

**GOVERNMENT OF INDIA**  
**Ministry of Rural Development**

**Study on the Environmental and Social Aspects of  
PRADHAN MANTRI GRAM SADAK YOJANA**

**FINAL REPORT**  
**ENVIRONMENT AND SOCIAL MANAGEMENT FRAMEWORK**



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# 1. INTRODUCTION

The Pradhan Mantri Gram Sadak Yojna (PMGSY) was launched in December 2000 to provide all weather road connectivity to 3,30,000 unconnected Habitations in the rural areas by end of the 10th Plan Period (2007) at an estimated cost of Rs. 60,000 Crores. The Ministry of Rural Development (MoRD), Government of India (GoI) administers the programme as a centrally sponsored scheme in all States and Union Territories. The GoI has approached The World Bank (WB) for financial assistance for PMGSY carried out in the states of Rajasthan, Uttar Pradesh, Himachal Pradesh and Jharkhand (**Table 1-1**).

**Table 1-1: PMGSY in the four project states - Proposed WB funding**

Sl.No.	State	Nodal Agency	Executing agency	Total Districts	No. Of districts for WB funding
1	Rajasthan	Public Works Department	Public Works Department	32	19
2	Uttar Pradesh	Rural Development Department	Public works Department	70	15
			Rural Engineering Services		20
3	Himachal Pradesh	Public Works Department	Public Works Department	12	7
4	Jharkhand	Department of Rural Development	Rural Engineering Organisation	21	4
<b>Total</b>				<b>135</b>	<b>65</b>

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 Environment and Social Management Framework (ESMF) has been prepared. The ESMF comprises of the following safeguard instruments: (i) Resettlement and Participation Framework (R&PF), 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.

This ESMF has been structured as follows:

- # **Study Methods**, discussing the process adopted in preparation of ESMF
- # **Assessment of current conditions** in the 4 project states and the key issues
- # **Legislations & Policies** applicable to the project
- # **Measures to address Environmental & Social Issues** through ECoP and R&PF
- # **Implementation Arrangements** suggested for addressing environmental / social issues, and
- # **Guide to application of ESMF**



## 2. STUDY METHODS

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### 2.1 ASSESSMENT OF CURRENT STANDARDS OF ENVIRONMENTAL AND SOCIAL ASSESSMENTS

#### 2.1.1 *Review of standards and statutory provisions*

The existing procedures and guidelines adopted for the PMGSY planning, design and implementation including the provisions for addressing environmental and social issues in the program were reviewed. The capacity of executing agencies and the MoRD, NRRDA towards implementation of the environmental measures was assessed. The existing standards (as laid down in IRC:SP:20-2002, Rural Roads Design manual) were appraised to assess the addressal of environmental and social issues and identify any scope for modifications to minimize impacts on communities and on environment. The existing legislations pertaining to environmental clearances required and land related legislations at both central and state levels were reviewed. These included review of notifications regarding roads in Himalayas in case of Himachal Pradesh, Land Tenancy Acts, land categories, legal process towards transfer of lands especially in Tribal areas and other legislation related to land in the project states.

#### 2.1.2 *Appraisal of current setting through site visits and consultations*

To identify the environmental and social issues arising out of the current practices adopted for planning and design of the sub-projects, the environmental and social conditions along the project roads were appraised. This selection of districts has been carried out to represent the environmental and social characteristics of the four project states. 18 districts representing different agro-climatic regions, levels of social development, tribal population were selected. Within these districts, sub-projects in different stages of implementation were selected in consultations with the district PIU officials. These included sub-projects already implemented, sub-projects under implementation and proposed sub-projects. A total of 105 sub-projects were visited in the project states. During these visits, consultations through focus group discussions with communities were conducted to understand their perceptions and felt needs.

#### 2.1.3 *Identification of environment and social issues*

Based on the assessment of current conditions and the review of the existing standards, the issues pertaining to addressal of environmental and social aspects in the project and consequent impacts were identified. Critical issues on the various environmental components and issues pertaining to land acquisition and resettlement were identified for each of the project states.

### 2.2 MEASURES TO ADDRESS ENVIRONMENT / SOCIAL ISSUES

#### 2.2.1 *Options to address environmental / social issues*

Options for addressing environmental and social issues were identified based on experiences and review of good practices in management of environmental and social issues in rural roads projects. These options were selected based on their applicability to the project, consistency with the existing legal mechanisms and availability of know how for implementing the measures.

### **2.2.2 Consultation with stakeholders to finalize options**

Towards finalisation of the options for addressing the environmental and social impacts, a full-day State level workshop was conducted in each of the four state capitals. The participants included officials of MoRD, NRRDA, State Nodal Agency, PIU, and representatives from line agencies in the states such as the Forest Department, Revenue Department, Panchayati Raj Departments, and Rural Development Department. These workshops provided key inputs for drafting the Safeguard Instruments.

## **2.3 PREPARATION OF ESMF**

The environmental and social management measures finalized through the state level workshops were integrated into formulation of the Draft Safeguard Instruments. The safeguard instruments that have been developed are (i) Environmental Codes of Practice (ECoP) and (ii) Resettlement and Participation Framework (R&PF). In addition, criteria for screening of roads for environmental and social impacts have been worked out. For sub-projects with significant environmental impacts as those impacting natural habitats, thereby requiring additional environmental analysis, procedures for the same have been suggested. The social issues will be addressed through a participatory mechanism (Community Planning) involving the village level community and Government body (Gram Panchayat) at each stage of project implementation. Through Community Planning, the village level social issues such as finalisation of alignment giving due consideration to aspects of road safety and scope for future development along these corridors.

## **2.4 FIELD TESTING OF ESMF**

To ascertain as to whether the ESMF provisions are adequate to address the environmental / social issues in the first year sub-projects, field-testing of a sample of sub-projects (a total of 15 sub-projects) across the states is suggested. Towards identification of the sub-projects to be visited, information on environmental and social information of sub-projects in first year of implementation in the 4 states has been compiled (DPRs and data on road characteristics, environmental and social aspects) from the PIUs. Around 20 sub-projects in all the four states have been visited to appraise adequacy of the ESMF, evaluate the compliance of the sub-projects to the ESMF provisions and to ascertain the need for additional environmental analysis / Resettlement Planning. Findings of the field testing of ESMF have been incorporated into the document to enhance implementability of the provisions suggested. After a year, annual review of the project will be undertaken by the MoRD/NRRDA, and if need arises, the ECoP and R&PF will be modified.



### 3. ASSESSMENT OF CURRENT CONDITIONS

The assessment of current conditions and identification of the environmental and social issues in the sub-projects have been based on site visits and consultations along 105 sub-projects in the 4 project states. Issues specific to the conditions in the state are presented in the following sections. A detailed discussion on each of the environmental and social components is presented in the report on Current Conditions.

#### 3.1 RAJASTHAN

The state of Rajasthan is divided into the following 5 physiographic regions:

- # **Eastern Plains**, characterized by fertile alluvium flat terrain with a rainfall as high as 1000 mm.
- # **North Arid Region**, characterized by arid plains with desert soil and annual precipitation lesser than 150-mm.
- # **Southern Plains**, characterized by plain topography and few marked hillocks of Aravalli hills. The region has a considerable area of wastelands (27%).
- # **Southern Plateau** is characterized by undulating terrain with considerable forestland.
- # **West Arid** region, recognized by desert area marked by hillocks and sand dunes. The districts of Banswara (73%) and Dungarpur (66%) represent tribal districts, and have been categorised as Schedule V Areas.

The sub-projects visited in each of the districts are given in **Table 3-1**.

**Table 3-1: Sub-projects visited in Rajasthan**

State	Status of Implementation			Total
	Completed	Under Construction	Proposed	
Rajasthan	18	7	14	39
Banswara	3	1	3	7
Bhilwara	5	1	2	8
Bundi	5	2	2	9
Churu	2	1	1	4
Jhalawar	3	2	6	11

The key environmental and social issues in the state of Rajasthan are as follows:

- # **Shifting Sand dunes**, a common phenomenon observed in arid areas, causes disruption in construction activities. During the operation stage, causes accumulation of sand on the road leading to blockage of road.
- # **Water Availability** for construction, a major issue especially in the arid areas, due to low precipitation and deep water table.
- # **Impact on forests**, an issue along sub-projects in the southern and the eastern part of the state, characterised by dry and tropical forests.
- # **Socio-Economic Profile of PAPs**, has not been assessed to identify the extent and severity of impacts owing to land width accretion. There has been willing transfer of assets,

even by the vulnerable groups, mainly Scheduled Castes and Scheduled Tribes. As revealed during community consultation, there has been no instance of displacement of any person or total loss of livelihood/asset due to the project. The PAPs are predominantly employed in primary economic activity, that is, agriculture as their main occupation. Along majority of the corridors, the average land width required for donation has been between 1-2m without marginalizing any of the landowner's or resulting in uneconomic land holding. **Table 3.2** provides the details of the PAPs as given during community consultations along sub-projects.

**Table 3-2: Profile of PAPs along Sub-projects visited in Rajasthan**

District	No of Corridors Visited	No of PAPs HH	Vulnerable Households					
			Scheduled Caste	Scheduled Tribe	Below Poverty Line	Women Headed Households	Handicap	Uneconomic Land Holding <sup>1</sup>
Churu	4	2	1	0	1	0	0	0
Banswara	7	1	0	1	0	0	0	1
Bhilwara	8	0	0	0	0	0	0	0
Bundi	9	2	1	1	0	0	0	1
Jhalawar	11	0	0	0	0	0	0	0

Source: Community Consultations, 2003

⚡ **Extent of land width accretion and resettlement impacts** have not been observed to be a significant issue in Rajasthan (except in few cases) as the sub-projects have been proposed only along the existing revenue tracks. Though the land width available between 8-10m is lower than that specified in IRC-SP-20, the standards are compromised and the improvements are generally accommodated within the available land. Any land width accretion is to the tune of 1-2 m. Though no formal process of land transfer was adopted, the consultations with the communities indicated an acceptance of the process of donations through MoUs, except from the irrigated sections in the fertile areas where farmers pose resistance to donation of land. Along few sub-projects, though the existing revenue track ranges from 6-8 m, the effective width available is between 3-5 m due to encroachments by adjoining landowner. In plains and plateau regions, the villagers object to the construction activities during harvesting season due to impacts on standing crops.

### 3.2 HIMACHAL PRADESH

Himachal Pradesh, a wholly mountainous state is classified into three zones:

- ⚡ **Valleys and low hills**, characterised by fertile brown alluvial soil, lies along the southern borders of the state and experiences humid sub temperate condition.
- ⚡ **High hills (Mean Sea Level between 2000-3000 m)**, comprises mainly the central parts of the state of Himachal Pradesh with a humid sub temperate condition and soil characteristics similar to valley and low hills.
- ⚡ **Alpine zone (Mean Sea Level above 3500 m)**, also known as the cold deserts of India, the region has a dry temperate climate with temperature drops upto- 20<sup>0</sup> C in winter. The region possesses undulating topography with mountainous skeletal soils and gently inclined hill slopes.

<sup>1</sup> Any landowner whose land holding size is less than the district average land holding size

As part of this project, sub-projects visited for analysing the current conditions are present in **Table 3-3**.

**Table 3-3: Sub-projects visited in Himachal Pradesh**

State	Status of Implementation			Total
	Completed	Under Construction	Proposed	
Himachal Pradesh	7	5	7	19
Alpine Zone	3	2	2	7
High Hill Ranges	1	2	0	3
Lower Hills	3	1	5	9

The key environmental and social issues in the state of Himachal Pradesh are as follows:

- ⌘ **Slope Stability and Erosion Control:** Landslides and soil slips especially in the alpine region raises the concern of slope stability and erosion control.
- ⌘ **Waste Disposal:** At many of the corridor visited cutting and filling of materials are balanced and in case of surplus, the materials are dumped into the nearby nallahs/streams.
- ⌘ **Forest Land:** In the state, non-private land has being designated as a forestland; hence probability of road cutting into forestland is quit high.
- ⌘ **Socio-Economic Profile of PAPs:** The community consultations during the site visits revealed that the PAPs are predominantly Scheduled Castes and Scheduled Tribes accounting for 70% and 30% respectively of the total PAP households. Majority of the landowners along the corridors visited have agricultural lands and orchards as their main source of livelihood. The tribal districts of Lahul and Spiti, PAPs are predominantly engaged in cultivation and animal husbandry, characterised by high rates of migrations. Out of the total 19 sub-projects visited, in 3 instances landowners voluntarily donated land with marginal land holding while 5 of the households were below poverty line. (Refer **Table 3.4**) There have been no reported impacts on loss of access to the common properties such as wells and grazing land or Minor Forest Produce etc.

**Table 3-4: Profile of PAPs along Sub-projects visited in Himachal Pradesh**

District	No of Corridors Visited	No of PAPs HH	Vulnerable Households					Uneconomic Land Holding <sup>2</sup>
			Scheduled Caste	Scheduled Tribe	Below Poverty Line	Women Headed Households	Handicap	
Kullu	3	9	5	0	2	0	0	1
Lahul and Spiti	7	1	0	4	0	1	0	0
Mandi	9	2	2	0	3	0	0	2

Source: Community Consultations, 2003

- ⌘ **Need for private lands in PMGSY:** The average width of the revenue tracks varies from 3.5 to 4.5 meters across the state which is generally not adequate as per the IRC:SP-20:2002 standards for hilly terrains. In the fertile areas of lower hills and valleys, the farmers are not willing to part with their land, as cultivation is the main source of livelihood, thereby

<sup>2</sup> Any landowner whose land holding size is less than the district average land holding size

resistance of local population donating land for the project roads has been a concern. In the region of low as well as high hills, majority of land is under orchards plantation and also the land holding is small, hence uptake of land for PMGSY likely to cause some loss of his income due to the cutting of trees.

- ⚡ **Tribal Issues:** The **concerns and issues pertaining to the tribal community** such as the existing land categories and their customary rights on such lands, assessment of dependence of tribal community on existing natural resources, impacts on access to Minor Forest Produce and other resources **have not been addressed** during the project planning and implementation stage. Legal provisions for land transfer in Schedule V Areas and existing land tenural rights have not been accounted for during alignment finalization and donation of land. No impact on loss of access to Minor Forest Produce in the tribal areas has been identified and reported during consultations with the PAPs and village community.
- ⚡ **Verification of land ownership:** There has been no verification of ownership of land impacted or likely to be impacted. It is undertaken where the landowner has raised an objection during land width accretion.

### 3.3 UTTAR PRADESH

The state of Uttar Pradesh is broadly divided into: **The Plains** consists of vast flat terrain, **Bundelkhand** and **Vindhyan** that consist of dissected and rugged plateau, which slopes towards north-east, with an average altitude less than 300 m.

The land is gently sloping from Shiwalik Hills in North-Western Region (274 m) towards the Eastern Terai region (78 m) of the state.

The soil of the state is divided into Bhabhar, Tarai and Central Ganga alluvium plain. The climate in the state ranges from moist, sub humid to dry arid in the North Eastern plains.

As part of this project, sub-projects visited for analysing the current condition are present in **Table 3-5**.

The key environmental and social issues in the state of Uttar Pradesh are as follows:

**Table 3-5: Sub-projects visited in Uttar Pradesh**

State	Status of Implementation			Total
	Completed	Under Construction	Proposed	
<b>Uttar Pradesh</b>	<b>17</b>	<b>10</b>	<b>9</b>	<b>36</b>
Azamgarh	3	2	1	6
Bahraich	2	1	1	4
Banda	4	0	1	5
Etah	2	1	2	5
Hardoi	2	1	1	4
Mirzapur	3	2	1	6
Rampur	1	3	2	6

⚡ **Topsoil loss:** The land in UP being predominantly agriculture, borrowing is leading to loss of topsoil.

⚡ **Drainage:** Absence of adequate drainage structures is causing water logging along the corridors. The topography being plain, afflux generated causes inundation of land. Also borrowing along the roadsides causes water logging in the borrow pits and presents a health hazard.

⚡ **Socio-Economic Profile of PAPs:** Majority of the PAPs are Scheduled Castes accounting for 80% of the total impacted households. No landowners belonging to ST has been impacted due to the project, as their concentration is negligible along the project corridors visited in the state. As per the community consultations in the sub-projects, in no case the impacted household has been marginalized due to the project. The PAPs are predominantly employed in agriculture, resistant to donate land for the roadwork owing loss of rich agriculturally productive soil. The profile of the PAP households is presented in **Table 3.6**. Due consideration is given to the agricultural/harvesting season in consultation with the local community.

**Table 3-6: Profile of PAPs along Sub-projects visited in Uttar Pradesh**

District	No of Corridors Visited	No of PAPs HH	Vulnerable Households					
			Scheduled Caste	Scheduled Tribe	Below Poverty Line	Women Headed Households	Handicap	Uneconomic Land Holding <sup>3</sup>
Azamgarh	6	24	22	0	9	0	0	3
Banda	5	13	8	0	3	0	0	1
Hardoi	4	10	3	0	1	1	0	2
Rampur	6	16	10	0	2	0	0	1
Etah	5	13	8	0	2	1	0	2
Bahraich	4	5	2	0	0	0	0	1
Mirzapur	6	29	17	0	5	0	0	3

Source: *Community Consultations, 2003*

⚡ **Need of Land in PMGSY:** In majority of the areas, existing land width for the project varies between 4.5m-6.5m, which is inadequate as per the PMGSY guidelines. Hence procuring land width of 2-3 m especially in agriculturally productive areas is a concern. There has been resistance from the local community for land donation as the state is rich in agricultural produce. Along 9 of the 36 corridors visited, there has been donation of land by farmers with uneconomic land holding.

⚡ **Transparency in process of land transfer:** The dissemination of project information among the community has not been undertaken prior to initiating the process of land transfer.

⚡ **Legal Provisions to address Social Issues:** Compliance to the existing legal provisions provided under the land tenancy and land reforms act (UP Zamindari Abolition and Land Reforms Act, 1950) in the state for transfer of land is absent.

### 3.4 JHARKHAND

The state of Jharkhand is characterized by dense natural vegetation and rugged topography. Geologically the state consists of Deccan lava with an average elevation of 1100 m. Climatic condition across the state varies from moist humid to sub-humid with average rainfall ranges from 1215 mm to 1404 mm. Topographically the entire state is broadly divided into:

**Chhota-Nagpur Hills:** characterized by undulating terrain, and

**Chhota-Nagpur Plateau:** characterized by relatively flat plain.

As part of this project, sub-projects visited for analysing the current condition are present in **Table 3-7**.

<sup>3</sup> Any landowner whose land holding size is less than 3<sup>1</sup>/<sub>8</sub> acres

**Table 3-7: Sub-projects visited in Jharkhand**

State	Status of Implementation			Total
	Completed	Under Construction	Proposed	
Jharkhand	3	7	3	13
Dumka	2	1	1	4
Hazaribagh	1	3	1	5
West Singhbhum	0	3	1	4

The key environmental and social issues in the state of Jharkhand are as follows:

- ⌘ **Slope Stability and Soil Erosion:** Due to the loosely bound characteristics of soil and due to lack of slope protection measures slope stability/erosion is a common phenomenon, especially at high embankment, in the entire state.
- ⌘ **Water Scarcity:** Eastern part of Chhota-Nagpur being a water scarce region possesses major concern for the extraction of water during the construction of corridor.
- ⌘ **Forests:** Significant area in Chhota-Nagpur hills is under forests. Hence the entire region possesses high probability of road cutting the forestland.
- ⌘ **Socio-Economic Profile of PAPs:** Out of the 29 PAP households, the percentage share of ST households is approximately 60% as the tribal population is significant in the tribal districts of Hazaribagh and Dumka with 61% and 50% respectively. Nearly 30% of the PAP households belong to SC, while 10% of PAPs belong to BPL category. Only 2 of the 29 impacted households have uneconomic land holdings. Majority (85%) of the PAPs are engaged in agriculture and animal rearing. (Refer **Table 3.8**).

**Table 3-8: Profile of PAPs along Sub-projects visited in Jharkhand**

District	No of Corridors Visited	No of PAPs HH	Vulnerable Households					Uneconomic Land Holding <sup>4</sup>
			Scheduled Caste	Scheduled Tribe	Below Poverty Line	Women Headed Households	Handicap	
Hazaribagh	5	23	7	14	2	0	0	0
Pashchimi Singhbhum	4	0	0	0	0	0	0	0
Dumka	4	6	2	3	1	0	0	2

Source: Community Consultations, 2003

- ⌘ As per the findings of the community consultation including PAPs, there has been negligible loss of livelihood due to the project through land donation. Due consideration is given to the harvesting seasons to avoid any impact on the standing crops along the project corridors. Also, along any corridor the grazing or pastureland has been impacted to the extent of loss of its utility or access especially in the areas with tribal population.
- ⌘ **Need of Land in PMGSY:** The clear width available in the state, except plateau region, ranges from 5-8m hence uptake 3-4 m additional land width is a major concern. Since the land requirement is marginal, none of the project-affected people are displaced. There is insignificant loss of livelihood to the agricultural farmers and labourers also.

<sup>4</sup> Any landowner whose land holding size is less than the district average land holding size

- ⚡ **Extent of compliance to existing legal provisions:** The mechanism for land transfer has overlooked the provisions in the existing Acts.
- ⚡ **Tribal Issues:** During finalisation of the alignment, the existing customary and traditional rights of the tribal community on the land categories have not been accounted. There has been no consideration given to the access or grazing routes followed in tribal areas. The land uptake in the Schedule V Areas has not considered PESA provisions, the Santhal Paraganas Act and Chota Nagpur Tenancy Act. Conformity to the existing land tenural rights if any, has not been given any considerations.

Apart from the issues highlighted for each of the project states, the following issues have been found to be common across the project states. These **common issues** are predominantly those resulting from rural roads construction due to **lack of provisions** for addressing environmental issues and provisions for addressing resettlement impacts on communities and a formal mechanism for involvement of communities in the project. These issues are listed in **Table 3-9**.

**Table 3-9: Common environmental & Social Issues identified**

Sl.No.	Issues
<b>Environmental Issues</b>	
1	Scheduling of Construction with consideration of climatic factors
2	Conservation of top soil
3	Water extraction for construction in dry seasons
4	Cross drainage, road side drainage inadequacy and water logging
5	Identification and management of impacts in sensitive areas and natural habitats
6	Tree cutting and absence of afforestation
7	Induced development and change in Land use along completed stretches
9	Occupational health safeguards of workers, traffic safety and public safety during construction
10	Debris Disposal inadequate and haphazard
11	Quarry area rehabilitation in case new quarries are opened
<b>Social Issues</b>	
12	Addressing Resettlement Impacts through design modifications, analysis of alternatives
13	Extent of compliance to existing legal processes / constitutional provisions - Land Transfer, land tenural rights if any.
14	Non Involvement of affected communities prior to project finalisation
15	Identification and planning of resettlement – to be streamlined Process of land transfer, Entitlement provisions, disclosure processes
16	Assessment of extent and magnitude of impacts (loss of livelihood, vulnerability)
17	Non-provision of measures to avoid /mitigate impacts on tribal population
18	Notice before initiation of civil works (Harvesting crops)
19	Lack of disclosure of information to local community
20	Implementation Arrangements for disbursal of entitlements
21	Lack of financial provisions for land uptake





## 4. LEGISLATIONS AND POLICIES APPLICABLE

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### 4.1 LEGAL PROVISIONS – ENVIRONMENTAL MANAGEMENT

Legislations of Government of India (GoI) applicable for PMGSY regarding environmental and social aspects are as indicated in **Table 4-1**.

#### 4.1.1 Environmental Clearance from MoEF

In April 1997, a notification was issued by MOEF amending Schedule-I of the EIA Notification, 1994 that lists projects requiring Environmental Clearance. MoEF is the responsible agency for implementing the provisions of the notification. The 1997 Notification states:

*“...Environmental Clearance from the MoEF is not required for Highway projects relating to improvement work including widening and strengthening of roads with marginal land acquisition<sup>5</sup> along the existing alignments provided the highways do not pass through ecologically sensitive areas such as National Parks, Sanctuaries, Tiger Reserve, Reserve Forests etc.”*

**Applicability:** It is important to note that the width of land required for the sub-projects is less than 12m and does not exceed the marginal land acquisition specified. Therefore, as a rule, all sub-projects are exempted from environmental clearance apart from roads through ecologically sensitive areas. Also, the EIA notification would be applied to sub-projects involving construction of Tarred roads in Himachal Pradesh exceeding a length of 5 km.

#### 4.1.2 Forest Clearances

The Forest (Conservation) Act 1980 (as amended 1998) pertains to the cases of diversion of forest area and felling of roadside plantation.

**Applicability:** Restrictions and clearance procedure proposed in the Forest (Conservation) Act applies wholly to the sub-projects requiring diversion of natural forest areas, even in case the protected/designated forest area does not have any vegetation cover.

#### 4.1.3 Water (Prevention and Control of Pollution) Act 1974, as amended in 1988

The Water (Prevention and Control of Pollution) Act 1974 is enacted to prevent pollution of water sources through the industrial or any other construction activity and for maintaining or restoring of wholesomeness of water.

**Applicability:** Project includes setting up of worker's camp and other construction equipment. The Contractor needs to take consent for setting up and also consent for operation of the equipment/worker's camp.

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<sup>5</sup> Marginal land acquisition is defined by the MoEF as “land acquisition not exceeding 20m on either side of the existing right-of-way”.

## **4.2 LEGAL PROVISIONS – FOR ENHANCED PRI INVOLVEMENT & INFORMATION DISCLOSURE IN R&PF**

### **4.2.1 73<sup>rd</sup> Constitution Amendment Act, 1992**

In 1992, the Indian Constitution was amended through the 73<sup>rd</sup> Constitution Amendment Act to enable the State Government to empower the Panchayati Raj Institutions in preparation and implementation of development programs.

**The Act:** An Act enabling participation of panchayat level institutions in decision-making by broadening the village level functions, supporting implementation of development schemes. As per the amendment, the rights and duties of the Panchayat have been included in the XI Schedule of the Constitution. The provisions under the Act empower the PRIs at the appropriate levels to implement the project activities through the following sections:

**Article 243A,** Responsibilities of the gram Sabha for management of (a) common and grazing land, (b) mutation of land, and (c) implementation of grass root schemes

**Article 243B,** Constitution of three-tier Panchayat system at District/Block/Village level

**Article 243G,** Empowers the Panchayat for: (a) Preparation of plans for economic development and social justice, and (b) Implementation of schemes for economic development and social justice as mentioned in the XI Schedule

**Applicability:** The Act provides for involvement of the PRIs especially, the Gram Sabha/Panchayat during project preparation and implementation. The Panchayats at the village level will be involved for preparation and implementation of the project. The Gram Panchayat/Sabha will coordinate with the PIU to finalise the alignment, land width accretion, incorporation of suggestions made by the community, identification of eligible persons, entitlement provisions, grievance redressal and collection of MoU/Affidavit for land transfer or assets.

### **4.2.2 Panchayats (Extension to Scheduled Areas) Act, 1996**

The Panchayats (Extension to Scheduled Areas) Act, 1996 is enacted to safeguard and preserve traditions and customs of tribal community and prevent alienation from their homelands.

**The Act:** An Act to provide for the extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas.

**Provisions under the Act:** The main rationale of PESA has been to protect the tribal population from exploitation with an active involvement of the Gram Sabha. As per PESA, extending provisions of Part IX of the Constitution (As given in the 73<sup>rd</sup> Constitution Amendment Act of 1992) relating to Panchayats to the scheduled areas have been provided. The Gram Sabha will be involved for approval of development plans and programmes, land availability and rehabilitation of persons affected, and has given control of land, forests and water in the hands of tribals through institution of Gram Sabha. The Act entrust the Gram Sabha/Panchayat with the following:

**As per Section 2 (e):** Approval of plans, programmes and projects including prior to its implementation at village level and responsible for identification or selection of persons as beneficiaries under development schemes.

**Section 2 (d)** enable the Gram Sabha to safeguard and preserve tradition and customs of the tribal community and area. The traditions of the tribal community will be safeguarded through suitable administrative framework consistent with the customary laws and practices through the Gram Panchayat.

**Section 2 (i)** provides for the Gram Sabha or Panchayat at the appropriate level to be consulted before making acquisition of land in Scheduled Areas for development projects. Land width accretion in PMGSY roads and rehabilitation of persons affected will be in consultation with Gram Sabha. The involvement of Gram Sabha during project monitoring through social audit will enable transparency in the project implementation.

**Section 4 (m) (ii)** of the Act provides that Panchayats at the appropriate level or Gram Sabha be endowed with the ownership of MFPs<sup>6</sup>. Any impact on MFPs and the mitigation measures will be in consultation with the Gram Sabha during the transect walk by the PIU.

**Applicability:** The Approval of plans, land acquisition and safeguard mechanism consistent with the existing customary laws and practices through Gram Panchayat will achieve legal sanctity through this act. The PRIs will be the responsible agency to implement the tasks involved as per the provisions of the Act. The Intermediate and District Panchayats will approve the road network for the block and districts. The finalisation of the alignment including identification of PAPs, eligible persons and entitlement framework will be through involvement of the Gram Panchayat and local community.

#### **4.2.3 Freedom of Information Act, 2002**

The Freedom of Information Act, 2002, is enacted to secure access to information under the control of public authorities.

**The Act:** An Act to provide for freedom to every citizen to secure access to information under the control of public authorities, consistent with public interest, in order to promote openness, transparency and accountability in administration and in relation to matters connected therewith or incidental thereto.

##### **Provisions under the Act:**

- ⌘ **Section 2c** defines the freedom of information,
- ⌘ **Section 2h** defines the record which can accessed,
- ⌘ **Section 4** provides the obligations on public authorities interms of maintenance and provisions of records,
- ⌘ **Section 5** of the Act provides for appointment of Public Information Officer,
- ⌘ **Section 6** details the procedure for request of information, and
- ⌘ **Section 7** describes the disposal of requests.

In conformity to the Freedom of Information Act, 2004, the state of UP has developed codes of practices to access any information in the sectors of Agriculture, Tax and Consolidation and PWD. Dissemination of information pertaining to PMGSY road under core network; Sensitisation of the community about the project and their involvement; Information on procedure of finalisation of alignment; disclosure of finalised alignment, PAPs and entitlements will be provided to the community.

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<sup>6</sup> Section 2 of the Act defines forest produce. Minor Forest Produce means the non-timber produce, which can be harvested on non-destructive basis, but this shall not include minerals and wild animals or their derivatives.

**Applicability:** It empowers people to obtain information on the project. To facilitate project stakeholders obtain requisite project information PMGSY provides for dissemination of information and procedures, entitlements, project costs, selection criteria for contractor etc. The PIU will be the responsible agency to provide the required information pertaining to the project to the desired individual. The information dissemination will also be undertaken by the PIU through the PRIs at the grass root/village level.

#### **4.2.4 Other State Level legislations**

Apart from the above, the acts applicable at State level in the project states especially for land reforms and for empowering Panchayati Raj Institutions are as listed below.

##### **For Land Reforms:**

#### **1. Rajasthan**

##### **Rajasthan Tenancy Act, 1955**

**The Act:** An Act to consolidate and amend the law relating to tenancies of agricultural lands and to provide for certain measures of land reforms and matters connected therewith.

##### **Relevant Provisions under the Act:**

**Section 5 (18)** defines Ijara or Theka as a form of lease granted for the collection of rent. It denotes a contract paying fixed amount and a Thekedar is not a tenant.

**Section 23** defines a Khudkasht or Sir or Hawala as in any part of the state cultivated personally by an estate-holder, in actual possession of the land A land cultivated by a partner shall not be treated as Khudkasht. The Khudkasht rights are not transferable except by exchange or by partition of the estate or landed property of Jagirdar or by a gift for the purpose of maintenance.

**Section 42** General restrictions on sale, gift and bequest by a Bhumidar or Khatedar tenant of his interest in the whole or part of his holding shall be void.

**Sub-section 42 (b)** restricts such sale, gift and bequest by a member of SC in favour of a person who is not a member of SC, or by a member of ST in favour of a person who is not a member of ST.

**Applicability:** The MoU for such land will be between the landowner and the PIU or the Government. If under the terms of lease, the lessee has the right to transfer his rights and will have all rights of a lessor. In such case, the MoU for land transfer between the PIU/ Government and the lessee. Provisions of this act restrict transfer of land even for PMGSY.

#### **2. Uttar Pradesh**

##### **UP Zamindari Abolition and Land Reform Act, 1950**

**The Act** abolishes the zamindari system involving intermediaries between the State and cultivators It empowers the tillers of the soil to have propitiatory rights over the land they till.

##### **Relevant Provisions under the Act:**

**Section 130, Section 131 and Section 131A, Section 131B** defines and classifies bhumidar and their rights. Bhumidar with non-transferable rights<sup>7</sup> cannot sale or gift the land under his

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<sup>7</sup> Bhumidar with Non transferable rights having right to the exclusive possession of all land which he is Bhumidar and to use such land for any purpose connected with agriculture, and related activities and not for residential use except covering small portion of land.

possession. After completion of 10 years all Bhumidars with non transferable rights become eligible for transferring land. The Sirdar right is permanent and heritable while the Asami has only heritable right.

**Section 187A** Prohibits accumulation of land as no tenure holder with his/her spouse and minor children can acquire by purchase or gift land that he is entitled to land exceeding 12.5 acres in the aggregate. It empowers the Collector to let the land belonging to Bhumidar, which exceeds 12.5 acres and not used for three consequent years immediately proceeding for agricultural activities with prior show case notice to the tenure holder.

**Section 178 (1)** prohibits the Court to divide the holding the area of which is 3 1/8 acres (Uneconomic Holding). This may be used for defining vulnerability.

**Section 157A & Section 157B** provides for non transfer of land by a Bhumidar or Asami belonging to SC/ST by way of sale, gift, mortgage or lease any land to a person not belonging to SC/ST.

**Section 177** Gaon Sabha has been empowered to revest all or any of the things mentioned by declaration through notification in the Official Gazette. These include land, forests and pathways. It restricts exchange of land belonging or earmarked for public utility by the Gaon Sabha. Land Management Committee (LMC) assist in the discharge of the duties of Gaon Sabha of up-keep, protection and supervision of all property vested with Gaon Sabha.

**Applicability:** The land likely to be impacted will be transferred in accordance to the legal rights of the tenure holder as given under the Act. Involvement of the Gaon Sabha and LMC during finalization of entitlement and identification of land sites as part of the entitlements to vulnerable groups will be mandatory.

### 3. Jharkhand

#### **Chota Nagpur Tenancy Act, 1908 for restricting transfer of land of SC/ST**

**The Act:** An Act to consolidate and amend the law relating to tenancies of agricultural lands and to provide for certain measures of land reforms and matters connected therewith.

#### **Provisions under the Act and Applicability**

**Section 46** Prohibits transfer of land by SC/ST/ backward classes to any member of non-SC/ST/ backward classes. However, for public purposes the land can be donated to the "State" in the name of the Governor. Transfer of tribal land will be done through these provisions.

**Santhal Paraganas Tenancy (Supplementary Provisions) Act, 1949** for restricting transfer of land.

**The Act and its applicability** codify the customary laws relating to exchange of raiyati<sup>8</sup> lands in six districts of Jharkhand<sup>9</sup>. The act provides that no transfer by a raiyat of his right on his holding or portion thereof by sale, gift, mortgage, will lease or an other contract or agreement, express or implied, shall be valid unless the right of transfer has been recorded in the record-of-rights, to the extent to which such right is so recorded. The Act does not allow the transfer of

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<sup>8</sup> Raiyat means a person not being a landlord, who has acquired a right to hold land for the purpose of cultivating it by himself or by members of his family or by hired servants; and includes the successor in interest of a person who has acquired such a right.

<sup>9</sup> Districts of Ranchi, Singhbhum, Latehar sub-division & Bhandari block of Garhwa sub-division in Palamu, Dumka, Pakur, Rajmahal & Jamtara sub-division, Sundar Pahari & Baorijor blocks of Godda sub-division in Santhal Paragana district.

land to the state even for public purposes. Provisions of this act do not allow transfer of land even for PMGSY.

#### 4. Himachal Pradesh

##### Himachal Government Notification No. PBW (B) A (7) 2-7/2000-II

New roads will be constructed only if communities give land free of cost, work to start only after land is transferred to the government. Alternative land to be allotted to those who become landless or otherwise eligible subject to availability of land with government.

**Applicability:** Transfer of land for construction of PMGSY road will be as pre the notification.

**For Panchayati Raj Institutions:** These are based on the Central Act of The Constitution (73<sup>rd</sup> Amendment) Act, 1992.

≠ Rajasthan Panchayati Raj Amendment Act, 1994

≠ Himachal Pradesh Panchayati Raj Act, 1992

≠ Kshetra Samiti and Zilla Parishad Adhiniyam Amendment, 1994 incase of Uttar Pradesh for regularizing Panchayati Raj Institutions

≠ State Panchayati Raj Act, 2001, yet to be implemented in Jharkhand

### 4.3 WORLD BANK SAFEGUARD POLICIES APPLICABLE

The WB safeguard policies **applicable** and their addressal in the ESMF are detailed below in **Table 4-1**.

**Table 4-1: World Bank Safeguard Policies applicable**

S. No.	World Bank Policy	Applicable due to	Addressal by ESMF
1.	Environmental Assessment OP4.01	Project is likely to have impacts on environmental and social components as on water bodies, existing slopes in case of hill areas and on trees along the road	Preparation of detailed environmental codes of practice and Resettlement and Participation framework for addressal of the environmental and social issues
2.	Involuntary Resettlement OP 4.12 & Indigenous Peoples OD 4.20	Involves affect on assets and livelihood, impact on people belonging to Scheduled Tribes and Scheduled Castes	Preparation of Resettlement & Participation Framework to address social impacts through enhanced community participation and providing options to mitigate losses
4.	Natural Habitats OP4.04	Project passes adjacent to forest areas	Preparation of a management plan to address impacts, if any on the forest areas
5.	Forests OP 4.36	Project likely to have effects on health and quality of forests	Preparation of management plan to address impacts, if any and avoidance of construction allied activities in forests
6.	Cultural Properties Draft OP4.11	The project entails risk / damage to cultural properties and has likelihood of finding archeological properties	Provisions made for relocation of cultural properties and protection of the same through design modifications etc

Apart from compliance to the above policies, the project will comply with the Bank procedure, BP17.50. Disclosure will be carried out at all stages of the project as at planning stage, prioritization stage, project preparation stage and implementation stages. The PMGSY road under core network will be displayed at the project planning stage and project information brochure will be distributed at the prioritization and project preparation stages. Consultations will be conducted with the community and the PRI at project preparation and implementation stages.

## 5. MEASURES TO ADDRESS ENVIRONMENTAL / SOCIAL ISSUES

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Options to address the various environmental and social issues identified have been worked out based on review of good practices and compliance to the legal provisions. The analysis of options enabled the identification of measures to address the environmental and social issues. The measures have been finalized through state level workshops for discussion on the options, wherein inputs from the stakeholders including the executing agencies and the line agencies enabled the identification of the suitable measures.

### 5.1 SCREENING OF SUB-PROJECTS

A screening and review process for identification of sensitive sub-projects with respect to environmental/social issues has been worked out. The screening exercise will be carried out by the PIUs prior to initiation of the DPR activities. The **screening exercise** will be a useful **tool to identify the environmental and social issues**, and thereby integrate them into the project preparation, and **not as an exclusion criterion** for avoiding environmental and social impacts. The screening criteria includes:

Environmental factors, including,

- ⌘ Sensitive areas, natural habitats, protected areas
- ⌘ Felling of trees outside the protected areas
- ⌘ Clearance of vegetative cover
- ⌘ Loss of productive agricultural land
- ⌘ Cuts across perennial streams or surface water bodies
- ⌘ Vulnerability to natural hazards, land slides/slips and,
- ⌘ Environmental features as marshy areas, sand dunes etc

Social factors, including,

- ⌘ Land availability
- ⌘ Loss of structures
- ⌘ Loss of livelihood
- ⌘ Impacts on Indigenous population
- ⌘ Impacts on common property resources, and,
- ⌘ Demand from communities for the road.

The screening will enable categorization of sub-projects based on their environmental / social sensitivity as follows:

Sub-projects, wherein no significant adverse environmental/social impacts are expected, and

- ⌘ (i) The environmental impacts will be of the type normally associated with standard rural road construction. The measures suggested in the ECoP will be adequate to address the general environmental issues likely in these sub-projects.
- ⌘ (ii) The extent of social impacts is minimal as the requirement for land width accretion is not significant and there is no or negligible impact on structures or loss of livelihood. Any extra land taken in the sub-projects for the proposed improvements will be through a community planning enabling a transparent process of land transfer and alignment finalisation as laid

down in the R&PF. This will involve community and village level government body (Gram Panchayat) participation in finalising the land requirement and alignment finalisation giving due consideration to aspect of land, safety and scope for future development along the project corridors. Resettlement impacts on the vulnerable EPs will be addressed through the entitlement provisions as given in section 6.3.1 of the ESMF. The documentation of the addressal of the social issues (access to project information, loss of land and assets, its extent and type, relocation of common properties, community grievances and suggestions etc) will be included in the DPR of the sub-projects, as specified in the formats attached as annexure to the R&PF. In such projects, the level of documentation of the environmental and social issues will be as laid down in the **ECoP-1.0**, “Project Planning and Design” and the formats annexed to R&PF.

Sub-projects, wherein there is a potential for significant adverse environmental /social impacts,

- €# (i) There is a likelihood of adverse impacts requiring specific interventions such as roads passing through forestlands, sanctuaries etc, and thereby requiring additional environmental analysis. In such cases, an EMP as outlined in the **ECoP 19.0**, “Natural Habitats” will be prepared as part of the DPR. The following aspects will be considered as triggers for the preparation of EMP, (a) Impacts on natural habitats, (b) Vulnerability to natural hazards, land slides/slips. In addition to the preparation of the EMP for such projects, the PIU will undertake the particular road improvement in compliance with the statutory provisions for Environmental Clearances as applicable.
- €# (ii) Prior to initiation of the DPR preparation, there is a likelihood of significant resettlement or the sub-project involves loss of structures / livelihood and there is a resentment of the communities towards the process of land transfer for the project. In such cases, the PIU through community planning will work out alternative alignments, design modifications to address social issues also taking into account aspects such as road safety and scope for future development. Sub-projects where there no scope exists for addressing the resettlement impacts through any of the mechanisms suggested in the R&PF will not be taken up during that particular year. For such roads, the PIU will decide not to go forward with the proposed road improvement through a written communication to the PRI stating the reasons, and no further analysis or investigation will ensue. Such roads will be taken up in subsequent phases of the project, only after these issues are resolved by the communities / PRI and there is a formal demand for the project to the PIU from the PRI as per the PMGSY guidelines.

## 5.2 ENVIRONMENTAL CODES OF PRACTICE (ECoP)

The ECoPs have been developed to guide the planning, design, construction and maintenance stages of PMGSY in terms of avoidance or mitigation of the adverse environmental impacts that may result from the projects. The codes define methods and procedures to be followed by the Executing Agencies, Contractors and other agencies involved in the 4 project states. The scope of the ECoP is outlined in Box-

Scope of the Environmental Codes of Practice ...	
€#	To form a field guide/manual to the planners, field engineers and contractors to:
€#	<b>Identify</b> project activities that can have potential environmental impacts and to provide mitigation measures
€#	<b>Demonstrate</b> road design and construction practices, that are cost-effective and address environmental impacts
€#	<b>Illustrate</b> recommended practices to address the environmental concerns during project planning, implementation and operation
€#	<b>Define</b> role of involvement of the rural communities at different stages of the project, and,
€#	<b>Achieve</b> PMGSY objectives of rural connectivity through roads planned and constructed to blend with the natural surroundings.



1. The list of ECoPs prepared and their coverage is presented in **Table 5-1**. Checklist for checking the DPR preparation and for identifying issues to be addressed in pre-construction, construction and post-construction stages will be as per the ECoPs. Environmental audit will monitor implementation of environmental measures as per **ECoP-18.0**, “Environmental Audit”. This includes formats for reporting the addressal of issues in various stages of the project.

**Table 5-1: Environmental Codes of Practice and their coverage**

<b>ECoP</b>	<b>Title</b>	<b>Key Issues Addressed</b>
ECOP 1.0	Project Planning & Design	Incorporation of environmental concerns in project preparation to avoid impacts in construction and operation stages Avoidance of roads through sensitive areas as reserved forests/sanctuaries/wetlands etc Compliance with legal requirements Devising enhancement measures into project design
ECOP 2.0	Site Preparation	Relocation of utilities, common property resources and cultural properties Avoidance of affect on roadside vegetation
ECOP 3.0	Construction Camps	Avoidance of sensitive areas for location of construction camps Infrastructure arrangements for workers and construction equipment
ECOP 4.0	Alternate Materials for Construction	Use of fly ash as per MoEF Notification Minimising earth requirement
ECOP 5.0	Borrow Areas	Avoidance of agriculture lands Redevelopment of borrow areas
ECOP 6.0	Topsoil Salvage, Storage & Replacement	Topsoil removal from areas temporarily/permanently used for construction Storage of topsoil in stockpiles and protection from erosion Reuse of topsoil at areas to be revegetated and in agriculture lands
ECOP 7.0	Quarry Management	Restoration of quarries in case new quarries are setup for the project
ECOP 8.0	Water for Construction	Extraction of water in water scarce areas with consent of Gram Panchayat / Individual Owner Scheduling construction activities as per water availability
ECOP 9.0	Slope Stability and Erosion Control	Slope stability along hill roads Protection of land on hill side from stability loss due to cutting Protection of lands on valley side from debris due to construction Adequacy of drainage for erosion control
ECOP 10.0	Waste Management	Reuse of cut material in hill roads Safe disposal of wastes
ECOP 11.0	Water Bodies	Avoidance from cutting due to alignment Protection of embankment slopes in case of alignment on embankments Rehabilitation of water body
ECOP 12.0	Drainage	Conduct of hydrological investigations during project preparation Provision of longitudinal and cross drainage as per requirements Proper location of drainage outfall
ECOP 13.0	Construction Plants & Equipment Management	Compliance of construction plants and equipment with noise and emission standards of Central Pollution Control Board Maintenance of machinery and equipment to avoid pollution
ECOP 14.0	Public and Worker's Health & Safety	Provision of Personal Protective Equipment to workers Provision of basic necessities to workers Public safety while travel along construction sites Public safety during operation of the road
ECOP 15.0	Cultural Properties	Avoidance of impacts due to project Protection of precincts from impacts due to construction Relocation in case impacts are unavoidable
ECOP 16.0	Tree Plantation	Avoidance of impact on trees Encourage growing of trees on roadside

ECoP	Title	Key Issues Addressed
ECoP 17.0	Managing Induced Development	Restricting ribbon development at junctions and bus stops Earmarking areas for commercial activities and other amenities
ECoP 18.0	Environmental Audit	Monitoring of environmental and social parameters during project planning, construction and implementation
ECoP 19.0	Natural Habitats	Identification of natural habitats Management measures for roads passing through natural habitats Structure of management plan
ECoP 20.0	Consultation Framework	Aspects for consultation Stage wise consultations Consultation schedule and responsibilities

Community will be consulted for all aspects of the project planning, design and implementation. Detailed consultation procedure and schedule at different stages are detailed out in **ECoP-20.0**, "Consultation for Environmental Aspects".

### 5.3 RESETTLEMENT AND PARTICIPATION FRAMEWORK

The Resettlement Framework outlines the principles and approaches to be followed in addressing and mitigating the social and economic impacts due to the project. The PIU, in coordination with the PRI at the village, block and district levels will be responsible for the planning and implementation of R&PF addressing social issues. **Table 7.1** of chapter 7 of ESMF and section 5.3.6 provides the R&PF activities along with the responsible agency, other agencies involved, and time frame for the tasks during project prioritisation, planning and implementation stages at the sub-project level. The principles adopted for addressing the social issues including land requirement in the project have been guided by the existing legislations and policies of the Government at the central and state level as discussed in section 4.2 of the ESMF. The resettlement planning involves the following tasks:

- ⌘ **Dissemination of PMGSY Road Under Core Network**, salient features of the finalized PMGSY road under core network displayed at Zila and Gram Panchayat Office;
- ⌘ **Selection of Roads**, for new construction/up-gradation from the PMGSY road under core network;
- ⌘ **Dissemination of Project Information**, after selection of roads and prior to finalisation of the alignment through Transect Walk;
- ⌘ **Finalisation of alignment** through community planning involving the local communities, their elected representatives and Government Departments (Revenue Dept, Forest Dept in case if alignment traverses through forest areas etc) during Transect Walk and Consultations;
- ⌘ **Consultation with affected persons**, to communicate how concerns of the communities have / have not been incorporated into the project design through disclosure of outputs of Transect Walk;
- ⌘ **Profile of Affected Persons**, to assess the extent of impact on each household through Survey collecting the socio-economic profile of the PAPs;
- ⌘ **Identification of Eligible PAPs**, for targeted support / assistance to the eligible PAPs including vulnerable groups through Survey;
- ⌘ **Integrating R&R issues in Detailed Project Report (DPR)**, ensuring that the designs for the PMGSY roads are sensitive to social issues and have incorporated the social considerations;

- ⚡ **Disclosure of process of land requirement and entitlement provisions**, to provide information to PAPs and Eligible PAPs;
- ⚡ **Serving Advance Notice**, to Non-Titleholders for removal of encroachments / squatters and clearance of assets or standing crops;
- ⚡ **Submission of MoU/Affidavit (Himachal Pradesh) / MoU Rajasthan and Uttar Pradesh) / Affidavits (Jharkhand) by individual landowners to PRI**, to ensure donation of land for PMGSY road.
- ⚡ **Information Disclosure and Consultations**, prior to mobilization of machinery by contractor providing details of temporary impacts during construction such as disruption to normal traffic, increased pollution levels, damages to adjacent land due to movement of machinery, location of construction camps, health issues etc.

### 5.3.1 Impacts and Entitlements

Consequent to the identification of the eligible persons and requirement of additional land and assets, the resettlement framework addressing the categories of impacts caused by the project is presented in the **Table-5-2**.

**Table 5-2: Impact Categories and Proposed Measures**

Impact Category	Proposed Measures
Title Holders	
Land	Willingly transfer land by means of MoU/Affidavit to implementing agency (or) Assistance/Support by the community for eligible PAPs <sup>10</sup> through: (i) Alternate land sites provided by GP/community (ii) Inclusion as beneficiaries in existing poverty alleviation/ livelihood restoration programs, (iii) Cash assistance or support by members of GS to meet the loss of land.
Structures	Willingly transfer assets lost (or) Assistance/Support for asset creation by community and Panchayat (or) Inclusion of PAPs losing shelter as beneficiaries in Rural Development programs
Common Property Resources	Relocation by GP/community with technical inputs from PIU either relocate or construct asset; Consultations with the concerned sections of the community in case of grazing land etc
Non-titleholders	
Squatters	Advance notice to removal of assets/standing crops and subsequent clearance; Involvement of GP/community in sensitisation and clearance of squatters
Encroachers	Advance notice to removal of assets/standing crops and subsequent clearance; Involvement of GP/community in sensitisation and clearance of encroachments

### 5.3.2 Process of Land Transfer

For each of the land parcel likely to be affected in the project, MoU/Affidavit (Himachal Pradesh) / MoU Rajasthan and Uttar Pradesh) / Affidavits (Jharkhand) between the landowner/s and PIU or Government will be undertaken. It will be the responsibility of the PIU/PRI to collect the MoU/Affidavit (Himachal Pradesh) / MoU Rajasthan and Uttar Pradesh) / Affidavits (Jharkhand) 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, will be obtained by the PIU. In the absence of such supporting evidence, the Patwari will vet the proof of ownership.

The award of contract will be only after the MoU/Affidavit (Himachal Pradesh) / MoU Rajasthan and Uttar Pradesh) / Affidavits (Jharkhand) from all affected persons are available with PIU. The PIU will have the responsibility of enrolling the eligible PAPs in the RD schemes with prior

<sup>10</sup> Eligible Project Affected Persons include BPL, SC, ST, Women Headed Households, Handicapped Person losing land, shelter, livelihood

disclosure of information on the process, schedule and other details. The disbursement of entitlements through civil support mechanism will be the responsibility of the Gram Panchayat and its members or any other agency/authority that holds jurisdiction over such disbursement.

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 will take into account the existing customary rights of the tribal community on various categories of land. It will 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.

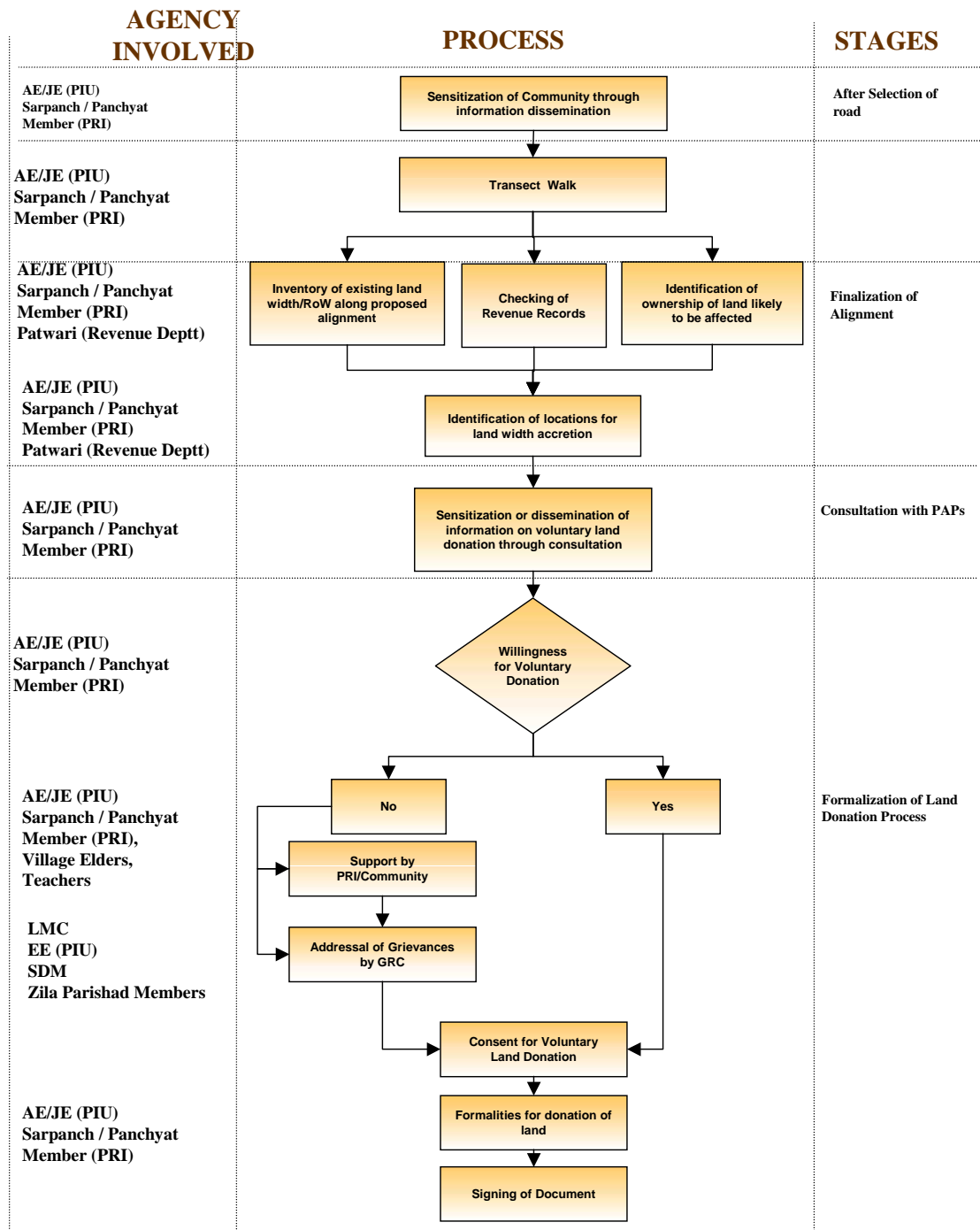


Figure 5-1: Mechanism for Land Transfer

### 5.3.3 Participation 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 R&PF. Broadly, community participation (Consultation and Information Disclosure) will be undertaken at the following project stages:

- ⚡ **Prioritization Stage** primarily sensitizing the community about the project;
- ⚡ **Planning Stage** for disseminating information pertaining to the project road, work schedule and the procedures involved; Finalisation of Alignment through community planning with identification of impacts, eligible persons, mitigation measures; and Grievance Redressal; and
- ⚡ **Implementation Stage** for implementation of R&PF and addressing temporary impacts during construction and monitoring for transparency in the project implementation.

The detailed Consultation Framework and Information Dissemination as part of the R&PF is presented in **Table 5.3**, while Formats for the Information Dissemination envisaged in the R&PF are attached as **Annexure 5-1**. Finalisation of the PMGSY road under core network will be through an active involvement of PRIs and elected representatives at the village, block and district levels. Consultation will be organised by the PRI along with the Assistant Engineer (AE)/Junior Engineer (JE) of PIU providing project details and explaining the community of their role in the project. The PIU through community planning will involve the PRIs and communities in alignment finalisation through transect walks along the suggested alignment. Subsequently, census and focus group discussions will be undertaken by the PRI and PIU to assess the extent of losses, compile the profile of PAPs and identify eligible PAPs including vulnerable PAPs. The Consultations will be held to provide the outputs of the Transect Walk and address the issues pertaining to the common resource properties and access to minor forest produce etc. this will be undertaken by the AE/JE in coordination with the village level Panchayat members.

The PIU will be liable to provide the desired information of any village individual or PAP pertaining to the project as per the Freedom to Information Act. Prior to construction work, the contractor will provide details of the schedule of work and temporary impacts during construction through consultations in villages.

Various consultations between various Government Agencies conducted as part of the study are:

- ⚡ Consultations with district officials at initial stages of the project for screening sub-projects for site visits
- ⚡ Consultations with contractors, officials and other stakeholders for identifying the issues arising due to the project
- ⚡ MoRD, NRRDA, World Bank and implementing agencies at state level workshops for feed back on ESMF

The suggested framework for consultation includes dissemination of information (viz. project information, incorporation/non-incorporation of environmental / social concerns, relocation of common property resources and cultural properties etc.), during project planning and design. Community would be involved in decision making right from the time of selection of alignment

and its finalisation through community planning. Extensive consultations would be held for securing land for the project and seeking consent on temporary use of land, extraction of water, etc. during the project implementation or execution stage.

**Table 5.3: Consultations and Information Dissemination proposed in PMGSY**

Stage/ Activities	Responsible Person/Agency	Stakeholders	Tools & Techniques	Desired Outputs
<b>PRIORITISATION</b>				
Dissemination of PMGSY road under core network	EE (PIU), Zila Pradhan (PRI)	Community	Display of list (List of villages and length of corridor) and Maps at Gram Panchayat	Increasing awareness of community about the PMGSY Transparency in selection of roads
<b>PROJECT PREPARATION</b>				
Dissemination of project information	AE/JE (PIU), Sarpanch/Other Panchayat Members (PRI)	Community	Distribution of Brochures/Boards/Wall Paintings	Sensitisation of communities Increasing awareness of community about the roles and responsibilities
Dissemination of road information prior to Transect Walk	AE/JE (PIU), Sarpanch/Other Panchayat Members (PRI)	Community	Distribution of Pamphlets/Posters/Public Announcements	Disclosure of sub-project details, Schedule of Transect Walk
Finalisation of alignment	AE/JE (PIU), Sarpanch/Other Panchayat Members (PRI), Patwari (Revenue Deptt)	Community	Transect walk and Consultation with local community, Joint On-site inventory	Verification of the alignment, Identification of sites for land width accretion, vulnerable PAPs, Identification of grievance, Documentation of Transect, Finalization of alignment (Modifications/ shifts) through community planning Incorporation of suggestions from Community
Consultations with PAPs	AE/JE (PIU), Sarpanch/Other Panchayat Members (PRI)	Community, PAPs	Focus group discussions, meetings	Sensitise PAPs on Likely issues Disseminate procedures, entitlement provisions and the social issues in the project Disclosure of outputs of Transect Walk, List of PAPs
Profile of Affected persons, (Census Survey)	AE/JE (PIU), Sarpanch/Other Panchayat Members (PRI)	PAPs	Individual consultation with PAPs, household surveys	Assessment of Socio-economic profile of the PAPs, Extent of Impacts, Vulnerability and extent of support required.
Dissemination of information on process of land transfer, entitlement provisions & grievance procedures	AE/JE (PIU), Sarpanch/Other Panchayat Members (PRI)	PAPs, Eligible PAPs	Public meetings, Distribution of Notices to Non-Titleholders, Pamphlets to PAPs, Eligible PAPs	Display of PAPs donating land Awareness about process for land transfer Provide clarity on to grievance procedures, entitlement provisions
Finalization of Entitlements	AE/JE (PIU), Sarpanch/Other Panchayat Members (PRI)	PAPs	Individual consultation with PAPs	Ensure that eligible PAPs have been included as per the eligibility for entitlements/assistance
<b>IMPLEMENTATION of R&amp;PF</b>				
Advance notice to encroachers and non-titleholders, farmers with standing crops	AE/JE (PIU)	PAPs	Public meetings, Notices	Implementation of R&PF Clearance of RoW prior to mobilization of Contractor.
Relocation of common property resources	Sarpanch/Other Panchayat Members (Gram Panchayat)	Community	Public meetings, FGD's	Ensure that the relocation of common property resources are done as per needs of communities Clearance of RoW prior to mobilization of Contractor.
Redressal of grievances	AE/JE (PIU), Sarpanch/Other Panchayat Members (PRI)	Community and PAPs	FGD's, Individual consultation with PAPs	Opportunity for PAPs to voice their grievances Resolution of outstanding issues.
Disbursal of entitlements	AE/JE (PIU)	Eligible PAPs	Individual consultation with PAPs	Identification of Eligible PAPs to be supported
Enrolment into RD schemes	AE/JE (PIU)	Eligible PAPs	Individual consultation with PAPs	Identification of Eligible PAPs to be enrolled for individual schemes.
Temporary impacts during construction	Contractor	Community	Public meetings, FGDs	Provide an enhanced awareness and mechanisms for Redressal of temporary impacts

Stage/ Activities	Responsible Person/Agency	Stakeholders	Tools & Techniques	Desired Outputs
Health impacts including HIV/AIDS	Contractor, Sarpanch/Other Panchayat Members (PRI), DACS	Community	Display of banners posters by DACS	Sensitizing community, contractors, labours about HIV/AIDS and other health issues
Physical possession of land by PIU	AE/JE (PIU), Sarpanch/Other Panchayat Members (PRI)	PAPs, Community	Individual consultation with PAPs	Delineation of boundary of residual plots. Staking out of alignment on ground Clearance of RoW prior to initialization of civil works
Monitoring and Evaluation	AE/JE (PIU)	PAPs, Community	Public meetings, FGDs, Individual consultation	Provide information on progress of implementation Identify scope for improvement Provide an opportunity to improve in later projects

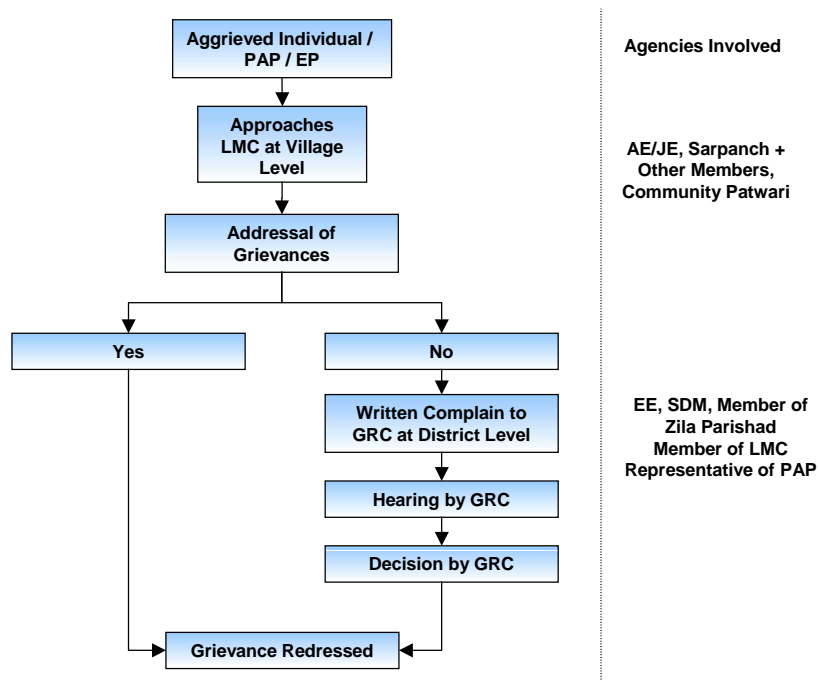
### 5.3.4 Monitoring

The SRRDA shall be responsible for supervision of R&R implementation and its progress through the PIUs and PRIs. The Safeguard Specialist of the Technical Examiner will periodically monitor the progress of implementation of the Resettlement Framework. The PIU will document the progress of implementation on a quarterly basis and forward the same to SRRDA. The same shall be compiled from all the PIUs and forwarded to MoRD by 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. In addition, SRRDA shall review the implementation of the R&R implementation at periodic intervals. The reporting formats are attached as **Annexure 5-2**.

### 5.3.5 Grievance Redressal Mechanism

The Land Management Committee (LMC) will 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. Residual grievances will be addressed through a Grievance Redressal Committee at the district level, comprising of Executive Engineer of the PIU, Sub-Divisional Magistrate, Member of Zila Parishad, and 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, the Gram Panchayat will fulfil these functions at the village level. **Figure 5-2** illustrates the Grievance Redressal Mechanism.

**Figure-5.2: Grievance Redressal Mechanism**



### **5.3.6 Implementation Arrangement and Schedule**

The PIU will have the main responsibility of planning and implementing the R&PF activities along with other project components. Coordinating the tasks involving different Government Departments such as DRDA, Revenue Department and PRIs, contractor etc is the responsibility of the PIU (EE/AE at the district & block level and AE/JE at the field level). The implementation schedule for the R&PF activities are given in **Table 5.4** which also provides the details of the agencies involved other than the PIU. 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.

During implementation, meetings will be organised by the PIU for providing information on the progress of the project work to the nodal agencies. The information on progress of the project work will also be disclosed to the local community through consultations. Disbursement of Entitlements will be through the PRI (or State Government, as case may be), mainly vesting the responsibility with the Gram Panchayat including the Sarpanch or ward members and JE (PIU).

As envisaged under the 73<sup>rd</sup> Constitutional Amendment Act of 1992, the Eleventh Schedule of Article 243G provides for management, development, implementation of land reforms, land consolidation and conservation of village land under the purview of the Panchayats. It is only in the state of Uttar Pradesh, a separate Land Management Committee (LMC)<sup>11</sup> has been established to assist the Goan Sabha in the discharge of their duties pertaining to up-keep, protection and supervision of all property vested with it. In the states of Himachal Pradesh, Rajasthan and Jharkhand, a separate Land Management Committee needs to be established and vested with the powers of managing the village land, and activated in case if inactive in the state of Uttar Pradesh.

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<sup>11</sup> Members of Land Management Committee consist of all members of Gram Panchayat, Lekhpal of Goan Sabha as Secretary, Pradhan and Up- Pradhan of Gram Panchayat will be the Chairman and Vice Chairman of LMC.



**Table 5.4: Resettlement Framework - Implementation Schedule**

S.No	Activities	Agencies Responsible Besides PIU involved	Pre-selection	DPR Preparation			Approval	Implementation															
				1	2	3		1	2	3	4	5	6	7	8	9	10	11	12				
<b>1</b>	<b>Prioritisation</b>																						
1.1	Preparation of PMGSY roads under core network	GP																					
1.2	Approval of PMGSY roads under core network	ZP																					
1.2	Dissemination of PMGSY roads under core network	ZP, GP																					
1.3	Selection of roads	-																					
<b>2</b>	<b>Project Preparation &amp; Planning</b>																						
2.1	Dissemination of project/road information	GP																					
2.2	Sensitisation of community	GP																					
2.3	Finalisation of alignment																						
	- Transect walk	GP, RD																					
	- Alignment shifts to minimise social impacts	-																					
	- Incorporation of suggestions from Community	-																					
2.4	Consultations with PAPs	GP																					
2.5	Survey for Profile of Affected persons	GP																					
2.6	Identification of eligible PAPs	GP																					
2.7	Dissemination of process of voluntary donation, entitlement provisions & grievance procedures	GP																					
2.8	Finalization of Entitlements	GP, DRDA, DoSW/TD																					
2.9	Marking of Alignment	RD																					
<b>3</b>	<b>Implementation</b>																						
3.1	Collection of MoU/Affidavit	GP, RD																					
3.2	Advance notice to encroachers and non-titleholders, farmers with standing crops	RD, GP																					
3.3	Relocation of common property resources	GP, RD																					
3.4	Redressal of grievances	GP, RD																					
3.5	Disbursal of entitlements																						
	- Disbursal of assistance by PRIs/communities	GP																					
	- Enrolment into RD schemes	GP, ZP, DRDA, DoSW/TD																					
3.6	Physical possession of land by PIU	RD																					
3.7	Temporary impacts during construction	GP, Contractor																					
3.8	Health impacts including HIV/AIDS	PHC, DACS, GP																					
<b>4</b>	<b>Monitoring and Evaluation</b>	TE/GP																					

PIU – Programme Implementation Unit, GP – Gram Panchayat, ZP- Zilla Panchayat, RD – Revenue Department, DRDA-District Rural Development Agency, DoRD – Department of Rural Development, DoSW/TD – Department of Social Welfare / Tribal Development, DACS – District AIDS Control Society, PHC-Primary Health Centre, TE - Technical Examiner



## 6. IMPLEMENTATION ARRANGEMENTS

### 6.1 INSTITUTIONAL STRUCTURE

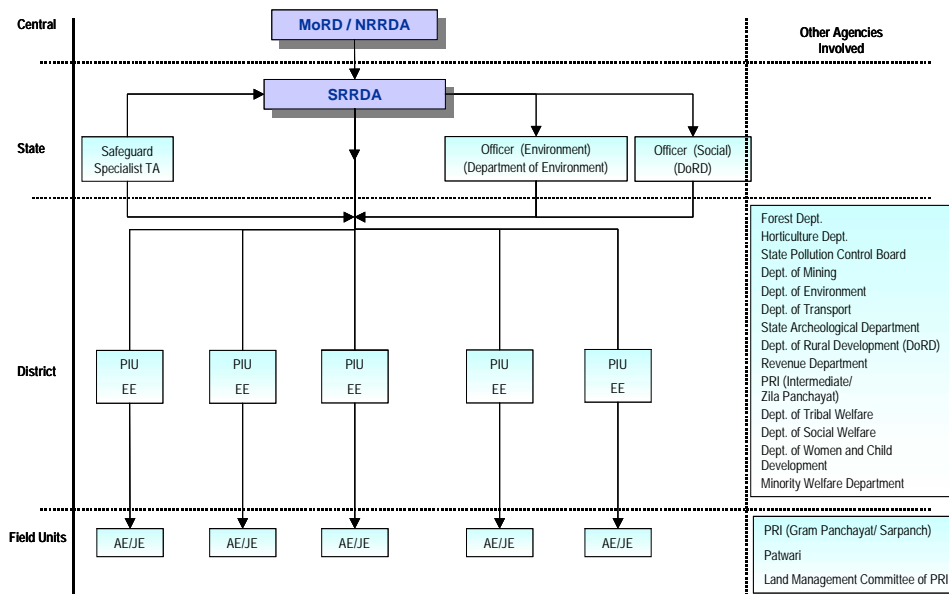
#### 6.1.1 Recommended Institutional Structure

The State Rural Road Development Agency (SRRDA)<sup>12</sup> will be the executing agency for PMGSY at State level. The PIU, at the districts, will have the responsibility of coordinating and implementing the provisions of the ESMF provisions along with the other project components.

Towards implementation of the ESMF, two officers for managing environmental and social aspects will be deputed from the Department of Environment and Department of Rural Development into SRRDA for each of the four project states. These officers will assist, advise the Nodal Officer at SRRDA and interact with the PIU in implementation of ESMF provisions. Roles and responsibilities of these officers are as discussed in the following sections.

Technical Examiner will be appointed in each of the 4 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 ESMF provisions, a position of a Safeguard Specialist has been provided. The institutional structure suggested is presented in **Figure-6.1**.

The PIU through the AE/JE will implement all the R&PF tasks at the field level with the assistance and participation of the PRIs (Sarpanch and other panchayat/ ward members etc). The role and responsibility of each of the Agency/Official involved are presented in section 6.1.2.



**Figure 6-1: Institutional Structure**

<sup>12</sup> SRRDA in each of the project states are as follows  
 Rajasthan Rural Road Development Agency in Rajasthan  
 Himachal Pradesh Gram Sadak Development Agency in Himachal Pradesh  
 Uttar Pradesh Gramin Sadak Vikas Abhikaran in Uttar Pradesh and  
 Jharkhand Rajya Gramin Path Vikas Pradhikaran in Jharkhand

## **6.1.2 Roles and Responsibilities**

### **Officer (Environment)**

The roles and responsibilities of the Officer (Environment) will include:

- ⌘ Coordinate planning and implementation of Environmental aspects of PMGSY in the state;
- ⌘ Obtain clearances from the line departments especially MoEF and Forest Department;
- ⌘ Monitor PMGSY roads for fulfilment of ESMF provisions in co-ordination with the Technical Examiner;
- ⌘ Coordinate with agencies for ensuring implementation of ECoP;
- ⌘ Report progress, highlighting environmental issues not addressed, to provide for course correction in subsequent projects

### **Officer (Social)**

The roles and responsibilities of the Officer (Social) will include:

- ⌘ Ensure dissemination of information to community/PAPs as proposed in the R&PF,
- ⌘ Coordinate with agencies for ensuring implementation of social development issues during R&PF,
- ⌘ Coordinate between state level agency for finalisation of entitlements and enrolment procedures,
- ⌘ Carry out Assessment of people affected by the project; assess eligibility of PAPs and coordination of R&R implementation,
- ⌘ Ensure implementation of R&PF as per schedule,
- ⌘ Monitor PMGSY roads for fulfilment of R&R issues in co-ordination with the Technical Examiner(TE),
- ⌘ Report progress, highlighting social issues not addressed, to provide for course correction in subsequent projects,
- ⌘ Coordinate training with agencies involved.

### **Safeguard Specialist of the Technical Examiner**

The Safeguard Specialist will be responsible for ensuring:

- ⌘ 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; and,
- ⌘ 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.

### **Programme Implementing Unit (PIU)**

#### **District Level (EE/SE)**

- ⌘ EE/SE ensuring disclosure of PMGSY road under core network by Zila Panchayat and Gram Panchayat at Panchayat Office and make sure that copies of PMGSY road under core network are made available to local MPs and MLAs

- ⌘ PIU at the district/block level (EE/SE) ensures road selection is from PMGSY road under core network
- ⌘ EE/SE oversees land availability for taking up proposed roads as per SP-20:2002 during road selection

#### **Field Level (AE/JE)**

- ⌘ Dissemination of Project Information at various stages of project as envisaged in the R&PF
- ⌘ 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 survey of profile of PAPs
- ⌘ 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 survey of profile of PAPs
- ⌘ Verification of eligibility 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 Affidavit/MoU from landowners
- ⌘ Responsible for addressal of additional unforeseen impacts during construction
- ⌘ Ensuring incorporation of social issues in DPR prior to approval from TE
- ⌘ Supervising the R&PF tasks during implementation & its progress in coordination with PRI
- ⌘ Collect data pertaining to the evaluation and monitoring indicators

#### **Panchayati Raj Institution (PRI)**

##### **District Level (Pradhan)**

- ⌘ Display of PMGSY road under core network at the Zila and Gram Panchayat Office
- ⌘ Ensure establishment of Land Management Committee for grievance redressal at village level

##### **Field Level (Sarpanch and other Panchayat Members)**

- ⌘ Dissemination of project information as per the R&PF 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 survey of profile of PAPs assess the extent of impacts along with the PIU

- ≠ Identification of Eligible PAPs and their verification as per the eligibility criteria
- ≠ Ensure integration of R&R issues in DPR
- ≠ Ensure finalisation of procedure for land transfer and disbursal of entitlements
- ≠ Responsible to collect Affidavit/MoU from landowners & subsequent submission to PIU
- ≠ Make sure that contractor holds consultation with community prior to mobilisation of machinery
- ≠ Supervising the R&PF tasks during implementation and its progress in coordination with PIU

### 6.1.3 Training Plan

Implementation staff of PMGSY would need to be oriented towards environmental management. A three tier-training plan is prepared to orient the staff at state level, district level and field level towards implementation of ESMF. The training plan with the mode of training and target groups along with the duration is presented in the **Table 6-1**.

**Table 6-1: Training Plan**

Module No.	Description	Participants	Form of Training	Level	Duration
<b>Module I</b>					
Session I	Basic Concept of ESMF Screening of corridors Environmental & Social Concerns in PMGSY	MoRD, NRRDA, Chief Engineers (CE), Superintending Engineers (SE), Executive Engineers (EE) of PIU, Revenue Department, Forest Department, Technical Agency	Workshop	State	One Working Day
Session II	Basic Concepts of Resettlement and Participation Framework Provisions of ECoP Provisions of Resettlement and Participation Framework	MoRD, NRRDA, Chief Engineers (CE), Superintending Engineers (SE), Senior Executive Engineers (EE) of PIU, Revenue Department, Forest Department, Technical Agency	Workshop	State	
<b>Module II</b>					
Session I	Basic Concept of ESMF Transect Walk ECoP Provisions and Applicability Preparation of BoQ Integrating ESMF provisions into DPR Role and Responsibility Monitoring Mechanism	Executive Engineers (EE), Senior Assistant Engineers (AE) of PIU, Technical Agency	Lecture	District	One Working Day
Session II	Basic Concepts of Resettlement and Participation Framework Profile of PAPs Identification of Eligible PAPs Transfer of land/assets Integrating social concerns in DPR Role and Responsibility Redressal Mechanism	Executive Engineers (EE) & Senior Assistant Engineers (AE) of PIU, Technical Agency	Lecture	District	One Working Day

Module No.	Description	Participants	Form of Training	Level	Duration
<b>Module III</b>					
Session I	Identification of Environmental Concerns during construction stage ECoP provisions and its Implementation Reporting formats	Assistant Engineers (AE), Junior Engineer (JE) of PIU, Technical Agency	Lecture	District	One Working Day
Session II	Identification of Social concerns Redressal mechanism with the provisions of R&R framework Methodology for land transfer Disbursement of entitlements	Assistant Engineers (AE), Junior Engineer (JE) of PIU, Technical Agency	Lecture	District	One Working Day
Session III	Institutional Setup Roles and Responsibilities of officials/contractors/Technical Examiner towards protection of environment Monitoring mechanisms Reporting requirements with targets	Assistant Engineers (AE), Junior Engineers (JE) of PIU, Contractor, Sarpanch	Interactive Session	District	One working day

#### 6.1.4 Budget for ESMF

The environmental and social management measures suggested as per ESMF will be implemented within the existing provisions made for the DPR. However, the items that would be having implications on the budget of the DPR are indicated in **Table 6-2**. The budget prepared is indicative, for a typical road with an average length of 4 km. Other assumptions for each item are indicated in the table.

**Table 6-2: Budget for ESMF per Road**

Sl.No.	Item	Unit (No.)	Rate (Rs.)	Qty (No.)	Cost	Assumption
<b>I</b>	<b>ECoP provisions</b>					
1	Provision of Ramps	No.	20000	8	160000	Atleast 4 ramps either side of the road
2	Provision of Busbays	No.	20000	2	40000	1 village enroute. Bus bay on either side
3	Provision of Bus stops	No.	160000	1	160000	1 Bus stop at terminating village
4	Mitigation of impacts on Water Body	No.	5000	1	5000	Cost of Silt fencing and diversion of runoff from water body during construction
5	Relocation of CPR	No.	5000	1	5000	Lump sum cost
<b>II</b>	<b>R&amp;PF provisions</b>					
1	Conducting Census Surveys	Forms	5.00	80	400	About 80 PAPs
2	Public Consultations	Consultations	2,000	4	8,000	At least 4 Consultations
3	Advance Notices	Notices	10	30	300	Per road about 30 Non Title-Holders
4	Legal Cost for Land Transfer	Form	100	80	8,000	About 80 PAPs
<b>III</b>	<b>Information Disclosure</b>					
1	Brochures	Brochure	50	100	5000	Approx. Village Population: 1,000, 10% along road
2	Pamphlets	Pamphlets	10	80	5600	At least at 7 stages Pamphlets to be distributed
3	Notice Boards	Boards	7000	1	7,000	A Notice Board or wall painting
<b>Total Rs.</b>					<b>4,04,300</b>	





## 7. GUIDE TO APPLICATION OF ESMF

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### 7.1 PROJECT CYCLE: SUB-PROJECT DETAILS

The entire project cycle or process are divided into five phases of work:

- ≠ **Corridor Prioritisation** encompasses tasks related to the prioritisation of the project corridors through preparation and approval of the District Rural Road Plan and the PMGSY road under core network. The PMGSY road under core network details shall be disclosed to the community subsequent to its finalization at the District, Block and concerned Gram Panchayats. Roads out of the PMGSY road under core network shall be prioritised for implementation in each year.
- ≠ **Project Planning & Design:** The planning and design phases involves:
  - First task involves, finalization of alignment, inventorization of social & environmental features, sites for land accretion, considering aspects of road safety and scope for future growth, consultations with the landowners/community and identification of likely PAPs through community planning during transect walk.
  - Second task involves design of road geometrics and enhancement measures based on the outcome of the first task and preparation of Detailed Project Report (DPR)
- ≠ **Site Preparation** entails disbursement of entitlements, land transfer, collection of Affidavits/MoUs from the landowners, serving of advance notices to encroachers and squatters for the construction of PMGSY road. The process also involves mobilization of contractor that includes setting up of site, signing of MoU/NoC/LoC, site clearance, disclosure of information pertaining to details of construction schedule, etc. During this stage, the contractor will organize consultations with the community and migrant labourers to discuss temporary impacts during construction including safety and the work schedule. It is only after the physical possession of land and MoUs for use of local resources that the mobilization of machinery will start on site.
- ≠ **Construction Stage:** The stage involves where actual construction of PMGSY Road begins. The stage includes earthwork, sub-base and base course, construction of culverts and drains etc. with main focus on public and workers safety. Monitoring plays the important role in the stage to ensure all measures are followed as per DPR. The process of disbursal of entitlements will continue during this stage with active involvement of the DRDA, DoSW, DoTW, Gram Panchayat and PIU.
- ≠ **Post Construction Stage:** The post construction scenario tasks include Reclamation of temporary used land for disposal of waste, storage of material, etc., borrow area, water body & culture property by the contractor and will obtained certificate of reclamation from the owner of the land. The other tasks that need to be undertaken by the Gram Panchayat are managing induced development and tree plantation.

The detailed PMGSY Process outline and corresponding ESMF Provisions and Environmental Code of Practice are present in **Figure 7-1** and **Table 5-1** respectively. The responsible agency/ official involved, time frame etc. is present in **Table 7-1** while the implementation schedule has been discussed in **section 5.3.6**.

**Table 7.1 : ESMF Tasks and Implementing Agency**

Project Stage	Task	Target Groups	Responsible Agency/Person	Time Frame	Formats/details to be filled & attached	
Corridor Prioritisation Stage	Dissemination of PMGSY Road Under Core Network	Community	PIU (EE/AE), ZP (Zila Pradhan), GP (Sarpanch)	After approval of Core Network	Format 1 for Information Disclosure at ZP & GP office	
	Selection of roads		PIU (EE/AE), GP (Sarpanch), Revenue Deptt. (Patwari)	First week of DPR Preparation	Annexure 1-1 Screening of Sub-Project, ECoP	
Project Planning and Design Stage	DPR Preparation Stage	Dissemination of Project Information	Community	PIU (AE/JE), GP (Sarpanch)	First week of DPR Preparation	Format 2 for Information Disclosure through Brochures/Booklets
		Sensitisation of community	Community	PIU (AE/JE), GP (Sarpanch, Ward Members)	First week of DPR Preparation	Format 3 and 4 for Information Disclosure through Public Announcements/Posters/Pamphlets
		Finalisation of Alignment (Transect Walk, Alignment Shifts, Incorporating community suggestions)	Community	PIU (AE/JE), GP (Sarpanch, Ward Members), Revenue Deptt. (Patwari), Other Deptt. Officials (if required)	First month of DPR Preparation	Annexure 2 & 3 of R&PF for Transect Walk & Consultations and Format 5 for Information Disclosure through Pamphlets/Posters
		Consultations with community/PAPs	Community/ PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members)	First month of DPR Preparation, after alignment finalisation	Annexure 3 of R&PF / Annexure 20-3 ECoP for Recording Consultations
		Survey for Profile of PAPs	PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members)	5th to 6th week of DPR Preparation	Annexure 4 of R&PF for Profile of PAPs
		Identification of eligible PAPs	Eligible PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members)	6th week of Second month of DPR Preparation	Annexure 4 of R&PF for Profile of PAPs
		Geometric Design & Drainage Design	Community	PIU (AE/JE)		Table 5-1 Environmental Codes of Practice and their coverage
		Dissemination of process of voluntary donation, entitlement provisions & grievance procedures	Eligible PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members)	7th week of DPR Preparation	Format 6, 7 and 8 for Information Disclosure through Posters/Pamphlets/Wall Paintings
		Finalisation of Entitlements	Eligible PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members), DRDA, DoSW, DoTW	8th week of DPR Preparation	Annexure 3 of R&PF for Recording Consultations and Annexure 6 for RD Schemes and Format 9 for Information Disclosure through Posters/Pamphlets/Wall Paintings
		Marking of alignment		PIU (AE/JE), GP (Sarpanch, Ward Members), Revenue Deptt. (Patwari)	12th week of DPR Preparation	
		Incorporating R&R issues in DPR		PIU (AE/JE), GP (Sarpanch, Ward Members)	End of Fourth month of DPR Preparation	
		Detailed Project Report		PIU (AE/JE)		
		Scrutiny and Approval of DPR		Technical Agency		
		DPR Auditing		Auditor		Checklist 1, ECoP 18 Environmental Audit
Site Preparation Stage	Post DPR Stage	Collection of MoU/Affidavits	PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members), Revenue Deptt. (Patwari)	First month of Implementation after approval of DPR	Annexure 5 of R&PF for Voluntary Land Donations
		Advance Notices to Non-Titleholders, Farmers with standing crops	PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members)	First month of Implementation after approval of DPR	
		Relocation / Shifting to Common Property Resources	Community/PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members), Revenue Deptt. (Patwari)	By end of 2nd month of Implementation after approval of DPR	
		Disbursal of assistance	Eligible PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members)	Between 3rd-5th month of Implementation after approval of DPR	
		Enrolment into RD Schemes	Eligible PAPs	PIU (AE/JE), ZP (Members), GP (Sarpanch, Ward Members), DRDA, DoSW, DoTW	From 3rd month of Implementation after approval of DPR	
		Physical Possession of land by PIU		PIU (AE/JE), Revenue Deptt. (Patwari)	By end of 3rd month of Implementation after approval of DPR	
		Temporary Impacts during constructions	Community	GP (Sarpanch, Ward Members), Contractor	From 4th month of project Implementation, till completion of construction work	
		Health Impacts including HIV/AIDS	Community	GP (Sarpanch, Ward Members), Contractor, PHC, DACS	From 4th month of project Implementation, till completion of construction work	
Setting up of Site		Contractor	First month of Implementation after approval of DPR	Annexure 3-1, 4-1, 8-1, 10-1 of ECoP		
Construction Stage		Redressal of Grievances	Community/PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members), Revenue Deptt. (Patwari)	Through out project cycle	
		Unforeseen Impacts	Community	PIU (AE/JE), GP (Sarpanch, Ward Members), Revenue Deptt. (Patwari), Contractor	From 4th month of project Implementation, till completion of construction work	Format 10 for Information Disclosure through Posters/Pamphlets/Wall Paintings
		MoUs for use of local resources	Community	Contractor, GP (Sarpanch)	From 4th month of project Implementation, till completion of construction work	
Post Construction Stage		Monitoring of Construction Work		Auditor, PIU (AE/JE)		Checklist 2A & 2B, ECoP 18 Environmental Audit
		Reclamation of Temporary Used Land, Borrow Area, Water Body & Culture Property	Community	Contractor		Annexure 5-1, ECoP
		Tree Plantation	Community	GP (Sarpanch, Ward Members), Community		
		Managing Induced Development	Community	GP (Sarpanch, Ward Members)		
		Monitoring Progress		PIU (AE/JE), TE	Through out project cycle	Annexure 9 & 10 of R&PF for Progress Monitoring
Project Evaluation	Community, PAPs	PIU (AE/JE), GP (Sarpanch, Ward Members)	After Completion of project	Annexure 11 of R&PF for Evaluation Indicators		

PIU – Programme Implementation Unit, GP – Gram Panchayat, ZP- Zilla Panchayat, RD – Revenue Department, DRDA-District Rural Development Agency, DoRD – Department of Rural Development, DoSW/DT – Department of Social Welfare / Tribal Development, DACS – District AIDS Control Society, PHC-Primary Health Centre, ECoP – Environmental Code of Practice, TE - Technical Examiner

Supplemental Operations Manual (SOM) prepared for the World Bank funded PMGSY roads provides for integration of ESMF into project preparation and implementation for addressal of environmental and social issues. Hence, implementation of ESMF (through ECoP and R&PF) into various project stages has been institutionalised. Various ESMF provisions that correspond to the project stages as referred to Operational Manual (OM) for overall PMGSY works is indicated in **Table 7-2**<sup>13</sup>. The sequential process of project planning, design and implementation of PMGSY sub-projects and the corresponding ESMF linkages to these stages are specified in **Figure 7.1**.

**Table 7-2: Project process as per Operational Manual and corresponding ESMF provisions**

Chapter of OM		OM Section		Corresponding ESMF Provisions
No.	Title	No.	Title	
3	Annual proposals and their clearances	3.2	Proposals	Screening criteria for selection of roads, ECoP-1.0 "project Planning & Design"
		3.4.4	Guidelines for preparing DPR	All ECoP and Resettlement & Participatory Framework Formats as given in Table 7-1.
4	Design	4.1	Route selection and alignment	Annexure 2 of R&PF "Methodology for Conducting Transect Walk" and Format 5 of Information Dissemination "Guidance Note for Transect Walk", ECoP 1.0 "Project Planning & Design"
		4.2	Geometric design standards	ECoP – 1.0 "Project Planning & Design"
		4.3	Topographical & related ground surveys	Annexure 2 of R&PF "Methodology for Conducting Transect Walk" and Format 5 of Information Dissemination "Guidance Note for Transect Walk", Annexure 3 of R&PF "Methodology & Format for Community Consultation, Annexure 4 of R&PF on Census Survey, ECoP 1.0 "Project Planning & Design"
		4.8	Use of local materials	ECoP 4.0 "Alternate Materials for Construction" and Annexure 4.1, 8.1 & 10.1 for MoUs/LoC/NoC for Use of local materials
5	Project Preparation	5.2	Detailed Project Report (DPR)	All ECoP and Resettlement & Participatory Framework Formats as given in Table 7-1.
		5.3	Drawings	Construction camp drawing as per ECoP 3.0 "Construction Camp" Rehabilitation Plan for Borrow Area, ECoP 5.0 "Borrow Areas" Measures for protection of water bodies, ECoP 11.0. "Water Bodies"
				Relocation drawing of cultural property, ECoP 15.0 "Cultural Properties"
				Transect Walk Map with alignment on Revenue Map, Annexure 2 of R&PF
		5.7	Estimates	To be prepared by PIU as per design based on typical drawings of ECoP 3.0, ECoP 5.0, ECoP 11.0, ECoP 15.0 and Sub-Project Budget
5.8	Analysis of Rates	To be prepared by PIU for items provided in BoQs in ECoPs not available in Standard Schedule of Rates. Reference: ECoP 3.0, ECoP 5.0, ECoP 11.0, ECoP 15.0		
		5.9	Environmental Management	All provisions of ESMF and R&PF
6	Scrutiny of DPR	6.2	Preparation of DPRs by PIU	Checklist of DPR preparation, ECoP 1.0 "Project Planning & Design".
8	Project Implementation and Contract Management	8.1	State level agencies	Designating the responsibility of environmental management to Environmental Officer, ESMF 7.0 "Implementation Arrangements"
		8.3	Steps involved in implementation	Seeking consent letters by contractor as per ECoPs, MoUs for land Transfer as per Annexure 5 of R&PF
				Scheduling work programme as per ECoP 1.0 "Project Planning & Design", Format 10 of Information Dissemination
		8.14	Payments & certificates	Final Payment after issue of certificates for completion of rehabilitation of land temporarily used for construction activities as per ECoPs
14	Road Safety	14.2	Engineering measures	All provisions of ECoP 14.0 "Public & Worker's health and Safety, Format 10 of Information Dissemination"
		14.3	Safety during construction	
		14.4	Road safety awareness	
15	Implementation Responsibility		Table 13.1	Audit responsibilities as per ECoP 18.0 "Environmental Audit"

<sup>13</sup> Though broadly the ESMF is integrated with PMGSY (under WB funding) project process as per SOM, actual provisions of ESMF that correspond to relevant stages of the Operational Manual (OM) to which SOM is supplementing is indicated.

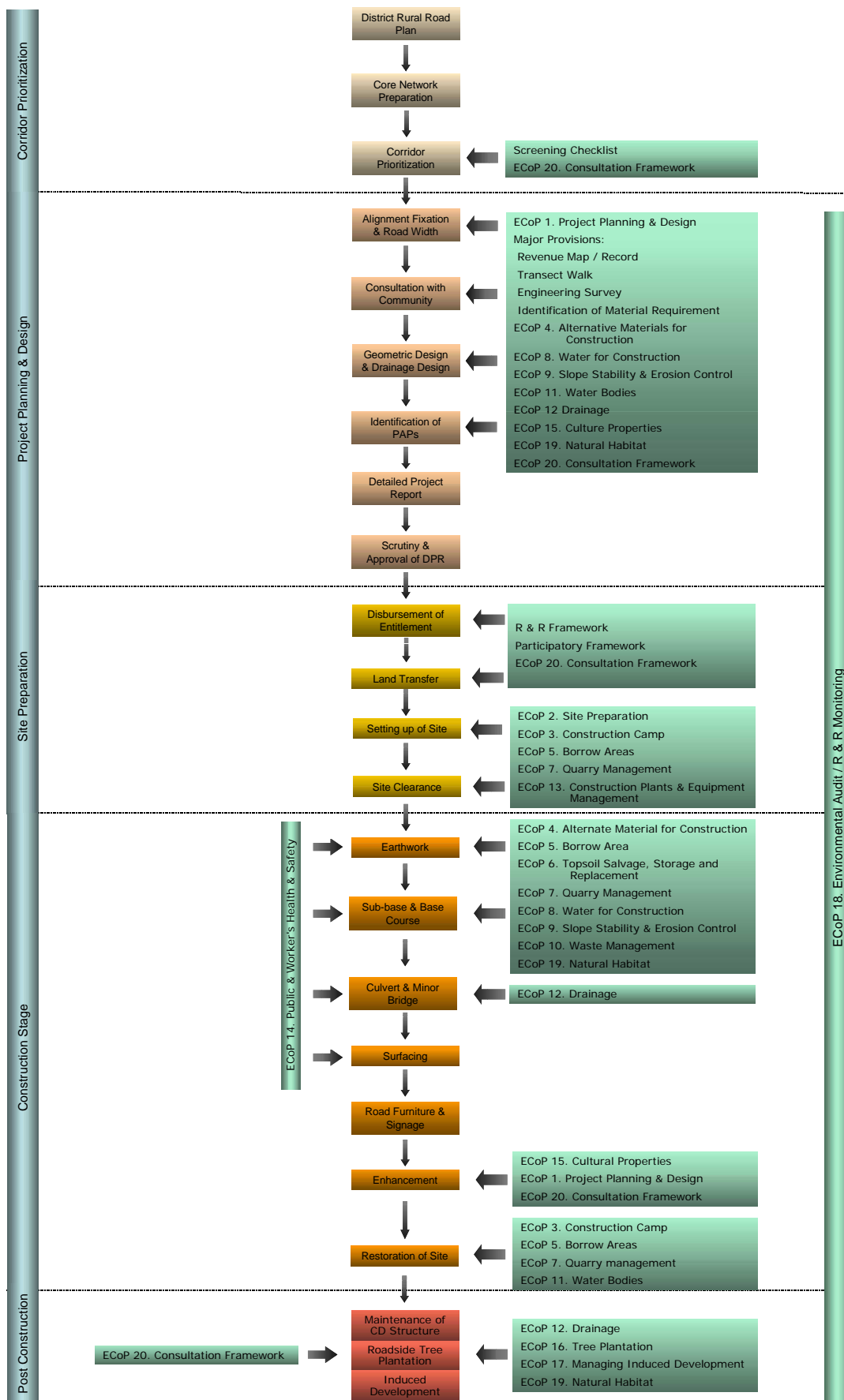


Figure 7-1: PMGSY Process outline and corresponding ESMF provisions

**ANNEXURE**

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### Annexure 5-1: Information Dissemination Formats

Project Stage	Information to be Disseminated	How to Disseminate	Location	Responsible Agency	Target Group
<b>Prioritization</b>					
After approval of Core Network	Details of Core Network	Display of list and maps at Gram Panchayat Office <b>(Format 1)</b>	Gram Panchayat Office	PIU	Village Community
<b>Planning</b>					
Prior to finalization of alignment	Overview of project with salient features, Implementing Agency	Distribution of Brochures <b>(Format 2)</b>	Village Chaupal/Haat, Local Newspaper	PIU	Village Community
Prior to Transect Walk		Public Announcements <b>(Format 3)</b> Pamphlets/Posters <b>(Format 4)</b>	Village Chaupal/Haat	PIU	Village Community
During Transect Walk	Guidance Note for Transect walk	Pamphlets/Posters <b>(Format 5)</b>	Village Chaupal/Haat	PIU	Village Community
After finalization of alignment and minimization of impacts	Outputs from transect walk including modifications community suggestions, List of impacts & PAPs	Display of Transect Walk Maps and List of issues <b>(Format 6)</b> Pamphlet/Display of list of PAPs <b>(Format 7)</b>	Village Chaupal, Haat	PIU	Village Community, PAPs
Prior to voluntary land donation	Process of Voluntary Donation & Entitlements	Notices to Individual Landowners/PAPs <b>(Format 8)</b> Notice to Eligible PAPs <b>(Format 9)</b>	Village Chaupal, Haat, List at Gram Panchayat Office	PIU	PAPs & Eligible PAPs
<b>Implementation</b>					
Prior to initializing construction works	Sub-Project Details	Pamphlets/Announcement/Notice Boards <b>(Format 10)</b>	Village Chaupal, Haat, Onsite Information Boards	PIU	Community, PAPs

**Format 1 Detail of Core Network along with Map** (After approval of Core Network)

**State:**

**District:**

Block Name & Code	Corridor Name	Link Route/ No.	Village/s Name & Code			Whether Connected/Not Connected	Type of Road Work	Population			Estimated Cost (Rs. Lakhs)	Estimated Length (kms)
			From	To	Beneficiary Village			Total	SC	ST		

The map for the Core Network should clearly communicate

- Q Administrative Boundaries (District/Block/Tehsil/Village)
- Q Link Route and Length
- Q Name of connected habitation/s

Responsible Agency/Person: PIU (EE/SE), District Panchayat (Zila Pradhan), Gram Panchayat (Sarpanch and other members)

**Format 2 Project Details Brochure** (Prior to initiating PMGSY roadwork)

Responsible Agency/Person: PIU (AE/JE), Gram Panchayat (Sarpanch and other members)



**INFORMATION ABOUT IMPLEMENTING AGENCIES**

**Department :** \_\_\_\_\_

Address : \_\_\_\_\_ Tel.: \_\_\_\_\_ E-mail \_\_\_\_\_

Contact Person \_\_\_\_\_

Department : \_\_\_\_\_

Address \_\_\_\_\_

Contact Person \_\_\_\_\_ Tel. No. \_\_\_\_\_

Principal Technical Agency: \_\_\_\_\_

Contact Person \_\_\_\_\_ Tel. No. \_\_\_\_\_

State Technical Agency: \_\_\_\_\_

Contact Person \_\_\_\_\_ Tel. No. \_\_\_\_\_



PRADHAN MANTRI GRAM SADAK YOJANA

**INFORMATION BROCHURE**



*What is PMGSY?*

*Why are all weather roads being built?*



***What is PMGSY?***

PMGSY or Pradhan Mantri Gram Sadak Yojana is a Central Government project to provide road connectivity to villages with population of 500 persons or more in the rural areas by 2007. In desert, hill and tribal areas, the villages with population 250 or more will be connected.

***Why are all weather roads being built?***

Rural road connectivity plays a key role in securing poverty alleviation by providing easy access to marketing centers for agricultural produce at lower transportation cost resulting in higher price realization and consequently increasing rural income. It further increases access to education, healthcare, employment opportunities and improving standard of living of the rural population.

*Where are these roads being built?*

*Who will build these roads?*

*What is the meaning of PIU?*



***Where are these roads being built?***

In the state, the Govt would finance the proposed PMGSY works through the World Bank in .....districts. The villages with population of 500 or more will be connected through roads. In desert, hill and tribal areas, the villages with population 250 or more will be connected.

***Who will build these roads?***

In the state, the ..... (Department) is implementing PMGSY. The ..... (Department) has set up a Project Implementing Unit (PIU) for this purpose at the district level.

***What is the meaning of PIU?***

PIU is the short name of "Programme Implementing Unit". This includes Senior officers from ..... (Department), other officers, engineers etc. PIU will work in consultation with PRI (Panchati Raj Institutions).

*Who will finance this project?*

*What is World Bank?*



***Who will finance this project?***

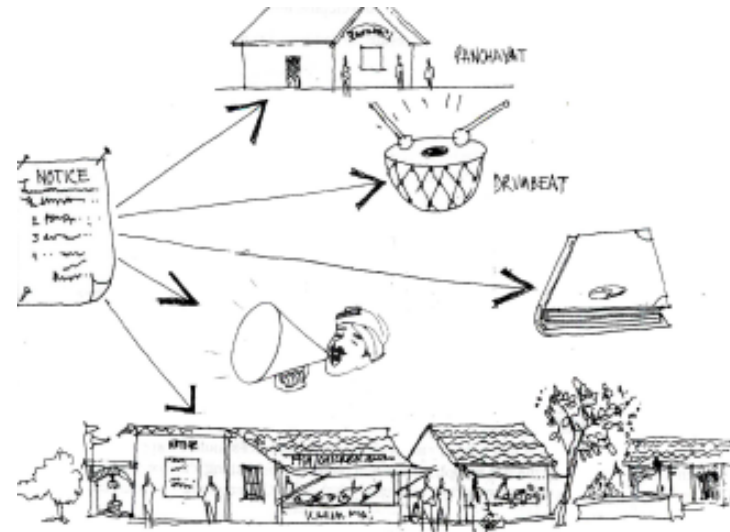
The Govt would finance the proposed PMGSY works through the World Bank. In the .....districts of state the project is being implemented with loan from World Bank .

***What is World Bank?***

World Bank is an international organization, which gives loan for development purpose to the governments all across the world.

*How are the project roads selected?*

*How to get the core network map?*



***How are the project roads selected?***

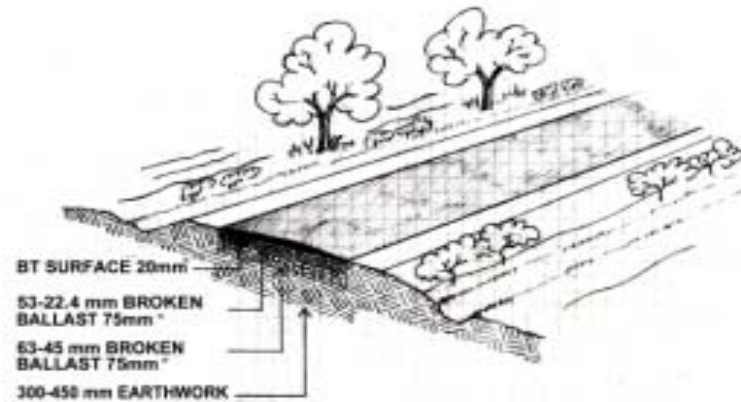
The selection of roads for new construction/ up gradation shall be from the core network. A Core Network is the minimal network of roads essential to provide basic access to essential social economic services to all eligible habitations in the selected areas through at least single all-weather road connectivity.

***How to get the core network map?***

Copies of the Core Network are available for the public at the Zila Panchayat offices. Salient features of the finalized core network will be displayed at the notice boards of the District Panchayat and the concerned Gram Panchayats.

*What are the prerequisites for building the roads?*

*Donation of Land*



\* This is a typical Cross Section. The actual thickness of layers varies and would depend upon pavement design based on location of road, soil conditions, and other parameters.

***What are the prerequisites for building the roads?***

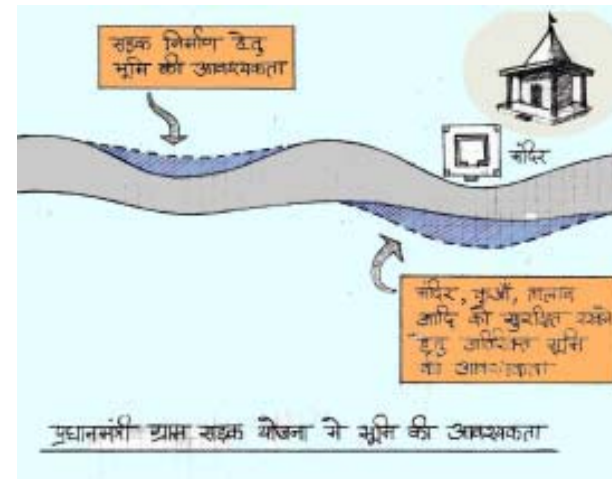
It is necessary to have sufficient land for building the road. In case of sharp curves extra land may be required to ensure the safety of the road users.

***Donation of Land***

In case the land is required, the villagers will have to donate part of their land for the project.

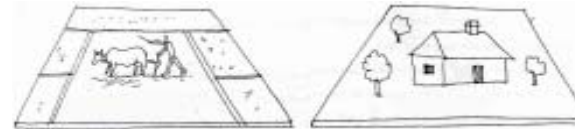
*Which land will be required?*

*What are the possible types of impact?*



**Which land will be required?**

The land required for the project will be nominal. Wherever the revenue tracks already exist, it will be converted into all weather road. Thus the impact on land, houses, shops etc will be minimal. Extra land will be required where the existing revenue track is narrow or there is need to improve the curve.



**What are the possible types of impact?**

- Land may be required for road building or widening,
- Farming, shops etc may be required to shift away at the place where the road is to be built,
- If house is located at the place where road is to be built, it may have to be shifted.

*You are eligible for assistance if !*



**You are eligible for assistance if :**

*You belong to :-*

- BPL households (with a valid proof), as per the State poverty line for rural areas;
- Other eligible categories:
  - (1) Women headed households with women as sole earner
  - (2) Scheduled Caste/Scheduled Tribe and
  - (3) Handicapped person,

*and you are subjected to any of the following impacts;*

- o Loses considerable amount of land (more than 10% /20% of the total land holding),
- o Loses shelter and,
- o Loses source of livelihood.



## *Suggested Measures for Addressing Various Impact Categories*



### **Suggested Measures for Addressing Various Impact Categories**

- **Land:** Assistance/Support by the community only for vulnerable groups through: (i) Alternate land sites provided by GP/community (ii) Assistance or support by community and Panchayat and (iii) Inclusion as beneficiaries in Rural Development (RD) programs if eligible.
- **Structures:** Assistance/Support for asset creation by community and Panchayat (or) Inclusion of PAPs losing shelter as beneficiaries in RD programs if eligible.
- **Livelihood:** Inclusion as beneficiaries in RD programs if eligible.
- **Common Property Resources:** GP/community with technical inputs from PIU either relocate or construct assets; Consultations with the concerned sections of the community in case of grazing land etc
- **Non-titleholders:** Advance notice to removal of assets/standing crops and subsequent clearance; Involvement of GP/community in sensitisation and clearance of encroachments

## *How community can contribute?*



### ***How community can contribute?***

The project encourages community involvement to make them accountable in the success of the entire project. The community will participate directly or in coordination with PRIs for the following:

- Identification and finalization of core network
- Finalization of alignment
- Facilitate identification of issues and concerns
- Suggest measures for mitigating impacts including impacts on eligible vulnerable groups
- Redressing grievances at individual / community level
- Providing assistance to the contractor to ensure speedy implementation.

*What happens when there is resentment from the communities?*

### *PMGSY and Conservation of Environment*



#### ***What happens when there is resentment from the communities?***

The roads under PMGSY will be built to connect villages where the communities need them. The PIU shall not take up those roads (in that particular year) where the local population is apprehensive to the implementation of the Resettlement Framework. Such projects will be taken up at a later stage, only after the communities / PRIs work out suitable mechanisms at the village level to resolve issues pertaining to land take.

#### ***PMGSY and Conservation of Environment***

PMGSY aims for rural roads construction with a minimum impact on the environment. To avoid adverse environmental impacts, issues have been considered at each project implementation stage to guide planning, design, construction and maintenance of PMGSY roads. Detailed guidelines named ECoP are prepared for this purpose. The information on this could be obtained from the PIU.

## *Addressal of Public Grievances*



### **Addressal of Public Grievances**

During the Planning stage a group of people will conduct Transect Walk. During the walk, the members of PIU will talk to the villagers, give them information, receive information from them and will try to understand their problems. Besides this they will also take suggestions for solutions to above problems.

The PIU to intimate the PRI at least a week prior to the transect walk. The intimation to the public shall be in the form of a formal notice at the Village Panchayat building. The information will include the date, time and place of the transect walk.

*What will happen if there are grievances even after the Transect Walk?*



***What will happen if there are grievances even after the Transect Walk?***

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. 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. This committee will solve the grievances, which could not be solved at the village level.

## *How to get information about the project*



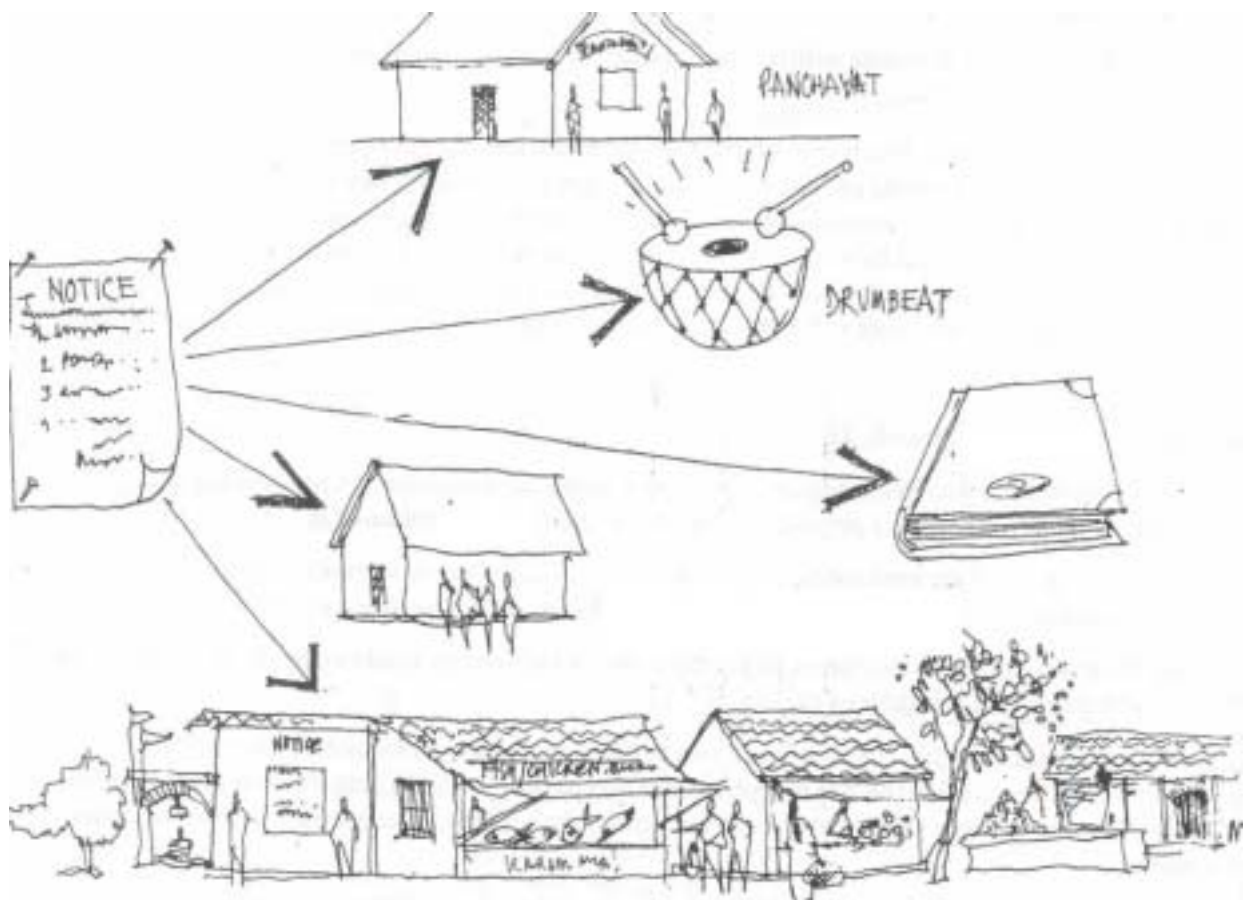
### **How to get information about the project**

The PIU will give information at every stage of the project. The information about the plan of road could be obtained from the Gram Panchayat. The Gram Panchayat will maintain a list of all the documents related to the project. Copy of which could be obtained from the panchayat office. After the finalisation of alignment the information could be obtained from both Village Panchayat and District Panchayat.

The official web site of the PMGSY [www.pmgysy.nic.in](http://www.pmgysy.nic.in) provides the detailed project information at the national, state and district levels.

**Format 3 Public Announcements** (Prior to finalization of alignment/transect walk)

- Q What is the Project and its salient features
- Q Benefits
- Q Which Agencies are involved
- Q What if resentment from community
- Q Need for additional land through Voluntary Land Donation
- Q Likely Impacts and Entitlements
- Q Date of Transect Walk
- Q Alignment Details along with map of alignment displayed
- Q Contact Person and Address (PIU and PRI)



Responsible Agency/Person: PIU (AE/JE), Gram Panchayat (Sarpanch and other members), Community Development Officer

**Format 4 Alignment Details for Disclosure**  
(Prior to finalization of alignment/transect walk)



**District:** \_\_\_\_\_ **Tehsil:** \_\_\_\_\_ **Block:** \_\_\_\_\_

**Name of Project Corridor:** \_\_\_\_\_

**Total Length (km):** \_\_\_\_\_

**Connected Settlements:**

⌘ **Starting Node/km:** \_\_\_\_\_

⌘ **Ending Node/km:** \_\_\_\_\_

Population Benefited      Total                                  Directly                                  Indirectly

**Implementing Agency:** \_\_\_\_\_

**Name of Contact Person and Address:** \_\_\_\_\_

**Project alignment marked on revenue map with centerline & socio-environmental features**



Responsible Agency/Person: PIU (AE/JE), Gram Panchayat (Sarpanch and other members), Community Development Officer, Patwari



**Format 5      Guidance Note for Transect Walk**  
(During finalization of alignment/transect walk)

- ⌘ Sensitising the community about the sub-project and design compulsions
- ⌘ Route Alternatives
- ⌘ Inventorisation of Environmental and Social Features (Trees, Water bodies, Grazing lands etc)
- ⌘ Inventorisation of Utilities (Electric Pole, Handpump, Wells etc.)
- ⌘ Requirement of Land / Availability of sufficient Land
- ⌘ Locations where extra land will be required
- ⌘ Land Ownership / Land Categories
  - Private Land
  - Government Land
  - Encroachments and Squatters
- ⌘ Design Modifications
  - Road Safety
  - Protection of Cultural Properties
  - Slope for vehicles to enter and exit the road
  - Slope for cattle Crossing
  - Induced Development
  - Lay - by
- ⌘ Plantation
- ⌘ Process of Land Transfer
- ⌘ Profile of Project Affected Persons (PAPs)
- ⌘ Assessment of Social Impacts (Land Structures, Cultural Properties etc.)
- ⌘ **Issues and suggestions of the local people**

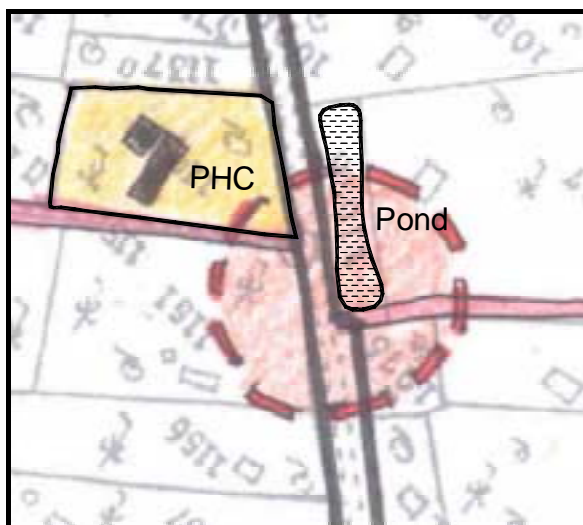
**Responsible Agency/Person: PIU (AE/JE), Gram Panchayat (Sarpanch and other members), Community Development Officer**

**Format 6      Outputs of Transect Walk (After finalization of alignment/transect walk)**



- # Identification of Environmental & Social sensitive location
- # Likely location for additional land requirement
- # Issues identified
- # Suggestion from community

**Modifications to minimize land width accretion and incorporating community suggestions through alterations/modifications on alignment**



As suggested by the community during the transect walk, the alignment has been modified in view to protect the religious structure on the RHS of the project road. The landowners have provided land voluntarily to avoid dismantling or relocation of the religious structure.

Responsible Agency/Person: PIU (AE/JE), Gram Panchayat (Sarpanch and other members), Community Development Officer, Patwari

**Format 7 Display of Details of PAPs**  
(After identification of PAPs through transect walk)



**District:** \_\_\_\_\_ **Tehsil:** \_\_\_\_\_ **Block:** \_\_\_\_\_

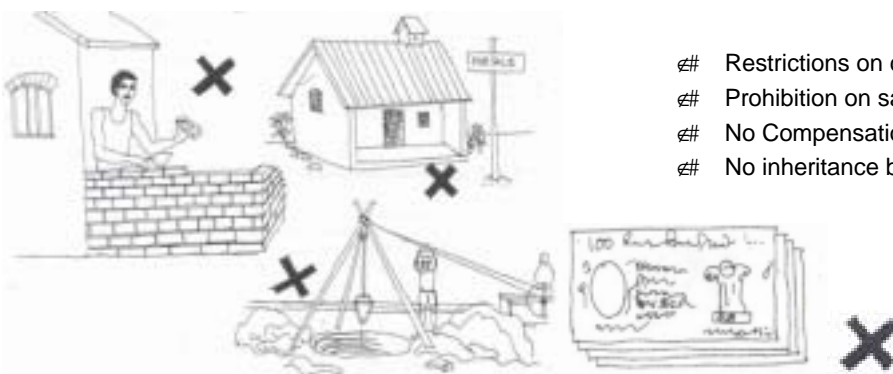
**Name of Project Corridor:** \_\_\_\_\_

**Total Length (km):** \_\_\_\_\_

**Details of PAPs:**

S. No	Village Name	Name of PAP	Vulnerable Category					Type of Impact/Loss				Extent of Loss		Whether Eligible PAP	
			Scheduled Caste	Scheduled Tribe	Below Poverty Line	Women Headed Household	Handicap	Land	Livelihood	Shelter	CPR	Land (m)	Structure (nos)		

**Once land donated, the following restrictions on the land donated**



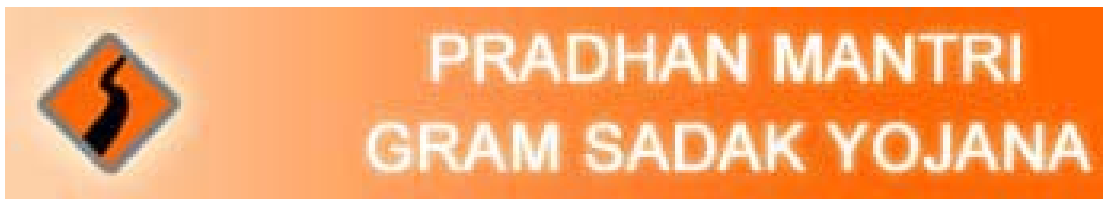
- # Restrictions on construction work
- # Prohibition on sale/ mortgage / lease
- # No Compensation
- # No inheritance by successor

In Case of any Grievances, Contact:

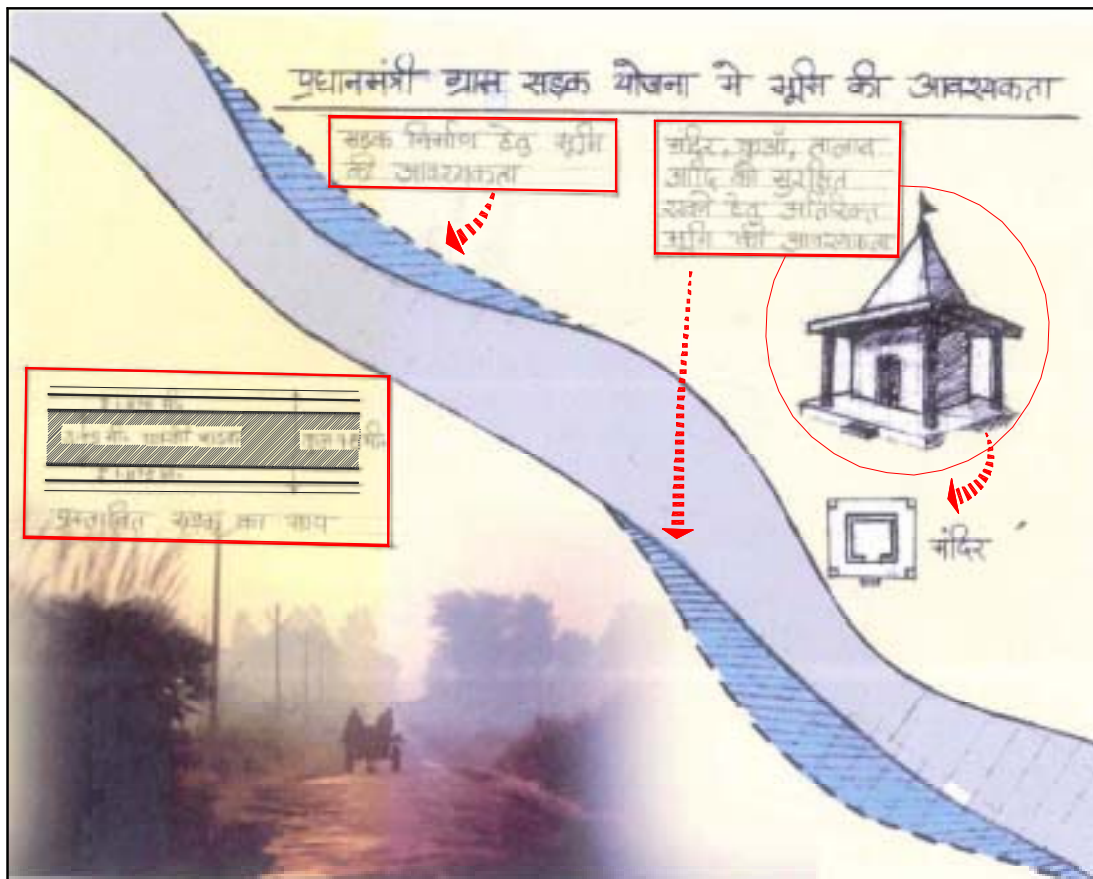
Responsible Agency/Person: PIU (AE/JE), Gram Panchayat (Sarpanch and other members), Community Development Officer



**Format 8 Owners (PAPs/Eligible PAPs) for Voluntary Donation  
(After identification of PAPs & Donation of land)  
(For distribution to Eligible PAPs)**




<b>District:</b>	<b>Tehsil:</b>	<b>Block:</b>
<b>Name of Project Corridor:</b>		<b>Total Length (km):</b>
<b>Roadway Width (m):</b>	<b>Required:</b>	<b>Available:</b>
<b>Carriageway Width (m):</b>	<b>Required:</b>	<b>Available:</b>
<b>Road Land Width (m):</b>	<b>Required:</b>	<b>Available:</b>



In Case of any Grievances, Contact: Responsible Agency/Person: PIU (AE/JE), Gram Panchayat (Sarpanch and other members), Community Development Officer

## Format 9 Details for Eligible PAPs

(After identification of Eligible PAPs through Profile of PAPs)

 PRADHAN MANTRI GRAM SADAK YOJANA			
<b>District:</b>	<b>Tehsil:</b>	<b>Block:</b>	
<b>Name of Sub Project Corridor:</b>			
<b>Details of Eligible PAPs:</b>			
Name of Eligible PAP	Type of Loss	Eligible Category	Entitlement


Following categories of PAPs shall be entitled for support as Eligible PAPs:

- ⌘ BPL households (with a valid proof), as per the State poverty line for rural areas;
- ⌘ Other Eligible 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%<sup>1</sup> of the total land holding<sup>2</sup>;
  - Loses shelter; and,
  - Loses source of livelihood.

Following are suggested measures for addressing various impact categories:

- ⌘ **Land:** Assistance/Support by the community (or) Inclusion of eligible PAPs as beneficiaries in RD programs
- ⌘ **Structures:** Assistance/Support for asset creation by community and Panchayat (or) Inclusion of eligible PAPs losing shelter as beneficiaries in RD programs
- ⌘ **Livelihood:** Inclusion of eligible PAPs as beneficiaries in RD programs
- ⌘ **Common Property Resources:** GP/community with technical inputs from PIU either relocate or construct asset; Consultations with the concerned sections of the community in case of grazing land

The PIU shall be responsible for enrolling the Eligible PAPs under the various Rural Development Schemes as per his/her eligibility. The PIU shall provide the procedure for enrolling in RD scheme and the details of the scheme he/she is being enrolled into. The date and location for the enrollment as well as the disbursement of entitlements shall be disclosed by the PIU in advance to the Eligible PAPs. The name of contact person and address shall also be displayed for any further details required or grievances to be addressed by the Eligible PAPs.




**Details available at (Agency Name, Address, Phone No & Contact Person Name)**

Responsible Agency/Person: PIU (AE/JE), Gram Panchayat (Sarpanch and other members), Community Development Officer

<sup>1</sup> Replace with 20% in case of Himachal Pradesh

<sup>2</sup> The total land holding includes any other land parcels owned elsewhere by the PAP

 <b>PRADHAN MANTRI GRAM SADAK YOJANA</b>		
<b>District:</b>	<b>Tehsil:</b>	<b>Block:</b>
<b>Name of Sub Project Corridor:</b>		
<b>Total Length (km):</b>		
<b>Connected Settlement/s:</b>		
<b>Total Cost (Rs. Lakhs):</b>		
<b>Implementing Agency:</b>		
<b>Name of Contractor:</b>		
<b>Construction Schedule:</b>	<b>Date of Commencement:</b>	<b>Date of Completion:</b>
<b>Scope for involvement of locals as construction labour:</b>	<b>Yes</b>	<b>No</b>
<b>Wages (Rs/Day) as per minimum wages prescribed:</b>		
<b>Grievance Redressal, Contact Person &amp; Frequency of meeting:</b>		
☞ Village Level		
☞ District Level		
<b>Contract Details:</b>		
<b>Type of Work:</b>	<b>Road Width (m):</b>	<b>Design Speed (km/hr):</b>
<b>No. of CD Works:</b>	<b>No. of Bridges:</b>	<b>No. of Culverts:</b>
<b>No. of Causeways:</b>	<b>No. of Syphons:</b>	<b>Surface/Side Drains (No X m):</b>
<b>Stages of Construction Work:</b>		
☞ <b>Earthwork &amp; Gravelling:</b> Clearance of vegetation & rubble, formation & grade soil leveling, soil compaction		
☞ <b>WBM Work:</b> Laying, Spreading & Compacting stone Aggregate to WBM at Under Layer (mm), Top Layer (mm)		
☞ <b>Surfacing Work (Bituminous Work):</b> Applying primer coat on granular base, tack coat on surface with bitumen emulsion, laying compacted open graded premix carpet, premix seal coat using hot mix plant& paver		
☞ <b>CD Works, CC road, drains:</b> Excavation in foundation trances, laying cement concrete, fixing RCC spun/hume pipe, Plaster on new surface in cement & mortar, fixing precast cement concrete, laying pitching on slope		
☞ <b>Road Furniture:</b> S&F Cut Stone, Sign Board, Warning Reflective Sign Board, PMGSY Information Sign Board with PMGSY Logo		
<b>In case of any concerns in quality of implementation, Contact Executive Engineer, PIU (Agency Name, Address, Phone No &amp; Contact Person Name)</b>		
<b>Contract Document copy available at PIU (Agency Name, Address, Phone No &amp; Contact Person Name)</b>		

Responsible Agency/Person: PIU (AE/JE), Gram Panchayat (Sarpanch and other members), Community Development Officer, Patwari

### Annexure 5-2: Reporting and Progress Monitoring Formats

Form Title	Type	Frequency	Responsibility	Stage of the project
Verification of Ownership of Land	Reporting Format attached with DPR	Once for each corridor	Revenue Department & PRI for each village, compiled by PIU for each project corridor	Alignment Finalization
Overview of Impacts	Reporting Format attached with DPR	Once for each corridor	PRI for each village, compiled by PIU for each project corridor	Alignment Finalization
Progress of Verification (No of Eligible PAPs)	Monitoring Format	Monthly	PRI, PIU	After Alignment Finalization
Monitoring Progress of distribution of entitlements	Monitoring Format	Monthly monitored by PRI and later compiled at Quarterly basis by PIU	PRI, PIU	Implementation





## Overview of Impacts

To be prepared by the PRI

Name of Corridor

Name of the  
Village

Types of Impacts	As per field Verification	Remarks
<b>Impact on Land (sqm)</b>		
Private Land include agricultural land etc.		
Gram Sabha/Community Land include Pashuchar/ Gauchar / Open land, etc.		
Government/Departmental Land include Forest Land, Gair Majua Kahs & Aam etc.		
<b>Total</b>		
<b>Category of Impact</b>		
Loss of land (No of PAPs)		
Loss of structure (No of PAPs)		
Loss of Common Property (No of Structures)		
Non Title Holders (No of PAPs)		
<b>Total PAP</b>		

*Note: Forms for each village by PRI and compiled by PIU for each corridor and to be attached with the DPR*







