

Program Safeguard Systems Assessment (DRAFT)

August 2014

IND: Supporting Kerala's Additional Skill Acquisition Program in Post-Basic Education

A. Introduction

1. This program safeguard systems assessment (PSSA) examines the environmental and social safeguards management and compliance system of the Government of Kerala (GOK), in particular, of the Department of Higher Education (DOHE) and the ASAP Secretariat, which are the executing agency and implementing agency respectively for the proposed project, and of the Public Works Department (PWD), which supervises the civil works for all line departments, and compares it with ADB's safeguard policies as outlined in the Safeguard Policy Statement (SPS) (2009). The PSSA includes a safeguard gap analysis of the Additional Skills Acquisition Program.¹

2. A team comprising an environment consultant, social safeguards consultant, and an architect cum civil engineer visited 15 potential sites identified by DOHE to assess their suitability and the likely social and environmental impacts. All the sites are owned by different departments of GOK (e.g., DOHE, Department of Industries, and Department of General Education, etc.). Since the construction of community skills parks (CSPs) will take place entirely within the premises of government departments, no new land will be acquired for, nor will anyone have to be resettled. Based on these site visits and consultations with relevant stakeholders, it is clear that the environment categorization should be B and involuntary resettlement should be C. Since the proportion of indigenous people in Kerala's population is negligible (around 1%), and there will be no negative impact on them whatsoever, the project is category C for indigenous people. No indigenous people live in areas where the CSPs are being considered or where the skills development centers (SDCs) are located.²

3. A review of GOK's environment and social safeguards framework, discussions with the main counterpart bodies (e.g., Kerala State Pollution Control Board [KSPCB]), and detailed consultations with DOHE and the ASAP Secretariat confirms that the state's systems and implementation procedures are strong enough to manage and mitigate the environmental impact of the civil works, and to ensure that there is no involuntary resettlement or any negative impact on indigenous people. Initial assessments indicate that the environmental impact of the program will be minor and that the mitigation measures can be built into the environmental management plans (EMPs) of subprojects. Environmentally-sensitive areas will be avoided when implementing program activities. Construction of CSPs will be started only after receiving statutory permissions and no objection certificates from KSPCB. The ASAP Secretariat has reconfirmed that it will not access any land that has any encumbrance. These proposed categorizations will not, however, preclude the screening of each of the subprojects for any safeguards-related impacts. Therefore, further screening of the sub-projects will be undertaken using the environment and social management framework (ESMF) guidelines and checklists.

B. Program Description and Outputs

4. The results-based lending program proposes construction of 35 new CSPs and 30 SDCs. The program's impact will be increased employment of Kerala's youth aged 15–24 years old. The outcome will be that ASAP certificate holders are more employable. This will be achieved through the following outputs.

¹ Additional Information to Program Safeguard System Assessment (accessible from the list of linked documents in Appendix 2).

² The SDCs are existing government buildings which will be renovated so that they can serve as training centers until the time the CSPs become fully operational.

- (i) **Output 1. Market-relevant vocational training introduced in post-basic education.** This output will enable ASAP to improve the foundation skills including English communication and IT skills of students enrolled in government and government-aided higher secondary schools and colleges. After completing foundation training of 180 hours, the students will be able to choose from a menu of vocational courses (duration of 120 hours to 520 hours depending on the trade) focusing on growing sectors such as banking and financial services, business process outsourcing, health care, hospitality, printing, retail, telecommunication, media and entertainment, etc. ASAP has already identified and designed 33 courses to date on the basis of consultations with industry associations, sector skills councils, and student surveys. The proposed loan will enable ASAP to introduce new courses and update existing courses based on market-response (Disbursement-Linked Indicator [DLI 2], Program Action Plan [PAP] 1), strengthen quality assurance, and support tracer studies to track improvement in employability and employment outcomes (DLI1, PAPs 1 and 4). Special attention will be given to designing and delivering vocational courses to meet the differential needs and aspirations of females and males so that their work force participation increases and employment prospects improves (PAP5). ASAP offers flexibility to the students to enroll for foundation and vocational courses outside school hours, holidays, and during vacations. It is arranging for internships with industry associations and companies to give exposure to the ASAP students.
- (ii) **Output 2. Access to quality vocational training enhanced.** This output will help ASAP in designing and establishing modern CSPs, and renovating existing skill development centers (SDCs) so that training in the fast-growing sectors, which is not provided currently under government's technical and vocational education and training programs, can be offered (DLI 3). Provision of modern training facilities with gender-friendly design and easy access for the physically impaired, will enable ASAP to attract more students (DLIs 4), private skills providers (DLI 5), encourage industry to contribute equipment and trainers, and improve the quality of overall training. PPP arrangements will be designed to outsource operations and management of the CSPs to private operators (PAP 1.5). State-of-the art CSPs will also counter the stigma attached to vocational training and enable ASAP to have tie-ups with modern firms for providing skilled workers.
- (iii) **Output 3. Increased awareness and private sector participation facilitated.** This output will support ASAP in organizing campaigns to enhance awareness about the opportunities provided by ASAP and increase student participation (DLI 4). By facilitating private sector participation in ASAP (DLI 5 and PAP1.2), ADB support will improve the employment prospects of Kerala's youth.
- (iv) **Output 4. Improved program management and monitoring and evaluation.** This output will build the ASAP Secretariat's capacity to implement the program effectively (DLI 6, PAP 2, 3, 4, 5, and 6). Experienced staff for managing accounts, financial management, and procurement will be hired by ASAP.

5. Some civil works will be included as part of Output 2 for constructing new CSPs where unencumbered government land exists, and renovating existing SDCs, i.e., government buildings where ASAP training programs are being delivered currently. A total of 35 new CSPs are proposed. Approximately, 30 SDCs will also be upgraded under the proposed project. It has been agreed with GOK that all construction and upgrading of activities will take place entirely

within premises owned by GOK. No new land will be acquired in anticipation of the project resulting in any displacement of people.

C. Environmental and Social Impacts and Risks

1. Environmental Impacts and Risks

6. The refurbishment of existing SDCs and the construction of new CSPs may cause the following minor environmental impacts and risks:

- (i) **Site clearance and preparation.** No environmental risks exist regarding clearance for sites which are already in use. For sites not in use or new sites, there could be risks such as blockage of drains and waterways during site clearance. Vegetation, if not properly disposed, could spread invasive species thereby causing environmental degradation. Pools of stagnant water could generate health risks by giving rise to vector-borne diseases. Site clearance could also lead to soil erosion especially during monsoon.
- (ii) **Noise generation.** Refurbishment or construction of structures for CSPs will cause some noise, especially during demolition of old buildings, loading, unloading, and transportation of construction materials.
- (iii) **Dust generation.** Demolition of buildings at some of the CSPs' locations will generate dust. Loading, transportation, and unloading of debris and new construction material will increase dust levels which can cause inconvenience and temporary health hazards for communities residing near the site.
- (iv) **Transport.** Transportation of building materials to and from the site will create noise and dust. If not properly managed, it may damage the other buildings and roads within the premises.
- (v) **Occupational hazards to construction workers and community.** Construction workers will be exposed to occupational hazards if proper safety procedures are not followed during construction of new CSPs and renovation of SDCs. Once the CSPs are in operation, especially those where vocational courses such as welding or use of heavy machinery are offered, additional safety measures will have to be taken to minimize possibility of accidents.
- (vi) **Lack of drainage leading to soil erosion, sedimentation, and health hazards.** If not properly managed, gravel, sand, and soil brought into sites for construction work or resulting from demolition of existing structures might be washed off into nearby streams, low-lying areas, and backwaters. This can cause sedimentation that blocks the natural flow of water and degrades habitats.
- (vii) **Contamination of ground water and surface water.** Wastewater can contaminate drinking-water sources through runoff if not properly channeled into disposal pits or other suitable areas. This risk is particularly high when the waste water comes from toilets constructed at CSP sites. Ground water contamination could take place from waste water generated by the construction camp sites.
- (viii) **Waste generation.** Any construction will generate debris which, if not disposed appropriately, will pollute adjoining areas including potentially sensitive sites and residential areas. The lack of proper waste disposal could also block the natural drainage system and create breeding grounds for waterborne diseases. There may be generation of toxic and hazardous waste during the construction due to vehicle maintenance and accidental spillage of fuel or lubricants.

- (ix) **Resource extraction.** The planned construction of new CSPs and upgrading of existing SDCs into CSPs will require material such as sand, clay for bricks, and timber. However, given the relatively small nature of the works envisaged, these implications are not likely to be significant.
- (x) **Damage to aesthetics of site and/or area.** The civil works could lead to adverse impacts on the aesthetics of the site and scenic view. Anticipated aesthetic impairment will be temporary and limited to the construction phase.
- (xi) **Stressed sanitary conditions.** During the construction phase, facilities related to sanitation and drinking water will be provided to avoid unhygienic conditions. All CSPs will be provided with proper washrooms and toilets (separate for boys and girls) and waste-disposal and sanitation to avoid any unhygienic conditions.

7. The short-term construction-related impacts and safeguard risks outlined above can be prevented by adopting standard operational procedures and good construction management practices. These procedures will be outlined in the terms of reference of an initial environmental examination (IEE) report. A sample EMP covering environmental impacts and corresponding mitigation measures is provided in the supplementary linked document.³ This has been prepared jointly, by officials of the ASAP Secretariat, PWD, and ADB consultants.

2. Social Impacts and Risks

8. The program will bring distinct and clear benefits to communities living in the vicinity of the proposed CSP sites.

- (i) **Local Development.** The program-initiated physical infrastructure will benefit local students by offering them access to good quality vocational training and career counseling close to home. They (especially females) will not have to travel to big cities or outside Kerala to avail of vocational training. In addition, the operation of the CSPs will also create more income and employment opportunities for the local communities such as catering of food, supply of other routine necessities, and transportation. This will also increase land values in the surroundings and could generate additional demand for accommodation (for non-local students) and other facilities such as food centers.
- (ii) **Promotion of social cohesion.** ASAP will contribute to social cohesion by reaching out to the youth, offering them career counseling, and providing them with the opportunity to enroll for training to enhance their employability.
- (iii) **Promotion of gender equity.** By offering many vocational courses focusing on the fast-growing services sector, ASAP will open up many more career opportunities for women as elaborated in the sector analysis. The establishment of 35 new CSPs across Kerala, and upgrading of 30 SDCs will enhance the access of quality vocational training and career counseling to the relatively backward and remote parts of the state making it easier for females to enroll.
- (iv) **Regional Equity.** The program will improve access to quality training programs across all the districts of Kerala.

D. Safeguard Policy Principles Triggered

1. Environmental Safeguard Policy Principles

³ Environmental and Social Management Framework (accessible from the list of linked documents in Appendix 2).

9. The program is likely to trigger the following environmental safeguard policy principles⁴ of the SPS: (i) project screening and categorization; (ii) environmental assessment; (iii) examination of alternatives to project location, design, technology, components, and their potential environmental and social impacts, and documentation of the rationale for selecting particular sites; (iv) EMP; (v) consultation and grievance redress; (vi) disclosure of planning instruments; (vii) monitoring and reporting; (viii) pollution prevention; (ix) occupational and community health and safety; and (x) provide for the use of “chance find” procedures that include a pre-approved management and conservation approach for materials that may be discovered during project implementation. The following principles are not triggered:

- (i) Principle 8: Do not implement project activities in areas of critical habitats. If a project is located within a legally protected area, implement additional programs to promote and enhance the conservation aims of the protected area. In an area of natural habitats, there must be no significant conversion or degradation, unless (a) alternatives are not available, (b) the overall benefits from the project substantially outweigh the environmental costs, and (c) any conversion or degradation is appropriately mitigated. (This principle is not likely to be triggered as no CSP is planned to be located in areas of critical habitats.)
- (ii) Principle 11: Conserve physical cultural resources and avoid destroying or damaging them by using field-based surveys that employ qualified and experienced experts during environmental assessment. Provide for the use of “chance find” procedures that include a pre-approved management and conservation approach for materials that may be discovered during project implementation. (This principle is unlikely to get triggered because a majority of the program locations have already been used to build schools.)
- (iii) A gap analysis distilled from the comparison between environmental safeguard principles of the SPS and the existing safeguards system of Kerala and India is provided in supplementary information linked document.

2. Involuntary Resettlement Safeguards Policy Principles

10. The only involuntary resettlement safeguard policy principle triggered is the subproject screening at an early stage to identify past, present, and future involuntary resettlement impact and risks.

3. Indigenous Peoples’ Safeguards Policy Principles

11. No SPS policy principle stated in indigenous peoples’ safeguards will trigger as no project-related structure is planned in areas where the indigenous people live. The safeguards-gap analysis for SPS principles related to social issues has been given in a supplementary document.⁵

E. Diagnostic Assessment

⁴ Additional Information to Program Safeguard System Assessment (accessible from the list of linked documents in Appendix 2).

⁵ Additional Information to Program Safeguard System Assessment (accessible from the list of linked documents in Appendix 2).

1. Assessment Methodology and Resources

a. Desk Review of Documents

12. All relevant policies, laws, and regulations pertaining to environment and social safeguards have been reviewed for this PSSA. This review has been carried out by the environmental specialist and social safeguards consultants fielded by ADB. These include the Environmental (Protection) Act (1986), Environmental Impact Assessment Notification (2006), National Rehabilitation and Resettlement Policy (2007), Right to Fair Compensation in Land Acquisition, Rehabilitation and Resettlement Act (2013), Forest (Conservation) Act (1980), and the Coastal Regulation Zone (CRZ) Notification (2011). Discussions were also held with GOK departments involved in environment clearances. In order to understand the focus and goals of ASAP, documents such as the Kerala State Skill Development Preliminary Report, 2012 and ASAP for Kerala, 2012 were reviewed.

b. Consultations

13. Consultations were held with the ASAP Secretariat on safeguards issues during the field missions held from March to June 2014. A detailed overview of ADB's social safeguards policies, as outlined in the SPS (2009), was provided to officers of DOHE and the ASAP Secretariat. The consultations were held to make the executing and implementing agencies understand the importance of safeguards compliance. Since Kerala has received assistance from ADB for two earlier projects, in which some of the current counterparts were involved, the executing and implementing agencies understand the essence of ADB's safeguards policies.⁶ They have assured ADB that safeguards issues will be followed closely while short listing sites for the CSPs. All sites will be within premises of GOK departments. There will be no acquisition of land in anticipation of this project. The sites will be encumbrance-free and not located in environmental sensitive locations.

14. During consultations with other stakeholders such as KSPCB, it was agreed that septic tanks will be installed to handle the waste water generated by the CSPs. The KSPCB advised that solid waste collection and disposals from CSP should be taken care of by installing a biogas plant or by integrating with the solid waste management system of the city/town. Other issues that may be considered while designing the CSPs are: (i) better ventilation in CSPs classrooms and (ii) segregation of solid waste at CSPs. Consultations were held with the principals of the educational institutes where CSPs will be constructed and with communities residing close to government premises where CSPs are being proposed. The stakeholders are aware of temporary disturbances and health risks. However, they fully support this initiative since it will eventually improve the career prospects of local youth and create business opportunities for local people.

c. Field Visits

15. As noted above, the team of consultants visited fifteen potential CSP sites which were shortlisted by the ASAP Secretariat on the basis of requirements. The field visits were aimed at finding out the suitability of the sites for the development of CSPs. Though some of the sites were not suitable for the construction of CSPs, there was enough indication to suggest that from

⁶ Kerala has implemented six World Bank projects to date. GOK staff, especially from the Public Works Departments and the Pollution Control Boards, are therefore, fully cognizant of the safeguards requirements of external development partners.

an environmental and social standpoint, they had been selected by ASAP in accordance with ADB's social safeguards guidelines. These visits helped the visiting team of ADB consultants to prepare a set of parameters for the selection of other, and more suitable, CSP sites by ASAP.

d. Safeguard Policy and Regulatory Framework

16. In India, the policy and regulatory framework applicable to safeguards has two components: (i) environmental protection laws and procedures and (ii) land acquisition law and resettlement and rehabilitation policies and guidelines. These two components interact with each other and share several safeguards principles found in international best practices of safeguards compliance. The recent Land Acquisition Act of 2013 also embodies principles of best international practices pertaining to the compensation and other benefits to the project affected families. Other acts where there is significant integration of international best practices are: (i) Environmental Impact Assessment Notification, 2006; (ii) Forest (Conservation) Act, 1980; (iii) Air (Prevention and Control of Pollution) Act, 1981; (iv) Water (Prevention and Control of Pollution) Act, 1974; (v) CRZ Notification 2011; (vi) Noise Pollution (Regulation and Control) Act, 1990; (vii) Ancient Monuments and Archaeological Sites and Remains Act, 1958; and (viii) Notification for Use of Fly Ash 2003 for building and construction projects.

2. Environment

a. Laws and Regulations

17. The Government of India enacted the Environment (Protection) Act, 1980 for the protection of the environment. Under this Act, many rules and notifications have been issued. The Environmental Impact Assessment Notification (EIA), 2006 (amended till date) has also been issued. This assessment specifies requirements for environmental assessment for various projects and prior environmental clearance. The current project will fall under the building construction project category (8b) in the EIA notification schedule. However, prior clearance is not required since the CSPs are expected to enclose an area of only 2,000 square meters maximum, which is far less than the prescribed level of 20,000 square meters above which a full EIA is required apart from the Acts already mentioned in the preceding paragraph, other regulations which are also relevant to this project are the: (i) Municipal Solid Waste (Management and Handling) Rules, 2000 and (ii) Hazardous Waste (Management and Handling) Rules, 1989 (amended). These policies, laws, and regulations governing environmental protection provide a satisfactory framework for the compliance of environmental safeguards of the program. All acts and rules mentioned above have been notified by the Government of India and are applicable to all states and union territories including Kerala state. Hence, the ASAP frame work is robust and equivalent to ADB SPS 2009.

b. Enforcement, Review, and Grievance Redress

18. The environmental clearance for projects is governed by the EIA Notification, 2006 notified by the Ministry of Environment and Forest (MOEF), Government of India. In this notification, projects requiring prior environmental clearances have been divided into Category 'A' and 'B'. Category 'A' projects require clearance from the MOEF and Category 'B' projects require environmental clearance from state level EIA authorities (SEIAAs). For this, SEIAAs offices have been established in each state and are housed in the Department of Environment. Kerala also has a SEIAA office. The regional offices of MOEF oversee issues related to

environmental clearance during project operations. The regional office of MOEF in south India is in Bengaluru, Karnataka.

19. Enforcement of environmental laws and regulations pertaining to air pollution, water pollution, solid waste, and hazardous and biomedical waste management is governed by the State Pollution Control Board (SPCB). The SPCB gives consent to establish an industry. The consent to operate specifies the conditions to be complied with pertaining to emissions, effluents, and solid waste during the functioning of the industry. This consent is renewed every year. The standards for discharge and other regulations to be followed are formed by the Central Pollution Control Board. The consultants also met the Kerala SPCB as noted above in para.13.

20. Complaints related to adverse environmental impacts are received at the industry/project office. The complainant is also free to register the complaint at the offices of MOEF, SPCB or at the Central Pollution Control Board. Complaints from the main office are referred to regional offices and thereafter, to the project authorities. They review the complaint and then submit a reply to the complainant after resolving the problem, or by indicating the difficulties involved in addressing the problem, and therefore, seeking a time extension. The aggrieved party may also submit a complaint to the courts. The complaints normally relate to excessive pollution, damages to surroundings, and degradation of the environment. In this project, complaints from the public are not anticipated as CSPs are planned inside school campuses or vacant government lots. The civil works would be of a relatively small scale. No hazardous chemicals or material will be used or discharged during construction. All the required mitigation and protective measures will be included in the EMP. A grievance redress mechanism (GRM) is part of any project supported by development agencies such as ADB. It is a bottom-up, multi-tiered structure starting from the division level and rising to the district and national level. The local environmental regulatory framework does not provide for an institutionalized GRM other than a web-based complaint window developed by respective government departments. The ESMF of the program will seek to establish a GRM for program activities at the district and state level and outline procedures for its establishment, functions, powers, membership, and budget (if any). The environmental policies, acts, and regulations comprise a national framework for environment protection and sustainable development. They provide sufficient and comprehensive legal mechanisms to manage and mitigate identified potential safeguards risks associated with the program and to comply with ADB's SPS policy principles.

c. Main Gaps Identified Between National Regulatory Framework and Asian Development Bank's Safeguard Policy Statement (2009)

21. The gap analysis has been carried out for the national regulatory framework and ADB's environmental safeguards. From the analysis, the following gaps have been identified:

- (i) The project activities do not attract provisions of EIA Notification, 2006 as individual building area is less than 20,000m², whereas ADB's SPS requires an IEE for subprojects.
- (ii) Since EIA Notification, 2006 is not applicable, therefore, no public hearing is needed for the project implementation, whereas as per ADB's SPS, results-based lending activities have been categorized under 'B'. Therefore, stakeholder consultation is necessary for IEE report completion.
- (iii) There is no disclosure mechanism for the EIA documents for the projects not attracting provisions of EIA Notification, 2006, but ADB's SPS requires disclosure of safeguard documents in the Borrower and ADB's website.

- (iv) The EMP is normally not part of a contract as per national and local regulations, but ADB's SPS requires EMP part of contract and strict monitoring of mitigation measures during project life cycle.

3. Involuntary Resettlement

a. Policies, Laws and Regulations

22. India's main policies and regulations pertaining to involuntary resettlement include the National Rehabilitation and Resettlement Policy, 2007 and the Right to Fair Compensation in Land Acquisition, Rehabilitation, and Resettlement Act, 2013. These policies and acts embody several internationally-accepted principles including those enunciated in SPS, 2009 such as payment of market value for the property acquired and the entitlement of non-titled land users for compensation and resettlement assistance. A detailed consultation framework and grievance mechanism is also built into these policies and acts. It has been found that there is a high level of congruence and equivalence (80%–90%) between the current land regulatory framework and the involuntary resettlement best practices enshrined in the SPS. In this project, there will not be any requirement of rehabilitation and involuntary resettlement since only unencumbered sites within premises of GOK departments will be considered for the CSPs. This implies that the standard legal clauses pertaining to income improvement of the poor and vulnerable affected persons, monitoring and assessment of resettlement outcomes and their impacts, and disclosure of resettlement planning documents, are not relevant for this proposed project.

23. The ADB consultants will conduct capacity building workshops to familiarize and train DOHE, ASAP, PWD, and other relevant officials further about the national and state level policies and procedures pertaining to environment and social safeguards. An ESMF will also be prepared to guide the implementation of ASAP in line with the principles and procedures laid down in these national and state level safeguards systems.

b. Enforcement, Review, and Grievance Redress

24. In the development of CSPs, land acquisition, compensation, and relocation issues are not anticipated. This grievance mechanism will also review complaints regarding any inconveniences caused or disturbances experienced by the public during the construction and operation of CSPs. In the case of grievances faced by students/faculty of CSPs, a separate grievance mechanism will be developed by the ASAP Secretariat before the startup of construction activities. All complaints will be recorded. A register will be maintained at each CSP location and at the ASAP Secretariat to record these complaints. The complainant can also register his/her complaint through the ASAP website or through email. Project level mechanisms will be set in place to address any complaints but, in the event the complainant decides to move to the courts he/she may do so. While the policy and regulatory frameworks for environmental and social safeguards are satisfactory, weak institutional capacity of the ASAP Secretariat and local offices is an impediment to effective implementation of safeguards requirements. The program will particularly deal with this issue by developing a comprehensive ESMF and a PAP. The ESMF will provide guidelines, tools, and assessment methodologies to screen and identify safeguards impacts of sub-projects of the program, prepare appropriate plans, implement and monitor them, and establish GRMs.

c. Responsibility for Safeguard Compliance of the Program

25. Managing all ASAP centers, including safeguard compliance, will be the responsibility of DOHE (executing agency) and the ASAP Secretariat (implementing agency). In order to ensure effective and timely adherence to these environment and social safeguards during planning and implementation of ASAP, it is proposed that a separate safeguards unit be established under the ASAP Secretariat. The ADB consultants will provide training on safeguard aspects to ASAP Secretariat officers with regard to safeguard application and compliance.

d. Main Gaps Identified Between National Regulatory Framework and Asian Development Bank's Safeguard Policy Statement (2009)

26. The gap analysis has been carried out for the national regulatory framework pertaining to social safeguards and ADB's social safeguards. It is clear from the analysis that the only principle number 1 of involuntary resettlement policy is triggered and indigenous peoples safeguard policy is not triggered. Hence, no gap has been identified between the national regulatory framework and ADB's SPS 2009 for the current project.

F. Safeguard Program Actions

27. The PSSA shows that there are robust and internationally-aligned environment and social safeguard acts, rules, and notifications frameworks in India at both, the national and state levels (including in Kerala). However, the project team, during the diagnostic assessment, observed some gaps between the national regulatory framework and ADB's SPS (2009). In order to fill these gaps (see table below), an ESMF has been prepared by the project team. In order to ensure adherence to these environment and social safeguards, one dedicated environment safeguard officer will be recruited within the ASAP Secretariat.⁷ He/she will keep track of all potential environmental and social issues which may emerge during implementation of ASAP, especially with respect to the CSPs. The safeguards officer will screen potential CSP sites for environment and social impacts as agreed with ADB. He/she will also monitor the work of the contractors and ensure that the CSPs are operated in an environmentally and socially-responsible manner. The safeguard officer will be responsible for quality, implementation, and monitoring of safeguards plans. He/she will also undertake meaningful consultations with communities adjoining CSPs periodically. Planning of remedies and mitigation measures for environmental and social impacts can be done in consultation with the communities. This would enhance the communities' ownership of any mitigation measures. In this regard, the establishment of a GRM will be very helpful. Complaint proceedings and the outcome of inquiries are to be recorded and shared with aggrieved parties.

Main Gaps	Action to be Taken
This project's activities will not attract provisions of EIA Notification, 2006 as individual building area is less than 20,000m ² , whereas ADB's SPS requests an IEE for subprojects.	Prepare the framework to proceed with SPS principles and to prepare IEE for these RBL activities.
Public hearing for the subproject is not required. The final EIA report for category B project is normally not disclosed.	Conduct public hearing for RBL activities. Disclose IEEs to the public through the website of the implementation agency.
EMPs are seldom parts of the contract documents in the building permit process and implementation	Include EMP requirement in the contract to ensure the implementation of EMP.

⁷ A gender specialist will be engaged under the piggy-backed capacity development technical assistance project.

of the EMP and monitoring is not ensured.

ADB = Asian Development Bank, EIA = environmental impact assessment, EMP = environmental management plan, IEE = initial environmental examination, RBL = results-based lending, SPS = Safeguard Policy Statement.

Source: Asian Development Bank.

28. Knowledge sharing and training programs will be the key vehicle of increasing awareness of safeguards among all stakeholders and CSP administrators/faculty. The safeguards cell will prepare training programs in consultation with ADB. Handbooks, manuals, checklists, and safeguards plans and templates will be prepared in Malayali and English, and distributed at the CSP construction sites and at each of the district/town level ASAP centers. These training manuals and handouts will be updated periodically by including safeguards planning and compliance experiences.