

**COMPLAINT CLOSING REPORT
OF CONCERNED ADB OPERATIONS DEPARTMENT**

31 October 2023

PROJECT NAME	IND: Tamil Nadu Industrial Connectivity Project (TNICP)
ADB DEPARTMENT/DIVISION	Sectors Group - Transport Sector Office
AM FUNCTION	Problem-Solving
ELIGIBILITY RESULT	Ineligible
NON-ELIGIBILITY DETERMINATION DATE	19 August 2022
I. Complaint and issues	<p>Mr. Dhanasekar is a project affected person (Petitioner) in SH-86, one of the project roads in Salem district of Tamil Nadu state under TNICP. The land acquisition for the project has been made as per the Tamil Nadu Highway Act 2001, and compensation has been estimated and disbursed as per the RFCTLARR Act 2013, as per the approved Resettlement Policy Frame (RPF) of the project.</p> <p>The Petitioner was unsatisfied with the estimated compensation for his land and lost assets. He registered his complaint at various forums, including the GRC. However, he was not satisfied with the forum's response. Subsequently, he approached ADB's accountability mechanism to redress his grievances. He had three major complaints: (i) structure not considered in the compensation estimation, (ii) missing small coconut trees and banana plants from the cost estimation, and (iii) change in the classification of land.</p>
II. Actions taken to address the problems or issues	<p>As part of streamlining the overall Grievance Redressal Mechanism (GRM) of the project and also in addressing the grievance of Mr. Dhanasekar, the ADB project team conducted various rounds of discussions with the EA, including the Field Implementation Unit and the Petitioner. As a follow-up activity of the discussions, EA issued circulars to all the LARRUs¹ to maintain a proper register to document and settle grievances within the stipulated time frame. Accordingly, the GRC hearing was held, and Mr. Dhanasekar participated.</p> <p>The project team also paid two physical visits to the Petitioner at his house during the review mission on 13 October 2022 and 21 September 2023. The earlier visit was to explain the status of the complaints, and the later one was to explain the resolution of the complaints and the intention to close them.</p>
III. Decisions or agreements by parties concerned	<p>As regards the payment of compensation for grievances 1 and 2 listed above, the Grievances Redressal Committee approved amounts of Rs. 1,20,420/- (Rupees One Lakh Twenty Thousand Four Hundred and Twenty) and Rs.38,860/- (Rs. Thirty-Eight Thousand Eight Hundred and Sixty) and the amounts have been credited to the complainant's bank account through ECS on 27 September 2022 and 4 May 2023 respectively.</p> <p>As regards the complainant's claim on change in the classification of land for compensation, the EA clarified that the land acquisition process considers the land classification as in the revenue record. The Special District Revenue Officer (SDRO) and Land Acquisition Officer (LAO), Salem, have considered the revenue record while assessing the compensation and has been paid to Mr. Dhanasekar. Further, the law does not allow the SDRO/LAO to change or amend the award passed based on the revenue record. The LARR Authority, constituted under the law, is the appellate authority for land acquisition-related grievances and is an independent body free of any influence, including ADB and the Tamil Nadu Highway Department. Mr. Dhanasekar's grievance has been forwarded to the LARR authority for consideration, which is a legal process, and the complainant will have to wait for the LARR authority's decision. The Petitioner was sensitized about the process.</p>

¹ Land Acquisition Rehabilitation & Resettlement unit.

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	<p>The project team visited the Petitioner on 21 September 2023 at his house, where the team updated him on his complaints and expressed the intention of closing the complaint, as the grievances have been resolved satisfactorily. Mr. Dhanasekahr understood and appreciated the efforts of ADB project team in redressing the grievance and consented to close the complaint through an official email from the project team. The mail was sent on 13 October 2023, and the Petitioner responded on 18 October 2023 and confirmed the email details and the complaint's closing.</p>
IV. Results and lessons learned	<p>Due to the timely and proactive intervention of the ADB team, the grievance of the Petitioner has been addressed up to his satisfaction level, and the grievance redressal mechanism of the project has been streamlined.</p> <p>The frequent changes of the officers (both the engineering and the land acquisition officers of the project) have affected the implementation of the grievance redressal system in the project. Both ADB and EA may organize periodic orientation programs for the Field Officers about the policy principles and importance in the implementation of the project.</p>

PREPARED BY Wilson Pak Sang Leung, Transport Specialist, SG-TRA

DATE 31 October 2023