

DAM REHABILITATION AND IMPROVEMENT PROJECT – II [P170873]

ENVIRONMENTAL and SOCIAL COMMITMENT PLAN (ESCP)

**Maharashtra Water Resources Department,
Govt. of Maharashtra**

August 2020

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. Government of Maharashtra is implementing the Dam Rehabilitation and Improvement Project (the Project), with the involvement of Maharashtra Water Resources Department, The World Bank (*hereinafter the Bank*) has agreed to provide financing for the Project.
2. Dam Rehabilitation and Improvement Project, Govt. of Maharashtra will implement material measures and actions so that the Project is implemented in accordance with the Environmental and Social Standards (ESSs). This Environmental and Social Commitment Plan (ESCP) sets out material measures and actions, any specific documents or plans, as well as the timing for each of these.
3. Government of Maharashtra will also comply with the provisions of any other E&S documents required under the ESF and referred to in this ESCP, such as the Environmental and Social Impact Assessments (ESIAs), Environmental and Social Management Plans (ESMPs), Stakeholder Engagement Framework (SEF), Resettlement Policy Framework, Tribal Development Framework, GBV Risk Mitigation Framework, Labor Management Procedure and the timelines specified in those E&S documents.
4. Government of Maharashtra is responsible for compliance with all requirements of the ESCP.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Bank by Government of Maharashtra as required by the ESCP and the conditions of the legal agreement, and the Bank will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
6. As agreed by the Bank and Government of Maharashtra this ESCP may be revised from time to time during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to assessment of Project performance conducted under the ESCP itself. In such circumstances, Government of Maharashtra will agree to the changes with the Bank and will update the ESCP to reflect such changes. Agreement on changes to the ESCP will be documented through the exchange of letters signed between the Bank and the Government of Maharashtra. The Government of Maharashtra will promptly disclose the updated ESCP.
7. Where Project changes, unforeseen circumstances, or Project performance result in changes to the risks and impacts during Project implementation, the Government of Maharashtra shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts, which may include, *such as environmental, health, and safety impacts, labor influx, gender-based violence*.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING</p> <p>Quarterly Progress report (QPR) will be prepared capturing details on E&S performance of the project. Details will include implementation status of the following</p> <ol style="list-style-type: none"> 1. Environmental and Social Commitment Plan 2. Environmental and Social Management Plan (ESMP, GBV framework and LMP) 3. Compliance to Environmental and Social statutory requirements 4. Design modification or change in scope brought to Bank notice 5. Assessment of changes and updating/addendum to ESIA/ESMP 6. Site observations on Contractor's performance on Environmental Social Health and Safety (ESHS) and other plans in ESMP 7. Summary of Stakeholder Engagement activities as stated in the SEF 8. Summary of Grievances received and redressed for each scheme 9. Status of Environmental and Social staffing within PMU (including PMC) and other implementation partners/agencies 10. Capacity building /training activities undertaken for different project functionaries 11. Corrective Actions and planned E&S activities for next quarter 	<p>Submit Quarterly Progress reports to the Bank on an agreed format not later than 15 days after the end of each quarter. The reporting format will be agreed by First Implementation Support Mission</p>	<p>Maharashtra WRD (Project Director and Environmental Focal Person, Social Focal Person). The Maharashtra WRD will also be supported by E&S in-house specialists</p>
B	<p>INCIDENTS AND ACCIDENTS</p> <p>Promptly notify the Bank of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers. Provide Investigation report with sufficient detail regarding the incident or accident, root-cause analysis and actions taken to address future recurrence of such incident/accidents.</p>	<p>Notify the Bank within 24 hours after learning of the incident or accident and provide investigation report within one week.</p> <p>Action taken status to be submitted with in a period of 7 days from the incident</p>	<p>Maharashtra WRD's Environment Specialist with support from Social Specialist and project implementation team.</p>

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<p>C CONTRACTORS MONTHLY REPORTS</p> <p>Monthly Progress report (MPR) prepared by contractors explaining the compliance status of the Project with the ESMP in their scope. Details will include status on:</p> <ol style="list-style-type: none"> 1. Contractor’s ESMP implementation work plan and PMC reviewed summary of implementation progress 2. Implementation of Contractor’s ESMP (ESMP and related plans such as OHS Management Plan, Waste Management Plan, Workers’ Camp Management Plan, Community Health and Safety Plan , Biodiversity management plan, Debris and Muck disposal Plan, Cultural Heritage Management Plan etc.) 3. Status of Compliance with E&S statutory requirements (including Consent to Operate (CTO)&Consent to Establish(CTE), quarry permits if applicable, labor licenses, insurance, etc.) 4. Status on actions indicated in the Labor Management Procedure 5. ESHS incidents & supervision 6. Usage (no. required, distributed and ensure used) of Personal Protective Equipment (PPE) such as hard hats, safety shoes and safety vests by workers 7. Safety at work sites like providing traffic signage, barriers/delineator, management of traffic, drainage and pliable road surface etc. 8. Training conducted, and workers participation (submit reports with statistics of training and worker’s participation) 9. Functioning of GRM relating to labor aspects, including summary details of Workers grievances 10. Community grievances 11. Corrective Actions and planned E&S activities for next month 	<p>Submit Monthly Progress Reports (MPR) to the Project Management Consultants (PMC) shall summarize the key progress and issues to Bank on an agreed QPR – to be submitted every quarter.</p>	<p>Contractor and Maharashtra WRD</p>

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D	<p>Annual Third Party Evaluation</p> <p>CWC (CPMU) will coordinate and conduct annual evaluation of Annual Environment and Social Commitment Plan (ESCP) activities of each IA through Engineering and Management Consultant (EMC), to monitor and verify the following:</p> <ol style="list-style-type: none"> 1. Central PMU will coordinate an Annual Environmental and Social Commitment plan Evaluation of all IAs from and submit evaluation report and corrective actions to The World Bank. 2. Compliance with ESDD/ESIA and ESMPs requirements developed for the project 3. Compliance to different subject specific plans like Labour management plan, implementation status and compliance level. 4. Effectiveness of GRMs 5. Implementation of SEP 6. Compliance with WB ESS requirements 	<p>Annual Third Party Evaluation at the end of each implementation year (tentatively to initiate by end of December 31 of each year)</p> <p>Third-Party Evaluation Report to be submitted annually within one month of completion of the Evaluation</p>	CWC (CPMU)
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Maharashtra WRD will establish and maintain an E&S organizational structure with qualified staffs to support management of E&S risks including at least one Environmental Expert, one Social Expert and one Labour Officer for ensuring compliance with the Bank's ESF and ESS's at the State level and as appropriate at the Central PMU (HQ) level and ensure to be on rolls throughout project period</p>	09/2020	Maharashtra WRD
1.2	<p>ENVIRONMENTAL AND SOCIAL ASSESSMENT (ESA)</p>		

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<p>Undertake screening of all the dams proposed under the project and identify risks category (Low/Moderate/Substantial/High) as per procedures laid out in Environment and Social Management Framework (ESMF) of the Project and take measures as per following:</p> <p>1. For low to Moderately risk damsA generic ESMP – developed separately with responsibility Matrix specifying actions by implementing agency and by the contractor. The contractor specific actions shall be annexed in the bid document and project specific will be responsibility of the implementing agency (IA). These activities in a consolidated manner will be overall monitored state PMUs (SPMUs). All approved ESMPs will be disclosed in IA’s web site and CWC. Implementation of all such ESMPs will be monitored by CPMU and progress status will be shared with the Bank for information on quarterly basis</p> <p>2.For Substantial to High Risk dams: For all such activities a detailed ESIA shall be conducted through an independent agency as per the Terms of Refence (ToR) prepared and agreed with CPMU and SPMUs. The ToR is included in the ESMF. The ESMP shall be developed based on ESIA findings. Depending upon the applicability of the Environmental and Social Standards (as per ESF) will be applied and relevant plans such as Resettlement Action Plan (RAP), Tribal Development Plan (TDP), Bio-Diversity Management Plan, Cultural Heritage Management Plan or Procedures etc. will be prepared which shall be ready before the sub project bids are issued. The ESMP will also be part of the bid document. All such ESMPs and other relevant Plans will be reviewed by CPMU and shared with the Bank for approval before the same is included in the bid document. Implementation of all such ESMPs will be monitored by CPMU and progress status will be shared with the Bank for information on quarterly basis.</p>	Ongoing / Continual	ESIA Consultants and Maharashtra WRD
All approved ESMPs will be disclosed at state level and Central PMU project web site.		

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1.5	<p>ENVIRONMENTAL STATUTORY CLEARANCE AND APPROVALS</p> <p>CPMU and SPMU will ensure compliance of any legal or statutory clearance/ permission / consent/ permit, if required for any sub project activity.</p>	Before commencement of activity	Maharashtra WRD
1.6	<p>MANAGEMENT OF CONTRACTORS:</p> <p>Ensure incorporating relevant aspect of ESMP (E&S mitigation measures, Bill of Quantities (BOQ's, Technical Specifications, drawings and mitigation cost) and ESCP requirements in bidding document for procurement of civil work contractor.</p>	Before issuance of bids	Maharashtra WRD
1.7	<p>Include in bidding document Environmental and Safety Manager and Social cum Community Liaison Officer as Key member of Contractor Team and explicitly list resources that would be mandatory for effective ESHS implementation.</p>	Before issuance of bids	Maharashtra WRD and ESIA Consultants
1.8	Disclose Gender Based Violence Risk Mitigation Framework	09/2020	Maharashtra WRD and ESIA Consultants
1.9	Maharashtra WRD to obligate contractor to submit C-ESMP prior to starting of civil work and updation every six months.	Every six months from commencement	Maharashtra WRD and Contractor
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES (LMP)</p> <p>Develop a LMP for all type of employees and workers likely to be involved in the project and will include LMP in bid document for all contracted agencies to implement.</p>	09/2020	Maharashtra WRD, and ESIA Consultants
2.2	<p>GRIEVANCE REDRESS MECHANISM FOR PROJECT WORKERS:</p> <p>Establish a Grievance Redress Mechanism (GRM) and operated by the contracted agencies to address Project workers workplace concerns. Maharashtra WRD will monitor implementation of these provisions</p>	09/2020	Maharashtra WRD, and ESIA Consultants

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2.3	OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES: Contractor to develop and implement OHS plan to maintain safe working environment and workplace. The OHS Plan will include emergency preparedness and response plan; training of project workers and remedies for occupational injuries death and disability and will follow the General Environment Health and Safety Guidelines (EHSG).	09/2020	EMC, Contractor and Maharashtra WRD
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	HAZARDOUS AND NON-HAZARDOUS WASTE MANAGEMENT PLAN: Contractor ESMP to include hazardous and non-hazardous waste management guidelines to handle material at site. These will include waste oils, empty pain containers where painting is involved and all other hazardous waste if any likely to be generated during improvement work. PMC at CPMU/Maharashtra WRD will monitor implementation of this plan.	While submitting bid Monitoring throughout the implementation	EMC, Contractor and Maharashtra WRD
3.2	CONSTRUCTION WASTE, DEBRIS AND OTHER WASTE DISPOSAL: DISPOSAL SITE MANAGEMENT AND RESTORATION PLAN: Contractor ESMP to include construction waste and other waste h Disposal Site Management and Restoration Plan including allocated budget to implement the plan. PMC at CPMU /Maharashtra WRD will monitor implementation of this plan. Maharashtra WRD will assist in getting necessary clearance, if any required, for location identified in forest area.	While submitting bid Monitoring throughout the implementation	EMC, Contractor and Maharashtra WRD
3.3	EFFICIENT USE WATER AND OTHER RESOURCES Contractor ESMP to include project's 'specific water use and water conservation plan and other resource source and use and conservation plan. Contractor will ensure that resource required for Dam rehabilitation program is not sourced from unauthorized sources.	While submitting bid Monitoring throughout the implementation	EMC, Contractor and Maharashtra WRD

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ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>TRAFFIC, ROAD and COMMUNITY SAFETY: Contractor ESMP to include Traffic Management and Road Safety Plan, Emergency Response Plan, Labor influx plan, Community Health and Safety Plan (including in relation project workers, and any risks of labor influx, such as communicable and non-communicable diseases). PMC/Maharashtra WRD will monitor implementation of this plan.</p>	<p>While submitting bid</p> <p>Monitoring throughout the implementation</p>	EMC, Contractor and Maharashtra WRD
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	<p>Prepare Abbreviated Resettlement Action Plan/ Resettlement Action Plan as per Resettlement Policy Framework (included as part of ESMF) prepared for the overall project, as and when there are activities involving acquisition of land or assets leading to involuntary resettlement impacts; disclose the document after review by the Bank</p>	Before issuance of contract bids	Maharashtra WRD and ESIA consultants
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	<p>BIODIVERSITY AND HABITAT ASSESSMENT: Maharashtra WRD to conduct Biodiversity and conservation plan assessments especially to the DAM sites close to the conservation areas (e.g. Bisalpur Dam) and prepare and disclose Biodiversity conservation guidelines and Plan for all such dams. Maharashtra WRD will allocate budget for implementing mitigation measures.</p>	Before issuance of contract bids	Maharashtra WRD
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			

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7.1	Maharashtra WRD shall prepare and disclose Tribal Development Plans in accordance with the overall Tribal Development Framework (based on ESIA findings).	Prior to invitation of bid	Maharashtra WRD and ESIA consultants
ESS 8: CULTURAL HERITAGE			
8.1	Maharashtra WRD to develop a Cultural Heritage Management Guidelines and if required a Plan in sub projects if any such cultural aspects is likely to be affected from any of the dam scheme.	Prior to invitation of bid	Maharashtra WRD and ESIA consultants
ESS 9: FINANCIAL INTERMEDIARIES			
	Not relevant		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT FRAMEWORK: Disclose Draft Stakeholder Engagement Framework (SEF) which should include detail of Project GRM including date of notification of constitution of GRC members	09/2020	ESIA consultants and Maharashtra WRD
10.2	STAKEHOLDER ENGAGEMENT PLAN Prepare and disclose a Stakeholder Engagement Plan for each dam as part of the ESMP in accordance with the Stakeholder Engagement Plan	Before issuance of bids	ESIA consultants and Maharashtra WRD
CAPACITY SUPPORT (TRAINING)			

<p>CS1</p>	<p>Provide orientation/sensitization and training to targeted groups about relevant topics</p> <ul style="list-style-type: none"> • Maharashtra WRD staff (stakeholder mapping and engagement; specific aspects of environmental and social assessment; emergency preparedness and response; community health and safety). • Stakeholders including Contractor, Support Consultants (Labor Management Procedures; OHS guidelines, emergency preparedness and response; community health and safety) • Communities (construction stage impacts, safety provisions, OHS guidelines) • Project workers (OHS guidelines, provisions relating to LMP, GBV Risk mitigation framework) 	<ul style="list-style-type: none"> • During preparation & post launch workshop • To be conducted bi-Annually 	<ul style="list-style-type: none"> • Maharashtra WRD & ESA Consultant & Bank • Maharashtra WRD & EMC agency.
<p>CS2</p>	<p>Provide training for Project workers on occupational health and safety including on emergency prevention and preparedness and response arrangements to emergency situations</p>	<p>Throughout project implementation stage</p>	