

Semi-Annual Environmental Monitoring Report

Project Number: 41603-023
September 2015

Period: January-June 2015

IND: Bihar Urban Development Investment Program – (Tranche 1)

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Bihar Urban Infrastructure Development Corporation Ltd



**Bihar Urban Development Investment Program
TRANCHE 1
ADB Loan 2861-IND**

**SEMI ANNUAL ENVIRONMENT MONITORING
REPORT
(Period January to June 2015)**

**Draft report submitted on July 2015
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ABBREVIATIONS

ADB	Asian Development Bank
BSPCB	Bihar State Pollution Control Board
BUDIP	Bihar Urban Development Investment Program
BUIDCo	Bihar Urban Infrastructure Development Corporation
CB	capacity building
CPHEEO	Central Public Health and Environmental Engineering Organization (MoUD, GoI)
DBO	design-build-operate (contract)
DPR	detailed project report
DSC	Design and Supervision Consultant
EARF	Environment Assessment Review Framework
EIA	Environmental Impact Assessment
ESMC	Environment and Social Management Coordinator
FFA	Framework Financing Agreement (between India and ADB, 31 January 2013)
FS	Feasibility study
GIS	Geographical Information System
IEE	Initial Environmental Examination
IPF	Indigenous People Framework
MFF	multi-tranche financing facility
MoEF	Ministry of Environment & Forest
NGO	non-governmental organization
NRW	non-revenue water
O&M	operation and maintenance
OHT	overhead (storage) tank
PD	Project Director
PHED	Public Health Engineering Department
PIU	Project Implementation Unit
PMC	Program Management Consultant
PMU	Project Management Unit
PPMS	Project Performance Monitoring System
PPTA	project preparatory technical assistance
PUC	Pollution Under Control
RF	Resettlement Framework
SAR	Sub-project appraisal report (feasibility study)
SC	Steering Committee
SIP	system improvement plan
SPCB	State Pollution Control Board
SPUR	Support Program for Urban Reform
STP	Sewage treatment plant
Sw	Solid waste
SWM	Solid waste management
TC	Town Committee
UDHD	Urban Development and Housing Department
ULB	Urban Local Body- <i>municipal corporation</i>
ws	Water supply
WTP	Water treatment plant
ww	Wastewater (or sewage)

INTRODUCTION

A. Background

1. The Bihar Urban Development Investment Program (BUDIP) is expected to improve the urban environment and living conditions in targeted urban areas. It will: (i) improve and expand urban infrastructure and services in urban areas; and (ii) strengthen urban institutional, management, and the financing capacity of the institutions, including the urban local bodies (ULBs). The project will be implemented in two urban areas: Bhagalpur, and Gaya in the state of Bihar. The improvement in urban infrastructure will include rehabilitation, improvement, and expansion of: (i) water supplies; and (ii) sewerage and sanitation. Due to requirement of huge investment, the Govt. of Bihar have availed external funding assistance in order to address the situation and improve the basic service levels. ADB agreed to co-finance implementation of certain components of the road map in Bihar's two largest towns (other than the state capital Patna), i.e. in Bhagalpur, and Gaya. The project will be implemented using a multi-tranche financing facility.

2. On 31 January 2012, the Government of India (GoI) and the ADB concluded a framework financing agreement for a multi-tranche financing facility (MFF) for the Bihar Urban Development Investment Program (BUDIP). On 29 March 2012 ADB approved the MFF and on 13 April 2012 it approved the loan for the first tranche under the MFF. On 25 March 2013 the Loan Agreement between GoI and ADB for Tranche 1 of BUDIP (Loan 2861-IND) was signed. The loan became effective on 6 June 2013.

3. The overall BUDIP undertaking is scheduled over a nine year period. The first loan 2861-IND is for 5 year period. Loan closing date is 30th June 2017. The total value of BUDIP is \$286 million. The MFF is for a loan amount not exceeding \$200 million. Loan 2861-IND is for an amount of \$65 million.

4. The Program is carried out by the Govt. of Bihar (GoB) acting through the State's Urban Development and Housing Department (UDHD) and its Bihar Urban Infrastructure Development Corporation Ltd (BUIDCo).

5. Location of project towns is shown in the **Figure 1**.



Figure 1: Location of project towns

B. Project and Report Purpose

6. Sub projects under **Tranche 1** has been classified by ADB as environmental assessment category B (some negative impacts but less significant than category A) and the impacts of subprojects were assessed through Initial Environmental Examination (IEE), prepared according to ADB Safeguard Policy (SPS 2009). IEE will be updated after complete designing by the DBO contractor.

7. This report is the “Semi Annual Environment Monitoring Report” for the period January to June 2015 to describe the present compliance status (mostly documentation part). Implementation of the mitigation measures, monitoring and reporting as per EMP of the IEE will be considered after commencement of physical activity.

C. Project Profile Tranche 1

8. For Tranche 1 selection of contractor has been done & Letter of Acceptance has been issued for the sub project, “Rehabilitation, Construction, Operations, Maintenance and Management of Bhagalpur Water Supply Project 1 (BWSP1)”. Contract has been signed with M/S Pan India & Ranhill Pvt Ltd, Mumbai on 11.7.2014 and contract commenced on 01.10.2014. Now Contractor has submitted the Service Improvement Plan (SIP) Operations on 11.06.2015 and is being presently revised as per comments given by Employers Representative. After the approval of SIP the contractor will take over the existing assets /manpower from BMC and will start the operation of water supply system of Bhagalpur Town. Contractor will start designing of sub project package shortly.

9. There is only 1 sub project under **Tranche1**.

Table 1: Sub Project status under Tranche 1 of BUDIP

Town	Code	Sub project
Water Supply System (WS)		
Bhagalpur	BH/WS/01	Rehabilitation, Construction, Operations, Maintenance and Management of Bhagalpur Water Supply Project 1 (BWSP1) – DBO contract

10. List of sub projects under Tranche 2 will be finalized with advancement of the Program.

11. **Table 2** shows the status of sub project awarded and physical progress.

Table 2: Status of Sub-project Awarded/Implementation under Tranche-1 (Upto 30th June 2015)

Location	Component, name of the sub project (Code No.)	Starting date of Implementation	Projected months of completion (as per Work order)	Schedule date of completion (Extended date of completion)	Physical progress (%) as on 30.06.2015
Bhagalpur Town	Water Supply- Rehabilitation, Construction, Operations, Maintenance and Management of Bhagalpur Water Supply Project 1 (BWSP1) – DBO contract (BH/WS/01)	01.10.2014	96 months	01.10.2022	2% (only documentation no physical activity in field)

IMPLEMENTATION STATUS

A. Major works and progress

12. Phase 1¹ of the Bhagalpur water supply sub-project is a DBO contract where the contractor shall, during the first year, prepare a service improvement plan (SIP) and designs for the distribution network, overhead tanks and renovation of the existing water treatment plant (WTP). 3.5 years are allowed for construction. He will take over operation and management of the entire water supply system after half a year from contract commencement date and will remain responsible for this till contract end in 8 years. DBO contractor will be responsible for updation of Initial Environmental Examination after finalization of the design.

13. Now Contractor has submitted the Service Improvement Plan (SIP) for operations on 11.06.2015 and is being presently revised as per comments given by Employers Representative. After the approval of SIP the contractor will take over the existing assets /manpower from BMC and will start the maintenance of water supply system of Bhagalpur Town under **Phase 1**. **Table 3** shows the work progress status for the sub project.

14. Monitoring and reporting on Environmental safeguard will be started after commencing of physical activity in field.

¹ In many of the BUDIP-related documentation, the two subprojects in Bhagalpur are referred to as “Tranche 1” and “Tranche 2”. This is confusing because the second subproject, concerning a new WTP of which the construction shall be completed by the middle of 2018, may be deferred to a Tranche 3. We suggest using the terms “Phase 1” and “Phase 2” instead.

Table 3: Major Works under Sub project and Progress – Tranche 1

Location	Component, Name of Sub Projects (Code No.)	List of major works under the sub project	Type of works continued at present
Bhagalpur Town	Rehabilitation, Construction, Operations, Maintenance and Management of Bhagalpur Water Supply Project 1 (BWSP1) – DBO contract (BH/WS/01)	To be decided after detail design by contractor	<ul style="list-style-type: none"> ✓ A workshop was organised on 24-25 November 2014 to elaborate the work plan ✓ Work program submitted by the contractor ✓ Contractor has started preliminary activities to design the components ✓ Contractor has submitted the Service Improvement Plan (SIP) for operations on 11.06.2015 and is being presently revised as per comments given by Employers representative.

B. Compliance of Safeguard Loan Covenants

15. The status of compliance of ADB's major Loan Covenants related to Safeguard issues is shown below:

Serial no. as per loan agreement	Program Specific Covenants	Status / Issues
Environment		
3	The Borrower shall ensure or cause the EA to ensure that the preparation, design, construction, implementation, operation and decommissioning of the Project, and all Project facilities comply with (a) all applicable laws and regulations of the Borrower and the State relating to environment, health, and safety; (b) the Environmental Safeguards; (c) the Environment Assessment & Review Framework (EARF); and (d) all measures and requirements set forth in the respective IEE and EMP, and any corrective or preventative actions set forth in a Safeguards Monitoring Report	<p>Under compliance</p> <p>Document is prepared/ or under preparation by complying all relevant State and National Laws, Safeguard Policy Statement (SPS 2009) of ADB, Environment Assessment Review Framework (EARF) for Tranche-1 program. Same will be followed for subsequent Tranches.</p> <p>Initial Environmental Examination (IEE), Environment Management Plan (EMP) report prepared and approved by ADB for Bhagalpur (Water supply Package: BWSP 1). IEE will be updated by DBO contractor and in case of any change of scope and locations IEE will be revised subsequently.</p> <p>All measures and requirements as prescribed in IEE/EIA and EMP will be considered during implementation.</p> <p>Corrective or preventive action plans will be reflected in Environment Monitoring Report and project implementation authority will be taken care.</p>
Human and Financial Resources to Implement Safeguards Requirements		
7.	The Borrower shall cause the State to make available necessary budgetary and human resources to fully implement the EMPs	<p>Complied</p> <p>Budgetary provisions have been included in EMP of Tranche 1 sub project, But EMP and budget will be revised after final design.</p> <p>Environment and Social Management Coordinator of Program Management Unit is in place</p> <p>Human resource (project consultant, i.e Environmental Specialist of PMC) for</p>

Serial no. as per loan agreement	Program Specific Covenants	Status / Issues
		monitoring of EMPs is in place for regular compliance.
	Safeguards – Related Provisions in Bidding Documents and Works Contracts	
8.	<p>The Borrower shall cause the State to ensure that all bidding documents and contracts for Works contain provisions that require contractors to:</p> <p>(a) comply with the measures and requirements relevant to the contractor set forth in the IEEs, the EMPs, and any corrective or preventative actions set out in a Safeguards Monitoring Report;</p> <p>(b) make available a budget for all such environmental measures;</p> <p>(c) provide the PMU with a written notice of any unanticipated environmental risks or impacts that arise during construction, implementation or operation of the Project that were not considered in the IEEs, the EMPs;</p> <p>(d) adequately record the condition of roads, agricultural land and other infrastructure prior to starting to transport materials and construction; and</p> <p>(e) fully reinstate pathways, other local infrastructure, and agricultural land to at least their pre-project condition upon the completion of construction.</p>	<p>Under compliance</p> <p>(a) Approved draft IEE, EMP for BWSP1 are attached in Bidding documents. This process will be followed for all the sub projects.</p> <p>In case of any change of scope, revised IEEs, EMPs will be prepared and corrective measures will be disclosed to contractor and same will be reflected in the “Environment Monitoring Report”</p> <p>(b) IEE indicates budgetary provisions for implementation of EMP</p> <p>(c) With the development of sub project and implementation, in case of additional impacts/risks due to change in scope/area, that will be reflected in the revised IEEs, EMPs and Environment Monitoring Report and accordingly project Executing Agency will inform the Construction Agency for taking relevant corrective measures.</p> <p>(d) Haul roads will be marked properly (by avoiding residences and agricultural land) before commencement of transportation of materials.</p> <p>(e) Pathways, land which are likely to be affected for a short period during implementation of the sub project will be restored by concerned construction agency before acceptance of the work. Restoration status will be reflected in post construction monitoring report</p>
	Safeguards Monitoring and Reporting	
10	The Borrower shall cause the State to do the	Under compliance

Serial no. as per loan agreement	Program Specific Covenants	Status / Issues
	<p>following:</p> <p>(a) submit semi-annual Safeguards Monitoring Reports to ADB and disclose relevant information from such reports to affected persons promptly upon submission;</p> <p>(b) if any unanticipated environmental and/or social risks and impacts arise during construction, implementation or operation of the Project that were not considered in the IEEs, the EMPs, promptly inform ADB of the occurrence of such risks or impacts, with detailed description of the event and proposed corrective action plan; and</p> <p>(c) report any breach of compliance with the measures and requirements set forth in the EMPs, promptly after becoming aware of the breach.</p>	<p>(a) Generally Environmental Monitoring Report is to be prepared after starting of implementation of the project but as per action plan of ADB 4th semi-annual Safeguards Monitoring Report is prepared upto June 2015, which mainly cover loan covenant part and monitoring format etc.</p> <p>(b) With the development of project and implementation, in case of additional impacts/risks due to change in scope/area, will be reflected in revised IEEs, EMPs and accordingly Executing Agency (EA) will inform the ADB along with corrective action plan which will be reflected in the Monitoring Report.</p> <p>(c) in case of any breach of compliance with the measures and requirements set forth in the EMP; EA will promptly inform ADB and suitable corrective action plan will be planned.</p>
Prohibited List of Investments		
11	The Borrower shall ensure or cause the State to ensure that no proceeds of the Loan are used to finance any activity included in the list of prohibited investment activities provided in Appendix 5 of the SPS.	<p>Complied</p> <p>Under Tranche -1, there is no violation of prohibited investment activities as per ADB SPS (2009) Appendix 5.</p> <p>Same will be followed in subsequent project.</p>
Labor Standards		
13.	The Borrower shall cause the State to ensure that Works contracts follow all applicable labor laws of the Borrower and the State and that these further include provisions to the effect that contractors (i) carry out HIV/AIDS awareness programs for labor and disseminate information at worksites on risks of sexually transmitted diseases and HIV/AIDS as part of health and safety measures for those employed during construction; (ii) follow and implement all statutory provisions on labor (including not employing or using children as labor, equal pay for equal work), health, safety, welfare,	<p>Complied in document and to be complied during implementation</p> <p>Provision are included (as per EMP & BID document) to carry out HIV/AIDS awareness programs for construction contractor, application of all relevant labour laws for health and safety including child labour law and engagement of local labours (preferably from economically backward group) covering women labours.</p> <p>In case of any breach of provision, necessary corrective measures as per</p>

Serial no. as per loan agreement	Program Specific Covenants	Status / Issues
	sanitation, and working conditions; and (iii) maximize employment of women and local poor and disadvantaged persons for construction purposes, provided that the requirements for efficiency are adequately met. Such contracts shall also include clauses for termination in case of any breach of the stated provisions by the contractors.	contract clauses shall be taken. All activities including awareness program will be reflected in "Monitoring Report".

C. Implementation Arrangement

16. The Urban Development and Housing Department (UDHD) of Government of Bihar is the Executing Agency (EA) for the Project, which will receive strategic directions from a state-level Steering Committee. The Project Management Unit (PMU) within BUIDCo have an Environment and Social Management Coordinator (ESMC). Bihar Urban Infrastructure Development Corporation (BUIDCo), a company fully owned by GOB, which specializes in implementation of investment projects, will house the Project Management Unit (PMU) at state-level (Patna). PIU field offices have been set up in each project town to manage the implementation of sub-projects. In addition, Town Committees have been set up in each project town for periodical review of subproject progress, facilitate smooth implementation and finalize proposals for any legal, operational and financial changes required, in discussion with the PMU and UDHD.

17. The PMU, with support from PIU field offices will ensure mitigation of negative environmental and social impacts due to the subproject, if any. The PMU will be assisted by Program Management Consultants (PMC) who will provide project management support, assure the technical quality of design and construction, prepare IEE/EIA/RP/IPP reports and provide advice on policy reforms.

Responsibilities of Environment and Social Management coordinator (ESMC) of Project Management Unit (PMU)

18. Environment and Social Management Coordinator within BUIDCo as PMU is to address environmental and social safeguards issues. The ESMC will be assisted by the PMC on environmental and social issues. The ESMC will oversee implementation the EARF/RF/IPF by the PIU/implementing NGO. The PMU will endorse subproject IEEs/EIAs and RPs/IPPs prepared by the Project Management Consultants and will have financing and monitoring responsibilities. It will co-ordinate with national and state agencies to resolve inter-departmental issues, if any. It will also monitor physical and non-physical activities under the investment plan and will monitor implementation of safeguards plans and guide PIU as and when necessary.

Program Management Consultants (PMC)

19. The Program Management Consultants (PMC) have an Environment Specialist (ES) and Resettlement/Social Development Specialist who will be responsible for the preparation of IEE/EIA and RP/IPP reports respectively. The Environment Specialist and

Resettlement/Social Development Specialist of PMC will review and finalize all reports in consultation with the ESMC of PMU. The Environment Specialist (ES) and Resettlement/Social Development Specialist of PMC will submit periodic monitoring and implementation reports to PMU, who will take follow-up actions, if necessary.

20. The ESMC of PMU will endorse/submit periodic monitoring reports received from PMC to the Program Director, PMU who will then submit these to ADB. The monitoring report will focus on the progress of implementation of the IEE/EIA and EARF, RP/RF and IPP/IPF, issues encountered and measures adopted, follow-up actions required, if any, as well as the status of compliance with subproject selection criteria, and relevant loan covenants. The PMU will seek GoB clearance for submission and disclosure of the environmental and social monitoring report to ADB.

Project Implementation Unit (PIU)

21. The PIU is primarily tasked with the day-to-day implementation of safeguards plans. The PIU shall have safeguard officer at town level. They will be responsible for implementing and monitoring safeguards compliance activities. Safeguard officer will undertake surveys and record their observations throughout the construction period to ensure that safeguards and mitigation measures are provided as intended. It will be responsible for obtaining statutory clearances and obtaining NOCs from government agencies/other entities and entering into agreements with them for use of their land. It will also co-ordinate for obtaining right of way clearances with related State and National agencies. The PIU will be responsible for delivery of entitlements to APs.

22. Safeguard implementation arrangement for the program is shown below.

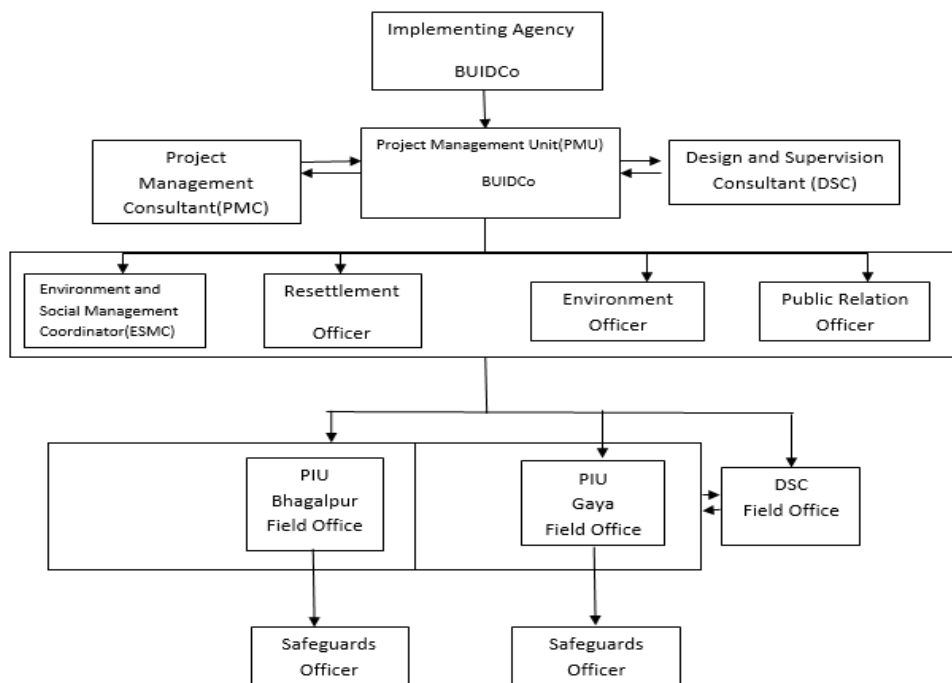


Figure 2: Safeguards Implementation Arrangement

23. **Table 4** shows the details of the environmental safeguards team.

Table 4: Details of BUDIP Environmental Safeguard Team

Designation	Name and Contact Details
PMU, Environmental & Social Management Coordinator	Name: Dr. Lata Choudhary Office Address: BUDICo, #303, 3rd Floor, Maurya Tower, Maurya Lok Complex, Budh Marg, Patna – 800 001, Bihar Phone: 094 7061 0480 Email: esmcinpmu.buidco@gmail.com / rash_lata@yahoo.co.in
PMU, Environmental Engineer/ Environment Expert	Name: Pankaj Kumar Office Address: BUIDCo, #303, 3rd Floor, Maurya Tower, Maurya Lok Complex, Budh Marg, Patna – 800 001, Bihar Phone: 099 7376 1287/085 4441 3138 Email: eeinpmu.buidco@gmail.com
PIU, Safeguard officer, Bhagalpur	Name: Ajit Office Address: C/O:-S.K.Karambir (PD-PIU), Ground Floor, Houseno-280A, Jawaripur, Ward no-31, Tilkamanjhi, Bhagalpur-812001, Bihar Phone: 097 0942 4203 Email: ajit2007kvkbb@gmail.com
PIU, Safeguard officer, Gaya	No staff
PMC, Environment Specialist	Name: Dr. A. Mitra Office Address: BUDIP-PMC, 174 B, S.K.Puri, Patna-1, Bihar Phone: 098 3041 5953 Email: ardhendumitra@gmail.com
PMC, Environment Expert – Non key	Name: Anil Kumar Patni Office Address: BUDIP-PMC, 174 B, S.K.Puri, Patna-1, Bihar Phone: 095 3464 7777 Email: patnianil@gmail.com

ENVIRONMENTAL PROCEDURE REVIEW

A. Environmental Legislation and Pollution Control Acts

24. The Government of India has formulated various policy guidelines; acts and regulations aimed at the sustenance of environment in general, which are briefly summarized and applicable acts with the programs, are described in the following sub-sections.

Sl. No.	Sources	Legislation
1	Water Pollution	The Water (Prevention and Control of Pollution) Act, 1974, as amended in 1988
2	Air Pollution	The Air (Prevention and Control of Pollution) Act, 1981, as amended by Amendment Act, 1987
3	Noise Pollution	The Noise Pollution (Regulation and Control) Rules, 2000
4	Environment	The Environment (Protection) Act, 1986
5	Public Liability	The Public Liability Insurance Act, 1991 The Public Liability Insurance Rules, 1991

Sl. No.	Sources	Legislation
6	Conservation, construction and reuse in and around the protected monuments	The Ancient Monuments and Archaeological Sites and Remains Act, 1958, and the rules, 1959
7	Hazardous Waste	<ul style="list-style-type: none"> ➤ Hazardous Waste (Management and Handling) Rules, 1989 ➤ Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 ➤ Emergency Planning Preparedness and Response for Chemical Disasters Rules, 1995 ➤ Hazardous Microorganisms and Genetically Modified Organisms (Manufacture, Use Import Export and Storage) Rules, 1999
8	EIA Notification	The Ministry of Environment and Forests has revised the EIA notification, 1994, and issues the revised EIA notification on 14th September 2006
9	Use and Management of Explosive	The Explosives Act, 1884 and The Explosives Rules, 1983

25. Prominent Acts are discussed below.

THE ENVIRONMENT PROTECTION ACT, 1986 AND THE EIA NOTIFICATION, 1994

The Environmental (Protection) Act, 1986 is the umbrella legislation providing for the protection of environment in the country. This Act provided for the Environment (Protection) Rules, which have been formulated under the act "The Environmental Impact Assessment Notification, 1994 and the Amendments / Revised EIA notification on 14th September 2006".and Year 2009.

THE FOREST (CONSERVATION) ACT, 1980

The Forest (Conservation) Act, 1980 pertains to the cases of diversion of forest area and felling of roadside plantation. Depending on the size of the tract to be cleared, clearances are applied for at the following levels in the governments:

- If the area of forests to be cleared or diverted exceeds 20 ha (or, 10ha in hilly area), the prior permission of the Central Government is required;
- If the area of forest to be cleared or diverted is between 5 to 20 ha, the Regional Office of Chief Conservator of Forests is empowered to approve;
- If the area of forest to be cleared or diverted is below or equal to 5 ha, the State Government can give permission;
- and If the area to be clear-felled has a forest density of more than 40%, permission to undertake any work is needed from the Central Government, irrespective of the area to be cleared.

THE WILDLIFE (PROTECTION) ACT, 1972

The Wildlife Protection Act has allowed the government to establish a number of National Parks and Sanctuaries over the past 25 years, to protect and conserve the flora and fauna of the state.

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT 1974 AND AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

The water (Prevention and Control of Pollution) Act, 1974 resulted in the establishment of the Central and State level Pollution Control Boards whose responsibilities include managing water quality and effluent standards, as well as monitoring water quality, prosecuting offenders and issuing licenses for construction and operation of certain facilities. The SPCB is also empowered to set air quality standards and monitor and prosecute offenders under the air (Prevention and Control of Pollution) Act, 1981.

B. Environmental Legal Requirement

26. The specific requirements to ensure compliance by these components and subprojects are shown in **Table 5**.

Table 5: Action Required Ensuring Subprojects Comply with National Environmental Laws

Component	Applicable Legislation	Compliance	Action Required
1. All components that require acquisition of forest land	Forest (Conservation) Act 1980; Wildlife (protection) Act 1972	Approval from State Principal Chief Conservator of Forest Government of Bihar and Ministry of Environment and Forests (MoEF), Government of India	Identification of non-forest land and formulate an afforestation program.
2. Water Treatment Plant (WTP) – Surface water and Sewage Treatment Plant (STP)	Water (Prevention and Control of Pollution) Act 1974	Consent to Establish (CTE) and Consent to Operate (CTO) from Bihar State Pollution Control Board (BSPCB), Government of Bihar	Based on project review and site inspection, Bihar State Pollution Control Board (BSPCB) provides CTE before construction, and stipulates the disposal standards to be met during operation. After completion of construction, Consent to Operate (CTO) will be issued confirming compliance with the CTE conditions, if any
		Renewal of CTO during operation of surface Water Treatment Plant (WTP) and Sewage Treatment Plant (STP)	Based on the performance of the WTP/STP and its compliance with the disposal standards CTO to be renewed every year.

C. Compliance with Environmental Regulations

27. Before implementation of the project compliance with environmental policy, law and legislation is necessary.

28. **Table 6** provides the status of compliance of subprojects to national and state laws, rules, policies and regulations applicable to BUDIP Tranche 1.

Table 6: Status of Compliance with National and State Legal Requirements

Town	Package No.	Components	National and State Legal Requirement	Status	Conditions of the Clearance/NOCs
1. Water Supply System Subproject					
Bhagalpur	BH/WS/01	Rehabilitation, Construction, Operations, Maintenance and Management of Bhagalpur Water Supply Project 1 (BWSP1) – DBO contract (BH/WS/01) Components will be finalized after final designing	Water (Prevention and Control of Pollution) Act. 1974/ Consent to Establish (CTE) for rehabilitation of WTP from Bihar State Pollution Control Board Consent to operate will be required before operation The Air (Prevention and Control of Pollution) Act, 1981, as amended by Amendment Act, 1987 Also for setting up hot mix plant, batching plant and use of diesel generator Consent to Establish (CTE) and Consent to Operate (CTO)	To be applied within September 2015 2 nd Week after finalization of design and before commencement of physical activity	----

COMPLIANCE STATUS WITH THE ENVIRONMENTAL MANAGEMENT AND MONITORING PLAN

29. **EMP Compliance Status:** Field activities are not yet started under the **Tranche 1**. Application of EMP will be commenced as per final IEE report. Site specific EMP will be prepared by concerned contractor of the package. The compliance monitoring format for application of mitigation measures against impacts on air, water, soil environment, social and safety aspects is shown in **Table 7**.

Table 7: Compliance to EMP of BH/WS/01 – BWSP1

Field	Mitigation Activities and Method	Parameters monitored	Location	Responsible for Mitigation	Monitoring Method	Responsible for Monitoring	Date of Monitoring	Compliance Status/ Explanation
Pre Construction - Design phase								
1								
Construction phase								
1								

ENVIRONMENTAL MONITORING AND EVALUATION

30. For effective monitoring, selected environmental parameters have been identified as indicators which will be qualitatively and quantitatively measured and compared over a period of time in order to assess/ensure the compliance of EMP. The environmental performance indicators are physical, biological and social characteristics identified as most important in affecting the environment at critical locations all along the subproject locations. The parameters identified as performance indicators are:

- o Air, noise and water quality
- o Compliance to EMP
- o Compliance to local/state/national environmental regulations

31. Base line air and noise quality monitoring will be carried out at working areas as per scope of work. Result format of ambient air quality data is presented in **Table 8**.

Table 8: Base line Ambient Air Quality Monitoring Data at working sites

Locations	Parameters					
	SO ₂ µg/m ³	NO ₂ µg/m ³	PM _{2.5} µg/m ³	PM ₁₀ µg/m ³	CO µg/m ³	Lead (Pb) µg/m ³
Standard as per CPCB	80.0	80.0	60.0	100.0	2000	1.0

32. Result format for noise level monitoring data is presented in **Table 9**.

Table 9: Base Line Noise Level Monitoring Data at Working Sites

Locations	Sound Level in Leq dB(A)
	Standard as per CPCB Industrial area: 75 Commercial: 65 Residential area: 55

33. “During construction” monitoring will be carried out as per Environment Management and Monitoring Plan.

34. A performance monitoring blank fact sheet has been prepared to facilitate tracking and quick reference on environmental monitoring of **Tranche 1** subproject package (**Tables 10 and 11**).

Table 10: Performance Fact Sheet for Required Environmental Consents/Clearances of BUDIP

	Package Number	Name of Contractor	EMP Part of contract Document (Yes / No)	Environmental Consents / Clearances Required					
				Tree Cutting	Crusher	Batching Plant	Hot Mix Plant	Diesel Generator Set	Pollution Under Control (PUC) Certificates for Contractor's Vehicles
1									
2									

Table 11: Performance Fact Sheet for EMP Implementation of BUDIP Tranche 1

Package Number	Name of Contractor	EMP Part of contract Document (Yes / No)	Contractor Social/ Environment Person ²	Overall Status of EMP Implementation	Field to be Monitored as per EMP																		
					Source of Materials	Camp Sites	Landscape and Aesthetics	Air Quality	Noise Level	Traffic	Ecological Resources – Terrestrial	Accessibility	Water Quality	Occupational Health & safety	Community Health & safety	Socio cultural resources	Employment generation						
					In compliance (2) / Partial Compliance (1) / Not in compliance (0) / Not applicable (n/a)																		
1																							

CONSULTATIONS AND DISCLOSURES CONDUCTED

35. As per approved IEE, consultations and disclosure will be a continuous process throughout Tranche 1 Project. Implementation involving public consultations and focus group discussions. There are no consultation and disclosures conducted at working locations within the reporting period because no physical work started. Finalization of design for BWSP1 DBO contract is under progress.

36. The format for indicative schedule for “during construction” consultations and disclosure is presented in **Table 12**. Scheduled will be finalized before commencement of physical work.

Table 12: Indicative Schedule for Consultations and Disclosure at working locations

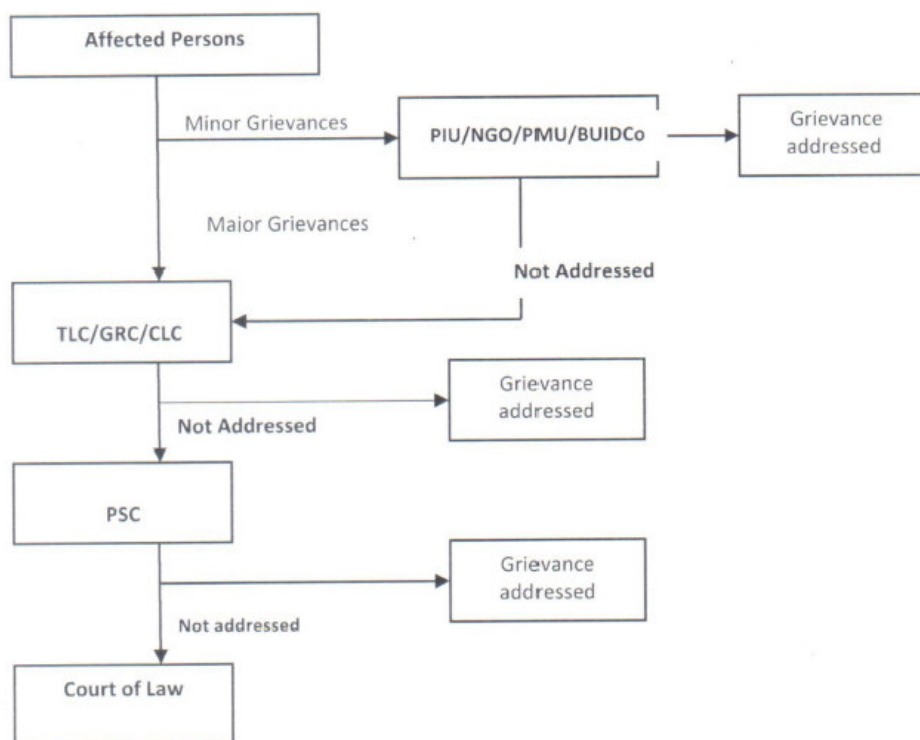
Type of Consultation/ Disclosure	Target Date	Location	Target Participants	Responsible Person and Source of Funds

37. Till June 2015 seven community orientation programs (COP) has been conducted for Bhagalpur sub project town. Altogether 519 (representative from community 429, councillors 24, 66 officials) persons attended those orientation program. During report period COP has been conducted on 12th February, 25th March, 29th April, 28th May and 18th June 2015. A Minutes of Meeting for the last COP is attached as **Annexure 1**.

GRIEVANCE REDRESSAL

38. A project Grievance Redressal Mechanism (GRM) have been established as per Environment and Social Assessment Review Framework to receive, evaluate and facilitate the resolution of affected people’s concerns, complaints and grievances about the social and environmental performance at the level of the Project. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. The grievance redressal mechanism and procedure is depicted in **Figure 2** below. **Annexure 2** shows the sample Grievance Registration Form and Action taken report in English and Hindi (local language).

²Nomination of Environmental & Social Safeguard Officer by Contractor(Nominated / Yet to be Nominated)



CLC-City Level Committee, ESMC-Environment and Social Management Coordinator, GRC-Grievance Redress Mechanism, NGO-Non Government Organization, PSC-Program Steering Committee

Figure 2: Grievance Redressal Mechanism

39. GR committee set up notification has been done for BUDIP on 27.05.2015.

FINDINGS AND RECOMMENDATIONS

40. Urbanization has increased at a rapid pace in India over the recent years, much faster than the increase in urban infrastructure facilities to support them. Also, pressure of population has been more on larger towns/cities putting enormous pressure on the resources of municipalities so much so that most are unable to keep up with the provision of even basic services and infrastructure resulting in irregular availability of water, sanitation and public amenities. In extreme cases, this has aggravated risks to public health and safety. Bihar is no exception and the 2 towns selected under this program are in direct need of upgradation of such urban infrastructure facilities which includes augmentation of water supply and sewerage network.

41. Experience from ADB-funded urban projects show complex social, economic, legal, institutional, and management issues in urban development – largely derived from realities of urban life in developing countries like India. Urban projects typically consist of a variety of infrastructure such as roads, water, sewerage, solid waste, and slum improvement/upgrading activities. It is important to mention in this context that the final detailed engineering design in each sub project of BUDIP will be prepared keeping in mind

to avoid or minimize social and environmental impact as far as possible. However, since all the developments foreseen are city/town centric, it is difficult to avoid any impact whatsoever in densely populated towns or cities.

42. With the development of project the action plan will be considered for timely and satisfactory environmental compliance. Sample suggestion & action plan format is shown in **Table 13**.

Table 13: Corrective Action Plan

Non-compliance	Action Required	Responsible	Target Date	Indicator of Compliance

ANNEXURE 1-- COMMUNITY ORIENTATION PROGRAM – 7
18th June 2015; Hotel Paradise and Vivah Bhawan, Bhagalpur Municipal
Corporation, Bhagalpur

The Seventh workshop for Community Orientation about the project was conducted on 18th June, 2015 at Hotel Paradise and Vivah Bhawan, Bhagalpur Municipal Corporation, Bhagalpur; from 1400 hrs. to 1700 hrs.

Objective:

Inculcate a common understanding about the BUDIP Program within the Community and the Elected Members of Bhagalpur with an exhaustive aim to:

- Ensure awareness about the project and describing the role of the stakeholders for effective implementation.
- Increase level of awareness among the target audience on concept of 24x7 safe drinking water supply system and the way it affects their social, economic and environmental life of the citizen of Bhagalpur town.
- Propagate the message that the “Healthy City and Hygienic City” is a pride of every citizen.

Participants:

Community Members including Elected Representatives (Ward Councilors) of Ward No. 28, 29, 30, 31, and 32 of Bhagalpur Municipal Corporation participated.

Approach:

The workshop was devised to create a better understanding among the participants thus it adopted mixed tools viz. class room model and participatory approach viz. group exercise, Q & A Session, Snap Shot Exercise, Experience Sharing etc.

Details:

PMC in the close coordination with PMU, PIU and DSC devised the program and shared the responsibility to support each other in order to accomplish the program objective more effectively. The responsibility of all the logistic arrangements viz. invitation and coordination with the participants; arranging the venue and needed facilities to conduct the workshop was shouldered by Mr. Prabal Pratap Singh from DSC and other team members from DSC. The workshop was primarily facilitated by the PMC – Public Relations Team.

The program started with the self- introduction session facilitated by Mr. A. K. Raja, he introduced himself and the fellow team members from PMC, DSC, and PIU to the participants followed by the introduction by the participants. The participants were really engrossed with feeling of witnessing such a big team working over their project. This made them feel ensured of success and transparency.

The program witnessed the screening of a documentary illustrating the water crisis being faced by Indian Nationals residing in different parts of the country. This helped the participants to understand that water supply and getting safe drinking water is a world-wide problem. They viewed that how people are living in scarce situation and how they jostle with the water tankers that are provided to them as an emergency response system. This viewing of the documentary gave the community members little respite with a feeling that they are not alone facing the situation. This also helped us in rapport building as it brought the participants little closer to us. The screenings helped the participants in inculcating the perception that we are aware of their problems and are not completely unknown of their scarce situation.

Further another documentary was screened which featured a similar ADB funded project in Madhya Pradesh that has become successful, this interested the participants. It gave the participants an opportunity to understand the feasibility and success of such projects. Mr. A. K. Raja and Mr. K. S. Ghosh helped in explaining the messages conveyed in these films.

The workshop proceeded with an elaborate PowerPoint Presentation (refer Annexure 2) which was taken ahead by Mr. A. K. Raja, PRO – PMC. The presentation was designed to create a better understanding of the project components. The presentation was in Hindi (verbal as well as textual). The presentation elaborated the project's objective, overall goal, mission, and participation process, works to be carried out under BWSP & requirements. The presentation was done in an interactive way to create the interest of the participants. Like before presenting any information their views and information were solicited. Their expectations and prior understanding over the project were solicited from the participants to match their expectations.

The PR – Specialist, Mr. K. S. Ghosh explained the overall objectives and the output of the project; he told that the program is devised for the sustainable growth through improved quality of life by 24 x 7 Water Supply in the town. In context to timeline of the project he elaborated that the project is in primary stage. We all are involved in proper planning and in the consequences this introductory meeting has been devised. Rather it is tough to explain the technical and operational part of the project at this stage but it is expected to start by the mid of 2015. He also specified that the project will include the construction period as well as O & M Period. He clarified them that the project has initiated and the DBOT Contractor has been mobilized in the project area. The construction will start just after they have completed the exhaustive preliminary activities viz. survey, transmission design, etc. He explicitly mentioned that the project will undergo the concrete ground planning phase initially, expectedly for another 6 months. He also said the cooperation and coordination is highly solicited from the BMC's elected representatives and the community above all for successful implementation of the project.

Mr. Shashi Mohan Singh, GM – Works and Mrs. Rani Choubey, PR Manager, from PAN India was present during the entire session as well as actively participated. They introduced the Contractor's company PAN India with a brief introduction and interacted with the participants and ensured them that they could be always approached directly in case of any suggestions or grievances. She also told that a customer service call center will soon be in place to address their grievances. She requested the elected representatives for their cooperation and contribution for the successful completion of the project.

The presentation was an interactive session and a regular attempt was made to make it both way communicable. Effective communication by Mr. A. K. Raja made the participants understand the issues, discussed broadly and interacted spontaneously, to ensure their interest and active participation.

The presentation dealt with the following major topics:

1. BUDIP Envisage	2. BUDIP: Target
3. BUDIP Outreach	4. BUDIP Objective and Mission
5. Bhagalpur Water Supply Project (BWSP): How to achieve the objective	6. BWSP: Process of Work
7. Works under BWSP	8. Components of BWSP
9. Sustainable output of the project	10. BWSP Timeline
11. How to make the project sustainable	12. Q & A Interactive Session

Interactive Session:

The presentation was preceded with an interactive session to understand the expectations of the participants from the workshop as well as to address their queries.

During the open interactive session various concerns came into the light. Question was raised over from who will affix the water tariff; which was patiently handled by the PMC, DSC, and Contractor team members - they stated that it has to be affixed by the BMC, neither the consultants nor the contractor will be directly involved in it.

The participants made a very sensible intervention with their queries:

1. Where from the laying of the pipeline will start from?
Mr. Shashi Mohan Singh responded that it will depend over the designs and its approval therein after from concerned authorities. Over which the participants suggested to start it from the area which bears no pipeline and / or is covered by low income population.
2. Will the water supplied will be of RO quality? If not do we need to have water purifier installed in our houses?
Mr. Shashi Mohan Singh responded that “no it won’t be of RO quality but it will be potable water (Good enough to drink)”. Further he added that installing water purifier is the personal discretion of the community but considering the proposed quality of water it won’t be required.
3. What will the charging system; what or will there be any amount of water affixed for free and would be charged therein after?
Mr. A. K. Raja stated that it will be entirely the BMC discretion to decide over it but this methodology could be put to authorities as a public suggestion.
4. How the poor people who cannot afford to pay the charges will get the water?
Mr. K. S. Ghosh answered that they will have the stand post and / or a joint connection for 4 – 5 families and it is the decision of Bhagalpur Municipal Corporation whether to waive off the charges or levy over it. Over which the Councilors told that every time instead of giving clear response you all cannot through the balls in BMC court.
5. Who will maintain the stand posts?
Mr. K. S. Ghosh responded that as of now the contractor will look after it but for future a concept of managing stand post by user group is under discussion and may be introduced for the purpose of Operation and Management.

Group Work:

The participants were shown few snapshots of leakage and tapeless stand posts in Bhagalpur then were asked to identify the location. Proceeded with this they were shown few more painting snapshot of a community Hand Pump situated in slum area with unhygienic environment having low water level, showing their efforts to convert it to stand post. They nearly understood the message lying in the snapshots. Then we added these changes happened due the interest of community thus you too should take care of our surroundings and being informed citizens can only bring changes to their life.

Conclusion:

The Councilors owing the project took over the charge to thank the facilitating team for surpassing such required valuable information. They also ensured to kinder their all supports when and where required.

Further Mr. A. K. Raja thanked the participants to manage their precious time to attend the event. Further he also added that the project is for the people and of the people and requested them to make it by the people also. He also ensured that it will be our utmost effort to sort out their problems and will facilitate for their comfort and to disseminate proper and updated project information in respect to timely completion of the project and requested them to participate regularly with the same zeal and cooperation in the future endeavor.

The program concluded with a word of commitment that these sorts of workshops will be carried on a regular basis to update the elected representatives and community members on the progress of the

project and to solicit their suggestions for the successful implementation of it. The success of the efforts through these workshops is being visible. Community Members are being informed as well as the information is being transferred too, by them to the others who couldn't make it up to attend the program or will be approached latter. The informed community in itself is a great catalyst to success of any public service infrastructure development. In future we see it at as a large support for the project. Thus we intimated that these interactive events is a regular ongoing process and will be continued throughout the project tenure to update the community with the project progress and to maintain the proper transparency.

Annexure 1: List of the Participant

SI. No.	Name	Designation	Company / Organization
1	Rajeev RanjanDwivedi	PRO	PIU-BWSP, BUIDP
2	Pankaj Kumar	Environment Engineer	PIU-BWSP, BUDIP
3	Amit Kumar	EME	PIU-BWSP, BUDIP
4	Ajit Kiran	Safeguard Officer	PIU-BWSP, BUDIP
5	Shashi Mohan Singh	GM	PIRH
6	Rani Choubey	PR Head	PIRH
7	P. P. Singh	PR Expert	DSC – BUDIP
8	Mithun Kumar	Office Assistant	DSC – BUDIP
9	K. S. Ghosh	PR Specialist	PMC – BUDIP
10	A. K. Raja	PRO	PMC – BUDIP

SI. No.	Name	Designation	Address / Ward No./Company
1	VivekaNand Sharma	Ward Councilor	32
2	Janki Devi	Ward Councilor	29
3	Saida	Ward Councilor	28

SI. No.	Name	Designation	Address / Ward No./Company
1	Md. Kalam	Ward Member	28
2	Md. Kamaal	Ward Member	28
3	Md. Shahnawaz	Ward Member	28
4	Md. Moji	Ward Member	28
5	Md. ZaahirNejami	Ward Member	28
6	Mahadev Sharma	Ward Member	28
7	Shri Ram	Ward Member	28
8	Md. Usrman	Ward Member	28

9	Pawan Kumar Singh	Ward Member	29
10	RajendraGop	Ward Member	29
11	Ranjit Hari	Ward Member	29
12	Md. Vaarish Ali	Ward Member	29
13	Vijay Kumar Jha	Ward Member	29
14	Mithun Kumar	Ward Member	29
15	Pawan Kumar	Ward Member	29
16	Bablu Kumar	Ward Member	29
17	Subodh Kumar Suman	Ward Member	29
18	Mithlesh Kumar	Ward Member	29
19	Pradip Lal Yadav	Ward Member	29
20	Anil Prasad Choudhary	Ward Member	30
21	Anirudh	Ward Member	30
22	Pinki Devi	Ward Member	30
23	Pramila Devi	Ward Member	30
24	Umakant Mishra	Ward Member	30
25	Mahipal Kumar	Ward Member	31
26	Biren Das	Ward Member	31
27	Kameshwar Prasad	Ward Member	31
28	Dinesh Prasad M.	Ward Member	31
29	Shankar Paswan	Ward Member	31
30	AkhileshMallick	Ward Member	31
31	Kailash Prasad Mandal	Ward Member	31
32	Chandra Mohan Paswan	Ward Member	31
33	Pankaj Paswan	Ward Member	31
34	Sanjay Harijan	Ward Member	31
35	Sanjay Yadav	Ward Member	31
36	UmeshHarijan	Ward Member	31
37	Prakash Yadav	Ward Member	31

38	ChottuMallick	Ward Member	31
39	KanhaiyaMallick	Ward Member	31
40	Pramod Kr. Mandal	Ward Member	31
41	Naagi Dom	Ward Member	31
42	Vinod	Ward Member	31
43	Dhiraj Kr. Paswan	Ward Member	31
44	Manohar Mistri	Ward Member	31
45	Janardan Mandal	Ward Member	31
46	Geeta	Ward Member	31
47	Pinki Devi	Ward Member	31
48	Sanjay Paswan	Ward Member	31
49	Geeta Devi	Ward Member	31
50	Manju Devi	Ward Member	31
51	Meera Devi	Ward Member	31
52	Chandeshwari Devi	Ward Member	31
53	Phulmani Devi	Ward Member	31
54	Vinay Kumar Singh		31
55	Dashrath Singh		31
56	Kamso Devi		31
57	Gudia Devi		31
58	Md. KamarAlam		32

Annexure 2. Workshop from the Eye of Camera



Annexure 3. Workshop from the Eye of Media

दैनिक जागरण

19, मई 2015



ANNEXURE 2: SAMPLE GRIEVANCE REGISTRATION FORM

(To be available in Hindi and English or local language, if any)

The **Bihar Urban Development Investment Program (BUDIP)** welcomes complaints, suggestions, queries and comments regarding project implementation. We encourage persons with grievance to provide their name and contact information to enable us to get in touch with you for clarification and feedback.

Should you choose to include your personal details but want that information to remain confidential, please inform us by writing/typing ***(CONFIDENTIAL)*** above your name. Thank you.

Date		Place of registration			
Contact Information/Personal Details					
Name		Gender	Male	Female	Age
Home Address					
Village / Town					
District					
Phone no.					
E-mail					
Complaint/Suggestion/Comment/Question Please provide the details (who, what, where and how) of your grievance below: If included as attachment/note/letter, please tick here:					
How do you want us to reach you for feedback or update on your comment/grievance?					

FOR OFFICIAL USE ONLY

Registered by: (Name of official registering grievance)	
If – then mode:	
<input type="checkbox"/> Note/Letter <input type="checkbox"/> E-mail <input type="checkbox"/> Verbal/Telephonic	
Reviewed by: (Names/Positions of Official(s) reviewing grievance)	
Action Taken:	
Whether Action Taken Disclosed:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Means of Disclosure:	

परिशिष्ट 1: शिकायत पंजीकरण फार्म का नमूना
(हिंदी, और उर्दू में उपलब्ध कराया जायगा)

बिहार शहरी विकास निवृत्त कार्यक्रम (BUDIP) परियोजना का कार्यान्वयन से सम्बंधित शिकायतें, सुझाव, प्रश्नों और टिप्पणियों का संकलन करती हैं। हम लोगों से अनुरोध करते हैं कि वे अपना नाम और संपर्क सूत्र कि जानकारी प्रदान कर सकें ताकि स्पष्टीकरण एवं जवाब का संबंध में संपर्क कर सकें।

अगर आप अपना व्यक्तिगत विवरण को गोपनीय रखना चाहते हैं तो कृपया अपना नाम का ऊपर “गोपनीय / confidential) लिखें/ टंकित करें। धन्यवाद।

तारीख		पंजीकरण का स्थान			
संपर्क करने संबंधी जानकारी / व्यक्तिगत विवरण					
नाम		लिंग	पुरुष महिला	यु	
घरकापता					
शहर					
जिला					
फोन नं.					
ईमेल					
शिकायत / सुझाव / टिप्पणी / प्रश्न: नीचे अपनी शिकायत का विवरण (यथा कौन, क्या, कहाँ और कैसे) का उल्लेख करें।					
अगर संलग्नक / नोट / पत्र का रूप में हैं तो कृपया यहाँ टिक करें:					
हम संपर्क / टिप्पणी / शिकायत संबंध जानकारी प्रेषित करने हेतु कैसे संपर्क कर सकते हैं।					
कार्यालय उपयोग के लिए					
पंजीकृतकर्ता: (अधिकृत व्यक्ति का नाम जिन्होंने नए शिकायत पंजीकृत किया हो)					
शिकायत प्राप्ति का जरिया:					
<input type="checkbox"/> नोट / पत्र <input type="checkbox"/> ईमेल <input type="checkbox"/> मौखिक / टेलीफोन					
समीक्षक: (अधिकारी का नाम एवं पद)					
कार्रवाई कि गयी:					
की गई कार्रवाई को उद्घाटित किया गया:			<input type="checkbox"/> हाँ <input type="checkbox"/> नहीं		
प्रकटीकरण का जरिया:					