	Description of land owned	Description of land granted for PMGSY rural road

(add as many more who are granting their land)

IN WITNESS WHEREOF the Parties hereto have signed this deed on the day and the year first above written.

Signatures of the First Party

Signature for and on behalf of the Second Party

1. _____
2. _____
3. _____
...

(all the signatures of the First Party should be obtained)

Witnesses:

1. _____

2. _____
(Signature, name and address)

Witnesses:

1. _____

2. _____
(Signature, name and address)

Note: The witnesses will include the panchayat head and the Junior Engineer conducting the transect walk. More witnesses can be added – including NGOs, village elders etc.

ANNEX 9: LIST OF SOME OF THE STATE RURAL DEVELOPMENT SCHEMES

Some of the key Rural Development (RD) Schemes initiated in West Bengal
(Source:)

(I) **SCHEMES UNDER MINISTRY OF RURAL DEVELOPMENT (MoRD)**

(A) **Employment Oriented Schemes**

(B) **Rural Housing Schemes**

(C) **Land Related Schemes**

(II) **SCHEMES FOR TRIBAL DEVELOPMENT**

III. **SCHEMES UNDER MINISTRY OF WOMEN AND CHILD DEVELOPMENT**

(IV) **SOCIAL WELFARE SCHEMES**

ANNEX 10: MONITORING FORMATS

Form Title	Frequency	Preparation	Audit/Verification
Summary Monitoring Sheet (Form M-1)	Monthly	PIU	TSC
Verification of Ownership of Land and Assets (Form M-2)	Once for each project road before start collecting MOU	Information collected and verified by PRI and Revenue Department, and compiled into the form by PIU	TSC
MOU Collection and Grievance Redressal (Form M-3)	Monthly	Information to be collected and verified by PRI and Revenue Department and compiled into the form by PIU	TSC
Progress of Distribution of Support/Assistance (Form M-4)	Monthly	Progress monitored by PRI and compiled into the form by PIU	TSC
External Monitoring and Evaluation (Form M-5)	Every six months	TSC	-

PIC: Project Implementation Consultant, PIU: Programme Implementation Unit, PRI: Panchayati Raj Institution, TSC: Technical Support Consultant.

Form M-1: Summary Monitoring Sheet (monthly)
(as of end (month, year))

State: _____ District: _____ Block: _____ Village: _____
Name of Subproject Road: _____ Road No.: _____

Project stage	Task	Time Frame	Completed (Date)	Outstanding tasks	Time frame for completion
Road Selection stage	Dissemination of PMGSY road under Core network	After approval of Core Network			
	Selection of Roads				
Project Planning & Design Stage	DPR Preparation Stage	Dissemination of Project Information	First week of DPR preparation		
		Sensitization of community	First week of DPR preparation		
		Finalization of alignment (Transect Walk, alignment shifts & incorporation of community suggestion)	First month of DPR Preparation		
		Consultations with Community/APs	First month of DPR Preparation, after alignment finalization		
		Survey for Profile of APs	5 th to 6 th week of DPR Preparation		
		Identification of vulnerable APs	6 th week of the DPR preparation		
		Dissemination of process of voluntary donation, support/assistance options & grievance procedures	7 th week of DPR Preparation		
		Finalization of support/assistance	8 th week of DPR preparation		
		Marking of Alignment	12 th week of DPR Preparation		
		Incorporating impact mitigation measures in DPR	End of fourth month of DPR preparation		
		Scrutiny and approval of DPR			
Site Preparation Stage	Post DPR Stage	Collection of MoU	First month of implementation after approval of DPR		
		Advance notice to farmers with standing crops	First month of implementation after approval of DPR		
		Relocation/Shifting of structures / Common Property Resources	By the 2 nd month of implementation after approval		
		Provision of support/assistance	Between 3 rd -5 th month of implementation after approval of DPR		
		Enrollment into RD schemes	From 3 rd month of implementation after approval of DPR		
		Physical possession of land by PIU	From 3 rd month of implementation after approval of DPR		
		Redressal of grievances	Throughout Project cycle		
Construction stage		Unforeseen impacts	From 4 th month of project implementation, till completion of construction work		
		Tree Plantation			

Note: This form will be prepared monthly by the PIU for each village.

Form M-3: MOU Collection and Grievance Redressal (monthly)
(as of end (month, year))

State: _____ **District:** _____ **Block:** _____ **Village:** _____

Name of Subproject Road: _____ **Road No.:** _____

S.No.	Name of the Eligible APs / community	Verification and Collection of MOUs				Grievance Redress					
		Ownership verified by Revenue official (Date) and PIU	MOU signed prior to date of contract award	MOU Signed and collected by PIU (Date)	Remarks	Any Grievance reported	Reason for the grievance	Grievance resolved / unresolved by LMC	Grievance resolved / unresolved by GRC	Time taken to resolve the grievance	Remarks

Note: Information for this form will be provided by PRI. This form will be filled out by the PIU.

Form M-4: Progress of Distribution of Support/Assistance (monthly)
(as of end (month, year))

State: _____ District: _____ Block: _____ Village: _____

Name of Subproject Road: _____ Road No.: _____

S.No.	Name of the Eligible APs / community	Support/Assistance for Vulnerable APs									
		Alternate land Site	Cash assistance for land or structure, trees, wells and other assets	Inclusion in housing / RD schemes for IR	Provision of alternate plot and structure	Cash assistance for livelihood losses / linkage to RD schemes	Material & labor for rebuilding structures	Alternate rental arrangements for tenants	Replacement and Relocation of CPR	Advance notice for crops	Remarks

Note: Distribution of support/assistance is monitored by PRI. This format will be prepared by PRI and compiled by PIU.

Form M-5: External Monitoring and Evaluation (bi-annually)
 (for the period covering the six months from (month, year) to (month, year))

State:	District:	Block:	Number and Name of Sample Villages:
Name of Subproject Road	Road No.:	Total Number of Sample Households (APs and Non-AP households):	

Monitoring and Evaluation Indicators	Description
A. Adequacy of Budget (i) enrollment of APs in RD schemes (ii) Funds allocated for cash assistance, relocation, legal process of land transfer and other support costs	
B. Severity of Impacts (i) % of APs losing less than 5% and more land, % of vulnerable APs losing less than 5% and more (ii) % of APs having residual land below district average (iii) No. of structures and CPRs affected. (iv) No. of affected structures and CPRs relocated. (v) Variations in the number of APs and that in DPR	
C. Social Infrastructure Development Indicators (i) Increased ownership of production assets (agricultural implements, tractors etc) (ii) Increased asset ownership such as two-wheelers, bicycle etc (iii) Reduction in travel time and cost to basic services such as educational, medical facility etc (iv) Frequency of bus services (v) Number of children born in PHCs; (vi) Enrollment in schools; (vii) Improved road safety; (viii) Role of Women in decision-making	
D. Economic Indicators (i) Source of income, (ii) Number of earners per household; (iii) Average number of days of employment in month/year; (iv) Increase in wage rates (Rs/day); (v) Alteration in agricultural practices (Method and intensity of cropping, use of HYV etc); (vi) Number & frequency of migration of work	
E. Adequacy Of Mitigation Measures (i) percentage of APs actually enrolled in RD and government housing schemes; (ii) percentage of AP continuing with schemes; (iii) Percentage of APs who perceive to have benefited from the schemes; (iv) percentage of APs receiving alternate land and assistance for relocating and rebuilding structure or assistance for land and structure; (v) percentage of	

APs receiving assistance for rebuilding structure on existing land not requiring relocation; (vi) others	
F. Adequacy Of Land Transfer Documentation (i) percentage of plots identified for land donation ; (ii) percentage of cases where deeds/mutation has been done	
G. Grievance Redressal (i) No. of grievances per APs in each corridor; (ii) Percentage of grievances redressed; (iii) any time for redressal of grievance existence and effectiveness of GR mechanism	
H. Realism Of Work Schedule (i) No. of activities which has exceeded time limit; (ii) Any time spell over	

Note: This report will be prepared by TSC for each district based on a sample assessment of affected and non-affected households.

ANNEX 11: ORGANIZATIONAL CHART

