

## COMPLAINT CLOSING REPORT

PROJECT NAME	IND: Tamil Nadu Urban Flagship Investment Program - Tranche 2
ADB DEPARTMENT/DIVISION	SARD/INRM
AM FUNCTION	Problem-solving function
ELIGIBILITY RESULT	Ineligible
ELIGIBILITY DETERMINATION DATE	03-Sep-21
<b>I. Complaint and issues</b>	<p>The Complaint Receiving Officer (CRO) of the Accountability Mechanism received a complaint on 11 August 2021 regarding the establishment of a sewage treatment plant (STP) at Kaspas-A locality in Ambur town under TNUFIP Tranche 2. While requesting to maintain their identities confidential, the complainants raised that the proposed STP location (i) was in deviation of India's environmental regulations; (ii) it was close to Palar River and habitation; and (iii) it could result in Palar River pollution and health hazards for the nearby residents. The complainants further alleged that the implementing agency did not consult with residents on the location of the STP at Kaspas-A in Ambur from the earlier identified site about 8.5 km away.</p> <p>The complainants chose the Problem-solving Function for resolution of their grievances. The complaint (ID SPF-2021-11-01-0114) was forwarded to the Office of Special Project Facilitator (OSPF) by the CRO. The OSPF held discussions with the Operations Department (SARD/INRM) and noted that the OD had not received the complainant. Subsequently, the OSPF discussed with the complainants regarding their grievances and efforts made with the OD for resolution. Based on these discussions, OSPF deemed the complaint ineligible (citing lack of good faith efforts by the complainants with the OD) and recommended that efforts be made with the OD for resolution. The OSPF provided the contact details of the Project Officer (PO) at INRM while assuring complainants that their identities would be maintained anonymous. The complainants agreed to initiate dialogue with the PO, INRM.</p>
<b>II. Actions taken to address the problems or issues</b>	<p>Upon receipt of communication from OSPF regarding its decision, the PO, INRM established contact with the complainants and sought a virtual meeting to discuss their grievances and also sought permission to include INRM's environment expert in the discussions. The virtual meeting was held on 9 August 2021 and issues were discussed in detail. Based on information provided by the executing agency, the INRM team informed the complainants that the implementing agency at Ambur for the ADB supported project had received the regulatory permission to establish the STP at the location from the state pollution control board, after necessary due diligence. The INRM team further explained that the environmental impacts and proposed mitigation measures including consultations were elaborated in the initial environmental examination report that was disclosed on ADB's website in July 2019. INRM's proposal to facilitate another round of consultation with the local community organized by the implementing agency was accepted by the complainants. This provided an opportunity for the complainants to better understand the environmental due diligence undertaken, environmental attributes, and mitigation measures. The public consultation for the residents of Kaspas-A, Ambur was organized by the implementing agency on 26 November 2021. Of the 104 meeting invites that were hand-delivered to the residents of the locality, 20 persons participated. After detailed deliberations, the meeting concluded with a decision to proceed with commencement of civil works. This consultation was added to the updated IEE which was disclosed on ADB's website on 5 August 2022. The complainants did not revert to INRM expressing their dissatisfaction with the proceedings of the meeting.</p> <p>The civil works commenced at site after the consultations. INRM fielded a special loan administration mission for the project in June 2022 and informed the complainants (over phone followed by an e-mail) that the INRM's project team would be visiting the Ambur STP site on 13 June 2022 and sought to meet them should they have any outstanding grievances. None of the complainants came to the site or requested an alternate place for the meeting during the project team's visit. The project team sent another reminder to the complainants from the STP site to inform them the team was waiting at the site to meet them and was planning to leave the site after completing its review. There was no response from the complainants.</p> <p>The Project team sent another e-mail on 8 July 2022 to the complainants that in the absence of any further communications, the project team intended to close the complaint assuming that the consultations held on 26 November 2021 with the</p>

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	<p>implementing agency were fruitful in clarifying the issues flagged in the grievance submitted to ADB. As of the date of this report, the complainants did not respond to ADB's e-mail of 8 July 2022.</p> <p>Based on the above, the Project team has concluded that the complainants do not intend to pursue their complaint further, and propose the closure of the complaint.</p>
<b>III. Decisions or agreements by parties concerned</b>	<p>The complainants did not respond to ADB's follow-up e-mails as well as did not meet the Project team during its field visit to STP site at Ambur. Therefore, the Project team assumes that issues and grievances flagged by the complainants have been responded satisfactorily during the consultation meeting held on 26 November 2021 and subsequent discussions, if any, with the officials of the implementing agency.</p>
<b>IV. Results and lessons learned</b>	<p>It is proposed to close the complaint considering that the complainants have not responded to ADB's follow-on e-mails as well as chose not to meet the project team at the STP site as requested (or suggested an alternate site for one-to-one physical meeting in Ambur).</p> <p><b>Lesson learnt:</b> An immediate follow-on consultation meeting with residents after finalization of sub-project components (such as finalized sewage treatment process in this case) would have been helpful in clarifying doubts of the local community regarding the environmental attributes of the proposed intervention and could have possibly avoided this grievance reaching to ADB.</p>