## Department for Welfare of Differently Abled Persons

RIGHTS: Inclusion, Accessibility and Opportunities for Persons with Disabilities in Tamil Nadu [P176404]

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP)

**08 April, 2022** 

## **ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN**

- 1. The Government of Tamil Nadu through Department for Welfare of Differently Abled Personswill implement the RIGHTS: Inclusion, Accessibility and Opportunities for Persons with Disabilities in Tamil Nadu Project [P176404], with the involvement of the Directorate for the Welfare of Differently Abled Persons (DWDAP), Government of Tamil Nadu as set out in the Loan Agreement. The International Bank for Reconstruction and Development (the World Bank) has agreed to provide the original financing (P176404) for the Project, as set out in the referred agreement.
- 2. The Department for Welfare of Differently Abled Persons, GoTNshall ensure that the Project is carried out in accordance with the Environmental and Social Standards (ESSs) and this Environmental and Social Commitment Plan (ESCP), in a manner acceptable to the World Bank. The ESCP is a part of the Loan Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreement.
- 3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the Department for Welfare of Differently Abled Persons, GoTNshall carry out or cause to be carried out, including, as applicable, the timeframes of the actions and measures, institutional, staffing, training, monitoring and reporting arrangements, and grievance management. The ESCP also sets out the environmental and social (E&S) instruments that shall be adopted and implemented under the Project, all of which shall be subject to prior consultation and disclosure, consistent with the ESS, and form and substance, and in a manner acceptable to the World Bank. Once adopted, saidE&S instrumentsmay be revised from time to time with prior written agreement by the World Bank.
- 4. As agreed by the World Bank and the Department for Welfare of Differently Abled Persons, this ESCP will be revised from time to time if necessary, during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to Project performance. In such circumstances, the Department for Welfare of Differently Abled Personsthroughthe Directorate for the Welfare of Differently Abled Persons (DWDAP) and the World Bankagreeto update the ESCP to reflect these changes through an exchange of letters signed between the World Bankand the Department for Welfare of Differently Abled TN RIGHTS Project Director, Department for Welfare of Differently Abled Persons, Government of Tamil Nadu. The Department for Welfare of Differently Abled Personsshall promptly disclose the updated ESCP.

MATER	RIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
MONIT	ORING AND REPORTING		
А	REGULAR REPORTING  Prepare and submit to the World Bank regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, status of preparation/updating and implementation of E&S instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism(s).	Submit quarterly and annual reports to the World Bankthroughout Project implementation, commencing after the Effective Date. Submit each report to the World Bankno later than 30 days after the end of each reporting period.	Directorate for the Welfare of Differently Abled Persons- PMU
В	An independent Environmental Audit (including health and safety aspects) at mid-term and end term	At the end of third year for mid-term audit and last year of project implementation for end term audit	Directorate for the Welfare of Differently Abled Persons - PMU
С	INCIDENTS AND ACCIDENTS  Promptly notify the World Bankof 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, including, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury. Provide sufficient detail regarding the scope, severity, and possible causes of the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by any contractor and/ordesign and supervising firm, as appropriate. Subsequently, at the World Bank's request, prepare areport on the incident or accident and propose any measures toaddress it and prevent its recurrence.  CONTRACTORS' MONTHLY REPORTS  Require contractors includingdesign and supervisionconsultantto provide	Notify the WorldBankno later than 48 hours after learning of the incident or accident.  Provide subsequent report to the World Bankwithin 30 days with information on the outcome of the investigation and/or pending action and potential closure date.  Submit the reports to the World Bankas annexes to	<ul> <li>Directorate for the Welfare of Differently Abled Persons- PMU</li> <li>Design and Supervision Consultant</li> <li>Contractors</li> </ul> • Design and Supervision
D	monthly monitoring reports on ESHS performance in accordance with the metrics specified in the respective bidding documents and contracts and submitsuch reports to the World Bank.	the reports to be submitted under action A above.	<ul><li>Design and Supervision Consultant</li><li>Contractors</li></ul>
ESS 1:	ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND I	MPACTS	
1.1	ORGANIZATIONAL STRUCTURE  1. Establish and maintain a State level PMU and District level PIUs with qualified staff and resources to support management of ESHS risks and impacts of the Project, including designating the Deputy Project Director at the PMU and District Differently Abled Welfare Officer (DDAWO) at the DPIUs as overall responsible for supervising and monitoring ESHS risk management under the	<ol> <li>Designate the Deputy Project Director, prior to project negotiations, and thereaftermaintainthese positions throughout the Project implementation.</li> <li>(a) Designate the Community Services &amp; Inclusion</li> </ol>	Directorate for the Welfare of Differently Abled Persons

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	project.  2. To assist the Deputy Project Director atthe PMU, assign:a) Community Services & Inclusion Specialist as focal person for social management; b) Social Care Services & Accessibility Specialist, a focal person for environment, health and safetymanagement; and c) Productive Inclusion Specialist responsible for stakeholder engagement and labour management for the project, in consultation with the focal persons for social and environmental management.	Specialist for social management, prior to project negotiations, and thereafter maintain these positions throughout Project implementation.  2 (b) Designate the Social Care Services & Accessibility Specialist for environment, health and safety management, prior to project negotiations, and thereafter maintain these positions throughout Project implementation.  2 (c) Designate Productive Inclusion specialist for stakeholder engagement and labour management, prior to project negotiations, and thereafter maintain these positions throughout Project implementation.	Directorate for the Welfare of Differently Abled Persons
1.2	ENVIRONMENTAL AND SOCIAL INSTRUMENTS  1. Disclose and implement the Environmental and Social Management Framework (ESMF) for the Project, consistent with the relevant ESSs.  2. Conduct environmental and social screening of all proposed sites for development of sub-divisional One Stop Service Centres and renovation and upgradation of Block/PHC level Early Intervention Centres following the suggested screening process mentioned in the ESMF.  3.Adopt and implement the Environmental and Social Management Plan (ESMP) for development of sub-divisional One Stop Service Centresincluding renovation and upgradation of Block/PHC level Early Intervention Centres, as set out in the ESMF. The proposed activities described in the exclusion list set out in the ESMF shall be ineligible to receive financing under the Project.	<ol> <li>Disclose the ESMF prior to project appraisal, and thereafter implement the ESMF throughout Project execution.</li> <li>Conduct environmental and social screening once the proposed sites are identified— prior to initiation of design/DPR preparation.</li> <li>Prepare and adoptthe ESMP before launching the bidding process for the respective Project activity. Once adopted, implement the respective ESMP throughout Project implementation.</li> </ol>	Directorate for the Welfare of Differently Abled Persons- PMU and DPIUs
1.3	MANAGEMENT OF CONTRACTORS  1. Incorporate the relevant aspects of the ESCP, including, inter alia, the relevant E&S instruments, the ESMF, the ESMP, the Labor Management Procedures, and code of conduct, into the ESHS specifications of the procurement documents and contracts with contractors and supervising firm. Thereafter ensure that the contractors and supervising firms comply and cause subcontractors to comply with the ESHS specifications of their respective contracts.	As part of the preparation of procurement documents and in respective bidding documents/contracts.	<ul> <li>Design and Supervision Consultant</li> <li>Directorate for the Welfare of Differently Abled Persons- PMU</li> </ul>

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	2. Adopt a Labour Compliance ICT tool for real-time monitoring and supervision of contractors including the implementation of social performance requirements.	2. Adopt the Labour Compliance ICT tool prior to commencement of civil works under the project, and thereafter maintain the tool throughout Project implementation.	
1.4	Adopt a real time/concurrent monitoring system for monitoring and supervision of contractors, including the implementation of Contractor's – Environmental and Social Management Plan (C-ESMP) and EHS performance requirements.	Develop and adopt the real time/concurrent monitoring system prior to commencement of civil works under the project, and thereafter maintain the tool throughout Project implementation.	<ul> <li>Directorate for the Welfare of Differently Abled Persons- PMU</li> <li>Design and Supervision Consultant</li> </ul>
1.5	Ensure that contractors prepare and implement C-ESMP that adheres to the ESMF and contains details such as OHS plan, labour management requirements, materials management, traffic/road safety, construction equipment management, waste management etc. (commensurate with locational context, nature and scale of works) that will be acceptable to DSE, GoTN and World Bank	Before commencement of civil works	<ul> <li>Directorate for the Welfare of Differently Abled Persons- PMU</li> <li>Design and Supervision Consultant</li> <li>Contractors</li> </ul>
1.6	<ul> <li>PERMITS, CONSENTS AND STATUTORY APPROVALS</li> <li>Obtain requisite clearances, licenses/approvals and permits under existing legal framework that are applicable to the Project from relevant authorities, particularly for civil works to be supported under the Project.</li> <li>Ensure compliance with conditions prescribed in the relevant permits, consents, authorizations for the activities supported under the project.</li> </ul>	Prior to commencement of civil works and renewal as required during project implementation period. No construction to commence until relevant clearances, licenses and approvals / permits are obtained.	<ul> <li>Directorate for the Welfare of Differently Abled Persons- PMU and DPIUs</li> <li>Design and Supervision Consultant</li> <li>Contractors</li> </ul>
1.4	CONTINGENT EMERGENCY RESPONSE FINANCING  Update and re-disclose the ESMF, as and if needed, upon activation of the Contingent Emergency Response Component (CERC), including adding a list of eligible activities/expenditures at the time of CERC activation, potential impacts and mitigation measures (as relevant).	Upon activation of CERC component	
ESS 2:	LABOR AND WORKING CONDITIONS		
2.1	LABOR MANAGEMENT PROCEDURES  Implement the Labor Management Procedures (LMP) for the Project, including, inter alia, provisions onworking conditions, management of workers	Implement the LMP throughout Project implementation.	Directorate for the Welfare of Differently Abled Persons- PMU and DPIUs

MATER	IAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
	relationships, occupational health and safety (including personal protective equipment, and emergency preparedness and response), code of conduct (including relating to SEA and SH),forced labor, child labor, grievance arrangements for Project workers, and applicable requirementsfor contractors, subcontractors, and supervising firms.		Design and Supervision Consultant Contractors and Sub- Contractors
2.2	GRIEVANCE MECHANISM FOR PROJECT WORKERS  Establishand operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2. The grievance mechanism will also take up and address labor-related SEA/SH complaints (and maintain confidentiality).	Establishgrievance mechanism prior engaging Project workers and thereafter maintain andoperate it throughout Project implementation.	Directorate for the Welfare of Differently Abled Persons- PMU Design and Supervision Consultant Contractors and Sub- Contractors
2.3	OCCUPATIONAL HEALTH AND SAFETY (OHS)  Prepare, adopt, and implement an Occupational, Health and Safety (OHS) plan for the projectaligned with measures suggested in the ESMF/ESMP and Good International Industry Practices (GIIP)	<ul> <li>Preparation before initiating Civil Works</li> <li>Implementation during execution of civil works</li> </ul>	<ul> <li>Directorate for the Welfare of Differently Abled Persons – PMU</li> <li>Design and Supervision Consultant</li> </ul>
ESS 3: I	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT		
3.1	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Ensure that the preparation and implementation of ESMPs integrates resource efficiency and pollution prevention/management requirements, consistent with ESS3, and as detailed in the ESMFforbuilding/infrastructure works, covering both new facilities and renovation/upgrading of existing centers.	To be included in sub-project design; planning and execution of constructionworks	<ul> <li>Directorate for the Welfare of Differently Abled Persons- PMU</li> <li>Design and Supervision Consultant</li> <li>Contractors</li> </ul>
3.2	Ensure that Contractor's abide by the existing national/state requirements for construction material sourcing, management of hazardous (if any) and other construction wastes.	During execution of civil works	<ul> <li>Directorate for the Welfare of Differently Abled Persons- PMU</li> <li>Design and Supervision Consultant</li> <li>Contractors</li> </ul>
ESS 4: COMMUNITY HEALTH AND SAFETY			

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4.1	COMMUNITY HEALTH AND SAFETY  Assess and manage specific risks and impacts to the community arising from Project activities, including, inter alia, behavior of Project workers, risks of labor influx, response to emergency situations, and include mitigation measures in the ESMPs to be prepared in accordance with the ESMF.	Same timeframe as for the adoption and implementation of the ESMPs.	
4.2	SEA AND SH RISKS  1. Implement SEA/SH prevention and response plan enumerated in the ESMF  2. Adopt and implement a SEA/SH prevention and response plan as part of thesite-specific ESMP, to assess and manage the risks of SEA and SH.	1. Implement SEA/SH prevention and response plan throughout the Project implementation 2. Adopt the SEA/SH prevention and response planas a part of site-specific ESMP before launching the bidding process for the respective Project activity, and thereafter implement the SEA/SH prevention and response plan throughout Project implementation.	Directorate for the Welfare of Differently Abled Persons- PMU
ESS 5:	LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEM	1ENT	
5.1	RESETTLEMENT POLICY FRAMEWORK  Discloseand implement aResettlement Policy Framework (RPF) for the Project, consistent with ESS5.	Disclose the RPF prior to project appraisal, and thereafter implement the RPF throughout Project implementation.	Directorate for the Welfare of Differently Abled Persons- PMU
5.2	RESETTLEMENT PLANS  Wherever required, carry out a site-specific social impact assessment (SIA), adoptand implement the ResettlementActionPlan/Abbreviated Resettlement Action Plan (RAP/A-RAP) for each activity under the Project for which the RPF requires such RAP/A-RAP, as set out in the RPF, and consistent with the national laws and ESS5.	Adopt and implement the respective RAP, including ensuring that before taking possession of the land and related assets, full compensation has been provided and as applicable displaced people have been resettled and moving allowances have been provided.	Directorate for the Welfare of Differently Abled Persons- PMU and DPIUs
ESS 6:	ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES		
6.1	BIODIVERSITY RISKS AND IMPACTS  Undertake Environment Screening, as prescribed in the ESMF,to identify and exclude sub-projects that are located inlegally protected and internationally recognized areas of high biodiversity value, potential critical habitats, habitat of significant importance to endemic or restricted-range species, habitat supporting globally or nationally significant concentrations of migratory species, and habitat that includes highly threatened or unique ecosystems.	Conduct environmental screening once the proposed sites are identified – prior to initiation of design/DPR preparation process and apply exclusion criteria/negative list	Directorate for the Welfare of Differently Abled Persons- PMU and DPIUs
6.2	Ensure that in case of any requirement of tree felling for construction works under the project, requisite permission is taken from the Forest Department	Prior to commencement of civil works	Directorate for the Welfare of Differently Abled

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	and compensatory plantation is undertaken.		Persons- PMU and DPIUs
6.3	Ensure that no materials for construction activities are sourced from any critical habitats, protected areas, forest areas, eco-sensitive zones, or any recognized areas of high biodiversity.	Implement throughout execution of civil works	<ul> <li>Directorate for the Welfare of Differently Abled Persons- PMU</li> <li>Design and Supervision Consultant</li> <li>Contractors</li> </ul>
ESS 7:	INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRA	ADITIONAL LOCAL COMMUNITIES	
7.1	INDIGENOUS PEOPLES PLANNING FRAMEWORK Discloseand implement anIndigenous Peoples Planning Framework (IPPF) for the Project, consistent with ESS7.	Disclose the IPPF prior to project appraisal, and thereafter implement the IPPF throughout Project implementation.	Directorate for the Welfare of Differently Abled Persons- PMU
7.2	INDIGENOUS PEOPLES PLAN  Wherever required, carry out a site-specific social impact assessment (SIA) and adoptand implement anIndigenous Peoples Plan (IPP)for each activity under the Project for which the IPPF requires such IPP,as set out in the IPPF, and consistentwith national laws and ESS7.	Adoptthe IPP prior to the carrying out of any activity that requires the preparation of suchIPP. Once adopted, implement the respective IPP throughout Project implementation.	Directorate for the Welfare of Differently Abled Persons- PMU and DPIUs
ESS 8:	CULTURAL HERITAGE		
8.1	<ul> <li>Ensure that no project supported construction activities are undertaken within 100m of a protected monument as specified in the ESMF.</li> <li>Ensure obtaining and adoption of all necessary permissions and mitigation measures in case project supported construction activities are undertaken within 100 to 300m of a protected monument, including undertaking of meaningful consultations with stakeholders (Archaeological Survey of India, Department of Arts and Culture and Department of Tribal Affairs).</li> </ul>	At sub-project selection stage  Prior to commencement of Civil Works	<ul> <li>Directorate for the Welfare of Differently Abled Persons- PMU</li> <li>Design and Supervision Consultant</li> <li>Contractors</li> </ul>
8.2	<ul> <li>CHANCEFINDS</li> <li>Integrate chance finds procedure to deal with valuable artefacts or culturally valuable materials found during execution of works in civil work contracts</li> </ul>	Prior to invitation of bids for Civil Works	Directorate for the Welfare of Differently Abled Persons- PMU

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	<ul> <li>funded under the Project.</li> <li>Ensure relevant project staff and workers are trained/sensitized in the requirements of the procedure prior to ground disturbance.</li> </ul>	Prior to commencement of Civil Works	<ul><li>Design and Supervision Consultant</li><li>Contractors</li></ul>
ESS 9:	FINANCIAL INTERMEDIARIES [This standard is only relevant for Projects involving Fi	nancial Intermediaries (FIs).]	
9.1	This standard is not relevant to the project.	-	-
ESS 10:	STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE		
10.1	<ol> <li>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</li> <li>Discloseand implement the Stakeholder Engagement Plan (SEP) for the Project, consistent with ESS10, which shall include measures to, inter alia, provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation.</li> <li>Undertake social audit for each activity under the Projectas described in the SEP.</li> <li>Implement the beneficiary satisfaction survey on the performance of social care service centers for citizens' feedback.</li> </ol>	<ol> <li>Disclosethe SEP prior to project appraisal, and thereafter implement the SEP throughout Project implementation.</li> <li>The social audit will be carried out in Year 2; Year 3, Year 4, year 5 and end term which requires developing the Terms of Reference for third party audit in year 1 of project effectiveness.</li> <li>The beneficiary satisfaction survey will be carried out in Year 3 and Year 4, Year 5 and end of the project for which Terms of reference will be developed to hire third party for citizen feedback in year 2 of project effectiveness.</li> </ol>	Directorate for the Welfare of Differently Abled Persons- PMU and DPIUs
10.2	PROJECT GRIEVANCE MECHANISM  Deep-dive analysis to strengthen theexisting grievance mechanism (Toll free No., Online, Posts or Drop Box/ Counter and In-person)and ensure a single data point through the centralized MIS to track the registration, resolution andsatisfactory feedback for closure of grievance within a given timeframe, in a manner consistent with ESS10 for the project.  The grievance mechanism shall be equipped to receive, register, and facilitate the resolution of SEA/SH complaints, including through thereferral of survivors torelevant gender-based violence service providers, all in a safe, confidential,	Detailed analysis of existing GRM system will be completed within four months of project effectiveness to identify gaps and strengthen the system within six months from the date of project effectiveness, and thereafter maintain and operate the mechanism throughout Project implementation.	Directorate for the Welfare of Differently Abled Persons- PMU and DPIUs

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	and survivor-centered manner.				
CAPAC	CAPACITY SUPPORT				
CS1	<ul> <li>Training of PIU staff, stakeholders, communities, Project workers on:</li> <li>Stakeholder mapping and engagement, including social audit process, GRM and IEC</li> <li>Role and responsibility of various stakeholders in the Project on ESMF, RPF, IPPF and preparation of site-specific mitigation plans (ESMP, RAP, IPDP)</li> <li>Community health and safety, including prevention and response on SEA/SH risks</li> <li>Labour standard compliance as per requirements of LMP and national laws</li> <li>Monitoring and reporting ESMF, RPF, IPPF, LMP, SEA/SH and preparation of site-specific mitigation plans (ESMP, RAP, IPDP)</li> </ul>	As relevant to the stage of the project and planned activities under the project. Given that The Directorate for WDAP does not have any prior experience of projects financed by multi-lateral agencies, it is recommended that the training should start as soon as the relevant staff is in place.	<ul> <li>Directorate for the Welfare of Differently Abled Persons- PMU</li> <li>Design and Supervision Consultant</li> </ul>		
CS2	Training to PMU staff, DPIUs, Line Agencies/Departments, Project Workers and Contractors on:  Role of various stakeholders in the Project from an environment management perspective  Environment and Social Management Framework (ESMF) of the Project  Environment Screening  Site assessment at the sub-project level and integration of EHS aspects into design/DPRs of buildings/infrastructure facilities  National and State Environmental Acts/Legislations (as applicable to the project)  World Bank Group's Environmental, Social, Health and Safety Guidelines  Environment Management Plans - Purpose, Procedures, Implementation, Monitoring & Supervision Mechanisms  Resource Efficiency and Pollution Management  Occupational Health and Safety, including COVID Response  Emergency preparedness and response  Waste Management (including hazardous wastes, construction debris, e-waste management)  Accessibility audits  Reporting on EHS aspects  O&M guidelines	As relevant to the stage of the project and planned activities under the project	<ul> <li>Directorate for the Welfare of Differently Abled Persons- PMU</li> <li>Design and Supervision Consultant</li> </ul>		

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