

Indigenous Peoples Screening and Due Diligence Report

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INDIA: Madhya Pradesh Urban Services Improvement Project - Additional Financing
Water Supply Scheme, Town Jawar District: Sehore
(Phase 2)

Package No: MPUSIP-1D

CURRENCY EQUIVALENTS

(As of February 2020)

Currency unit	=	Indian rupee (₹)
₹1.00	=	\$0.014
\$1.00	=	₹72.18

ABBREVIATIONS

ADB	–	Asian Development Bank
BPL	–	below poverty line
EMP	–	Environmental Management Plan
GOMP	–	Government of Madhya Pradesh
GRC	–	Grievance Redress Committee
GRM	–	Grievance Redress Mechanism
IPP	–	Indigenous People's Plan
IPPF	–	Indigenous People Planning Framework
MPUDC	–	Madhya Pradesh Urban Development Company Limited
MPUIF	–	Madhya Pradesh Urban Infrastructure Fund
MPUSIP	–	Madhya Pradesh Urban Services Improvement Project
PIU	–	project implementation unit
PMC	–	project management consultants
PMU	–	Project management unit
PO (SSG)	–	Project Officer (Social Safeguard and Gender)
NGO	–	non-government organization
SPS	–	safeguard policy statement
UADD	–	Urban Administration and Development Directorate
UDED	–	Urban Development and Environment Department
WTP	–	water treatment plant

WEIGHTS AND MEASURES

Ha	-	hectare
kL	-	kiloliter
kms	-	kilometers
LPCD	-	litre per capita day
MLD	-	million litre per day
M	-	meter
mm	-	millimeter

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I. INTRODUCTION

A. Project Description

1. Government of Madhya Pradesh (GOMP) with a sector project loan funding from Asian Development Bank (ADB) has proposed to implement Madhya Pradesh Urban Services Improvement Project (MPUSIP), herein after referred as 'the Project'. Madhya Pradesh Urban Development Company Limited (MPUDC) shall be the Implementing Agency and the State Urban Development and Environment Department (UDED) shall be the executing agency for the Project. A project management unit (PMU) created under MPUDC is implementing MPUSIP. The Project intends to ensure:

- a) Continuous, pressurized, safe and sustainable drinking water through private household metered connections in 128 towns;
- b) Sewage and treatment systems are proposed in 12 identified towns including national heritage towns Sanchi and Khajuraho and Rajnagar; *and*
- c) Project also includes component of non -physical investment (GIS, MIS, M&E and Social Safeguards) for system strengthening.

2. Madhya Pradesh Urban Services Improvement Project (MPUSIP) is funded by Asian Development Bank (ADB), envisages provision of sustainable water services to 128 towns in the State out of which provision of sewerage and storm water management services is proposed in some towns. As per revised procurement plan, MPUSIP's physical components include (a) improvements to water supply scheme in 69 subproject towns, and (b) sewage collection and treatment services proposed in four (4) identified towns namely Saikheda, Sanawad, Anjad and Badwaha under Phase I while in Phase II – water supply scheme in 59 subproject towns and sewage collection and treatment services proposed in eight towns namely Sanchi, Dhamnod, Nagda, Mandsaur, Jabalpur (part-II), Maihar, Kahjuraho and Rajnagar. The project also includes an institutional strengthening component and a project management and administrative support component. The main objectives of the project are as follows:

- Supplying pure drinking water.
- Promote sustainable measures to increase potable water supply to the population.
- Water supply through future sustainable source developments.
- Water supply through improvements of safe yield of existing water sources.
- Water supply through improvements to water treatment works.
- Drinking water supply contributes towards a sustainable regional development.
- To improve the current state of the water cycle of subproject through improvements in the separate components of the water supply system in investment program.

B. Distribution of Scheduled Tribes in Madhya Pradesh in Relation to India

3. The state of Madhya Pradesh accounts for highest proportion of scheduled tribe population in India. Tribal population constitutes 8.61 percent of the total population of 104.28 million of the country (Census 2011). In comparison to the national figure, Madhya Pradesh has 14.7 percent of its population classified as scheduled tribe.

4. The tribal population of Madhya Pradesh increased to 15,316,784 in 2011 from 12,233,474 in 2001. The decadal growth rate during this period is 25.20 percent. The total population in 128 towns (2,697,091) 17.85 percent (481,700) belongs to Schedule Caste category and 6.19 percent (167,066) is Schedule Tribe.

5. The percentage of scheduled tribe population in the rural areas (11.3 percent) of Madhya Pradesh is much higher than urban population (2.8 percent). In Madhya Pradesh, certain areas have been declared as scheduled areas under the Fifth Schedule of the Indian Constitution¹. List of Scheduled Areas in Madhya Pradesh is provided in Appendix 2.

C. Indigenous Peoples Policy and Planning Framework

6. ADB's Indigenous Peoples Policy uses the following characteristics to define indigenous peoples: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region.

7. The Indigenous Peoples Planning Framework (IPPF) for MPUSIP has been developed to manage and mitigate possible impacts to the indigenous people in the project area. The IPPF sets out the policy, principles, and implementation mechanisms to address such impacts according to ADB's Safeguards Policy Statement (SPS)-2009 requirement no. 3 on indigenous people. During the course of project identification and implementation, social impact assessment was done, if any indigenous peoples are identified, the impacts (both positive and negative) of the subproject component on affected groups/communities are addressed according to the prepared framework. The framework is addressed the developmental needs of indigenous people as a distinct community through a process of sustainable development.

D. Due Diligence Report

8. This draft indigenous people screening due diligence report (DDR) is prepared in accordance with the agreed IPPF of MPUSIP and the ADB Safeguard Policy Statement (SPS) 2009 for the proposed subproject of water supply scheme (WSS) town Jawar under District Sehore of State Madhya Pradesh, to screen subproject impacts on indigenous people in detail, so that an appropriate planning document can be prepared.

9. This draft indigenous people due diligence report (DDR) will be updated and reconfirmed for final involuntary resettlement / indigenous people impacts after completion of detailed measurement surveys (DMS) which will be conducted by Design Build and Operate (DBO) Contractor, project consultants and PMU before initiation of civil works during implementation.² Resettlement Specialist of PMC will assist PMU or project implementation unit (PIU) in implementation of resettlement plan / due diligence report (DDR) etc. The final indigenous people report will be reviewed and disclosed on website of urban local body (ULB), MPUDC and ADB.

¹ Scheduled areas are autonomous areas within a state, administered federally, usually populated by a predominant Scheduled Tribe.

² Detailed measurement survey will be jointly conducted by safeguards personnel of project implementation unit, consultants and contractors prior to implementation at each site/stretch of alignment. Reports (IR and IP for different sites/stretches will be prepared and submitted to ADB for approval; prior payment of compensation to permanent and/or temporarily impacted persons is mandatory before start of civil work at each site/alignment stretch. The social safeguards documents will be updated by PMC based on detailed design and submitted to PMU, which will review and submit the same to ADB for approval.

II. PROPOSED COMPONENTS OF SUBPROJECT

10. Proposed components under WSS town Jawar is as follows:

- **Proposed Source:** Proposed earthen Dam across Dudhi river which is yet to be constructed under the control of Water Resources Department (WRD), GOMP. Detailed Design of earthen dam has been completed and approved by WRD and process of tendering (in progress), this proposed project likely to be completed within two years. Dudhi river is a small and non-perennial river.
- **Intake Well:** Construction of an intake well having diameter of 5.0 M and height of 10.50 M for drawl of 1.10 MLD raw water for ultimate demand (2050) from earthen dam at village Khaniyakhedi.
- **Raw Water Pumping Main:** Providing, laying & jointing of 150 mm diameter DI K-9 class pipe from Intake well to Water Treatment Plant (WTP) having total length of 17000 m for conveying 1.10 MLD raw water.
- **Water Treatment Plant (WTP):** Construction of WTP (1.10 MLD), having two rapid sand gravity filters, one clariflocculator of 7.00 m diameter at Annaporna Nagar under ward number 6.
- **Clear water pumping and feeder Main:** CWPM of 50 m long and 150 mm diameter and CWFM of 3219 m length and 150 mm dia of DI K-9 pipes.
- **Clear Water Pumps:** Providing and installation of 2 nos. Clear water Centrifugal pump-sets (one working and one stand by) 6.00 KW each having discharge of 11 lps & pumping head of 41.00 m, 11.00 KVA transformer with all other necessary electrical and mechanical installations.
- **Overhead tank (OHT):** Construction of 2 numbers OHTs having capacity of 100 KL each having staging height of 18 m at Sunarbala Thatha under ward number 4 and at Mogiyapura under ward number 9 respectively for the distribution of water to the various parts of Jawar. The existing OHT of 250 KL at Annaporna Nagar under ward number 6 has been also used in the proposed project for the distribution of treated water to different parts of the town
- **Distribution System:** Providing, laying and jointing 28845 meters of HDPE PN 10 pipe of 110 mm to 200 mm diameter for strengthening and extension of water supply distribution network for supplying of 70 lpcd water to 100% of the Municipal Area.
- **Other Provisions:** Bulk flow meters, Domestic water meters with house connections (1700 numbers) and SCADA and Environmental safeguards, Ground Water Recharge Structures etc.

III. PRELIMINARY SCREENING

11. The preliminary screening of all indigenous people / communities residing in the vicinity of the proposed subproject area. The urban local body (ULB) town Jawar arranged meetings with scheduled caste and scheduled tribes communities to provide information regarding the proposed water supply subproject town Jawar. During these meetings, community leaders and other participants are given an opportunity to present their views and concerns. An initial screening will check for the following:

- Presence and names of tribal community / groups in the area;
- Cultural and religious distinction of the tribal groups vis-à-vis other communities, and mainstreaming of the tribal with the dominant population;
- Laws and legislations related to tribal groups;
- Total number of tribal community groups and percentage of tribal population to total population in the area;

- Number and percentage of tribal households likely to be affected by the subproject component.

12. Initial assessment to also include level of vulnerability of the tribal, such as being (primitive) tribal groups (PTG) and existing socioeconomic conditions that may further deteriorate due to project impact. If such especially vulnerable groups among the tribal community are identified within the project area, they warrant special measures for protecting their socio-cultural identity and baseline economic standard. While determining vulnerability of these tribal groups, assessment will be made if there is any possibility of future impact due to the project.

13. An indigenous people assessment was done on the basis of ADB's Indigenous Peoples Screening Checklist, refer to Appendix 5. The subproject area does not fall under the classification "Scheduled Area" where provisions of fifth schedule as per Constitution of India are applicable, refer to Appendix 2.³.

14. Jawar Nagar Parishad - As per Census of India-2011, the total population of scheduled tribes (256) and scheduled caste (2159) accounted for 3.12% and 26.31% respectively of the total town population (8206) of subproject town Jawar. Overall, scheduled caste and scheduled tribe accounted for 2415 (29.43%) of the total Jawar population.

Table 1: Scheduled caste and Scheduled tribe Population of subproject town Jawar

Sr. No.	Scheduled caste and Scheduled tribe	Population	%
1	Scheduled caste Population	2159	26.31
2	Scheduled tribe Population	256	3.12
3	Scheduled caste and Scheduled tribe Population	2415	29.43
	Total Population	8206	

Source: Census of India, 2011

15. A meagre number of scheduled tribes households are residing in ward number 8 followed by ward number 6, 9 and 3, refer to Table 2. Though, the town has only 3.12% scheduled tribes population but still the team of consultants has visited these wards, met elected representative (locally called ward parshad) and organized consultations with scheduled tribes households to understand their concerns and perspectives about the proposed water supply subproject. All participants in consultation meetings welcomed the water supply subproject for the town of Jawar. For more details, please refer to Appendix 3 and 4. Details about ward-wise population with respect total population and scheduled tribe population as per Census 2011 is provided below:

Table 2: Ward wise Population of town

Town Jawar	Number of Households	Population		
		Total	Scheduled Tribes	Scheduled Caste
Ward Number 1	113	599	0	80
Ward Number 2	106	645	0	305
Ward Number 3	174	888	3	436

³ In the state of Madhya Pradesh, the following laws related to scheduled tribes are applicable: (a) Sec 165 & 170 of Madhya Pradesh Land Revenue Code, 1959. (b) Madhya Pradesh Land Distribution Regulation Act, 1964. Sections 165 and 170B of the Code protect scheduled tribes against land alienation. The 1964 Act is in force in scheduled areas of Madhya Pradesh.

Town Jawar	Number of Households	Population		
		Total	Scheduled Tribes	Scheduled Caste
Ward Number 4	105	591	0	0
Ward Number 5	76	435	0	34
Ward Number 6	313	1533	44	449
Ward Number 7	65	389	0	157
Ward Number 8	94	496	173	270
Ward Number 9	61	355	36	256
Ward Number 10	58	306	0	0
Ward Number 11	103	571	0	24
Ward Number 12	69	371	0	84
Ward Number 13	68	441	0	40
Ward Number 14	27	194	0	0
Ward Number 15	70	392	0	24
Total	1502	8206	256	2159

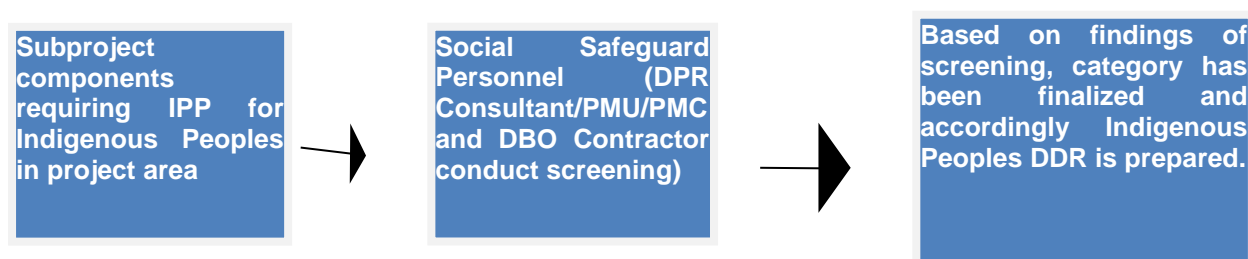
Source: Census of India-2011

16. The results of the preliminary screening show that scheduled tribe's households residing in the sub-project area is Mogia tribes only. During discussion, they revealed that all are residing in the town right from the beginning. These scheduled tribes households are mainly engaged in agricultural labour followed by other labour works. It is significant to mention that these scheduled tribes households are not residing in isolated place nor they are affected by proposed subproject components as land to be acquired for proposed components is public land (government owned land) which is totally encumbrance free and does not belongs or ever part of scheduled tribes community or traditionally owned land. Keeping in view, a letter has been obtained from chief municipal officer (CMO), Jawar which clearly define about the proposed land for subproject components (refer to Appendix 6)

17. These Mogia tribes speak local hindi language and mainly follow Hinduism. They do not have any traditional rights and /or access to land resources nor follow any distinct cultural practices. One can safely conclude that the scheduled tribes population in the subproject area has been assimilated in mainstream society.

18. An indigenous peoples screening and impact assessment was undertaken on the basis of ADB's screening checklist. The results of the screening show that small percentage of scheduled tribe households are residing in the sub-project area/town, but they are not likely to be adversely affected by the subproject components during implementation. For their safeguard, a social impact assessment (SIA) is also conducted to capture their issues and development opportunities that exist in the subproject town/area during planning and implementation phase. The checklist for screening of indigenous peoples in the subproject is presented in Appendix 5.

Figure 1: Screening Flow Chart



IV. CATEGORIZATION

19. No private land acquisition is envisaged and involuntary resettlement impacts are not reported. Identified land for subproject components is government land which is reported vacant and free from all encumbrances. The proposed subproject WSS town Jawar has been assessed and categorized using the prescribed ADB Indigenous Peoples Screening Checklist (refer to Appendix 5).

20. Based on the screening and assessment the subproject area does not fall under the classification “scheduled area” where provisions of Fifth Schedule as per Constitution of India are applicable and scheduled tribe population in the town does not conform to ADB SPS definition of indigenous peoples. The proposed subproject WSS town Jawar is, therefore, classified as Category C for indigenous people impact.

V. MEASURES FOR INCLUSION AND PARTICIPATION

21. The Project is anticipated to have positive impacts on the total population in its coverage area, including scheduled tribe, scheduled caste and other poor and vulnerable groups living in the town. The impacts on vulnerable households are potentially positive, and measures are proposed to ensure that benefits are equally shared. Since the subproject is Category C for indigenous peoples impacts, measures for inclusion in project benefits are proposed for all vulnerable groups/persons including scheduled tribes, scheduled castes, below poverty line, women-headed households, persons with disability, transgenders etc.

22. Potential benefits to scheduled tribe population and other vulnerable households: In the proposed subproject water supply, 100% household connections are proposed in the subproject coverage area, so all scheduled tribe, scheduled caste, poor and vulnerable households will benefit equally as the rest of the population.

23. Following strategy is being adopted to ensure the tribal people’s participation in the proposed WSS subproject town Jawar:

- Consultations and information disclosure are an integral part of Indigenous People DDR in order to ensure that the priorities, preferences, and needs of the scheduled tribal groups have been taken into consideration adequately. With that objective in view, a strategy for consultation with tribal communities and their leaders will be developed so that these are conducted in a participatory manner. The MPUDC/PIU, MPUDC/ULB representatives will be part of evolving that strategy and consultation process.
- The scheduled tribe and scheduled caste population are actively engaged in all stages of the project cycle, including project preparation, and feedback of consultations with the scheduled tribes will be reflected in the project design followed by disclosure. Their participation in project planning will inform project design, and the IPs should be convinced of their benefits from the project. The awareness material prepared will be translated into the local language Hindi and made available to them before implementation of the project.
- Local community based organizations (CBO)s / tribal community representatives will be involved in DDR (specific action plan) implementation and resolving all issues related to the IP through consultation and facilitation by the PIU/Nagar Parishad (ULB) and PMU. The PMU/ULB will ensure adequate flow of funds for consultation and facilitation of planned activities within indigenous people.
- One Project Information Disclosure (PID) brochure will be prepared, translated into a language understandable to the tribal people, and distributed among them.

24. This draft Indigenous Peoples DDR is prepared in consultation with key stakeholders mainly elected representatives locally called ward councillors, scheduled tribe and scheduled caste households residing in subproject town, Chairman of Nagar Parishad Jawar and chief municipal officer (CMO) of town Jawar. Formal and informal consultations were conducted to seek feedback from the local community and other key stakeholders of municipality on the proposed development interventions, perceived impacts and mitigation measures, and the need for continuous monitoring to avoid any adverse impact on scheduled tribe community and ensure their inclusion in project benefits. Consultations revealed that scheduled tribe population is aware of the problems and issues of the existing water supply system in the town and willing to cooperate with the proposed subproject. Summary of the consultations is provided in Appendix 4 while photographs and list of participants is attached as Appendix 3. Under the MPUSIP, it is being ensured that scheduled tribe and other vulnerable households are included in project benefits (a) 100% individual household connections for all households in project coverage area, including scheduled tribe/scheduled caste/poor, women-headed and other vulnerable households are ensured under the project, (b) skill training for at least 2 vulnerable persons per ward (one male and one female) is being taken up by the contractor; and (c) the contract includes a provision related to employment of scheduled caste/scheduled tribe population and women / vulnerable persons, who are interested and possess required skill or are willing to get trained and available for work in construction-related work and work related to operation and maintenance of project facilities. The contractor maintains records of such employment, which is being monitored by the PMU.

VI. GRIEVANCE REDRESS MECHANISM

A. Introduction

25. Grievance Redress Mechanism (GRM) is a part of project management that is likely to increase accountability and responsiveness among service providers and provide a friendly environment to the beneficiaries of the project. GRM aims to address complaints of local affected people because of project interventions in the selected towns under MPUSIP during the project period. A project-specific grievance redress mechanism (GRM) has been established to receive, evaluate, and facilitate the resolution of Affected People's concerns, complaints, and grievances about the social and environmental performance at the level of the project.

B. Structure of GRM and its Functions

26. The GRM will have a three- tier decision making process. The first tier which is at the town level, aims to resolve all construction related grievances which require quick and efficient action. The second tier which is at the project implementation unit (PIU) level, will handle complaints that could not be resolved by the first- tier and/or grievances related to land acquisition and compensation. The third tier which is at the project management unit (PMU) or state level will handle complaints which could not be resolved by the first and second tiers.

C. Process of Grievance Redressal by GRC

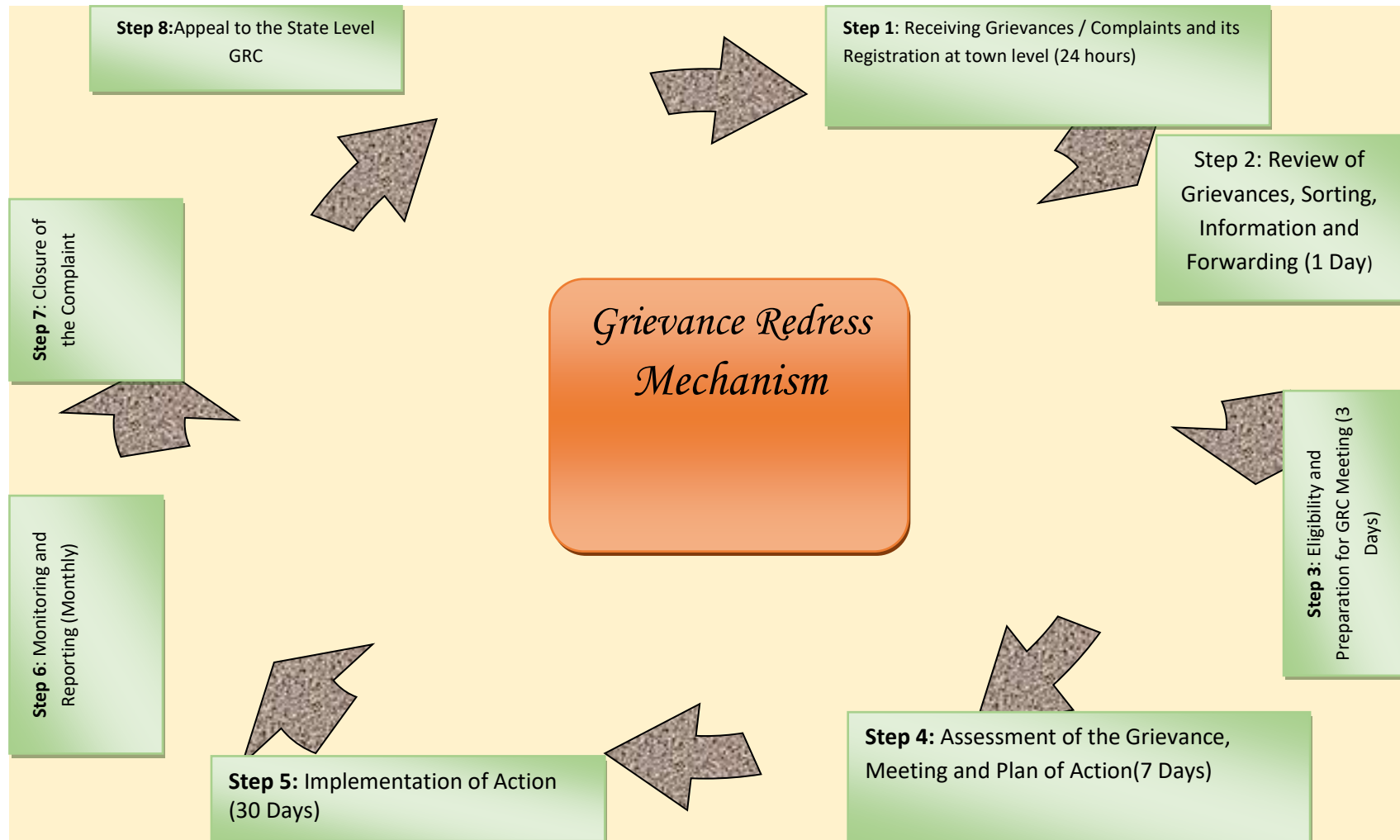
27. The affected person or his representative can submit their grievance through verbally or in written format to the GRC nodal person of contractor or the CDO-ULB or any other GRC member. The eligibility of grievance will be decided by the chairperson of GRC. Inconveniences caused by minor construction related issues shall be referred to the site engineer to resolve immediately or within 24 hours such as restoration of road, obstruction in accessing house/shop or any place due to dumping of construction materials, dust etc. CDO ULB will inform complainant on the decision taken by GRC to address registered complaint and expected time to resolve issue. If the complaint is not resolved within 3 days, the CDO ULB or affected person can forward the complaint to 2nd tier GRC (PIU level).

28. At PIU level, the complaints will be registered by CDO-PIU. The eligibility of the complaint will be decided by GRC Chairperson. Grievance Redress Committee meetings will discuss grievances and draw conclusion from discussions and make recommendations. The registered grievance should be resolved within 30 days or the grievance should be forwarded to PMU level GRC if it remains unresolved.

29. The communities were informed that efforts to resolve the complaints through the GRC and other ADB operations department fail, the affected people may submit their complaints to ADB's Accountability Mechanism. Only after doing that, and if they are still dissatisfied, should they approach the Accountability Mechanism.

30. The structure and process of GRM is presented in Figure 2 for detailed understanding.

Figure 2: Structure and Process of GRM



VII. MONITORING

31. The project is classified as Category C for indigenous peoples impact. However, as per policy adopted by the PMU of MPUSIP, monitoring indicators are suggested for inclusion of scheduled tribe, scheduled caste and other vulnerable persons⁴ in the project benefits and to track the positive impact on such populations in different wards in Jawar town. Following activities are suggested and indicators are being monitored for inclusion.

- Regular consultation with male and female scheduled tribe, scheduled caste, poor and vulnerable groups during subproject implementation.
- Registration of scheduled tribe, scheduled caste, poor and vulnerable persons who wish to avail skill training for work like construction work, plumbing, electrification, pump operation, mason, operation and maintenance work needs to be done and linked with income generation activities. Minimum of two vulnerable persons (one male and one female) per ward will be targeted by the concerned contractor for on-the-job skill training. Certification of such training shall be provided by MPUSIP.
- Number of water supply household connections to vulnerable households/groups in each phase of the project in relation to total household connection.
- Number of scheduled tribe, scheduled caste, poor and vulnerable (male/female) employed by the contractor during construction work.
- Number of scheduled tribe, scheduled caste, poor and vulnerable (male/female) employed by the contractor / urban local body during operation phase.

32. Minutes of meeting and photographs during consultations with scheduled caste and scheduled tribe, poor and vulnerable groups, as well as labour employment registers with sex-disaggregated information must be maintained by the contractor and urban local body. Contractors, ULB and PIU staff has been provided sensitization training to ensure that inclusion of scheduled tribe, scheduled caste, poor and vulnerable is achieved. The following indicators for inclusion shall be monitored during the project implementation period and until project completion report preparation and will be reported in the Semi-annual Social Monitoring Reports.

Table 3: Monitoring Indicators

s.no	Activities Suggested	Indicators for inclusion
1	Consultation with scheduled tribe/scheduled caste/poor and vulnerable households throughout the implementation phase	Number and percentage of Scheduled Caste/ Scheduled Tribe/Poor/Vulnerable (specify vulnerability) persons participated (Male/Female)
2.	Skill training programs for project related jobs/other work	Number of scheduled tribe, scheduled caste, poor and vulnerable (specify vulnerability) persons (M/F) provided certified training for project related jobs/other works
3	Individual/House connections	*Number of connections given to scheduled tribe, scheduled caste, poor and vulnerable households (male headed/female headed), in relation to total households connected

⁴ Vulnerable persons in the target group include scheduled tribe, scheduled caste, women headed households, below poverty line households, persons with disabilities, transgenders etc.

s.no	Activities Suggested	Indicators for inclusion
4.	Employment Generation in project construction related work	Number of scheduled tribe, scheduled caste, poor and vulnerable employed (M/F)
5.	Employment generation in O/M	Number of scheduled tribe, scheduled caste, poor and vulnerable employed in project operation related work by contractor(M/F)

VIII. INSTITUTIONAL ARRANGEMENTS

33. Project Management Unit. The PMU is staffed with two social sector specialists: (i) Project Officer (Safeguard) and (ii) Social and Gender Officer, who receive support from environmental and social safeguard specialists on PMC team. Both have overall responsibility in implementation of the Safeguards Frameworks and Gender Equality and Social Inclusion Action Plan, including appropriate monitoring and reporting responsibilities.

34. Project Implementation Units (PIUs): PIUs are headed by a Project Manager and supported by PMC. Resettlement Specialist of PMC assists PIU in implementation of social safeguard related tasks. At each PIU, the Assistant Project Manager has been given additional responsibilities of safeguard tasks and has been designated as Assistant Safeguard Officer (ASO), supported by community development officer (CDO). PIU team is assisted by resettlement coordinator and communication assistant of PIU (PMC) in implementation/updating of resettlement plan/indigenous peoples plan/due diligence report, meaningful consultation, disclosure, establishing broad community consent, identification of appropriate impact avoidance and mitigation measures, assessment of entitlement and computation of compensation other than those covered under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARRA) etc. The ASO assists PMU in implementation of the key tasks at PIU level.

35. Civil works contracts and contractors. RPs/IPPs/EM/DDRs are included in bidding and contract documents and verified by the PIUs and PMU. The contractor is required to designate an Environment, Health and Safety (EHS) supervisor to ensure implementation of EMP/RP/EM/DDR social safeguard provisions in the Resettlement Framework and IPPF during civil works, which also have the responsibility for communication with the public under the guidance of PMU/PIU and grievance registration. Contractors are to carry out all mitigation and monitoring measures outlined in their contract. As the contract is procured through build-operate framework, contractor is also responsible for operation phase safeguard implementation during a 10-year operation and maintenance period, after which it will be the responsibility of the respective ULBs to take over the operation and maintenance responsibility.

36. The PMU and PIU ensure that bidding and contract documents include specific provisions requiring contractors to comply with: (i) all applicable labor laws and core labor standards on (a) prohibition of child labor as defined in national legislation for construction and maintenance activities; (b) equal pay for equal work of equal value regardless of gender, ethnicity, or caste; and (c) elimination of forced labor; and with (ii) the requirement to disseminate information on sexually transmitted diseases, including HIV/AIDS, to employees and local communities surrounding the project sites. The bid documents also includes specific provision regarding inclusion and participation of indigenous peoples and vulnerable persons (persons with disability, scheduled tribe, scheduled caste, below poverty line, women-headed households, transgenders etc.) in project benefits, by requiring the contractor to ensure 100% connections to such households and according priority in employing such persons in project-

related construction and operation and maintenance work, and maintaining a sex-disaggregated record of persons benefited.

IX. CONCLUSIONS AND BUDGET

37. Scheduled tribe population in the town does not conform to the definition of indigenous peoples groups as per ADB SPS. No adverse impacts are anticipated on schedule tribe households residing in subproject area due to subproject components, as ample vacant land is available for the projected facilities, within the compound of the government lands. Identified site for proposed components such as WTP and OHT etc. for subproject water supply town Jawar is owned by revenue department under Government of Madhya Pradesh and transfer of land is required. No Objection Certificate (NOC) from State Highways, Public Works Department (PWD) and Pradhan Mantri Gramin Sadak Yojna (PMGSY) department is also required to lay the raw water pumping main (RWPM). NOC is also yet to be obtain from water resource department (WRD) for abstraction of water and construction of Intake well. Therefore, no involuntary resettlement impact or income loss of scheduled tribe people is anticipated under the subproject. For linear components (pipe lying) or those proposed along government road ROW, temporary disruption to road users, pedestrians and commercial vendors will be avoided through careful implementation of the environmental management plan.

38. It is ensured that scheduled tribe and other vulnerable households are included in project benefits (a) 100% individual household connections for all households in project coverage area, including scheduled tribe/scheduled caste/poor, women-headed and other vulnerable households are ensured under the project, (b) skill training for at least 2 vulnerable persons per ward (one male and one female) is being taken up by the contractor; and (c) the contract includes a provision related to employment of scheduled caste/scheduled tribe population and women / vulnerable persons, who are interested and possess required skill or are willing to get trained and available for work in construction-related work and work related to operation and maintenance of project facilities. The contractor maintains records of such employment, which is being monitored by the PMU.

39. Other safety measures are taken during construction time to avoid injuries such as cordon off the deep excavated area etc. Inconveniences to the public are mitigated during construction by the contractor through simple measures such as provision of planks for pedestrian access to shops with effective traffic management A budgetary provision is made for costs likely to be incurred for updating of this subproject.

Table 4: Budget

Sl. No.	Description	Target group	Estimated cost
1.	Consultations, focus group discussions and information dissemination through posters and pamphlets	Consultations, focus group discussions and information dissemination through posters and pamphlets	INR 100000
2.	Training on income generation activities and provision of toolkits	Affected areas of subproject particularly indigenous people populated	INR 150000
3.	15% contingencies		INR 37500
	Total		INR 287500

A. Compliance with DDR Requirements

40. The DDR needs to be updated with the following information:

- To increase the participation of Indigenous People in project activities, the frequency of consultations, will be increased; record of consultations held with local communities and other stakeholders to be documented and included in updated/final DDR.
- Due diligence report to be updated from time to time by PMU, initiation/completion of due procedures reported, and ADB approval obtained prior to start of construction.

Appendix 1: List of Tribal Communities in State of Madhya Pradesh

- 1) Agariya
- 2) Andh
- 3) Baiga
- 4) Bhaina
- 5) Bharia Bhumia, Bhuinhar Bhumia, Bhumiya, Bharia, Paliha, Pando
- 6) Bhattra
- 7) Bhil, Bhilala, Barela, Patelia
- 8) Bhil Mina
- 9) Bhunjia
- 10) Biar, Biyar
- 11) Binjhar
- 12) Birhul, Birhor
- 13) Damor, Damaria
- 14) Dhanwar
- 15) Gadaba, Gadba
- 16) Gond; Arakh, Arrakh, Agaria, Asur, Badi Maria, Bada Maria, Bhatola, Bhimma, Bhuta, Koilabhuta, Koliabhuti, Bhar, Bisonhorn Maria, Chota Maria, Dandami Maria, Dhuru, Dhurwa, Dhoba, Dhulia, Dorla, Gaiki, Gatta, Gatti, Gaita, Gond Gowari, Hill Maria, Kandra, Kalanga, Khatola, Koitar, Koya, Khirwar, Khirwara, Kucha Maria, Kuchaki Maria, Madia, Maria, Mana, Mannewar, Moghya, Mogia, Monghya, Mudia, Muria, Nagarchi, Nagwanshi, Ojha, Raj, Sonjhari Jhareka, Thatia, Thotya, Wade Maria, Vade Maria, Daroi
- 17) Halba, Halbi
- 18) Kamar
- 19) Karku
- 20) Kavar, Kanwar, Kaur, Cherwa, Rathia, Tanwar, Chattri
- 21) (Omitted)
- 22) Khairwar, Kondar
- 23) Kharia
- 24) Kondh, Khond, Kandh
- 25) Kol
- 26) Kolam
- 27) Korku, Bopchi, Mouasi, Nihal, Nahul Bondhi, Bondeya
- 28) Korwa, Kodaku
- 29) Majhi
- 30) Majhwar
- 31) Mawasi
- 32) Omitted
- 33) Munda
- 34) Nagesia, Nagasia
- 35) Oraon, Dhanka, Dhangad
- 36) Panika [in (i) Chhatarpur, Panna, Rewa, Satna, Shahdol, Umaria, Sidhi and

- Tikamgarh districts, and (ii) Sevda and Datia tehsils of Datia district]
- 37) Pao
 - 38) Pardhan, Pathari, Saroti
 - 39) Omitted
 - 40) Pardhi, Bahelia, Bahellia, Chita Pardhi, Langoli Pardhi, Phans Pardhi, Shikari, Takankar, Takia [In (i) Chhindwara, Mandla, Dindori and Seoni districts, (ii) Baihar Tahsil of Balaghat District, (iii) Betul, Bhainsdehi and Shahpur tahsils of Betul district, (iv) Patan tahsil and Sihora and Majholi blocks of Jabalpur district, (v) Katni (Murwara) and Vijaya Raghogarh tahsils and Bahoriband and Dhemerkheda blocks of Katni district, (vi) Hoshangabad , Babai, Sohagpur, Pipariya and Bankhedi tah sils and Kesla block of Hoshangabad district, (vii) Narsinghpur district, and (viii) Harsud Tahsil of Khandwa district]
 - 41) Parja
 - 42) Sahariya, Saharia, Seharla, Sehria, Sosia, Sor
 - 43) Saonta, Saunta
 - 44) Saur
 - 45) Sawar, Sawara
 - 46) Sonr

Source: Tribal Welfare Department, Government of Madhya Pradesh

Appendix 2:List of Schedule Areas in Madhya Pradesh

- 1) Jhabua district
- 2) Mandla district
- 3) Dindori district
- 4) Barwani district
- 5) Sardarpur, Dhar, Kukshi, Dharampuri, Gandhwani and Manawar tahsils in Dhar district
- 6) Bhagwanpura, Segaon, Bhikangaon, Jhirniya, Khargone and Meheshwar tahsils in Khargone (West Nimar) district
- 7) Khalwa Tribal Development Block of Harsud tahsil and Khaknar Tribal Development Block of Khaknar tahsil in Khandwa (East Nimar) district
- 8) Sailana and Bajna tahsils in Ratlam district
- 9) Betul tahsil (excluding Betul Development Block) and Bhainsdehi and Shahpur tahsils in Betul district
- 10) Lakhanadone, Ghansaur and Kurai tahsils in Seoni district
- 11) Baihar tahsil in Balaghat district
- 12) Kesla Tribal Development Block of Itarsi tahsil in Hoshangabad district
- 13) Pushparajgarh, Anuppur, Jaithari, Kotma, Jaitpur, Sohagpur and Jaisinghnagar tahsils of Shahdol district
- 14) Pali Tribal Development Block in Pali tahsil of Umaria district
- 15) Kusmi Tribal Development Block in Kusmi tahsil of Sidhi district
- 16) Karahal Tribal Development Block in Karahal tahsil of Jaura district
- 17) Tamia and Jamai tahsils, patwari circle Nos. 10 to 12 and 16 to 19, villages Siregaon Khurd and Kirwari in patwari circle no. 09, villages Mainawari and Gaulie Parasia of patwari circle No. 13 in Parasia tahsil, village Bamhani of Patwari circle No. 25 in Chhindwara tahsil, Harai Tribal Development Block and patwari circle Nos. 28 to 36,41,43,44 and 45B in Amarwara tahsil Bichhua tahsil and patwari circle Nos. 05,08,09,10,11 and 14 in Saunsar tahsil, Patwari circle Nos. 01 to 11 and 13 to 26, and patwari circle no. 12 (excluding village Bhuli), village Nandpur of patwari circle No. 27, villages Nikanth and Dhawdikhapa of patwari circle no 28 in Pandurna tahsil of Chhindwara district.

Source: Tribal Welfare Department, Government of Madhya Pradesh

Appendix 3: Summary of Consultation with Scheduled Tribes / Scheduled Caste Households residing in Jawar

Sl. No.	Location and No. of Participant	Topics of discussion	Issues/ Concern and Mitigation Measures
1	Local residents from scheduled tribes (Mogia tribes) community residing in ward number 8 and 9 of Subproject town Jawar on dated 04 th March 2020 Participants (Female-0 and Male-11)	<ul style="list-style-type: none"> Briefing about proposed WSS for Town Jawar of project Present drinking water supply source and its condition Potential positive and negative impacts due to project implementation Potential positive and negative impacts due to project implementation Land use and area to be covered under the project Drinking water user charge Experiences sharing on Resettlement and Rehabilitation, women empowerment, health, education, convergence with existing government social security schemes etc. Grievance Redress procedures 	<ul style="list-style-type: none"> Almost all the participants do not know about the proposed WSS project. On learning about the project, they expressed that they were happy that the entire community would be benefited from the upgraded water supply. Slum dwellers showed willingness to take water connections but demanded relaxation in user charges. People were briefed about the complaint redress mechanism. They welcomed it as women are facing many problems in fetching water for hours. Most of the participants did not have water connections. They get water from Stand Post Possibility of exempting the poor and vulnerable from user charge payment. Slum area must be given relaxation for connection and water use Provision of labour works in proposed project for local people. Timely road restoration
2	Local residents from scheduled tribes (Mogia tribes) community residing in ward No. 8 and 9 of Subproject town Jawar on dated 04 th March 2020 Participants (Female-12 and Male-0)	<ul style="list-style-type: none"> Existing water supply status Proposed subproject components Impact of subproject on community particularly scheduled tribes population Impact during construction work Impact on health by proposed subproject 	<ul style="list-style-type: none"> Participants do not know about the proposed WSS project but they expressed their happiness to know about proposed WSS and the entire community would be benefited from the upgraded water supply. Slum dwellers showed willingness to take water connections but demanded relaxation in user charges.

Sl. No.	Location and No. of Participant	Topics of discussion	Issues/ Concern and Mitigation Measures
		<ul style="list-style-type: none"> • Willingness to take new water connection • Grievance Redress procedures 	<ul style="list-style-type: none"> • People were briefed about the complaint redress mechanism. • They welcomed it as women are facing many problems in fetching water for hours. • Some participants did not have water connections. The women were happy to learn about the proposed project. • Possibility of exempting the poor and vulnerable from user charge payment. • Slum area must be given relaxation for connection and water use • Provision of labour works in proposed project for local people. • Timely road restoration • •
3	<p>Local residents from scheduled caste community residing in ward Number 2 of Subproject town Jawar on dated 04th March 2020</p> <p>Participants (Female-3 and Male-5)</p>	<ul style="list-style-type: none"> • Existing water supply status • Component of proposed water supply and its location. • Social impact of project during construction work • Social and community impact during operation work • Impact on health by proposed project • Willing to take new water connection • Grievance Redressal Mechanism under MPUSIP. • Resettlement Framework and IPPF under MPUSIP • 	<ul style="list-style-type: none"> • Scheduled caste community complained about the poor water supply in the town. • People promise support the upcoming water supply project as it will be beneficial to the community in all aspects. • Some households also show their grievance about the delay of the project. • People are ready to take new water connection in place of old one • Some participants are agreed to pay proposed water tariff while some has demanded free water supply. • There should not be any water supply interruption during laying new pipe line.

Sl. No.	Location and No. of Participant	Topics of discussion	Issues/ Concern and Mitigation Measures
			<ul style="list-style-type: none"> • All people requested to select good contractor to speed up the construction process. • The area has insufficient and inadequate drinking water resource. Water supply to the area is done through two tube wells that supplies water to the community people. The area faces severe water crisis during the summer season when the ground water level drops. • All participants welcome the formation of GRC prior to start of civil works

Appendix 4: Photograph of Stakeholder Consultation and List of Participants

Photograph of consultation with Scheduled Tribe community (Mogia Tribes) at ward-8 and 9 (Mogiyapura) under Nagar Parishad Jawar



**List of Participants during consultation with Scheduled Tribe (Mogia) at ward-8 and 9
Nagar Parishad Jawar**

Sr. No.	Name of the Participant	Designation	Mobile Number
1.	Jagan nath Singh Bhati (mogiyara)		91100194115 MS
2.	Dudra Singh Bhati (mogiyara)		91100194115
3.	Babbar - (1) -		91100194115
4.	Ramesh Bhati		91100194115
5.	Arun Bhati		91100194115
6.	Dharm Singh Bhati		91100194115
7.	Tinku Bhati		91100194115
8.	Sunil Bhati		91100194115
9.	Roop Singh Bhati		91100194115
10.	Anil Anil Bhati		91100194115
11.	Rameshwar Lohar		91100194115

Photograph of consultation with Scheduled Tribe Women (Mogia Tribes) at ward-8 and 9 Mogiyapura Nagar Parishad Jawar



**List of Participants during consultation with Scheduled Tribe Women (Mogia Tribes)
at ward-8 and 9 Mogiyapura Nagar Parishad Jawar**

4/3/2020

Name of Place: ward No - 8, 9 Near BHT (Mogiyapura)

Type of Stakeholders: ST Women

Attendance Sheet of Participants during Consultation

Sr. No.	Name of the Participant	Designation	Mobile Number	Signature
①	દાલી બાઈ	સચીવ		દાલી
②	મનકુમાર બાઈ	" "		
③	ભૂરી બાઈ	" "		
④	કાન્તા બાઈ	" "		
⑤	મેમા બાઈ	" "		મેમાબાઈ
6	તેજુ બાઈ	" "		
7	ભૂરી બાઈ	" "		ભૂરી
8	કિરન બાઈ	" "		કિરન
9	ફૂલકુમાર	" "		
10	રમ્બા બાઈ	" "		
11	તારા બાઈ	" "		
12	ડીપા	" "		Deepa

English Translation

S.N.	List of Participants	S.N.	List of Participants	S.N.	List of Participants
1	Dali bai	5	Mema bai	9	Fool kuar
2	Mankuar	6	Teju bai	10	Rambha bai
3	Bhoori bai	7	Bhuri bai	11	Tara bai
4	Kanta bai	8	Kiran bai b	12	Deepa

**Photograph of consultation with scheduled caste community at ward-2 Nagar
Parishad Jawar**



**List of Participants during consultation scheduled caste community at ward-2 Nagar
Parishad Jawar**

[illegible]

S.N.	List of Participants	S.N.	List of Participants
1	Ranjeet	5	Bijendra
2	Jagdesb	6	Geeta
3	Sersingb	7	Kala bai
4	Ambaram	8	Barsha

Appendix 5: Indigenous People Screening Checklist

A. Introduction

Each project/subproject/component needs to be screen for any involuntary resettlement impacts and indigenous people impacts which will occur or already occurred. This screening determines the necessary action to be done by the project team.

B. Information on project/subproject/component:

- a. District/ Administrative Name: Sehore
- b. Location: Jawar, 72 Kms from Sehore
- c. Civil work dates (proposed): Not yet proposed
- d. Technical Description:

Planning and design of Water Supply Scheme for Jawar. The scheme involves construction of intake well, WTP, Laying of RWPM from Intake well to Water Treatment Plant (WTP) having total length of 17000 m, Laying of CWPM of 50 m long and 150 mm diameter and CWFM of 3219 m length and 150 mm dia of DI K-9 pipes from WTP to the OHTs. Construction of 2 nos. of Over Head Tanks of size 100 KL each and further distribution to end users by various distribution networks through gravitation.

C. Below is the initial screening for indigenous people impacts and due diligence exercise. must be considered and reported in the screening process.

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, schedules tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?		✓		The subproject area is not located within a "scheduled area" or tribal area. As per Census of India 2011, town Jawar has 3.12% of scheduled tribe population. The scheduled tribe population in the town is mainstreamed and does not have the socio-cultural characteristics of indigenous peoples 'groups' as per ADB SPS.
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?		✓		There are national laws and policies that apply to scheduled tribe populations across India. The scheduled tribe population in the project town is recognized as vulnerable in accordance with national law, but does not belong to indigenous peoples groups per SPS definition.

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
3. Do such groups self-identify as being part of a distinct social and cultural group?		✓		
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?		✓		
6. Do such groups speak a distinct language or dialect?		✓		The tribal population residing in the town speak the mainstream language Hindi as they have been living in the town for a very long time.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?		✓		The scheduled tribe population in the town is economically marginalized, poor and vulnerable. However, it does not belong to indigenous peoples group.
8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels?	✓			Few elected representatives are from scheduled tribe and scheduled caste, they are part of decision-making bodies at local ULB level. However, they do not represent IP groups.
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	✓			The town does not report the presence of indigenous peoples groups. The entire town (all 15 wards, 100% area and population including scheduled tribe and poor and vulnerable population) is likely to be benefited by the water supply scheme. Implementation of the scheme is likely to have positive impact on the entire population.

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)		✓		
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)		✓		
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?		✓		
C. Identification of Special Requirements <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		✓		
14. Physical displacement from traditional or customary lands?		✓		
15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		✓		
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
17. Acquisition of lands that are traditionally owned or customarily used occupied or claimed by indigenous peoples?		✓		

D. Indigenous People Impact

After reviewing the answers above, Executing Agency/ Safeguard Team confirms that the proposed subsection/ section/ subproject/component (tick as appropriate):

[N] Has Indigenous People impact, an indigenous people plan (IPP) (or specific Indigenous People action plan) is required

[Y] Has No Indigenous People impact, no IPP/specific action plan required.

Prepared By: Vastushilpi Projects and Consultants Private Limited, Bhopal Sagar Silhareyl Signature: Name: Position:	Verified by: PMU Safeguard Team, MPUSIP-Bhopal Signature: Name: Position:
Date:	Date:

Appendix 6: Land Status Certificate Issued by CMO Jawar

OFFICE OF THE NAGAR PARISHAD, JAWAR, DISTRICT- SEHORE (M.P.)

S.N./ / 2020

DATE: 4th March 2020

LAND STATUS CERTIFICATE

Status of land for various components under ADB funded water supply scheme of supply scheme town is as under.

S.N.	Water supply Component	Khasra No.	Land status Govt./ULB/ Private Land	Remarks
1	Intake well cum pump house on earthen dam (proposed) across Dudhi river at village Khaniyakhedi		Government Land	Belongs to Water Resource Department (WRD)
2	WTP at Exjestin OHT Campuse Annapurna Nagar under ward number 6.	1419/1/1 Ka	Government Land	Revenue under GOMP
3	OHT 100 KL at at Sunarbala Thatha under ward number 4	515/1	Government Land	Revenue under GOMP
4	OHT 100 KL at Mogiyapura under ward number 9	993	Government land	Revenue under GOMP

Proposed land is belongs to Government of Madhya Pradesh and transfer of this land is under progress.

It is also certified that the proposed land is free from encroachment and encumbrances.

There is no acquisition of private land involved to execute the scheme.

Identified land for proposed components under WSS does not belong to scheduled tribe community or traditionally owned land.


CHIEF MUNICIPAL OFFICER
NAGAR PARISHAD, JAWAR