



GRIEVANCE REDRESS MECHANISM (GRM)

FOR

ADB ASSISTED PROJECT

**“SUPPORTING HUMAN CAPITAL
DEVELOPMENT IN MEGHALAYA”**

GOVERNMENT OF MEGHALAYA

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Abbreviations

ADB - Asian Development Bank

CM - Community Mobiliser

DLF - District Level Forum

DPCU - District Project Coordination Unit

DoE - Department of Education

EIA - Environmental Impact Assessment

EARF - Environmental Assessment and Review Framework

GRM - Grievance Redress Mechanism

IPP - Indigenous Peoples Plan

IEE - Initial Environmental Examination

PIU – Project Implementation Unit

PLF – Project Implementation Unit Level Forum

PMU – Project Management Unit

SMC - School Management Committee

VLF - Village Level Forum

Definitions of Key Terms

Indigenous Peoples Plan - Indigenous People's Plan is prepared for projects that will have impacts, positive or negative, on Indigenous Peoples.

Initial Environmental Examination - Describes the environmental condition of a project, including potential impacts, the formulation of mitigation measures, and the preparation of institutional requirements and environmental monitoring for the project.

Environmental Impact Assessment - Examines the social and environmental consequences of the project prior to execution and provides information to decision makers and the public about the environmental implications of proposed actions before decisions are made.

Complaint or grievance - Complaints or grievances refer to allegations of specific incidents and of any damage, impact or dissatisfaction resulting from actions, whether perceived or actual.

Grievance Redress Mechanism - The GRM is a "non-judicial" process that seeks to resolve non-judicial disputes arising out of various matters related to the implementation of the environmental and social safeguards, as well as other aspects of the project.

Village Level Forum – A traditional forum existing at village level as first stage of grievances redress mechanism at community/village level.

District Level Forum - A forum created under the project as second stage of grievances redress mechanism at the district level.

Project Implementation Unit Level Forum - A forum created under the project as third stage of grievances redress mechanism at the PIU level.

Project Management Unit – An institutional arrangement set up for the overall management of the project will act as fourth and final stage of grievance redress mechanism at the project level.

A - Introduction

Asian Development Bank (ADB) requires that the borrower/client establish and maintain a grievance redress mechanism to receive and facilitate resolution of stakeholders concerns and grievances about the social and environmental performance at project level. It should address people's concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to all segments of the community. The aim of Grievance Redress Mechanism (GRM) will be to provide a time-bound and transparent mechanism to voice and resolve complaints of the people in a sensitive manner.

B - Objectives of GRM

In order to provide an accessible mechanism to the affected people, community and any stakeholder(s) to raise their issues and grievances as well as concerns, a GRM will be established within the project ambit. The GRM shall be an officially recognized "non-judicial" process that will seek to resolve non-judicial disputes arising out of various matters related to the implementation of the environmental and social safeguards, as well as other aspects of the project, as may deemed fit to be raised. The fundamental objectives of GRM are to resolve any social and environmental related grievances locally in consultation with the aggrieved party to facilitate smooth implementation of the project. Another important objective is to democratize the development process at the local level and to establish accountability to the stakeholders. However, the options of legal recourse will not be restricted in any way by the project proponent.

C - Need for an updated GRM structure

The Indigenous Peoples Plan (IPP) and Environmental Assessment and Review Framework (EARF) reports prepared for the project has recommended for setting up of Grievance Redress Mechanism. However, the mechanism structure recommended in both the documents is different from each other.

The recommended grievance redress mechanism in both the documents is depicted in figure 1.

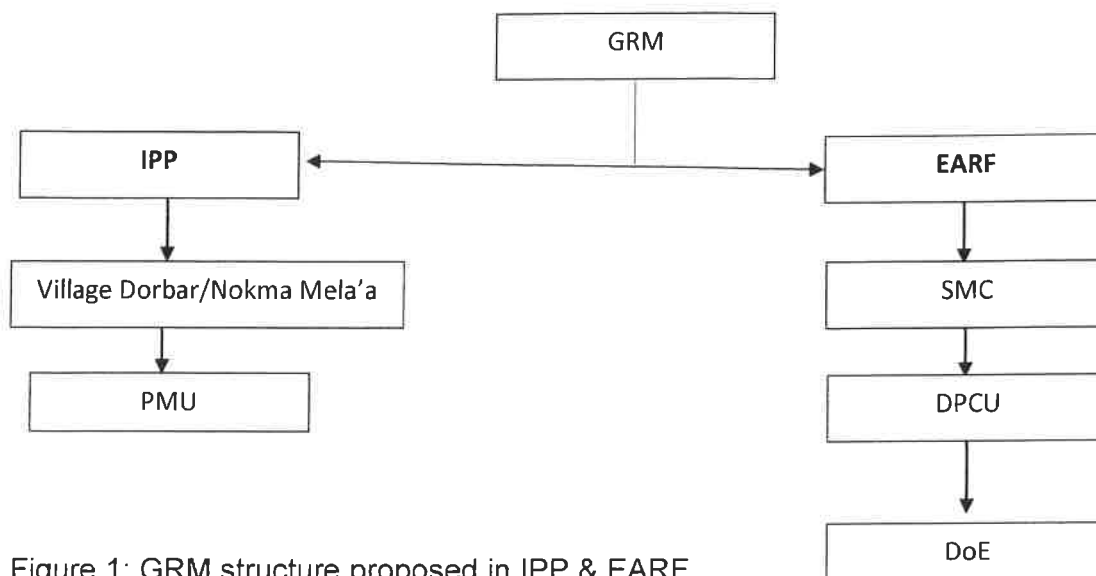


Figure 1: GRM structure proposed in IPP & EARF

The structures proposed in the IPP and EARF reports have some or other limitations. In the case of IPP recommendation, the grievance from village level will come directly to PMU level, which is a very high-level body in the project context. Given that the Project Management Unit (PMU) is consisting of very senior level officials, it is not feasible for the PMU to meet frequently to dispose of grievances.

Moreover, the PMU is based in the state capital and people will find it difficult and expensive to travel to state capital for redressal of grievances after it fails at village level.

The recommended structure of GRM in EARF is somewhat close to correct structure, but this also suffers from some limitations. Inclusion of School Management Committee (SMC) and Department of Education (DoE) as part of the GRM limits the usefulness of it in the project context. The mention of DoE in GRM structures shows that the structure has been proposed specifically to deal with the education sector, whereas, the project scope is much wider with the inclusion of skill sector in it. Furthermore, a Project Implementation Unit (PIU) in DoE has been created to handle the project and is represented in the project through the PIU. Therefore, the mention of DoE may not be appropriate from that stand point.

In view of these limitations and much wider scope of the project, it is therefore recommended to have a common GRM structure that covers all the sectors and duration of the project.

D- Approach to Establishing GRM

A common Grievance Redress Mechanism (GRM) for social and environmental complaints has been proposed to be in place for the project. Indigenous Peoples Plan (IPP) and Initial Environmental Examination (IEE) and/or Environmental Impact Assessment (EIA) related grievances will follow the GRM described below, which is developed in a culturally appropriate manner and in line with the ADB safeguard policy requirement.

The GRM will provide an accessible platform for receiving and facilitating resolution of affected persons' grievances related to the social and environmental issues of the project. This redress mechanism process can be extended to address other project related grievances. Grievances of affected person/group can be conveyed through personal visit, phone or email. The NGO (Aide-et-Action International - South Asia), as part of awareness campaign will also create awareness about the grievance redress mechanism, the process, timeframe for redressal of grievance etc. The grievance redress procedure and the timeline to redress at respective level is depicted in Figure 2. Annexure 1 shows the sample Grievance Registration Form and Action taken report.

E - Scope of GRM

The GRM will:

- Consider only those grievances that has linkages to or bearing on the project
- Review, consider and resolve grievances related to social and environmental aspects of the project received by the different forums devised for GRM;
- Resolve grievances within a specified period set out in the document;
- Not engage in any review of the legal standing of an "awardee";
- Arrive at decisions through consensus as far as possible. Any decision made by the GRM must be within the purview of project framework and entitlements;
- Not deal with any matters pending in the court of law;

The DLF, PLF and PMU shall meet depending on number cases referred to it. However, any cases referred to these entities shall be heard within the time limit of referral stated above. The DLF meetings will be held in the District Magistrate/Deputy Commissioner Office of that particular district. The PLF meeting will be held in respective Project Implementation Unit office in Shillong and PMU meeting shall be held in State Secretariat in Shillong.

F - Tier of GRM

Given the traditional socio-cultural setup of the state and readily accessible to all segments of the community, it is suggested to have three levels of grievance redress mechanism for the project, viz. village level, district level and at PIU level. The aim of having different levels of grievance redress mechanism is to provide a higher forum to the aggrieved person, if the same is not satisfied with the decision of lower level forum.

1st Tier- Village Level Forum (VLF)

Historically, the major tribal groups (*Khasis, Jaintias, and Garos*) have had well-developed political systems of their own with wide ranging power and authority. The village headmen enjoys the support and trust of the villagers in dealing with certain administrative, social, religious and welfare functions within their jurisdictions. Keeping in view of existing traditional system that has been working efficiently for generations, it is therefore suggested to have the village headmen as the first tier of GRM proposed under this project. The composition of village level forum shall remain same as the traditional Dorbar Shnong, Elaka Durbar and Nokma Mela'a as the case may be. The village headmen can obtain the support of the Community Mobilizer (CM) of the project in redressing the grievances at their level, if required. The Community Mobilizers will provide the necessary guidance and help as and when requested by the headmen.

2nd Tier - District Level Forum (DLF)

The next level of GRM would be at the district level. The institutional arrangement under the project has establish District project Coordination Units (DPCU) at each district for coordination, monitoring and supervision of the project. The DPCUs are comprising of the Deputy Commissioner, District Planning Officer, District Education officers, District Employment Officer/ITI Principal, all Block Development Officers (BDOs) and Monitoring Officers. The district level grievance redress mechanism will consists of DPCU members.

3rd Tier – Project Implementation Unit Level Forum (PLF)

The third level of GRM would be at the Project Implementation Unit (PIU) level. The project has already established four PIUs at the state head quarter. The PLF level grievance redress mechanism will consists of following members.

- Head Project Implementation Unit or her/his representative
- Safeguards officer - PIU
- Social safeguards Specialist - Project Management Consultant
- Environment Specialist – Project Management Consultant
- Team Leader of NGO (Aide-et-Action International - South Asia)

4th Tier – Project management Unit (PMU)

The fourth and final level of GRM would be at the Project management Unit (PMU) level. The PMU has already been established at the state head quarter. The existing officials of the PMU shall constitute the members of grievance redress mechanism at this level.

G - Grievance Reporting Procedure

An aggrieved person, a group of persons or a community will be able to access the grievance redress mechanism without any fear and intimidation. The aggrieved party can approach the village headman or directly the community mobilizer for reporting of grievance. If the aggrieved person/group/community approaches the headman with the grievance, the village headmen in turn will get in touch with the community mobilizer and brief him on the grievance.

All the grievances reported to the Community Mobilizer directly or through village headman will be screened to determine whether the grievance comes under the project purview or not. If the grievance is outside the scope of project mandate, the same shall be communicated to the village headman or to the complainant by the community mobilizer. After the screening, if the grievance found to be falling within the project purview, the Community Mobilizer will register the grievance by filling the grievance registration form. The Community Mobilizer will try to resolve the grievance at his level with the help of headmen. If the grievance is unresolved at his level or the grievance needs redressal at higher-up, the Community Mobilizer shall refer the grievance to the district level forum. The timeline for VLF/Community Mobilizer to redress the grievance or come to conclusion of referring to DLF is one week from the date of reporting.

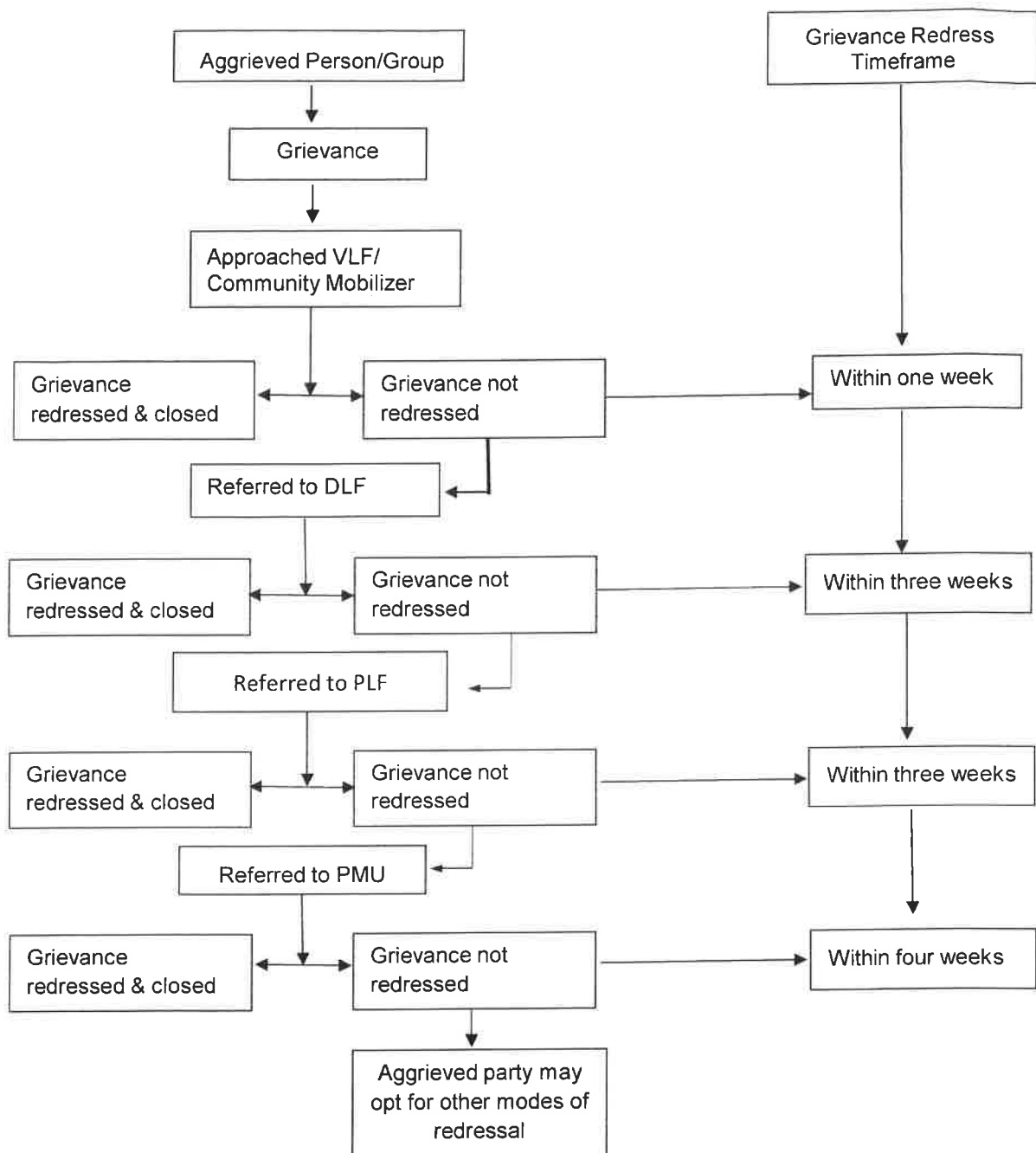


Figure 2: Grievance Redress Mechanism Process & the timeline at each stage

All grievances referred to DLF must be submitted in writing with action taken report. The grievance reference letters etc. to DLF shall contain the filled in registration form, action taken report and any other relevant material that will help the DLF in resolving the issue. The complainant/s may be present personally or through appointed representative for hearing of grievance at district level forum on a date communicated to him by Community Mobilizer in advance. The decision made by DLF will be communicated to the concerned person/group/community in writing. The

proceedings of DLF shall be maintained by the DPCU. The DLF will hear the grievance within three weeks of its referral. If dissatisfied, with the decision of the DLF, the person/group/community may request a further review of the same by the PLF. The DPCU will refer the grievance to the appropriate PIU for redress. The referral letters etc. shall be send to PLF with all the records of previous proceedings related to the grievance. The PLF will try to redress the grievance amicably within three weeks of its referral. If the grievance remains unresolved at PLF level, the same shall be referred to the PMU for the hearing. The PMU will hear the matter within four weeks of grievance referral from the PLF.

In order to maintain the continuity of the grievance redress mechanism for the entire duration of the project life, the DPCU has to play a prominent role. In the beginning, the community mobilizers of the NGO will be the point to go person for grievance reporting. However, in the long-term the DPCU will take over from the Community Mobilizers as their withdrawal period come close. The DPCU members will work along with the community mobilizer until their deployment and will gradually take over from them for the continuity.

H - Disclosure of the Grievance Redress Mechanism

The true benefit of grievance redress mechanism can be accrued only if the process is widely known among the people of the state. Therefore, disclosure and wider publicity of grievance redress mechanism of the project will form an important part of the awareness campaign strategy devised in the project. The methods that will be adopted for disclosure of grievance redress mechanism are:

- The grievance redress mechanism process will be made part of the training programme of District Project Coordination Unit, Project Implementation Unit and Community Mobilisers engaged in the project.
- GRM procedures and operational rules will be publicized widely through community meetings and pamphlets in the local language so that people are aware of their rights and obligations, and procedure of grievance redress.
- As part of the community awareness exercise, the GRM process will be explained to the village level committee members and the people in general. Also, the process will be displayed at important places such as village Durbar/Nokma

Mela'a Office, Block Development Office, District Magistrate Office and on the website.

I - Monitoring of GRM Process

Like the other project components, GRM process shall be monitored to ensure that the stakeholders are having no or limited issues with the project and in case there are concerns, they are being adequately addressed as per the mandate. The mechanism shall be integrated in the monitoring framework of the project and shall follow the same reporting timeline. Thus, this shall be aligned with project monitoring rather than doing it separately all the time. The format suggested for registering of grievances will form the basis of data collection and monitoring purpose.

Annexure 1 - Sample Grievance Registration Form

Reference No.		Date	
Aggrieved party	Individual	Group	Community Organization
Full Name/ description in case of group/ Community/ Organization			
Address			
Phone no. / Mobile no.			
Description of Grievance (add page if space is not sufficient)			
Date, time & venue of village level meeting			
Description of Village level Forum decision (add page if space is insufficient): -			
Date, time & venue of DLF meeting (if required)			
Description of PIU level Forum decision (add page if space is insufficient): -			
Whether the complaint get resolved (Y/N)			
If No, whether it has been sent to next higher tier (Y/N)			
Signature/thumb impression of complainant		Signature of Community Mobilizer	