

COMPLAINT CLOSING REPORT

PROJECT NAME	India: Chhattisgarh Road Connectivity Project
ADB DEPARTMENT/DIVISION	SARD/INRM
AM FUNCTION	Problem-solving
ELIGIBILITY RESULT	Ineligible
ELIGIBILITY DETERMINATION DATE	30 March 2022
I. Complaint and issues	<p>ADB's Office of Special Project Facilitator (OSPF) under Accountability Mechanism Policy, 2012 registered a complaint on Loan 3795-IND: Chhattisgarh Road Connectivity Project (complaint number SPF-2022-03-01-13) on 11 March 2022 from two project-affected persons. The complaint relates to the Karhibhadar-Jamgaon road sub-project under the above project. While requesting to maintain confidentiality regarding their identities, the complainants raised the following concerns (i) the valuation of their property was incorrect, and the compensation determined was inadequate, (ii) their request for revaluation and enhancement of compensation with the district authorities has not been addressed, and (iii) they have been subject to threat and harassment from authorities involved in the valuation process. After verification with the complainant and consultation with the South Asia Regional Department/ India Resident Mission (SARD/INRM), OSPF on 30 March 2022, informed that the complaint was not found eligible for the problem-solving process due to lack of good faith efforts with the Operations department under the Accountability Mechanism policy and accordingly was forwarded to SARD/INRM to address and resolve the issues raised. As the complainants had requested to keep their identities confidential, the Project Officer was nominated as the focal person to establish contact with the complainants and support the resolution of the complaint.</p>
II. Actions taken to address the problems or issues	<p>Upon receiving the communication from the OSPF, the Project Officer established contact with the complainants. The Project Officer held the virtual meeting with the complainants, wherein the complaint resolution process was explained to them. During the virtual meeting, the complainants also agreed to disclose their identity and include the INRM's Safeguards Team in the resolution process. The complainant confirmed this through email dated 14 April 2022.</p> <p>A virtual meeting was held by the INRM team with the complainant on 14 April 2022 to understand the grievances. The complainants informed the INRM team that (i) the two structures are likely to be impacted due to the construction of the road subproject; (ii) one of the structures has been evaluated as a residential structure instead of a commercial, as such the inadequate compensation has been arrived at, and (iii) they have been asked to demolish an additional part of the structure, which has not been evaluated and it will also make their structure unstable. During the meeting, it was also agreed with the complainant that Chhattisgarh Public Works Department (CGPWD) would be requested to conduct the site visit to resolve the complaint.</p> <p>Accordingly, INRM informed CGPWD about the complaint on 19 April 2022 and requested them to contact the complainant. CGPWD, to resolve the complaint, constituted the team and conducted a site visit on 27 April 2022. The re-measurement of two impacted structures was conducted in the complainant's presence. The original measurements were found correct, and complainants were informed that 45.36 sqm of these structures would require demolition; however, they have been compensated for 68.58 sqm. As such, compensation amount has been paid for more than the impacted structure. The doubts regarding the calculation of the compensation and the extent of the impact on the structures were clarified to the complainant. The team also explained to the complainants the rationale for arriving at the compensation.</p>

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III. Decisions or agreements by parties concerned	The complainants during the site visit expressed their satisfaction with the resolution of the complaint as CGPWD clarified the doubts regarding the calculation of the compensation and the extent of the impact on the structures. CGPWD, on 17 May 2022, also shared the record note on the site visit with the complainant. INRM team contacted the complainant telephonically and through email on the resolution of the complaint. The complainants telephonically on 22 July 2022 confirmed that their complaint has been satisfactorily resolved; however, they did not respond to the email reminders sent on 13 June 2022 and 25 July 2022.
IV. Results and lessons learned	<p>The complaint is now closed, as the complainant had expressed his satisfaction with the resolution of the complaint although the complainants chose not to respond despite reminders.</p> <p>The proper dissemination of information on (i) the extent of the impact on their assets and (ii) the project's grievance redress mechanism would have helped to clarify the doubts among the affected persons about their losses and avoided escalation of the complaint to ADB.</p>

Prepared by INRM Project Team
24 September 2022