

**MANAGEMENT RESPONSE TO
REQUEST FOR INSPECTION PANEL REVIEW OF THE
INDIA: RURAL WATER SUPPLY AND SANITATION PROJECT FOR LOW INCOME
STATES (P132173)**

Management has reviewed the Request for Inspection of the India: Rural Water Supply and Sanitation Project for Low Income States (P132173), received by the Inspection Panel on September 21, 2018 and registered on November 5, 2018 (RQ18/06). Management has prepared the following response.

December 10, 2018

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Map 1. IBRD No. 44042

ABBREVIATIONS AND ACRONYMS

ASHA	Accredited Social Health Activist
BP	Bank Procedure
CB	Chhotagovindpur and Bagbera
DBOT	Design-Build-Operate-Transfer
DPMU	District Project Management Unit
DPR	Detailed Project Report
DWSD	Drinking Water and Sanitation Department (Jharkhand)
EA-EMF	Environmental Assessment-Environmental Management Framework
EDS	Environmental Data Sheet
EMP	Environmental Management Plan
GoI	Government of India
GP	Gram Panchayat
IDA	International Development Association
IEC	Information, Education, Communication
IPN	Inspection Panel
LIS	Low Income States
MVS	Multi-Village Scheme
NOC	No Objection Certificate
NRDWP	National Rural Drinking Water Program
O&M	Operation and maintenance
OP	Operational Policy
PESA Act	Panchayat Extension to Scheduled Areas Act
RWSS	Rural Water Supply and Sanitation
RWSSP	Rural Water Supply and Sanitation
SDO	Sub-Divisional Officer
SMF	Social Management Framework
SPMU	State Project Management Unit
SSP	Sr. Superintendent of Police
SVS	Single Village Scheme
TDIP	Tribal Development Implementation Plan
TDP	Tribal Development Plan
UP	Uttar Pradesh
VWSC	Village Water and Sanitation Committee
WSC	Water and Sanitation Committee
WTP	Water treatment plant

Currency Unit

As of November 27, 2018

US\$1.00 = INR70.87

INR 1 = US\$0.014

EXECUTIVE SUMMARY

The Project

- i. **Development Objective.** The development objective of the India: Rural Water Supply and Sanitation Project for Low Income States Project (RWSSP-LIS) is to improve piped water supply and sanitation services for selected rural communities in four low income states, namely Assam, Bihar, Jharkhand, and Uttar Pradesh. The Project currently supports rural water supply and sanitation programs in 33 districts in the four states and is expected to directly benefit about 7.8 million rural people, including tribal populations and about 3.8 million women.
- ii. The RWSSP-LIS is the first large project in the low-income states that aims to improve access to sustainable water and sanitation services for the rural poor, using a decentralized approach to ensure inclusion and equity. The Project targets states with a very low level of access to tap-supplied drinking water; as of the 2011 census, tap water coverage is only 3.7 percent in Jharkhand, the state concerned by the Request, compared to 32 percent for the country as a whole.
- iii. **Components.** The Project is supported by a US\$500 million IDA Credit. It has four components, including capacity building and sector development; infrastructure development; project management support; and contingency emergency response. *Component B: Infrastructure Development* (US\$860 million total; IDA contribution US\$430 million) supports investments for improving water supply and sanitation coverage, including construction of new infrastructure and rehabilitation and augmentation of existing schemes. Multi-Village Schemes (MVSs), which mainly rely on surface water sources, are developed for large service areas encompassing habitations where local water sources are not sustainable or not of acceptable quality. The Project is currently implementing 551 drinking water schemes, of which 184 are in Jharkhand (182 single village schemes, or SVSs, and two MVSs). The two MVSs in Jharkhand, Chhotagovindpur and Bagbera, are together designed to supply a total of 445,000 rural people across 38 Gram Panchayats (GPs) with 24/7 piped water supply.
- iv. **Project Status.** The Project was approved by the Bank's Board on December 30, 2013 and is scheduled to close on March 31, 2020. The Project has disbursed 22 percent.

Request for Inspection

- v. On November 5, 2018, the Inspection Panel registered a Request for Inspection (IPN Request RQ18/06) concerning the Project. The Request was submitted by 104 Santhal tribal community members from a village in the State of Jharkhand. The Request relates to the construction of the water treatment plant (WTP) for the Bagbera MVS, which is being built (now 65 percent complete) in the vicinity of Giddhi Jhopri, one of four tribal habitations of the Madhya Ghaghidih GP. The Requesters allege, among other things, that they have not been appropriately consulted regarding the selection of the WTP site on government land and that the assessment of the site, which they have been using for a number of community functions, was insufficient. They further allege that environmental impacts of the construction and operation of the WTP have not been sufficiently studied. The Request demands a stop to construction and the removal of the WTP.

Management Response

- vi. Management has carefully reviewed the claims that were raised in the Request, which were also raised in two separate communications to the Bank in April and June 2018. Management requested the Project Management Unit to follow up on the concerns and in October and November 2018 Management met with the Requesters and the community to better understand their concerns and discuss ways to address them. ***Based on its own review and site visits, Management has concluded that there have been shortcomings with regard to compliance with Bank safeguard policy requirements in the implementation of the Project component involving construction of the WTP in the vicinity of Giddhi Jhopri.*** These shortcomings pertain to weaknesses in design and supervision, the conduct and documentation of consultations, the disclosure of key scheme-specific documents, non-objection to the initiation of works ahead of an approved Environmental Management Plan (EMP), and failure to apply the Bank’s policy on Physical Cultural Resources (OP 4.11).
- vii. ***Consultations for scheme site selection.*** Management notes that there were significant efforts by the Project and by state and district authorities to ensure consultations among affected communities with respect to the decision to develop the Bagbera MVS and its design. The decision to construct the scheme was driven by strong demand across the 17 participating GPs. Continuing local demand is evidenced by the number of households that have opted to participate in the scheme to obtain clean and safe drinking water.
- viii. Management acknowledges, however, that there appear to have been weaknesses in consultation and its documentation at the level of Giddhi Jhopri habitation. The selection of the current WTP site was duly endorsed by the responsible GP of Madhya Ghaghidih on February 6, 2016. However, the residents of Giddhi Jhopri habitation were not represented in this Gram Sabha. There are conflicting accounts regarding whether or not Giddhi Jhopri inhabitants were formally invited. While the Request states that Giddhi Jhopri inhabitants were not invited, representatives of the other habitations claim that all habitations were invited. Management does not have independent evidence to confirm one way or another.
- ix. Management also notes that District Project Management Unit (DPMU) and district officials carried out three subsequent consultations with Giddhi Jhopri community members at the WTP site in an effort to discuss and address their concerns. However, despite these efforts, it is evident that significant disagreement between some community groups persist and that some members of the community have objections to the siting of the WTP. It is also apparent from various media accounts that other members of the community are in favor of the WTP and have been concerned by the delays in the construction process. Given these differences and the weaknesses in documentation of the consultation process, Management is not able to confirm unambiguously that broad community support, as required by OP 4.10, was achieved.
- x. ***EMP preparation and consultations.*** In line with the Project’s Environmental Assessment-Environmental Management Framework (EA-EMF), the responsibility to develop the EMP rests with the district government. In the case of MVSs, the practice under the Project has been to delegate the preparation of the EMP to the contractor, while approval remains with the government authorities. As per agreed implementation procedure, however, a draft EMP should have been enclosed in the Detailed Project Report (DPR) to inform the bidding process, in addition to the Environmental Data Sheet (EDS, also required under the EA-EMF). This was not done, and the Bank missed an opportunity to ensure that it was developed before providing its “no objection” as part of the procurement process of the contract for the MVSs.

- xi. A single EMP for the Chhotagovindpur and Bagbera schemes was prepared by the contractor. This EMP was originally submitted for government approval in July 2015 and approved by district authorities in 2017. The Project agreement between the Bank and the Government of Jharkhand also requires that scheme-specific EMPs be submitted to the Bank for prior review and approval. In this case, this requirement was not met and Management acknowledges that the Bank did not follow up to ensure compliance.
- xii. **Management acknowledges that no consultations with the directly impacted habitations took place for the preparation of the scheme-specific EMP, prior to its approval by district authorities.** While district authorities, the DPMU, and the contractor met three times with the Giddhi Jhopri community at the proposed WTP site to discuss the upcoming works, these discussions were not properly recorded through minutes and attendance sheets, which did not satisfy the requirements. Management acknowledges that the EDS and EMP have not been publicly disclosed to date.
- xiii. **Management further acknowledges that the scheme-specific EMP should have been finalized prior to the start of the works in July 2016.** The contractor prepared the scheme-specific EMP and submitted a draft EMP to the DPMU for approval on July 23, 2015. However, the EMP was not finalized before the start of the civil works in July 2016. A revised EMP was submitted on May 26, 2017, which reflected a change in the WTP site (2016) and a change of intake site (February 2017). This EMP is currently being updated to address identified weaknesses.
- xiv. These shortcomings in consultations also appear to have contributed to distrust and opposition by some members of the Giddhi Jhopri community. These were exacerbated by incorrect assumptions that (i) the Project is part of a broader plan to annex the tribal areas into Jamshedpur; (ii) the Project will negatively impact the volume of local water sources; and (iii) these local water sources that are now used by the community for free would no longer be available without charge.
- xv. **Physical Cultural Resources.** Management acknowledges that OP 4.11 was not applied to the Project but notes that efforts were made by the State and District PMUs to achieve objectives consistent with those of the policy. Prior to the start of works, there were discussions between district authorities, the contractor and local residents. These latter expressed concern about the WTP's impact on places of cultural and religious significance to them, and this led the district authorities to modify the WTP's footprint to avoid disturbing these places. Management will ensure that OP 4.11 is applied to the Project as part of an upcoming restructuring.
- xvi. **Environmental concerns.** The Requesters raised two main environmental concerns: (i) impact on groundwater level; and (ii) potential contamination in the sludge generated by the operation of the WTP. Management notes that no impacts from the WTP on the groundwater levels in Giddhi Jhopri are expected. The water intake point is too far away, and the amount of water abstracted is negligible compared to the flow of the Subarnarekha River, from which the water will be drawn. With regard to sludge from the WTP, the analysis performed at the WTP water intake shows very low levels of heavy metals in the raw water, which suggests that the sludge should not be considered as a toxic waste. District authorities have been requested to advise the contractor on an appropriate sludge discharge site.
- xvii. Management notes that the Request also raises issues pertaining to the Indian Constitution and laws, about which the Bank is not competent to respond. Some concerns also go beyond the

scope and objective of the Project, such as the concerns about expansion of Jamshedpur's city limits.

xviii. ***Management regrets the shortcomings in Project design and implementation support and is working closely with the Borrower, state and district authorities to help address the issues.*** Management has reviewed the demand in the Request that construction be stopped and the WTP removed. Based on the information available to it, Management has determined that, while broad community support cannot be confirmed, many members of the community have expressed interest in benefitting from the clean water supply that will be delivered by the Project, including members from the Giddhi Jhopri habitation. Furthermore, in Management's view, stopping Project works could pose risks of (i) retaliation against those opposing the scheme from the larger GPs that are supportive of and expecting the scheme to begin providing piped water soon; (ii) loss of employment by community members employed by the scheme; and (iii) safety hazards resulting from leaving the site idle at an advanced stage of construction. Management is committed to support the Government of Jharkhand in discussing options with the concerned community to achieve a satisfactory resolution.

xix. Management commits to the following specific actions:

In direct response to community concerns:

- By mid-January 2019: Management will support the Government of Jharkhand to consult with the Giddhi Jhopri on the Bagbera MVSs with the aim to better understand their concerns and to identify and agree on possible compensatory measures to address Project related impacts. Management will hire experts in anthropology and cultural heritage with local experience to assist in this process. The compensatory measures may include support for the following:
 - ensuring access to the hilltop site (outside WTP perimeter);
 - establishing new congregation / cremation areas;
 - relocating or constructing replacement shrines;
 - ensuring access to and preservation of traditional plants for community use;
 - undertaking an assessment of physical cultural resources, including steps to preserve/salvage/relocate any such resources identified;
 - undertaking reburial of mortal remains if any are found;
 - retaining red mud soil excavated from the WTP site for the community's use, as was requested;
 - providing other culturally appropriate benefits to the community.
- By end-January 2019: Management will support the Government of Jharkhand to undertake implementation stage consultations in all GPs covered by the Bagbera and Chhotagovindpur MVSs to update community members on implementation progress. This will allow further scheme information to be provided; clarify aspects related to environmental and tribal development management; as well as provide information on the start of service delivery, and financial aspects related to community contribution and water tariffs, in addition to responding to people's queries.

- By end-December 2018: Management will complete a review of the draft updated EMP for the Bagbera and Chhotagovindpur MVSSs, which the DPMU has committed to submit to the Bank for review by mid-December 2018.
- By end-January 2019: Management will work closely with the SPMU and DPMU to ensure that appropriate consultations on the updated EMP and disclosure are carried out. The update of the EMP will also reflect the feedback from the above-cited detailed consultations with the Giddhi Jhopri community.
- By end-January 2019: Management will request the DPMU to share the results of the water analysis at the water intake with the community and make them publicly available as part of the EMP.

To address overall project shortcomings:

- By end-December 2018: Management will ensure that executive summaries of safeguard documents are translated and disclosed in Hindi, the predominantly read language in the Project areas, on the relevant department website, at the head office of each GP and at the offices of the contractor.
- By end-February 2019: Management and PMUs will complete the ongoing comprehensive review of safeguard compliance for the Category 2 schemes supported by the Project and will prepare an action plan for time-bound implementation of any remedial measures that may be required. Priority is being given to completing the reviews of the safeguard documentation for the Bagbera and Chhotagovindpur MVSSs and any remedial action pertaining to these MVSSs will be addressed before the respective WTP starts operation.
- By end-February 2019: Management will follow up with the Project Management Units at the national, state and district level (NPMU/SPMU/DPMU) to ensure appropriate monitoring of EMP implementation, staffing, and application of safeguards instruments.
- By end-January 2019: Management will follow up with the SPMU and DPMU to ensure completion of the review of the scope of works and training of the 400 Community Organizers that have been placed in all five districts of Jharkhand since May 2018, to give them a greater role in disseminating information about the Project, relaying community concerns, and environmental and social monitoring. This review will also cover Project and site-level GRMs and identify steps to strengthen them.
- By end-February 2019: completion of Project restructuring, which will include the application of OP 4.11 among other aspects.

I. INTRODUCTION

1. On November 5, 2018, the Inspection Panel registered a Request for Inspection, IPN Request RQ18/06 (hereafter referred to as “the Request”), concerning the India: Rural Water Supply and Sanitation Project for Low Income States (RWSSP-LIS, P132173), financed by the International Development Association (the Bank).

2. **Structure of the Text.** The document contains the following sections: Section II presents the Request; Section III provides background information on the Project, and Section IV contains Management’s response. Annex 2 is documentation on the Project consultation process, including photos and video links. Annex 3 contains photographs, a map and other graphic documentation of the local government structure and Project site. Annex 4 presents a timeline of Project related events.

II. THE REQUEST

3. The Request for Inspection was submitted by 104 Santhal tribal community members from a village in the State of Jharkhand, India (“the Requesters”). The Requesters have asked for confidentiality.¹

4. The Request relates to the construction of the water treatment plant (WTP) for the Bagbera Multi-Village Scheme (MVS), which is being built in the vicinity of Giddhi Jhopri, one of four tribal habitations of the Madhya Ghaghidih Gram Panchayat (GP, rural government). The Requesters allege, among other things, that they were not appropriately consulted regarding the selection of the WTP site on government land which they have been using for a number of community functions, and that the assessment of the site was insufficient. They further allege that environmental impacts of the construction and operation of the WTP have not been sufficiently studied. The Request demands a stop to construction and the removal of the WTP.

5. No further materials were received by Management in support of the Request.

III. PROJECT BACKGROUND

6. **Project Objectives.** The Project development objective is to improve piped water supply and sanitation services for selected rural communities in target (low-income) states through decentralized delivery systems and to increase the capacity of the participating states to respond promptly and effectively to an eligible crisis or emergency.

7. **Project Components.** The US\$500 million Project is to be implemented over a six-year period. It supports the implementation of the National Rural Drinking Water Program (NRDWP)

¹ Management notes that while the Requesters asked the Inspection Panel for confidentiality, the Requesters also raised the same claims in two separate communications directly to the Bank in April and June 2018. Therefore, the text of the Request on which this response is based is not the redacted version that accompanied the Notice of Registration but that received directly from the Requesters.

of the Ministry of Drinking Water and Sanitation, Government of India (GoI) for improving piped water and sanitation coverage nationwide. The Ministry has prioritized the Bank Project to support NRDWP implementation in four low income states, namely Assam, Bihar, Jharkhand, and Uttar Pradesh (UP). These states were selected based on: (i) low levels of rural piped water coverage; (ii) water quality problems; and (iii) number of districts afflicted with Acute Encephalitis Syndrome and Japanese Encephalitis. The Project comprises the following components:

- (a) *Component A: Capacity Building and Sector Development (Cost US\$93 million; IDA contribution US\$46 million)*. This component supports the building of institutional capacity for implementing, managing and sustaining Project activities, along with sector development studies to inform policy decisions.
- (b) *Component B: Infrastructure Development (Cost US\$860 million; IDA contribution US\$430 million)*. This component supports investments for improving water supply and sanitation coverage, including construction of new infrastructure and rehabilitation and augmentation of existing schemes. Water supply investments include water source strengthening and catchment area protection activities. Most habitations (sub-GP-level hamlet) are served by Single Village Schemes (SVS) using local groundwater sources. Multi-Village Schemes (MVSSs), mainly relying on surface water sources, are developed for large service areas encompassing habitations where the local source is either not sustainable or not of acceptable quality. The sanitation component supports the Swachh Bharat Mission-Gramin (Rural), which is the rural part of the Clean India Campaign, through activities including soak-pits, drain and lane improvements, and community awareness programs for improving sanitation and hygiene practices. The Project promotes 24/7 and metered water supply and the introduction of the use of solar energy in the RWSS sector.
- (c) *Component C: Project Management Support (Cost US\$47 million; IDA contribution US\$24 million)*. This component includes Project management support to the various entities at the national, state, district, and village levels for implementing the Project, including staffing, consultancy and equipment costs, and internal and external financial audits.
- (d) *Component D: Contingency Emergency Response (Cost US\$0 million)*. Following an adverse natural event that causes a major natural disaster, the Government may request the Bank to re-allocate Project funds to support emergency response and reconstruction. This component has not been mobilized to date.

8. The Project has a Grievance Redress Mechanism in place at the national level; all state-level PMUS (SPMUs) use multiple modes of grievance redress. In Jharkhand, people can submit their grievances through a toll-free number, through a website² or verbally or in writing to the Village Water and Sanitation Committee (VWSC), the Mukhiya or the Jal Sahiya.³ However, the

² State level GRM through toll-free number (181) or website <http://cmjansamvad.jharkhand.gov.in/>

³ Jal Sahiya are women volunteers selected from the community to work on water and sanitation, often helping the VWSCs.

State-level GRM is new and not well known in rural areas and local GRMs are insufficiently monitored and coordinated.

9. **Project Financing.** The Bank is providing half of the funding for the Project. The counterpart funds are being provided as follows: GoI US\$330 million from the NRDWP, participating states US\$162 million in matching funds, per NRDWP guidelines, and community contributions of US\$8 million). To demonstrate ownership for the schemes, participating households will contribute a one-time “community contribution” towards capital costs in the amount of Rs450 (US\$6.40) or Rs225 (US\$3.20) for Scheduled Caste or Scheduled Tribe households. A minimum monthly operation and maintenance (O&M) tariff of Rs62 (US\$0.90) will be charged; GPs have the discretion to charge more. Participation in the scheme is voluntary at the community and household levels.

10. **Project Status.** The Project was approved by the Bank's Board on December 30, 2013. It is scheduled to close on March 31, 2020. The Project has disbursed 22 percent of the funds to date. The Bank performed its 9th Implementation Support Mission in October 2018. The Project is currently implementing 551 drinking water schemes: 529 SVSs and 22 MVSs, of which 182 SVSs and 2 MVSs are in the State of Jharkhand. The 182 SVS are about 75 percent completed. The two MVSs are Chhotagovindpur (85 percent completed) and Bagbera (65 percent completed). These two distinct MVSs are implemented through a single US\$32 million Design, Build, Operate and Transfer (DBOT) contract for their construction. Jointly, the two MVSs are designed to supply a total of 445,000 rural people across 38 GPs with 24/7 piped water supply, consistent with Project design for all MVSs. The Bagbera MVS is expected to supply over 100,000 rural people across 17 GPs. The Chhotagovindpur MVS is expected to begin operations in December 2018 and the Bagbera MVS by March 31, 2019.

11. **Project Beneficiaries.** The Project currently supports rural water supply and sanitation programs in 33 districts in Assam, Bihar, Jharkhand, and UP, and is expected to directly benefit about 7.8 million rural people, including tribal populations and about 3.8 million female beneficiaries. The Project will improve the “access and usage” of the water supply and sanitation facilities created in the Project area. Women and children will benefit significantly from the Project interventions as they currently bear a disproportionate burden of securing daily water supplies and dealing with illnesses resulting from poor water and sanitation facilities. The rural population is expected to benefit from Information-Education-Communication (IEC) and Behavior-Change-Communication (BCC) programs, which will promote the adoption of improved sanitation and hygiene practices, including latrine usage. Rural women will be empowered to have voice and choice through membership in the Water and Sanitation Committees (WSCs) to be created to monitor water scheme implementation and operation.

12. **Project Context.** The Request relates to the construction of the WTP for the Bagbera MVS. The plant will process water drawn from the Subarnarekha river, 14.5 km away from the plant site, and will supply a service area located in the vicinity of the city of Jamshedpur (population 1.34 million, as of 2011 census), the main town of the East Singhbhum district and the largest urban agglomeration in Jharkhand. Jamshedpur has a continuous water supply (also known as “24x7”) in a substantial part of the city; the water supply scheme under the RWSSP-LIS was conceived to provide water to unserved rural areas, which have been asking to receive the same level of services for their communities.

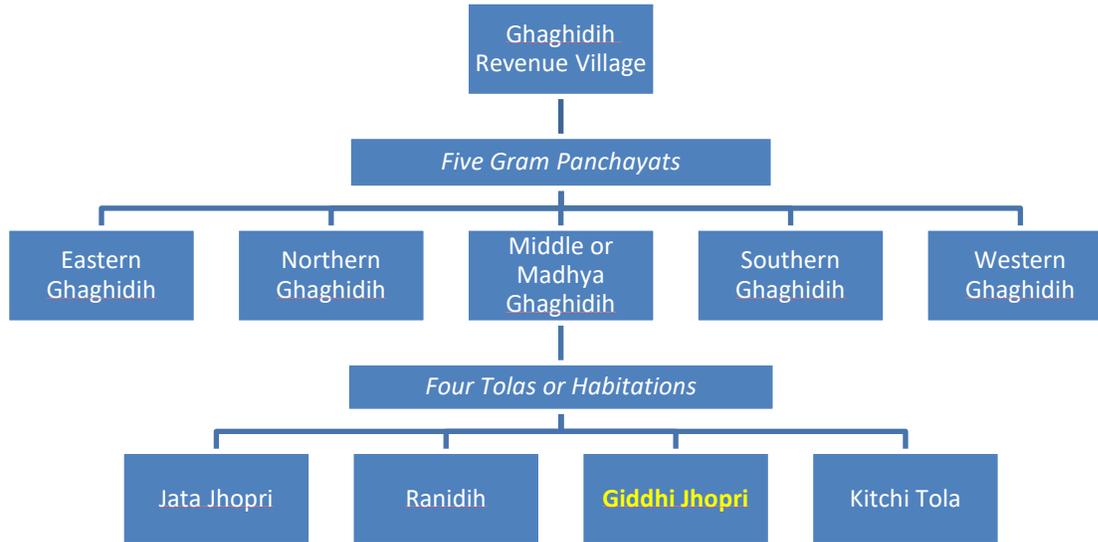
13. ***Addressing the Low Level of Access to Drinking Water and Sanitation in the Project States.*** The RWSSP-LIS is the first large project in the low-income states that aims to improve access to sustainable water and sanitation services for the rural poor, using a decentralized approach to ensure inclusion and equity, promoting a high level of service through house connections and introducing new management models for service delivery. This Project has targeted the most underdeveloped and low-income states with a very low level of access to tap-supplied drinking water. As per the 2011 census, tap water coverage was only 2.6 percent in Bihar, 3.7 percent Jharkhand, 6.8 percent in Assam and 20.2 percent UP, whereas coverage in the country as a whole was more than 32 percent. Bihar, Jharkhand and UP also lagged significantly in sanitation, as more than 75 percent of rural households lacked access to latrines on their premises.

14. Groundwater in many locations in Jharkhand has levels of arsenic, iron, fluoride and nitrates that are detrimental to human health. Poor water quality, including fluoride and iron contamination, is one of the major concerns of local communities. Groundwater in the Jamshedpur area shows iron and nitrate contamination, and isolated cases of radioactivity.

15. ***This Project is promoting 24/7 piped water services to rural areas where such services are now non-existent.*** It targets poor populations, areas where water sources are contaminated, and areas with high tribal populations. The MVSs introduce a new service level in rural areas, with 24/7 availability, water meters, and a new management model, based on public-private partnerships for design, construction and O&M for a period of five years. At the state level, the Project is supporting the state government in putting in place policies for sustainable O&M of water supply and sanitation in rural areas.

16. ***Local Context of the WTP site.*** For purposes of this Management Response, it is important to understand the hierarchy of settlements in the Project area. As noted above, the WTP that will supply the Bagbera MVS is being built on government land in the vicinity of Giddhi Jhopri and other habitations, the inhabitants of which use the land for various purposes. The Giddhi Jhopri habitation is part of the Madhya Ghaghidih GP, one of the five GPs within the Ghaghidih revenue village. The GPs, which are the rural local governing bodies, have at least 5,000 inhabitants each.

17. According to district statistics, the population of the Madhya Ghaghidih GP is about 45 percent tribal. Within Madhya Ghaghidih, there are four Santhal tribal communities, called habitations, namely Giddhi Jhopri, Ranidih, Jata Jhopri and Kitchi Tola. While Figure 1 below shows the structure of the Ghaghidih revenue village, the WTP supported by the Project will actually serve a total of 17 GPs, including the five GPs of the Ghaghidih revenue village.

Figure 1. Organigram of Ghaghidih Revenue Village Structure

18. ***Safeguard Approach of the Project.*** The Project is categorized as a Category B project. Five World Bank safeguard policies were determined to be applicable to the Project. Of particular relevance to the Request are OP 4.01 on Environmental Assessment and OP 4.10 on Indigenous Peoples. OP 4.11 on Physical Cultural Resources was not applied to the Project as the Environmental Assessment–Environmental Management Framework (EA-EMF) for Jharkhand (see below) or any of the other three states did not identify any project-induced risks or impacts related to the presence of physical cultural resources. As discussed below in paragraph 47, Management is now of the view that OP 4.11 should have been applied to the Project.

19. To date, the Project includes a total of 551 piped water schemes across the four states, in what is referred to as Batch I schemes (to be followed by 500+ Batch II schemes that are under implementation or bidding stage). Given the large number of schemes and the fact that most of them had not yet been identified at the time of Project preparation, the Project was designed using a framework approach for safeguards. For each of the participating states, management frameworks covering environmental and social issues were developed, consulted upon at state, district and GP levels, and publicly disclosed in April 2013. These included:⁴

- EA-EMF Report for each state, including Jharkhand;
- Social Management Framework (SMF) Report for each state and for the overall Project; and

⁴ In September 2013 a revised version of the EA-EMF for UP was prepared and published on the Department website. In January 2016, a TDP for Assam was prepared by the Borrower. It was approved by the Bank and publicly disclosed on the state line department's website in 2016.

- Tribal Development Plan (TDP) for Jharkhand.

20. **Jharkhand TDP.** The State of Jharkhand was created in 2000 out of the southern part of the State of Bihar. The state has a high percentage (28 percent of the population) of Scheduled Tribes.⁵ About half of this tribal population lives below the poverty line, whereas overall state and national averages are 40 and 30 percent, respectively. Four of the six Project districts have significant tribal populations, and these districts are administratively termed as “Scheduled Areas,⁶” which are subject to special constitutional and legislative provisions designed to protect tribal interests. The East Singhbhum district, where the subject of the Request is located, lies in a Scheduled Area, under the Fifth Schedule of the Constitution of India, with the Santhal tribe the predominant tribal community.

21. The tribal communities in Jharkhand affected by the Project are considered Indigenous Peoples under OP 4.10. Accordingly, during Project preparation a TDP was prepared for the Jharkhand portion of the Project. Consultations on the draft TDP were held in February 2013 in 60 habitations spread over 30 GPs in five districts, in addition to consultations with state, district and block officials. The TDP was disclosed locally and submitted to the Bank in March 2013. It includes provisions intended to ensure that tribal settlements are given particular consideration in the targeting of Project benefits, and that informed consultations leading to the identification of demand-driven schemes in tribal areas take place in culturally appropriate ways.

22. As set forth in the TDP, institutional arrangements for local decision-making in Scheduled Areas are governed by a number of legal enactments. To address the omission of Scheduled Areas from the 73rd Constitutional Amendment (1993), which gave constitutional identity and decentralized responsibilities to the Panchayati Raj Institutions, the Panchayat Raj (Extension to Scheduled Areas) Act, or PESA, was enacted in 1996. Following the creation of the State of Jharkhand, the Jharkhand Panchayat Raj Act was passed in 2001. According to the TDP, under these Acts, in tribal areas the relevant units of governance include the formally constituted GP, and development projects affecting habitations are also to be discussed and approved at the *Gram Sabha* (community assembly) of the concerned habitation(s).

23. Subsequent to the finalization of the TDP, and to provide more detail on its operationalization, the SPMU prepared a Tribal Development Implementation Plan, involving extensive consultations of tribal experts, academics and tribal representatives. Its finalization was delayed due to the absence of a Tribal Development Specialist in the SPMU for close to two years. The Plan, which was approved in August 2018, is at a state-wide level rather than scheme-specific and provides additional details and guidance on how schemes in tribal areas, including schemes involving both tribal and non-tribal communities, should be selected, designed and governed.

24. **Disclosure.** In Jharkhand, the EA-EMF, the SMF, the TDP, and their executive summaries in English were disclosed on a website of the Drinking Water and Sanitation Department (DWSD), as well as at the World Bank’s InfoShop. The website of the DWSD experienced a security breach

⁵ To protect the interests of the tribal population, specific schedules were added to the Constitution of India in 1949 under its article 244 (2). The term “Scheduled Tribes” refers to the protection provided to tribal populations under these schedules, which concern specific areas. In Jharkhand, 15 districts out of 24 are listed in the “Fifth Schedule.”

⁶ “Scheduled Areas” refer to officially notified areas marked by significant presence of tribal population, geographic compactness as well as social and economic backwardness.

around the end of 2015, after which the website was taken offline and DWSD decided not to renew the contract with the website hosting company. The Bank has requested the SPMU to republish the documents on the new DWSD website. According to the Appraisal-stage Integrated Safeguard Data Sheet, summaries of the EA-EMF, SMF and TDP were translated into local languages and disclosed. In the course of preparing this Management Response, the Bank confirmed the disclosure of the EA/EMF in Bihar and the EA/EMF/SMF in Uttar Pradesh but was not able to confirm disclosure of the analogous documents in other states.

25. ***Consultations at the National and Regional Level.*** Consultations on the EA-EMF, the SMF and the TDP in Jharkhand were conducted in Hindi. A Hindi version of the EA-EMF executive summary was circulated to panchayat (elected village council) members, self-help groups, line department staff, etc., in advance of regional and national consultation workshops, which were held respectively in Khunti, Garhwa, Jamshedpur and Dumka on May 6, 8, 10 and 12, 2013 and in Ranchi on June 26, 2013.

26. ***Consultations at the Local Level.*** As discussed above, for the State of Jharkhand, consultations on the draft TDP were held in February 2013 in 60 habitations spread over 30 GPs in five districts in addition to consultations with state, district and block officials. The TDP was adopted in March 2013 and publicly disclosed in April 2013. It includes provisions to ensure that tribal-specific practices are adequately taken into consideration in the Project, and that informed consultations regarding schemes affecting tribal populations take place in culturally appropriate ways.

IV. MANAGEMENT'S RESPONSE

27. The Requesters' claims, accompanied by Management's detailed responses, are provided in Annex 1.

28. Management has carefully reviewed the claims that were raised in the Request, many of which were also raised in two separate communications to the Bank in April and June 2018. In response to the latter, Management had requested in April the PMU to follow up on these concerns and a PMU mission was fielded to the community to discuss concerns. However, in June, Management received a communication expressing the view that the concerns were still not addressed. Management followed up with the PMU on the efforts undertaken to address the matter. In October and November 2018, the Bank team⁷ met with the Requesters and the community to better understand their concerns and discuss ways to address them.

29. *Based on its own review and site visits, Management has concluded that there have been shortcomings with regard to compliance with Bank safeguard policy requirements in the implementation of the Project component involving construction of the WTP in the vicinity of Giddhi Jhopri.* These shortcomings pertain to weaknesses in design and supervision, the conduct and documentation of consultations, the disclosure of key scheme-specific documents, non-objection for the initiation of works ahead of an approved Environmental Management Plan (EMP), and failure to apply OP 4.11.

30. *Management acknowledges these shortcomings in Project implementation support and is working closely with the Borrower, state and district authorities to help address the issues.* In the sections that follow, Management would like to clarify specific issues raised in the Request and the proposed way forward. Actions to address concerns raised in the Request are presented in paragraph 61.

Community Concerns about Expansion of the City Limits of Jamshedpur

31. *Management understands the Requesters' concerns regarding urban expansion and the perceived threat of tribal villages losing certain legal protections afforded to them as Scheduled Areas by being integrated into the city.* Giddhi Jhopri is located on the fringes of Jamshedpur city, the largest urban center of the State of Jharkhand and India's 36th-largest urban agglomeration. Management understands that the Government is considering the expansion of city limits for purposes of regional planning and integration. However, there is no link between the mentioned draft master plan to expand the Jamshedpur urban area and this Project, which aims to provide water to rural communities, nor was it mentioned during consultations that took place for Project preparation. Information gathered from the District Project Management Unit (DPMU) notes of the meetings held on February 4 and 20, 2016, and on March 11, 2016, and the soundtracks of the video clips refer to the anxiety of the Giddhi Jhopri community that this scheme will attract "settlers" and that their habitation will be classified as an urban service area by the state (see Annex

⁷ A Bank Team consisting of the Lead Social Development Specialist, Senior Communications Officer, and Social Development Specialist visited Jamshedpur on October 15, 2018. Another mission composed of the Operations Manager for India; Project Task Team Leaders, Senior Communications Officer, Lead Social Development Specialist, Social Development Specialist; Lead Environmental Specialist; and the Security Specialist went to Jharkhand on November 16 and 17, 2018.

2). It appears that the explanations provided by state and district authorities did not manage to dispel this concern.

Selection of WTP Site and Community Consultations

32. ***Management notes that there were significant efforts by the Project and by state and district authorities to ensure consultations among affected communities with respect to the decision to develop the Bagbera MVS and its design.*** The decision to construct the scheme was driven by strong demand across the 17 participating GPs. Continuing local demand is evidenced by the number of households that have opted to participate in the scheme to obtain clean and safe drinking water; to date, 23 of the 120 households in Giddhi Jhopri (19.1 percent), have already paid their “community contribution.” The analogous figure for the Madhya Ghaghidih GP is 80 households out of a total of 1,500, or 5.3 percent. The selection of the WTP site itself was duly endorsed by the responsible GP. Nevertheless, Management acknowledges that there appear to have been weaknesses in consultation and its documentation at the level of Giddhi Jhopri habitation.

33. ***Initial local consultations concerning the selection of the WTP site commenced in 2012.*** The site originally selected for the WTP, as listed in the Detailed Project Report (DPR) was on government land in the Purvee (or East) Ghaghidih GP, next to the Ghaghidih jail. The Gram Sabha of that GP was held on June 15, 2012⁸ and a no-objection certificate to use the land was issued on August 24, 2012. However, district authorities decided to change the site following opposition of local residents, who claimed that they used the land as a place of worship. Following this, the district authorities identified the current WTP site, which is located on government land on a hillside near the Giddhi Jhopri habitation.

34. The decision to shift the WTP site required new consultations and approval by relevant local community institutions. The Gram Sabha of the affected GP, Madhya Ghaghidih, was held on February 6, 2016 at the GP headquarters in Ranidih (which, along with Giddhi Jhopri, is one of the four tribal habitations within Madhya Ghaghidih), to discuss the scheme and the proposed location of the WTP. Consistent with the provisions of the Panchayat Raj Act 2001 related to Scheduled Areas, it was chaired by a tribal leader from a habitation under the GP. The Madhya Ghaghidih Gram Sabha endorsed the scheme and the current site of the WTP, on government land.

35. Management notes that in accordance with the TDP, local decision-making in tribal areas includes relevant units of local governance, not only through a Gram Sabha of the formally constituted GP but also by involving the Gram Sabhas of the habitation(s). Although the site selection was endorsed by the February 6, 2016 Gram Sabha that was held at the level of the Madhya Ghaghidih GP (which includes Giddhi Jhopri), the Requesters’ demand for a Gram Sabha to be organized at Giddhi Jhopri to seek the habitation’s endorsement of the use of the nearby government land to build the WTP was not fulfilled. Moreover, the residents of Giddhi Jhopri habitation were not represented at the February 6, 2016 Madhya Ghaghidih Gram Sabha. There are conflicting accounts regarding whether or not Giddhi Jhopri inhabitants were formally invited. While the Request states that Giddhi Jhopri inhabitants were not invited, the *Mukhiya* (the elected

⁸ The Gram Sabha resolution refers to the WTP and water reservoir to be located at an appropriate place so that all in the GP can get water. It does not however refer to the specific land plot listed in the Land no-objection certificate.

head of the GP) and the *Gram Pradhans* (non-elected leaders) of the other habitations claim that all habitations were invited.⁹

36. In response to concerns from Giddhi Jhopri community members, DPMU and district officials carried out one consultation with members of that community two days before the Gram Sabha (Annex 3) and two subsequent consultations at the WTP site, in an effort to address concerns (see also paragraph 49). However, despite these efforts, it is evident that significant disagreement between some community groups persisted and that some members of the community have objections to the siting of the WTP, as noted by Bank Missions and as manifested in confrontations at the WTP site that occurred in 2016 (see paragraph 37 below). It is also apparent from various media accounts that other members of the community are in favor of the WTP and have been concerned by the delays in the construction process. Given these differences and the weaknesses in documentation of the consultation process, Management is not able to confirm unambiguously that broad community support, as required by OP 4.10, was achieved. The incidents at the WTP site in 2016 should have further alerted Management to the need to review the question of this required support.

Reported Confrontations at the Project Site

37. ***Management understands that there have been two incidents that involved police action at the time works started at the WTP site, one on June 6, 2016, the other on July 15, 2016.*** In addition, on July 27, 2016, the press reported a protest in front of the Deputy Commissioner's office by tribal community members against the construction of the WTP in the vicinity of Giddhi Jhopri, during which protesters also expressed concern about an allegation that numerous GPs would be integrated into the Jamshedpur Urban Agglomeration. Management has reached out to the district authorities as well as to the community to better understand the nature and sequence of events. Details are provided in Annex 1.

38. In May 2016, a compliance review of social safeguards and social development issues was carried out to inform the Mid-Term Review, which took place from July 25 to August 5, 2016. This compliance review focused on social aspects, visited the site and recorded that "*there is constant opposition with frequent disruptions to start work from local tribals, as they fear construction of project facilities at this location may lead to usurping their land by non-locals and eventual domination of settlers.*" This text was repeated in the Mid-Term Review Aide-Memoire that was issued in November 2016 (Annex 8 on Jharkhand). The compliance review noted there were gaps in consultations during the planning of the alternative site for the WTP construction. The compliance review recommended that the DPMU, along with the district administration, engage with local residents at Bagbera to address their concerns and enhance support for the Project. The compliance review also recommended that the DPMU make appropriate arrangements to redress community grievances. While there was follow-up by email and phone by

⁹ Management understands that all tribal leaders of Madhya Ghaghidih have confirmed that the invitation for the Gram Sabha on Feb. 6, 2016 in Ranidih was extended to the entire Panchayat through the traditional method of drum beating and announcement (Dakuwa). In addition, the Gram Pradhan of Madhya Ghaghidih stated that he personally went to each tola (habitation) to invite the respective Gram Pradhan and villagers, including Giddhi Jhopri. In addition, pictures of the February 4, 2016 meeting, which took place in Giddhi Jhopri two days before the Gram Sabha, show the Mukhiya of Madhya Ghaghidih discussing the scheme with residents of Giddhi Jhopri.

the Bank team on these written recommendations, no formal communication from the Bank indicating that work on the scheme should be suspended pending resolution of these issues.

39. Management acknowledges that in light of the above events, more proactive action with the Project authorities should have taken place to follow up on agreed actions and to appropriately understand and address what appeared to be significant resistance to construction of the WTP by Giddhi Jhopri community members.

Shortcomings in the Preparation and Supervision of the EMP

40. **EA-EMF.** The EA-EMF for Jharkhand sets forth procedures and criteria for screening schemes and for addressing potential environmental impacts identified through that screening. According to the EMF, the initial screening involves public consultation with the relevant community, a preliminary identification of environmental issues and completion of an Environmental Data Sheet (EDS). Based on the EDS, the scheme in question is classified as either Category 1 or Category 2 depending on the significance of the potential environmental impacts. For Category 1 schemes, no separate environmental appraisal is required. For Category 2 schemes, given their potentially more significant environmental implications (albeit within the context of Category B projects), a detailed environmental appraisal is required, including an evaluation of environmental and public health impacts, risk assessment and the design of mitigation measures. This environmental appraisal is to be prepared by the district level environmental expert using the EDS and a scheme screening tool to determine the scheme-specific environmental category and therefore the level of appraisal required. Tools to carry out the scheme-specific environmental appraisal are set out in Annexures 18 and 19 of the EA-EMF.¹⁰ The results are consolidated in an EMP, also prepared by the district level environmental expert, as per the provisions of the Jharkhand EA-EMF.¹¹

41. **EMP for the WTP.** The Bagbera MVS was classified as a Category 2 scheme, requiring a detailed environmental appraisal to be included in and inform an EMP. Management notes that under the EMF, the responsibility to develop the EMP rests with the district government. In the case of MVSs, the practice under the Project has been to delegate the preparation of the EMP to the contractor, while approval remains with the government authorities. As per agreed implementation procedures, however, a draft EMP should have been enclosed in the DPR to inform the bidding process, in addition to the EDS. This was not done, and the Bank missed an opportunity to ensure that it was developed upfront before providing its “no objection” as part of the procurement prior review process of the DBOT contract.

42. A single EMP for the Chhotagovindpur and Bagbera schemes was prepared by the contractor, which includes a completed EDS and an overview of environmental impacts and proposed mitigation measures. This EMP was originally submitted for government approval in July 2015 and approved by district authorities in 2017. The Project agreement between the Bank and the Government of Jharkhand also requires that scheme-specific EMPs be submitted to the Bank for prior review and approval. In this case, this requirement was not met and Management

¹⁰ In May 2015, the Bank team prepared a guideline document entitled “Environmental Management: Procedures and Tools,” to respond to counterparts’ request for further guidance to facilitate environmental safeguard implementation and monitoring. The Bank team promoted its use and referred to it in subsequent missions.

¹¹ Pages 186-192 and Table 29, pages 92 and 93.

acknowledges that the Bank did not follow up. This EMP is currently being updated to address identified weaknesses.

43. ***Local-level Consultations for EMP preparation.*** Prior informed consultations with the directly impacted habitations should have taken place as part of the EDS and DPR preparation and a summary of the consultations and main points raised should have been reflected in the EMP, prior to its approval by district authorities. While district authorities, the DPMU, and the contractor met three times with the Giddhi Jhopri community on or around the proposed WTP site to discuss the upcoming works, these discussions were not properly recorded through minutes and attendance sheets, which did not satisfy the requirements. Management acknowledges that these documents have not been publicly disclosed to date.

44. ***Management acknowledges that the scheme-specific EMP should have been finalized prior to the start of the works in July 2016.*** The contractor prepared the scheme-specific EMP and submitted a draft to the DPMU for approval on July 23, 2015. However, the EMP was not finalized before the start of the civil works in July 2016. The November 2015 and July-August 2016 Bank missions recommended preparation of an updated EMP to take into account various environmental management issues for these two MVSs. During the February 2017 mission, the Bank team requested that the draft EMP be shared with the Bank, so that the Bank could review it and provide comments. On March 3, 2017, the DPMU requested the contractor to revise the EMP to address the Bank's comments.¹² A revised EMP was submitted on May 26, 2017, which reflected a change in the WTP site (2016) and a change of intake site (February 2017). The Bank team reviewed the updated version in June 2017.

45. The version of the EMP that was submitted to the District Executive Engineer on August 2, 2017, incorporating comments from the SPMU and DWSD, was approved by the district authorities on October 5, 2017. This information was not shared with the Bank team, who provided additional comments to the SPMU during the November 2017 technical visit to Jharkhand. The November 2017 technical visit addressed some of the issues later raised by the Requesters, specifically the need to restore excavated material to its original condition and the need to find a solution to wastewater management issues likely to arise in the course of WTP operations.

46. Following the November 2018 mission, the Bank team requested the counterpart to require the contractor to: (i) update the EMP; (ii) bring it into compliance with the EA-EMF; (iii) separate the combined EMP into one EMP each for the Chhotagovindpur MVS and the Bagbera MVS; and (iv) reflect relevant issues raised in the Request in the updated EMP. The contractor has committed to incorporating the comments and submitting the updated and separated EMPs to the district authorities, who will convey the documents for the Bank's review by mid-December 2018. In addition, the Bank team required that monitoring and reporting of EMP implementation be strengthened and advised the contractor, SPMU and DPMU of the need to undertake consultations on issues (included in the Action Plan, for completion by end-January 2019) that can still be managed and/or mitigated satisfactorily during the update of the EMP, to document such

¹² Comments provided on the EMP focus on debris/excavated material management and disposal, topsoil recovery, proper sanitation and management of sewage and sullage; security on worksite including dug/cut slope protection, full site restoration at end of construction, sludge management and disposal arrangements during O&M phase, detailed cost estimates, assignment of responsibilities and EMP monitoring.

consultations in the EMP and to publicly disclose the approved and updated EMP in all GPs and habitations concerned, as well as at the DPMU and contractor's offices.

Impacts on Shared Community Resources and Physical Cultural Resources

47. ***Management acknowledges that OP 4.11 was not applied to the Project. Management notes, however, that efforts were made by the implementing agency to achieve objectives that are consistent with those of the policy.*** Although at least three documented (see Annex 2) rounds of consultations by the DPMU, district authorities and a Bank mission team took place with Giddhi Jhopri inhabitants prior to the start of the works, these are not documented to the extent required to ascertain compliance with the policy requirements.

48. In terms of cultural resources, the Giddhi Jhopri habitation reportedly has a sacred tree, sacred stones and a congregation area at the highest point of the hill, which is now immediately adjacent to the WTP boundary wall. Giddhi Jhopri and Jata Jhopri habitations also claim to have burial sites on the hill. Giddhi Jhopri's site is indicated by unmarked boulders under vegetation on the southeastern side of the hill and two tombstones located under a tree, 115 meters away from the WTP southeastern corner wall; Jata Jhopri's burial ground was reported to be on the southwestern part of the hill at the top, next to three small shrines, marked by a few boulders and stones.

49. ***While no systematic assessment of physical cultural resources took place, the contractor and district authorities made concerted efforts to jointly identify with the community areas of significance to the community prior to starting the works.*** The following discussions, comprising district authorities, the DPMU and the contractor were held on and near the alternative site identified on the dates noted below. They are documented through pictures and video recordings.

- February 4, 2016 with the GP Mukhiya (elected village leader) and villagers;
- February 20, 2016 with members of the Giddhi Jhopri community (including the Requesters); and
- March 11, 2016 with members of the Giddhi Jhopri community (including the Requesters).

50. These meetings took into consideration the existence of sacred sites, potential burial grounds and cremation sites, as well as the community's use of the public land, and developed mitigation measures. In addition, earlier meetings with local residents who expressed concern about the WTP's impact on places of significance led to the modification of the footprint of the WTP site, originally designed as 120m x 120m, to 180m x 80m, in order to avoid disturbances to the identified places of significance, in particular burial grounds or worship places. The contractor adapted the WTP design to fit in the new site dimensions and made a U-shape in the boundary wall alignment to accommodate a sacred tree located within a meter of the plot boundary. Moreover, as members of the local community requested that the excavated material not be taken away, the contractor has kept it within or in the immediate vicinity of the site.

51. Management has also sought to better understand the pre-construction situation on the Giddhi Jhopri hilltop by analyzing satellite images, as well as photographs and a video of the site within the five months prior to construction (see Annex 2). No distinctive artefacts could be identified on the WTP site based on the analysis of the pictures and video. Satellite images, current and historical, show three shrines were in place adjacent to the proposed WTP site prior to the start of the works. However, the typical physical characteristics of Santhal burial sites (located under vegetation) and cremation grounds, described by the Requesters, do not allow these images or pictures to be used to fully confirm their presence or non-presence at the site. Discussions between the DPMU, the GP Mukhiya and members of the Giddhi Jhopri habitation, on February 4 and 20, 2016 focused on informing the community about the scheme and answering their questions, and records from the DPMU and sound recordings of these two meetings do not mention the community raising these issues. A site inspection on March 11, 2016, jointly with the Giddhi Jhopri community, did not identify any burial ground or worship place inside the WTP perimeter.

52. Bank missions visited the site in October and November 2018. In the Bank team's interactions with the habitations of Giddhi Jhopri, Jata Jhopri and Ranidih, there were no claims of gravesites located within the footprint of the WTP site. A few community members asserted that they had seen bones and a skull during construction excavations, but this was not confirmed by other community members and was refuted by the contractor.

Site Accessibility for Community Use

53. *Management notes that the WTP in question is built on government land and remains accessible to the community for assembly, grazing livestock or foraging plants.* The WTP plot is 3.59 acres, or 25 percent of the government land (total area 14.5 acres). Only the WTP boundary has been fenced. The DPMU has confirmed that community members will continue to have access to the land outside the perimeter of the WTP on which they can pasture their livestock, forage for plants, bury their dead¹³ and use the congregation area next to the sacred tree to worship per tribal rites. The WTP site itself is fenced for safety reasons and to ensure that the perimeter is clearly marked. Access to the remaining available land is unrestricted and will remain so.

Concerns about Potential Impacts of Water Supply Scheme

54. Community access to existing local water sources will not be affected by the Project, nor will the Project introduce a requirement to pay for use of these sources. The WTP will source water from the *Subarnarekha river* at an intake point 14.5km away. Moreover, it is not expected that the Project will impact or diminish the locally available water sources in flow, quality or quantity. Community members may continue to use those sources free of charge if they so desire. The surface-water-fed and treated piped water supply will be made available through a metered scheme to ensure that only those who choose to use the piped water will be charged. However, these free groundwater sources are most likely an unsafe source of water due to widespread existing contamination in the area and ensuing health impacts, as documented in the EA-EMF (see below). Community members can choose to benefit from the additional supply of clean piped water that the Project will make available or decide not to opt in. Management recognizes that there is a need for additional information about the Project and its benefits to be provided to the beneficiary

¹³ Cremation is the practice nowadays for this Santhal population.

population. The SPMU and DPMU are launching a new round of consultations in all GPs of the MVSs to provide scheme information, clarify these aspects, and respond to people's queries.

Concerns about the Project's Potential Environmental Impacts

55. ***Alleged impacts on local hydrology and water supply.*** No impact from the river water abstraction on the groundwater levels in Giddhi Jhopri is expected. The amount of water abstracted (37 megaliters per day) is negligible compared to the river's water flow. Groundwater impacts are usually limited to sources located close to the river and where the volume abstracted represents a significant share of the water flow. The water intake, located upstream of Domuhani, 14.5km away, is too far away to have any impact on the groundwater levels in Giddhi Jhopri.

56. ***Concerns about sludge disposal.*** The raw water intake is located at a point where the water is least expected to contain heavy metals. Management has reviewed the water analysis performed in the last 12 months at the water intake of the WTP, which shows very low levels of heavy metals in the raw water, almost at the level of Indian Standard IS 10500 2012 on Drinking Water Specifications. The WTP is designed to be able to remove heavy metals and other contaminants to ensure that the drinking water is delivered according to standard. The specific approach to sludge management and disposal will be in place by the time the WTP begins operation, planned for March 31, 2019. It will be detailed in the updated EMP and will be supervised by the DWSD of the State of Jharkhand. The low levels of heavy metal contaminants suggest that the sludge should not be considered as a toxic waste. Management will request district authorities to advise the contractor on an appropriate discharge site for the water treatment sludge and will request the DPMU to share the water testing results with the community.

57. ***While water quality at the WTP intake point is within acceptable limits, groundwater in many locations in Jharkhand has high levels of arsenic, iron, fluoride and nitrates that are detrimental to human health.*** The TDP mentions that poor groundwater quality, including fluoride and iron contamination, is one of the major concerns of the community. The EA-EMF refers to iron and nitrate contamination as predominant in the groundwater in the Jamshedpur area, and notes also that isolated cases of radioactivity exist. A survey carried out by the contractor during the summer of 2015 for all households in the Chhotagovindpur and Bagbera MVSs, showed that 318 out of 319 respondents in Giddhi Jhopri reported the quality of the water they use to be bad (160) or average (158). Only one respondent reported water to be of good quality (Annex 2).

Interactions with the Requesters

58. During the October 2018 mission, the Bank team met with five households in Giddhi Jhopri, as well as the Mukhiya of the GP and other members of the Ranidih community. The Gram Pradhan of Giddhi Jhopri was not available to meet with the team that day as, due to security concerns, the mission was not authorized to provide prior notice of the visit. The team then spoke with the Gram Pradhan of Giddhi Jhopri over the telephone on October 27 and 29, 2018.

59. Following a request for a discussion with the larger village community, a Bank team led by the Operations Manager of the India Country Office and the Bank Task Team Leader met with the Giddhi Jhopri community on November 17, 2018. About 250 people attended this meeting.

60. With regard to the Requesters' demand that construction works on the WTP scheme be immediately stopped and the scheme removed altogether, Management notes that this demand was not shared by the broader community that attended the meetings with the Bank team and expressed interest in benefitting from the clean water supply that will be delivered by the Project. As noted earlier, 19.1 percent of Giddhi Jhopri households have already paid their "community contribution" required for participation in the scheme, which is high compared to the average for Madhya Ghagidih GP (5.3 percent). Media accounts have reported on support for the scheme by some members of the community.¹⁴ In Management's view stopping Project works could pose risks of (i) retaliation against those opposing the scheme from the larger GPs that are supportive of and expecting the scheme to begin providing piped water soon; (ii) loss of employment by community members employed by the scheme; and (iii) safety hazards resulting from leaving the site idle at an advanced stage of construction. Management is committed to support the Government of Jharkhand in discussing options with the concerned community to achieve a satisfactory resolution.

Actions Going Forward

61. Based on discussions with the community, Management will initiate the following actions, all of which have been discussed and agreed with the Borrower and the state and district counterparts:

In direct response to community concerns:

- By mid-January 2019: Management will support the Government of Jharkhand to consult with the Giddhi Jhopri on the Bagbera MVSs with the aim to better understand their concerns and to identify and agree on possible compensatory measures to address Project related impacts. Management will hire experts in anthropology and cultural heritage with local experience to assist in this process. The compensatory measures may include support for the following:
 - ensuring access to the hilltop site (outside WTP perimeter);
 - establishing new congregation / cremation areas;
 - relocating or constructing replacement shrines;
 - ensuring access to and preservation of traditional plants for community use;
 - undertaking an assessment of physical cultural resources, including steps to preserve/salvage/relocate any such resources identified;
 - undertaking reburial of mortal remains if any are found;
 - retaining red mud soil excavated from the WTP site for the community's use, as was requested;

¹⁴ See, for example:

<https://www.avenuemail.in/jamshedpur/delay-in-bagbera-drinking-water-project-irks-residents/119592/>
<https://www.telegraphindia.com/states/jharkhand/delayed-water-project-only-half-ready/cid/1372701>
<https://www.avenuemail.in/jamshedpur/residents-bagbera-meet-dc-water-woes/105958/>
<https://timesofindia.indiatimes.com/city/ranchi/Jamshedpur-colony-faces-water-crisis/articleshow/22277756.cms>

- providing other culturally appropriate benefits to the community.
- By end-January 2019: Management will support the Government of Jharkhand to undertake implementation stage consultations in all GPs covered by the Bagbera and Chhotagovindpur MVSs to update community members on implementation progress. This will allow further scheme information to be provided; clarify aspects related to environmental and tribal development management; as well as provide information on the start of service delivery, and financial aspects related to community contribution and water tariffs, in addition to responding to people's queries.
- By end-December 2018: Management will complete a review of the draft updated EMP for the Bagbera and Chhotagovindpur MVSs, which the DPMU has committed to submit to the Bank for review by mid-December 2018.
- By end-January 2019: Management will work closely with the SPMU and DPMU to ensure that appropriate consultations on the updated EMP and disclosure are carried out. The update of the EMP will also reflect the feedback from the above-cited detailed consultations with the Giddhi Jhopri community.
- By end-January 2019: Management will request the DPMU to share the results of the water analysis at the water intake with the community and make them publicly available as part of the EMP.

To address overall project shortcomings:

- By end-December 2018: Management will ensure that executive summaries of safeguard documents are translated and disclosed in Hindi, the predominantly read language in the Project areas, on the relevant department website, at the head office of each GP and at the offices of the contractor.
- By end-February 2019: Management and PMUs will complete the ongoing comprehensive review of safeguard compliance for the Category 2 schemes supported by the Project and will prepare an action plan for time-bound implementation of any remedial measures that may be required. Priority is being given to completing the reviews of the safeguard documentation for the Bagbera and Chhotagovindpur MVSs and any remedial action pertaining to these MVSs will be addressed before the respective WTP starts operation.
- By end-February 2019: Management will follow up with the Project Management Units at the national, state and district level (NPMU/SPMU/DPMU) to ensure appropriate monitoring of EMP implementation, staffing, and application of safeguards instruments.
- By end-January 2019: Management will follow up with the SPMU and DPMU to ensure completion of the review of the scope of works and training of the 400 Community Organizers that have been placed in all five districts of Jharkhand since May 2018, to give them a greater role in disseminating information about the Project, relaying community concerns, and environmental and social monitoring. This review will also cover Project and site-level GRMs and identify steps to strengthen them.

- By end-February 2019: completion of Project restructuring, which will include the application of OP 4.11 among other aspects.

Annex 1. Claims and Responses

No.	Claim	Response
1.	<p>Local Experience with the [Chhotagovindpur and Bagbera, CB] Scheme</p> <p><i>Impacts on shared community resources and local culture</i></p> <p>Giddhijhopri is a <i>Santhal</i> village. A characteristic feature of a <i>Santhal</i> village is a sacred grove (known as the <i>Jaher</i> or "<i>Santal Sthal</i>") located on the edge of the village. It is believed that spirits live at this place, and as such a series of festivals take place at this site. One of the water treatment plants under the CB Scheme is currently being constructed on a hill on the edge of Giddhijhopri village, where the community's <i>Jaher Sthal</i> is located. The hilltop is a community graveyard and cremation ground, and the community has been burying and cremating their dead on this hilltop since time immemorial. There is deep anger in the affected communities that the resting place of their ancestors is being used as a site for the water treatment plant. Furthermore, as per tradition, every five years, the community from Giddhijhopri and surrounding villages gathers on the hilltop and worships at the sacred grove or <i>Jaher</i>, in a cultural and spiritual practice called <i>Jantad Pooja</i>.</p>	<p>Local Context of the WTP site. For purposes of this Management Response, it is important to understand the hierarchy of settlements in the Project area. The WTP that will supply the Bagbera MVS is being built on government land in the vicinity of the <i>Giddhi Jhopri habitation</i> and other habitations, the inhabitants of which use the land for various purposes. The <i>Giddhi Jhopri habitation</i> is part of the <i>Madhya Ghaghidih GP</i>, which is one of the five GPs within the <i>Ghaghidih Revenue Village</i>. A revenue village is a small administrative region in India with defined borders. The GPs, which are the rural local governing bodies, have at least 5,000 inhabitants each. There are no administrative maps below the revenue village level, and therefore no recorded limits between usage and influence areas of each habitation.</p> <p>As of the 2011 Census data, in <i>Madhya Ghaghidih</i> there were 6,041 people, of which 2,725 (45 percent) were tribal (in majority <i>Santhals</i>) and 3,316 non-tribal. Within <i>Madhya Ghaghidih</i>, there are four <i>Santhal</i> tribal communities, called habitations, namely <i>Giddhi Jhopri</i>, <i>Ranidih</i>, <i>Jata Jhopri</i> and <i>Kitchi Tola</i> (see the organigram in Annex 2).</p> <p>As per the <i>Jharkhand Panchayat Raj Act 2001</i> and the 1996 <i>PESA</i>, the definitions of "village" and "Gram Sabha" in scheduled areas are broad: the revenue village, GP and habitations all qualify as "villages." The Request refers to "habitation" as "village." For clarity, the term "habitation" is used in this Management Response.</p> <p>According to the TDP, under these Acts, in tribal areas the relevant units of governance include the formally constituted GP, and development projects affecting habitations are also to be discussed and approved at the Gram Sabha of the concerned habitation.</p> <p>WTP location. The WTP of the Bagbera MVS is located on a hilltop north of the <i>Giddhi Jhopri</i> habitation and southwest of the <i>Ranidih</i> habitation (see situational map in Annex 3). Land cadaster maps only exist up to the revenue village level. In the absence of sub-level maps, it is not possible to clearly identify whether the site lies within the informally-agreed land usage area of <i>Giddhi Jhopri</i> or <i>Ranidih</i>. <i>Giddhi Jhopri</i> is closer and most affected by the WTP, although the plant is on the other side of the hill and is therefore</p>

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		<p>more visible by the Ranidih habitation.</p> <p>Sacred grove or Jaher. The Giddhi Jhopri habitation reportedly has a sacred tree, sacred stones and a congregation area at the highest point of the hill, which is now immediately adjacent to the WTP southern boundary wall.</p> <p>Burial/cremation grounds. Giddhi Jhopri and Jata Jhopri habitations also claim to have burial sites on the hill. Giddhi Jhopri's site is indicated by unmarked boulders under vegetation on the southeastern side of the hill and two tombstones located under a tree, 115 meters away from the WTP southeastern corner wall. Jata Jhopri's burial ground was reported to be on the southwestern part of the hill at the top, next to three small shrines, marked by a few boulders and stones.</p> <p>Management has sought to better understand the pre-construction situation on the Giddhi Jhopri hilltop by analyzing satellite images, as well as photographs and a video of the site within the last five months prior to construction (see Annex 3). No distinctive artefacts could be identified on the WTP site based on the analysis of the pictures and video. Satellite images, current and historical, show three shrines were in place adjacent to the proposed WTP site prior to the start of the works. However, the typical physical characteristics of Santhal burial sites (located under vegetation) and cremation grounds do not allow these images or pictures to be used to fully confirm their presence or non-presence at the site. Discussions between the DPMU, the GP Mukhiya (elected village leader) and villagers on February 4 and 20, 2016 and a site inspection on March 11, 2016 did not identify any burial ground or worship place inside the WTP perimeter.</p> <p>Bank missions visited the site in October and November 2018. In the Bank team's interactions with the habitations of Giddhi Jhopri, Jata Jhopri and Ranidih, no burial grounds or worship places were identified within the footprint of the WTP site. A few community members asserted that they had seen bones and a skull during construction excavations, but this was not confirmed by other community members and was refuted by the contractor. The contractor also indicated that areas of tribal significance were jointly identified with the community prior to starting the works. Based on this, the site originally selected for the WTP in the Purvee, or East, Ghaghidih GP was changed to the current location due to the opposition of local residents, who claimed that they used the hill as a place of worship. The DPR documents that a Gram</p>

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		<p>Sabha was held on June 15, 2012¹⁵ in Purvee Ghaghidih that a Land no objection certificate was issued on August 24, 2012 for the initially selected government land. The Purvee Ghaghidih Gram Sabha resolution refers to the WTP and water reservoir to be located at an appropriate place so that all in the GP can get water but does not refer to the specific land plot listed in the Land No-Objection Certificate (NOC).</p> <p>At the alternative WTP site near Giddhi Jhopri, district authorities modified the footprint of the WTP site, originally designed as 120m x 120m, to 180m x 80m, in order to avoid disturbances to the identified places of significance. The contractor adapted the WTP design to fit in the new site dimensions and made a U-shape in the boundary wall alignment to accommodate a sacred tree located within a meter of the plot boundary.</p> <p>Shrines. The Bank mission visit noted the presence of three shrines, located 65m, 70m, and 75m, respectively, from the western boundary of the WTP site. Satellite images from 2016 also showed the existence of these shrines. The discussions with the representatives of the community with whom the Bank team met did not mention any particular significance of these shrines. There was no mention of spirits living at this place or of festivals taking place on the hill.</p>
2.	<p>Various shrubs and herbs are found on the hilltop that are used by the community for different purposes. One plant is used for the treatment of jaundice. The oil from sunum jada plant is used in post-pregnancy massage, to help women recover quicker. Buru saru is a vegetable found on the hilltop and is consumed by people from the community all year long. There is a traditional medicinal plant that grows on the hilltop, that is used for treatment of clots after wounds. Bindi jaada is another bush that grows on the hilltop; it is used as a Vitamin D supplement, especially in case of tooth infections or mouth ulcers. Puru is a shrub that grows widely on the hilltop, and its twigs are used as fuel for household fire as well as for fencing of home gardens. Community members are concerned that their access to these important plant resources will be blocked with the construction of the water treatment plant complex on the hill.</p>	<p><i>Most of the land in question remains accessible to the community for foraging plants. Only the WTP boundary has been fenced.</i></p> <p>Access to the government land is unrestricted, except within the boundary of the WTP, which is and will remain fenced for safety reasons.</p> <p>The SPMU confirmed that the community has and will continue to have access to the remainder of the site and thus to the plants and shrubs that are important to them. Since the WTP occupies less than 25 percent of the area, it is unlikely that the plants in question are exclusive to the WTP site.</p> <p>During the November 2018 visit, the Bank witnessed the use of the hill as pasture and selected herbs being cut by the tribal population.</p> <p>The first draft of the EMP notes “no important species present in the area” under “Site Clearance, fauna and flora”, and the EMP adopted on October 5, 2017 does not discuss the ecological value of the hill. Management recognizes that this EMP does not meet the requirements of the agreed EMF in this regard as well as other aspects. An update is underway to address</p>

¹⁵ The.

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		these issues.
3.	<p>Additionally, many affected community members in Giddhijhopri who used the hill as pasture land for their goats are concerned that the construction of the water treatment plant hinders access to pasture land. Further, the red mud soil found at the hill is used by the Giddhijhopri community for many purposes such as painting their houses, cleaning, and packing goods. The way of life of the Indigenous people of Giddhijhopri is inextricably linked to the site of the water treatment plant and has been an important focal point of culture and tradition for many generations of Giddhijhopri residents. Taking the hill away threatens the culture and economic stability of the community.</p>	<p><i>Most of the land in question remains accessible to the community for grazing livestock and for the use of red mud soil. Only the WTP boundary has been fenced.</i></p> <p><i>Grazing.</i> The WTP plot is 3.59 acres, or 25 percent of government land on the hill (total area 14.5 acres). The DPMU has confirmed that community members will continue to have access to the land outside the perimeter of the WTP, on which they can pasture their livestock.</p> <p>The WTP site is fenced for safety reasons and to ensure that the perimeter is clearly marked. Access to the remaining available land is not restricted and will remain so.</p> <p><i>Excavated earth.</i> The contractor has confirmed that none of the excavated earth has been taken away, but rather, has been kept within or in the immediate vicinity of the site.</p> <p>During the Bank team visit on November 17, 2018 the Gram Pradhan of the Giddhi Jhopri habitation maintained that initially earth and rocks were sold but that subsequently, following concerns expressed by the Ranidih community, the contractor has kept the excavated material adjacent to the construction area. The DPMU stated that the District DWSD officials requested the District Mining official to organize an auction of the excavated material. The District Mining official sought the necessary approval from the State Mining Department. No response was received to date. The Bank team is following up with the SPMU and the DWSD to ensure that affected communities are consulted and any solution is mutually agreed with them, to ensure that the red mud soil remains available to them.</p>
4.	<p>The community is also concerned about the economic impacts of the whole water supply scheme, fearing that it will worsen already poor conditions in the region. Many of the households currently live below the poverty line. They rely on local water resources, including wells and hand-pumps, for their water needs. Until now, this water has been available free of charge. However, after the implementation of the Scheme, they will have to pay for access to water. They fear that this will further impoverish the community.</p>	<p><i>Community access to existing local water sources will not be affected by the Project, nor will the Project introduce a requirement to pay for use of these sources.</i> Moreover, it is not expected that the Project will impact or diminish the locally available water sources that the community currently uses free of charge. However, these free water sources are most likely an unsafe source of water due to widespread existing contamination and ensuing health impacts, as documented in the EA-EMF. The rationale for the Project is to supply clean and safe drinking water as an alternative to these unsafe sources.</p> <p><i>Local water sources.</i> The WTP will supply water to the entire Bagbera MVS, which covers 17 GPs and over 100,000 people, including those in Madhya</p>

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		<p>Ghaghidih. The WTP is fed by water from the Subarnarekha river, 14.5 km away from the WTP site. A synoptic of the scheme is attached in Annex 3.</p> <p>Local water sources will not be affected by the Project in flow, quality or quantity. Community members may continue to use those sources free of charge if they so desire. The surface-water-fed and treated piped water supply will be made available through a metered scheme to ensure that only those who choose to use the piped water will be charged. Community members can choose to benefit from the additional supply of clean piped water that the Project will make available or decide not to opt in. The Bagbera MVS will provide a 24/7 delivery service.</p> <p>Although there were consultations in Giddhi Jhopri, including on February 4, 2016, February 20, 2016 and March 11, 2016 as discussed below, Management recognizes that there is a need for additional information about the Project and its benefits to be provided to the beneficiary population.</p> <p><i>The SPMU and DPMU are launching a new round of consultations in all GPs of the MVSs to provide scheme information, clarify these aspects and respond to people’s queries.</i></p> <p><i>Tariffs for piped water.</i> The Project is among the first in rural Jharkhand to bring safe piped water to people in their homes. It is being implemented in low income states and selects schemes based on public demand and criteria including, inter alia, poverty level and groundwater pollution.</p> <p>The Bank team is supporting the four Project states and the GoI in setting up O&M Policies for Rural Water Supply, which provide guidance on tariff setting and other technical and financial responsibilities to the GPs. The Project is among the first to support GPs to take responsibility in the management of piped water services, either through direct management by VWSC (in the case of SVSs in Jharkhand) or through delegated management to private operators through DBOT contracts. The policy will provide guidance to GPs to ensure sustainability and affordability as they set the tariffs, while keeping GPs accountable for long-term service delivery.</p> <p><i>Pollution.</i> Groundwater in many locations in Jharkhand has levels of arsenic, iron, fluoride and nitrates that are detrimental to human health. The TDP mentions that poor water quality, including fluoride and iron contamination, is one of the major concerns of the community. The EA-EMF refers to iron and nitrate contamination as predominant in the Jamshedpur area,</p>

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		<p>and notes also that isolated cases of radioactivity exist. A survey carried out by the contractor during the summer of 2015 for all households in the Chhotagovindpur and Bagbera MVSSs, showed that 318 out of 319 respondents in Giddhi Jhopri reported the quality of the water they use to be bad (160) or average (158). Only one respondent reported water to be of good quality.</p>
5.	<p>The community also fears the CB Scheme is being used to expand the city limits of the adjacent city, Jamshedpur, which could alter the fundamental nature of the area from a protected Indigenous area under the Constitution to an urban centre that would lack such protections. According to the Draft Proposal Master Plan for Jamshedpur Urban Agglomeration, Ghaghidih area – in which Giddhijhopri is located – has been included within the new proposed Jamshedpur Urban Agglomeration. This could have a disastrous impact on the Indigenous community of Giddhijhopri and other surrounding villages, including impacts to their culture, access to resources and traditional governance practices. The <i>Santhal</i> community enjoys Indian Constitutional and legislative protections regarding rights over land and water resources. Expansion of city limits may dissolve those protections and further marginalise the Indigenous communities.</p> <p>The CB Scheme, which has already been implemented by sidestepping traditional governance institutions, appears to be part of this expansion plan. According to the Draft Proposal Master Plan, one of the key goals of this urbanisation process is to establish an urban area with treated piped water supply. The CB Scheme is therefore a key component in furtherance of this urbanisation process. As such, the World Bank is complicit in undermining the Constitutional rights and protections of Indigenous communities through its support of this Scheme.</p>	<p><i>Management understands the Requesters’ concerns regarding urban expansion and the perceived threat of tribal villages losing certain legal protections afforded to them as Scheduled Areas by being integrated into the city.</i> However, urbanization and urban expansion in India are significant and driven by many factors. There is no link between the mentioned draft master plan to expand the Jamshedpur urban area and this Project, which aims to provide water to rural communities, nor was it mentioned during consultations that took place for Project preparation. Information gathered from the DPMU notes of the meetings held on February 4 and 20, 2016, and on March 11, 2016, and the soundtracks of the video clips refer to the anxiety of the Giddhi Jhopri community that this scheme will attract “settlers” and that their habitation will be classified as an urban service area by the state. It appears that the explanations provided by state and district authorities did not manage to dispel this concern.</p> <p>Giddhi Jhopri is located on the fringes of Jamshedpur city, the largest urban center of the state of Jharkhand. According to the 2011 census of India, Jamshedpur (East Singhbhum and Seraikela-Kharsawan) district had a population of 1.3 million inhabitants. The Jamshedpur urban agglomeration is the country’s 36th-largest urban agglomeration and is home to the world’s tenth largest steel manufacturing company. The city is clearly visible from the WTP site, (see picture in Annex 3).</p> <p><i>Master plan.</i> Management understands that the Government is considering the expansion of city limits for purposes of regional planning and integration. The district magistrate and deputy commissioner mentioned that a plan is in preparation but is not finalized.</p> <p><i>Water schemes under the Project.</i> The location of the drinking water supply schemes included in the Project are driven by defined selection criteria of water quality and quantity, focus on poor areas, and rural location. The Project is an integral part of the wider NRDWP of the GoI, the objective of which is to provide 80 percent of the rural population with piped water supply by 2022. The GoI and the Bank are financing similar piped water schemes in villages</p>

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		<p>across India.</p> <p>Water supply schemes under the Project, such as the Bagbera MVS, were chosen based on public demand, documented by district authorities through the approval of the water scheme by Gram Sabha held in each GP prior to the start of the works. The Gram Sabha was held on February 6, 2016 in Madhya Ghaghidih.</p> <p>This was reaffirmed during the recent Bank mission visit to the site, in particular by women in the Jata Jhopri and Ranidih habitations, who were eager to have clean, reliable drinking water made available in their homes.</p>
6.	<p><i>Lack of consultation and failure to disclose information</i></p> <p>The impacted communities were not provided, and have not ultimately been able to access, adequate information regarding the CB Scheme in a language they understand. The World Bank Infoshop only carries baseline environmental and social impact assessments for Jharkhand as a whole, and that too, only in English. No sub-project level documents for the CB Scheme are available on the Infoshop. As a result, the complainants had to file a Right to Information (“RTI”) application under the Right to Information Act, 2005 to request the Drinking Water and Sanitation Department (“DWSD”) to disclose therelevant Detailed Project Reports, Environment Assessment Report, Social Assessment Report, Site Plan, and Environment Data Sheets. The complainants were only provided the Bidding Document, the Draft Detailed Project Reports and Preliminary Design Reports for the CB Scheme. Further, the complainants were informed by the RTI Nodal Officer who was dealing with the request that those were all the documents that the DWSD had regarding the CB Scheme. These documents were made available after paying the photocopying fee of INR 5100 under the RTI Act, and the affected community had to pool in money to get the amount. Even then, these documents did not contain environmental or social assessments, which was particularly absent for the Bagbera component. The access to information process, which should ideally be free of cost, has already consumed significant community financial resources.</p>	<p><i>Management recognizes that while consultation and disclosure of Project documents was broadly satisfactory at the state- and revenue-village level, there have been weaknesses in consultation and disclosure at the level of this habitation.</i></p> <p>This Project was structured using a framework approach for safeguards, which confers the responsibility of review and approval of scheme-specific EMPs to state and district counterparts. Detailed agreements on the process and plan for consultation and information sharing were agreed with the counterparts and outlined in the Project safeguard documents and in the Project Implementation Plan.</p> <p>The EA-EMF for Jharkhand sets forth procedures and criteria for screening schemes and for addressing potential environmental impacts identified through that screening. According to the EMF, the initial screening involves public consultation with the relevant community, a preliminary identification of environmental issues and completion of an EDS. Based on the EDS, the scheme in question is classified as either Category 1 or Category 2 depending on the significance of the potential environmental impacts. For Category 1 schemes, no separate environmental appraisal is required. For Category 2 schemes, given their potentially more significant environmental implications (albeit with the context of Category B projects, as noted earlier), a detailed environmental appraisal is required, including an evaluation of environmental and public health impacts, risk assessment and the design of mitigation measures. This environmental appraisal is to be prepared by the district level environmental expert using the EDS and a scheme screening tool to determine the scheme-specific environmental category and therefore the level of appraisal required. Tools to carry out the scheme-specific environmental appraisal are set out in Annexures 18 and 19 of the EA-EMF. The results are consolidated in an EMP, also prepared by the district</p>

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		<p>environmental expert, as per the provisions of the Jharkhand EA-EMF, pages 186-192 and Table 29, pages 92 and 93.</p> <p>The common practice in India is to prepare and disclose safeguard documentation in English, translate executive summaries in the predominant local language and distribute IEC material such as brochures and leaflets as necessary.</p> <p><i>Project safeguard documents and disclosure – in English.</i> For each of the participating states, management frameworks covering environmental and social issues were developed, consulted at state, district and GP levels and publicly disclosed (on the websites of the line Departments in each state and website of the Ministry of Drinking Water and Sanitation) and published in the InfoShop (links are provided in Annex 2) in April 2013:</p> <ul style="list-style-type: none"> • EA-EMF Report for each state; • SMF Report for all states and for the overall Project; • TDP for Jharkhand. <p>In addition, the Project’s Integrated Safeguard Data Sheet, was disclosed in the InfoShop at concept and appraisal stages.</p> <p>In Jharkhand, the EA-EMF, the SMF, the TDP and their executive summaries in English were disclosed on a DWSD website via a hosting company in Jharkhand as well as at the World Bank’s InfoShop. The DWSD website experienced a security breach around the end of 2015, after which the website was taken offline and DWSD decided not to renew the contract with the company. Management acknowledges that the Bank did not ensure that the safeguard documents related to Jharkhand were republished on a new website. The Bank has requested the SPMU to republish the documents on the new DWSD website. According to the Appraisal-stage Integrated Safeguard Data Sheet, summaries of the EA-EMF, SMF and TDP were translated into local languages and disclosed. In the course of preparing this Management Response, the Bank confirmed the disclosure of the EA/EMF in Bihar and the EA/EMF/SMF in Uttar Pradesh but was not able to confirm disclosure of the analogous documents in other states.</p> <p><i>Project safeguard documents and disclosure – in local languages.</i> Consultations on the EA-EMF, the SMF and the TDP in Jharkhand were conducted in Hindi. A Hindi version of the EA-EMF executive summary was circulated to panchayat members, self-help groups, line department staff, etc., in advance of</p>

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		<p>the regional and national consultation workshops, which were held respectively in Khunti, Garhwa, Jamshedpur and Dumka on May 6, 8, 10, and 12, 2013 and in Ranchi on June 26, 2013.</p> <p>The Bank team submitted for publication in the InfoShop:</p> <ul style="list-style-type: none"> • The final version of the EA-EMF for Jharkhand (published Nov. 13, 2018), • Assamese and Bengali translations of the executive summaries of the EA-EMF for Assam (published Nov. 15) and • A consolidated version of the EA-EMF for the four states (published Nov. 15). • Hindi translation of the executive summaries of the EA-EMF for Bihar (published Nov. 19) and UP (published Nov. 27). <p>The Bank team will ensure that executive summaries of safeguard documents are translated and disclosed in Hindi, the predominantly read language in the Project areas, on the DWSD’s website, at the head office of each GP and at the offices of the contractor.</p> <p>Scheme-specific EMP. The Chhotagovindpur and the Bagbera MVSs are implemented through a single contract, which was awarded to the Chhotagovindpur and Bagbera Drinking Water Supply Project Limited (in this document, the contractor), a dedicated company created as a joint venture of Infrastructure Leasing and Financial Services (IL&FS), as lead partner (51 percent), and IL&FS Water Limited (49 percent). The contract was signed on May 25, 2015.</p> <p>The Bagbera MVS was classified as a Category 2 scheme, requiring a detailed scheme-specific environmental appraisal to be included in and inform an EMP.</p> <p>Management notes that under the EMF the responsibility to develop the EMP rests with the district government. In the case of MVSs, the practice under the Project has been to delegate the preparation of the EMP to the contractor, while approval remains with the government authorities. As per agreed implementation procedures, however, a draft EMP should have been enclosed in the DPR to inform the bidding process, in addition to the EDS. This was not done, and the Bank missed an opportunity to ensure that it was developed upfront before providing its “no objection” as part of the procurement prior review process of the DBOT contract.</p> <p>A single EMP for the Chhotagovindpur and Bagbera schemes was prepared by the contractor,</p>

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		<p>which includes a completed EDS and an overview of environmental impacts and proposed mitigation measures. This EMP was originally submitted for government approval in July 2015 and approved by district authorities in 2017. The Project agreement between the Bank and the Government of Jharkhand also requires that scheme-specific EMPs be submitted to the Bank for prior review and approval (Section I.A.2.c.ii). In this case, this requirement was not met and Management acknowledges that the Bank did not follow up. This EMP is currently being updated to address identified weaknesses.</p> <p><u>Bank</u> monitoring of safeguard implementation and discussions with counterparts led to the conclusion that there was a need to clarify how to practically implement the TDP and EA-EMF, and how to prepare an EMP. The Bank team compiled and issued in May 2015 a comprehensive guideline titled “Environmental Management: Procedures and Tools,” to facilitate environmental safeguards implementation and monitoring under the Project. The Bank team promoted its use and referred to it in subsequent missions.</p> <p>The contractor prepared the scheme-specific EMP and submitted a draft to the DPMU for approval on July 23, 2015. However, the EMP was not finalized before the start of the civil works in July 2016. The November 2015 and July-August 2016 Bank missions recommended preparation of an updated EMP to take into account various environmental management issues for these two MVSS. During the February 2017 mission, the Bank team requested that the draft EMP be shared, so that the Bank could review it. On March 3, 2017, the DPMU requested the contractor to revise the EMP to address the Bank’s comments.¹⁶ The contractor submitted a revised EMP on May 26, 2017, which reflected a change in the WTP site (2016) and a change of intake site (February 2017). The Bank team reviewed the updated version in June 2017. The version of the EMP that was submitted to the District Executive Engineer on August 2, 2017 incorporating comments from the SPMU and DWSD, was approved by the district authorities on October 5, 2017. This information was not shared with the Bank team, who provided additional comments to the SPMU during the November 2017 technical visit to Jharkhand.</p> <p>Management notes that as per the EA-EMF, the EMP should have been prepared by the government; instead its preparation was delegated to the contractor through</p>

¹⁶ Comments provided on the EMP focus on debris/excavated material management and disposal, topsoil recovery, proper sanitation and management of sewage and sillage; security on worksite including dug/cut slope protection, full site restoration at end of construction, sludge management and disposal arrangements during O&M phase, detailed cost estimates, assignment of responsibilities and EMP monitoring.

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		<p>the DBOT contract. Management acknowledges that no systematic and documented consultations were held during the preparation of the EDS and DPR and that these documents have not been publicly disclosed to date. Management also acknowledges that the scheme-specific EMP should have been finalized by the counterpart prior to the start of the works in July 2016. Prior informed consultations should have taken place as part of the EDS and DPR preparation and a summary of the consultations and main points raised should have been reflected in the EMP, prior to its approval by district authorities. While district authorities, the DPMU and the contractor met three times with the Giddhi Jhopri community on or around the proposed WTP site to discuss the upcoming works, these discussions were not properly recorded through minutes and attendance sheets, which did not satisfy the required format and procedure. Management acknowledges that these documents have not been publicly disclosed to date.</p> <p>The Bank team requested the counterpart to require the contractor to: (i) update the EMP; (ii) bring it into compliance with the EA-EMF; (iii) separate the combined EMP into one EMP each for the Chhotagovindpur MVS and the Bagbera MVS; and (iv) reflect, inter alia, relevant issues raised in the Request in the updated EMP. The contractor has committed to incorporating the comments and to submitting the updated and separated EMPs for Bank review by mid-December 2018. In addition, following the November 16-17, 2018 site visits, the Bank team required that monitoring and reporting of EMP implementation be strengthened, and advised the contractor, SPMU and DPMU of the need to undertake consultations on issues (included in the Action Plan, for completion by end-January 2019) that can still be managed and/or mitigated satisfactorily during the update of the EMP, to document such consultations in the EMP and to publicly disclose the approved and updated EMP in all GPs and habitations concerned, as well as at the DPMU and contractor's offices.</p>
7.	<p>Further, no consultation about the Project was held in Giddhijhopri village, itself. A couple of years prior to work beginning on the ground, some community members received some information about the CB Scheme from the previous administrative elected head at a meeting in neighbouring Ranadih village. The villagers asked the administration to conduct a similar meeting in Giddhijhopri and properly consult them. However, that was never done.</p>	<p><i>Consultation about the Project were held at the level of the revenue village but were weaker at the level of Giddhi Jhopri.</i></p> <p>It is not clear which meeting the Request is referring to as having taken place about two years before the start of the works, i.e., around July 2014.</p> <p><i>Jharkhand-specific Consultations during Project preparation:</i></p> <ul style="list-style-type: none"> • <i>Consultations for the EA-EMF Jharkhand.</i> Public consultations were organized at three levels

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		<p>to inform the EA-EMF. First, as part of the environmental screening survey, which included focus group discussions carried out in January 2013 in 24 sample habitations (2 per districts in 12 districts); second, through four regional consultations; and third, through a state-level consultation. In East Singhbhum, the two habitations selected were Bathondh and Potka. A regional consultation in Jamshedpur was held on May 10, 2013 and gathered 74 participants, including villagers, members and office bearers of Panchayati Raj Institutions, Engineers executing the Project, Deputy Development Commissioner of Jamshedpur and other officers of the Government of Jharkhand. The state-level consultation took place on June 6, 2013 in Ranchi, comprising 130 participants, including senior officers of the Jharkhand government and the State Drinking Water & Sanitation Department, consultants, and representatives from various GPs and villages. Detailed attendance lists were not attached to the final EA-EMF, so the presence of representatives from Madhya Ghaghidih or Giddhi Jhopri could not be confirmed.</p> <ul style="list-style-type: none"> • Consultations for TDP Jharkhand. Community consultations through focus group discussions were organized in 60 habitations spread across 30 GPs covering five districts in February 2013, in addition to consultations with state, district and block officials. The need for piped water supply was raised at each meeting and people expressed willingness to pay for piped water provided a regular supply was assured. Madhya Ghaghidih was not among the 30 GPs, so representatives from Giddhi Jhopri would not have been present. <p>Consultations during Project implementation.</p> <ul style="list-style-type: none"> • To date, the Project includes a total of 551 piped water schemes across the four states, 529 SVSs and 22 MVSs, in what is referred to as Batch I schemes (to be followed by 500+ Batch II schemes that are under preparation). In Jharkhand, piped water schemes are at an advanced stage of construction in 182 SVSs and the 2 MVSs. Altogether, for Jharkhand alone, these cover 239 GPs and 3,503 habitations, 92,000 households or about 445,000 people, of which 100,000 through the Chhotagovindpur and Bagbera MVSs. Management acknowledges that, although information was made publicly available, it is possible that the initial consultation may not have reached out to all. • Gram Sabha. The village community assembly or

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		<p>Gram Sabha is where information is shared and decisions affecting the community are made, including agreement to join a piped water scheme or approval to have infrastructure developed in the GP territory.</p> <ul style="list-style-type: none"> • Scheme-specific consultations took place through the Gram Sabhas organized in each of the 17 GPs to be served by the Bagbera MVS. A Gram Sabha meeting was held on February 6, 2016 in the Madhya Ghaghidih GP, which endorsed the scheme development in the GP and agreed to the construction of the WTP on government land located in between Ranidih and Giddhi Jhopri. • Management notes that in accordance with the TDP, local decision-making in tribal areas includes relevant units of local governance, not only through a Gram Sabha of the formally constituted GP but also by involving the Gram Sabhas of the habitation(s). Although the site selection was endorsed by the February 6, 2016 Gram Sabha that was held at the level of the Madhya Ghaghidih GP (which includes Giddhi Jhopri), the Requesters' demand for a Gram Sabha to be organized at Giddhi Jhopri to seek the habitation's endorsement of the use of the nearby government land to build the WTP was not fulfilled. Moreover, the residents of Giddhi Jhopri habitation were not represented at the February 6, 2016 Madhya Ghaghidih Gram Sabha. Management notes that there are conflicting accounts regarding whether or not Giddhi Jhopri inhabitants were formally invited. While the Request states that Giddhi Jhopri inhabitants were not invited, the Mukhiya and the Gram Pradhans of the other habitations claim that all habitations were invited.¹⁷ • In response to concerns from Giddhi Jhopri community members, DPMU and district officials carried out one consultation with members of that community two days before the Gram Sabha and two subsequent consultations at the WTP site, in an effort to address concerns. However, despite these efforts, it is evident that significant disagreement between some community groups persisted and that some members of the community have objections to the siting of the WTP., as noted by Bank Missions and as

¹⁷ Management understands that all tribal leaders of Madhya Ghaghidih have confirmed that the invitation for the Gram Sabha on Feb. 6, 2016 in Ranidih was extended to the entire Panchayat through the traditional method of drum beating and announcement (Dakuwa). In addition, the Gram Pradhan of Madhya Ghaghidih stated that he personally went to each tola (habitation) to invite the respective Gram Pradhan and villagers, including Giddhi Jhopri.

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		<p>manifested in confrontations at the WTP site that occurred in 2016. It is also apparent from various media accounts that other members of the community are in favor of the WTP and have been concerned by the delays in the construction process. Given these differences and the weaknesses in documentation of the consultation process, Management is not able to confirm unambiguously that broad community support, as required by OP 4.10, was achieved. The incidents at the WTP site in 2016 should have further alerted Management to the need to review the question of this required support.</p> <ul style="list-style-type: none"> • There is indication of community interest for the water scheme in Giddhi Jhopri. Bank missions in November 2017, and October and November 2018 witnessed support for the scheme by many residents of the Jata Jhopri and Ranidih habitations, and note that, to date, 23 households (19 percent) in Giddhi Jhopri have already paid the community contributions and thereby agreed to be connected to the WTP. See Item 19 below. • Information and communication material. The DPMU social specialist informed the Bank team that the DPMU distributed about 8,000 leaflets and 250 brochures with the information about the scheme across the 17 GPs covered under the Chhotagovindpur and Bagbera MVS (Annex 2). The DPMU also declared that it had carried out specific consultations in Giddhi Jhopri. There is evidence, through photographs or videos, of three meetings (held on February 4 and 20, and March 11, 2016) (Annex 2). A meeting was held on February 4, 2016 with a few community members in Giddhi Jhopri, at which the above-mentioned brochure can be seen. Another meeting held on March 11, 2016 on the hillside where the WTP was to be built. The DPMU informed that the picture shows a discussion with the Requester in the presence of the Executive Engineer, the Circle Officer of Jamshedpur, the Sub-Divisional officer (SDO), the Social Specialist of the DPMU and members of the Giddhi Jhopri habitation. Although details of the meeting were not recorded in meetings minutes, the DPMU stated that the meeting focused on presenting the technical and financial aspects of the schemes and answering people's questions. • The Aide-Memoire of the Mid-Term Review singled out Jharkhand as having done well with respect to IEC activities. It records a total of 1,789 events with a total participation of 71,690 persons

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		<p>as an achievement at the grassroots level. It refers printed IEC campaign materials, including (i) Brochure on Project Highlights, (ii) Folder on frequently asked questions (iii) Folder on roles and responsibilities of VWSC, (iv) Poster on features of NNP among other things. It also refers to interpersonal communication activities at village level, including (a) competition of school children and school-level meetings, (b) meeting with GP members, (c) VWSC meeting, (d) Gram Sabha and village meetings, and (e) Village Contact Drive (FGD, Community meeting, Mapping).</p> <ul style="list-style-type: none"> • The DPMU social specialist also shared a video of a community meeting held on February 20, 2016, at the joint request of the Ranidih and Giddhi Jhopri habitations. The meeting was held near the WTP site on the northern side of the hill. The participants included DWSD/SPMU, the SDO, a Junior Engineer, the contractor and DPMU members. In an email dated November 23, 2018, the DPMU reported that the meeting provided detailed information about the Project and answered queries raised by the community such as: “What will be built on the selected site? Will outsiders will stay here? Will it provide jobs for the community? Why is the MVS named after Bagbera and not Middle Ghaghidih or Ghaghidih?” The DPMU further reported that participants acknowledged the need for water and toilets, but voiced their fear that, due to the water supply scheme, this area would become classified as part of the urban water service area (“Nagar nigam area”) by the state. A link to the video is attached in Annex 2. • Following the formation, in August 2017, of the multi-village WSC for the management of the Bagbera scheme, consultations were held once every month with communities across the 17 GPs. Such consultations are recorded in the multi-village WSC registers. • In December 2017, two wall writings with different messages on water were done on the walls of the Giddhi Jhopri Primary School. A picture of one of them and the certificate of satisfactory completion, signed by the Mukhiya, are attached in Annex 2. • The DPMU informed the Bank of another consultation held in Giddhi Jhopri on October 28, 2018 and the Bank has requested the report.
8.	They were further assured in this meeting that nothing would happen without the	<i>Management understands that there have been two incidents that involved police action at the time works</i>

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	<p>Giddhijhopri <i>Gram Sabha</i>'s consent. Aside from the few community members who had attended that earlier meeting, most community members learned about the water treatment plant and the CB Scheme about one month prior to work beginning on the ground, on June 6, 2016, when the Sub-Divisional Officer ("SDO") came to neighbouring Ranadih village, along with members of the police force, to reportedly coerce the villagers into giving their consent for use of their sacred grove for the water treatment plant. However, there cannot be a free and open consultation in such a coercive environment with the presence of police. Approximately one month later, on July 15, 2016, they arrived in the village with massive police force and earth excavating machines.</p>	<p><i>started at the WTP site, one on June 6, 2016 and the other on July 15, 2016. Management has reached out to the district authorities as well as to the community to better understand the nature and sequence of events.</i></p> <p>It is not possible for the Bank to confirm or refute any such reported events. Moreover, it is neither the Bank's role nor within its purview to do so.</p> <p>According to the report provided by the Sr. Superintendent of Police (SSP) of the district, two incidents occurred in 2016 that prompted police action:</p> <ul style="list-style-type: none"> • On June 6, 2016, a visit of Water and Sanitation officials to inspect the site prior to the start of construction. This visit included discussions with the villagers about Project benefits. According to the police, the discussion deteriorated and resulted in "misbehavior and assault" against the officials who left the construction site to avoid further confrontation. This led to a police investigation against some community members. • On July 15, 2016, the Water and Sanitation Department's Engineer, accompanied by the police,¹⁸ visited the site to supervise the initiation of the works. According to the police, a group of 40-50 individuals interrupted the works and attacked the police and administrative officials. The police filed a case against 39 villagers but no arrests were made or charge sheets issued against the villagers in this case. These cases have not been closed since. <p>The perception in the community is that the cases are being kept open deliberately as a means of exercising control over the community. They maintain that the pending cases impede their ability to secure employment or access other government facilities that require verification of bona fides/character certificates. The community also referred to other unspecified threats of coercion, but Management has no evidence of these.</p> <p>The SSP also reported that on the day of the confrontation (July 15, 2016), the villagers also filed a case in the court against the use of police force at the construction site. The SSP said that in response to a court order, a police investigation was undertaken and a report submitted, which did not mention any adverse situation. The SSP has no information on whether the</p>

¹⁸ Twenty out of 24 districts in Jharkhand, including East Singhbhum, are affected by left-wing extremism, which targets police and government officials and was responsible for many homicides. It is usual that government officials are escorted by police as they travel within affected districts.

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		<p>court has closed this case or not.</p> <p>The SSP also mentioned that a case filed at the same time by the villagers under section 124A (which relates to sedition) against the Sub-Divisional Officer had been dismissed by the courts as frivolous.</p> <p>Police protection for the WTP site was provided after that incident in June and July 2016 for the first few weeks of the construction period, to allow the contractors to begin work.</p> <p>Earlier opposition. In May 2016, a Bank mission focused on social aspects visited the site and noted that “<i>there is constant opposition with frequent disruptions to start work from local tribals, as they fear construction of project facilities at this location may lead to usurping their land by non-locals and eventual domination of settlers.</i>” The mission noted there were gaps in consultations during the planning of the scheme. The mission recommended that the DPMU, along with the district administration, engage with local residents at Bagbera to address their concerns and enhance support for the Project. The mission also recommended that the SPMU advise the DPMU to make appropriate arrangements for the redressal of grievances.</p> <p>July 2016 protest. On July 27, 2016, the press reported a protest in front of the Deputy Commissioner’s office by tribal community members against the construction of the WTP in the vicinity of Giddhi Jhopri, during which protesters also expressed concern about an allegation that numerous GPs would be integrated into the Jamshedpur Urban Agglomeration. This took place at the time of the Project’s Mid-Term Review mission, but no specific field visit went on site to assess the issue and discuss with concerned parties. The mission reiterated the recommendations of the May 2016 mission and visit to the site and urged the relevant staff of the SPMU and DPMU to get a clear understanding of applicable state land acts, procedures to be followed, identification of traditional and customary land users and their rights, and also stressed the importance of the SPMU’s support for the DPMUs in this regard.</p> <p>The head contractor reported that protests ceased shortly after the start of the works. The WTP is currently 65 percent completed and the scheme is expected to start its operations on March 31, 2019.</p> <p>Follow up in 2017. A field visit in early January 2017 recorded complaints from the GP Water Supply Committee and some from within Madhya Ghaghidih on the lack of information about progress and the schedule of works. Following the creation of the multi-</p>

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		<p>village WSC in August 2017, it was agreed that the DPMU would conduct a community meeting once every month (25th at Bagbera and 28th at Chhotagovindpur) to provide information on the scheme. The DPMU social specialist would conduct the meetings with the help of the Executive Engineer, technical specialists and contractor representatives. During the November 2018 mission, the DPMU and contractor confirmed that 19 monthly meetings were held until and including October 2018. Handwritten minutes kept at the DPMU record that the MVWSC meetings had representatives of GPs, the contractor and DPMU (details in Annex 2).</p> <p>Management acknowledges that in light of the above events, a more proactive follow-up with the Project authorities should have taken place to appropriately understand and address what appeared to be significant resistance to Project implementation.</p>
9.	<p>All this time, women from Giddhijhopri were never involved in the consultation process in other villages, even though one of the purported grounds for the Scheme is that women have to travel far and wide to collect water.</p>	<p>According to the attendance lists for the Madhya Ghaghidih Gram Sabha held on February 6, 2016 in Ranidih, 35 out of 80 participants from the community were women (44 percent).</p> <p>However, as stated above, there are no records of representatives from Giddhi Jhopri at that meeting.</p>
10.	<p>Project documents confirm the lack of appropriate consultations in Giddhijhopri. The Detailed Project Reports do not list any public consultations apart from the meetings of the Village Water and Sanitation Committees (VWSC). For the baseline Environmental and Social Assessments as well as the Tribal Development Plan, consultations were done at the Jharkhand state level and not for the CB Scheme in particular.</p>	<p>Information on consultations held during preparation and implementation are noted in Section 7 above.</p>
11.	<p>Invalid Gram Sabha Resolution</p> <p>East Singhbhum district is a Schedule V protected area under the Indian Constitution. The Panchayats (Extension to Scheduled Areas) Act, 1996 (“PESA”) applies to all rural Schedule V protected areas. Under PESA, any development scheme or welfare plan to be implemented in a Schedule V area, or any decision regarding common community resources, should be taken with the consent of the village <i>Gram Sabha</i>. Although Giddhijhopri is a hamlet within the larger revenue village of Ghaghidih, it satisfies the definition of a village in PESA.</p> <p>In the past, any development activity that has been implemented in the village, such as</p>	<p>See Item 1 above for a discussion of the government structure at the local level.</p> <p>In Jharkhand, the local governments or Panchayati Raj institutions work in tandem with the traditional tribal structures. Hence, a GP Gram Sabha, while convened by the elected head or Mukhiya, is presided over by the local tribal leader or Majhi. A Gram Pradhan is the (non-elected) community leader at the habitation level.</p> <p>Issues between habitations related to influence or land use areas are handled through traditional practices; as noted earlier, there are no maps at the sub-revenue village level. It is up to the Mukhiya, elected head of the GP, to determine in which habitation the Gram Sabha is to be held, based on the potential impacts.</p> <p>The District Circle Officer had provided a Land NOC on January 20, 2016 for the WTP, along with a hand-</p>

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	<p>the construction of the primary school building, village roads, <i>Anganwadi</i> centre, etc., has only been done after the Giddhijhopri <i>Gram Sabha</i> passed a “No Objection” resolution.</p> <p>The land on which the water treatment plant is being constructed falls under the jurisdiction of the Giddhijhopri <i>Gram Sabha</i>. The land constitutes a common community resource for the Giddhijhopri community, which is reinforced by the fact that the Giddhijhopri <i>Santhal</i> Indigenous community has used the land as their graveyard since time immemorial. There are tomb stones near the water treatment plant site, belonging to ancestors of Giddhijhopri residents. Two of these tombstones have physical markings on them, which state:</p> <p>1: ॐ NAME DATE OF BIRTH 11.11.1969 DATE OF EXPIRED 18.8.1987</p> <p>2: NAME DATE OF BIRTH 03.09.1969 DATE OF [DEATH] 18.08.1987</p> <p>These markings show that the land has been used as a graveyard by the Giddhijhopri community, at the very least, for the past two and a half decades. Further, the site is also the place where a sacred grove is located. The community worships this sacred grove every five years, a practice called <i>Jantad Pooja</i> locally.</p> <p>Despite reports to the contrary, the Giddhijhopri <i>Gram Sabha</i> has never passed a “No Objection” (“NOC”) resolution regarding the water treatment plant. According to a media report dated February 23, 2016, Giddhijhopri village gave a “No Objection Certificate” for the construction of the water treatment plant. For the record, our village never gave any such NOC. The then SDO, along with Middle Ghaghidih Gram Panchayat Head, organised a <i>Gram Sabha</i> in Ranadih village instead. The <i>Majhi</i> of another village, Gultujhopri, reportedly stated that he gave permission for the construction of the water treatment plant, naming Ranadih as the relevant village. However, the land belonging to Ranadih village is not the site where the water treatment plant is being constructed.</p>	<p>drawn map. The NOC notes that the construction can start after the approval of the concerned Gram Sabha has been obtained. In a letter to the Bank dated November 8, 2018, the District Circle Officer clarified that “the construction site is located on the northern slope of the hillock and, as a result, it seems that the site would be in Ranidih Hamlet. Giddhi Jhopri is located on the southern side of the hillock, which is on the opposite side from the WTP construction site.”</p> <p>In this case, the Mukhiya called the Gram Sabha to be held at the GP’s headquarter in Ranidih on February 6, 2016. It was presided over by the then Majhi of the Jata Jhopri habitation, who has since passed away.</p> <p>The Gram Sabha attendance list attached to the resolution does not record the presence of any Giddhi Jhopri representatives at the Gram Sabha meeting.</p> <p>During the October 2018 mission, the Mukhiya said that the Gram Sabha was advertised five days in advance of the February 6 date, and that all habitations in the GP were invited, using standard practices of verbal invitation and drum beating. During the November 2018 mission, the Giddhi Jhopri community maintained that they had not been invited to the February 6, 2016 Gram Sabha.</p> <p>Details on the Gram Sabha resolution and attendance list can be found in Annex 2. This Gram Sabha was also photographed and filmed, suggesting that the attendance may have been higher than the 80 persons listed in the resolution (Annex 2).</p> <p>It is also not clear why the Gram Pradhan and Majhi of the Giddhi Jhopri habitation did not call a Gram Sabha meeting in Giddhi Jhopri to discuss the water scheme and the location of the WTP and issue a resolution at the habitation level summarizing the habitation’s view.</p> <p>The November 2018 mission highlighted the complexity of the joint governance structure in Scheduled Areas, which requires clarification to ensure a clear basis for monitoring of community endorsement and decision-making process going forward.</p>

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	<p>The water treatment plant site is squarely within the jurisdiction of the Giddhijhopri <i>Gram Sabha</i>. Without the consent from the correct <i>Gram Sabha</i>, the construction of the water treatment plant on the current site, which belongs to Giddhijhopri, is illegal and unconstitutional under Indian Law. The Giddhijhopri <i>Gram Sabha</i> does not accept the decision of the Ranadih <i>Gram Sabha</i> about the use of land resources that fall within its jurisdiction and opposes any such resolution passed by them. The community is profoundly disturbed by the World Bank's support of a project that is in violation of Indian law, especially laws designed to protect the rights of Indigenous people.</p>	
12.	<p><i>Use of threats, force, and intimidation tactics</i></p> <p>Attempts have been made by the state administration to force the Giddhijhopri community to withdraw its opposition to the CB Scheme. On June 6, 2016, the then SDO visited neighbouring Ranadih along with police to discuss the issue of <i>Gram Sabha</i> consent for the first time. A few community members from Giddhijhopri were in attendance, amongst people from various villages. The SDO asked about water requirements, and Giddhijhopri community members who were present stated their satisfaction with the quality, quantity, and medium of the water supply in Giddhijhopri. They stated not needing or wanting a piped water supply scheme, and opposed the spot selected for the construction of the water treatment plant because it is a traditional graveyard and sacred grove. Upon hearing this, the SDO stated that he would ensure the plant is constructed on that site using police force. The community filed a criminal complaint against the SDO because of his threatened use of force and his insistence on getting the Project implemented in Giddhijhopri through any means necessary, despite restrictions placed by PESA and the Constitution of India.</p> <p>On July 15, 2016, police officers arrived at the site of the graveyard of Giddhijhopri village accompanied by workers, earth extraction machines and leaders from semi-urban areas who reportedly support the CB Scheme. When women from the village heard about this, they assembled together along with a few men. The police officers came in the</p>	<p>Please see Item 8 on events which took place on June 6, 2016 and July 15, 2016.</p> <p>Please see Items 7 and 11 for information on the Gram Sabha.</p>

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	<p>afternoon, when most men had left for work. The women demanded to see the <i>Gram Sabha</i> resolution from Giddhijhopri village showing consent for the construction work. When the police could not produce any such <i>Gram Sabha</i> resolution, the community members demanded the work be stopped and that the workers and police leave the site, and remove the machinery. In response to this peaceful protest, the police officers used batons to disperse the women, some even brandishing their service revolvers to scare the protestors. Several women and children were beaten by male police officers. The men who tried to intervene were also beaten badly. Several villagers suffered serious injuries and had to go to hospital. Media reports also indicate that unarmed women were beaten by male police officers.</p> <p>The use of force was apparently pre-meditated. In a letter dated May 25, 2016, from the Executive Engineer, DWSD, Jamshedpur to the SDO, Dhalbhum Subdivision, a request was made for the use of force to deal with villagers opposing the project. The letter mentions that a “No Objection Certificate” was obtained from the concerned Land Officer. This is preceded by another similarly worded letter from the Assistant Executive Engineer, DWSD, to SDO Dhalbhum Subdivision dated April 23, 2016, requesting the use of force. It is notable that in an earlier letter dated January 20, 2016, the Land Officer, while granting the “No Objection Certificate” for the water treatment plant site, laid down the condition that construction work can only begin after permission is obtained from the concerned <i>Gram Sabha</i>. As already mentioned, this requirement was never fulfilled.</p> <p>Minutes of a meeting dated July 15, 2016 (the same day as the use of force against villagers), of District Level Officers of Jamshedpur, including police officers, reveal that the district administration decided to take criminal action against all those protesting land disputes. These minutes and letters were obtained as part of the District Administration’s reply to a community complaint to the National Commission for Scheduled Tribes in relation to use of force by local authorities.</p> <p>The same day, July 15, 2016, a complaint</p>	

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	<p>letter levelling false allegation against 39 members of the community was submitted in the Bagbera Police Station by the Assistant Sub-Inspector of Police. The letter insinuates there was a violent mob that was involved in an altercation with police officers. Following this complaint, charges were registered against the 39 people under multiple sections of the Indian Penal Code. The alleged offences are serious and range from rioting, kidnapping, and causing grievous hurt, to attempted murder. However, even after two years, no evidence has been filed in courts. Instead, these charges are regularly used to harass community members. It has consequently become difficult for Giddhijhopri community members to obtain character certificates from the police station. These certificates are needed in India for various purposes, such as employment.</p>	
	<p>Operational Policy on Environmental Assessment OP 4.01</p>	
13.	<p><i>Erroneous Project Categorization</i></p> <p>This Project was wrongly categorised as a category B project, which lowered the required level of environmental assessment. Under the World Bank Policy on Environmental Assessment, a proposed project is classified as Category A "if it is likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented. These impacts may affect an area broader than the sites or facilities subject to physical works." A potential impact is considered "sensitive" if it may be irreversible (for example, lead to loss of a major natural habitat) or raise issues covered by OP 4.04, Natural Habitats; OP/BP 4.10, Indigenous Peoples; OP/BP 4.11, Physical Cultural Resources or OP 4.12, Involuntary Resettlement.</p> <p>The CB scheme is one of the many large multi-village schemes that are being implemented under the Project. In at least one state in which the Project is being implemented (i.e. Jharkhand), there will be wide ranging impacts on Indigenous Peoples, including issues covered under OP/BP 4.10. Moreover, construction of large multi-village schemes require infrastructure creation which often have diverse, wide ranging impacts on ecology, human health and safety, resources and rights of people. Further, the Project</p>	<p><i>In Management's view the size of the individual schemes supported under the Project justifies the categorization of the Project as Category B.</i></p> <p>Categorization. Based on the information available at the time of preparation, the Project was placed in environmental screening Category B because it was not expected to have significant adverse environmental or social impacts (Project Appraisal Document, p.43).</p> <p>As the Project involved numerous schemes, the locations of which were not known at the time of Project approval, it was also decided to use a framework approach to address environmental and social risks and impacts.</p> <p>The Project Appraisal Document also noted that upfront environmental screening of the schemes would be carried out to identify potential negative impacts and mitigation measures, in accordance with the EMF and SMF. Management confirms that the Environmental Category B is adequate for this Project.</p> <p>OP 4.10 on Indigenous Peoples is applicable to the Project, and a Tribal Development Framework was prepared consistent with the requirements of the policy. However, no scheme-specific social assessment towards preparation of a TDP was undertaken.</p> <p>Management recognizes that there have been shortcomings in the application of OP 4.01 and OP 4.10, especially with respect to consultations and</p>

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	<p>envisages monetizing access to drinking water for rural communities in India. This is likely to have unprecedented impacts on impoverished rural communities in all the four states, if they currently have free access to drinking water. Bank Management did not adequately consider the serious adverse impacts of these multi-village schemes on the impacted communities and their physical cultural and water resources at the time of project screening.</p> <p>The CB Scheme, in particular, involves serious and multidimensional environmental concerns, as well as impacts on critical cultural and economic resources of the <i>Santhal</i> Indigenous community. A large-scale infrastructure development project that has the potential to irreversibly destroy or damage a physical cultural resource, such as a traditional graveyard and sacred grove, must be considered a “sensitive” adverse environmental impact within the scope of the definition of a Category A project.</p> <p>The impacts go beyond the physical structures in Giddhijhopri and other villages. The CB Scheme proposes to extract significant volumes of water from the Subarnarekha river, which is likely to have adverse impacts on the hydrology of the area. Most of the impacted villages are Indigenous villages where local bodies of water, like ponds and wells, form a key component of many cultural practices. Diversion of the water of the river, which feeds groundwater and other water reservoirs in the area, can have significant negative impacts on local bodies of water in these villages, thereby affecting the cultural practices and way of life of many Indigenous communities. The potential adverse impacts of the CBScheme on the hydrology of the region have the potential to be significant and irreversible.</p> <p>Additionally, even though the World Bank is not directly funding the Jamshedpur Urban Agglomeration Plan, the fact is that the Bank-funded CB Scheme is a key component of the proposed Urban Agglomeration Plan. As described above, this Plan will adversely impact several Indigenous villages. The urbanisation of the rural areas around Jamshedpur will also significantly increase the run-off into the Kharkai and Subarnarekha rivers surrounding these areas. The community</p>	<p>public disclosure in local languages.</p> <p>Water abstraction. No impact from the river water abstraction on the groundwater levels in Giddhi Jhopri is expected. The water that will be treated by the WTP is from the Subarnarekha River, which is the only source for the Bagbera MVS. The amount of water withdrawn (37 megaliters per day) is negligible compared to the river’s water flow.</p> <p>Groundwater and other water reservoirs may be affected only in the major river bed, and such impacts are usually limited to sources located close to the river and where the volume abstracted represents a significant share of the water flow, which is not the case here.</p> <p>The water intake, located upstream of Domuhani, 14.5km away, is too far to have any impact on the groundwater levels in Giddhi Jhopri. However, the possible increase in water consumption as a result of having piped water at home requires appropriate wastewater management systems to avoid contamination of local rivers and groundwater.</p> <p>The Project has provisions to develop wastewater collection and treatment and solid waste management. During the November mission, the Bank team noticed kitchen wastewater discharges in Ranidih and observed that open defecation was practiced in some areas, including on the hill where the WTP is being built. The Bank team is encouraging the SPMU to use the Project component related to solid and liquid waste management to address these concerns. The Bank team encouraged the DPMU to perform water quality analyses in wells currently used for water supply across the MVS, and especially around the WTP site, including for heavy metals, and to make the results publicly available in the concerned communities.</p> <p>Jamshedpur plan. The Project is not related to the cited Jamshedpur plan.</p> <p>EMP. As noted above, the Project was categorized as Category B and the MVSs require the preparation of an EMP. See Item 6 for details on the EMP.</p>

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	<p>fears that increased urban run-off to these rivers, accompanied by the mass abstraction of water from them, may lead to devastating impacts on the aquatic ecosystem, hydrology, hydro-geology, direction and nature of river flow and erosion patterns.</p> <p>Given the potential for diverse, large-scale, unprecedented impacts on Indigenous communities in the region, the Scheme required a rigorous environmental assessment which should have been done as per Category A standards. The hydrology impacts alone of these large multi-village schemes should have required independent, internationally recognised hydrology experts as per the requirements of the Operational Policy on Environmental Assessment.</p> <p>The Bank failed to do an adequate project screening, which in turn caused a failure to adequately assess the potential impacts of the RWSS-LIS and the various sub-projects under it. A proper and timely Category A Environmental Assessment for the CB Scheme would have provided the necessary opportunity for the Bank to fully analyse risks and issues presented by the CB Scheme, and to identify alternative approaches that would have minimised adverse impacts and maximised possibilities to restore and improve the environment.</p>	
14.	<p><i>Absence of Environmental Assessment</i></p> <p>In spite of the large-scale potential adverse impacts of the CB Scheme, it appears that no meaningful environmental assessment was carried out. The Baseline Environmental Assessment & Environmental Management Framework (“EA-EMF”) for the state of Jharkhand as a whole did not examine potential adverse impacts of sub-projects. Instead, it noted that for sub-projects, an Environment Data Sheet and categorisation into Category 1 or 2 was needed. In the case of Category 2 sub-projects, a detailed environmental appraisal was required. There is no indication that these requirements were fulfilled in the case of the CB Scheme. None of these documents are publicly available. As discussed above, when the community requested these documents through an RTI application, they were instead provided with the Detailed Project Reports and Preliminary Design Reports, neither of which contain an</p>	<p><i>See Item 6 above.</i></p>

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	<p>environmental assessment.</p> <p>The apparent failure to conduct an environmental assessment is a clear violation of the World Bank’s Safeguard Policy on Environmental Assessment. It indicates a failure on the part of Bank management to properly monitor various sub-projects and ensure compliance with the World Bank’s Safeguard Policies. The Bank’s supervision of the DWSD, Jamshedpur was insufficient and wanting, and as such in non-compliance with the requirements of OP 4.01.</p>	
15.	<p><i>Lack of a proper mechanism for sludge disposal</i></p> <p>A water supply scheme of this level will generate enormous amounts of sludge. It is therefore concerning that neither the Detailed Project Report nor the Preliminary Design provide any indication as to where the sludge will be disposed. On the contrary, the Detailed Project Report indicates that the sludge might be manually cleaned, a practice that is banned under Indian law because of its harmful impacts on those doing the cleaning.</p> <p>Residual sludge generated from water treatment processes can be toxic. It can have suspended solids, pathogens, and heavy metals. Such sludge, if not properly disposed of, can further contaminate the receiving waters and adversely impact aquatic ecosystems as well as water chemistry. Such sludge is also likely to have heavy metal residuals, which can be toxic to phytoplankton and zooplankton and to higher aquatic plant and animal species, including fish. Further, the community fears that the use of chlorine for water treatment can lead to chlorine residuals in the sludge, which can be highly toxic.</p> <p>Given the potentially alarming levels of toxicity in the sludge that will be discharged, the Detailed Project Report and Preliminary Design Report should have discussed these risks and provided details about sludge disposal. The fact that the reports lacked relevant and important information regarding sludge disposal should have been a cause of concern for the Bank. The Bank Task Team should have looked into these components before approving the reports and subsequently the CB Scheme itself. Even a rudimentary environmental assessment for a water</p>	<p><i>The low levels of heavy metal contaminants in the raw water at the intake of the WTP suggest that the sludge should not be considered as a toxic waste.</i></p> <p>The raw water intake is located at a point where the water is least expected to contain heavy metals. Management has reviewed the water analysis performed in the last 12 months at the water intake of the WTP, which shows very low levels of heavy metals in the raw water, almost at the level of Indian Standard IS 10500 2012 on Drinking Water Specifications. The WTP is designed to be able to remove heavy metals and other contaminants to ensure that the drinking water is delivered according to standard. The specific approach to sludge management and disposal will be in place by the time the WTP begins operation, planned for March 31, 2019. It will be detailed in the updated EMP and will be supervised by the DWSD of the State of Jharkhand. The low levels of heavy metal contaminants suggest that the sludge should not be considered as a toxic waste. Management will request district authorities to advise the contractor on an appropriate discharge site for the water treatment sludge and will request the DPMU to share the water testing results with the community.</p>

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	<p>treatment project must include details about the project's sludge disposal process. Such an oversight by the Bank suggests that the scope and level of scrutiny employed by the Bank was deficient.</p>	
16.	<p><i>Lack of Public Consultation</i></p> <p>Under the World Bank's Environment and Social Safeguard Policy ("ESSP"), the borrower is supposed to consult project affected groups about the Project's environmental impacts and take their views into account. However, this Policy has been violated with respect to the CB Scheme.</p> <p>As described above, many community members, especially women, only became aware of the Scheme on the day that machinery was brought to Giddhijhopri to construct the water treatment plant in the presence of police. When community members expressed their reservations, they were threatened and beaten.</p> <p>The Jharkhand Baseline EA-EMF claims that it was developed through broad consultations across Jharkhand. The scope of these consultations was to assess the existing status of water supply, sanitation, public health, and personal and environmental hygiene. It seems these consultations did not make a rigorous attempt to understand the impacts of planned components of the Project on project affected people. An environmental assessment as per the ESSP has to evaluate a project's potential environmental risks and impacts and examine project alternatives. Public consultations related to an environmental assessment should therefore include consultations specifically regarding these aspects. The Bank should properly monitor and review the scope of an EA-EMF for all sub-projects, including scrutiny of the nature and extent of consultations. The extremely narrow scope of the EA-EMF consultations falls short of the requirements for an EA-EMF and indicates a failure on the part of the Bank to properly appraise DWSD's work.</p> <p>Specifically, regarding the CB Scheme, no proper consultation took place in Giddhijhopri village. Little attempt has been made to take community views into account even though a key component of the Scheme is being constructed on land where the community's</p>	<p><i>Please refer to Item 7 for consultations related to Project preparation and Item 6 for consultations on the safeguard instruments.</i></p> <p>The EA-EMF carried out during preparation was reviewed and cleared by the Regional Safeguards Advisor, consistent with Bank policies.</p> <p>The Bank team has been working with PMU staff to support the implementation of the EA-EMF for all schemes.</p>

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	ancestors are buried. The community believes that the CB Scheme does not fulfil the ESSP's requirements for public consultations.	
17.	<p><i>Inadequate Information Disclosure</i></p> <p>The World Bank has failed in this Project to ensure that its information disclosure requirements are fulfilled. Under World Bank policy, the borrower is supposed to provide relevant material in a timely manner prior to consultation and in a form and language understandable and accessible to project affected people. In the case of the CB Scheme, the implementing authority never provided any documents to the community. There is also no information about the Scheme on the World Bank's website. In fact, the World Bank's website only has documents for Jharkhand as a whole, which discuss the over-arching RWSS-LIS. The Giddhijhopri community first realised the World Bank is funding the CB Scheme through media reports.</p> <p>As a result, the community filed an RTI application for documents related to the CB Scheme. The already impoverished community collected INR 5100 to get access to the documents that were made available in response to the RTI application. Several trips had to be made to the DWSD office to finally get the documents, consuming additional time and resources. Even then, the community was only given the bidding documents, Detailed Project Reports and Preliminary Design Reports, not all the documents they had requested. Moreover, the documents are largely in English and were not translated into Hindi or Santhali, the languages spoken by the project affected people. Thus the information disclosure for the CB Scheme fell far short of meeting the ESSP requirements.</p>	<i>See Item 6 on information disclosure.</i>
	Operational Policy on Indigenous Peoples OP 4.10	
18.	<p>The Bank's Indigenous Peoples Policy OP 4.10 applies to the CB Scheme's implementation in Giddhijhopri. Most of Giddhijhopri's population is comprised of the <i>Santhals</i> Indigenous community. The <i>Santhals</i> are an impoverished community in East and Central India that has suffered marginalisation because of rapid industrialisation at the cost of their ancestral land and resources. They identify as <i>Adivasis</i> and are recognised as a</p>	<p><i>Consistent with the requirements of OP 4.10, the TDP was prepared during Project preparation, consulted upon and adopted in March 2013 for the State of Jharkhand. It includes provisions to ensure that tribal-specific practices are adequately taken into consideration in the Project, and that informed consultations regarding schemes affecting tribal populations take place in culturally appropriate ways.</i></p> <p>Key provisions proposed in the TDP (Page 47-57)</p>

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	<p>Scheduled Tribe under the Constitution of India. As mentioned earlier, at the edge of every <i>Santhal</i> village is a <i>Jaher Sthal</i>, which is a common community resource and is believed to be the resting place for ancestral spirits. <i>Santhal</i> villages have their own traditional governance and decision-making structures called the <i>Majhi Pargana Mahal</i>, as well as cultural and spiritual practices that are distinct from mainstream practices. The <i>Santhals</i> speak Santhali. Based on these facts, it can be concluded that the <i>Santhals</i> in Giddhijhopri are Indigenous communities for the purpose of the Indigenous Peoples Safeguard Policy.</p> <p>Under the Policy, the Bank is supposed to ensure that Indigenous communities receive social and economic benefits in a culturally appropriate manner. In light of the lack of appropriate consultation, risks to important Indigenous resources and cultural heritage, and the violent retaliation towards community members, the community believes that the Bank's actions with regard to planning and implementation of the RWSS-LIS, and specifically the CB Scheme, disrespect and threaten the dignity, human rights, economy, and cultures of Indigenous Peoples.</p>	<p>include:</p> <ol style="list-style-type: none"> i. Habitation level DPR, a technical document informing the tender process, to be endorsed by both the VWSC and the GP. Once the GP approves the plan, it is forwarded for sanction to the DPMU who in turn seeks approvals from DWSD/SPMU. ii. Support Organizations to provide community organization and capacity building support. iii. Convergence with other government schemes. iv. Training of stakeholders, exposure visits. v. Developing of cadre functionaries (Jal Sahiyas). vi. Training of local masons and plumbers. vii. Involvement of Accredited Social Health Activist (ASHA) workers.¹⁹ viii. Consultations during implementation (implementation of the IEC/ Communication plan for awareness creation) ix. Community contribution from Scheduled Castes and Scheduled Tribes at INR 225/- (US\$3) and INR 450/- (US\$6) for others. <p>In terms of implementation, Management acknowledges a deficit of consultation with and information disclosure to tribal populations in the case of Madhya Ghaghidih.</p> <p>With respect to application of the TDP, information available show that:</p> <ol style="list-style-type: none"> i. The DPR for the contract of the Chhotagovindpur and Bagbera MVSSs was not endorsed by every one of the 38 concerned VWSCs and GPs (resolutions from 10 out of 17 GPs were attached to the DPR for the Bagbera MVS). The provisions of the TDP referred to this endorsement in singular, thus presumably only in the context of SVSSs (one VWSC, one GP). ii. Additionally, during the Project preparation period and even before the establishment of DPMUs in 2014, there was a specialized agency hired as the District Project Management Committee to support DPMUs. Its role included: "Supporting village communities in holding village meetings or Gram Sabhas to inform and agree on (a) water supply scheme and sending a proposal to the department for the same; (b) communities indicating desire to have household level pipe

¹⁹ These are community level health workers instituted by the GoI's Ministry of Health and Family Welfare.

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		<p>connections; (c) communities agreeing to provide land for the scheme; (d) discussion relating to O&M of the scheme; (e) agreeing to the connection charges.”</p> <p>iii. Support Organizations were hired for an initial period of nine months in 2016-17 to undertake baseline surveys and training programs, but were subsequently discontinued as this model proved unsatisfactory.</p> <p>iv. In May 2018, Community Organizers were in place for mobilization and sensitization on the scheme and CAPEX and OPEX collection.</p> <p>v. Multi-village WSC at Bagbera were formed in August 2017. One four-day event on formation and functioning of MVS took place.</p> <p>vi. Cadre functionaries: Jal Sahiyas have been operational across the state including in this area.</p> <p>vii. Involvement of ASHA workers: Jal Sahiyas instead of ASHA workers are active here.</p> <p>viii. Consultation during implementation: Related IEC material is being improved.</p> <p>ix. Collection of community contributions is in progress.</p> <p>The Aide-Memoire of the first implementation support mission in June 2014 refers to initiating the preparation of a Tribal Development Implementation Plan (TDIP), to complement the TDP with specific actions and processes to facilitate its implementation. The TDIP was prepared through several rounds of district-level consultations with tribal leaders, members of civil society and academicians, and through workshops held at state level. It was reviewed by the Bank several times. The finalization of the TDIP was stalled by the departure of the Tribal Development Expert from the SPMU. The post remained vacant for about two years but was filled again in February 2018, which led to the finalization of the TDIP. The Bank provided comments in March and May 2018. It was approved by the executive committee of the Project on August 9, 2018, after which the SPMU started its implementation.</p> <p>The TDIP also includes renovation of traditional water sources, IEC dissemination in local languages, convergence of Government schemes with toilet construction, and exposure visits for traditional tribal leaders/tribal VWSC members to successful water schemes.</p> <p>See Item 8 on related events and the police reports</p>

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19.	<p><i>Absence of a mitigation plan to provide remedy for the negative impacts of the CB Scheme on Indigenous communities</i></p> <p>OP 4.10 requires that where adverse impacts are unavoidable, the borrower must minimise, mitigate, or compensate for such effects. The Detailed Project Report does not contain a mitigation plan to remedy the negative impacts that the CB Scheme is likely to cause, nor have they been compensated for the harm already caused. Moreover, if the Scheme is completed, the community will be forced to pay money to access water.</p>	<p><i>As stated above, community access to existing local water sources will not be affected by the Project, nor will the Project introduce a requirement to pay for the use of these sources. Discussions with state government on O&M policy will ensure that poor households who wish to use the clean and safe piped drinking water are offered affordable tariffs.</i></p> <p><i>Paying for water.</i> During the community consultations at the time of preparation of the TDP, people expressed their willingness to pay for piped water provided a regular and safe supply was assured. The distribution pipes have been laid in Giddhi Jhopri habitation and are being laid elsewhere in Madhya Ghaghidih. To date, 19 percent of households in Giddhi Jhopri have paid the community contribution to participate in the scheme. Across the Bagbera MVS, 24 percent of households contributed. The share is 5 percent in Madhya Ghaghidih overall. The contribution rate correlates with the progress of distribution pipe layout.</p> <p><i>Mitigation measures.</i> The main purpose of the DPR is to provide information on upcoming procurement. The Bank team confirms that the contract requires preparation of an EMP per Bank policy, as well as requirements for implementation and monitoring of the EMP during Project construction and implementation phases. Please refer to Item 6 for aspects related to the EMP.</p>
	<p>Operational Policy on Physical Cultural Resources OP 4.11</p>	
20.	<p><i>Impacts on physical cultural resources not taken into account in the Project Design</i></p> <p>The Bank’s policy on Physical Cultural Resources requires a borrower to address impacts on physical cultural resources in projects proposed for Bank financing, as an integral part of the environmental assessment process. This is true even for projects involving sub- projects like the CB Scheme. The Baseline and Impact Assessment should include: “(a) an investigation and inventory of physical cultural resources likely to be affected by the project; (b) documentation of the significance of such physical cultural resources; and (c) assessment of the nature and extent of potential impacts on these resources.” The borrower is supposed to have extensive consultations with Project Affected groups for identifying physical cultural resources because they are often</p>	<p><i>Management acknowledges that OP 4.11 was not applied to the Project, and is now of the view that it should have. Management notes, however, that efforts were made by the implementing agency to achieve objectives that are consistent with those of the policy.</i></p> <p>Although at least three documented (see Annex 2) rounds of consultations by the DPMU, district authorities and a Bank mission team took place with Giddhi Jhopri inhabitants prior to the start of the works, these are not documented to the extent required to ascertain compliance with the policy requirements.</p> <p>While no systematic assessment of physical cultural resources took place, the contractor and district authorities made concerted efforts to jointly identify with the community areas of significance to the community prior to starting the works. These meetings took into consideration the existence of sacred sites, potential burial grounds and cremation sites, as well as the community’s use of the public land, and developed</p>

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	<p>undocumented or unprotected by law.</p> <p>In the CB Scheme documents, there again is no indication that any steps were taken to identify physical cultural resources that will be impacted by the Project. In the Concept Stage ISDS for the Project, the Task Team did not envisage applicability of the Safeguard Policy on Physical Cultural Resources OP/BP 4.11 to the Project. Management’s initial appraisal of the project design is weak and fails to adequately consider the true extent of impacts on Physical Cultural Resources. The Baseline EA-EMF also concludes that no existing cultural property will be damaged. However, the EA-EMF does envisage “possible damage to places of cultural, heritage and recreational importance” as a construction stage environmental impact.</p> <p>As mentioned, a characteristic feature of a <i>Santhal</i> village is a sacred grove (known as the <i>Jaher</i> or "<i>Santal Sthal</i>") on the edge of the village. For the Giddhijhopri community, the hill where the water treatment plant is currently being built is their <i>Jaher Sthal</i>, where the community gathers and worships at their sacred grove every five years, as well as a community graveyard and cremation ground where the community has been burying and cremating their dead. The impacts on the <i>Jaher</i> was not taken into account at any stage in the project.</p>	<p>mitigation measures. In addition, earlier meetings with local residents who expressed concern about the WTP’s impact on places of significance led to the modification of the footprint of the WTP site, originally designed as 120m x 120m, to 180m x 80m, in order to avoid disturbances to the identified places of significance, in particular burial grounds or worship places. The contractor adapted the WTP design to fit in the new site dimensions and made a U-shape in the boundary wall alignment to accommodate a sacred tree located within a meter of the plot boundary. Moreover, as members of the local community requested that the excavated material not be taken away, the contractor has kept it within or in the immediate vicinity of the site.</p>
	<p>Violations of Indian and International Law</p>	
<p>21.</p>	<p>The Bank Policy OP 4.01 on Environmental Assessment requires that the environmental assessment consider “the country’s overall policy framework, [and] national legislation...related to the environment and social aspects...” and “identify matters pertaining to the project’s consistency with national legislation or international environmental treaties and agreements”.</p> <p><i>Violation of Constitutional Provisions</i></p> <p>Schedules V and VI of the Constitution of India provide for self-governance in tribal majority areas under Article 244. The object of Schedule V is to preserve the autonomy, culture, and economic empowerment of Indigenous or tribal peoples to ensure social, economic, and political justice in the scheduled area. Clause 5(2) of Schedule V</p>	<p>The Bank has no role in opining on compliance with Indian law or the constitution.</p>

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	<p>even prohibits the state from transferring public/state land in Scheduled areas to non-tribals. The public policy rationale for this law is to preserve peace and safeguard the tribal way of life: if the Government transfers the public land to non-tribals, “peace would be disturbed, good governance in scheduled area would slip into the hands of the non-tribals who would drive out the tribals from scheduled area and create monopoly to the well-developed and sophisticated non-tribals ”</p> <p>This makes clear that it is illegal and unconstitutional for the state to transfer land in Giddhijhopri, a recognised scheduled area, to a corporation for the construction and operation of a water treatment plant. In this case, possession has been given to Chhota Gobindpur and Bagbera Drinking Water Supply Project Limited, an entity of Infrastructure Leasing and Financial Services Limited.</p>	
22.	<p><i>Violation of PESA and Jharkhand Panchayati Raj Act (“JPRA”)</i></p> <p>Under PESA, any plan or proposal that is presented by the <i>Gram Panchayat</i> has to receive prior approval, after consultation, from the <i>Gram Sabha</i>. The <i>Gram Sabha</i> has the power to safeguard community resources. Its powers include managing natural resources like land, water, and forests falling within the limits of the village area.</p> <p>However, as mentioned above, for the CB Scheme, <i>Gram Sabha</i> approval has not been provided in Giddhijhopri. The Detailed Project Report shows that letters have been obtained from various VWSCs. The PESA requirement is a resolution from the whole <i>Gram Sabha</i>, i.e. all adult members in a village who are on electoral rolls and not just the VWSC. It should be noted that in a letter dated January 20, 2016, the concerned Land Officer for this area, while granting the “No Objection Certificate” for the water treatment plant site, clearly laid down the condition that construction work can only begin after permission from the concerned <i>Gram Sabha</i> is obtained. This requirement was never fulfilled as the Giddhijhopri <i>Gram Sabha</i> never passed a <i>Gram Sabha</i> resolution providing any such permission. It is worrying that a World Bank-funded scheme is violating domestic legislation meant for the protection of</p>	<p>The Bank has no role in opining on compliance with Indian law or the constitution.</p>

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	Indigenous communities and that Bank management has failed to adequately monitor compliance with safeguards and local laws by the borrower.	
23.	<p><i>Violation of the Polluter Pays Principle</i></p> <p>The “polluter pays” principle is a well-accepted general principle of international law and is codified in international instruments. The principle is now also part of Indian environmental jurisprudence. The principle holds that those who produce pollution should bear the costs of managing it to prevent damage to human health or the environment.</p> <p>It is well-documented that Jamshedpur and its surrounding areas has suffered considerable environmental degradation because of industrialisation and intense mining, including uranium mining. The Baseline EA-EMF for Jharkhand acknowledges this environmental degradation, noting that “metallic and dissolved toxic wastes from TISCO, Jamshedpur and HCL, Ghatsila and radioactive wastes from the uranium mill and tailings ponds of the UCIL at Jaduguda flow into Subarnarekha and its tributaries”.</p> <p>The Indigenous communities in the region have tried to preserve their water and land resources despite this rapid industrialisation. Yet, the CB Scheme will in effect put the burden on the Indigenous communities, instead of the polluters, by making communities pay for access to drinking water, which is presently free. This is not consistent with the polluter pays principle. Giddhijhopri village’s water is safe and fit for drinking, which has been proven through scientific testing. Hypothetically, even if it was not, the community should not be made to pay to treat water they did not pollute in the first place.</p>	<p><i>This does not pertain to compliance with Bank Policy.</i></p> <p>The issue of environmental degradation in Jamshedpur has no linkage to the Project.</p> <p>The Bank team understands that groundwater contamination in the Project area is naturally-occurring, which may be related to the presence of numerous minerals, but not their extraction processes.</p>
24.	<p>Prior Attempts to Resolve Problems with the World Bank</p> <p>On behalf of the Giddhijhopri community, the Giddhijhopri <i>Majhi</i> sent a letter to the World Bank Task Team leader, [TTL...] by electronic mail dated April 6, 2018, raising various grievances of the Giddhijhopri community regarding the CB Scheme. The letter is enclosed. In a response dated April 13, 2018, also enclosed, [The TTL] assured the community that he will ask the State Project Implementation Unit to look into these</p>	<p>In response to the complaint received in April 2018, the Bank team followed up with authorities on the issues raised in the complaint and informed the complainant. A second complaint was received by the Bank in June 2018. The team followed up numerous times to obtain information requested from the DPMU and SPMU. A response was received during its October 2018 mission.</p> <p>The October 2018 mission visited the WTP site and met with five households in Giddhi Jhopri, as well as the Mukhiya of the GP and other members of the Ranidih community. The Gram Pradhan of Giddhi</p>

No.	Claim	Response
	<p>grievances.</p> <p>Despite the passage of over four months, no tangible steps have been taken to solve the issues raised. Following [the TTL]'s response, the <i>Majhi</i> was contacted by the local police asking him to withdraw community opposition to the CB Scheme in exchange for withdrawal of criminal charges filed against 39 members of the community. On May 29, 2018, officials from the DWSD visited Giddhijhopri with only a few hours' notice. These DWSD officials did not visit the traditional graveyard at the water treatment plant site, despite requests to do so from the community members present. Community members raised their grievances about the CB Scheme with these officials, but have not received any satisfactory response from them.</p> <p>On June 10, 2018, another e-mail was sent to [the TTL], notifying him about the lack of any assurance or concrete steps from the State Project Implementation Unit to remedy the harms caused.</p> <p>On October 6, 2018, after the community sent a Request for Inspection to the Inspection Panel, the Lead Water and Sanitation Specialist, [...] sent an electronic mail, stating that the Bank is</p> <p>following up on the points raised.</p> <p>The Giddhijhopri community's issues regarding the CB Scheme, which concern their autonomy as an Indigenous community, their culture, and their economic resources, remain unresolved. Despite repeated attempts to reach out to World Bank Management, the response has been inadequate. Meanwhile, construction of the water treatment plant continues.</p>	<p>Jhopri was not available to meet with the team that day as, due to security concerns, the mission had been advised not to provide prior notice of the visit. The team then spoke with the Gram Pradhan over the telephone on October 27 and 29, 2018. Following a request for a discussion with the larger village community, a Bank team led by the Operations Manager of the India Country Office met with the Giddhi Jhopri community on November 17, 2018. About 250 people attended this meeting.</p> <p>The team's observations and conclusions are reflected in this Management Response.</p>
25.	<p>Requested Next Steps</p> <p>The Giddhijhopri community, through fellow Complainant and community representative <i>Majhi</i>, requests that the Inspection Panel conduct an immediate investigation to confirm the violations of Bank policy described above. The Complainants trust that the Panel process will result in the Bank taking steps to remedy the issues raised in this Request. The Complainants strongly urge the World Bank to:</p> <ol style="list-style-type: none"> i. Immediately stop disbursements to 	<p><i>Management met with the Requesters and members of the community on November 17, 2018 to better understand the community's concerns. Based on those discussions, Management will initiate the following actions, all of which have been discussed and agreed with the Borrower and the state and district counterparts:</i></p> <p><i>In direct response to community concerns:</i></p> <ul style="list-style-type: none"> • By mid-January 2019: Management will support the Government of Jharkhand to consult with the Giddhi Jhopri on the Bagbera MVSs with the aim to better understand their concerns and to identify

No.	Claim	Response
	<p>the RWSS-LIS and all construction activity on the CB Scheme, until such time that affected communities have been fully informed and consulted about the details of the CB Scheme, including its impacts, remedy and mitigation measures, and an independent analysis of alternative designs, in which the rights and needs of our community are made the priority. The CB Scheme in its current form is violating World Bank policies, as well as Indian and international law. Therefore, it should not be allowed to proceed further the way it is;</p> <p>ii. Conduct a complete environmental impact assessment of the CB Scheme, including a social assessment as well as an assessment of the impacts of the CB Scheme on Indigenous populations;</p> <p>iii. Appoint an independent hydrology expert to look at cumulative hydrological impacts of the CB Scheme, as well as other schemes that have been implemented in Jamshedpur and surrounding areas under RWSS-LIS;</p> <p>iv. Once prepared, translate all assessment documents into Hindi and Santhali and disclose them through culturally appropriate consultations with our community, as well as other project affected communities;</p> <p>v. Allow us, as affected people, to participate in the analysis and decision-making process for possible alternatives. The water treatment plant should be relocated, and our ancestral graveyard and sacred grove should be restored to its original form. If it is environmentally feasible, the CB Scheme could be implemented in alternative sites to benefit communities that actually require water, rather than imposing it on our community, which has preserved its water resources despite various challenges;</p> <p>vi. Make reparations to our community for the harms suffered because of false criminal charges and police violence in response to our protests;</p> <p>vii. Conduct all future baseline studies and monitoring reports with full transparency and participation of affected communities and make the results public.</p>	<p>and agree on possible compensatory measures to address Project related impacts. Management will hire experts in anthropology and cultural heritage with local experience to assist in this process. The compensatory measures may include support for the following:</p> <ul style="list-style-type: none"> ○ ensuring access to the hilltop site (outside WTP perimeter); ○ establishing new congregation / cremation areas; ○ relocating or constructing replacement shrines; ○ ensuring access to and preservation of traditional plants for community use; ○ undertaking an assessment of physical cultural resources, including steps to preserve/salvage/relocate any such resources identified; ○ undertaking reburial of mortal remains if any are found; ○ retaining red mud soil excavated from the WTP site for the community's use, as was requested; ○ providing other culturally appropriate benefits to the community. <ul style="list-style-type: none"> ● By end-January 2019: Management will support the Government of Jharkhand to undertake implementation stage consultations in all GPs covered by the Bagbera and Chhotagovindpur MVSSs to update community members on implementation progress. This will allow further scheme information to be provided; clarify aspects related to environmental and tribal development management; as well as provide information on the start of service delivery, and financial aspects related to community contribution and water tariffs, in addition to responding to people's queries. ● By end-December 2018: Management will complete a review of the draft updated EMP for the Bagbera and Chhotagovindpur MVSSs, which the DPMU has committed to submit to the Bank for review by mid-December 2018. ● By end-January 2019: Management will work closely with the SPMU and DPMU to ensure that appropriate consultations on the updated EMP and disclosure are carried out. The update of the EMP will also reflect the feedback from the above-cited

No.	Claim	Response
		<p>detailed consultations with the Giddhi Jhopri community.</p> <ul style="list-style-type: none"> • By end-January 2019: Management will request the DPMU to share the results of the water analysis at the water intake with the community and make them publicly available as part of the EMP. <p><i>To address overall project shortcomings:</i></p> <ul style="list-style-type: none"> • By end-December 2018: Management will ensure that executive summaries of safeguard documents are translated and disclosed in Hindi, the predominantly read language in the Project areas, on the relevant department website, at the head office of each GP and at the offices of the contractor. • By end-February 2019: Management and PMUs will complete the ongoing comprehensive review of safeguard compliance for the Category 2 schemes supported by the Project and will prepare an action plan for time-bound implementation of any remedial measures that may be required. Priority is being given to completing the reviews of the safeguard documentation for the Bagbera and Chhotagovindpur MVSs and any remedial action pertaining to these MVSs will be addressed before the respective WTP starts operation. • By end-February 2019: Management will follow up with the Project Management Units at the national, state and district level (NPMU/SPMU/DPMU) to ensure appropriate monitoring of EMP implementation, staffing, and application of safeguards instruments. • By end-January 2019: Management will follow up with the SPMU and DPMU to ensure completion of the review of the scope of works and training of the 400 Community Organizers that have been placed in all five districts of Jharkhand since May 2018, to give them a greater role in disseminating information about the Project, relaying community concerns, and environmental and social monitoring. This review will also cover Project and site-level GRMs and identify steps to strengthen them. • By end-February 2019: completion of Project restructuring, which will include the application of OP 4.11 among other aspects. <p>With regard to the Requesters' demand that construction works on the WTP scheme be</p>

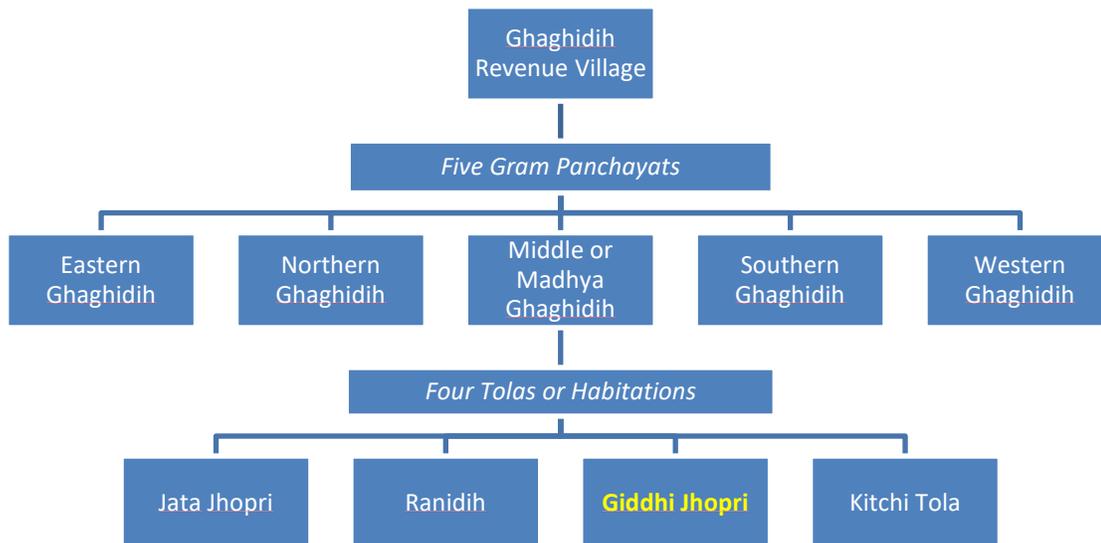
No.	Claim	Response
		<p>immediately stopped and the scheme removed altogether, Management notes that this demand was not shared by the broader community that attended the meetings with the Bank team and expressed interest in benefitting from the clean water supply that will be delivered by the Project. As noted in paragraph 32 in the main text, 19.1 percent of Giddhi Jhopri households have already paid their “community contribution” required for participation in the scheme, which is high compared to the average for Madhya Ghagidih GP (5.3 percent). Media accounts have reported on support for the scheme by some members of the community. In Management’s view stopping Project works could pose risks of retaliation against those opposing the scheme from the larger GPs that are supportive of and expecting the scheme to begin providing piped water soon (some have already paid their fees to be connected to the water supply); (ii) loss of employment by community members employed by the scheme; and (iii) safety hazards resulting from leaving the site idle at an advanced stage of construction. Management is committed to support the Government of India Jharkhand in discussing options with the concerned community to achieve a satisfactory resolution.</p>

Annex 2.
Project Consultation Process –
Documentation

Document Description	Final Version	Date disclosed	Link to publicly disclosed version	File name and link
Project Information Document/ Integrated Safeguards Data Sheet - PCN stage	Yes	7-Nov-12	WB Portal	Project Information Document/ Integrated Safeguards Data Sheet - PCN stage
PID/ISDS - Appraisal stage	Yes	24-Jul-13	WB Portal	PID/ISDS - Appraisal stage
Social Management Framework (SMF)	Yes	5-Apr-13	WB Portal	SR51 v3: Project Social Management Framework
Indigenous Peoples Plan - Jharkhand	Yes	5-Apr-13	WB Portal	IPP629 v2 Jharkhand Tribal Development Plan
State Specific Social Assessment - Jharkhand	Yes	30-Nov-18	WB Docs	Social Assessment, Capacity Building and Communication Strategy - Jharkhand - Final Report
		24-Jul-13	In-Country	
State Specific Social Assessment - Bihar	No	5-Apr-13	WB Portal	SR51-v1: Social Assessment, including capacity building and communication strategy – Bihar: Intermediate Status Report V2
State Specific Social Assessment - Assam	No	5-Apr-13	WB Portal	SR51-v2: Social Assessment, including capacity building and communication framework – Assam: Draft Final Report
State Specific Tribal Development Plan	No	Jan-16	In-Country	Tribal Development Plan - Assam - Draft Final
State Specific Social Assessment - UP	Yes	5-Apr-13	WB Portal	SR51 v4: Social Assessment, Capacity Building and Communication Strategy – Final Report
		5-Apr-13	In-Country	
		24-Jul-13	In Country	Social Assessment – Executive Summary English
		24-Jul-13	In Country	Social Assessment – Executive Summary Hindi
State Specific Environmental Assessment (EA) - Assam	No	3-Apr-13	WB Portal	E4182 v1: Draft Final Report Vol. I: Environmental Assessment
				E4182 v2: Draft Final Report Vol. II Annexures
				E4182 v3: Executive Summary of the EA
	Yes	13-Nov-18		SFG4803: Executive Summary in Assamese
	Yes			SFG4803: Executive Summary in Bengali
State Specific EA and Environmental Management Framework - Bihar	No	3-Apr-13	WB Portal	E4182 v4: Draft Final Report (Version 2)
				E4182 v5: Executive Summary of the EA and EMF for the State of Bihar
	No	25-Mar-13	In-Country	Hindi version of the Executive Summary of the EA and EMF for Bihar: Local disclosure April 2013 -

Document Description	Final Version	Date disclosed	Link to publicly disclosed version	File name and link
				Infoshop
	No	19-Nov-18	WB Portal	Hindi version of the Executive Summary of the EA and EMF for Bihar: Local disclosure April 2013 - Infoshop
State Specific EA and EMF - Jharkhand	No	3-Apr-13	WB Portal	E4182 v6: Draft Final Report
				E4182 v7: Draft Final Report – Annexures
				E4182 v8: Executive Summary of the EA-EMF
	Yes	13-Nov-18	WB Portal	Draft Final Report
State Specific EA and EMF - UP	Yes	5-Apr-13	WB Portal	E4182 v9: EA-EMF - Final Report
		5-Apr-13	In-Country	
		30-Nov-18	WB Portal	E4182 v10: EA-EMF - Executive Summary - English
		24-Jul-13	In-Country	
		27-Nov-18	WB Portal	
		24-Jul-13	In-Country	
		30-Nov-18	WB Portal	Revised EA-EMF UP - Final Report
		6-Dec-13	In-Country	
Environmental Assessments (EA); Environmental Management Framework (EMF); and an initial Environmental Management Plan (EMP)	Yes	27-Dec-17	WB Portal	EMPs for projects sites are not filed as per email correspondence dating December 27, 2017
EA-EMF Executive Summaries consolidated LIS-RWSS Project	Yes	13-Nov-18	WB Portal	EA-EMF Executive Summary consolidated LIS-RWSS Project
Scheme-specific EMPs	No	-	-	-
E&S Monitoring/progress reports	No	-	-	-

Administrative Structure of Ghaghidih Revenue Village:



Modalities for holding Gram Sabhas:

- For multi-habitation *gram panchayats* such as Madhya Ghaghidih, a *gram sabha* or village-level meeting can be held in any habitation depending on the relevance of the issue under consideration. A *gram sabha* is convened by the Mukhiya, who is the elected head of the *gram panchayat*, and chaired by the traditional tribal community leader or the Majhi. For Madhya Ghaghidih, while the Majhi of Jata Jhopri who presided over the meeting of February 2016 has passed away, the Mukhiya is still in office.
- In the absence of sub-Revenue Village level land records/maps, the Circle Officer relied on a field visit to assess whether the land identified for the WTP lay within the jurisdiction of Ranidih village or that of Giddhi Jhopri. This “local enquiry” (as the process is termed) led to the decision by the Circle Officer to seek the No Objection from Ranidih village and not Giddhi Jhopri.
- As the *gram sabha* for allowing a development project is convened at the request of the administration, the Bank team has requested the administration for a copy of the letter to the Mukhiya sent in this regard.
- The standard practice for convening a *gram sabha* is to post a notice in the GP office and to disseminate the information through traditional methods such as drum-beating. The district administration assumes the same procedures were followed in this case as well.

Government-owned Land:

- Types of *Ghair Mazurwa* Land
 - *Ghair Mazurwa Aam* Land – the Government does not issue an NOC as the community uses the land; development works can be initiated only if the *gram sabha* issues a resolution

- *Ghair Mazurwa Khas* Land – Government issues an NOC and then seeks a resolution from the *gram sabha*
- For government land, the *Khatiyan* (or document recording right over land) usually records any use being made of the land by the local community, e.g., for a grave-yard (*kabristan*) or sacred uses (*sarna*). No such community use of the land is mentioned on the *khatiyan* for the WTP land.

Annex 3: Consultations held at or near Giddih Jhopri

Consultation details: DPMU notes.

Consultation Detail				
SL.No	Agenda of Meeting	Persons attended the meeting	Date	Meeting Location
1	<p>Meeting at giddihjhopri</p> <ul style="list-style-type: none"> • About project overview information shearing • Called on demand of Giddihjhopri Villagers • About the area • Need of water etc. 	<ul style="list-style-type: none"> • Asst. Eng • Contractor • CCDS • Community of Giddihjhopri 	02/04/2016	<p>Near the house of [REDACTED]</p> <p>(after several message he did not participated in the meeting)</p>
2	<p>Meeting with Gindihjhopri and Ranidih Community</p> <ul style="list-style-type: none"> • Meeting called on demand of Gidihjhopri community in which and Ranidih Community also participated • Detail discussion about the project • About WTP acquired area • Regarding Toilet construction • Problems faced by the villagers in summer season • About the water availability. • About fear that out sider will acquire the land etc. 	<ul style="list-style-type: none"> • Asst. Eng • Contractor • CCDS • Community of Giddihjhopri and ranidih (Meeting was headed by MR. [REDACTED]) 	11/03/2016	In front of WTP proposed site
3	<p>Meeting with Mr. [REDACTED]</p> <ul style="list-style-type: none"> • How NOC given explained by Circle Officer and EE, Jamshedpur • Discussion about land they are using [REDACTED] • About the area to be used for WTP • Benefits of the project ect. 	<ul style="list-style-type: none"> • Circle officer • EE, DW&S Division Jamshedpur • AsstEng, • Contractor • CCDS, DPMU • Villagers 	20/02/2016	Meeting at proposed WTP Site
4	<p>Gram Sabha</p> <ul style="list-style-type: none"> • Discussed about the project over view • What to be constructed on the land • Community participation • Role of Community etc 	<ul style="list-style-type: none"> • Gram pradhan • Mukhiya • Asstt. Eng • CCDS • Contractor • Villagers. 	06/02/2016	In PanchyatMandap
5	<p>Consultation meeting in West Bagbera</p> <ul style="list-style-type: none"> • About CAPEX collection • Project Overview • Expected date of completion 	<ul style="list-style-type: none"> • Community of that colony • JalSahiya • CCDS 	19/05/2016	Community hall

	<ul style="list-style-type: none"> • Structure of the scheme (What to be constructed) • Wa • About Monthly charges 			
6	<p>Project Orientation during VWSC reformation</p> <ul style="list-style-type: none"> • Capex collection • Different aspects of NNP • Role of JalSahiya • Role of VWSC • Capacity Building process • Institutional strengthening etc. 	<ul style="list-style-type: none"> • Mukhiya • VWSC members • Villagers • Block Coordinator • CCDS, DPMU 	27/01/2016	PanchayatMandapKarandih
7	<p>Project Orientation during VWSC reformation</p> <ul style="list-style-type: none"> • Capex collection • Different aspects of NNP • Role of JalSahiya • Role of VWSC • Capacity Building process • Institutional strengthening etc. 	<ul style="list-style-type: none"> • Mukhiya • VWSC members • Villagers • Block Coordinator • CCDS, DPMU 	04/03/2016	PanchayatMandapPurbiGaghidih
8	<p>Bagbera MVWSC meeting (Monthly Basis)</p> <ul style="list-style-type: none"> • Issues based discussion of respective panchayat • Capex Collection • Pipe Line distribution etc. 	<ul style="list-style-type: none"> • President • Vice President • Treasurer • All Mukhiya • All JalSahiya of respective panchayat/VWSC • Asstt. Eng/ JE • CCDS • Contractor 	Every Month	In different panchayats of Bagbera.

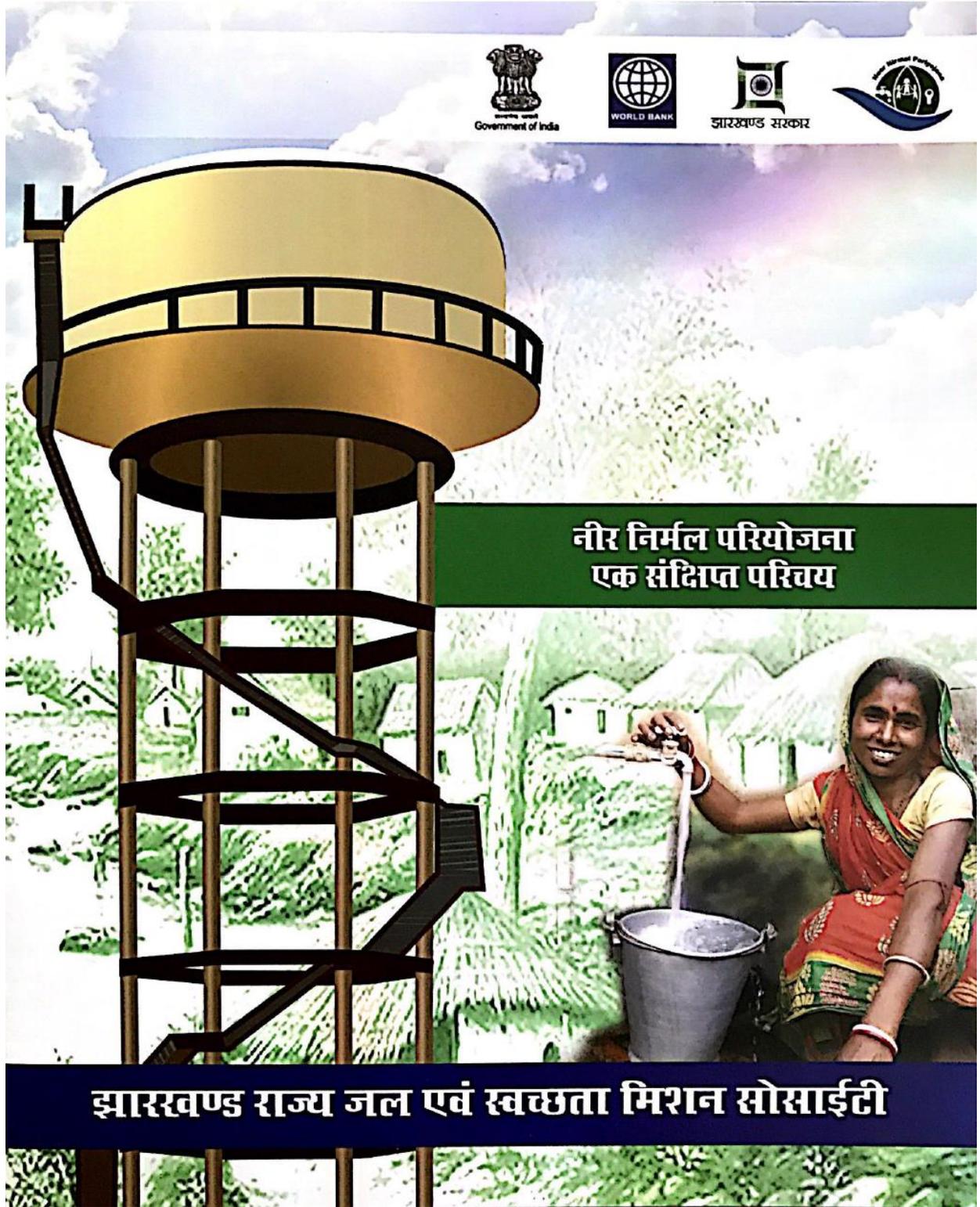
The annex as provided to the Inspection Panel and the Board contained pages with photographs from the following events:

- February 4th, 2016 Consultations Giddhi Jhompri
- February 6th, 2016 Gram Sabha
- February 9th, 2016: Groundbreaking event at the Site where the WTP is being built
- February 20th, 2016: Community meeting Ranidih and Giddih Jhopri habitations
- March 11, 2016: Site inspection / meeting with Giddhi Jhopri community on WTP site
- June 6, 2016: meeting called by the District Administration at Giddih Jhopri

The publicly available annex has been redacted to protect the privacy of the individuals shown in the photographs.

Communication leaflets (FAQs) and Brochures, often seen in pictures and videos

Brochure: 200 to 250 at State level



गौर निर्वाह परियोजना - एक संक्षिप्त परिचय

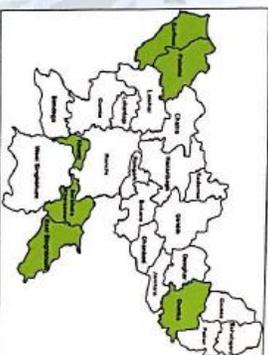
विश्व बैंक एवं भारत सरकार के वित्तीय एवं तकनीकी सहयोग से "ग्रामीण जलापूर्ति एवं स्वच्छता परियोजना" राष्ट्रीय ग्रामीण पेयजल कार्यक्रम एवं स्वच्छ भारत मिशन (ग्रामीण) के अंतर्गत संघालित तथा शारद्व्यव सरकार के पेयजल एवं स्वच्छता विभाग के अधीन क्रियान्वित है। यह परियोजना "गौर निर्वाह परियोजना" के नाम से जाना जाता है। परियोजना की कुल अवधि 6 वर्षों (अप्रैल 2014 से मार्च 2020) की है।

परियोजना के उद्देश्य

गौर निर्वाह परियोजना (ग्रामीण जलापूर्ति एवं स्वच्छता परियोजना) का उद्देश्य 'विकेन्द्रीकृत विवरण प्रणाली के माध्यम से वसूचित ग्रामीण समुदायों में पाईप द्वारा शुद्ध जलापूर्ति एवं स्वच्छता सेवाएं उपलब्ध कराना है।'

परियोजना के आच्छादन

- परियोजनांतर्गत जिला - 6 जिला (दुमका, पूर्वी सिंहभूम, खूंटी, सरायकेला - खरसवाई, गदवा, पलामू)।
- ग्राम पंचायत - 630
- वार्डियाँ - 3304 (Approx)
- जनसंख्या - लगभग 11 लाख
- अनुसूचित जनजाति - लगभग 4 लाख
- कुल जलापूर्ति योजना - 751 लघु एवं बृहद योजनाएँ।
- कुल लागत - 900 करोड़



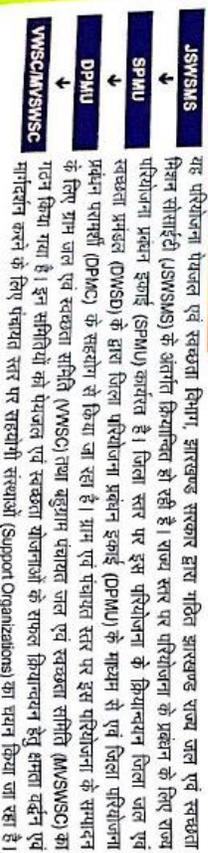
घटकवार परियोजना बालात

परियोजना के घटक	लागत रु. (करोड़ों में)	कुल प्रतिशत
समात चर्चन एवं संस्थागत विकास	99	11%
जंघायल विकास	750	83%
परियोजना प्रबंधन	51	6%
कुल योग	900	100%

परियोजना का सिखार

- गौर निर्वाह परियोजना के उद्देश्यों की प्राप्ति के लिए निम्नलिखित सिद्धांतों को मुख्य आधार बनाया गया है।
- जलापूर्ति एवं स्वच्छता हेतु समेकित अवधारणा
 - परियोजना लागत तथा संघालन व रखरखाव में सामुदायिक अंशदान
 - विकेन्द्रीकरण माध्यम से योजनाओं का क्रियान्वयन
 - संघालन एवं जवाबदेही का विकेन्द्रीकरण
 - मौल आधारित आयुर्ति
 - विश्व बैंक सहायतित अन्य पेयजल एवं स्वच्छता परियोजना क्रियान्वयित राज्यों के साथ दिवनिग
 - सिलेवर अवधारणा

परियोजना क्रियान्वयन की संरचना



परियोजना अंतर्गत जलापूर्ति योजनाओं का प्रकार:

छ: वर्ग के परियोजना अंशों में शारद्व्यव एवं कुल 751 लघु एवं बृहद - नई एवं जीर्णोद्धार जलापूर्ति योजनाओं का क्रियान्वयन किया जाना है।

निम्नलिखित प्रकार की योजनाएँ

- एकल बसावट/टोला योजना- गाँव के किसी वसूचित बसावट/टोला में पाईप लाईन द्वारा घर-घर पेयजल आपूर्ति हेतु योजना।
- एकल ग्राम पंचायत योजना- किसी पंचायत के वसूचित एक से ज्यादा बसावट/टोला, गाँव में पाईप लाईन द्वारा घर-घर पेयजल आपूर्ति हेतु योजना।
- लघु बहुग्रामीण योजना- 2 से 3 पंचायत के किसी वसूचित बसावट/टोला, गाँव में पाईप लाईन द्वारा घर-घर पेयजल आपूर्ति हेतु योजना।
- बृहद बहुग्रामीण योजना- 3 पंचायत से अधिक किसी वसूचित बसावट/टोला, गाँव में पाईप लाईन द्वारा घर-घर पेयजल आपूर्ति हेतु योजना।

जिलावार परियोजना अंशों में कुल जलापूर्ति योजनाओं का वितरण

जलापूर्ति योजनाओं के प्रकार	खूंटी गदवा पूर्वी सिंहभूम पलामू सरायकेला दुमका कुल						
	क. नई योजनाएँ	क. नई योजनाएँ	क. नई योजनाएँ	क. नई योजनाएँ	क. नई योजनाएँ		
एकल बसावट योजना / एकल ग्राम पंचायत योजना	80	219	127	0	90	141	657
लघु एवं बृहद बहुग्रामीण योजना	19	3	3	2	12	28	67
ख. पुरानी जलापूर्ति योजनाओं का जीर्णोद्धार							
एकल बसावट योजना / एकल ग्राम पंचायत योजना	4	2	2	0	2	12	22
लघु एवं बृहद बहुग्रामीण योजना	0	2	1	0	2	0	5
कुल	103	226	133	02	106	181	751

जिलावार बैंक - 1 जलापूर्ति योजनाओं का वितरण

जलापूर्ति योजनाओं के प्रकार	खूंटी गदवा पूर्वी सिंहभूम पलामू सरायकेला दुमका कुल						
	क. नई योजनाएँ	क. नई योजनाएँ	क. नई योजनाएँ	क. नई योजनाएँ	क. नई योजनाएँ	क. नई योजनाएँ	क. नई योजनाएँ
एकल बसावट योजना / एकल ग्राम पंचायत योजना	41	87	64	0	38	96	326
लघु एवं बृहद बहुग्रामीण योजना	2	1	2	1	2	1	9
कुल	43	88	66	1	40	97	335

परियोजना अंतर्गत स्वच्छता संबंधी कार्य

- परियोजना अंतर्गत निम्नलिखित स्वच्छता संबंधी कार्य की जाएगी।
- यारिगात शौचालय का निर्माण।
 - संस्थागत एवं सामुदायिक शौचालय का निर्माण।
 - टोस एवं ताल कचरा का प्रबंधन।
 - समुदाय में जागरूकता लाने हेतु विभिन्न स्तरों पर प्रचार-प्रसार करना (IEC) एवं लोगों में व्यावहारिक परिवर्तन उत्पन्न करना।

आदिवासी विकास क्रियान्वयन योजना

विश्व बैंक की सामाजिक सुरक्षा नीति के अलावा गौर निर्वाह परियोजना अंतर्गत आदिवासी विकास क्रियान्वयन योजना प्रारूप तैयार किया गया है। इस योजना के तहत अनुसूचित जनजातियों एवं आदिम जनजातियों को शामिल करके और उनकी सांस्कृतिक धरोहरों को सुरक्षा करते हुए ऐसे समुदायों एवं उनके परंपरागत संस्कारों को सुरक्षा के समानोशी, समान एवं सारत जलापूर्ति और स्वच्छता सुविधा उपलब्ध कराना है।

WMSC के द्वारा सहयोगी संस्था के सहयोग से रखी जायेगी।

प्रश्न 21. जलापूर्ति योजनाओं के निर्माण कार्य की अवधि कितनी है?

उत्तर - एकल बनावट/एकल ग्राम पंचायत योजना की निर्माण अवधि 6-12 माह है, जबकी लघु बहु ग्राम योजना की निर्माण अवधि 18-24 माह तथा बृहद् बहु ग्राम योजना की निर्माण अवधि 24-36 माह है।

प्रश्न 22. योजना का निर्माण कौन करेगा?

उत्तर - योजना का निर्माण WMSC द्वारा चयनित संवेदक के द्वारा की जायेगी।

प्रश्न 23. इस योजना में एक व्यक्ति को प्रतिदिन कितना पानी मिलेगा?

उत्तर - इस योजना के अन्तर्गत एक व्यक्ति को प्रतिदिन 70 लीटर पानी मिलेगा।

प्रश्न 24. योजना के लिए धारा कहाँ से प्राप्त होगी ?

उत्तर - योजना के लिए धारा आवश्यकतानुसार जिला के पंचायत एवं स्वच्छता प्रमंडल के जिला परियोजना प्रबंधन ईकाई (DPMU) से प्राप्त होगी।

प्रश्न 25. जलापूर्ति का समय/प्रतिदिन कितने घण्टे के लिए है?

उत्तर - यह योजना स्तर पर प्राप्त जल एवं स्वच्छता समिति (WMSC) द्वारा ग्रामीणों द्वारा तय होगी।

प्रश्न 26. इस परियोजना में जल जाँच करने की क्या प्रक्रिया है?

उत्तर - इस परियोजना के तहत जल जाँच FTK तथा बिना एवं राज्य स्तरीय प्रयोगशाला द्वारा की जायेगी।

प्रश्न 27. अपने जलस्रोत की जाँच कैसे कर सकते हैं?

उत्तर - अपने जलस्रोत की प्रारंभिक जाँच संबंधित ग्राम पंचायत की जल सहाय, जिन्हें विभागा द्वारा FTK दिया गया है, उनसे करावा सकते हैं।

प्रश्न 28. योजना के पूर्ण हो जाने पर, कौन योजना का संचालन करेगा?

उत्तर - योजना के पूर्ण हो जाने पर ग्राम जल एवं स्वच्छता समिति (WMSC) योजना का संचालन करेगी।

प्रश्न 29. योजना क्षतिग्रस्त पाये जाने पर कौन इसकी मरम्मत करवायेगा?

उत्तर - योजना के निर्माण के उपरान्त पहले वर्ष में संवेदक द्वारा मरम्मत की जिम्मेवारी सी जाएगी और इसके

उपरांत ग्राम जल एवं स्वच्छता समिति (WMSC) योजना का रख-रखाव करेगी।

प्रश्न 30. एकल/बहुग्राम योजना के अन्तर्गत पंप ऑपरेटर का चयन कौन करेगा?

उत्तर - पंप ऑपरेटर सहित अन्य सभी कर्मियों का चयन WMSC के द्वारा होगा। पंप गृह/जलमीनार एवं अन्य अवयव जिस किसी के निजी जमीन पर बना हो, उस निजी जमीन के मू-स्वामी के परिवार के किसी एक अधिकृत व्यक्ति को ऑपरेटर के रूप में चयन किया जाएगा।

प्रश्न 31. ऑपरेटर को भुगतान कौन करेगा ?

उत्तर - ऑपरेटर एवं अन्य कर्मियों का भुगतान WMSC बसूला क्रिये पाये जल के मासिक शुल्क से करेगा।

प्रश्न 32. विद्युत का निवेश किस के नाम पर होगा ?

उत्तर - विद्युत का निवेशन WMSC के नाम पर होगा।

प्रश्न 33. विद्युत निवेशन के लिए का भुगतान कौन करेगा?

उत्तर - विद्युत निवेशन के लिए का भुगतान WMSC करेगा।

प्रश्न 34. एका से अधिक ग्राम पंचायतों को आच्छादित करने वाली योजना किस समिति द्वारा संचालित होगी ?

उत्तर - ऐसी योजना बहु ग्राम जल एवं स्वच्छता समिति के द्वारा संचालित होगी।

प्रश्न 35. बहु ग्राम एवं स्वच्छता समिति के मुख्य पदाधिकारी कौन होते हैं ?

उत्तर - सबसे अधिक आच्छादित (जल संचयन) ग्राम पंचायत के मुखिया अध्यक्ष, दूसरे अधिक आच्छादित ग्राम पंचायत के मुखिया/उपमुखिया समिति के सचिव, अध्यक्ष द्वारा मनोनीत जल सहाय समिति की संयोजक सह-कोषाध्यक्ष होती है।

प्रश्न 36. बहु ग्राम जल एवं स्वच्छता समिति के बैंक खाता का परिचालन कितने द्वारा किया जाता है ?

उत्तर - इस बैंक खाते का संचालन समिति के अध्यक्ष, सचिव या कोषाध्यक्ष में से किसी दो के हस्ताक्षर से होता है।

प्रश्न 37. क्या इस परियोजना अन्तर्गत पंचजल एवं स्वच्छता सम्बन्धित कोई सर्वेक्षण होगा ?

उत्तर - हाँ, इस परियोजना अन्तर्गत पंच-पर सर्वेक्षण सहित गाँव एवं पंचायत स्तर पर सर्वेक्षण होगा।



प्रश्नोत्तरी




झारखण्ड राज्य जल एवं स्वच्छता मिशन सोसाईटी

नीर निर्माण परियोजना
(ग्रामीण जलापूर्ति एवं स्वच्छता परियोजना)

राज्य परियोजना प्रबंधन ईकाई
पंचायत एवं स्वच्छता विभाग
झारखण्ड सरकार, राँची
चौथा तल्ला, सिटीडेल टावर,
मैन रोड, राँची - 834 001 (झारखण्ड)
दूरभाष : 0651-2330334

- प्रश्न 1. ग्रामीण जलापूर्ति एवं स्वच्छता परियोजना क्या है ?
- उत्तर - यह परियोजना विश्व बैंक एवं भारत सरकार के वित्तीय एवं तकनीकी सहयोग से 'राष्ट्रीय ग्रामीण पेयजल कार्यक्रम' एवं 'स्वच्छ भारत मिशन' के अंतर्गत संचालित तथा श्रावण्ड सरकार पेयजल एवं स्वच्छता विभाग के द्वारा क्रियान्वित की जा रही है। इस परियोजना को 'नगर निर्मल परियोजना' के नाम से भी जाना जाता है।
- प्रश्न 2. यह परियोजना श्रावण्ड के किन जिलों में क्रियान्वित होगी ?
- उत्तर - यह परियोजना श्रावण्ड के दुमका, पूर्वी सिंहपूर, डूँडी, सरयकेला-खरसला, गढ़वा एवं पलामू जिलों में क्रियान्वित होगी।
- प्रश्न 3. इस परियोजना में कुल कितनी जलापूर्ति योजनाएँ हैं ?
- उत्तर - इस परियोजना में 751 लघु एवं बृहद् जलापूर्ति योजनाएँ हैं।
- प्रश्न 4. इस परियोजना अन्तर्गत स्वच्छता सम्बंधित कौन-कौन से कार्य होंगे ?
- उत्तर - यह परियोजना पेयजल एवं स्वच्छता के समेकित अंधाधारा पर केन्द्रित है। इस परियोजना के तहत घर-घर शौचालय निर्माण, संस्थान शौचालय निर्माण तथा टोस कचड़ा प्रबंधन का कार्य स्वच्छ भारत मिशन- ग्रामीण (SBMG) के सहयोग से होगा।
- प्रश्न 5. क्या यह स्वच्छता कार्य सिर्फ जिन टोलों/ गाँवों में पेयजलापूर्ति योजना है, वहीं क्रियान्वित होगी ?
- उत्तर - नहीं, भले पेयजलापूर्ति परियोजना सिर्फ एक टोल/गाँव के लिए हो, पर स्वच्छता का कार्य पूरे ग्राम पंचायत में क्रियान्वित होगी।
- प्रश्न 6. इस परियोजना अन्तर्गत आदिवासी विकास योजना क्या है ?
- उत्तर - इस परियोजना अन्तर्गत आदिवासी विकास हेतु एक विशेष प्रारूप तैयार किया गया है जिसके तहत आदिवासी एवं ज्यारिम जनजातियों को सहभागिता सुनिश्चित करती जाएगी। उनकी पहचान, गरिमा एवं संस्कृति व धार्मिक धरोहरों को सुरक्षित रखते हुए उनके परम्परागत संस्थाओं को सशक्त करते हुए सतत् जलापूर्ति एवं स्वच्छता सुविधा उपलब्ध

- करायी जाएगी।
- प्रश्न 7. परियोजना अन्तर्गत कितने आदिवासी एवं आदिम जाति के लोग लाभान्वित होंगे ?
- उत्तर - इस परियोजना से आदिवासी एवं आदिम जाति समुदाय के लगभग 4 लाख लोग लाभान्वित होंगे।
- प्रश्न 8. ग्राम स्तर पर इस परियोजना का क्रियान्वयन किनके द्वारा किया जाएगा ?
- उत्तर - ग्राम स्तर पर गठित ग्राम जल एवं स्वच्छता समिति के द्वारा इस परियोजना का क्रियान्वयन किया जाएगा।
- प्रश्न 9. ग्राम जल एवं स्वच्छता समिति में कितने सदस्य होंगे ?
- उत्तर - ग्राम जल एवं स्वच्छता समिति में 9 से 12 सदस्य होंगे।
- प्रश्न 10. ग्राम जल एवं स्वच्छता समिति की कोषाध्यक्ष कौन होंगी ?
- उत्तर - जल सहायि ग्राम जल एवं स्वच्छता समिति की कोषाध्यक्ष होंगी।
- प्रश्न 11. जल सहायि की कितने वेतन का प्रावधान है ?
- उत्तर - जल सहायि को वेतन का प्रावधान नहीं है परन्तु शौचालय निर्माण, शौचालय इस्तेमाल और रख-रखाव याशि की बसूली इत्यादि पर प्रोत्साहन याशि देने का प्रावधान है।
- प्रश्न 12. ग्राम स्तर पर इस परियोजना के अंतर्गत जलापूर्ति हेतु लाभान्वित परिवारों का घर-घर पाईप के कनेक्शन लेने के लिए कितनी याशि एकमुश्त जमा करती होगी ?
- उत्तर - ग्राम स्तर पर इस परियोजना के अंतर्गत जलापूर्ति हेतु लाभान्वित परिवारों को घर-घर पाईप के कनेक्शन लेने के लिए किसी भी तरह की याशि नहीं देय होगी, परन्तु सामुदायिक अंशदान स्वरूप प्रति घर कुल 450 रु (साधारण जाति एवं जनजाति के लिए) एकमुश्त जमा करना होगा।
- प्रश्न 13. इस परियोजना अन्तर्गत सामुदायिक अंशदान की याशि किसके पास जमा करनी है ?
- उत्तर - इस परियोजना अन्तर्गत सामुदायिक अंशदान की याशि ग्राम जल एवं स्वच्छता समिति की कोषाध्यक्ष जल सहायि के पास जमा करनी है जो इस याशि को ग्राम जल एवं स्वच्छता समिति के बैंक खाता में

- जमा करेगी।
- प्रश्न 14. बैंक खाता किसके नाम से खोला जाएगा ?
- उत्तर - बैंक खाता ग्राम जल एवं स्वच्छता समिति (ग्रामीण जलापूर्ति एवं स्वच्छता परियोजना) (गाँव का नाम) पर खोला जाएगा।
- प्रश्न 15. बैंक खाता में कौन-कौन प्रदर्शित होंगे ?
- उत्तर - बैंक खाता में मुखिया, अध्यक्ष, उप मुखिया/बाई सदस्य, उपाध्यक्ष और जलसहायि कोषाध्यक्ष होंगे, जमा एवं निकाली किर्चों दो प्रधारितों के हस्ताक्षर से होगी।
- प्रश्न 16. सामुदायिक अंशदान को छोड़कर सामुदायिकों को और किस प्रकार की याशि देय होगी ?
- उत्तर - सामुदायिक अंशदान को छोड़कर सामुदायिकों को प्रति घर प्रतिमाह रु. 50-70 के बीच में (ग्रामीणों के द्वारा तय की गयी) याशि देय होगी जो ग्राम जल एवं स्वच्छता समिति के बैंक खाते में जमा होगी। यह याशि योजना के संचालन एवं रख-रखाव में खर्च होगी।
- प्रश्न 17. जलापूर्ति से संबंधित शिकायतों का निवारण कैसे किया जाएगा ?
- उत्तर - जलापूर्ति से संबंधित शिकायतों को जल सहायि के द्वारा VMSC से प्रमाणित शिकायत पत्रों में अर्जित किया जाएगा और अधिकतम तीन कार्य दिवसों के अंदर VMSC के द्वारा उम्मीद निवारणों में निवारण किया जाएगा।
- प्रश्न 18. पाईप जलापूर्ति योजनाओं के लिए जल का निवारण कौन करेगा ?
- उत्तर - पाईप जलापूर्ति योजनाओं के लिए जल का निवारण संबंधित VMSC के द्वारा पेयजल एवं स्वच्छता विभाग तथा सहायि संचयन के विभाग से किया जाएगा।
- प्रश्न 19. पाईप जलापूर्ति योजनाओं के लिए जल का निवारण कौन करेगा ?
- उत्तर - पाईप जलापूर्ति योजनाओं के लिए जल का निवारण सामुदायिकों का कर संबंधित VMSC के द्वारा किया जाएगा।
- प्रश्न 20. क्रय की गई सामुदायिक जलापूर्ति योजनाओं के लिए जल का निवारण कौन करेगा ?
- उत्तर - क्रय की गई सामुदायिक जलापूर्ति योजनाओं के लिए जल का निवारण सामुदायिकों का कर संबंधित VMSC के द्वारा किया जाएगा।

Baghbera Scheme – Details of MVWSC meetings

Key points:

1. After an initial meeting in April 2017, MVWSC was constituted in Bagbera scheme in August 2017.
2. Since then there have regular monthly meetings.
3. In total 19 meetings since MVWSC creation in August 2017.
4. Topics discussed were essentially technical in nature, including:
 - Laying of pipelines,
 - restoration of roads/drains,
 - resolution of grievances relating to aspects of delay in pipelines,
 - road restoration works,
 - ensuring safety of workers at construction site;
 - application to Member of Parliament to request Railways to provide NOC for laying pipelines for household living on railway land.
5. Meetings mostly included Mukhiyas, Jal-Shahiyas (Government community motivators at GP level)
6. Representatives from DPMU participated in 10 of the 19 meetings
7. Representatives from Contractor participated in 9 of the 19 meetings
8. None of these minutes mention any issues of Contractor facing any kind of difficulty or opposition to the scheme.

Mentions of Giddhi Jhopri referred to

- **Power supply connection to be requested for Intake Well and WTP situated at Giddhi Jhopri and**
- **Absence or delays of pipe laying in two other locations in Giddhi Jhopri.**

Details of MVWSC meetings		
Date & Location	Participants	Topics, Issues discussed, agreements
17/4/2018 (North Ghaghidih)	Total – 6 Mukhiyas – 3 Jal Shahiya – 3	<ul style="list-style-type: none"> • In areas, where pipelines, drains have been already laid to be done restoration of roads to be done asap • Laying of pipelines to be urgently done in Colonies, Habitations where it is not laid yet (e.g. Royal, Adarsh, Pradhan)
26/08/2017 (Conference Hall DPMU, East Singhbhum)	Total 26 Mukhiyas – 19 Jal Shahiya – 1 DPMU – 1 Assistant Engineer	<ul style="list-style-type: none"> • Formation of MVWSC by consensus • Making holding of MVWSC meetings is mandatory on 15th of every month at 11 am
15/09/2017 (Madhya Ghaghidih)	Total – 12 Mukhiyas – 7 Jal Shahiya – 5	<ul style="list-style-type: none"> • About laying of pipelines, completion of laying of pipelines in many panchayats • About laying of pipelines in Madhya Ghaghidih • Providing MVWSC with a map of the scheme • Providing numbers of contractors to ensure carrying out of works wherever taking place
13/10/2017 (Madhya Ghaghidih)	Total 15 Mukhya – 8 Jal Shahiya – 4 DPMU – 1 Contractor -1	<ul style="list-style-type: none"> • About accelerating the laying of pipelines in many panchayats • Repair of roads broken while laying of pipelines

Details of MVWSC meetings		
Date & Location	Participants	Topics, Issues discussed, agreements
17/11/2017 (Madhya Ghaghidih)	Total – 15 Mukhya – 5 Jal Shahiya - 9 DPMU AE – 1	<ul style="list-style-type: none"> Complaint will be made to Higher officials against those officials senior officials of the MVWSC who will not attend the next meeting MVWSC members of all those GPs where works are going on /not going on should be present in the next meeting. Also VWSC workers should be present List those areas where pipelines have not yet been laid Road repair works should be undertaken
22/11/2017 (West Bagbera)	Total 13 President (Bagbera colony -1 Mukhya – 5 Jal Shahiya – 3 DPMU – 2 Contractor -1	<ul style="list-style-type: none"> Contractor will provide detailed maps of the 5 Elevated Storage Reservoir (ESRs) to the MVWSC Contractor promised to visit those panchayats along with Mukhiya wherever there are issues of pipelines to resolve Issues raised in the VWSC meeting should be brought up to the MVWSC meetings World Bank Team had visited to the WTP and informed that all members of the MVWSC should be taken to Maharashtra for exposure visit to similar schemes Regarding laying of pipelines for households in Railway land, a letter will be sent to the Member of Parliament and Executive Engineer
14/12/2017 (North Kitadih)	Total -19 Mukhyas – 8 Jal Shahiya – 8 Contractor – 2 Pradhan - 1	<ul style="list-style-type: none"> All issues discussed right from the first meeting Some issues of Panchayats got resolved Regarding laying of pipelines for households in Railway land, special meeting will held on 20th Contractor informed that in those panchayats where water testing had been completed, roads works are being undertaken Contractor provided maps for all five zones Areas which were not in the maps were surveyed with the Contractor
20/01/2018 (East Ghaghidih)	Total - 20 Mukhyas – 9 Jal Shahiya – 9 DPMU – 1 Contractor – 1	<ul style="list-style-type: none"> Technical Specialist of DPMU will provide information on the scheme Present details of areas where pipelines are not laid – these should be endorsed by VWSC to MVWSC Mention was made of the demonstration held in Railway office regarding measurement of the land for those living on railway land; though called twice Executive Engineer was called but he did not come
17/02/2018 (Bagbera Colony Panchayat Bhawan)	Total - 16 DPMU -1 Jal Shahiya – 6 Mukhya – 9	<ul style="list-style-type: none"> Water table was going as summers were approaching; hence repair of drains be taken earliest For holding meetings of MVWSC there needs to be a building; hence request is made to Circle office, MWWSC to provide land

Details of MVWSC meetings		
Date & Location	Participants	Topics, Issues discussed, agreements
01/03/2018 (South Bagbhera)	Total – 18 DPMU – 1 Jal Shahiya – 8 Mukhya – 9	<ul style="list-style-type: none"> • Power supply connection to be requested for Intake Well and WTP situated at Giddhi Jhopri • List of Panchayats where pipelines are yet to be laid was presented • Constraints/Difficulties faced by Panchayats to be endorsed by VWSC to be forwarded to MVWSC
24/03/2018 (North Ghaghidih)	Total – 14 Mukhya – 9 Jal Shahiya - 5	<ul style="list-style-type: none"> • About pipelines that are yet to be laid including in areas of Madhya Ghaghidih GP
17/04/2018 (West Ghaghidih)	Total -6 Mukhya – 3 Jal Shahiya – 3	<ul style="list-style-type: none"> • Restoration of roads and drains where broken needs to be taken at the earliest
23/05/2018 (North Ghaghidih)	Total – 14 Mukhyas & Jal Shahiya - 10 DPMU – 2 Contractor - 2	<ul style="list-style-type: none"> • About laying of pipelines • About resolving issues such as areas not coming in surveys carried out
20/06/2018 (West Kitadih)	Total -8 Mukhya – 3 Jal Shahiya – 3 Contractor – 2	<ul style="list-style-type: none"> • Contractor saw areas where pipelines had not been laid in different zones • Engineer will go to each Panchayat to see problems relating to pipelines and will resolve them • Areas not covered in the maps will be noted • MVWSC members asked Contractor to ensure safety of labor while undertaking construction works
11/07/2018 (North Ghaghidih)	Total -14 Mukhya – 6 Jal Shahiya – 6 Contractor – 2	<ul style="list-style-type: none"> • Communities expressed happiness on receiving NOC from Railways • Contractor confirmed that work to lay 23 km of pipelines will commence at the earliest in this railway area; • Jal Shahiyas were asked to intensify work of CAPEX collection
21/08/2018 (North Ghaghidih)	Total -20 Mukhya – 9 Jal Shahiya – 9 Contractor - 2	Communities wanted to go to the WTP site to see the construction progress Information to be provided regarding the pipeline laying on railway land
26/09/2018 (North Ghaghidih)	Total -13 Mukhya – 9 Jal Shahiya – 9 Contractor – 3	Jal Shahiyas presented list of house connections Discussions on CAPEX collection
13/10/2018 (Bagbhera colony)	Total – 9 Mukhya – 9 Jal Shahiya – 1	Quorum not complete; hence meeting postponed

Details of MVWSC meetings		
Date & Location	Participants	Topics, Issues discussed, agreements
24/10/2018 (West Ghaghidih)	Total – 9 Jal Shahiya – 2 Mukhya - 5 DPMU - 2	About laying of pipelines in areas in South and West Ghaghidih in areas that are not on map Some habitations in West Ghaghidih are not in the map
27/10/2018 (Madhya Ghaghidih)	Total -35 Mukhya – 11 Jal Shahiya -6 Community organizers - 11 DPMU -6 Circle officer - 1	About hydro testing About submitting list of balance areas where pipelines are to be laid Discussions on CAPEX amount of Rs. 450/- and Rs. 225/- About laying of pipelines Laying of pipelines in Naya (New) Basti in Giddhi Jhopri and other balance pipelines in the area

Chronological imagery of the WTP site









Image © 2018 DigitalGlobe



Image © 2018 DigitalGlobe

Google earth





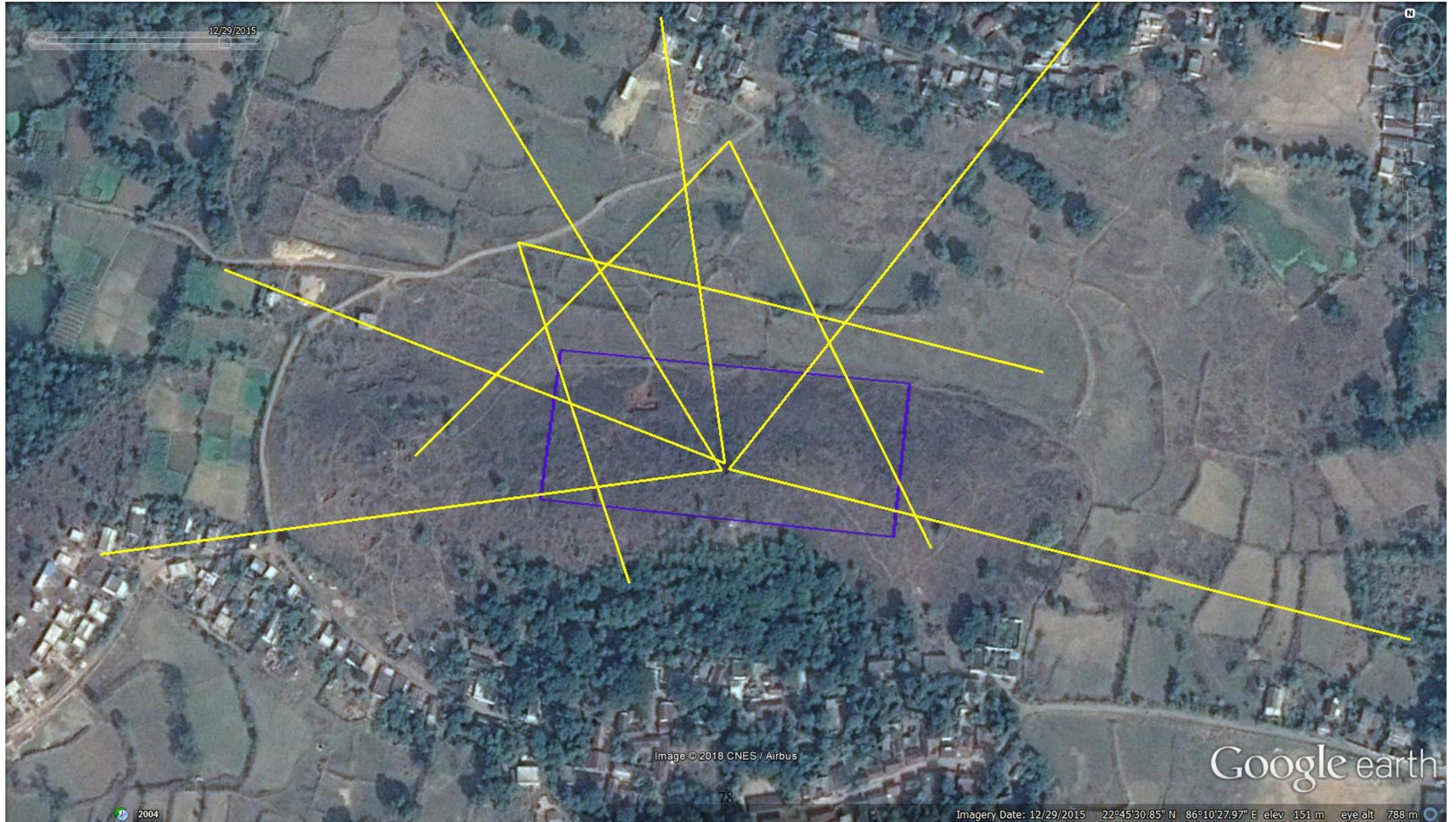
Image © 2018 DigitalGlobe



Image © 2018 DigitalGlobe

Google earth

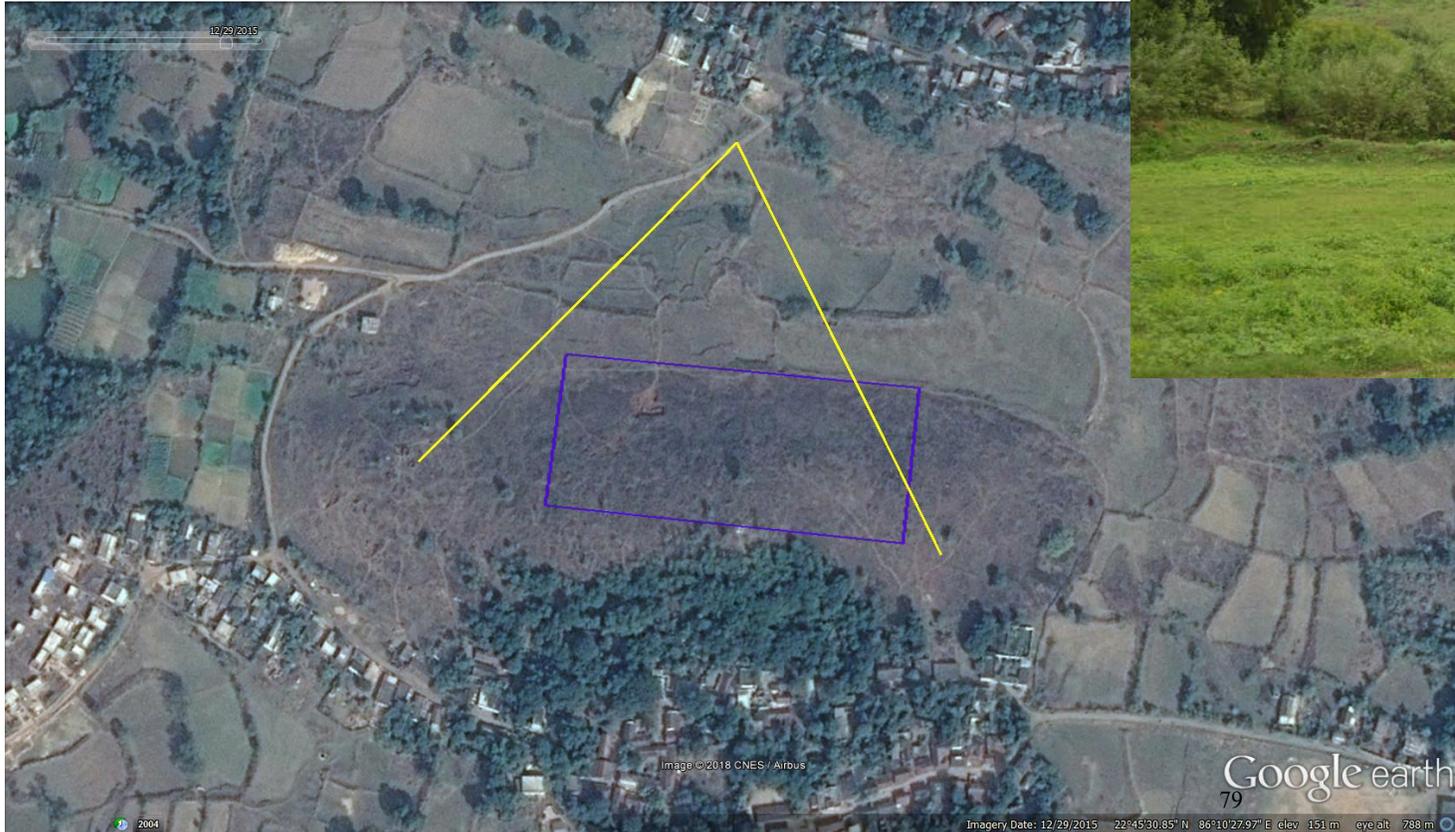
July 6th 2015 field visit photos and their December 29th 2015 situation on the map



India

Picture taken by WTP contractor on July 6, 2015

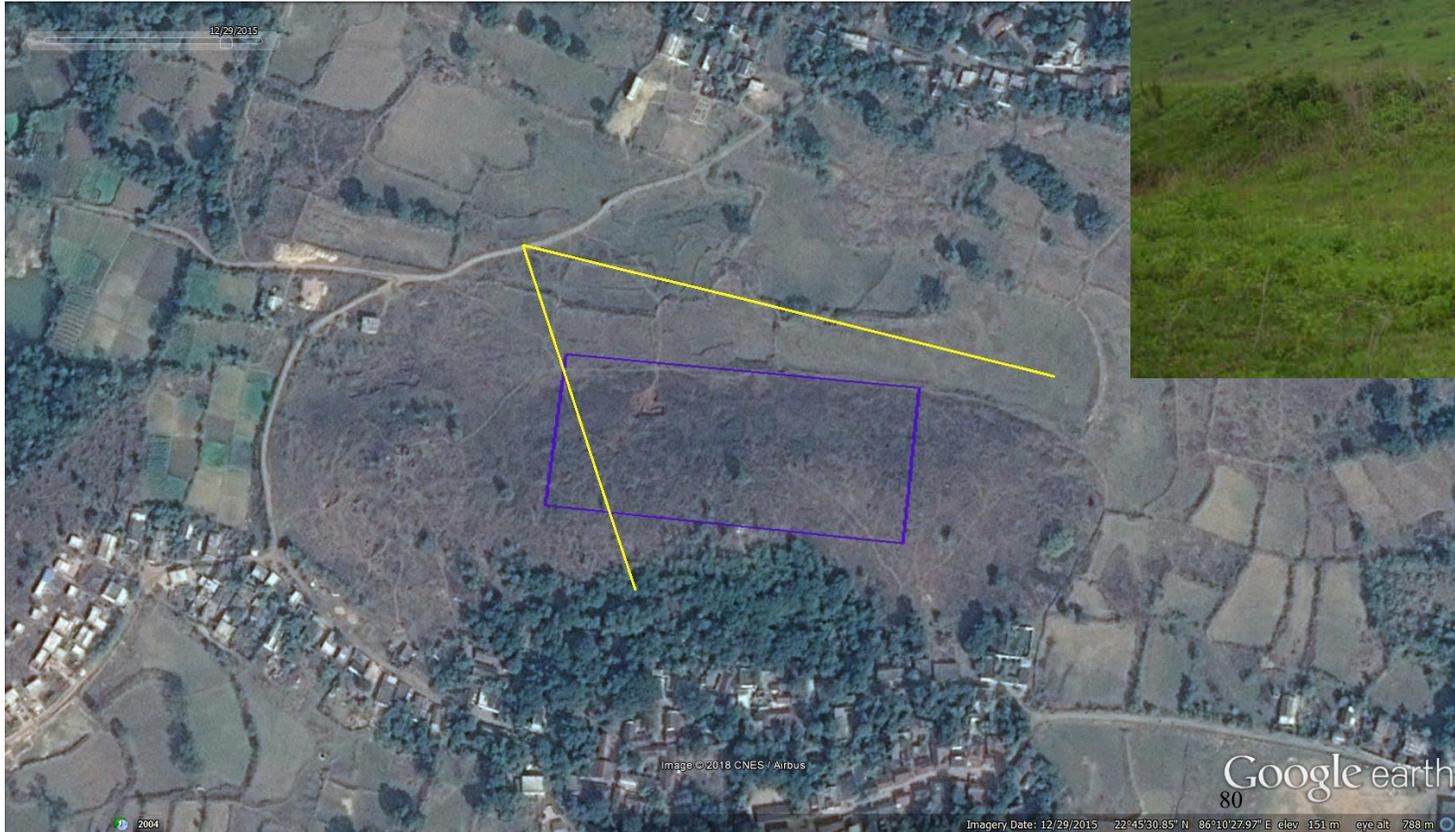
RWSSP-LIS



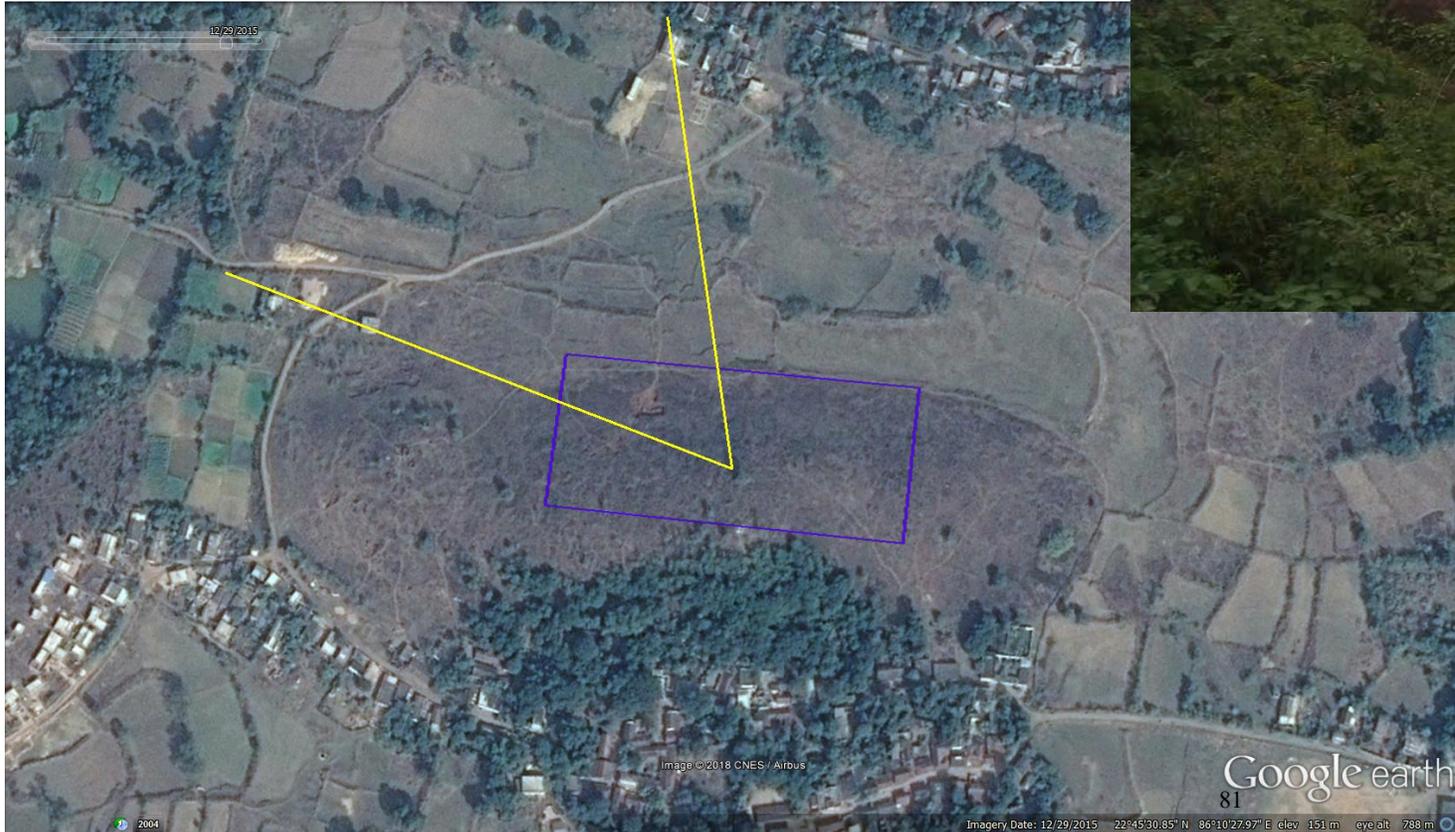
India

Picture taken by WTP contractor on July 6, 2015

RWSSP-LIS



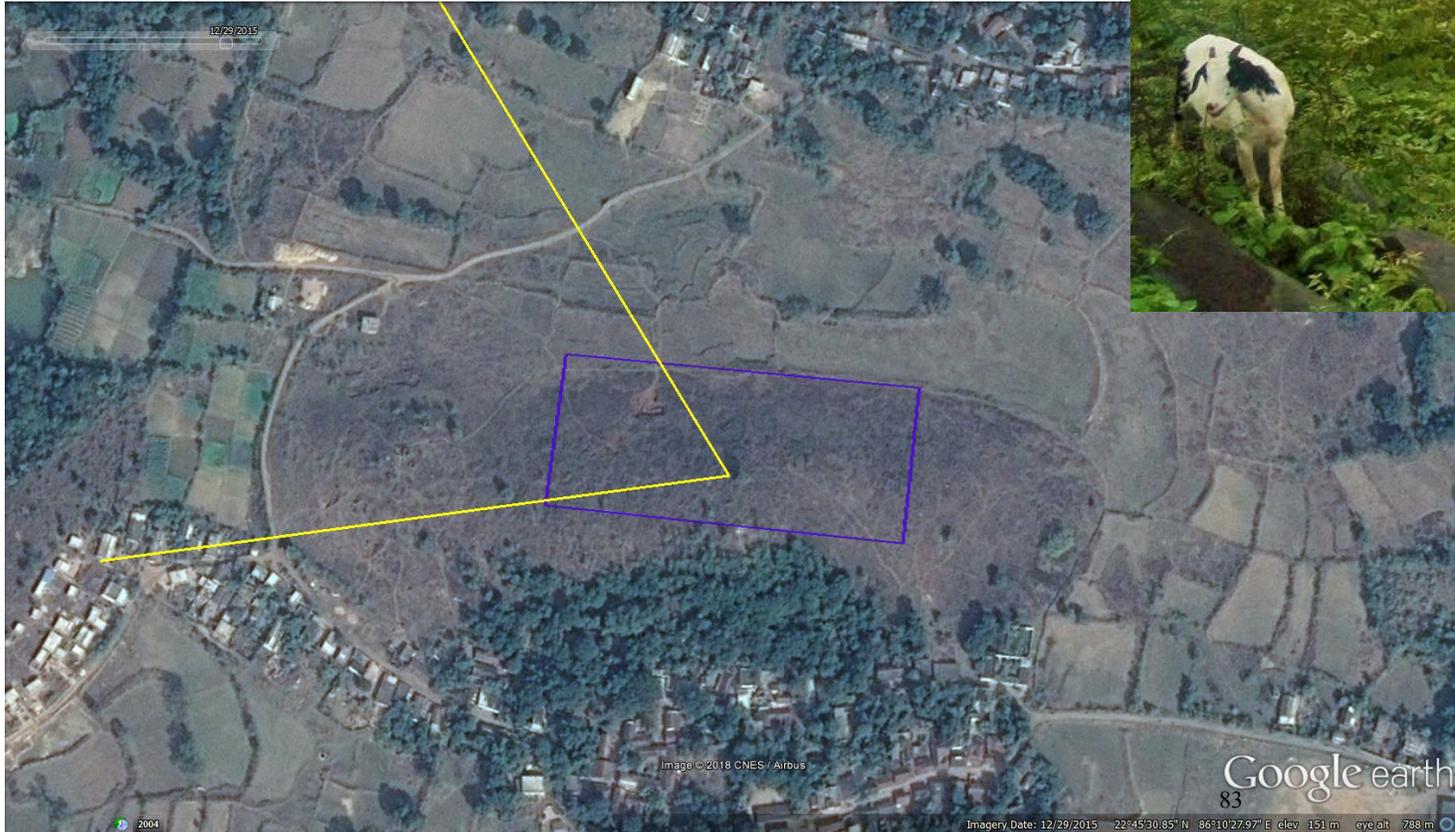
Picture taken by WTP contractor on July 6, 2015



Picture taken by WTP contractor on July 6, 2015



Picture taken by WTP contractor on July 6, 2015



Tribal Artefacts

Burial Site (team)

India



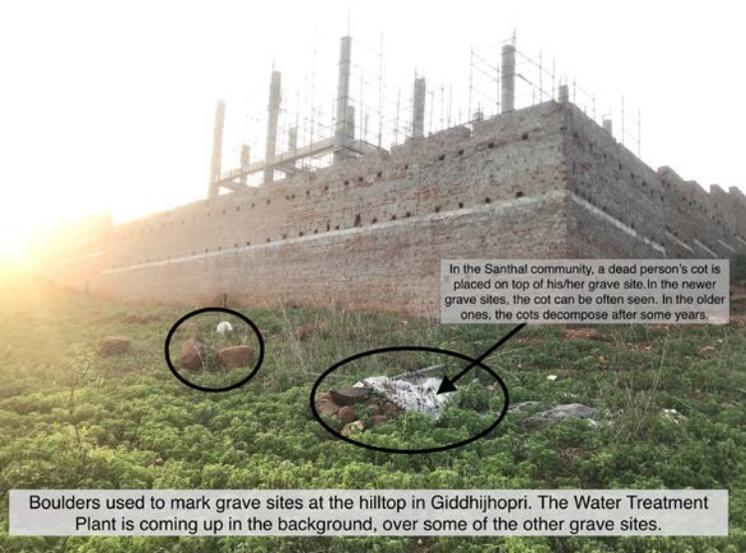
Shrines



Sacred grove (team)



Pictures attached to complaint received

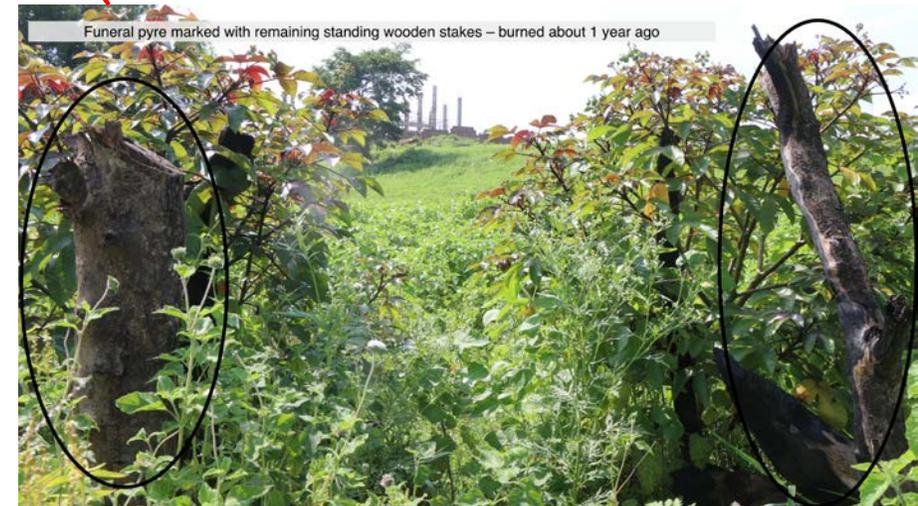


In the Santal community, a dead person's cot is placed on top of his/her grave site. In the newer grave sites, the cot can be often seen. In the older ones, the cots decompose after some years.

Boulders used to mark grave sites at the hilltop in Giddihjhopri. The Water Treatment Plant is coming up in the background, over some of the other grave sites.



Tomb of Fagu Soren. The under-construction Water Treatment Plant can be seen in the background.



Funeral pyre marked with remaining standing wooden stakes – burned about 1 year ago

Annex 4. Project Timeline

Relevant Dates	Status
Project Prep 2012 – 9 June 2015	
7-Nov-12	Project Information Document/ Integrated Safeguards Data Sheet (PID/ISDS) PCN stage- Final Version disclosed
Jan/Feb/Mar/ 2013	SMF and TDP circulated at all levels and a summary explained in regional and local languages during the following consultations: 7 state level events during Jan-Feb 2013; 5 district level events in Jan-Feb 2013; 4 block level events in February 2013. 62 Village/GP level events in Jan-Mar 2013
24-Jul-13	PID/ISDS Appraisal stage- Final Version disclosed
3-Apr-13	State-specific Environmental Assessments for Assam, Bihar, Jharkhand and UP
5-Apr-13	Project SMF - Final Version Disclosed
5-Apr-13	Jharkhand TDP - Draft Final Version Disclosed
5-Apr-13	State-specific Social Assessment for Bihar, Jharkhand, UP disclosed
17-30 Apr 2013	Appraisal Mission
18-19 Nov 2013	Negotiations
30-Dec-13	Board Approval
SUPERVISION	
8-Feb-14	Signing
8-May-14	Effectiveness
2-25 June 2014	First Implementation Support Mission and Project Launch Mission
27 Oct - 25 Nov 2014	Second Implementation Support Mission
13-Nov-14	Bank no objection by e-mail to the Contract for the Chhotagovindpur - Bagbera MVS
6 Apr – 7 May 2015	Third Implementation Support Mission
May 2015	All SPMU Environment Specialists trained at Bank office in Delhi
25-May-15	Contract DBOT Chhotagovindpur - Bagbera MVS signed with IL&FS-owned Chhotagovindpur & Bagbera Drinking Water Supply Project Ltd. (CBDWPSL - the contractor)
23-Jul-15	Contractor submits inception report with analysis of alternatives, including for Bagbera MVS WTP site, and draft EMP, vide letter no. CBG/CO/A1/016.
27-Jul-15	Bank team visits SPMU, Jharkhand. Meeting flags importance to finalize and share TDIP with WB prior to approval and to encourage the Tribal Development Specialist and Engineer to explore suitable technologies for tribal areas.
4-5 Aug 15	Bank environmental consultant visits Jharkhand to provide training on Bank-developed guidance: "Environmental Management: Procedures and Tools"
17-Aug-15	Contractor reiterates objection of local residents to WTP site in Purvee Ghaghidih as this site is their worship place, attempts to discuss with Mukhiyas and locals, but is unsuccessful and makes note of alternative site in Giddhi Jhopri; mentioned in inception report
6-7 Oct 2015	Workshop in Delhi with NPMU and social staff of four Project States to review status of social development agenda and prepare action plan
1-4 Nov 2015	Bank Environment Specialist makes field visit to Chhotagovindpur-Bagbera MVSSs for progress review
1-6 Nov 2015	Bank technical mission on social development issues to East Singhbhum District

Relevant Dates	Status
23-Nov-15	Contractor unable to carry out geotechnical investigations and surveys without formal approval/NOC of site, due to objection of local residents in Purvee Ghaghidih, makes note of an alternative site identified in Giddhi Jhopri
16-30 Nov 2015	Fourth Implementation Support Mission
20-Jan-16	Circle Officer issues Land No Objection Certificate for WTP land in Madhya Ghaghidih and requesting that concerned Gram Sabha be held.
4-Feb-16	DPMU meeting at Giddhi Jhopri at request of community, with information sharing, discussion of need for water, etc.
20-Feb-16	Meeting of DWSD, Sub-Divisional Officer, a Junior Engineer, the Contractor, DPMU staff member and the communities of Ranidih and Giddhi Jhopri with Requester at WTP site. Circle officer and executive engineers explain how Land No Objection Certificate was provided, explain to Requester how they are using the land, area to be used for WTP, benefits of Project, etc.
11-Mar-16	Meeting with Giddhi Jhopri community, at its request, in which Ranidih community participates. Discussion of Project details, WTP acquired area, toilet construction, problems faced in summer, water availability, fear that land will be acquired by outsiders
3-7 May 2016	Bank Social Safeguards Thematic Review consultant visits Chhotagovindpur - Bagbera MVS scheme. Meetings with communities and Contractors' representatives at site. SPMU social specialist and DPMU social experts participate.
July 2016	Start of civil works at WTP site.
14-Jul-16	Monthly review meeting at the Ministry of Drinking Water and Sanitation. Bank and States participated.
15-Jul-16	Newspaper articles on community protests against the WTP site. Bank social safeguards specialist advises SPMU/DPMU to carry out due diligence on the Project's compliance with state laws with respect to Gram Sabha's endorsement of the scheme and land (specifically, compliance with PESA and the TDP)
25 July – 5 Aug 2016	Fifth Implementation Support and Mid-Term Review Mission
Aug-16	Bank Social Safeguards Thematic Review report issued
Oct – Dec 16	Email and calls by social team to Jharkhand SPMU to follow up on actions identified in the Mid- Term Review mission
1-5 Jan 2017	Field visit by Bank Social Safeguards team to Bagbera WTP. Meeting with DPMU representatives, communities and contractors' representatives. During this meeting, it is agreed that DPMU will conduct a community meeting every month (25th at Bagbera and 28th at Chhotagovindpur) with contractors' representatives to report on and monitor progress
16-Jan-17	Monthly review meeting of the Project at Ministry in Delhi. Jharkhand asked to review capacities and resources available to undertake social mobilization activities
6-17 Feb 2017	Sixth Implementation Support Mission
8-Jun-17	Monthly review meeting held at Ministry, attended by Bank and States. Meeting stresses need in Jharkhand to fill all vacancies in SPMU and DPMU, including Tribal Development Specialist
7-8 July 17	Training on Social Safeguards with Jharkhand representatives
14-Jul-17	Monthly Review Meeting with SPMU to review progress of agreed actions in Jharkhand
17 July – 3 Aug 2017	Seventh Implementation Support Mission
1-Sep-17	Submission of EMP by contractor to the Superintendent Engineer
22-Sep-17	Monthly Review meeting with SPMU

Relevant Dates	Status
19-21 Nov 2017	Bank team, including social safeguards team, visits Chhotagovindpur - Bagbera MVS, including site visit to WTP site, Giddhi Jhopri and Ranidih
4-22 Jan 2018	Eighth Implementation Support Mission
7-Feb-18	Orientation for new social staff of SPMU on safeguards and other social aspects of Project
5-10 Mar 2018	O&M mission (discussion on CAPEX, MVWSC roles)
6-9 Apr 2018	Complaint received from Requesters
8-Apr-18	Complaint forwarded to Project Director/SPMU requesting clarification
13-Apr-18	Response provided by Project Task Team Leader to complainants
13-Apr-18	Response received from SPMU
27-Apr-18	Further clarifications sought from SPMU
7-10 May 2018	Follow up call to SPMU Jharkhand on whether its specialists have gone to site for assessment of issues raised in the complaint
10-Jun-18	Follow up request from the complainants received
July 2018 First week	SPMU Social Specialist informs Bank Social Specialist over phone that visit report is ready
6-Oct-18	Task Team Leader sends the complaint to SPMU, and replies to the complainants
8-31 Oct 2018	Ninth Implementation Support Mission
8-Oct-18	Mission to Jharkhand. Meet with new PD. Mission team raises issue expressed in complaint to Secretary DWSD and Project Director
9-Oct-18	Team discusses the complaint with Joint Secretary in charge of Water, Ministry of Drinking Water and Sanitation, GoI
15-Oct-18	Bank team visits Jamshedpur and Giddhi Jhopri to follow up on complaints
18-Oct-18	Bank team phone conversation with Chhotagovindpur - Bagbera MVS contractor
19-Oct-18	Task Team Leader replies to Requester to follow up on Oct 15th mission with a request for telecon
22-Oct-18	Requesters reply asking for a conversation on Oct 26. Requesters share letter and attachments sent to IPN on Oct 9
29-Oct-18	Bank team holds telecon with Requesters and agrees to meet
5-Nov-18	Inspection Panel registers the Request for Inspection
14-Nov-18	Task Team Leader informs Requesters by email that DWSD and local authorities accept the Bank meeting Requesters without any officials present
17-Nov-18	Bank Team visits community and Requesters to discuss concerns expressed in complaint

