

FINAL



Governments of the People's Republic of Bangladesh
Ministry of Road Transport and Bridges
Road Transport and Highways Division
Roads and Highways Department

GRIEVANCE REDRESS MECHANISM (GRM)

Western Economic Corridor and Regional Enhancement Program
WeCARE: Phase-1
Jhenaidah-Jashore Highway improvement project

   

Introduction

One of the biggest concerns facing the Government of Bangladesh is how to make the public service delivery system more citizens centered. An essential prerequisite for this is to have a strong public grievance redress and monitoring mechanism, and in the case of the ongoing WeCARE program by RHD in Jhenaidah-Jashore Highway (N-7) Improvement Project that have a large public interface.

Grievance handling is a very important area of the works of RHD project-WeCARE: Phase-1. Hence, it can play a significant role to monitor about the level of efficiency, accountability and good governance system of WeCARE: phase-1 project. It also helps the WeCARE: phase-1, Jhenaidah-Jashore highway improvement project to collect direct and logical feedback periodically for the management of systematic reform. Grievance Redress mechanism bridges the communication gap between the RHD-WeCARE: Phase-1 and the project affected persons (PAPs). Through the GR mechanism PAPs will be aware of their rights and social responsibilities as well. At the same time, the GRM also can play an important role to make the RHD- WeCARE: Phase-1 project more responsible and accountable to the PAPs.

The basic principle of a Grievance Redress Mechanism is that if the promised level of service delivery is not achieved or if the right of PAPs are not honored then PAPs should be able to take recourse to a mechanism to have the grievance redressed. This mechanism should be widely disseminated among the PAPs, beneficiaries and wider public in the project areas, easy to use, accessible and above all, PAPs must have faith that they will get quick and fair redressal of grievances.

Objectives and Executive Procedures

The objectives of the grievance redress mechanism (GRM) is to resolve complaints as quickly as possible and at the local level through a process of conciliation; and, if that is not possible, to provide clear and transparent procedures for appeal. A well-defined grievance redress and resolution mechanism will be established to resolve grievances and complaints in a timely and satisfactory manner. All affected persons will be made fully aware of their rights, and the detailed grievance redress procedures will be publicized through an effective public information campaign.

A common GRM will be in place for social, environmental or any other grievances related to the project like resettlement action plan (RAP) and land acquisition plan (LAP). The GRM will provide an accessible and trusted platform for receiving and facilitating resolution of affected persons' grievances related to the project. The two-tier GRM for the project is outlined below, each tier having time-bound schedules and with responsible persons identified to address grievances and seek appropriate person's advice at each stage, as required.

Union council /Pourashova wise public awareness campaigns will ensure that awareness on grievance redress procedures is generated. The project implementation unit (PIU) and INGO of RHD-WeCARE: Phase-1 will conduct UP/Pourashava wise awareness campaigns to ensure that the PAPs, stakeholders including poor and vulnerable households/PAPs are made aware of grievance redress procedures and entitlements and will work with the PIU and INGO to help ensure that their grievances are addressed.

Project Affected persons (PAPs) will have the option of conveying grievances by dropping grievance redress forms in complaints boxes that to be installed by the RHD, by e-mail, by post, phone call and SMS, or by writing in a complaint register in the project offices. Careful documentation of the name of the complainant, date of receipt of the complaint, address/contact details of the aggrieved person, issues of the grievances and how the problem was resolved will be ensured. The Implementing NGO will assist the PIU under the guidance of PIU's Social Development Specialist for timely grievance redress on environmental, social, and resettlement issues and for registration of grievances, related disclosure and communication with the aggrieved party through the PIU designated focal person. For grievances related to SEA/SH and LHS, separate channels and mechanisms will be setup.

In case of grievances that are immediate and urgent in the perception of the complainant, the PIU/PD/PIU Consultant with the assistance of the contractor, Construction supervision consultant (CSC) and the INGO personnel on-site will provide the most easily accessible or local level of contact for quick

resolution of grievances.

All information including the contacts number of the GRC and focal points for SEA/SH and LHS will be disclosed on the WeCARE/RHD websites and as well as displayed at the suitable locations in the project sites. In addition, the PIU will carry out outreach programs with the PAPs and stakeholders to disseminate information on the project GRM/GRC.

Grievance Redress Committee (GRC)

A Two-tier bottom up GRC system will be established in RHD WeCARE: Phase-1 Project. First, there will be GRC at the local level, hereafter called Field level GRC and second, GRC at the Project level to give room for grievances to be fairly reviewed. These GRCs will be established through notifications from the Ministry of Road Transport & Bridges (MoRTB). The PAPs and stakeholders will be informed through public consultation that they have a right to have their grievances redressed and as well as provide feedback on the project activities. The PAPs can also call upon the support of the PIU to assist them in presenting their grievances or queries to the GRC. The GRC will receive, review all grievances involving resettlement assistance, relocation, social, environmental, SEA/SH and LHS issues. It may also facilitate /support through the project management setup in resolving the grievance cases with the related competent government bodies/authorities. The local GRC will hear the grievances first. Only unresolved cases will be forwarded to the next tier - Project level GRC for further review and resolution. Grievances will be redressed within 15 days from the date of lodging the complaints. GRC decisions will be on a majority basis and will be publicly disclosed and available for review by the stakeholders.

The member secretary of local level GRC will be regularly available and accessible for PAPs to address concerns and grievances. The INGO will support the PIU on GRC processes in terms of legal and other interpretation matters.

Composition of the Field Level GRC

The Field level GRC will be formed with representatives from RHD WeCARE: Phase-1, Jhenaidah – Jashore Highway (N-7) Improvement Project, Pertinent DC office, Local Government Institutions (LGI), affected people or his/her representative and INGO of WeCARE: Phase-1, Jhenaidah – Jashore Highway (N-7) Improvement Project. There will be three GRCs in each RHD WeCARE: Phase-1, Jhenaidah – Jashore Highway (N-7) Improvement Project Manager's office i.e total 9 GRCs will be formed in the field level. The representative of RHD WeCARE: Phase-1 at the rank of Executive Engineer acting as Project Manager will be the convener and the concern Deputy Project Manager, RHD, WeCARE: Phase-1, Jhenaidah – Jashore highway improvement project will act as Member/member Secretary. Composition of Field level GRC is presented in Table 01:

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Table 01: GRC Members at the Field Level

Level	Members of the GRC
GRC Composition at the Field Level.	<ol style="list-style-type: none"> 1. Concern Project Manager (PM), WeCARE: Phase-1, Jhenaidah – Jashore highway improvement project– Convener 2. Representative of pertinent Deputy Commissioner-Member 3. Concern UP chairman /Pourosova ward councilor -Member 4. One Female ward councilor of the concern UP/ Pourosova - Member 5. Project affected person (PAP)/Representative of PAP– Member 6. INGO's Area Manager of WeCARE: Phase-1, -Member 7. Concern Deputy Project Manager, WeCARE: Phase-1 – Member secretary

The scope of work and the Terms of Reference (ToR) for the Local GRC:

(a) The Field level GRC shall review, consider and resolve grievances related to social, resettlement, environmental issues received from the various stakeholders of WeCARE: Phase-1, Jhenaidah–Jashore Highway (N-7) Improvement Project .

(b) Any grievances presented to the Field level GRC should ideally be resolved on the first day of hearing but not more than a period of 15 days. In case of complicated issues and requiring additional investigations, the grievances may be resolved by second hearing.

(c) GRC will receive, review and deliberate on all Grievances from any person or stakeholders. Grievances that are not related to the project will not be considered for deliberations but, the person who submitted the grievances will be notified by writing the justification of the GRC.

(d) GRC decisions should ideally be arrived at through consensus, failing which resolution will be based on majority vote. Any decision made by the GRC must be within the purview of WeCARE: Phase-1, Jhenaidah – Jashore highway improvement project's resettlement policy framework, ESF and entitlements.

(e) The GRC will not deal with any matters related to Acquisition and Requisition of movable and immovable property act pending in the court of law.

(f) All unresolved grievances, at field level should be forwarded to the higher level i.e Project Level GRC.

GRC meetings will be held in the respective, WeCARE: Phase-1, Jhenaidah – Jashore Highway (N-7) Improvement Project Manager's Office or other location(s) as agreed by the Committee.

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Table 02: GRC Members related to SEA/SH

Level	Members of the GRC
GRC Composition at the Field Level related to SEA/SH.	1. Concern Project Manager (PM), WeCARE: Phase-1, – Convener 2. Resident Engineer of construction supervision consultant -Member 3. Gender and SEA/SH Specialist in the PIU – Member Secretary 4. Project Manager of the construction contractor - Member 5. Concern Deputy Project Manager, WeCARE: Phase-1 – Member

The scope of work and the Terms of Reference (ToR) for the GRC related to SEA/SH:

(a) The GRC shall review, consider and resolve grievances related to SEA/SH issues received from the various stakeholders of WeCARE: Phase-1 and ensure confidentiality.

(i) Pay attention to the grievance of the victim (ii) Register his/her allegation (iii) Ensure the victim that GRC is the right place to get remedy.

(b) The GRC will attend those cases where the perpetrator and the victim both are associated with the project work. In other cases, they will be advised/assist to lodge complain with the concerned competent authority.

(c) All complain will be resolved following the “survivor centric approach” giving priority to the victim’s opinions.

(d) Strict confidentiality of the victim’s identity and related information will be ensured by the RHD/PIU.

(e) The GRC/PIU will designate a SEA/SH focal person and all related grievances will be received by him/her. The focal person will (i) verify and investigate the matter, (ii) provide support to the survivor if necessary by drawing support from external sources such as, police, qualified NGOs for psycho-social counseling, specialized health experts/establishments for treatment of SEA/SH victims, etc.

(iii) investigate the genuine of the allegation (iv) implement sanction to the perpetrator (v) And finally solve the matter.

(e) GRC will monitor and evaluate the total scenario and report it to the PIU.

Steps to be followed

- Allegation may be received from the survivor/Kin/others orally, over phone or in a written form.
- Follow the “survivor centric approach” giving priority to the opinions of the victims.
- Maintain strict confidentiality of the identity and other related information of the victims
- Register the allegation/case with detailed information.
- Ranking the case as major or minor
- Depending on the nature of the case, sending the victim to a nearby medical center or to a law enforcing agency as soon as possible.
- Assistance should be reached to the victim/s within 24 hours.
- Decision should be taken up within 7 days, through an internal committee meeting.
- Collection of necessary evidence within 10 days.
- Legal assistance if required.
- Final settlement of the case within 15 days.

Table 03: GRC Members related to Labor health and safety

Level	Members of the GRC
GRC Composition at the Field Level.	1. Concern Project Manager (PM), WeCARE: Phase-1, – Convener 2. Resident Engineer of construction supervision consultant -Member 3. Individual Labor Safety & Health Expert from PIU - Member 4. Project Manager of the construction contractor - Member 5. Concern Deputy Project Manager, WeCARE: Phase-1 – Member secretary

ESS2 on labour and working conditions requires the setting up of a complaints and grievance mechanism for project workers separate from the project wide-grievance redress mechanism (GRM).

The objectives of ESS2 are:

- To promote safety and health at work
- To promote the fair treatment, nondiscrimination and equal opportunity of project workers
- To protect workers which includes vulnerable workers such as women, persons with disabilities, migrant workers, contracted workers, community workers and workers through contract supplier.
- To prevent the use of all forms of forced labor and child labor
- All types of legitimate demands of the workers will be fulfilled and their grievances will be addressed as per the prevailing national labor law.

Steps to be followed for the implementation

- (i) LHS aspects will be explained to the workers, both at the labour camp and at the work site to aware them.
- (ii) Enforce the worker's Code of Conduct as adopted in the contractor's ESMP. This is prepared with reference to the project ESIA/ESMP, LMP and SEA/SH Action Plan.
- (iii) Aware the labourers about the health and safety issue and the precautionary measures to be taken by them to uphold a congenial and healthy atmosphere at the site.
- (iv) Ensure the availability of a "First Aid Box" both at the labor camp and at the work site. Inform the labourers and keep the labourers acquainted about its use, as and when required. Emergency drugs, gauge and bandages etc must be available in this "First Aid Box".
- (v) Firstly the availability of PPE is to be ensured. The labourers will be made acquainted with its use.
- (vi) A proper demonstration will be held about the technique of PPE use at work.
- (vii) Ensure the availability of separate latrine for both male and female workers, potable water, waste disposal system and well ventilated & well illuminated labor camp. This will be ensured through regular monitoring.

Composition of Project-Level GRC

The Project-Level GRC will review all unresolved cases forwarded by the Field level GRCs. The Additional Project Director (APD) as the representative of PD will head it. The Deputy Project Director (DPD) of WeCARE: Phase-1, Jhenaidah – Jashore highway improvement project will perform as the member secretary.

The Composition of the Project Level GRC is presented in the Table 04.

Table 04: Members of the Project-level GRC

Level	Members of the GRC
GRC Composition at the Project Level	<ol style="list-style-type: none">1. Additional Project Director (APD) of WeCARE, phase-1, Jhenaidah – Jeshore highway improvement project – Convener2. Concern Project Manager (PM) of WeCARE, phase-1, Jhenaidah – Jeshore highway improvement project – Member3. Individual Social Development and public relations Expert of the Project – Member4. Deputy Project Director (DPD) of WeCARE: Phase-1, Jhenaidah – Jashore highway improvement Project – Member Secretary

The provision of the Project-Level GRC will further establish fairness and transparency in the resolution of grievances of Project affected persons. The Project Level GRC may seek technical advice

from the INGO or any external legal expert, if required. Project Level GRC may visit the field if required for resolution of complaints.

The scope of work and the Terms of Reference (ToR) for the Project Level GRC:

- (a) Project level GRC will Review, consider and settle unresolved grievances forwarded by Field level GRCs.
- (b) Any grievances presented to the Project Level GRC should ideally be resolved within one month from the date of receiving the complaints;
- (c) In case of complicated issues/grievances, the GRC members can request additional information from the Field level GRCs or carry out field level verifications;
- (d) Resolutions should be based on consensus among members, failing which the decision may be taken on majority vote;
- (e) Any decision made by the GRC must be within the purview of resettlement policy framework, Environmental and Social framework and entitlements;
- (f) The GRC will not deal with any matters pending in the court of law.

Area of Work of the GRCs:

The GRCs will receive grievance cases from the affected persons through the Project Manager's office complaint boxes or other means. The INGO will assist the PIU vis-à-vis the PAPs or other stakeholder in lodging their complaints in a proper format acceptable to the GRC after they are informed about the project policy and entitlements for various losses. GRCs will be setup from the date of approval and be activated during the land acquisition and resettlement process to allow PAPs sufficient time to lodge complaints and safeguard their recognized interests. Where land acquisition will not be involved but relocation of structures or vacating land from cultivation will be required, the GRCs will facilitate resolution of complaints regarding categorization of vulnerable affected persons, types of structures and eligibility for compensation and assistance within the set guidelines and provisions of the Resettlement Policy Framework (RPF) and Resettlement Action Plan (RAP).

1. The affected people will be informed about their rights and entitlements as per policy of the RPF/RAP facilitated by the RAP implementing NGO's field level staff. People's initial complaints would be resolved in the focus group discussion meetings. In this regard, the INGO field level staff will assist the PAPs in lodging their complaints.
2. Other than disputes relating to ownership right under the court of law, GRC will review grievances involving all resettlement benefits, relocation and other assistance. However, the major grievances that might include:
 - (a) PAPs not enlisted;
 - (b) Losses not identified correctly;
 - (c) Compensation/assistance not as per entitlement matrix;
 - (d) Dispute about ownership;
 - (e) Delay in disbursement of compensation/assistance;
 - (f) Improper distribution of compensation/assistance in case of joint ownership; and
 - (h) In case of death of EPs (entitled persons) after receiving compensation from DC office.

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PAP's Petition to GRC

PAPs will be able to submit their grievances/complaints about any aspects of Resettlement Action Plan implementation and compensation. Grievances can be shared with the INGO or Project Manager's office verbally or in written form. In case it is in verbal form, the INGO representatives at the GRC will write it down in the first instance. The PAPs will sign and formally present to the GRC at the respective Project Manager's offices and the INGO will assist to do that. The field level GRC will settle the matter within 15 days of receiving the complaint from the PAPs. Resolution of the GRC will be final.

The appeal procedure for solving the grievances will be as follows:

- (a) All complaints from the PAPs will be received at the concerned Project Manager's office of the WeCare: Phase-1, Jhenaidah – Jashore highway improvement project;
- (b) Upon receipt of complaint, Deputy Project Manager, WeCARE: Phase-1, Jhenaidah-Jashore highway improvement project (the member secretary of the GRC) will inform the convener (project Manager). The convener will organize a hearing session for the complainant at the concern Project Manager's office where the complaint would have been lodged;
- (c) The decision of GRC will be conveyed to the PAPs concerned through the INGO;
- (d) The Convener of the Field level GRC will forward unresolved cases to the Convener of the Project Level GRC;

Processes for Filing GRC Cases and Documentation

The procedural steps of resolving grievances and the grievance redress mechanism will be disseminated to the PAPs through RHD's website, social media, public hearing/meetings, and information brochures so that PAPs are aware of their rights and obligations. The concerned Project Manager's Office will act as the Secretariat to the local GRC. Process for filling GRC cases is shown below-

Step 1: The RHD WeCARE: Phase-1 project through the RAP implementing NGO informs the PAPs of their losses and entitlements. If confused,

Step 2: The PAPs will approach the INGO staff for clarification on the provisions, loss and entitlements as per the RAP. If not satisfied,

Step 3: The aggrieved PAPs will approach the GRC. The INGO staff will assist the PAPs in producing the complaints and organize hearing within 15 days (Local GRC) from the date of complaints lodged.

Step 4: GRC sessions are held with the aggrieved PAPs. The minutes are recorded and duly considered. If the matter is not resolved;

Step 5: It is forwarded to the project level GRC.

Step 6: The minutes of the GRC sessions are sent to the concern Project Manager's office for necessary action.

Sample format for applying on Grievance

Subject of Grievance:

Name of Complainant:

Father's Name:

Address (Holding no/Ward no/road)

Description of Grievances:

Description of expected remedy/solution:

Signature of the complainant:

Name of complainant:

Date:

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Sample record keeping form of hearing/meeting

Date of hearing:..... Grievance receiving date:.....

Grievance/issue No:..... Types of grievance/issue:.....

Area No:-----Complainant Name:-----

Expected solution/remedy:.....

Important opinions during hearing:

a)

b)

c)

d)

e)

Decisions of hearing:.....

Level of satisfaction about decision by Complainant:

Highly

Moderate

No

Status of appealed Grievances:.....

Signature of Complainant

Name:

Date

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Format for report presentation on Grievance to Coordination meeting

Date of the meeting:...../...../.....

Grievances received by GRC for the Month of-----Total number of Grievances:-----

Number of Grievances on:

Environmental: Social issues :..... Resettlement :..... other
.....

Decision implemented:(numbers)

Decision un-implemented:(numbers)

How many cases have been sent for appeal:

Report presented by :

Name :

Designation :

Date

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