

# Due Diligence Report on Social Safeguards

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July 2013

## IND: Rural Connectivity Investment Program

West Bengal

Prepared by Ministry of Rural Development, Government of India for the Asian Development Bank.

## CURRENCY EQUIVALENTS

(as of 12 August 2013)

Currency unit	–	Indian Rupees (INR)
INR1.00	=	\$ 0.01648
\$1.00	=	INR 60.6795

## ACRONYMS AND ABBREVIATIONS

ADB	:	Asian Development Bank
APs	:	Affected Persons
BPL	:	Below Poverty Line
CD	:	Cross Drainage
DM	:	District Magistrate
EA	:	Executing Agency
EAF	:	Environment Assessment Framework
ECOP	:	Environmental Codes of Practice
FFA	:	Framework Financing Agreement
GOI	:	Government of India
GRC	:	Grievances Redressal Committee
IA	:	Implementing Agency
IEE	:	Initial Environmental Examination
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
NREGP	:	National Rural Employment Guarantee Program
PIU	:	Project Implementation Unit
PIC	:	Project Implementation Consultants
PFR	:	Periodic Finance Request
PMGSY	:	Pradhan Mantri Gram Sadak Yojana
ROW	:	Right-of-Way
RRP	:	Report and Recommendation of the President
RRSIP II	:	Rural Roads Sector II Investment Program
SRRDA	:	State Rural Road Development Agency
ST	:	Scheduled Tribes
TA	:	Technical Assistance
TOR	:	Terms of Reference
TSC	:	Technical Support Consultants
UG	:	Upgradation
WHH	:	Women Headed Households

## GLOSSARY

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

**Encroacher:** A person, who has trespassed government land, adjacent to his/her own land or asset, to which he/she is not entitled, by deriving his/her livelihood there. Such act is called "Encroachment."

**Pallisabha Resolution:** A resolution drawn up by the collective decision of villagers. The resolution drawn up for the purpose of the project refers to identification of the affected persons, extent of their losses by unique identification and signed consent of the affected persons to donate voluntarily the identified assets for the project purpose. The resolution is also signed by the village sarpanch, village president and other villagers including senior citizens of the village.

**Panchayat:** An institution (by whatever name called) of self-government for rural areas constituted at the village, intermediate, and district levels under article 243B of the Constitution of India. The three levels of panchayat comprise gram panchayat at village level, intermediate panchayat at block level, and zilla panchayat at district level.

**Village level mechanism for grievance redress:** village committees were in place comprising the village sarpanch, village president and senior citizens for the purpose of redressal of grievances

**Sarpanch:** Elected head of the Gram Panchayat

**Zilla :** A district which is the first administrative division at the state level.

## NOTE

In this report, \$ refers to US Dollars

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## **DUE DILIGENCE OF SOCIAL SAFEGUARDS COMPLIANCE – BATCH I RURAL CONNECTIVITY INVESTMENT PROGRAMME : WEST BENGAL**

### **A. Context and Purpose of the Report**

1. As one of the key features of the Government's poverty reduction agenda for the rural sector, the Government of India (GoI) is implementing a nation-wide rural road investment program, *Pradhan Mantri Gram Sadak Yojana* (PMGSY). PMGSY aims to provide all-weather road connectivity to currently unserved habitations in India's rural areas, where 70% of the population live.

2. The Government of India (GOI) launched "The Pradhan Mantri Gram Sadak Yojna (PMGSY) in year 2000. The objective of PMGSY is to provide all-weather road connectivity to all rural habitations with a population of more than 500 persons in plains and 250 persons in hill states. This program is being implemented through National Rural Road Development Authority (NRRDA) under Ministry of Rural Development (MORD) at central level and through State Rural Road Development Authority/Agencies (SRRDA) at state level. The Rural Connectivity Investment Program (RCIP) is continuation of Rural Road Sector II Program (RRS IIP) and is a multi-tranche financing facility (MFF) that aims to construct or upgrade to the all-weather standard about 9,000 km of rural roads connecting around 4,800 habitations in the states of Assam, Chhattisgarh, Odisha, Madhya Pradesh and West Bengal. Under RCIP Project 1 (Loan 2881-IND) 14 packages (28 roads) totaling 166.67 km in the state of West Bengal are under various stages of implementation.

3. The Government is now planning to submit to ADB the second Periodic Finance Request (PFR) covering state of West Bengal. The preparatory works for Batch II sub projects have been completed for the state. As per the requirements of ADB, it is mandatory that the subprojects under the previous batch of projects comply with ADB's social safeguards. This report is prepared to serve the purpose for compliance with ADB's safeguards on involuntary resettlement and indigenous peoples during implementation of RCIP Batch I roads in West Bengal.

### **B. Status of Batch-I Projects in West Bengal**

4. Under RCIP Batch –I, the state had 28 nos. roads totaling to a length of 166.67 km (Refer Annexure 1 and 2 for the details) . A summary of district wise subproject roads in West Bengal under RCIP Batch I is as under:

No. of districts where subprojects are located	:	04
No.of roads under pilot project	:	14
No. of new roads under batch I	:	14
Total no.of roads proposed under batch I	:	28
Total No. of Packages (excluding pilot roads)	:	14
Total length of roads (including pilot roads) Km	:	166.67

5. The subprojects are at various stages of implementation. Most of these subprojects have been awarded for construction during the second quarter of 2013. Due to the monsoon period, the construction works are going slow.

### C. Social Safeguards in the Project

6. The project adopts the following strategy to address the social safeguards and other social risks in the project include the following:

#### 1. Participatory Project Planning and Voluntary Land Donation and Resettlement

7. The Community Participation Framework (CPF)<sup>1</sup> establishes guidelines supplemental to the PMGSY guidelines for community consultation, detailing the procedural steps and requirements to be followed for all subprojects to be included under the Rural Connectivity Investment Program (RCIP) to be financed under ADB Loans.

8. 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.

9. In the preparation stage, the alignment of PMGSY roads is finalized through community consultation. The PMGSY guidelines require the PIU to conduct Transect Walk 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.

10. Under the PMGSY, the existing revenue tracks are taken up for construction to the 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, as a result requiring additional land. A standard practice is voluntary land contribution by affected households to meet this requirement for improvements and/or upgrading of rural roads (e.g., shoulder adjustment and drainage). 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.

11. Additional land required for road improvement under the PMGSY has been secured through voluntary donation by the land/asset owners. The CPF establishes the guidelines to ensure that donation is voluntary and the negative social and economic impacts due to the Project will be avoided or minimized. The community consultation processes for subproject preparation result in a set of documents that collectively serve as a plan for mitigating likely negative impacts of each subproject. This process follows the ADB social safeguard requirements mentioned below for projects involving voluntary donations:

- (i) full consultation with landowners and any non-titled people on site selection;
- (ii) voluntary donations do not severely affect the living standards of APs and are directly linked to benefits, with community sanctioned measures to replace any losses that are agreed through verbal and written record by affected people; and

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<sup>1</sup> Community Participation Framework for application to ADB financed sub-projects under Rural roads Sector II Investment program by ASRB, December 2005

- (iii) Voluntary donations are confirmed through verbal and written record and verified and adopted through constitutional process.
- (iv) Adequate grievance redress mechanisms are in place.

12. **Appendix-3** presents the Outline Community Participation Framework and the mitigation measures matrix adopted for the project by the SRDA.

## 2. Social Safeguard Covenants

13. The specific loan covenants for the project related to social safeguard issues include the following:

Particulars	Agency Responsible
<p><b>Land Availability</b></p> <ul style="list-style-type: none"> <li>• Each state shall ensure that the respective IA implements the provisions of the CPF for all Subprojects as agreed upon with ADB and in conformity with all relevant applicable laws and regulations of the Borrower/respective State.</li> <li>• Each State shall ensure that the respective IA shall, subject to compliance with the relevant provisions of the CPF and EAF/ECOP and in accordance with all relevant applicable laws and regulations of the Borrower/respective State, acquire or make available the land and rights to land free from any encumbrances, clear the utilities, trees and any other obstruction from such land, required for commencement of construction activities in accordance with the schedule agreed under the related civil works contract.</li> <li>• Each State shall ensure that the respective IA shall (i) carry out the community consultation process for all Subprojects in accordance with the PMGSY Guidelines as supplemented by the CPF, (ii) disseminate the information on process of land transfer/availability as the case may be support/assistance provisions and grievance procedures to the Project affected communities in a timely manner so that all related issues are resolved before awarding civil work contracts, and (iii) ensure that in case of voluntary land donations/transfer there are undertaken in a transparent manner under proper documentation and avoid any kind of coercion or forced donations/transfer; and in this regard shall not exercise any eminent domain or related mechanisms that may be deemed to be compulsory acquisition of land.</li> <li>• Each State shall ensure that the details of land made available in accordance with the procedures prescribed in the PMGSY Guidelines, are reflected in the local land records in a timely manner, to avoid any disputes.</li> </ul>	<p>STATES</p> <p>STATES</p> <p>STATES</p> <p>STATES</p>
<p><b>Social Impacts</b></p> <ul style="list-style-type: none"> <li>• Each State shall ensure through specific provisions in the bid documents and the civil works contracts financed under the Project that the contractors shall; (i) disseminate information at work sites on the risk of sexually transmitted diseases and HIV/AIDS as part of the health and safety measures for those employed during construction; (ii) follow legally</li> </ul>	<p>MORD/ STATES</p>

Particulars	Agency Responsible
<p>mandated provisions on health, welfare, sanitation, and appropriate working conditions, including accommodation, where appropriate, for construction workers at camp sites; (iii) comply with all applicable labour laws, not employ child labour for construction and maintenance activities, and provide appropriate facilities for children of labour in construction camp sites; (iv) provide equal opportunity for women for road construction activities, and not differentiate wages for men and women for work of equal value.</p> <ul style="list-style-type: none"> <li>• Each State shall ensure that compliance with provisions in clause (a) of this paragraph is monitored by the respective IA. The civil works contracts shall also provide for their termination by the employer for breach of any provision.</li> <li>• Each State shall ensure acceptance of the Project through effective community participation in selecting and implementing Subprojects in accordance with the PMGSY Guidelines as supplemented by the CPF.</li> <li>• In case of any significant impacts on Scheduled Tribes under any additional Subproject these shall follow the requirements as set out in the CPF as agreed by ADB. As also laid down in the CPF, for any impact on land involving traditional and tenure rights of the Scheduled Tribes, the legal provisions laid down by the Borrower and the related State pertaining to land transfer shall be followed.</li> </ul>	<p>STATES</p> <p>STATES</p> <p>MORD</p>

14. 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.

15. In the preparation stage, the alignment of PMGSY roads is finalized through community consultation. The PMGSY guidelines require the PIU to conduct Transect Walk 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.

16. Under the PMGSY, the existing revenue tracks are taken up for construction to the 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, as a result requiring additional land. A standard practice is voluntary land contribution by affected households to meet this requirement for improvements and/or upgrading of rural roads (e.g., shoulder adjustment and drainage). 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.

17. Additional land required for road improvement under the PMGSY has been secured through voluntary donation by the land/asset owners. The CPF establishes the guidelines to ensure that donation is voluntary and the negative social and economic impacts due to the Project will be avoided or minimized. The community consultation processes for subproject preparation result in a set of documents that collectively serve as a plan for mitigating likely



negative impacts of each subproject. This process follows the ADB social safeguard requirements mentioned below for projects involving voluntary donations:

- (i) full consultation with landowners and any non-titled people on site selection;
- (ii) voluntary donations do not severely affect the living standards of APs and are directly linked to benefits, with community sanctioned measures to replace any losses that are agreed through verbal and written record by affected people; and
- (iii) Voluntary donations are confirmed through verbal and written record and verified and adopted through constitutional process.
- (iv) Adequate grievance redress mechanisms are in place.

#### **D. Monitoring Process in the Project**

18. The Community Participation Framework (CPF) adopted for the project provides specific formats (Form M1 to M4) and timeframes for undertaking monitoring of implementation of social safeguards. The Project Implementation Consultants (PICs) appointed by the SRRDAs conduct the monitoring activities on all the subproject roads at the start of the project implementation for each batch of roads approved under Multi Tranche Financing (MFF). This process is repeated every month for the roads where any identified issue still remains pending to be addressed during the initial monitoring.

19. Technical Support Consultants appointed at the national level by NRRDA undertake sample review of the monitoring carried out by the PICs periodically as per the work progress under each batch of roads.

#### **E. Approach for Undertaking Due Diligence of Social Safeguards implementation for Batch I Roads**

20. As already mentioned, the award of the Batch I subprojects for construction has happened during the second quarter of 2013 and the construction works have been recently initiated. The PIC has initiated the process of conducting the monitoring activities. This due diligence therefore focuses on the processes adopted to address the social safeguards compliance during project preparation and preparedness by the SRRDA to undertake the monitoring process as done for subprojects under the previous RRSIIP.

21. A sample of 3 roads (covering 21.43% of the 14 non-pilot roads in 3 districts) were randomly selected from the roads covering at least one subproject from each district where the Tranche-1 projects are located. **Appendix – 4** provides details of roads selected for review. The desk review comprised review of project documents, files, correspondences, progress reports, and data of the WBSRDA/PIUs. During field visits by the TSC experts at project preparation stage in-depth consultations, focus group discussions, individual interviews were carried out involving officials of WBSRDA/PIUs, project affected families, officials of other line agencies like Sarpanch, Panchayat Secretary and Members of Village panchayats, eminent citizens, community leaders, members of women groups in project area. The APs were also enquired about their consent for voluntary land donation.

## F. Findings

### 1. Implementation of the Community Participation Framework (CPF)

22. During preparation of the subprojects, all the major activities have been carried out to comply with CPF requirements.

### 2. Activities under Community Participation Framework (CPF)

23. The CPF adopted for the project follows the ADB social safeguard requirements mentioned below for projects involving voluntary donations:

#### a. Road Selection and consultation with landowners and any non-titled people

24. The selections of roads for improvement under the project were from the PMGSY Core Network. The PMGSY Core Network is approved during the meetings of the *Zilla Parishad* and the concerned *Gram Panchayats*. The roads selected under the project belong to the approved Core Network list and is shared with all the concerned officials of the district including revenue, forest, mineral resources, water resources, irrigation, PWD etc., the elected representatives of PRI in the district and people's representatives from the district in the state legislature and in the parliament.

25. West Bengal is one of the most densely populated states in India. Although the 3 roads reviewed already existed roads the widening of these roads to meet NRRDA design guidelines will affect some additional land for the construction purpose. The direct impacts were limited to narrow strips of land along the existing alignment and/or shifting of temporary boundary fences. Although there were 157 affected persons, no loss of structures was involved in any of these 3 roads. In case of the roads in which APs are identified, the village community has been consulted in this regard and the community has agreed for voluntary donation of required land for the construction of the roads.

26. The PIUs assisted by the PIC, conducted transect walks in all the subproject roads and held meetings attended by the panchayat officials and land owners/ non-titled persons on site selection. Various stakeholders from the government (AGM/AE of PIUs, Revenue officials), *Panchayati Raj Institutions* (PRIs), and the local community participated in the transect walk. The rural roads proposed under this batch follow existing alignments and no new alignment was proposed for any subproject road. Certificates of land availability from revenue officials were obtained by the PIUs before start of the transect walk. The PIUs also obtained certificates from the gram panchayat signed by the sarpanch and the secretary confirming conduct of the transect walk, land availability and identification of affected persons through the process.

27. The consultation with the community also focused on avoiding/ minimizing displacement due to the sub-project road. Inside habitation areas and in village sections the road width has been restricted (in some cases to less than 6 m) to avoid damage to residential or commercial structure. At the habitation areas, it has been proposed to construct CC roads for their longer durability and lesser disruption to traffic for maintenance.

#### b. Voluntary donations do not severely affect the living standards of APs and are directly linked to benefits, with community sanctioned

**measures to replace any losses that are agreed through verbal and written record by affected people**

28. Subsequent to the transect walks, the PIUs with help of *Gram Panchayats* conducted formal consultation with all those persons likely to get affected as a result of the road improvement. "Gramsabha" meetings were held at *Gram Panchayat* level attended by the sarpanch, secretary, senior citizens of the village and the village community including all the APs and the PIU officials. During the conduct of the transect walks, all APs were identified, fully consulted on the voluntary donation process. Vulnerable APs were identified through census survey and support/ assistance to the APs were finalized in consultation with the community through the village panchayat in case of all the subproject roads.

29. The CPF includes criteria for assistance to vulnerable APs. Vulnerable households are considered (i) those headed by women, (ii) Scheduled Tribes (ST), (iii) Scheduled Castes (SC), and (iv) Disabled persons, (v) Households Below Poverty Line (BPL) as per the state poverty line for rural areas, (vi) Households who are or will become BPL as result of loss to assets and / or livelihoods and (vii) Households losing structure. It was evident from the consultations on the roads that vulnerable APs had agreed for voluntarily donating their land for the proposed road improvement. Based on the assessment, the voluntary donation has marginal impact on a *kutch*a boundary walls, veranda and on agricultural lands. It is important to note that no AP has been relegated to BPL category as a result of the project. All those belonging to the BPL category have long been there prior to the impact of the project. Out of the 20 sample roads reviewed, 6 roads had APs and 4 roads had VAPs. Details of sub project road wise vulnerable APs and the impact are presented below in **Table 1**.

**Table 1: Sample Roadwise Details of APs and the Impact**

SI No	Name of District	Package No.	Road Name	Length (Km)	Total APs	No. of Vulnerable APs	Category wise Break up of Vulnerable APs	Impact on total land (%)
1	North 24 Paraganas	WB01AD B40	Dholtukri - Mohonpur Paschim	2.247	35	21	SC-17, SC/BPL-2, BPL-2	<5% - 33 >5-<10% - 2
2	Bankura	WB03AD B39	Nagri-Banbedia	12.21	68	18	SC-1, SC/BPL-3, BPL-14	<5% - 68
3	Birbhum	WB04AD B17	Mini steel Plant Lakhindarpur - via Gibdarpur Gobindapur	3.10	54	2	SC/WHH-2	<5% - 54
<b>TOTAL</b>					<b>157</b>	<b>41</b>	<b>SC-18, SC/BPL-5, BPL-16 SC/WHH-2</b>	<b>&lt;5% - 155 &gt;5-&lt;10% - 2</b>

Note: ST - Scheduled Tribes, SC - Scheduled Castes, Gen BPL – Non SC/ST Households Below Poverty Line (BPL)

30. Census survey of the APs was carried out for all the roads reviewed, needing voluntary land donation and/or loss of structures. Interaction of TSC experts with the Panchayat and PIU

officials revealed that the PIUs are in close consultation with the *Gram Panchayats* for provision of assistance and support to the vulnerable APs to ensure that they are not adversely affected by the Project. The consultation process supplemented by distribution of information booklets in Oriya (local language) has made the APs aware of their special entitlement in view of their vulnerability. The Panchayats have taken steps to include the names of all the poor/vulnerable APs for issuance of BPL (Below Poverty Line) cards that would entitle these APs to receive essential commodities e.g food grains, sugar, kerosene fuel etc. through government programmes like Public Distribution System (PDS) at subsidized rates. All vulnerable APs have been provided job cards under the *Mahatma Gandhi National Rural Employment Guarantee Act* (MGNREGA) Programme that guarantees employment under programs like road construction works in panchayat roads, tree plantation works etc. for a minimum of 100 days period in a financial year.

**c. Voluntary donations are confirmed through verbal and written record and verified and adopted through constitutional process.**

31. Voluntary donations are confirmed through written record and verified and adopted through constitutional process during the village level meetings in the presence of ‘Sarpanch’ and ‘Panchayat Secretary’ in case of all the subproject roads having APs. The gramsabha resolution identified the APs by category of loss and written consent of the APs for voluntary land donation was obtained. The resolutions also had signature of other attendants of the village community in the meeting including the sarpanch and the Panchayat Secretary. Need for land requirement and status of MOU with the APs are presented below in **Table 2** for the sample roads reviewed.

**Table 2: Sample Roadwise Need for Land and Status of MOU with APs**

Sl. No.	District	Name of Road	Additional land required for road construction	Land availability certificate from Rev. Dept.	Type of structure(s) affected	MOU obtained
1	North 24 Paraganas	Dholtukri - Mohonpur Paschim	Required	Obtained	Nil	Obtained
2	Bankura	Nagri- Banbedia	Required	Obtained	Nil	Obtained
3	Birbhum	Mini steel Plant Lakhindarpur - via Gibdharpur Gobindapur	Required	Obtained	Nil	Obtained

32. Some of the vulnerable APs possessing job cards prior to the present road development program have already received the 100 days of employment under NREGA by the Panchayats; and provision of essential commodities through government programmes like Public Distribution System (PDS) at subsidized rates. For all the other vulnerable APs who received job card after the transect walk and census surveys; have already started receiving employment under the scheme, and the guaranteed 100 days of employment will be provided to them. The PIC will be monitoring that the VAPs receive this support assistance and submit the monitoring reports.

**d. Other Social Impacts including Gender Issues**

33. The bidding documents issued to the contractors had special clauses relating to other social impacts likely during implementation of the sub projects e.g. equal pay for equal work to male and female workers, non-employment of child labour, setting up of construction camps

away from the habitation areas and health related issues like sanitation, HIV/AIDS etc. The sub project roads are small in length and the contractors use local labour for the construction activities. This helps in providing employment opportunities to the locals. It has been observed during implementation of roads under RRSIIP that there was no need for many contractors to establish separate labour camp or recruit outside labours for the construction activities. Only small camp offices were opened by the contractors to house managerial staff and skilled workers.

#### **e. Grievance Redressal Mechanism**

34. In case of all the subproject roads, village committees were in place comprising the sarpanch, panchayat secretary and other prominent citizens of the village for the purpose of redressal of grievances. As the site selection process involved participation and full consultation with the community, there was hardly any grievance by the APs and no complaint was received by any of these village committees. PIU staffs are in regular contact with the village community and community leaders to facilitate resolving any grievance that may arise.

#### **f. Institutional Arrangements**

35. The PIC is in place to assist the PIUs in addressing the safeguard issues in the project. The ADB staffs and TSC imparted training on safeguard documentation as per CPF and ECOP adopted for the project and subsequently the TSC experts continued the training process to the PIC. Meetings were held with the concerned PIUs for their cooperation in involving the revenue and other line department officials in the transect walk and obtaining official documents needed for meeting CPF requirements. This helped in better communication with the stakeholders including the villagers as updated revenue records are generally not readily available on demand. The TSC also had a number of meetings with PIU officials in improving the social safeguard documentation.

### **G. Conclusion**

36. The review of CPF documentation revealed that:

- i) People agreed to voluntarily contribute their land for the road construction, and this was confirmed through verbal and written records and verified by Gram Panchayats; Revenue Officials
- ii) There was full consultation with landowners and non-titled people;
- iii) Grievance redress mechanisms have been fulfilled by the GPs.
- iv) As per social safeguard policy of ADB compliance has been made to provide assistance.

37. It could be concluded that the social safeguard measures covered by the CPF and the institutional arrangement of SRRDA with support from PIC are able to safeguard the project.

**RCIP - DISTRICTWISE DISTRIBUTION OF PROPOSED  
BATCH-I (NON- PILOT) ROADS – WEST BENGAL**

Sl. No.	Name of District	No. of Roads	No. of Pkgs.	Length of Roads (Km)			
				Total	Max	Min	Average
1	North 24 Paraganas	7	7	38.75	8.56	2.24	5.53
2	Bankura	2	2	19.57	12.21	7.35	9.78
3	Birbhum	5	5	26.07	6.41	3.82	5.21
<b>Total</b>		<b>14</b>	<b>14</b>	<b>84.39</b>	<b>27.18</b>	<b>13.41</b>	<b>6.84</b>

**WEST BENGAL RCIP TRANCHE I: ROAD WISE (NON-PILOT ROADS) NUMBER OF APS AND VAPS**

Sr. No.	Block Names	Package No.	Name Of Roads	Related Road in Core Network	Length (in Kms)	No. of APs	No. of VAPs
<b>North 24 Paraganas</b>							
1	Swarupngar	WB01ADB42	Tepul - Publi (Media Banstala) via GP Office	L-048	4.021	142	84
2	Barasat-I	WB01ADB37	Barbaria Masjidpara - Taldharia	L033	7.364	33	4
3	Sandeshkhali-I	WB01ADB43	Dakshin Ghoshpara-Putimari	L-037	8.560	59	57
4	Hingalgange	WB01ADB44	Hingalgange-Mamudpur Paschim	L-054	4.816	52	33
5	Barasat-II	WB01ADB38	Muslimpara-Matiagacha Paschim	L-026	3.423	48	5
6	Hasnabad	WB01ADB40	Dholtukri-Mohonpur Paschim	L-047	2.247	35	22
7	Haroa	WB01ADB41	Khasbalanda Three Point-Rowkhan RCC Bridge	T-06	8.327	30	28
<b>Total North 24 Paraganas</b>					<b>38.758</b>	<b>399</b>	<b>233</b>
<b>District- Bankura</b>							
1	Kotulpur	WB03ADB44	Kankaboti - Belpushkarini Sihas	T02	7.355	50	11
2	Khatra	WB03ADB39	Nagri -Banbedia	T02	12.215	68	18
<b>Total Bankura</b>					<b>19.570</b>	<b>118</b>	<b>29</b>
<b>District- Birbhum</b>							
1	Suri-I	WB04ADB17	Mini steel Plant Lakhindarpur -via Gibdharpur Gobindapur	L040	6.410	54	2
2	Suri-II	WB04ADB18	Teghari More -Haripur via Kustikuri Mangalpur Damdama	L030	4.771	98	72
3	Sainthia	WB04ADB19	Bagdola -Dorola	L049	5.067	Nil	Nil
4	Illambazar	WB04ADB21	Paikuni More -Tulamara	L023	3.825	54	10
5	Suri-I	WB04ADB22	Highway -Khadempukur village Road	L054	6.000	25	5
<b>Total Birbhum</b>					<b>26.073</b>	<b>231</b>	<b>89</b>
<b>Grand Total 14 Roads)</b>					<b>84.40</b>	<b>748</b>	<b>351</b>

## OUTLINE COMMUNITY PARTICIPATION FRAMEWORK

1. The proposed multitranche financing facility (MFF) will finance the construction and upgrading of rural roads eligible for Pradhan Mantri Gram Sadak Yojana (PMGSY), the Prime Minister's Rural Roads Program, in the selected states (initially Assam, Odisha, and West Bengal, and any other states meeting the requirements in the Framework Financing Agreement). The criteria for subproject selection, social assessment, and review procedures are provided here.

### A. Social Criteria for Subproject Selection

2. Criteria include the following:

- (i) adequate land width availability as specified in the Rural Roads Manual, Specification for Rural Roads 2004 and PMGSY Operations Manual 2005;
- (ii) the proposed alignment involves limited land loss, and the remaining land and or/structures remain viable for continued use;
- (iii) if impacts are unavoidable, the impacts will be minimized through one or more of the following mechanisms: (a) design modifications by reducing land width, shifting the alignment, modifying cross-sections, etc., to the extent required by safety considerations; (b) voluntary donation of land/assets by the land/asset owner by means of memorandum of understanding (MOU) or other documentation acceptable to ADB; and (c) provision of support and assistance to vulnerable affected people<sup>2</sup> through gram panchayat<sup>3</sup> and rural development schemes and agreed mitigation matrix; and
- (iv) roads with no scope for addressing social impacts through any of the mechanisms above will not be taken up under the MFF for that particular year. Such roads will be taken up after the social issues are resolved by the community.

### B. Social Assessment Requirement

3. After subproject selection (para. 2), the following processes will be undertaken and documented in specified formats:

4. **Planning.** This involves the following activities:

- (i) Disseminate project information to (a) sensitize the communities on project related issues, and (b) articulate community expectations of the proposed project and the mechanism for beneficiaries' land contribution.
- (ii) Finalize alignment through community planning: (a) transect walk conducted by the PIU, panchayat, and local community; (b) joint on-site inventory, crosschecking, verification of alignment, and transfer of information on revenue maps; (c) Identification and redress of grievances; (d) initiation of the process of

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<sup>2</sup> Affected people are defined as people (households) who stand to lose, as a consequence of the project, all or part of their physical and nonphysical assets irrespective of legal or ownership titles.

<sup>3</sup> A panchayat is a body of directly elected people responsible for development of activities in an area. The three levels of panchayat comprise gram panchayat at village level, intermediate panchayat at block level, and zilla panchayat at district level.



- land transfer; (e) Identification of vulnerable<sup>4</sup> people affected by the project identified; (f) Community acceptance of the project and road alignment; (g) voluntary land donations made through MOU or other documentation acceptable to ADB; and (h) Adjustment of community/panchayat land to mitigate severe livelihood disturbances arising from land donations.
- (iii) The PIU/gram panchayat consults with people affected by the project after 15 days of the transect walk to (a) disseminate information and data on how the concerns of affected people (AP) are incorporated in design modifications; (b) describe procedures to be adopted for land transfer; (c) outline entitlement provisions for vulnerable affected people for targeted support/assistance through linkages with rural development schemes, civil support mechanisms, or cash assistance; (d) describe disbursement procedures to vulnerable AP; and (e) outline inputs required from the community: construction labor, temporary use of land for diversion.
  - (iv) Develop a profile of AP: the PIU and gram panchayat will (a) survey AP to estimate asset ownership, sources of livelihood, and lost assets and livelihood; and (b) identify vulnerable AP to provide targeted support/assistance based on their vulnerability (living below the poverty line; households moving below the poverty line; scheduled tribes; scheduled castes; households headed by women; handicapped people suffering losses of their land, shelter, or source of livelihood).
  - (v) Disseminate the process of land transfer and finalize entitlement provisions.
  - (vi) Form village and district land management committees<sup>5</sup> and grievance redress committees to resolve grievances, if any.
  - (vii) Submit MOU or other documentation acceptable ADB to panchayati raj institution (PRI) and documentation of structure losses that are to be replaced by the PIU, state, and/or panchayat.

5. **Mitigation Measures Matrix.** A voluntary land donation system is adopted for the project in recognition of the effectiveness of the system for rural roads development in India. The project will also ensure that (i) there is full consultation with landowners and any nontitled 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.

6. To mitigate the possible adverse impacts of the subprojects, the community participation framework (CPF) lists various types of impact categories and mitigation measures which would apply to sample as well as additional subprojects, based on the specific project impacts.

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<sup>4</sup> Vulnerable people affected by the project are defined as (i) households living below the poverty line as per the state poverty line for rural areas; (ii) households who will lose income and move below the poverty line as a result of loss to assets and/or livelihoods; (iii) households losing structure, households headed by women, scheduled caste, scheduled tribe, or the disabled.

<sup>5</sup> A land management committee will be formed by the gram panchayats consisting of all gram panchayat members.

### Mitigation Measures Matrix

Impact Category	Mitigation Measures	Responsibility
<b>Loss of Agricultural Land</b>	<p>Willing transfer of land by means of memorandum of understanding (MOU) or other documentation acceptable to ADB</p> <ul style="list-style-type: none"> <li>• Advance notice to harvest standing crops</li> <li>• For vulnerable affected people (AP), assistance/support by means of (i) alternate land sites provided by gram panchayat, or (ii) cash assistance as per replacement cost<sup>6</sup> by gram panchayat to meet loss of land; and inclusion as beneficiaries in the existing poverty reduction/livelihood restoration programs</li> <li>• 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 tribal communities on various categories of land will be taken into account during the process of land transfer</li> </ul>	Gram panchayat, Project implementation unit (PIU), and state government
<b>Loss of Structure</b>	<ul style="list-style-type: none"> <li>• Provision of an alternate plot of land and structure of equivalent quality and value to be provided as per AP's choice, or cash assistance by gram panchayat to meet the loss of land and structure allowing AP to purchase land and rebuild structure of an equivalent standard</li> <li>• For loss of boundary walls, fences, and other structures, willing transfer by means of MOU or other documentation acceptable to ADB. If voluntary donation of such structures is not possible, cash assistance as per replacement cost by gram panchayat to meet the loss of such structures, or provision of materials and/or labor by gram panchayat to allow AP to replace/rebuild the same</li> <li>• For vulnerable AP, inclusion as beneficiaries in the rural development programs/housing schemes</li> <li>• For tenants, assistance to find alternative rental arrangements by gram panchayat, or cash assistance equivalent to advance payments made to the owner</li> <li>• For squatters, provision of alternative relocation site, or cash assistance as per replacement cost, or provision of building material and/or labor by gram panchayat, or inclusion as beneficiaries in the rural development programs/housing schemes</li> <li>• 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</li> </ul>	Gram panchayat, PIU, and state government
<b>Loss of Livelihood</b>	<ul style="list-style-type: none"> <li>• For vulnerable AP, inclusion as beneficiaries in the existing poverty reduction/livelihood restoration programs; in case of non-inclusion in such programs, cash assistance to meet the</li> </ul>	Gram panchayat and PIU

<sup>6</sup> 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, and 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
	loss of income during transitional phase and for income restoration <ul style="list-style-type: none"> <li>• Assistance for asset creation by community and gram panchayat</li> </ul>	
<b>Loss of Assets Such as Trees, Well, and Ponds</b>	<ul style="list-style-type: none"> <li>• Willing transfer of the asset by means of MOU or other documentation acceptable to ADB</li> <li>• For vulnerable affected people, assistance for the loss of these assets through inclusion as beneficiaries in the existing poverty reduction/livelihood restoration programs; in case of non-inclusion in such programs, cash assistance by gram panchayat to meet the loss of assets and income</li> </ul>	Gram panchayat, PIU, and state government
<b>Loss of Community-Owned Assets</b> (such as temple, wells, ponds, grazing land, etc.)	<ul style="list-style-type: none"> <li>• Relocation or construction of assets by gram panchayat with technical inputs from the PIU</li> <li>• Consultations with the concerned section of the community in the case of grazing land, etc.</li> </ul>	Gram panchayat, and PIU
<b>Temporary Impacts during Construction</b>	<ul style="list-style-type: none"> <li>• Civil works contract conditions to include provisions to obligate the contractor to implement appropriate mitigation measures for the temporary impacts including disruption of normal traffic, increased noise levels, dust generation, and damage to adjacent parcel of land due to movement of heavy machinery.</li> </ul>	PIU
<b>Other Impacts not Identified</b>	<ul style="list-style-type: none"> <li>• Unforeseen impacts will be documented and mitigated based on the principles in this framework.</li> </ul>	

**7. Implementation.** The following activities will be undertaken:

- (i) For the implementation of civil works, the states will acquire or make available on a timely basis the land and rights in land, free from any encumbrances.
- (ii) The PIU will facilitate enrollment of vulnerable AP in rural development schemes with prior disclosure of information of the process and schedule.
- (iii) Entitlements will be disbursed through civil support mechanism by gram panchayat or any other agency that holds jurisdiction over such disbursement.
- (iv) For lands involving traditional tenurial rights, the PIU and gram panchayat, through consultations, will assess the impacts of such land donations and the extent of dependence of the local community on such land.
- (v) Loss of other assets (well, trees, etc.) will be accounted for either through willing transfer (MOU or other documentation acceptable to ADB) or relocation/construction by gram panchayat/community with technical inputs from the PIU.
- (vi) Grievances will be resolved through the land management committee and grievance redress committees.
- (vii) The PIU takes physical possession of land.
- (viii) Temporary use of land during construction will be through written approval of the landowner or the panchayati raj institution. Contractor will bear the costs of any impact on structure or land due to movement of machinery and other construction-related reasons. Construction camp will to be sited in consultation with local community and panchayati raj institution.

## LIST OF BATCH I SUBPROJECT ROADS REVIEWED

S. No.	Road Name	Block	Pkg. No.	Length Km	Total APs	No. of VAPs
<b>District: North 24 Paraganas</b>						
1	Dholtukri-Mohonpur Paschim	Hasnabad	WB01ADB40	2.247	35	21
<b>1 Road</b>					<b>35</b>	<b>21</b>
<b>District: Bankura</b>						
1	Nagri -Banbedia	Khatra	WB03ADB39	12.215	68	18
<b>1 Road</b>					<b>68</b>	<b>18</b>
<b>District: Birbhum</b>						
1	Mini steel Plant Lakhindarpur - via Gibdharpur Gobindapur	Suri-I	WB04ADB17	6.41	54	2
<b>1 Road</b>					<b>54</b>	<b>2</b>
<b>Total 3 Roads</b>				<b>20.872</b>	<b>157</b>	<b>41</b>