



सत्यमेव जयते

**ROADS AND BUILDINGS DEPARTMENT
(PANCHAYAT)
Government of Gujarat**

**TRIBAL POPULATION PLANNING FRAMEWORK
FOR
GUJARAT RURAL ROADS (MMGSY) PROJECT**

**Environmental and Social
Management Framework for MMGSY
(Under AIIB Loan Assistance)**

May 2017



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Abbreviations

| | |
|---------|--|
| AIIB | : Asian Infrastructure Investment Bank |
| BT | : Black Top |
| CoI | : Corridor of Impact |
| CPF | : Community Participation Framework |
| EMRI | : Emergency Management and Research Institute |
| ESS | : Environmental Social Standard |
| ESIA | : Environmental and Social Impact Assessment |
| ESMP | : Environmental and Social Management Plan |
| ESMF | : Environmental and Social Management Framework |
| FPICon | : Free, Prior, Informed Consultation |
| GoG | : Government of Gujarat |
| GoI | : Government of India |
| GRC | : Grievance Redress Committee |
| TPPF | : Tribal Population Planning Framework |
| MGNREGA | : Mahatma Gandhi National Rural Employment Guarantee Act |
| MMGSY | : Mukhya Mantri Gram Sadak Yojana |
| MoU | : Memorandum of Understanding |
| MP | : Member of Parliament |
| MLA | : Member of Legislative Assembly |
| NGO | : Non-Government Organisation |
| NOC | : No Objection Certificate |
| PAP | : Project Affected Person |
| PMGSY | : Pradhan Mantri Gram Sadak Yojana |
| PMC | : Project Management Consultant |
| PTG | : Primitive Tribal Groups |
| R&BD | : Roads and Building Department (Govt. of Gujarat) |
| RoW | : Right of Way |
| SE | : Superintending Engineer |
| SIA | : Social Impact Assessment |
| SMF | : Social Management Framework |
| SC | : Scheduled Caste |
| ST | : Scheduled Tribe |
| TDD | : Tribal Development Department |
| VR | : Village Road |

1 INTRODUCTION

1. Government of Gujarat (GoG) through Roads and Buildings Department (R&BD-Panchayat), GoG is extending its rural road network to the villages and habitations through this new flagship programme - Mukhya Mantri Gram Sadak Yojana (MMGSY). Under MMGSY, those habitations will be connected which are having less than 500 population and which were not previously covered under Pradhan Mantri Gram Sadak Yojana (PMGSY)¹. R&BD (Panchayat), GoG is partnering with Asian Infrastructure Investment Bank (AIIB) to take the MMGSY forward. Accordingly, GoG has planned for an estimated total investment of INR 10,000 crores in three years and has apportioned a budget for INR 2,500 crores for the year 2016-17.

2. AIIB has assigned Gujarat Rural Roads (MMGSY) Project as “Category B” in terms of the risks associated with the environmental and social impact; the expected impacts are limited, of short term and entirely reversible. As required by the Environment and Social Framework of AIIB, the ESS-1 (Environmental and Social Assessment and Management) is applicable. Since the project does not involve any land acquisition or displacement of population, ESS-2 (Involuntary Resettlement) is not applicable. The project will be executed State-wide including districts having sizeable Schedule Tribe population. Hence, ESS-3 (Tribal Population) is applicable since about 4% of the project roads passes through districts having sizeable tribal populations (indigenous) or Scheduled Tribes. ESS-3 aims at designing and implementing projects in a way that fosters full respect for Tribal People’s identity, dignity, human rights, economies and cultures, as defined by the Tribal Population themselves, so that they: (a) receive culturally appropriate social and economic benefits; (b) do not suffer adverse impacts because of Projects; and (c) can participate actively in Projects that affect them.

3. As per requirements of a Category B project, Tribal Population Planning Framework (TPPF) has been developed. TPPF envisages that Tribal Population Plan shall be prepared in conformity with the TPPF approved by AIIB. The key environmental and social issues associated with the Project have been studied through a rapid assessment of environmental and social scenario specific to Gujarat Rural Roads (MMGSY) Project and has been utilised in formulating this Tribal Population Planning Framework (TPPF). The assessment included series of stakeholder consultations, on-site observations of completed/on-going and proposed sub-project locations in tribal areas and through public consultations.

¹ PMGSY is a Central Government initiative to provide good all-weather road connectivity to unconnected habitations, and was officially started under Ministry of Rural Development (MoRD) on 25th December 2000. National Rural Roads Development Agency (NRRDA) under the MoRD is the Nodal Agency for implementation of PMGSY.

2 PROJECT BACKGROUND

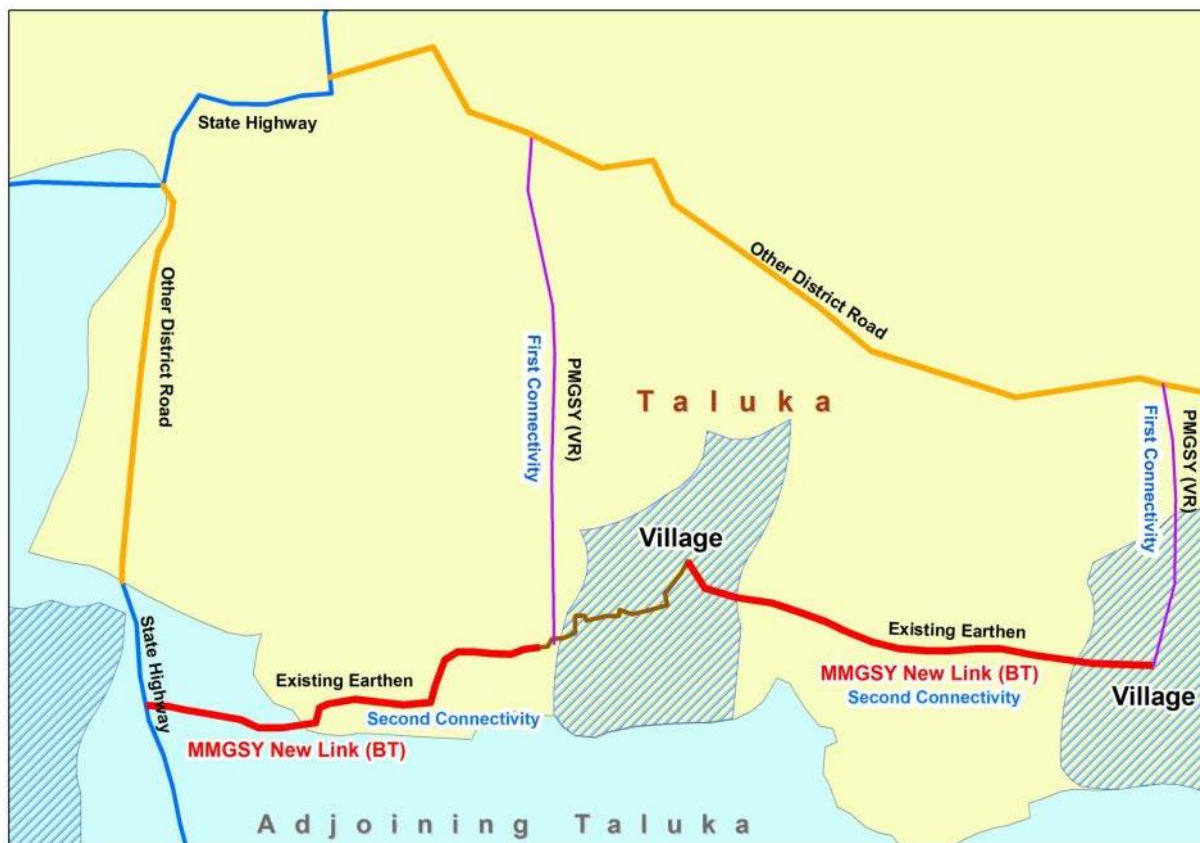
4. Gujarat Rural Roads (MMGSY) Project² aims at improving the rural road connectivity (by providing all weather connectivity) to 1,060 villages in all the 33 districts in Gujarat state benefitting about 8 million people. The primary beneficiaries are the people living in the rural areas who are the users of the rural roads. The project is expected to provide all-weather road access, economic benefits and social services to the rural population, of which about 17 percent are categorised as below poverty line and about 46 percent beneficiaries are women. The Scheme also benefits the service providers such as public transport operators, educational institutions, medical institutions, local markets and traders.

5. Gujarat has a total number of 17,843 villages and 16,402 hamlets aggregating to 34,245 settlements, of which 26,802 (78%) villages / hamlets have been already connected under PMGSY. Of the remaining 7,443 settlements, 3,757 were found eligible under the norms of PMGSY and of the rest 3686, about 71% has been already connected through asphalt roads and about 29% (1060 number of settlements) has been decided to be taken up under Gujarat Rural Roads (MMGSY) Project. Within the total number of settlements chosen to connect under Gujarat Rural Roads (MMGSY) Project, 4% are in fifth schedule areas. Some of the noticeable features of Gujarat Rural Roads (MMGSY) Project include:

- Construction and maintenance of non-plan roads;
- First connectivity to villages and hamlets;
- Construction of missing links and missing structures;
- Approaches to schools and colleges;
- Upgradation to black top surface;
- Resurfacing of villages / other district roads;
- Upgradation of existing causeway / deep to high level bridge; and
- Widening of village / other district roads.

6. This endeavour of R&BD (Panchayat), GoG is coming after successfully achieving first connectivity targets. Accordingly now with Gujarat Rural Roads (MMGSY) Project State is enabling additional / second connectivity to major villages.

² AIIB's Project Summary Information



7. The efforts of GoG will deliver all desired returns and this may be continued as long term program towards building and maintaining such assets with good serviceability.

3

NEED FOR TRIBAL POPULATION PLANNING FRAMEWORK

8. TPPF ensures smooth implementation of rural road project in Fifth Schedule Areas of Gujarat. TPPF suggests for assessment of impacts and formulation mitigation measures in sub-projects where Schedule Tribe population are involved. The Gujarat Rural Roads (MMGSY) Project does not envisage any impact on land and natural resources that have traditional ownership or that are under customary occupation or use. The project will not cause any sort of relocation of scheduled tribe population and will not restrict access to natural resources that have traditional ownership or that are under customary occupation or use. The cultural heritage of scheduled tribe population will in no way be affected adversely with the proposed road development interventions.

9. TPPF suggests carrying out Free, Prior, and Informed Consultations (FPICon) for sub-project roads which are in Fifth Schedule Areas. This is with the objective of obtaining their views and suggestions regarding the proposed project interventions. FPICon intends to fully identify the views of affected community and ascertain their broad community support for the project during various stages such as project preparation, design and implementation.

10. FPICon has twin objectives such as (i) disseminating details about the proposed project, its adverse and favourable impact on the Schedule Tribe community and (ii) integrating the affected ST households with suitable development programmes (skill development or capacity building). Informed participation involves organized and iterative consultation through which the views of the affected communities on matters that affect them directly, such as proposed mitigation measures, the sharing of development benefits and opportunities and implementation issues, are incorporated into the decision-making process of the project.

4 OBJECTIVES AND PROVISIONS OF TPPF

As has been mentioned before the preparation of TPPF was necessitated because about 4% of the project roads will be in the Tribal or 5th Schedule areas. The provisions of the TPPF are listed below:

- To provide necessary guidelines for free, prior and informed consultation with the tribal people of the sub-project areas during the various stages road infrastructure development; project preparation, design and implementation.
- To consult and document views and felt needs of the tribal community regarding the proposed road improvements and accordingly ensure participatory approach in finalising project design.
- To ascertain that any foreseen impacts are avoided, minimized and mitigated with respect to impact on land and other assets of tribal people residing adjacent to the proposed sub-project locations.
- To disseminate all relevant information related to the proposed project to the tribal community, especially making the community aware of the positive as well as adverse impacts, if any regarding the proposed road improvements; and,
- To guide in the preparation of Tribal Populations Plan, depending on the size of impact, by ensuring active participation of the tribal community, and with cooperation of Project Administrators (Tribal Development Department) of respective Talukas.

5

DEMOGRAPHIC PROFILE OF SCHEDULED TRIBES IN GUJARAT

11. As per 2011 census, the population of Gujarat was 6,04,39,692 of which 89,17,174 are the Scheduled Tribes (STs), accounting 14.75 percent of the total population of the state. Among the tribe population 47.89 percent are Bhil followed by Dubla and Rathwa (7.2 percent each).

Table 1: Population of Major Tribes: Gujarat, 2011

| Name of the Tribe | Population | Percentage to Total |
|-------------------|------------------|---------------------|
| Bhil | 42,70,037 | 47.89% |
| Dubla | 6,43,120 | 7.21% |
| Rathwa | 6,42,348 | 7.20% |
| Dhodia | 6,35,695 | 7.13% |
| Naikda | 4,59,908 | 5.16% |
| Gamit | 3,78,445 | 4.24% |
| Kokna | 3,61,587 | 4.05% |
| Varli | 3,28,194 | 3.68% |
| Chaudri | 3,02,958 | 3.40% |
| Dhanka | 2,80,949 | 3.15% |
| Generic Tribes | 2,10,697 | 2.36% |
| Patelia | 1,14,414 | 1.28% |
| Koli | 67,119 | 0.75% |
| Others* | 2,21,703 | 2.49% |
| Total | 89,17,174 | 100 |

* Others include Barda, Bavacha, Bharwad, Charan, Chodara, Gond, Kathodi, Kunbi, Padhar, Pardhi (in Kutch District) Pardhi-Advichincher, Pomla, Rabari, Siddi, and Vitolia.

Source: <http://www.censusindia.gov.in/DigitalLibrary/MFTableSeries.aspx>

5.1 Notified Tribes in Gujarat

12. There are 24 notified tribes in Gujarat as per the notification no. AJS/2003 /20 GOI/ 23/ CH/ Secretariat, Government of Gujarat, dated 05/09/2003. It is reported that, out of 24 notified tribe community in the state of Gujarat, the tribes such as *Bhil, Dhanka, Dubla, Gamit, Koli Dhor, Nayak, Patelia, Rathwa and Varli* live in Chota Udaipur, Jetpur Pavi, Dabhoi, Sankheda, Kadana and Santrampur Talukas. The distribution of and the socio-economic features of major schedule tribes is presented in **Annexure 5.1**.

5.2 Primitive Tribal Groups

13. Government of India has identified 75 tribal communities as Primitive Tribal Groups (PTG), spread over 15 states/union territories. The PTGs are characterised by smallness in size and diminishing in number, backwardness and isolation, use of pre-agricultural technology and very low literacy. Government of Gujarat³ has five PTG, such as Kolgha, Kathodi, Kotwalia, Padhar.

³ Source: http://guj-tribaldevelopment.gov.in/downloads/ptg_development_plan_website.pdf, accessed on date 25.02.2012

6 LEGAL AND POLICY FRAMEWORK

14. The Acts and policies related to Scheduled Tribes at the state level and national level have been reviewed and their relevance to the project has been analysed taken into consideration while preparing this TPPF.

15. Article 366 (25) of the Constitution of India refers to Scheduled Tribes as those communities, who are scheduled in accordance with Article 342 of the Constitution. As laid down in the provisions of Article 342, communities shall be declared as such by the President through an initial public notification or through a subsequent amending Act of Parliament. The essential characteristics, for a community to be identified as Scheduled Tribes are; (i) Indications of primitive traits; (ii) Distinctive culture; (iii) Shyness of contact with the community at large; (iv) Geographical isolation; and (v) Backwardness.

16. The Fifth Schedule under Article 244(1) of Constitution defines “Scheduled Areas” as such areas as the President may by order declare to be Scheduled Areas after consultation with the Governor of that State. The criteria for declaring any area as a “Scheduled Area” under the Fifth Schedule are; (a) preponderance of tribal population, (b) compactness and reasonable size of the area, (c) a viable administrative entity such as a district, block or Taluka, and (d) economic backwardness of the area as compared to the neighbouring areas. In Gujarat, 43 talukas in 12 districts have been declared as “Scheduled Area” under the Presidential Order CO. 109 dated 31/12/1977.

17. Applicable Acts and Policies relevant in the context of the project have been reviewed and their relevance to the project is outlined in Table 2. R&BD (Panchayat), GoG shall ensure that project activities implemented are consistent with the following regulatory/legal framework.

Table 2: National and AIIB Policies: Relevance and Applicability for the Project

| Sl. No. | Acts and Policies | Relevance to this project | Applicability |
|---------|---|--|---|
| 1. | Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 | One of the important provisions of this act states “the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-settling or rehabilitating persons affected by such projects in the Scheduled Areas. | Applicable to sub-project roads located in Fifth Schedule Areas |
| 2. | The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 | This law provides for recognition of forest rights to Scheduled Tribes in occupation of the forest land prior to 13.12.2005 and to other traditional forest dwellers who are in occupation of the forest land for at least 3 generations i.e. 75 years, up to maximum of 4 hectares. These rights are heritable but not alienable or transferable. | Applicable to sub-project roads located in Fifth Schedule Areas and recognized forest areas |
| 3. | AIIB Environmental and Social Management Framework | The ESF of AIIB aims at facilitating achievement of development outcomes, through a system that integrates sound environmental and social management into project decision making process and implementation ESF articulates ESS for (i) environmental and social | Applicable to sub-project roads. ESS-3: Tribal (Indigenous) Peoples applicable only for |

| Sl. No. | Acts and Policies | Relevance to this project | Applicability |
|---------|------------------------------------|---|--|
| | | impact assessment, (ii) Involuntary Resettlement, and (iii) Tribal (Indigenous) Peoples | sub-projects roads located in Fifth Schedule Areas |
| 4. | The Right to Information Act, 2005 | The Act provides for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority. | Applicable to all sub-project roads |

7

POTENTIAL IMPACTS

18. After a series of consultations held with the community in various districts of the state, evidently the people are overwhelmingly in favour of construction of the roads. This is primarily since the approach roads connect the villages to the key economic centres of the state and thus proves to be a major input in improvement of their day to day affairs. The overall social, economic and political status of the tribal community in Fifth Schedule Area shows that they have become part of the mainstream society, and that they largely mingle with the non-tribal people and the livelihood of tribal community has significantly linked to the activities of the mainstream society.

19. As per Forest Rights Act, 2006 the scheduled tribes have rights to use forest land for agricultural purposes, fishing in ponds located within forest areas, non-timber forest produces, grazing of cattle etc. The proposed road improvements will not affect any such rights of the tribal people as the rehabilitation of roads are proposed within the available RoW.

20. The community gains both socially and economically due to improvements in accessibility. The advantages of the project as perceived by the stakeholders are (i) faster and easy access to local and regional market centres, enabling faster movement of people and goods; (ii) faster and consistent access to educational institutions and medical facilities, which will in turn facilitate sustainable development outcome; (iii) significant reduction in travel time; etc. The Consultations carried out in Fifth Schedule Areas revealed that people have high level of appreciation for emergency medical services which has improved significantly with rural connectivity initiatives in Gujarat⁴.

21. Adverse impacts perceived are temporary disturbance due to rehabilitation of existing roads (i) clearance of land, in some cases where farmers have encroached on government road alignment by expanding their farmlands – this is in the form of a small patch of land which may be required in case of geometric improvements, or where width is insufficient; (ii) impact on livelihood, that may arise due to impact on temporary commercial shops or similar structures; (iii) damage to agricultural crops / fruit – bearing trees and other trees located in the required encroached land to be secured (iv) damage to cultural resources or community assets.

⁴ The 108 Emergency Ambulance Service provided by the Emergency Management and Research Institute (EMRI) in Gujarat has facilitated an integrated and comprehensive health care management providing high-end ambulatory transportation for appropriate care, even in tribal areas. EMRI has given special attention to pregnant women in rural areas. Out of total cases per day, almost 31% are related to pregnancies; of these 91% deliveries are taking place in the EMRI 108 Emergency Ambulance Services. The EMRI 108 services, since its inception in Gujarat in August 2007, saved at least one life every 14 minutes (Source: EMRI, Gujarat).

8

LAND SECURING AND GUIDELINE FOR MINIMISING ADVERSE SOCIAL IMPACTS

22. No land acquisition is anticipated in the Project as most of the interventions are about rehabilitation of existing roads and building new roads in defined alignments wherein the land already belongs to the Roads and Buildings Department. A conscious effort towards avoidance of land acquisition and minimization of adverse social impacts should be taken up as an integral part of the entire project preparation and design in Gujarat Rural Roads (MMGSY) Project. However, in cases where new link roads are to be constructed, there could be possibility of encroachments or infringement with existing structures. Wherever unavoidable, efforts to minimize impacts through design interventions must be worked out for sub- projects. As a guideline, the following steps shall be followed:

- **Improvements to be planned within available RoW / land width:** following the requirements mentioned in the selection of roads in this document, the cross-section of the road shall be designed to accommodate within the available RoW / land width.
- **Adoption of Corridor of Impact approach:** The corridor of impact (CoI) is termed as the width required for the actual construction of the road, including carriageway, shoulder and embankments. The objective of social inputs to project design shall be to ensure that the corridor of impact is reduced, within acceptable design principles and standards, to minimize adverse social impacts.
- **Participatory Approach:** Building community consensus to secure land for ensuring construction of the link roads. Local self-governments as well as the community will be involved in developing a consensus to resolve issues of encroachments or infringement, if any.

8.1 GUIDELINES FOR LAND SECURING

23. The Project basically covers rehabilitation of existing roads, construction and resurfacing of non-plan roads, up gradation of existing, earthen, metal, asphalt roads, widening of MDR / ODR, related structures, up gradation of existing causeways. Gujarat Rural Roads (MMGSY) Project will not require any fresh land acquisition. However, while constructing new roads along defined alignments where the land is already owned by the Department, there might be instances of encroachments in the RoW. The encroachments are usually in the form of farm-lands extended to the approach roads owned by the government. In some other cases, it is in the form of temporary sheds with wooden / cement pillars extended to the roads or small shrines or other minor structures of cultural or religious purposes and are erected on ground. Common facilities like hand-pumps or small water tanks generally used for irrigating farm fields also sometimes partly locates in the approach roads. Sample format for Memorandum of Understanding for Individual Encroacher is given in **Annexure 8-1** and sample format for Memorandum of Understanding for Community Encroacher is given in **Annexure 8-1a**

24. The TPPF provides for assistance for any damage to assets. Roads and Buildings Department (Panchayat), GoG shall be taking all necessary measures to screen and identify such locations and avoid any additional land securing through design interventions without jeopardizing the safety standards to be followed in sub-project roads. The various circumstances under which the road improvements require / not require securing of additional land have been identified during the social assessment and are presented in Table 3.

Table 3: Different Scenarios of Land Securing, Modalities and Entitlement Provisions

| Sl. No. | Scenarios | Modalities | Entitlement Provisions |
|---------|---|--|---|
| 1. | Road improvement takes place along existing alignment | <ul style="list-style-type: none"> Additional land not required | <ul style="list-style-type: none"> To the extent possible, the proposed development works shall be carried out within the available land width. |
| 2. | <p>New link road having approach roads, where the government land has minor encroachments or infringements throughout the proposed road alignment</p> <p>Common Property Resources located within RoW [Community facilities such as community ponds, hand pumps, water tanks, places or structures for religious importance, crematorium or funeral grounds of cultural significance, etc.]</p> | <ul style="list-style-type: none"> Formulating community consensus through Gram Panchayat resolution, where community agrees for a signed resolution to make available land for the proposed road construction / upgradation/ improvement works. The Implementing agency serves advance notice to encroachers /infringers to remove encroachments within a stipulated period of 3 months and the encroacher removes the encroachment by accepting the ownership of the government on the same piece of land | <ul style="list-style-type: none"> In the event of partial losses to structures or temporary impact on livelihood due to the proposed road development initiative, the affected people shall be informed by serving advance notice of one-to-three months, depending upon the severity of damage. Affected structure shall be compensated on the basis of R&BD - Schedule of Rate (SoR). In the case of affected Trees or Crops, owners shall be compensated as per standard rates; the compensation for Timber Trees shall be assessed by Forest Department, Gujarat, and in the event of removal of the standing crops, the compensation shall be assessed by Agriculture, Co-operation & Farmer Welfare Department, GoG Common Property Resources having any unavoidable impact shall be adequately mitigated / relocated by the Gram Panchayat in consultation with the local community. |
| 3. | Additional land owned by Tribal Department or other Departments of Government of Gujarat, and is required for (i) road, and (ii) RoW | <ul style="list-style-type: none"> Transfer of required patches of land which is under the ownership of other Departments/ Government Functionaries of GoG, by way of following existing standard procedures at Departmental level of Roads and Buildings Department (Panchayat), GoG | The required land owned by the Tribal Department will be vested with the Roads and Buildings Department (Panchayat), GoG |

9

SOCIAL ASSESSMENT AND STEPS FOR FORMULATING TRIBAL POPULATION PLAN (TPP)

25. One of the major objectives of TPPF is to guide in the preparation of Tribal Population Plan. TPP shall be prepared based on the magnitude of impact, ensuring active participation of the tribal community, and with cooperation of Project Administrators (Tribal Development Department) of respective Talukas. The views and felt needs of the community with respect to the rural road improvements shall be clearly documented for incorporating the same into the project design. The main features of TPP shall be a preliminary screening process, a social assessment to determine the degree and nature of impact of sub-projects, with entitlement provisions envisaged in this TPPF.

9.1 Screening

26. A screening exercise shall be carried out in the sub-project road located situated in the Fifth Schedule Areas, which shall include documentation of types of tribal population and the details of the villages / tribal hamlets. Roads and Buildings Department (Panchayat), GoG shall arrange for formal and informal discussions with tribal communities to provide information regarding the proposed sub-project. During these discussions, community representatives and others stakeholders shall be given an opportunity to express their views and concerns.

27. A Screening Checklist has been provided as part of this TPPF which shall be used to collect necessary information regarding the Scheduled Tribes. Based on the outcome of Screening, if tribal community resides in the sub-project location, then a Social Impact Assessment (SIA) shall be carried out following the procedures mentioned subsequently. Impact Screening Checklist for Scheduled Tribes is given in **Annexure 9**

9.2 Social Assessment

28. ESS-3: Tribal (Indigenous) Peoples suggest that a social assessment shall be undertaken in a culturally appropriate and gender-sensitive manner or by using similar methods for assessing Project impacts. Social assessment shall gather relevant information on demographic, social, cultural, and economic profile of tribal community. Positive as well as adverse social, cultural and economic benefits shall also be assessed in detail.

29. As part of the social assessment a Transect Walk shall be carried out and relevant information shall be gathered using the format developed for the purpose. The Format for Recording Transect Walk & Consultations with the Affected Persons is given in **Annexure 9.1**

9.3 Tribal Population Plan

30. Outcome of the social assessment shall be presented in the form of an Tribal Population Plan (TPP), and shall include (i) a framework for continued consultation with the tribal community during Project implementation; (ii) measures to ensure that these Tribal Peoples receive culturally appropriate benefits; (iii) measures to avoid, minimize, and mitigate any adverse Project impacts,

and (iv) culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.

10 IDENTIFICATION OF KEY STAKEHOLDERS AND CONSULTATION

31. In view of the baseline information on demographic, social, cultural and political characteristics of the scheduled tribe population, and the legal and institutional framework applicable to tribal development, and also based on the discussions in Fifth Schedule Areas, the key project stakeholders has been identified and is given under:

- Gram Sabha;
- Village Sarpanch / Talati;
- Elected representatives (MPs, MLAs, etc);
- NGOs working for tribal development;
- Taluka Development Office;
- Mamlatdar;
- Project Administrator (district level), Tribal Development Department; and
- Commissioner (state level), Tribal Development Department.

32. Consultations or formal discussions with key stakeholders shall be carried out as appropriate during various stages; project preparation, design and implementation. Community Consultation Format is placed at **Annexure 10**.

11 FREE, PRIOR AND INFORMED CONSULTATIONS

33. FPIC on shall be conducted to ensure broader community support in Fifth Schedule Area. Consultations shall be carried out with the Commissioner, Tribal Development Department, GoG and Project Administrators. At Taluka level, consultations shall be carried out with Taluka Development Officers, Gram Panchayat members, Talatis, Sarpanchs and Scheduled Tribes residing in Fifth Schedule Area. The framework adopted for consultation during project preparation is presented in Figure 1.

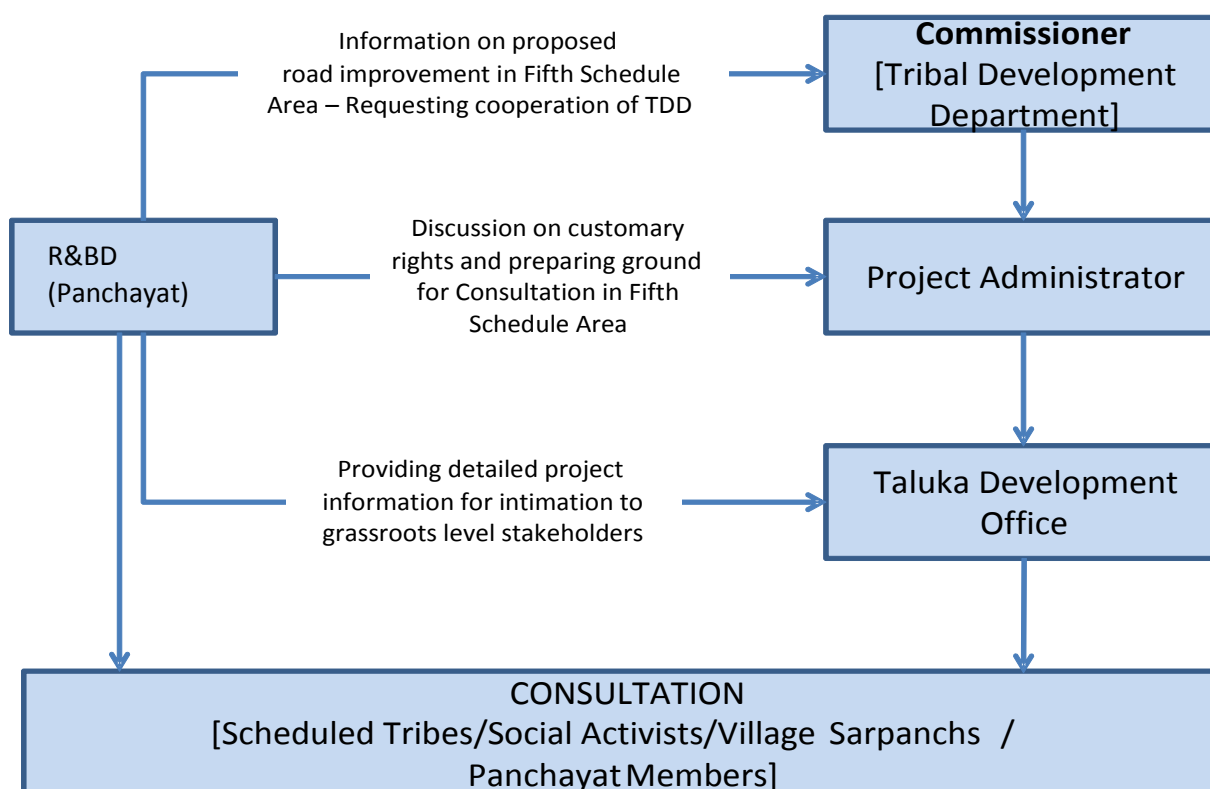


Figure 1: Consultation during Project Preparation: Framework

34. It is important to have consultations during project implementation as well with the communities, affected tribal households, local authorities, and local self-governing bodies during project implementation to ensure broad community support and participation. The support of the community is essential for the smooth implementation of the project. Gram Sabha is the platform identified for such consultation. Stage-wise progress of the project shall be disseminated through Gram Sabha. The potential post-completion benefits of the project shall be documented in coordination with Tribal Development Department, local governing bodies and line departments (e.g., information regarding new bus-services, ambulance services, etc., shall be disseminated on priority basis through Gram Sabha for the immediate benefit of community). Gram Sabha meeting shall be convened in which the following information shall be provided to the Gram Sabha.

- Copy of the TPPF in Gujarati language will be provided to the respective taluka development officers, Gram Panchayat members, Sarpanch and Talati;

- Leaflets with salient features of the proposed sub-projects – proposed road-rehabilitation options, road safety measures, geometric improvements, entitlement provisions, grievance redress mechanism, implementation arrangements, etc.

35. Separate discussions shall be organised for women participants to ensure active participation of women in consultations. One session of the consultation shall be devoted for the dissemination of information on development schemes being implemented under ***Vanbandhu Kalyan Yojana***. The session shall be conducted by the office of the Project Administrator; and Minutes of the meeting shall be prepared and read out at the end of the meeting for the concurrence of the participants. The procedures of the meetings and resolution so passed during the Gram Sabha shall be recorded in the given format (Appendix).

12 INSTITUTIONAL STRUCTURE AND IMPLEMENTATION ARRANGEMENTS

36. During implementation of the Project, Roads and Buildings Department (Panchayat), GoG along with Project Management Consultant (PMC) and Contractor shall be responsible for ensuring that the TPP is implemented with diligence to TPPF. Implementation of TPP shall be the collective responsibility of Roads and Buildings Department (Panchayat), GoG, PMC and Contractor for which the support from local governing bodies, Tribal Development Department and other key stakeholders. An indicative responsibility mechanism has been presented in Table 4.

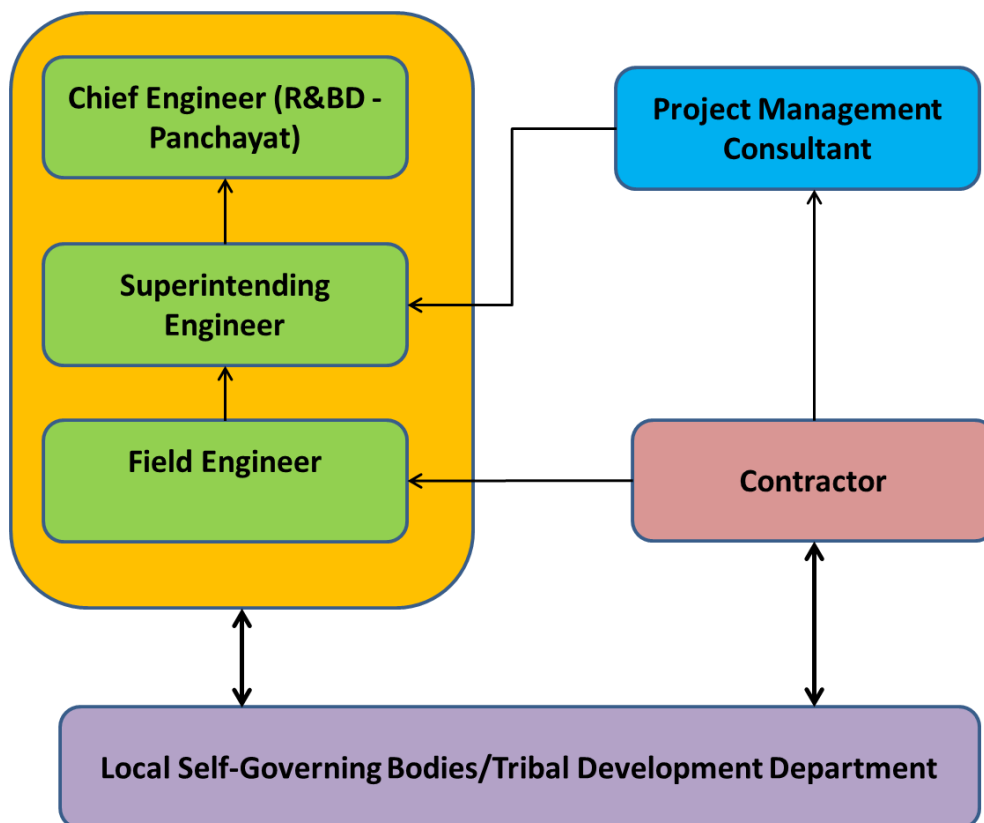


Figure 2: TPP Implementation Mechanism

Table 4: Institutional Responsibilities

| System | Designation | Responsibilities |
|--|--|--|
| Coordinating/ Facilitating Agency | Chief Engineer (Roads and Buildings Department (Panchayat), GoG)- Panchayat | <ul style="list-style-type: none"> • Overview of the project implementation • Ensure timely budget for the TPP • Coordination with key stakeholders for creating an enabling environment • Participate in major meetings with Tribal Development Department • Monthly review of the progress |
| | Superintending Engineer - Roads and Buildings Department (Panchayat), GoG | <ul style="list-style-type: none"> • Overall responsible for TPP/TPPF implementation • Reporting to various stakeholders (AIIB, Regulatory bodies) on status of TPP implementation • Coordination with Roads and Buildings Department (Panchayat), GoG Staff (Field Engineers) • Review of the progress made by Contractor |
| | Field Engineers- (Roads and Buildings Department (Panchayat), GoG) | <ul style="list-style-type: none"> • Assisting SE in overall implementation of TPP • Review of periodic reports on EMP implementation and advising SE in taking corrective measure. • Conducting periodic field inspection of EMP implementation • Assisting SE in reporting various stakeholders (AIIB, Regulatory bodies) on status of TPP implementation |
| Implementing/ Monitoring Agency | Environmental and Social Officer (Project Management Consultants (PMC)) | <ul style="list-style-type: none"> • Responsible for supervision of effective implementation of TPP measures by the Contractor • Review progress reports and periodic reporting to Roads and Buildings Department (Panchayat), GoG about the status of TPP implementation • Work in close coordination with Field Engineers (Roads and Buildings Department (Panchayat), GoG) and Contractor • Preparing Social training program and conducting the same for field Engineers and Engineers of Contractor • PMC shall be responsible for facilitating and on-ground implementation of TPP • Capacity building and training to Roads and Buildings Department (Panchayat), GoG functionaries / Local Self Governing bodies, Tribal Development Department involved with the implementation of TPP • Periodic monitoring of TPP implementation |
| Contractor | Engineer – in charge (Contractor) | <ul style="list-style-type: none"> • Responsible for ensuring the implementation of TPP. • Prepare and submit monthly reports to Roads and Buildings Department (Panchayat), GoG on the status of implementation TPP |
| Panchayat | Local Self- Governing Bodies / Tribal Development Department | <ul style="list-style-type: none"> • Responsible for mobilising tribal community and ensuring community support • Coordinate with Roads and Buildings Department (Panchayat), GoG / PMC for identification of project affected persons and, if necessary arrange for dovetailing them with rural development schemes • In consultation with Field Engineer and Contractor organize FPICon • Engage with Stakeholders and organize community level meetings for conflict resolution • Facilitate relocation of community resources as and when necessary. |

13 GRIEVANCE REDRESS MECHANISM

37. There shall be a Grievance Redress Committee (GRC) to hear the complaints of project affected persons and resolve the same. The process shall promote settlement of disputes and reduce litigation. GRC shall be set up at the Taluka level with Project Administrator, Tribal Development Department as head. The following persons will be the members of GRC:

- Project Administrator, Tribal Development Department;
- Taluka Development Officer of the Department of Revenue;
- Deputy Executive Engineer, PIU;
- Representative from Social Sector/Local NGO (not involved with implementation) /Person conversant with issues of the tribal community and he/she should be widely respected and having problem solving skills (to be selected by the Project Administrator, Tribal Development Department).

38. The broad functions of GRC shall be the following:

- Record the grievances of Complainants / PAPs, if any, categorize and prioritize them and provide solution to their grievances related to any of the provisions set forth in TPPF.
- The GRC may undertake site visit, ask for relevant information from Roads and Buildings Department (Panchayat), GoG and other government and non-government agencies, etc., in to resolve the grievances.
- Fix a time frame for resolving the grievances within the stipulated time-period of 30 days.
- Inform Complainants / PAPs through Roads and Buildings Department (Panchayat), GoG about the status of their case and their decision to PAPs for compliance.

39. The Environmental and Social Officer of PMC shall provide all necessary help to complainants in presenting in his/her case before the GRC. The GRC shall respond to the grievance within 15 days. The GRC will normally meet once in a month and if the situation so demands, it shall meet more frequently. A specific grievance shall be resolved within a time period of 30 days. The decision of the GRC shall not be binding to PAPs. This means the decision of the GRC does not insist PAPs taking recourse to court of law, if he/she so desires.

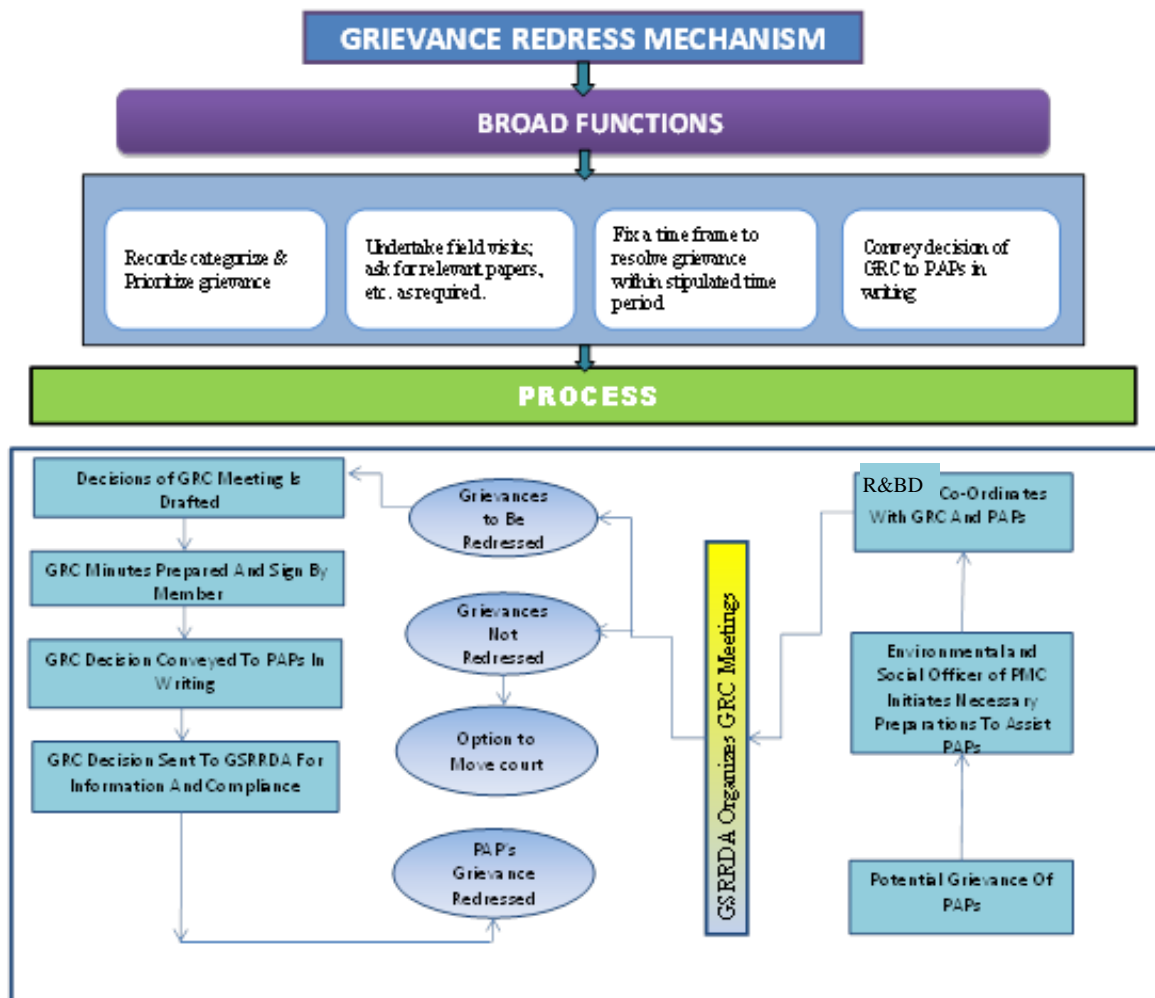


Figure 3: Grievance Redress Mechanism

14 MONITORING AND REPORTING PROCEDURES

40. Internal monitoring of the implementation of social safeguards shall be carried out by the PIU with support of Project Management Consultant/Supervision Consultant. Towards enhancing the quality of Tribal Population Planning framework (TPPF) implementation, in addition to the internal monitoring by the PIU, external monitoring shall be done by a third-party agency or Project Management Consultant (PMC) for technical as well as environmental/social aspects. The role of third-party agency/PMC towards external monitoring of social safeguards shall include the following:

- Conduct periodic monitoring of TPPF implementation to provide early alert to redress any potential problems; and,
- Conduct mid-term, annual and end term monitoring to assess target achievements and slippages with respect to implementation of TPPF.
- Grievance redressal mechanisms – its functioning and processes along with complaints received and resolved shall be monitored.

41. The TPPF contains indicators and benchmarks for achievement of the objectives under the resettlement programme. The results of this monitoring shall be summarized in reports which will be submitted to the Roads and Buildings Department (Panchayat), GoG on a regular basis. Provision will be made for participatory monitoring involving the PAPs.

15 CAPACITY BUILDING AND TRAINING

42. The Environmental and Social officer of the PMC shall provide the basic training required for environmental and social safeguards aspects. Specific modules customized for the available skill set shall be devised after assessing the capabilities of the members of the Training Programme and the requirements of the project. The entire training would cover basic principles of social assessment and safeguards management; mitigation plans, implementation techniques, monitoring methods and tools. The proposed training program along with the frequency of sessions is presented in Table 5

Table 5: Training Modules for Environmental and Social Management Framework

| S. No. | Training Program | Duration | Target Group | Responsibility |
|--------|---|---------------|---|---|
| 1. | Orientation of contractors at the time of issuing work orders on the implementation of TPP | ½ Working Day | Roads and Buildings Department (Panchayat), GoG (including field engineers) and Contractors | Environmental and Social officer of the PMC |
| 2. | Need and type of Information, education, communication and awareness campaigns to be carried out to mitigate social impacts associated with infrastructure development | ½ Working Day | Contractors/ Women Labours and Roads and Buildings Department (Panchayat), GoG | Environmental and Social officer of the PMC |
| 3. | Overview of Land Securing and Entitlement Provisions <ul style="list-style-type: none"> • Direct Acquisition • Gift Deed / MoU • Relocation of Common Property Resources | ½ Working Day | Roads and Buildings Department (Panchayat), GoG and Revenue Official | Environmental and Social officer of the PMC |
| 4. | Overview of AIIB Social Safeguards - Policy triggers, Requirements and compliance | ½ Working Day | Roads and Buildings Department (Panchayat), GoG | Environmental and Social officer of the PMC |
| 5. | Training on key elements of TPPF | ½ Working Day | Roads and Buildings Department (Panchayat), GoG and Revenue Official | Environmental and Social officer of the PMC |

16 PERIODIC REVIEW AND UPDATING OF TPPF

43. The TPPF shall be reviewed on periodic basis and appropriate management measures shall be incorporated. Such amendments shall also cover and any alterations or amendments introduced in the legal and policy documents of Central or State Governments. Also, based on the experience of application and implementation of TPPF, the provisions and procedures shall be updated, as appropriate.

ANNEXURES

Annexure 5-1: Socio-Economic characteristics of Scheduled Tribes in Gujarat⁵

| Scheduled Tribes | Habitation (District / Talukas) | Language | Religion | Occupation | Literacy level | Economic Structure | Social Structure | Other Characteristics |
|--|---|---|--|---|--|---|--|--|
| Rathwa, Rathwa Kolis | <ul style="list-style-type: none"> Predominantly in Vadodara District (80.16 percent) comprising eastern border talukas (Chotta Udaipur, Jetpur Pavi, Sankeda and Naswadi) Panchmahal district (19.8 percent) | Dialect of Gujarati known as Rathwi. | Hindu | Agriculture is the major occupation of the community. | Male – 50.2 percent, Female – 22.8 percent | 95.7 percent of the community engaged in agricultural activities. | Marriage with in the tribal community (endogamous) and marriages with other clans such as Hamania, Baria, Mahania, Kothari Baka and Fadia community. Follow their own folk religion, which is influenced by the Hindu religion | Entire population lives in rural areas. Settlements are dispersed and are found in fields or hill. Originally they belong to Chota Udaipur taluka, also known as Rath Pradesh, hence their original habitants of Rathas are called Rathwas . |
| Barda Adibashi or Khandeshi Bhil | Districts of Vadodara Sabarkantha, Surat, Mehsana, Ahmedabad, Navasari, Valsad, and Bharuch | Gujarati | Hindu | Majority of them are agricultural labourers. Few of them have small pieces of land and grow millets and pulses. | Literacy levels are very low | 35 percent of community is engaged in agriculture but only 13 percent are land owners. Hunting fishing pasture and other allied activities provide employment to 26.1 percent workers. Other 21.5 percent are working as service labourers. | Barda tribal marries within the tribal community and they strictly follow this custom. Barda performs a number of folk dances and songs. | They belong to Bhil group as they have migrated from Barda hilly region known as Bard. The Bardas were known for “hunter gatherers”. |
| Bhil Barda, Bhil Dungri Garasia and Bhil Vasava | Panchmahal, Vadodara and Sabarkantha districts. | Speak Bhili language, even though most can now speak Gujarati | 80 percent of them are Hindu, 20 percent are Christians. | Agriculture | Male – 56.9 percent Female – 31.3 percent | Predominantly agriculture activity (89.4%), Women also participate in work. Only 50 percent of the cultivators have their own land, while 39.4 percent are landless labourers, 2.2 percent are engaged in industry and other 2.8 percent are working as service labourers | Traditionally marriages took place within the community. | Bhils are one of the largest tribal communities in India, mostly found in MP Gujarat, and Maharashtra. Main habitations are in hilly areas. They earn their livelihood from forest products and hunting. |
| Dhanka Valvi, Tadvi, Tetaria | Vadodara, Bharuch and Surat districts | Gujarati | 90 percent Hindus. | Agricultural and also working in construction and industrial activities | Male – 66.7 percent Female – 38.1 percent | 60 percent of people depend on agricultural activities and also make bamboo products like baskets and handicrafts. | Dhanka only marry within their community. They worship Gods such as Baghdeo, Dungaldeo, Nagdeo, Maladimate, Kinglag and their main festivals are Navratra, Diwali, Holi and Janmaslimi etc. | Dhanka claimed to be offspring of Chauhan Rajput. They cultivated small millets known as Dhan and they were called Dhanka. |
| Bavacha, | Mehsana, Vadodra, Kheda, | Bavchi | Hindu | They mainly work | | 2.7 percent are land owners. | They worship deities such Jogani, | Bavacha means Bahadur |

⁵ Source: 1. Tribes in Gujarat, Tribal Research and Training Institute Gujarat Vidyapeeth, Ahmedabad
2. Tribal Atlas of Gujarat, A project submitted by Ministry of Tribal Affairs Government of India New Delhi
3. Web: http://en.wikipedia.org/wiki/Category:Tribal_communities_of_Gujarat
4. Web: http://censusindia.gov.in/Tables_Published/SCST/dh_st_gujarat.pdf

| Scheduled Tribes | Habitation (District / Talukas) | Language | Religion | Occupation | Literacy level | Economic Structure | Social Structure | Other Characteristics |
|---|--|--|----------|---|---|---|---|---|
| Bamcha | Panchmahal and Surat districts | dialect, but most can also speak Gujarati | | as labourers in building, roads and construction areas. | | Service sector employs 25 percent and manufacturing & industries about 20 percent and 2.3 percent as construction labourers. | Devali Mata, Amba Mata, Kalka Mata, Ganesh, Hanuman, Ram and Krishna. Main festivals are Holi, Diwali, and Navaratra. Believe in ghosts and witches. Marriages are generally common as Hindu marriages. Dowry system prevails in the system. | (brave). During Maratha period, Bavacha were soldiers of Shivaji Maharaj. |
| Gamit, Gamta, Gavit Mavchi, Padvi | The Dangs, Bharuch, valsad, Vadodara and Surat districts | Gujarati | Hindu | Majority of Gamit community are farm labourers. | Male 61.7 percent, Female 44.2 percent. | They are well connected to the regional markets as they produce cash crops, sugarcane and are associated with milk cooperative and factories. 32.32 percent are landless labourers and 55.9 percent are land owners. | The traditional marriages amongst the community is changing, dowry system is prevalent, Ghar Jamai system is quiet prevalent | The Gamit community migrated from Khandesh. The culture, religion and customs are very much similar to the Bhils of South Gujarat. Their dialect is known as Gamit Gujarat script is used for writing. |
| Naikda, Nayaka, Cholivala Nayaka, Kapadia Nayaka, Mota Nayaka, Nana Nayaka | Vadodara, Panchmahal, Valsad and Surat districts | Speak Naiki, a dialect which is a mixture of Marathi and Gujarat | Hindu | Depend agricultural activity (85 percent) | Male – 45.6 percent Female – 25.2 percent | Majority of the Naika community are agriculture labourers (85 percent). 29.6 percent of them own land. And also work in industries as labourer. | Marriages are arranged through talks. They worship family deities and Hirondev, Marryandev, Vanzari mata, Bhavani. Panch system operates in their habitations, to settle the marital and other problems and tackle the erring members by imposing penalty. | Naik means a leader on organizer. Earlier Naika were referred as a nomadic group but no such Naika can be encountered around. |
| Pardhi | Kutch and Vadodara district | | Hindu | Mostly working as landless labourers, and are also engaged in hunting, fishing and service sector activities. | | 54 percent working as landless labourers, about 15 percent engaged in hunting, fishing and also works as drivers, Riksha pullers etc. 10. 7 percent are working in transport and communication | They have caste Panchayat to decide community issues. They worship deities as Gauria Deo, Mahadeo, Shabedeo, Shitala Mata, Bhaisasur, and Kankalimata. They are known for folk dances and also believe in superstitions and ghosts and bitches. Common marriages known as “Bihav”, generally arranged by parents. | Pardhi is a mixed group made of Rajput and Rawari . Their origin is dated to the period of Mahabharata, and Mahadeo. They use to hunt wild bear. |
| Pardi Advichincher | Ahemdabad, Panchmahal, Valsad, Sabarakantha and Surat district | | Hindu | They are dependent on agriculture, hunting and fishing. Women make palm leaves, mat broom and other HH articles. | | 28.3 percent are agricultural labourers, 7.2 percent are construction workers, and 7.2 percent engaged in other services | They celebrate Holi, Diwali and Dussehra. They have their community Panchayat to decide their disputes. They worship deities as, Mahadeo, Hanuman and Kalimata. | They are nomads in their characteristics. Almost 75 percent of the population lives in Panchmahal district. |

| Scheduled Tribes | Habitation (District / Talukas) | Language | Religion | Occupation | Literacy level | Economic Structure | Social Structure | Other Characteristics |
|---|--|----------|----------|---|---|--|--|---|
| Kathodi, Katkari, Dhor Kathodi, Dhor Katkari, Son Kathodi, Son Katkari | Valsad, Sabarakantha, Bharuch and Surat district | | Hindu | Agriculture and forestry is the main occupation of the community. | | 71 percent are engaged in agriculture, 22 percent engaged in forestry, fishing and hunting. | Marriages of the community are common Hindu type performed by priest. They worship Hanumanji, lord Rama, Krishna etc. the main deities are Durgadev, Vaghdev, gamdev, Maicmata, Kansari Devi etc. | The term kathodi in Katkari have been derived from the Khair. These people reside predominantly in hills and forests and they are habituated of unsettled life living in outskirts and periphery of villages. |
| Kokna, Kokni, Kukna | The Dangs, Valsad, Vadodara and Surat district | | Hindu | Agriculture is the major occupation along with forestry and few engaged in service sectors. | Male 62.6 percent, female 40.3 percent. | Largely depend on agriculture activity say 87.13 percent. Rest of the community depends on selling of forest products and other service activities such as tailoring, and carpentry | They worship the deities of wider pantheon and they have faith in supernatural powers. They celebrate Hindu festival such as Shivratri, dussehra, Navaratri, and Diwali. They have Panch system constituted comprising five elderly and respected members of the community headed by the Patel. They decide cases related to division of property, family quarrels, petty theft, divorces, marital issues and breach of caste norms. Group endogamy and clan exogamy are the marriage rules. Widow marriage is also common. | One of the important tribal groups. The etymology of the term Konkna is from by virtue of their wearing armet, i.e. Kankan. |
| Koli Dhor, Tokre Koli, Kolcha, Kolgha | Jamnagar, Panchmahal, Vadodara and Surat district | | Hindu | Mainly agriculture | | 95 percent are farmers. Of this 58 percent are cultivators having their own land and remaining 37 percent are landless labourers. 11.8 percent are engaged in service sector | They have community Panchayat system. They worship Hindu Gods like Mahadeo, Hanumanji. | It's a sub community of koli, who were engaged in animal husbandry. |
| Patelia | Panchmahal district | Bhilli | Hindu | Mainly agriculture | Male 78.5 percent, female 45.9 percent. | Predominantly community is engaged in agricultural activities, with 80.6 percent owning the land. Some of the community members are also engaged in white collar jobs. | Law and order in their society is maintained by forming a "Patelia Sabha" which takes care of the traditional norms. Marriage in adults is decided by negotiations and performed by Brahmin priest. Community is great worshipper of lord Krishna. Food habits: they are generally vegetarians and are strictly avoiding alcohol. | Patelia are scheduled tribes of Madhya Pradesh who have migrated to Gujarat from neighboring areas. They are out spring from mixture of Bhils and Rajput. They are divided into sub groups such as Bhagat and Nagal Patelias. |

Annexure 8-1: Sample format for Memorandum of Understanding-Individual Encroacher

MEMORANDUM OF UNDERSTANDING

(in case signing is done individually)

This memorandum of understanding is made on _____ day of _____ 2005 between Sri/Srimati _____ resident of _____ (hereinafter referred to as “the First Party”) and the Governor of (State) through Sri/Srimati _____ (designation) _____ (hereinafter referred to as “the Second Party”).

THESE PRESENTS WITNESS AS FOLLOW:

1. That the First Party is landowners with transferable right of _____ acres of land bearing khasra Nos _____ in village _____ block _____, tehsil _____, district _____.
2. That the First Party has taken part in the transect walk conducted under the requirements of the Mukhya Mantri Gram Sadak Yojana (MMGSY) and has been made to understand the benefits of obtaining a rural road for the village under MMGSY.
3. That the First Party hereby grants to the Second Party, out of its free will, above said land for the construction and development of MMGSY rural road in the village _____ under _____ Panchayat for the benefit of the villagers and the public at large.
4. That the First Party would not claim any compensation against the above said grant of land.
5. That the Second Party agrees to accept the above grant of land for the purposes mentioned in Clause 3.
6. That the Second Party shall construct and develop the MMGSY road and take all possible precautions to avoid damage to land adjacent to MMGSY road.
7. That the First Party also assures the Second Party that the first party will not indulge in any willful act of damaging the MMGSY road or obstructing the movement of public and vehicles on the MMGSY road.
8. That both the Parties hereto agree that the MMGSY road so constructed/developed shall be public premises.
9. That the provisions of the MEMORANDUM OF UNDERSTANDING will come into force and effect from the date of signing of this deed.

IN WITNESS WHEREOF the Parties hereto have signed this deed on the day and the year first above written.

Signatures of the First Party

Signature for and on behalf of the Second Party

Witnesses:

Witnesses:

1. _____

1. _____

2. _____

2. _____

(Signature, name and address)

(Signature, name and address)

Note: The witnesses will include the panchayat head and the Junior Engineer conducting the transect walk. More witnesses can be added – including NGOs, village elders etc.

Annexure 8-1a: Sample format for Memorandum of Understanding- Community Encroacher

MEMORANDUM OF UNDERSTANDING

The memorandum of understanding is made on _____ day of _____, 20__ between the persons listed below on the one part (hereinafter collectively referred to as “the First Party”) and the Governor of (State) through Sri/Srimati _____ (designation) _____ (hereinafter referred to as “the Second Party”).

1. That the First Party is the encroacher of Government land of the respective acres (**OR OTHER UNITS AS APPLICABLE**) of land as listed below in village _____, block _____, tehsil _____, district _____.
2. That the First Party has taken part in the transect walk conducted under the requirements of the Mukhya Mantri Gram Sadak Yojana (MMGSY) and has been made to understand the benefits of obtaining a rural road for the village under MMGSY.
3. That the First Party hereby will willingly leave their existing land as detailed in the list below for the construction and development of MMGSY rural road in the village _____ under _____ Panchayat, for the benefit of the villagers and the public at large on which they had encroached on to the Second Party.
4. The first party/would not claim any compensation in return since leaving their encroached land is not related to their existing livelihood.
5. That the Second Party agrees to clause 3.
6. That the Second Party shall construct and develop the MMGSY road and take all possible precautions to avoid damage to land adjacent to MMGSY road.
7. That the First Party also assures the Second party that the first party will not indulge in any wilful act of damaging the MMGSY road or obstructing the movement of public and vehicles on the MMGSY road.
8. That both the Parties hereto agree that the MMGSY road so constructed/developed shall be public premises.
9. That the provisions of the MEMORANDUM OF UNDERSTANDING will come into force and effect from the date of signing of this deed.

| Sl. No. | Name | Area Encroached (m ²)/Acre | Description of land granted for MMGSY Rural Road |
|---------|------|--|--|
| | | | |
| | | | |
| | | | |
| | | | |

(add as many more who are giving up their claim on the above said land)

IN WITNESS WHEREOF the Parties hereto have signed this deed on the day and the year first above written.

Signatures of the First Party

1. _____
2. _____
3. _____

(All the signatures of the First Party should be obtained)

Signature for and on behalf of the Second Party

- _____
- _____
- _____

Witnesses:

1. _____
2. _____

3. _____
4. _____

(Signature, name and address)

(Signature, name and address)

Note: The witnesses will include the panchayat head and the Junior Engineer conducting the transect walk. More witnesses can be added – including NGO's, village elders etc.

Annexure 9: Scheduled Tribes: Impact Screening Checklist

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOWN | Remarks |
|---|-----|----|-----------|---------|
| A. Scheduled Tribes Identification | | | | |
| 1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, schedules tribes, tribal peoples), in the project area? | | | | |
| 2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to scheduled tribes, tribal peoples? | | | | |
| 3. Do such groups self-identify as being part of a distinct social and schedules tribes? | | | | |
| 4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories? | | | | |
| 5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture? | | | | |
| 6. Do such groups speak a distinct language or dialect? | | | | |
| 7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against? | | | | |
| 8. Are such groups represented as "Scheduled Tribes" or as "ethnic minorities" or "tribal populations" in any formal decision- making bodies at the national or local levels? | | | | |
| B. Identification of Potential Impacts | | | | |
| 9. Will the project directly or indirectly benefit or target Scheduled Tribes? | | | | |
| 10. Will the project directly or indirectly affect Scheduled Tribes' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance) | | | | |
| 11. Will the project affect the livelihood systems of Scheduled Tribes? (e.g., food production system, natural resource management, crafts and trade, employment status) | | | | |
| 12. Will the project be in an area (land or territory) occupied, owned, or used by Scheduled Tribes, and/or claimed as ancestral domain? | | | | |
| C. Identification of Special Requirements Will the project activities include: | | | | |
| 13. Commercial development of the cultural resources and knowledge of Scheduled Tribes? | | | | |
| 14. Physical displacement from traditional or | | | | |

| KEY CONCERNS (Please provide elaborations on the Remarks column) | YES | NO | NOT KNOWN | Remarks |
|---|------------|-----------|------------------|----------------|
| customary lands? | | | | |
| 15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Scheduled Tribes? | | | | |
| 16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by Scheduled Tribes? | | | | |
| 17. Acquisition of lands that are traditionally owned or customarily used, occupied, or claimed by Scheduled Tribes? | | | | |

Anticipated project impacts on Scheduled Tribes

| Project component/ activity/ output | Anticipated positive effect | Anticipated negative effect |
|--|------------------------------------|------------------------------------|
| | | |

Annexure 9-1: Format for Recording Transect Walk & Consultations with the Affected Persons

| | | | |
|-----------|---|---|---|
| 1. | Name of Road | : | |
| 2. | Villages | : | |
| 3. | Gram Panchayat | : | |
| 4. | Block | : | |
| 5. | District | : | |
| 6. | Date; Time | : | |
| 7. | Total Number of Participants in the Transect walk | : | |
| 8. | Issues and suggestions raised by the Participants: | | |
| (i) | Road alignment and design in general <small>[PIUs to consult prompt list in Annex 3(b)]</small> | : | • |
| (ii) | Road width and land availability | : | • |

| | |
|--|--------------------------------------|
| <i>Insert Photograph (Start Point)</i> | <i>Insert Photograph (End Point)</i> |
| Start Point | End Point |

| | | | |
|-------|--|---|--|
| (iii) | Sensitive locations (forests, cultural properties, etc) | : | |
|-------|--|---|--|

| Sl. No. | Chainage | Side | Sensitive Locations |
|---------|----------|------|---------------------|
| | | | |
| | | | |

| | |
|--|--|
| <i>If applicable, please Insert Photograph (forests, cultural properties, etc)</i> | <i>If applicable, please Insert Photograph (forests, cultural properties, etc)</i> |
| Caption of the Photograph | Caption of the Photograph |

| | | | |
|-----|--|---|--|
| iv) | Water-related issues [drainage lines, rivers] | : | |
|-----|--|---|--|

| | | | |
|--|--|--|--|
| | and water crossings, irrigation water courses, other water bodies, etc.] | | |
|--|--|--|--|

| Sl. No. | Chainage (in km) | Existing Culverts |
|---------|------------------|-------------------|
| | | |
| | | |

| | |
|---|---|
| <i>If applicable, please Insert Photograph [drainage lines, rivers and water crossings, irrigation water courses, other water bodies, etc.]</i> | <i>If applicable, please Insert Photograph [drainage lines, rivers and water crossings, irrigation water courses, other water bodies, etc.]</i> |
| Caption of the Photograph | Caption of the Photograph |

| | | | |
|-----------|---|---|--|
| (v) | Road safety-related issues [major junctions, curves, bends, etc.] | : | |
| (vi) | Other suggestions [such as regarding cattle crossing, borrow-pits, etc.] | : | |
| 9. | Major outcomes of the Transect Walk: | | |
| (i) | Changes to be incorporated in the Design | : | |

| | |
|---------------------------------------|---------------------------------|
| <i>Please Insert Photograph</i> | <i>Please Insert Photograph</i> |
| Existing condition of the road | |

| | | | |
|-------|---|---|--|
| (ii) | Extent of land take and willingness /unwillingness of land owner / users for donation | : | <ul style="list-style-type: none"> No additional land would be required for the proposed project. |
| (iii) | Environment issues to be resolved | : | <ul style="list-style-type: none"> No trees located along the alignment would be affected due to the project. |

| | |
|---|---|
| <i>Please Insert Photograph</i> | <i>Please Insert Photograph</i> |
| Chainage wise Caption of the Photograph | Chainage wise Caption of the Photograph |

| | | | |
|------|--------------|---|---|
| (iv) | Other issues | : | ● |
|------|--------------|---|---|

| | |
|--|---------------------------------|
| <i>Please Insert Photograph</i> | <i>Please Insert Photograph</i> |
| Consultation with the local community | |

The road alignment will be finalized with the best efforts to address the above issues.

| | |
|---|---|
| Countersigned | |
| (Signature & Name) Sarpanch/Secretary, Gram Panchayat (Name) | (Signature & Name) AE/JE, Roads and Buildings Department (Panchayat), GoG |

CHAINAGE WISE TRANSECT WALK FINDINGS

| Chainage | | Existing Land Width* | Additional Land Required | | Type of Damage | | Remarks/Suggestions |
|----------|-------|----------------------|--------------------------|-----|----------------|-----|---------------------|
| From | To | | LHS | RHS | LHS | RHS | |
| 0+000 | 0+200 | | | | | | |
| 0+200 | 0+400 | | | | | | |
| 0+400 | 0+600 | | | | | | |
| 0+600 | 0+800 | | | | | | |
| | | | | | | | |
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Annexure 10: Community Consultation Format

GUJARAT STATE RURAL ROAD DEVELOPMENT AUTHORITY

ROADS AND BUILDINGS DEPARTMENT, GOVT. OF GUJARAT

GUJARAT RURAL ROADS (MMGSY) PROJECT,

Introduction

- Government of Gujarat (GoG) through Gujarat State Rural Roads Development Authority (Roads and Buildings Department (Panchayat), GoG) of Roads and Buildings Department (R&BD) is extending its rural road network to the villages and habitations through this new flagship programme - Mukhya Mantri Gram Sadak Yojana (MMGSY).
- Under MMGSY, those habitations will be connected which are having less than 500 population and which were not previously covered under Pradhan Mantri Gram Sadak Yojana (PMGSY).
- R&BD (Panchayat), GoG is partnering with Asian Infrastructure Investment Bank (AIIB) to take the MMGSY forward. Accordingly, GoG has planned for an estimated total investment of INR 10,000 crores in three years and has apportioned a budget for INR 2500 crores for the year 2016-17.
- The key environmental and social issues associated with the Project have been studied through a rapid assessment of environmental and social scenario specific to Gujarat Rural Roads (MMGSY) Project and has been utilised in formulating this Social Management Framework. **The assessment included series of stakeholder consultations, on-site observations of completed/on-going and proposed sub-project locations and also through public consultations.**
- The ESMF provides guidance on development of an ESIA. The ESMF also provides a generic ESMP. On completion of ESIA, both the ESMF and ESMP will be updated.

Discussion Points – General

- Awareness and opinion about the project
- Consultation with all affected persons to identify the adverse impact on their assets and assess entitlements
- To discuss the issues of encroachments and infringements along the selected corridors and/or alignments
- Complaints, disputes, and monitoring of the outcomes

Discussion Points for Temporary Shelters/Shops and Livelihood:

- In the event of partial losses to structures or temporary impact on livelihood due to the proposed road development initiative, the affected people shall be informed by serving advance notice of one-to-three months, depending upon the severity of damage.
- In case of physical relocation is unavoidable, Gram Panchayat shall be encouraged to identify a suitable location either in government / Panchayat / Community land after proper consultation with project affected person.

