

**GOVERNMENT OF INDIA
PRADHAN MANTRI GRAM SADAK YOJANA**

**Environmental and Social Management Framework
for
RURAL ROADS PROJECT II**

**Social Management
(Resettlement and Participation)
Framework**

July 2010

**National Rural Roads Development Agency
Ministry of Rural Development**

1.0 INTRODUCTION

The Ministry of Rural Development (MORD) launched the “Pradhan Mantri Gram Sadak Yojana (PMGSY)” – a Prime Minister’s Rural Road Program in year 2000 to connect with all-weather roads to all rural habitations with population more than 500 (250 in hilly, deserts, and tribal regions) in the first instance. The program is primarily funded by the Government of India through the Central Road Fund (CRF)¹, and borrowing from multi-lateral agencies. The PMGSY also covers upgrading of existing roads serving to the targeted habitations once the connectivity is achieved for the targeted habitations. The PMGSY targets include new connectivity to about 1,78,000 habitations involving construction of about 3,75,000 km of roads apart from upgrading of 3,72,000 km of existing rural roads (in poor condition). This involves an expenditure of about Rs 1, 330 billion (US \$ 33 billion). Further, the Government of India has undertaken building infrastructure in rural areas under the Bharat Nirman Programme. It aims to construct 1,46,185 kms of rural roads to link 66,802 unconnected habitations during 2005-2009. It is also proposed to upgrade 1,94,12 kms of existing through roads to ensure farm-to market connectivity within this time frame.

The World Bank through its Country Assistance Strategy commits to a series of loans/credits to support PMGSY. Starting from the First Rural Roads Project (RRP-I) approved in 2004 and currently under implementation, the Second Rural Roads Project (RRPII) will be the second World Bank operation to support PMGSY.

The road connectivity, however, ultimately aims to ensure – (1) that public services of health, education, employment, income etc. are available to all citizens; and 2) to improve the quality of life of under developed, disadvantaged living in rural and remote areas. Pradhan Mantri Gram Sadak Yojna (PMGSY) is a centrally sponsored scheme administered by the Ministry of Rural Development (MoRD), Government of India (GoI) in all the states and union territories.

The construction of new PMGSY roads, in many cases, requires small portions of land from private land owners. Some of the affected persons (PAPs) or families (PAFs) belong to vulnerable/disadvantaged sections (SC, ST, BPL Families, Women headed households etc.). Out dated land records; poor participation of the communities in the program; deposition of debris on the side of the road in hilly areas – are some of the other challenges in implementing the program.

The Indian Roads Congress (IRC) publication, IRC:SP:20-2002, Rural Roads Manual, provides guidance on various aspects of rural road development, with the specific requirements of PMGSY. Further to this an Operations Manual (OM) has been drafted to bring about clarity on various aspects of PMGSY and thereby ensure its timely and successful implementation. Towards enhancing the assessment and management of environmental and social issues in PMGSY planning and implementation, this Environmental and Social Management Framework (ESMF) has been prepared based on the social assessment carried out in states (Bihar, Jammu and Kashmir and Mizoram in Volume III) and also review of the existing safeguard instruments which are under implementation for First Rural Roads Project (RRP I). The ESMF comprises of the following safeguard instruments: (i) Social Management Framework (SMF), and (ii) Environmental Codes of Practice (ECoP). The implementation of the measures suggested in these above mentioned instruments should be in conjunction with the provisions of the OM.

¹ 50% of the Rs 2 per litre cess on the sale of diesel has been earmarked for rural roads under the CRF

2.0 SOCIAL MANAGEMENT FRAMEWORK

2.1 RESETTLEMENT AND REHABILITATION ISSUES

The construction of rural roads under PMGSY though in general has been overwhelmingly demanded by the people, however, it has issues related to land acquisition and adverse impacts on the people. In most of the road projects under PMGSY, existing revenue tracks are proposed to be taken up for construction to the standards and specifications in the Rural Roads Manual (IRC:SP-20:2002). The available width of the existing tracks is not always sufficient to accommodate the proposed improvements, thereby requiring additional land. The land width accretion is also necessitated along new alignments, especially in cases where the existing track cannot be upgraded to the required standards. The PMGSY guidelines specify that it will be the responsibility of the State Government / District Panchayat to oversee that land is available for taking up the proposed road works. Towards these, the state governments are expected to draw up policies so that the process of making land available for the road works sub-serves the common good and is also just and equitable.

As the construction is generally proposed along the existing tracks, the extent of resettlement is expected to be minimal. Though minimal, the mitigation of the social and resettlement impacts in the project requires a Resettlement Framework for addressing the impacts in the individual project phases. This Social Management Framework (SMF) that consists resettlement planning and entitlement provisions, has been worked out on the basis of assessment of the current conditions in all the project states. This SMF outlines the principles and approaches to be followed in minimising and mitigating the adverse social and economic impacts due to the project.

- i) The Resettlement Plan of SMF spells out the actions / tasks required to involve the community, and reduce adverse impacts on PAPs/PAFs at various stages of project along with the agency (agencies) responsible for these actions / tasks and their time frame.
- ii) The state specific entitlement matrices of SMF, outline the types of losses expected, their current and proposed mitigation measures.

The PIU in co-ordination with the Panchayati Raj Institutions (PRIs) at the village, block and district levels will be responsible for the planning and implementation of issues pertaining to addressal of social issues. The institutional and organizational mechanisms required to implement the provisions are outlined as part of the framework.

2.2 RESETTLEMENT PLANNING

The various tasks related to resettlement planning at various stages of project cycle are given in the Table 2.1 and 2.2.

Dissemination of Core Network: Salient features of the finalised core network will be displayed at the notice boards of the District Panchayat and the concerned Gram Panchayats. This shall include (a) map of the district / block showing the roads to be connected; (b) list of villages to be connected and (c) length of the corridor. Further, copies of the core network will be made available to the local MPs and MLAs for their reference and knowledge.

Selection of Roads: The selection of roads for new construction/upgradation shall be from the core network. The following criteria shall be adopted as pre-requisites for taking up PMGSY roads by State Governments:

- Adequate land width available as specified in IRC: SP-20: 2002;
- The proposed alignment involves little or no loss of land or structures, and the remaining land and/or structures remain viable for continued use;
- In the event of impacts not being avoidable, there is a scope for obliterating, reducing, and / or supporting losses through one or more of the following mechanisms²:
 - Design modifications by reduction of the land width, alignment shifts, modifications in cross-sections etc, to the extent required from safety considerations,
 - Voluntary land donation by the land owner through a written Memorandum of Understanding/Affidavit and/ or land acquisition through LA Act/or direct purchase as the case may be (refer state specific entitlement matrix), and,
 - Civil society support mechanism (PRI/Community) to the vulnerable affected persons.

Dissemination of Project Information: After selection of roads and prior to finalisation of the alignment, a brochure providing an overview of the PMGSY in the state will be available for distribution in each of the Gram Panchayat along the proposed roads. Annexure 1 provides the project information package encompassing the information to be disclosed at various stages of project implementation. Format 2 of Annexure 1 provides the Brochure to be distributed among the local community providing details of the scheme. The dissemination of information shall (i) sensitise the communities on the project related issues, and (ii) demonstrate the expectations of the project from the communities, including mechanisms for beneficiary contribution.

Finalisation of Alignment: Finalisation of alignment will be through community planning involving local communities and the village level Government body that is Gram Panchayat. Transect walks along the proposed alignments will be organised by the PIU in co-ordination with the Gram Panchayat and the revenue and forest officials at the village level. The methodology for conducting transect walk is given in Annexure 2 while a guidance note on issues to be discussed during transect walk is given as Format 5 of the information dissemination package (Annexure 1). The alignment will be finalised with due consideration to the aspects of road safety and scope for future development along the corridor. The documentation of transect shall be exhibited by the PIU on the revenue map and all issues and suggestions by the community and responses to them during transect shall be documented and disseminated at the Gram Panchayat. The transect shall enable:

- Finalisation of the alignment through community planning that is in consultation with the communities along with sensitising them of design compulsions if any,
- A joint on-site inventory, cross-checking and verification of the alignment;
- Identification of grievances on ground and redressal of the same;
- Initiation of the process of transfer of land and assets;
- Identification of vulnerable PAPs; and,
- Acceptance of the project, alignment, land / structure donations by the communities as the case may be.

² Roads where no scope exists for addressing the social impacts through any of the mechanisms shall not be taken up for PMGSY during that particular year. Such roads will be taken up after these issues are resolved by the community and there is a demand for the construction of the road to the PIU from the PRI

Consultation with Affected Persons: Within a week of transect, the PIU / Gram Panchayat (GP) shall organise a meeting involving the affected persons to communicate how the concerns of the communities have / have not been incorporated into the project design. The structure and format for recording the consultation sessions are presented in Annexure 3. (Refer Annexure 1 for disclosure of information). The concerns that could not be incorporated would be highlighted and the reasons for not doing so would be explained. The people would be given an opportunity to respond. The following information pertaining to the project design will be highlighted and disseminated:

- Specifications, project costs and construction schedule,
- Likely issues due to project activities,
- Land width required and available,
- Design modifications incorporating comments and suggestions of communities
- Procedure to be adopted for accretion of land / assets (MoU/Affidavit),
- Entitlement provisions for vulnerable groups,
- Disbursal Procedures to Entitled Persons,
- Safety and health concerns during construction works, and
- Inputs required by the local community as construction labour, temporary use of land for diversions etc.

Profile of Affected Persons: The census survey for the identified PAPs will be undertaken by the PIU to assess the extent of impact on each household. Annexure 4 gives a Questionnaire for census survey of PAP. A full census will be undertaken to register and document the status of the potentially affected population within the proposed RoW, by the PIU with the assistance of the GP. This will provide a demographic overview of the population, and will cover the asset ownership and sources of livelihood. The census shall enable the identification of vulnerable PAPs, based on which the entitled persons and the extent of support required shall be assessed.

Identification of vulnerable PAPs: The project provides for targeted support / assistance to the vulnerable groups. The vulnerability shall be assessed by the PIU based on the census of the affected persons. The following categories of Project Affected Persons shall be entitled for support as vulnerable groups:

- BPL households (with a valid proof), as per the State poverty line for rural areas;
- BPL households without a proof of the same and belonging to the following social categories (i) Women headed households with women as sole earner (ii) Scheduled Caste/Scheduled Tribe and (iii) Handicapped person, and is subject to any of the following impacts;
 - Loses more than 10% of the total land holding³;
 - Loses shelter; and,
 - Loses source of livelihood.

Integrating R&R issues in Detailed Project Report (DPR): To ensure that the designs for the PMGSY roads are sensitive to social issues and have incorporated the social considerations, the following information shall be documented as part of the DPR prior to submission to STA for approval:

- Output of transect walk
- Proceedings of the formal consultation (meeting) with the communities,
- Census questionnaires of the PAPs, and

³ The total land holding includes any other land parcels owned elsewhere by the PAP.

- List of Entitled Persons who will be eligible for support.

Dissemination of process of land transfer and entitlement provisions: The process to be adopted for land transfer, project details such as name of corridor, cost, likely construction schedule, list of PAPs along with entitlements and entitled persons shall be disseminated. The information would be disseminated through wall paints, posters, pamphlets displayed at the Gram Panchayat office or other prominent places such as school, shop, Chaupal, primary health centre etc (Refer Annexure 1).

Submission of Gift Deed (MoU/Affidavit) by individual landowners to PRI: For states where land acquisition is through land donation, for each of the land parcel likely to be affected in the project, a Gift Deed through an MoU or affidavit (Appended in Annexure 5) between the landowner/s and PIU or Government will be done. It shall be the responsibility of the PRI to collect Gift Deed / MoU / Affidavit from all landowners and submit the same to the PIU. To ensure that the landowner is in the legal possession of the land under consideration, a copy of the proof of the ownership, as applicable, shall be obtained by the PIU. In the absence of such supporting evidence, the Patwari shall vet the proof of ownership. The award of contract shall be only after the Gift Deed from all affected persons are available with PIU.

Participation of PRIs and Communities: Effective participatory mechanism for community level local government (Gram Panchayat) in decision-making at every project stage has been evolved. Involvement of communities at every stage of project shall be taken up as specified in this framework. The Participation Framework envisages involvement of the PRI, village community, PAPs, and other agencies by the PIU during project prioritization, planning, implementation and monitoring. The PIU will be responsible for ensuring participation of the village community at the sub project level through the Gram Panchayat. The involvement of the community is not only restricted to the interactions with the villagers but also disclosing the relevant information pertaining to the project and tasks encompassed in the project as given in Annexure 1.

Mechanism for Land Transfer: In states where land donation is the approach for land availability, a transparent process for land transfer facilitated through interactions with the community and likely PAPs shall be adopted as specified in this framework. The willingness of the landowner for transfer of land shall be assessed during consultations and if required, support through PRI and community shall be taken to encourage the landowner for his consent to donate the asset. For each of the land parcel likely to be affected in the project, a Gift Deed/ MoU/Affidavit between the landowner/s and PIU or Government will be undertaken. It shall be the responsibility of the PRI to collect the Gift Deed/ Mou / Affidavit from all landowners and submit the same to the PIU. To ensure that the landowner is in the legal possession of the land under consideration, a copy of the proof of the ownership, as applicable, shall be obtained by the PIU. In the absence of such supporting evidence, the Patwari shall vet the proof of ownership.

The award of contract shall be only after the Gift Deed/ Mou / Affidavit from all affected persons are available with PIU. In case of land owners with unclear titles or unable to provide proof of ownership, involvement of PRI (Sarpanch and other members), Patwari and village community shall be undertaken to verify the ownership of the concerned land owner on the land parcel or asset. The disbursement of entitlements through civil support mechanism will be the responsibility of the Gram Panchayat and its members.

Impact on lands involving traditional and tenurial rights: The legal provisions at the Central and State level pertaining to the transfer of lands will be followed. The process of land

transfer shall take into account the existing customary rights of the tribal community on various categories of land. It shall be the responsibility of the AE/JE (PIU) along with the village level Panchayat members to assess the impact on loss of livelihood and extent of dependence of local community on these lands through consultations.

Tribal Development Framework: The guiding principles enshrined in the constitution of independent India as also various plans and policies safeguard the interests of scheduled tribes. The GoI has, from time to time, issued instructions to the State governments and also enacted enabling legislations and amendments to relevant existing laws. These efforts have been made to help the state governments to sensitively deal with ST populations and the problems they are faced on account of development projects. Also the State governments have been encouraged to pass suitable legislations, wherever possible, to help make necessary legal and administrative arrangements to help the STs in specific situations.

There are sufficient provisions and scope already, in the existing laws to meet the objectives of Social Management Framework with regard to the Scheduled Tribes. However, in order to tie these in with the PMGSY activities at different project stages Resettlement Planning exclusive to tribals is developed (Table 2.2). The Resettlement Plan for Tribals has been developed to ensure that there is sufficient planning and implementation that safeguard the interests of the tribals. This shall take care of the customary systems of decision making and participation in project planning and implementation. This Resettlement Plan of Tribal is applicable in areas inhabiting scheduled tribes.

2.3 IMPACTS AND ENTITLEMENTS

The Social Management framework addresses the following categories of impacts (Table 2.3 to 2.7) caused by the project and is not limited to physical relocation.

Title Holders including those with clear ownership proof & unclear titles: In case, the land owner has unclear titles or is unable to provide proof of ownership, involvement of PRI (Sarpanch and other members), Patwari and village community shall be undertaken to verify the ownership of the concerned land owner on the land parcel or asset. The measures proposed for the various impact categories are presented in the following sections.

Land: To the extent possible, the proposed works will be carried out within the available land width. In the event of inadequate land width, the project will aim at obtaining land through a process of land contribution by the affected households in case of Bihar, Jammu and Kashmir and Mizoram. However, the states Jammu and Kashmir and Bihar will use both approaches for land acquisition – LA Act and land donation. In Bihar in case of new alignments (having no existing revenue track), the land will be acquired through LA Act. In J&K, wherever the land is not available through land donation, LA Act will be adopted for arranging the required land for constructing the road.

The project will provide the option of alternate land sites to those who become landless, subject to availability of land with the Government. In addition to those who are rendered landless due to the project, the provision of alternative sites shall be extended to vulnerable PAPs losing 10% or more of their land holding, subjected to availability of land sites. In the event of non-availability of land, inclusion as beneficiaries in the ongoing Rural Development programs through the Gram Panchayats will be encouraged.

House and Shelter: The designs for the proposed PMGSY roads will be worked out to avoid any impacts on structures. Therefore, the incidence of loss of house and shelter is not

likely. In the event of partial losses to structures, not involving physical relocation of the affected household, the preferred approach shall be to assist people to move back and away from the RoW. In these cases, transfer of assets lost by an individual or community through gift deeds / MoU / Affidavit will be accepted. In cases where physical relocation of the person losing shelter is unavoidable, an alternative site on a suitable community /gram sabha land shall be identified in consultation with the PAP. In the event of such land not being available, the PAPs shall be assisted and encourage to be included as beneficiaries under housing programs by MoRD such as the Indira Awas Yojna (IAY).

Other Assets: Though minimal, the project may involve the loss of other assets as wells, trees and other assets. The project shall accept willing transfer of assets lost through a gift deed/ MoU / Affidavit. The project will assist the loss of these assets belonging to vulnerable group through inclusion in the RD schemes of MoRD. The PIU shall provide technical inputs in case of relocation of the common assets (wells, temples etc) by the Gram Panchayat or community.

Non-Titleholders: The clearance of non-titleholders (encroachers and squatters) from the existing RoW shall be in accordance with the legal provisions. The PIU shall serve an advance notice of a month to the non-titleholders towards removal of assets/standing crops and subsequent clearance. If the affected non titleholder belong to vulnerable sections, they will be assisted in enrolling into appropriate ongoing central/state Rural Development schemes.

Land Rights: Regarding impact on lands involving traditional and tenurial rights, the corresponding legal provisions pertaining to the transfer of lands will be followed. The impact on loss of livelihood and extent of dependence on these lands will be assessed through consultations by the GP. Alternate sites to compensate for the loss through the PRIs shall be encouraged. If suitable sites are not available, vulnerable PAPs whose livelihood is impacted will be assisted to livelihood support through inclusion in RD programs.

Additional unforeseen impacts on Shelter / Livelihood during construction: In addition to those PAPs identified as directly impacted in the project, in hill roads involving fresh cutting, there is a likelihood of additional damages to structures on the hillside. The contractor shall avoid the loss by providing adequate protection measures through construction of appropriate slope protection measures as breast walls/retaining walls. In the event of non-provision of these measures, it shall be the responsibility of the PIU, through the PRI to work out alternate shelter to offset the impact.

Temporary Impacts during Construction: The temporary impacts during construction include disruption to the normal traffic, increased noise levels, dust generation, soil slips in hilly areas and damage to adjacent parcel of land due to movement of heavy machineries. The contractor shall be responsible for regulating time of usage of heavy equipment, dust suppression, schedule of construction work to allow normal traffic during morning and evenings and signage for sensitive areas where safety is a concern. The contractor shall bear the costs of any impact on structure or land movement of machinery during construction. All temporary use of lands outside the proposed RoW shall be through written consent / approval of the landowner or the PRI. The contractor shall locate construction camps in consultation with the local Panchayat to avoid any resentment or confrontation with the local or host community. Consultations with the community shall be undertaken by the contractor to sensitise the community on the construction works and its probable impacts through pamphlets / brochures, through the Gram Panchayat.

**Pradhan Mantri Gram Sadak Yojana (PMGSY)
Social Management Framework for Second Rural Roads Project (RRP II)**

Table 2.1: Resettlement Planning – General Population

Stage	Tasks	Nodal Agency	Involvement / Support	Time Frame	Target Group	Monitoring By	Remarks
Project Planning and Design	1. INFORMATION DISSEMINATION – CORE NETWORK <ul style="list-style-type: none"> Display core network & priority list at Panchayat / Village Council offices 	PIU (AE/JE, Social Unit)	<ul style="list-style-type: none"> GP / VC members District SW / WCD Official PMGSY Officials¹ / PIU (EE/SE) 	After selection of core network	Community	DPIU (Social Cell)	
	2. INFORMATION DISSEMINATION & SENSITISATION OF COMMUNITY- PRE ALIGNMENT FINALISATION <ul style="list-style-type: none"> Meetings at GP/block PRI representatives Public Announcements Consultation/Meetings Distribution of leaflets Discuss various alignment options Prior intimation regarding date / time of transect walk 	PIU (AE/JE, Social Unit)	<ul style="list-style-type: none"> GP / VC PIU (EE/SE/AE) MMs/NGOs 	First week of DPR preparation	Community	DPIU (Social cell)	Obtain feedback especially from women and vulnerable communities
	3. FINALISING ALIGNMENT / TRANSECT WALK <ul style="list-style-type: none"> Display tentative alignment of proposed road superimposed on revenue map Conduct transect walk Information about final alignment along with list of PAPs / PAFs / at Gram Sabha in local language Identify sites for land width accretion 	PIU (AE/JE, Social Unit)	<ul style="list-style-type: none"> GP / VC members LRD PHED Forest 	First Month of DPR preparation	Community	DPIU (Social cell)	List should have exact amount of land to be acquired, structures likely to be damaged, etc.
	4. CENSUS of PAPs/ PAFs <ul style="list-style-type: none"> Conduct socio-economic Survey at household level Identify vulnerable PAPs. 	PIU (Social Unit)	<ul style="list-style-type: none"> GP / VC 	After Alignment is finalised	PAPs / PAFs	DPIU (Social cell)	
Project Planning and Design	5. Preparation of mitigation plan <ol style="list-style-type: none"> Hold meetings with PAPs for inputs on mitigation measures Consultation meetings for awareness generation / clarification of land acquisition processes/land donation Calculate cost of land / other structure (incl. standing crops on private land) as required Develop individual entitlements for the entitled Display lists of PAPs with types of losses and entitlements / support 	PIU (Social Unit), GP / VC	<ul style="list-style-type: none"> LRD PWD District RD / SW/WCD officers 	Second Month of DPR preparation	Community, PAPs / PAFs	DPIU (Social Cell) / SRRDA	-Obtain land availability certificate from revenue department/institution responsible for land administration for all sub projects

**Pradhan Mantri Gram Sadak Yojana (PMGSY)
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Stage	Tasks	Nodal Agency	Involvement / Support	Time Frame	Target Group	Monitoring By	Remarks
Site Preparation	6. TRANSFER OF LAND / LEGAL PROCESSES a. Finalise Land Transfer from PAPs/ PAFs, Prepare Affidavits/Sale deeds before award of contracts b. Start legal process for Land transfer c. Relocate structures / common property d. Deliver Entitlement & Provide Support in Resettlement and government schemes before initiating civil works.	PIU (Social Unit), LRD	<ul style="list-style-type: none"> • GP / VC members • District SW/WCD official 	After DPR approval, Implementation of Project	PAPs / PAFs	DPIU (Social Cell) / SRRDA	
Construction and Post Construction	7. GRIEVANCE REDRESSAL / MITIGATION MEASURES a. Investigation of unforeseen impacts / complaints b. Provide on the spot assessment and documentation c. Communicate decisions	PIU (Social Unit)	<ul style="list-style-type: none"> • GP / VC • LRD • SRRDA • Otherine departments 	Throughout the project Cycle	Community, PAPs/PAFs	DPIU (Social Cell) / SRRDA	<ul style="list-style-type: none"> – Action needed report to District Panchayat (within 7 days) – Report by DPIU to SRRDA (within 5 days)
	8. MONITORING a. Monitor actions related to Tasks 1-6 b. DPIU to inform SRRDA of all proceedings c. Quarterly Report	PIU (Social Unit)	<ul style="list-style-type: none"> • GP/VC • PIU (Social Unit) • NGOs 	Throughout the Project Cycle at regular interval Every 4 th month	-	SRRDA / NRRDA	– Initially weekly & then monthly. Report to SRRDA
	9. COMMUNITY FEEDBACK survey among community members especially PAPs for Feed Back on process adopted and quality of construction	PIU (Social Unit) / BLSC	<ul style="list-style-type: none"> • GP / VC • LRD • PMGSY officials 	To be decided by SRRDA	-	SRRDA	Every three months during the life of the project.

Abbreviations: DPIU (District Programme Implementation Unit), LRD (Land and Revenue Department), MM (Mahila Mandals), MoU (Memorandum of Understanding), NRRDA (National Rural Road Development Agency), OM (Operations Manual), PD (Project Director), PAF (Project Affected Families), PAP (Project Affected persons), PIU (Programme Implementation Units), PMGSY (Pradhan Mantri Gram Sadak Yojana), PRIs (Panchayat Raj Institutions), RD (Rural Development), SW (Social Welfare), SOM (Supplementary Operations Manual), SRRDA (State Rural and Road Development Agency), SW (Social Welfare), VC (Village Council), VCP (Village Council Pradhan), WCD (Women & Child Development).

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Table 2.2: Resettlement Planning – Tribal Population

Stage	Tasks	Nodal Agency	Involvement / Support	Time Frame	Target Group	Monitoring By	Remarks
Project Planning and Design	1. INFORMATION DISSEMINATION – CORE NETWORK <ul style="list-style-type: none"> Display core network & priority list at Panchayat / Village Council offices 	PIU (Social Unit)	PIU (JE/AE) Tribal Council, Anthropologist (If required)	After approval of Core Network	Tribal Community	DPIU (Social Unit)	<ul style="list-style-type: none"> The information collected need to be documented and preserved in PIU office
	2. INFORMATION DISSEMINATION & SENSITISATION OF COMMUNITY- PRE ALIGNMENT FINALISATION <ul style="list-style-type: none"> Collection of information about tribal communities including their customary laws Identification of state tribal laws Information dissemination/sensitisation of tribal community on PMGSY road through: <ul style="list-style-type: none"> Folk media Group discussion along with tribal opinion leader Meetings at GP/block PRI representatives Public Announcements Consultation/Meetings Discuss various alignment options Prior intimation regarding date / time of transect walk 	PIU (Social unit)	PIU with tribal heads/state dept of Tribal welfare. Anthropologist may also be involved.	After selection of road	Tribal Community	DPIU (Social Unit)	<ul style="list-style-type: none"> The state tribal research institute's help / support may be taken for data / information Document the process with details of meeting including dates, timings and participants

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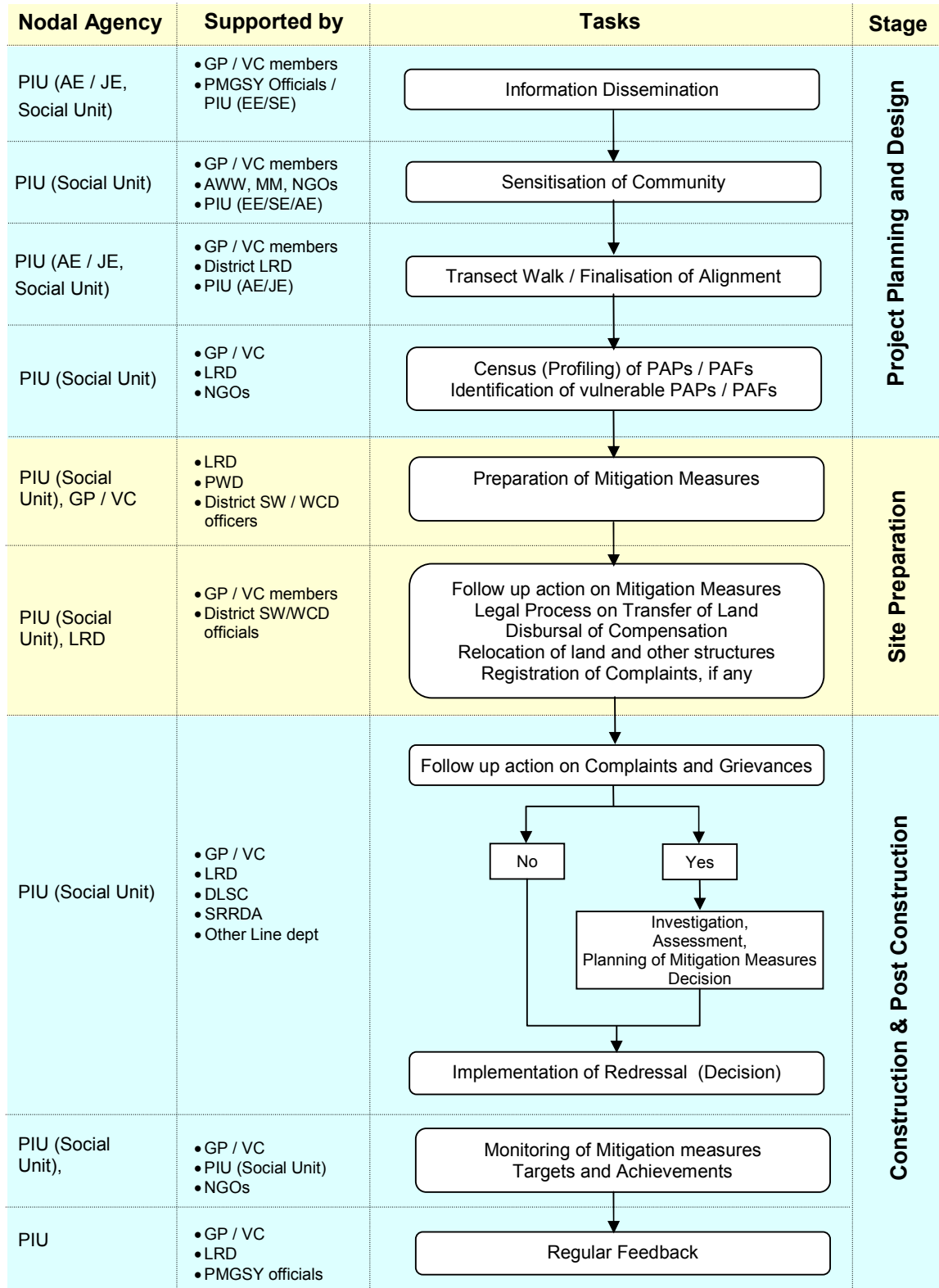
Stage	Tasks	Nodal Agency	Involvement / Support	Time Frame	Target Group	Monitoring By	Remarks
	<p>3. FINALISING ALIGNMENT / TRANSECT WALK</p> <ul style="list-style-type: none"> • Display tentative alignment of proposed road superimposed on revenue map • Conduct transect walk • Involve tribal people in the transect walk • Avoid taking over land of sacred tribal places and abodes of spirits and dead ancestors and kinsmen. Also avoid other places of minor forest produce etc. • To document details of losses incurred by Tribal PAF • Information about final alignment along with list of PAPs / PAFs / at Gram Sabha in local language • Identify sites for land width accretion 	PIU (AE/JE, Social Unit)	<ul style="list-style-type: none"> • GP / VC members • LRD • PHED • Forest 	First Month of DPR preparation	Community	DPIU (Social cell)	List should have exact amount of land to be acquired, structures likely to be damaged, etc.
	<p>4. CENSUS of PAPs/ PAFs</p> <ul style="list-style-type: none"> • Conduct socio-economic Survey at household level • Identify vulnerable PAPs. 	PIU (Social Unit)	<ul style="list-style-type: none"> • GP / VC/ Tribal leader 	After Alignment is finalised	PAPs / PAFs	DPIU (Social cell)	
Project Planning and Design	<p>5. Preparation of mitigation plan</p> <ol style="list-style-type: none"> Hold meetings with PAPs for inputs on mitigation measures Consultation meetings for awareness generation / clarification of land acquisition processes/land donation Calculate cost of land / other structure (incl. standing crops on private land) as required Develop individual entitlements for the entitled Display lists of PAPs with types of losses and entitlements / support 	PIU (Social Unit), GP / VC	<ul style="list-style-type: none"> • LRD • PWD • District RD / SW/WCD officers 	Second Month of DPR preparation	Community. PAPs / PAFs	DPIU (Social Cell) / SRRDA	-Obtain land availability certificate from revenue department/instituti on responsible for land administration for all sub projects
Site Preparation	<p>6. TRANSFER OF LAND / LEGAL PROCESSES</p> <ol style="list-style-type: none"> Finalise Land Transfer from PAPs/ PAFs, Prepare Affidavits/Sale deeds before award of contracts Start legal process for Land transfer Relocate structures / common property Deliver Entitlement & Provide Support in Resettlement and government schemes before initiating civil works. 	PIU (Social Unit), LRD	<ul style="list-style-type: none"> • GP / VC members • District SW/WCD official 	After DPR approval, Implementation of Project	PAPs / PAFs	DPIU (Social Cell) / SRRDA	

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Social Management Framework for Second Rural Roads Project (RRP II)**

Stage	Tasks	Nodal Agency	Involvement / Support	Time Frame	Target Group	Monitoring By	Remarks
Construction and Post Construction	7. GRIEVANCE REDRESSAL / MITIGATION MEASURES a. Investigation of unforeseen impacts / complaints b. Provide on the spot assessment and documentation c. Communicate decisions	PIU (Social Unit)	<ul style="list-style-type: none"> • GP / VC • LRD • SRRDA • Otherine departments 	Throughout the project Cycle	Community, PAPs/PAFs	DPIU (Social Cell) / SRRDA	<ul style="list-style-type: none"> - Action needed report to District Panchayat (within 7 days) - Report by DPIU to SRRDA (within 5 days)
	8. MONITORING a. Monitor actions related to Tasks 1-6 b. DPIU to inform SRRDA of all proceedings c. Quarterly Report	PIU (Social Unit)	<ul style="list-style-type: none"> • GP/VC • PIU (Social Unit) • NGOs 	Throughout the Project Cycle at regular interval Every 4 th month	-	SRRDA / NRRDA	<ul style="list-style-type: none"> - Initially weekly & then monthly. Report to SRRDA
	9. COMMUNITY FEEDBACK survey among community members especially PAPs for Feed Back on process adopted and quality of construction	PIU (Social Unit) / BLSC	<ul style="list-style-type: none"> • GP / VC • LRD • PMGSY officials 	To be decided by SRRDA	-	SRRDA	<ul style="list-style-type: none"> - Every three months during the life of the project.

Abbreviations: DPIU (District Programme Implementation Unit), LRD (Land and Revenue Department), MM (Mahila Mandals), MoU (Memorandum of Understanding), NRRDA (National Rural Road Development Agency), OM (Operations Manual), PD (Project Director), PAF (Project Affected Families), PAP (Project Affected persons), PIU (Programme Implementation Units), PMGSY (Pradhan Mantri Gram Sadak Yojana), PRIs (Panchayat Raj Institutions), RD (Rural Development), SW (Social Welfare), SOM (Supplementary Operations Manual), SRRDA (State Rural and Road Development Agency), SW (Social Welfare), VC (Village Council), VCP (Village Council Pradhan), WCD (Women & Child Development).

Figure 2.1 RESETTLEMENT PLANNING – DIAGRAMMATIC OVERVIEW

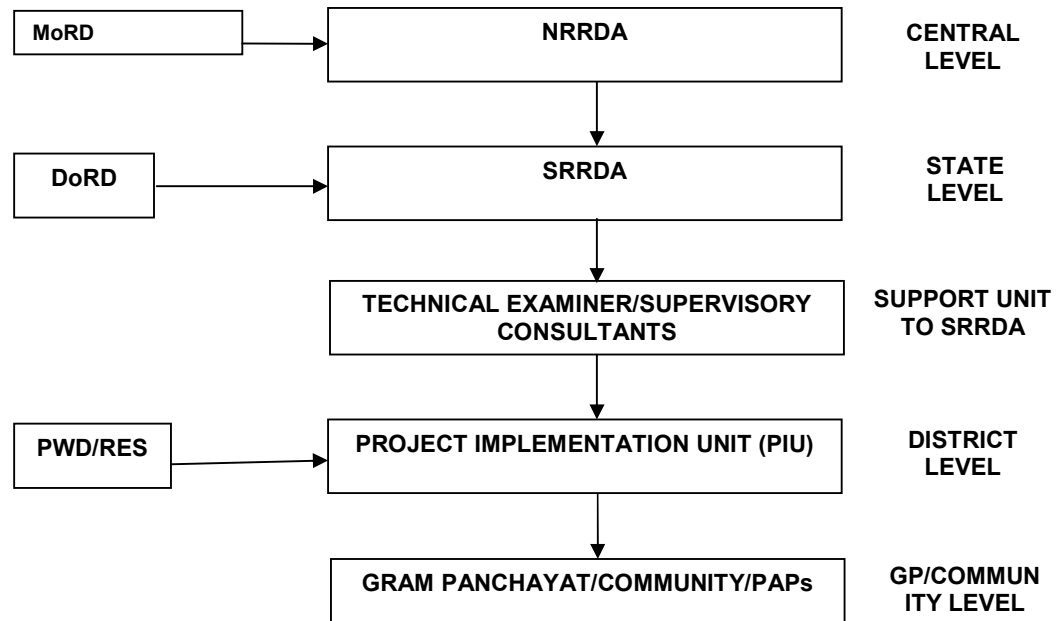


3.0 INSTITUTIONAL ARRANGEMENTS

3.1 Pradhan Mantri Gramin Sadak Yozana (PMGSY) is a central programme implemented by Ministry of Rural Development (MoRD) in all states and Union Territories involving agencies and departments from centre, state to local level. The key involving institutions are: (1) National Rural Development Agency (NRRDA) at central level (2) State Rural Road Development Agency (SRRDA) at state level (3) Project Implementation Units at District level (PWD/RES) (4) Village Panchayat at local level (5) Technical Examiner/Consulting Supervision Consultants (CSC).

The NRRDA is the programme implementer at central level and the SRRDA is the executing agency at the state level. The PIU, at the districts, will execute the project at the ground level. All these institutions are responsible for coordinating and implementing the provisions of the ESMF along with the other project components.

PMGSY Implementation - Organisational Chart



Towards implementation of the SMF, officer for managing social aspects will be deputed from the Department of Rural Development into SRRDA for each of the project states. The SRRDA can also recruit the officer from the market. These officers will assist, advise the Project Director at SRRDA and interact with the PIU in implementation of ESMF provisions.

Technical Audit / Compliance Monitoring Consultants will be appointed in each of the project states to regularly monitor the planning, design and construction of Bank financed rural road works and confirms that actions taken at each stage of the sub project cycle are in compliance with agreed procedures and standards. Towards addressal and effective implementation of the SMF provisions, a position of a Social Specialist has been provided.

The PIU through the AE/JE will implement all the SMF tasks at the field level with the assistance and participation of the PRIs (Sarpanch and other panchayat/ ward members etc). The PIU will have the responsibility of co-ordinating resettlement along with other project

components. The PIU shall be responsible for co-ordination among different agencies, such as the PRIs, DRDA, Revenue Department etc. During implementation, meetings will be organised by the PIU for providing information on the progress of the project work. Disbursement of Entitlements shall be through the PRI, mainly vesting the responsibility with the Gram Panchayat and JE (PIU). The role and responsibility of each of the Agency/Official involved are presented in the Table 3.1.

The civil works will be initiated only after the required RoW or land width is free from any encroachments and the PIU has the physical possession of the land. Before the start of civil works the compensation has to be disbursed to the land owners in states where it is decided to acquire the land through payment and the MoUs/Affidavits should be in place in the DPRs in states where land is arranged through donation for road works. During implementation, consultations with the communities shall be undertaken by the PIU for providing information on the progress of the project work. In case, the Land Management Committee⁴ has not been either established or is inactive, the MoRD or State level-Executing Agency shall issue Government Order/Notification for its formation at the village level.

Table 3.1: Roles and Responsibilities to Implement SMF at Various Levels

LEVELS	ROLES and RESPONSIBILITIES
<p style="text-align: center;">SRRDA – Social Officer</p>	<ul style="list-style-type: none"> ▪ Ensure dissemination of information to community/PAPs as proposed in the SMF ▪ Coordinate with agencies for ensuring implementation of social development issues during SMF, ▪ Coordinate between state level agency for finalisation of entitlements and enrolment procedures, ▪ Coordinate assessment of people affected by the project; assess vulnerability and entitlement issues and coordination of R&R implementation, ▪ Ensure implementation of SMF as per schedule, ▪ Monitor PMGSY roads for fulfilment of R&R issues in co-ordination with the TA consultants, ▪ Report progress, highlighting social issues not addressed, to provide for course correction in subsequent projects, ▪ Coordinate training with agencies involved.
<p style="text-align: center;">District Level – Programme Implementing Unit (PIU)</p>	<p style="text-align: center;">District Level (SE/EE)</p> <ul style="list-style-type: none"> ▪ Ensuring disclosure of Core Network by Zila Panchayat and Gram Panchayat at Panchayat Office and make sure that copies of Core Network are made available to local MPs and MLAs ▪ PIU at the district/block level (EE/SE) ensures road selection is from Core Network ▪ EE/SE oversees land availability for taking up proposed roads as per SP-20:2002 during road selection

⁴ Members of Land Management Committee consist of all members of Gram Panchayat, Lekhpal of Gram Sabha as Secretary, Pradhan and Up- Pradhan of Gram Panchayat will be the Chairman and Vice Chairman of LMC.

LEVELS	ROLES and RESPONSIBILITIES
	<p>Field Level (AE/JE)</p> <ul style="list-style-type: none"> ▪ Dissemination of Project Information at various stages of project as envisaged in the SMF ▪ Ensuring availability of revenue records and maps prior to Transect Walk ▪ Finalise alignment through community planning including road safety and scope for future growth, PRI (Sarpanch or other members) and Revenue Dept. (Patwari) through Transect Walk encompassing a joint onsite inventory and verification of alignment ▪ Documentation and disclosure of Transect Walk outputs through consultations in coordination with PRI (Sarpanch or other members) ▪ AE/JE along with Patwari and PRI identify locations for land width accretion and ownership including the customary rights in tribal areas ▪ Verify ownership of impacted land parcel through proof of ownership during census survey ▪ Involving the PRI, initiate process of land transfer and addressal of grievances ▪ Identification of impacts and PAPs through Transect Walk and assessing extent of impacts through Census Surveys (Vulnerable PAPs and Entitled Persons) ▪ Verification of vulnerability of PAPs based on the criteria adopted ▪ Coordinating with DRDA, DoTW, DoSW etc for finalisation of entitlements and schedule for enrolments ▪ Ensuring disbursal procedures for entitlements as per schedule ▪ Collection and submission of Gift Deed/Affidavit/MoU from landowners ▪ Responsible for addressal of additional unforeseen impacts during construction ▪ Ensuring incorporation of social issues in DPR prior to approval from STA ▪ Supervising the SMF tasks during implementation & its progress in coordination with PRI ▪ Collect data pertaining to the evaluation and monitoring indicators
<p>TA/TE/CSC – Social Specialist</p>	<ul style="list-style-type: none"> ▪ Proper application of environmental, social and techno-economic screening procedures for the selection of rural roads sub-projects; ▪ Detailed design is in compliance with agreed technical standards as well as stipulated environmental and social management measures; ▪ Compliance of actual works with contract conditions and quality assurance procedures as well as agreed environmental and social management measures, and, ▪ Sensitising and capacity building of the PIU officials, the PRI representatives towards implementation of the ESMF provisions.

LEVELS	ROLES and RESPONSIBILITIES
District Level (ZP Chairman/Pradhan)	<ul style="list-style-type: none"> ▪ Display of Core Network at the Zila and Gram Panchayat Office ▪ Ensure establishment of Land Management Committee for grievance redressal at village level through SRRDA
<p style="text-align: center;">Village Level</p> <p style="text-align: center;">–</p> <p style="text-align: center;">Village Council / Gram Panchayat (Sarpanch and other Panchayat Members)</p>	<p>Field Level</p> <ul style="list-style-type: none"> ▪ Dissemination of project information as per the SMF in village in coordination with the PIU ▪ Finalisation of alignment during transect walk along with PIU and Revenue Department through process of community planning ▪ Ensure the finalisation of alignment as per the PMGSY guidelines and SP-20 specifications ▪ Encouraging community participation during transect walk and consultations ▪ Organise Consultation involving community and PAPs to disclose transect output ▪ Encourage community/PAPs to voluntarily donate assets especially land ▪ Undertake Census Survey for assess the extent of impacts along with the PIU ▪ Identification of vulnerable PAPs and their verification as per the eligibility criteria ▪ Ensure finalisation of procedure for land transfer and disbursal of entitlements ▪ Responsible to collect Gift Deed/Affidavit/MoU from landowners & subsequent submission to PIU ▪ Make sure that contractor holds consultation with community prior to mobilisation of machinery ▪ Supervising the SMF tasks during implementation and its progress in coordination with PIU

3.2 MONITORING AND REPORTING PROCEDURES

The PIU and PRI shall be responsible for supervision of SMF implementation and its progress. The Social Specialist of the Technical Audit consultant will periodically monitor the progress of implementation of the Social Management Framework. The PIU shall collect the data as per the monitoring indicators adopted which shall be later audited by the Officer in charge looking after social aspects of the project. The PIU will document the progress of implementation on a quarterly basis and forward the same to SRRDA. The JE will communicate the progress report to the Gram Panchayat, to enable a discussion on the same in the quarterly meeting of the Gram Panchayat. The project would strengthen the institutional capacities of these agencies in planning, participatory management and monitoring. Towards these a training of trainers program is to be taken up, wherein the PIU will be trained on issues pertaining to resettlement and implementation of the provisions of resettlement framework, who in turn shall be instrumental in enhancing the capacity of the PRIs and the village level institutions.

An evaluation of the project shall be undertaken by the NRRDA/SRRDA on Social aspects of the project to assess the overall impact of the village community based on the broad socio-economic indicators. The scope of the evaluation will be mainly to assess the social

effectiveness of the project in terms of its overall utility to the community and overall implementation with an exclusive focus on implementation of SMF. The evaluation will be undertaken twice during the life cycle of the project – mid term and at the end.

Community Feedback through Road Users’ Score Card (RUSCI): Development interventions, those which lack community ownership in planning, design and implementation often fail in achieving intended goals and results many a times. The ways to achieve community ownership in any development intervention, to a great extent lies in making communities to participate in the typical value chain of the project cycle. With this view in context and to achieve comprehensive community participation that enables in ‘realising social accountability of service providers’ objectives, an initiative called ‘Road User Score Cards (RUSCs)’ will be introduced in RRP II, over and above the existing interventions.

RUSCI process is a community based monitoring tool to facilitate an accountable and responsive service delivery systems. The citizens are empowered to provide immediate feedback for improved services. It uses the community/beneficiary as unit of analysis. The RUSCI will enable beneficiaries to identify simple user-friendly indicators to monitor; disseminate information and generate awareness; provide a forum to collate feedback, suggestions and complaints from the community; provide an interface opportunity for beneficiaries, contractors and project functionaries to exchange findings and to jointly agree on action points.

ROLES & RESPONSIBILITIES OF CONTRACTORS TOWARDS SOCIAL SAFEGUARDS

The Contractor and his sub-Contractors shall take all reasonable steps to abide with the social safeguards as per PMGSY Guidelines relating to Environmental & Social Management Framework for the Project affected persons of nearby habitations/ villages. He will take up the execution of work in such a manner to avoid damages or disturbance to persons, properties, farmlands, crops, grazing lands, water sources and other local resources etc.

Before taking up execution, necessary information, disclosure & consultation with PIU, Sarpanch / Village Council Head & other Panchayati Raj / Village Council Members must be made for Construction procedures, time schedules, location of labour camp, arrangement of water for construction purpose & temporary impact to society during construction periods. Land required temporarily for labour camp, storage of material, machinery & T&P yard, site office etc. would be obtained in consultation with the community with written permission of the landowners. In tribal areas the Contractor and his workers should get accustomed with the local tribal customs and should take up the execution of the works in such a manner so as to avoid any confrontation with the sentiments of the community.

In labour camps, information should be displayed in the shape of posters and banners for the prevention of HIV/AIDS and other diseases like Malaria, Diarrhoea, TB etc.

During the course of execution, if any direct or indirect damage to the public properties crops etc. has occurred, the same should be compensated by the Contactor, at the current market value, as agreed with the affected persons.

After the completion of work, the Contractor should remove all their equipment, machinery, surplus building materials, labour camps, debris etc. from the site, and its surrounding agricultural / non-agricultural lands, side-walks, pathways, water channels, drains, side-drains etc. The final payment will be made only after getting the requisite certificate from the PIU for clearance of the site.

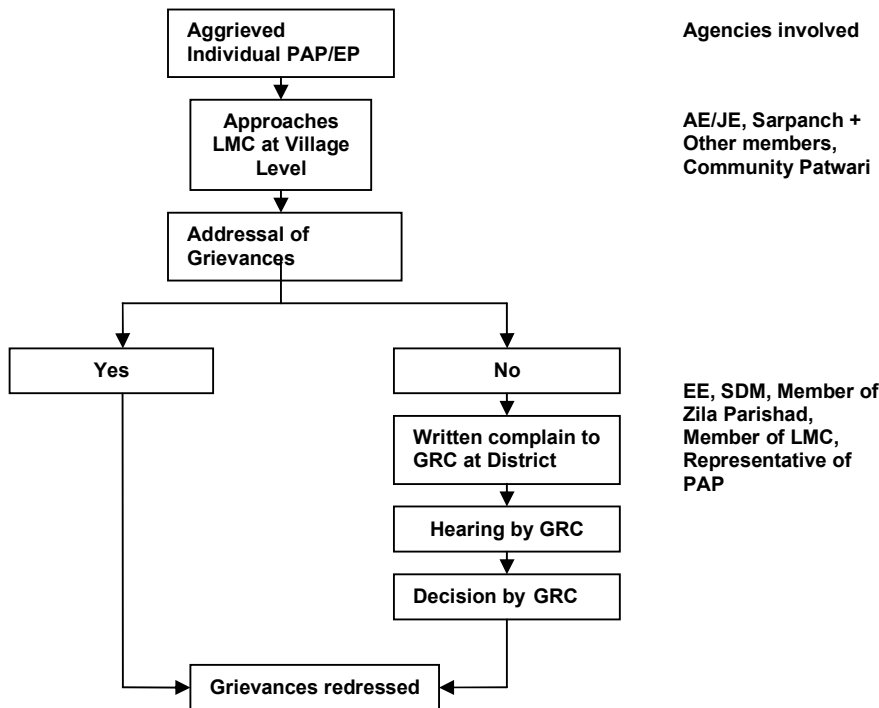
The primary mode of for feedback mechanisms is community consultations through Focus Group Discussions. The feedback and agreed actions will be analysed for undertaking corrective measures. The primary objective of the RUCSI is to achieve continuous feedback from the community on the program implementation (planning to implementation), that enables the service providers to undertake continuous corrective measures as required.

RUSCI will be facilitated by a local NGO or Social Research Institute in each participating state. This agency in consultation with community will design a qualitative feedback form. The information will be collected through Focus Group discussions once in every three months during the period of road construction and once in six months during the maintenance phase in each project village of RRP II. The agency would analyse the data, share the analyses in open house meeting in the gram sabha/village council which will be endorsed by the community.

3.3 GRIEVANCE REDRESSAL MECHANISM

The grievances, if any, will be resolved at the village level. The Land Management Committee shall act as the village level Grievance Committee, and will meet once in a month till DPR preparation and quarterly after initiation of the construction work for addressing grievances till the construction is completed.

Figure 3.1 : Greivance Redressal Mechanism



Residual grievances will be addressed through a Grievance Redressal Committee at the district level, comprising (i) Executive Engineer of the PIU, (ii) Sub-Divisional Magistrate (iii) Member of Zila Parishad, and (iv) Member of Land Management Committee of the GP. Representative of PAPs will be invited to be present during the proceedings of grievance redressal. In case the LMC does not exist, MoRD or the State level Executing Agency will issue a Government Order to establish the LMC at the village level. Figure 3.1 illustrates the Grievance Redressal Mechanism.