

Government of Assam (GoA)
ARIAS SOCIETY (ARIASS)
Assam Project on Agribusiness and Rural Transformation (APART)

Draft TERMS OF REFERENCE (TOR)

For hiring consultants to conduct Environmental and Social Assessment of the Project and Preparation of management plans and/or framework for managing Adverse Environmental and Social impacts, risks and benefits.

BACKGROUND

1. Government of Assam (GoA), through the Government of India has applied for a credit of US\$200 million from the World Bank (W.B.) for implementation of the proposed **Assam Project for Agribusiness and Rural Transformation (APART)**, which is currently under preparatory stage. The proposed Project Development Objective is to -increase value-added and improve resilience in the production and processing of selected agriculture commodities, focusing on small farmers and agro-entrepreneurs in targeted districts.
2. The proposed project would support, value addition in the production and post-harvest segments of selected agriculture value-chains; facilitate agribusiness investments through inclusive business models that provide opportunities to small farmers as well as stimulate the establishment of new small and medium agribusiness enterprises; and support resilience of agriculture production systems in order to better manage increasing production and commercial risks associated with climate change, in the targeted districts. The project would adopt a cluster strategy within the targeted districts to generate economies of scale; promote vertical and horizontal links between local agricultural enterprises; enable diffusion of innovations; leverage network externalities; and channel public support for services and infrastructure. By adopting a cluster approach, the project would enable all the value chain participants to develop competitive and innovative products that meet market demands rapidly and successfully.
3. A key project thrust will be on enhancing agglomeration of producers to improve economies of scale in producing, processing and marketing. The project will support agriculture and livestock productivity (including value and incomes) through essential technology transfer in production and improved post-harvest and market operations, and also explore and pilot possible financing modalities to support entrepreneurship and agri-business. APART will leverage the natural resource advantages of the state as well as improve the investment climate and in particular, focus will be on processed food, agribusiness, logistics and infrastructure, and MSME finance and insurance. Project beneficiaries will include farmers and entrepreneurs especially in the MSME segment. Others beneficiaries would include farmer producer organizations, sector management companies, and other value chain participants. For more information please refer to the “Combined Project Information Documents/ Integrated Safeguards Data Sheet concept stage” at <http://documents.worldbank.org/curated/en/docsearch/projects/P155617>.
4. It is intended to hire a consultancy firm to conduct an Environmental and Social Assessment (ESA) and management plans and/or framework for managing potential adverse environmental and social impacts and risks, if any.

OBJECTIVE OF THE ASSIGNMENT

5. The purpose of this consultancy work is to ensure that the potential Environmental and Social issues and risks for the Assam Project on Agribusiness and Rural Transformation (APART) are identified and appropriate Environmental Management Framework (EMF) and Social Management Framework (SMF) is prepared separately for the avoidance, mitigation of adverse effects and enhancing environmental and social benefits while implementing the same. The specific objectives are to:

- a) Understand the modalities of the interventions under the proposed APART in the context of socio-environmental dimensions, including through stakeholder consultations and analysis and identify potential environmental and social impacts, both positive and negative, related to project;
- b) Prepare a Environmental Assessment Report (EAR) and a Social Assessment Report (SAR) separately and preparation of an separate EMF and separate SMF including management plans and/or framework for managing adverse environmental and social impacts and risks on the likely significant effects of the project.

SCOPE OF THE SERVICE

6. The scope of consulting firm shall include conducting separate EA and SA and preparation of separate EMF and SMF The ESA shall be conducted based on sample sub-projects that are under consideration for implementation during the project. The sample sub-projects should be selected to be representative of the locations where the actual sub-projects under the project are likely to be implemented. All the sub-projects considered for conducting the separate EA and SA are to be provided with adequate description with a focus on understanding the environmental and social setting and sensitivities for the proposed sub-project. The sub-project area of influence would also need to be determined on the basis of the activities involved. The Consultants shall prepare the separate EA and SA as per the following tasks:

Task-1: Laying down Policy, legal, and administrative framework: Discussing the policy, legal and administrative framework within which the assessment is carried out, national and state specific regulations (including permits and licenses), and the World Bank's Operational Policies and Best Practices and Performance Standards. Reviewing the Environmental & Social compliance requirement with respect to the above; present an overview of Government of India's and State Government's social and environmental policies, legislations, regulatory and administrative framework in conjunction with the World Bank's safeguard policies and Performance Standards. Where gaps exist between these policies, make recommendations to bridge the gaps in the context of the proposed project.

Task-2: Generating separate EMF and SMF

A. Generating Data for Environmental Management Framework: Collection and generation of relevant social and environmental (physical, biological) data (primary & secondary) within the study area. This data should be relevant to decisions about project location, design, construction, operation, or mitigation measures.

The data generation should specifically focus on issues related to

- Land and physical environment
- Physiographic characteristics
- Ecology or biodiversity
- Physical or cultural heritage (if any)
- Flooding and seismic risk
- Hazardous and domestic waste management, etc.
- B. Social Assessment to prepare separate Social Management Framework to address social risks and enhance benefits that builds on the principals of social inclusion, participation, transparency, accountability and land requirement.
 - Prepare Socio-economic profile in terms of demographic characteristics, land use pattern, economic profile, occupational pattern and other socio-economic parameters.
 - Identify and analyze the issues of social exclusion of vulnerable communities,gender, etc in participating and accessing the project benefits.
 - Analyse disaggregated data of the gender, vulnerable people and others engaged in value chain of production of produce and agri-buisness.
 - and assess the likely impacts of the project interventions, in terms of land acquisition/ transfer (loss of lands, houses, livelihood, etc.), and resultant involuntary resettlement extent and undertake the census of

potential project affected people; and loss of community assets including the religious structures and common property resources (e.g. forest, grazing land, drinking water source, etc.) within project site;

- The consultant based on site visits and consultations with the affected people, shall review the following for sample sub-projects **(i)** processes followed for land procurement including an assessment of the adequacy of information disclosed to the landowners and the bargaining power of landowners to negotiate for fair compensation, **(ii)** policies and laws (if any) that are applicable for negotiated settlements in the area, **(iii)** confirmation of third party validation of the negotiations carried out, **(iv)** mechanisms adopted for calculating the replacement costs of land and other impacted assets, and **(v)** record keeping requirements of the negotiation process.
- **Conduct stakeholders' consultation:** All key stakeholders in the project are to be identified through a stakeholder analysis and they need to be made aware of the objectives and potential environmental and social impacts of the proposed project. Stakeholders' will include all those who are directly or indirectly dependent on the project site(s). The consultation outcomes shall be summarized in a structured manner and shall clearly bring out the implications for project design.
- Analyse legal policy framework to enhance social development outcomes – social inclusion, participation, transparency, accountability and land requirement.
- Assess and analyse the Institutions providing the services.
- Assess the capacity of Social cell to support the program.
- Assess the grievance management and citizen feedback systems.
- Assess Monitoring system to monitor social development outcomes.

Task-3: Conduct stakeholders' consultation: All key stakeholders in the project are to be identified through a stakeholder analysis and they need to be made aware of the objectives and potential environmental and social impacts of the proposed project. Stakeholders' will include all those who are directly or indirectly dependent on the project site(s). The consultation outcomes shall be summarized in a structured manner and shall clearly bring out the implications for project design.

Task-4: Analyzing the Alternatives: The sample sub-projects should be studied for all reasonable alternatives considered before finalising the site in terms of their potential social and environmental impacts; the feasibility of mitigating these impacts; their capital and recurrent costs; their suitability under local conditions; and their institutional, training, and monitoring requirements. The basis for selecting a particular site and project design, justifying recommended approaches to pollution prevention and abatement should be adequately studied and documented.

Task 5: Assess Social Impacts and benefits and prepare Social Management Framework: The social assessment analyses the positive and negative impact of the proposed APART project to develop the framework to comply with National, State and Bank's safeguard policies.

- (a)** Screening mechanism to identify and screen the projects that have potential negative impacts on social / Resettlement & Rehabilitation (R&R) / indigenous peoples right in the selection stage so that they can be either avoided from further consideration or adequate mitigating measures could be built into sub-project specific safeguard documents.
- (b)** R&R entitlement framework in consultation with the affected people and other stakeholders; details of the entitlements for various categories of impacts, mitigation measures to address livelihood impacts, etc
 - (c) Preparation of a separate Indigenous Peoples/ Tribal Development Plan .
 - (d) Consultation and communication framework for participatory planning and implementation.
 - (e) Gender Action Plan.
 - (f) Capacity building plan of producer groups, and implementing partners including the ARIAS Society.
 - (g) Develop scheme cycle.
 - (h) Develop Citizen feedback system

- (i) Prepare Social Audit Manual
- (j) Develop the monitoring indicators on social development outcomes.
- (k) Develop reporting formats for quarterly progress reports including tracking of grievances.
- (l) Prepare Monitoring and evaluation mechanism to assess social development outcomes
- (m) Assessment and mitigation measures for health and safety issues of the workforce and community, as well as compliance with national labour laws, and World Bank Group EHS Guidelines. This should cover the issues related to HIV/AIDs and other communicable diseases.

Task-5: Assessing Environmental Impacts and Mitigation Measures: Assessing Environmental impacts (both positive and negative) of the proposed APART project, with potential assessment of cumulative impacts, if relevant and as appropriate has to be carried out. Identify mitigation measures and any residual negative impacts that cannot be mitigated. Also evaluate impacts and risks from associated facilities. The mitigation measures shall be presented in the form of EMF, which shall include the following:

- Based on the EA, EMF shall be prepared in such a manner that it provides adequate guidance for preparation of sub-project Environmental Management Plans (EMPs). The EMF should also include a mechanism for conducting screening of the sub-projects identified in the APART with respect to the environmental, social and resettlement aspects.
- The EMF should be able to provide adequate guidance in proposing specific measures that are amenable to incorporation in the bidding/contract documents. The EMF shall be prepared as per the requirements of Bank's safeguard policies. The EMF shall include measures and contracting procedures for execution of the suggested environmental mitigation measures for pre-construction, construction and operation period.
- In addition, the EMF shall include good practice guides, related to construction and upkeep of plant and machinery. Responsibilities for execution and supervision of each of the mitigation shall be specified in the EMF. The ESMF shall list all mandatory government clearance conditions, and the status of procuring clearances for various types of sub-projects considered in the APART.
- Additionally, the EMF shall include as separate attachments, if applicable, Integrated Pest Management Plan, Natural Habitat plan and/or Cultural Properties Plan to satisfy the safeguard requirements and the regulatory requirement of the GoI and GoA. The EMF shall also cover the Occupational health and safety, Labour working conditions, Construction labour management, Waste Management including for Hazardous waste.

The EMF shall include an adequate institutional structure and resources including financial budget to enable ARIAS Society to undertake measures identified.

Task-7: Grievance Redress Mechanism: The existing community grievance redress framework/mechanism for resolving complaints about environmental and social performance is to be reviewed and any modifications required based on the sub-projects is to be suggested and accordingly incorporated into the SMF.

Task-8: Supervision & Monitoring: The EMF shall specify the environmental supervision, monitoring and auditing requirements. The monitoring program shall specify parameters, reference standards, monitoring method, frequency, duration, location, reporting responsibilities, and what other inputs are necessary. In addition, the program shall specify what action should be taken and by whom in the event that the proposed mitigation measures fail, either partially or totally, to achieve the level of environmental protection expected.

Task-9: Public Disclosure: The consultants shall prepare a plan for in-country disclosure, specifying the timing and locations; translate the summary of key documents, such as the EA, the EMF, the SA and the SMF in Assamese and other major languages of Assam for disclosure; help the client to place all the related Environmental and Social Assessment reports in the client's website and participate through public disclosure workshop to be arranged by the client for the disclosure of the EA, SA and EMF and the SMF. The consultants shall also prepare a non-technical Summary of EA and SA Report for public disclosure.

INPUTS TO BE PROVIDED BY THE CLIENT

7. The Client shall provide necessary support to the consultant to collect secondary data by issuing authorization letters. The Consultant will be responsible for any translation of documents and for processing of data. The State Project Director/ Social Development Specialist, ARIASS/ Environmental Specialist/ Project Manager, APART or their representative will liaise with the consultant for all activities and participate as possible in the study.

OUTPUTS / DELIVERABLES

8. The deliverable of the Assignment along with timeline are given below

Sl.	Deliverables by the consultants	Timeline for delivery	Review and Approvals	% of Payment schedule
1.	The Inception Report (<i>inter alia</i> containing detailed work plan and methods of assessment)	Within 7 Days from the date of signing of Contract Agreement (CA)	SPD, ARIAS Society	10 % of the Contract Price as advance against submission of Bank Guarantee for the equivalent amount from Nationalized/ Scheduled commercial Bank
2.	Draft separate Environment Assessment Report (EAR) and Social Assessment (DAR) Report and submit to the client for approval	Within 35 days from the date of signing of CA	SPD, ARIAS Society	30 % of the Contract Price
3.	Draft Indigenous / Tribal People Development Plan (I) and submit to the client for approval	Within 40 days from the date of signing of CA	SPD, ARIAS Society	20 % of the Contract Price
4.	Draft EMF and SMF ¹	Within 50 days from the date of signing of CA	SPD, ARIAS Society	20 % of the Contract Price
5.	Final ESA and ESMF Reports	Within 60 days from the date of signing of CA	SPD, ARIAS Society	20 % of the Contract Price

METHODOLOGY / APPROACH OF THE SERVICE (WORK)

9. The Consultant is required to provide detail in their Technical Proposal about the methods they intend to adopt/employ for the study under this assignment. The Consultant *inter alia* will carry out a desk review of the relevant documents, standards, procedures and processes that are likely to be applied for the project. All supporting information gathered by the consultant in undertaking these Terms of Reference would be made available to the client.

LIST OF ANNEXURES

10. The following provide useful information and guidelines for the assignment; Operational Policies (OP) / Bank Practices (BP) / Good Practices (GP) / Operational Directives (OD) / Guidelines²

- OP / BP / GP 4.01 Environmental Assessment
- OP / BP / GP 4.02 Environmental Action Plans
- OP / BP / GP 4.04 Natural Habitats
- OP/BP/GP 4.09 Pest Management
- OP / BP 4.10 Indigenous Peoples
- OP / BP 4.12 Involuntary Resettlement.
- OD 4.20 Indigenous Peoples
- OPN 11.03 Cultural property
- BP 17.50 Disclosure of Operational Information

¹ EMF: Environmental Management Framework and SMF: Social Management Framework

² **Reference Material:** The World Bank, Environment Department, Assessment, Sourcebook, Vol. 1 – III (World Bank Technical Papers No. 139, 140 and 154), Washington DC, 1991; and its updates. (Refer to www.worldbank.org.) / The World Bank, Roads and Environment, A Handbook (World Bank Technical Paper No. 376) / The World Bank, Resettlement Sourcebook.