



Department of Environment,  
Science & Technology

Government of Himachal Pradesh



# Public Consultation and Communication Strategy



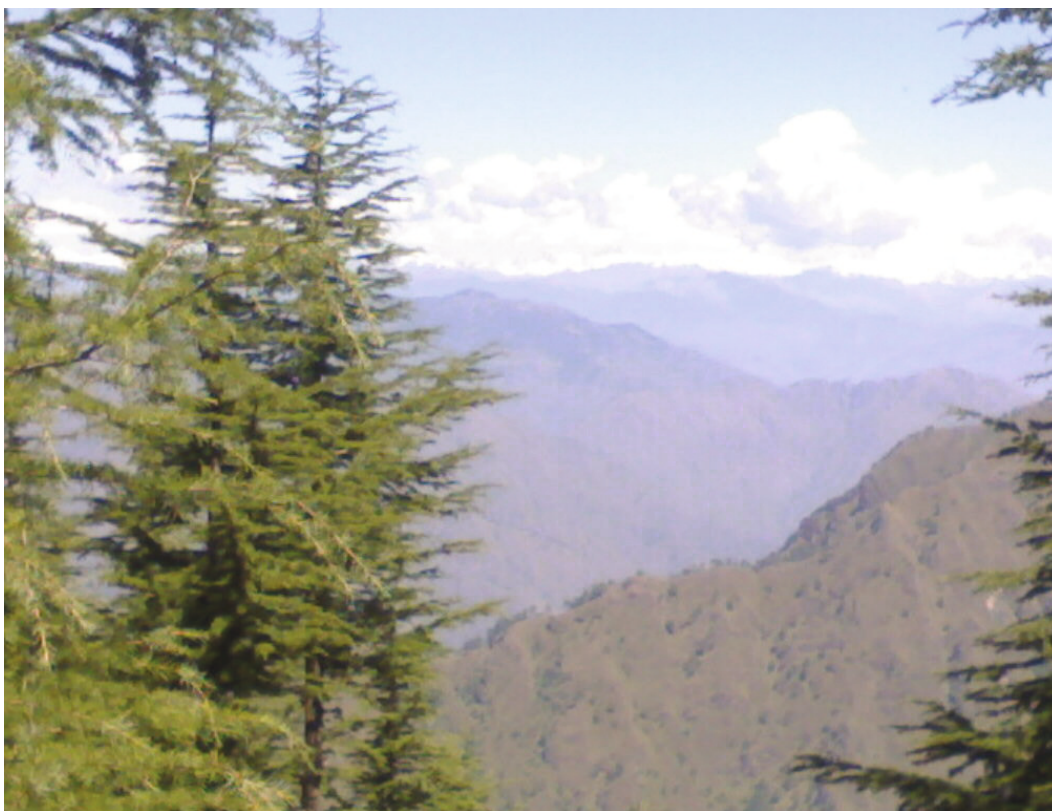
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# 1 | Introduction



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## 1.1 | Context

The preparation of the Public Consultation and Communication strategy is an integral part of the Government of Himachal Pradesh's State Environment Master Plan (EMP), a guiding tool to address environmental concerns across key sectors (see Table 1.1) through operational mechanisms involving a partnership between the implementing agencies, development departments, local government and the affected women and men. This strategy is based on the understanding that where communities are part of the decision-making and management process, the likelihood of compliance will correspondingly increase; and this will also minimize conflicts between communities and natural resources as well as between them and the various government regulatory and implementing agencies.

Sector guidelines have been prepared for each of the identified sectors (see Table 1.1) which are grouped under three categories – Infrastructure, Natural Resource Management and Services. These sector guidelines lay down the policy framework and the regulatory framework within which each of these sector functions. A Monitoring and Evaluation section identifies indicators of performance for each sector to ensure proper environmental governance in that sector. This public consultation and communication strategy is required in each of these sectors and must be adhered to currently, and as the sector develops. This strategy attempts to go beyond the Environment Impact Assessment (EIA), a mandated public consultation process notified by the Ministry of Environment and Forests, by ensuring that gram panchayat institutions and local authorities also adopt transparent, consultative and participate

modes of decision-making with regard to environmental resources.

This strategy spells out what institutional mechanisms will engage public attention and participation in decision making as also enhance the accountability of the implementing and development agencies. The strategy will also place the Environment Master Plan in the public domain through institutionalized communication measures. This strategy is developed by the Department of Environment, Science and Technology (DEST), Himachal Pradesh Government. Implementation of the strategy will be undertaken by different government departments, including implementing agencies and local government, but the overall coordination will be the responsibility of DEST.

**Table 1.1: Key Sectors identified by the EMP**

Infrastructure
1 Roads, highways, rural roads and Transport
2 Hydropower (generation, transmission, and distribution)
3 Tourism, Ecotourism + Art, Architecture and cultural heritage
4 Industry
5 Mining and Geology
6 Irrigation and Public Health
7 Health
8 Market Infrastructure (including horticulture and agriculture)
9 Rural and Urban Planning
Natural Resource Management (NRM)
10 Agriculture
11 Horticulture
12 Animal Husbandry Livestock
13 Forests, Wildlife and Wetlands
14 Fisheries
Services
15 Education, and Vocational training
16 IT and Telecom
17 Livelihoods
18 Waste disposal.

The strategy will be implemented in the identified key sectors and may be extended to other sectors in due course.

This strategy understands public consultation and communication as being complementary processes. While direct communication may be sufficient in limited situations, public consultation complements communication by making it a two-way process and implies an active role for the public where women and men engage pro-actively with government's decision-making processes. Direct communication, for instance, may be sufficient when the State government shares its approved legislative programme or the state budget with respect to environmental conservation - after it has passed through a consultative process. Public consultation becomes necessary while developing or reviewing state government's policies or local government practices on environmental management because that impacts the public at large.

This strategy also envisages effective communication within different levels of government and between different stakeholders like the government and community-based groups as well as the government and the business community. It incorporates a stronger role for all kinds of media – print, broadcast and web-based in this exercise.

## 1.2 | Background

The Government of Himachal Pradesh received national recognition in 2009 by receiving the Prime Minister Award for Excellence in Public Administration and other awards for its achievements in both environment protection and in interactive e-governance that promotes communication as well as public consultation. The state has adopted the motto of 'fast-track development in harmony with environment protection with the involvement of citizens'.

In implementing government schemes related

A strong public consultation and communication policy will enable women and men to address some of their climate adaptation imperatives and also protect key environmental resources like land, water and forests.



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to conservation and protection of natural resources, the level of public participation and communication ranges from sharing of information to active engagement of citizens in the implementation and management of projects and services. Public consultations under Environment Impact Assessment (EIA)", for instance, which falls somewhere in the middle of this range, is mandatory for all large developmental projects listed under 'infrastructure' in Table 1.1. An example of active engagement with citizens is the 'Sanjhi Van Yojna' that recognizes forest user groups through Village Forest Development Societies, grants usufruct rights to Society members and envisages collaboration with these community groups to regenerate degraded forest areas, and to conserve and sustainably manage forests. Again, micro watershed programmes (covering about 500 ha) mandates involvement of user communities. The forward looking Panchayati Raj provision of reserving 50% of the seats for women has led to women candidates winning majority of the seats in the latest Panchayati Raj elections.

The unpredictability and unknown trajectory of climate change phenomenon mandates a heightened need for public consultation and communication in the wake of reports of increasing soil erosion, erratic rainfall, faster glacier retreat and upward movement of vegetation due to rising temperatures. A strong public consultation and

communication policy will enable women and men to address some of their climate adaptation imperatives and also protect key environmental resources like land, water and forests. This strategy aims to address all such of s challenges.

Through this Strategy, the State Government seeks to enable and strengthen the institutional mechanism for redressal of environmental issues engaging public attention. This institutional mechanism will enhance public awareness, sensitise the public for people's effective inputs in environmental governance and ensure implementation and accountability of developers and information agencies in the State. This envisages initiatives that will ensure measures like universalizing the reach of public consultation and communication, building trust with, and capacities of, local communities (women and men) to engage effectively with decision-making processes as well as training of government o&cials to incorporate environmental and people's recommendations into all decisions that affect the state of the environment. Appropriate and inclusive public consultation and communication processes will be designed to reach out to different sections of society across caste, class, gender, religion and ethnic groups. Gender concerns will be especially mainstreamed in all decisions, involving women at all platforms and addressing their needs across sectors.



## 1.3 | Overall Purpose

The twofold purpose of this Strategy is to

- a) Enable the larger public to be pro-actively and positively engaged in government's decision-making, where these decisions impact livelihoods of women and men and their environmental resources.
- b) Strengthen institutional mechanisms to enhance the accountability of decision-making and implementing agencies to the larger public.

## 1.4 | Strategic Goals

The following strategic goals will enable the achievement of the overall purpose above:

- Provide a strong legal and institutional framework to ensure communication and public participation across the key sectors of society, in particular those identified under the Environment Master Plan
- Provide people with timely, accurate, clear, objective and complete information about its policies, programs, services and initiatives which come under the Environment Master Plan purview.
- Ensure that decision-making institutions of the Government of Himachal Pradesh are visible, recognisable, accessible and accountable to the people they serve.
- Consult public, listen to and take account of their interests and concerns when establishing priorities, developing policies, and planning programs and services.
- Apply variety of ways and means to provide information and take inputs and feedback to understand and accommodate diverse needs of society.
- Identify and address public consultation and communication needs and issues in an ongoing manner in the development, implementation and evaluation of policies, programs, services and initiatives concerning environmental management practices.
- Deliver prompt, courteous and responsive service that is people-centric and sensitive to the needs and concerns of the public across different levels, groups and ethnicity and respectful of individual rights.
- Encourage public service managers and employees to communicate openly with the women and men about policies, programs, services and initiatives they are familiar with and for which they have responsibility.
- Ensure all line institutions of the Government of Himachal Pradesh work collectively and collaboratively to achieve coherent and effective communications and consultations with the public.





# 2 | Stakeholder Analysis



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## 2.0 | Introduction

Stakeholder analysis is an important aspect to understand the functioning mandates at various levels. Duties and roles of identified major stakeholders have been described below followed by an analysis of how they can influence and who they can influence with regard to public consultation and communication. The objective of this strategy is to identify different stakeholders, their roles, carry out analysis of their strength in decision making process and identifying who needs to be involved for this strategy.

The following sections describe each of these items as building blocks to the strategy for communication and public consultation.

## 2.1 | Duties and Roles of Stakeholders

The Himachal Pradesh Government has in place an effective mechanism on public participation, redressal systems and e-governance. This strategy will further strengthen this by bridging gaps to secure full and effective public consultation and communication. The government's flagship official publication on Himachal Pradesh's '2 Years of Development and Achievements' during the calendar years 2008 and 2009 talks about engaging people in development in the State. This strategy takes the next step by laying down the mechanisms of working with several stakeholders to involve women

and men across all sections of society in the decision-making process.

The following are the key stakeholders, each with a definite role in promoting and advocating public consultation and communication activities. Each stakeholder has specific levels of responsibility and capacity.

## Government of Himachal Pradesh

The State government has the mandate to provide a strong legal and institutional framework to make public consultation and communication exercises compulsory and be an integral part of work plans and budgeted resources. Components of communication and public consultation are reflected in existing laws and regulations under the Right to Information Act 2005, Mahatma Gandhi National Rural Employment Guarantee Act 2005, Environment Impact Assessment notification 2006, Forest Conservation Act 1980, Wild Life (Protection) Amendment Act 2002 (1972 Act amended in 2002 to include community participation), the Forest Rights Act 2006, the Himachal Pradesh Participatory Forest Management Regulations 2001, the State Water Policy 2005 and the Eco-Tourism Policy 2005, to name a few.

Government agencies, development departments and local governments, by virtue of their provisions, will henceforth remain pro-active to make available adequate and inclusive opportunities for public involvement in decision-making and will, thereby, ensure success and effectiveness of this public consultation and communication strategy. Of particular importance will be the commitment of the local government for ensuring transparency and inclusive decision-making

## Civil Society Organizations/ NGOs

The civil society is not only best placed to constructively highlight gap areas where government intervention is needed, but also play a critical role in mobilising public opinion for or against local government policies and practices. Civil society organizations have spearheaded the formation people-centric advisory and campaign groups and facilitated the activities of such associations. This strategy seeks to pro-actively involve NGOs from the project design stage upwards so that NGOs can help build a culture of participation in the community and within the government.

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## Community-based groups

Though community-based organizations (CBOs) are also civil society collectives, their character and role is different from NGOs. CBOs comprise user-groups or groups formed by local communities. In Himachal Pradesh, these include Mahila Mandals, Joint Forest Management (JFM) groups, Yuvak Mandals or Youth Groups, Village Forest Development Societies, Health and Family Welfare Advisory Committees (PARIKAS), Water Users Associations, Krishak Vikas Sangh, Self-Help Groups, Eco-Clubs. Their voice in the decision-making process is allowed in Himachal Pradesh through participatory means through their elected local governments or user committees. CBOs are the most effective in ensuring inclusive, transparent and fair decisions. This strategy will ensure pro-active and meaningful involvement of CBOs backed by a supported and committed government's decision-making machinery.

### Opinion Leaders

Opinion leaders are community leaders, including elected representatives, religious leaders, writers/local journalists, doctors and other professionals, social reformers/activists etc, who challenge conventional thinking and increase public participation. The more progressive these leaders are, the more they support inclusive and broad-based public participation. So, for instance, an average school teacher may typically encourage rural men to travel to another village to take part in a public hearing but may not do the same with rural women, even on issues like power plants though laying of transmission lines may entail cutting of forest trees on which women depend for fuelwood, fodder and livelihoods. This strategy will encourage opinion leaders, including religious leaders, influential landowners, entrepreneurs and professionals like journalists, doctors and others who have a large circle of influence to empower local communities to demand and participate effectively in public consultations.

## The Private Sector

the private sector is increasingly playing a large role in civic affairs, whether through participation in local development programmes, public-private partnerships or infrastructure development. Himachal Pradesh government encourages private sector participation in small hydro power development, eco-tourism, transport and health care as also in food processing, seed production, agri-business and agriculture infrastructure among others. This strategy will help the private sector to play an important role in enhancing public participation and communication through instruments such as environmental disclosure and reporting, extending support to information and media campaigns, fostering community-based organizations and using tools of public participation to inform their decision-making.

## 2.2 | Stakeholders' Contribution to Decision-Making

Widespread and meaningful public consultation and communication is possible only when the decision-making process is not a top-down process but is a bottoms-up process wherein different stakeholders are able to contribute to the process at all decision-making stages. In addition to legal requirements and inclusive policies, good practice is also necessary for different stakeholders to share their power within the decision-making framework.

For instance, while afforestation of village forests is mandated to be undertaken with local communities and forest societies, in practice, the Forest Department may play the dominant role in both decision-making and in implementation by involving local communities as equal partners in designing, implementing, managing, monitoring and evaluating forest resources. The emergence of people's movements around hydro power



plants in Himachal are also an attempt to call for a more consultative process towards decision-making. The expanding investment by the private sector in sectors such as agriculture, tourism, infrastructure development is impacting livelihoods of women and men, their access to natural resources and the health of natural resources and calls for a strong provision for public consultation and communication.

The power equation between different stakeholders determines levels of public participation (see section 3.1 below) and the efficacy of public consultation and communication exercises. In most government-initiated programmes and in the public-private health care system existing in some parts of the State, communities participate in implementation and/or joint management of the programme and this role needs to be extended to begin at the design stage of the programmes itself. Participatory processes are also needed to develop management plans so that affected women and men are not just managing programmes planned and developed by other stakeholders. This will respect strong public consultation and communication processes.

Community-based groups identified by the government to design, implement and manage natural resources or services also need to reflect real and meaningful public consultation and communication. For instance, all Mahila and Yuvak Mandals need to receive regular external support, training and guidance to perform their function of spreading information about government programmes in villages, collecting and inputting feedback.

Again, Parivar Kalyan Salahkar Samitis (PARIKAS) are representative, notified community-based health groups at Panchayat, block and district levels. They are mandated to develop micro-plans for the development of their areas according to the local needs and also ensure proper functioning of the health facilities for their members. For instance, PARIKAS may



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Community-based groups identified by the government to design, implement and manage natural resources or services also need to reflect real and meaningful public consultation and communication.

lack legitimacy from higher authorities if they do not acknowledge or support these groups. PARIKAS also need to be supported by Gram Panchayats though they function under the health hierarchy and not directly within the local government system. Proper public consultation and communication will happen when there is no discrepancy between the duties and the powers given to community-based groups.

It may be mentioned that majority of specific actions identified for each sector, in the sector guidelines, which need to be implemented at policy, program, plan and project level by the coordinating agency has NGOs / PRIs / CSOs as major collaborating agency. This indicates the major role of public consultation and participation both during planning and implementation of various projects, programmes and also the Environment Master Plan.

Under the Panchayati Raj Act, Gram Panchayats are mandated to develop micro-level development plans for their area according to local needs. However, Gram Panchayats often do not have the know-how or the financial capacity to do this and need support from the line department and other government agencies. Gram Panchayats receive funds from the State Government



to plan and carry out rural development programmes of the government.

The NGO sector in Himachal Pradesh is relatively young. It came up as late as in the 1990s, mainly as a response to external/international funding for development. In the ensuing years, better state development indicators and a small and widespread target population has led to many of the NGOs working with the government to implement projects and programmes. International/external funding has substantially reduced. Emergence of some people's movements, for instance in the wake of one or two large hydro power projects indicate the need for the State to have a strong public consultation and communication policy which this strategy envisages.

An effective public consultation and communication strategy also needs NGOs to act in good faith and bring to the government's notice any suggestions in policy and practice. Currently NGOs are engaged in service delivery of some government programmes - mainly in spreading information and awareness through 'information, education, communication' material and more directly in service delivery in the public health sector.

An example of this is the government initiated Community-led. Assessment, Awareness, Advocacy & Action Program (CLAP) for environmental improvement & carbon neutrality.

## 2.3 | Identified Needs

- PARIKAS need support and capacity building to be established everywhere and also need to have adequate legal and financial powers to support their role and to help them function optimally.
- In order to strengthen the main streaming of public participation for implementing these actions, areas that need to be addressed for effective public participation include:
  - Improved implementation of laws

### Himachal Pradesh Government-NGO Collaboration in CLAP Programme

Himachal government's Community-led Assessment, Awareness, Advocacy and Action Programme (CLAP) for environmental improvement and carbon neutrality is a successful example of government-NGO collaboration. The CLAP programme's uniqueness lies in the fact that it functions at the grassroots level enabling learning to flow from the people and to the people.

Initiated by State Government in association with an NGO, Development Alternatives, incorporates a multi-stakeholders participatory approach with the aim of mobilising community responsibility for environment protection and carbon neutrality in the state. Participation of a network of Eco-Clubs, Mahila Mandals, Panchayats, Urban Local Bodies and several NGOs has led to a mass movement of people who have become aware of working towards making their state environmentally 'sustainable. CLAP's success lies in:

- Systematically assessing and documenting environment quality and carbon footprint in the state.
  - Generating awareness among communities, decision makers and other stakeholders on the:
    - State of the environmental resources.
    - Causes of environmental degradation.
    - Taking possible ameliorative action at the local level.
    - Advocacy with respect to regulatory mechanisms and the rights of the people.
- and institutional mechanism; eg proper formation of user committees by the local government.
- Better implementation of legal provisions that uphold 'rights' of people.

- Better awareness and ability to understand technical content of projects.
- Improved access to communication channels such as the internet, television or printed material.
- Ability to meet expenses involved, e.g. travelling to get information or to participate in a meeting.
- Support to manage conflicting priorities like forgoing daily wages or shouldering child care responsibilities.
- More transparent and flexible line agency staff.
- Ability to manage risk perception – physical/political/economic/social – e.g. for speaking up in front of a high caste panchayat leader.
- There is also a need to balance the power between PRIs and field-based officers by building sensitivities and capacities to share the decision-making space with each other.
- The role of Panchayats in designing micro level development plans programmes needs strengthening for better public consultation and communication. Frontline staff of State departments should “consult” with gram panchayats before formulating programmes or schemes and earmarking budgets for these. Gram panchayats and community-based organizations, as also civil society organizations must participate and to respond to these with pro-active suggestions. The bottom-up approach, which reflects healthy public consultation and communication, will then be reflected in the entire State’s decision-making process, if the provisions of the Panchayat Raj Act are carried out properly.
- The NGO sector needs to focus on empowering women and men to participate more in governance. This

needs stronger participation with communities and healthy policy advocacy to bring best practices from the ground to the government’s notice in a constructive manner.

More local NGOs need to work closely with PRIs to help build their capacities, build better working relations with the local authorities and be accountable to their gram sabha members. NGOs are also interacting for service delivery with community-based groups like the Mahila Mandals and youth groups. This involvement needs to be strengthened and widespread, especially with groups like PARIKAS which have a slot for NGOs. All this will foster public consultation and communication and make CBOs and gram panchayats more effective.

## 2.4 | Audiences

Considering public consultation has to be broad-based and across sectors, as identified in collaborating agencies for implementing actions at sector level, major audiences for this strategy will encompass:

- Business associations
- Industry federations
- NGOs
- Legislators
- Policy makers
- Media
- PRIs
- General Public – different sections of society

This chapter describes the tools and actions for public consultation consisting of levels of consultations, strengthening of specific areas of existing consultative process & procedures and a actions required to implement. The following sections describe each of these items.

# 3 | Tools and Actions



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## 3.1 | Levels of Public Consultation

Public consultation and communication becomes necessary when the larger public is affected by a decision. It is also necessary where the impact of the project has long-term adverse impacts on people, even if the number of the affected people is small. Those who are affected by a decision have a right to be involved in the decision-making process. Public consultation and communication becomes critical where it is uncertain what women and men may say or when they may oppose the proposal. The following will be this strategy's guiding parameters for undertaking public consultation and communication exercises:

- When there are several options and

public consultation and communication can make a difference.

- Where there is a clear idea of what the public is being asked to do.
- Where there are several departments involved and people have to be consulted across sectors.

In all such cases, there will be a commitment to listen to the views of women and men and acknowledge their views while making the decision.

The State will engage in four progressive levels of public participation. These four levels are to inform, input/consult, involve and collaborate/partner (see Table 3.1). Each of these levels entails different kinds of consultation and communication tools and

**Table 3.1: Progressive Levels of Public Participation**

Level	Scope	Government's Responsibility	Public Consultation and Communication Tools (Some examples)
Inform	One-way communication from government agencies to the public	Provide the public with timely, accurate, clear, objective and complete information to spread awareness and educate the public	<ul style="list-style-type: none"> <li>Public notices/fact sheets</li> <li>Awareness campaigns</li> <li>Exhibitions and demonstrations</li> <li>Site/exposure visits</li> <li>Press Releases</li> <li>Website</li> <li>SMS alerts</li> </ul>
Input (consult and solicit Input)	Seek public feedback. Requires a response from the public but limited opportunity for a two-way dialogue	Inform stakeholders how their concerns and issues are reflected in the decisions taken and provide feedback on how public input influenced the decision	<ul style="list-style-type: none"> <li>Public meetings</li> <li>Public hearings/Citizen jury</li> <li>Seminars and Conferences</li> <li>Research study recommendations</li> <li>Surveys</li> <li>Conducting a poll</li> <li>Public Watchdog Committees</li> <li>Interactive website including a response mechanism</li> <li>Video-conferencing</li> </ul>
Involve	Work directly with the public to establish a two-way communication to Inform, elicit responses and incorporate feedback	Convince, and not just inform, stakeholders on how their concerns and issues are reflected in the decisions taken and provide feedback on how public input influenced the decision	<ul style="list-style-type: none"> <li>Stakeholder consultation</li> <li>Reference Groups</li> <li>Citizen Advisory Committees</li> <li>Event Forum</li> </ul>
Collaborate	Pro-actively involve interested sections of society to integrate their knowledge and expertise into the decision-making process	Incorporate stakeholders' advice and recommendations into the decisions to the maximum extent possible	<ul style="list-style-type: none"> <li>Working Groups</li> <li>Joint Expert Panels</li> <li>Appointed Citizen Representatives</li> <li>Citizen oversight and compliance boards</li> <li>Focus group research</li> <li>Referendums</li> </ul>

call upon specific government responsibility.

For every decision, a plan matrix, based on the above levels of participation, can be made. The Plan Matrix (see Table 3.2 below as illustration) will enable decision-makers to fix responsibilities for who will roll out what activity, for what purpose and in what time-period. Monitoring and evaluation can also

form part of this matrix. For example, it is possible to identify a Watershed Development Project for a public consultation and communication activity and then decide the level of public participation and designate responsibilities for the consultation within the Public Health/Rural Development Department and to external stakeholders.

**Table 3.2: Activity: Watershed Development Project**

Infrastructure		Level of Participation					Responsible Person (Name/Designation)	
Timeline	Tool	Inform	Input	Involve	Collaborate	Stakeholders	External	Internal
Date	Survey of 200 households					5 Panchayats (give names)	Head of the contracted survey agency	Dy Commissioner-cum-CEO, DRDA
Date	2 Appointed citizens (one man, one woman) representatives on the Watershed Development Team (WDT)				X	1000 households to benefit from the watershed	Head of an active NGO or Community-based organisation	Dy Commissioner-cum-CEO, DRDA



## Strengthening Public Participation in Environmental Impact Assessments (EIAs)

The above levels of participation are also a good tool to strengthen public participation and communication in Environmental Impact Assessment procedures from the design to the review stages. Table 3.3 below gives the EIA stages at which public consultation and communication will be required including the levels of participation recommended.

**Table 3.3: EIA and Levels of Participation**

Stages for clearing development projects	Levels of public participation recommended (ref Table 3.1)
Screening and short-listing proposals	Collaborate
Scoping – Terms of Reference	Collaborate
Selection of site	Inform
Conducting EIA	Involve
Sharing the EIA and other aspects through a public hearing	Input (consult and solicit input)
Monitoring of the project	Collaborate

A Plan Matrix on lines similar to above will be made for every EIA to determine levels of responsibility and levels of participation for the different stages of EIAs (see illustration in Table 3.4). This will ensure a consultative and proper EIA.

## 3.2 | Actions for Strategic Change

There are some core areas where change is required to achieve the strategic goals outlined above (see section 1.4). These areas include, for instance, inequality in power equations between stakeholders and inadequacy of the stakeholders' actions and communication gaps. This also includes strengthening the implementation of Environmental Impact Assessment (EIA) procedures, especially for participative public hearings. Disclosure of environmental data and regular environmental parameters reporting by high carbon footprint sectors identified in the institutional development report EMP is also required.

Some of the strategic changes needed are listed in more detail below (see Table 3.5) together with what actions are required and who is responsible for these actions. Obviously, these changes will have spin-offs and will require further changes such as in the workforce, need for training and capacity building, new partnerships, technical resources, infrastructural changes and funding.

This strategy sets out a broad 'agenda for change' rather than detail how each change will be delivered. This strategy will require

**Table 3.4: EIA Consultation Plan Matrix for Municipal Solid Waste Management Facility Near village Jhuriwala, district Panchkula**

Timeline	Tool	Level of Participation				Stakeholders	Responsible Person (Name/ Designation)	
		Inform	Input	Involve	Collaborate		External	Internal
Date	Screening and short-listing proposals				X	<ul style="list-style-type: none"> <li>5 Panchayats</li> <li>Forest division</li> <li>Local NGOs</li> <li>Air Force division</li> <li>Water dept etc</li> </ul>	Head of the implementing agency	Competent authority in the responsible line dept
Date	Sharing the EIA and other aspects through a public hearing		X			<ul style="list-style-type: none"> <li>1000 households to be affected</li> <li>Local NGOs</li> <li>Air Force division</li> <li>Water dept etc</li> </ul>	Head of the implementing agency	State Pollution Control Board Chair (name)

**Table 3.5: Actions for Strategic Change**

Strategic Change	Action Required	Stakeholder Responsibility
Recognition of public participation on environmental aspects as a Right	<ol style="list-style-type: none"> <li>1. Make public consultation and communication a mandatory pre-requisite for preparation and approval of all relevant Detailed Project Reports (DPRs).</li> <li>2. Make public consultation and communication a mandatory pre-requisite for approval of all critical private-sector enterprises particularly in the key sectors identified by the EMP.</li> <li>3. Introduce state-level legislation specifically to protect the community's right to public debate and participation for decision that affect them <sup>1</sup> and specifically in the key sectors identified by the EMP.</li> </ol>	<ul style="list-style-type: none"> <li>• Government of Himachal Pradesh</li> <li>• Business Associations/ Chambers of Commerce for different sectors</li> </ul>
Sustainable development an integral part of industrial/ economic growth	<ol style="list-style-type: none"> <li>1. Mandate EIAs for all relevant projects with the potential for a high carbon footprint across sectors identified by the EMP</li> <li>2. Set up an Environmental Assistance and Review Cell (EARC) in every line department with adequate infrastructure and reflecting a gender balance. The Cell will comprise: <ol style="list-style-type: none"> <li>a. 2-3 existing officers where the department has invested in building their capacities in relevant environmental and social issues.</li> <li>b. External social and environmental experts/professionals</li> </ol> Technical sectoral help should be given by the DEST where required. </li> <li>3. Each stakeholder department to prepare a Training Manual for Environment Management in collaboration with DEST and the Training Department to incorporate environmental guidelines into functions.</li> </ol>	<ul style="list-style-type: none"> <li>• Government of Himachal Pradesh</li> <li>• Line departments for proper implementation</li> </ul>
Public environmental disclosure and reporting <sup>2</sup>	<ol style="list-style-type: none"> <li>1. Make mandatory annual environmental disclosure and reporting by industrial units in high carbon footprint infrastructure sectors above including mining, sewage waste management, hydro-power and tourism.</li> <li>2. Notify areas to report on to regulate disclosure and reporting. Areas like environmental costs and benefits, energy efficiency, employment generation, customer and community involvement etc.</li> <li>3. Environmental Guidelines to be formulated by a joint committee comprising government officers, corporate and non-government experts/professionals.</li> </ol>	<ul style="list-style-type: none"> <li>• Government of Himachal Pradesh</li> <li>• Business, Industrial Associations/ Chambers of Commerce for different sectors</li> </ul>
Apply Bottoms-up appraisals in participative manner	Involve stakeholders at the design stage, clearly defining purpose of the consultation with adequate communication material and factoring in the needs of the participants – perhaps through multi-stakeholder task forces. Inform both the process of consultation and details of the substantial issue at hand.	<ul style="list-style-type: none"> <li>• Local government, line agencies, district-level development departments</li> <li>• Business Associations/Chambers of Commerce for different sectors</li> </ul>
Representation of all categories	Equitably incorporate women and men from different backgrounds, their voices, ideas and information and work with all the stakeholders, including NGOs, CBOs and interest groups. Identify vulnerable groups and provide for enhanced access.	<ul style="list-style-type: none"> <li>• Local government, line agencies, district-level development departments</li> <li>• Business Associations/Chambers of Commerce for different sectors</li> <li>• NGOs and CBOs</li> <li>• Public at large</li> </ul>
Collaborative and shared purpose/ objective	Support, build capacities and encourage participants to work together to advance the common cause. Protect the vulnerable to reduce risks of participation.	<ul style="list-style-type: none"> <li>• Local government, line agencies, district-level development departments</li> <li>• Business Associations/Chambers of Commerce for different sectors</li> <li>• NGOs</li> </ul>
Impact and action	Document inputs, response and feedback. Use different communication tools to reach out to different stakeholders, especially the economically and socially marginalised, or in remote locations, who require enhanced access.	<ul style="list-style-type: none"> <li>• Local government, line agencies, district-level development departments</li> <li>• Business Associations/Chambers of Commerce for different sectors</li> <li>• NGOs in their capacity as watchdogs</li> </ul>
Making a difference	Sustain public consultation and communication over time and space through constant review, revision and reaching out. Promote a culture of participation in programmes and institutions with ongoing quality public consultation and communication.	<ul style="list-style-type: none"> <li>• Government of Himachal Pradesh</li> <li>• Local government, line agencies, district-level development departments</li> <li>• Business Associations/Chambers of Commerce for different sectors</li> </ul>

<sup>1</sup> Examples of these exist in United States, Netherlands, Germany, Denmark, Sweden and New Zealand.

<sup>2</sup> Example of this exists in France, Sweden, United Kingdom, Malaysia and the city of Buenos Aires and in Himalayan states of India.

action plans with timelines for the identified changes, and additional changes as the strategy is to be implemented by different departments/agencies and shall have to be incorporated in their workplans complete with financial and other resources.

### 3.3 | Actions for Strengthening Government Institutional Mechanisms

There is an obvious need to strengthen the institutional mechanisms for public consultation and communication at all levels of the government and for other stakeholders.

1. Himachal Pradesh Government's Information and Public Relations Department is one of the key departments that will build on its objectives which mandate public participation communication. The first objective, in particular, entails the Department to 'assess reactions of people, take the feedback from different quarters and appraise the Government about the same.' Here feedback is expected from different stakeholders and different sections of society. The Department's objectives are:
  - To disseminate and ensure the flow of information to the public on the policies, programmes and developmental activities initiated for the people of the State at large. At the same time assess reactions of the people, take the feedback from different quarters and apprise the Government about the same.
  - To identify the sources from where the information emanates and arrange to gather such information.
  - To identify the targeted audiences to whom such messages and information must reach.
  - To initiate required and positive steps which could earn goodwill for the government.
  - Action to safeguard the image of the Government and raise its level to the expectations.
  - Internal relationship.
  - Explain the concept of a democratic government and its functions.
  - To organise and coordinate the Public Relations activities of government in various sectors and at various levels.
2. Managers, at the level of Joint Secretaries, responsible for planning, implementing, monitoring and evaluating public, policies, programmes and services, will work in close coordination with the Information and Public Relations Department to integrate public consultation and communication activities into their annual and 5-year planning process, setting out operational needs, timelines and resource allocations. This will include delineating strategies, tools, messages and responsibilities for consulting and communicating with identified target audiences and ensuring public responses and feedback are addressed adequately. Some of the specific tasks will be to:
  - Prepare guidelines to improve existing public participation mechanisms
  - Develop best practice manuals that reflect access, voice (meaningful participation) and impact (follow-up)
  - Build capacities for PRI members to support effective public consultation action
  - Empower PRIs though adequate funds and powers
  - Involve multi-stakeholder advisory committees at every level, starting from the gram panchayat level
  - Assess risks and take risk managing measures where necessary

- Review public consultation and communication strategy and action plan periodically – and with public consultation at intervals
4. In particular, capacities will be built within departments of Information and Press Relations, Panchayati Raj and other line departments to demonstrate stronger commitment to, public participation and communication. Public participation and communication will form part of each department's annual workplan, the five year plan and adequate resources will be budgeted for these activities. Capacities will particularly be built to fulfill Environment Master Plan's sectoral guidelines and cross-sectoral imperatives.
- Environment Impact Assessment requires that environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' (See Note) and Category B1 projects or activities shall undertake Public

#### Key Provisions of the Environment Impact Assessment (EIA) Notification, 2006

The objective of the EIA Notification 2006 is to formulate a transparent, decentralized and efficient regulatory mechanism to:

- [a] Incorporate necessary environmental safeguards at planning stage
- [b] Involve stakeholders in the public consultation process
- [c] Identify developmental projects based on impact potential instead of the investment criteria'<sup>3</sup>

The EIA Notification defines 'public consultation' as "the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate." The Notification further states that "Public Consultation shall ordinarily have two components comprising of:-

- (a) a public hearing at the site or in its close proximity- district wise, to be carried out for ascertaining concerns of local affected persons;
  - (b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity."
- Further, "The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB).

While consultation with people is fundamental to the EIA Notification, 2006, there are areas that need strengthening. Some of the positive provisions of the EIA include an opportunity for those directly affected by a project to express their concerns to authorities. It also brings transparency to the process. Stakeholder engagement, or a more sustained dialogue is also provided for as part of this public participation process. Another positive provision is that public consultation must begin from the time a project is conceived and designed and be present right through the process of screening, scoping, impact analysis and mitigation, review of EIA quality, implementation and follow-up. In practice, public consultation happens after the EIA report is prepared by a consultant who then has to present it to the review committee. Changing the concept of the project or even its design at this stage is not practical. Also, the Notification provides for a public hearing to be held after the draft EIA report, not the final EIA report. This lacuna must be addressed by the state government by ensuring that all concerns are addressed and the changes incorporated are publically communicated through the official websites and Panchayat offices for the public.

Linked to the above is the provision for monitoring and evaluation. This too needs strengthening by incorporating participatory monitoring and evaluation. Since the EIA Notification is silent on who should be the monitoring agency, this can be addressed at the state level by ensuring objective, transparent and participative monitoring by a neutral authoritative body in consultation with DEST.

The EIA provisions also need to be implemented in both letter and spirit by the state government. For instance, the Notification exempts several impact projects to go through the screening and scoping stages and they do not require EIA studies. For a small state like Himachal, some of these exempted projects may adversely impact the state's ecological balance. The state, therefore, needs to take a case-by-case decision to ensure that exempted projects, such as building and construction projects with less than 20,000 sq. mtrs built up area, power projects with less than 5 MW generation, or cement plants less than 1 MTPA go through the required stages if the vulnerability analysis and EMP sectoral guidelines so demand.

<sup>3</sup> Ministry of Environment and Forests presentation, 5 December 2006; [http://www.sustainabledevelopment.in/pdf/dr%20gsv\\_prest.pdf](http://www.sustainabledevelopment.in/pdf/dr%20gsv_prest.pdf) [accessed January 25, 2012]

<sup>4</sup> EIA Notification, 2006 Section 7 III (i)

<sup>5</sup> EIA Notification, 2006 Appendix IV (1.0)



Consultation, except the following:-

- Modernization of irrigation projects (item 1(c) (ii) of the Schedule).
- All projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- Expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.

The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

No Public hearing is required in following types of project activities

- 1) all Building /Construction projects/Area Development projects and Townships (item 8).
- 2) all Category 'B2' projects and activities.
- 3) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

## Note:

### General Condition (GC)

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as notified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, (iv) inter-State boundaries and international boundaries.

### Specific Condition (SC)

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/ Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre –defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

The projects which do not require an Environmental Impact Assessment report shall be termed Category 'B2' and will not require an Environment Impact Assessment report.. No public hearing is required for B2 category projects. For categorization of B2 projects except 8 (b) Townships and Area Development projects, the Ministry of Environment and Forests shall issue appropriate guidelines from time to time. Further, all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government do not require public hearing.

Analysis of Sectors, Sub-Sectors and departments identified for preparation of Environment Master Plan of Himachal Pradesh in relation to projects or activities requiring prior environmental clearance as identified in the EIA Notification 2006, under Environment Protection Act, 1986, MoEF, Government of India is given in Table 3.6. The specific recommendations and activities for engaging with public and other stakeholders related to sectors/

subsectors and which do not require public hearing as per EIA notification is given in Table 3.6. For sectors/ subsectors as identified for Environment Master Plan, which do not require public hearing as per EIA notification, progressive Levels

of Public Participation as given in section Table 3.1 can be followed to engage with public and consult with stakeholders at large. These could also be dovetailed in the existing mechanism of public hearing for projects/ activities as mandated by EIA notification.

**Table 3.6: Analysis of Sectors and Sub-Sectors identified for Environment Master Plan of Himachal Pradesh in relation to projects or activities requiring prior environmental clearance and public hearing and those which do not require public hearing as per EIA notification**

Infrastructure sector

Sub-sectors	Corresponding project/ activity and no. as per the Schedule given in EIA notification and project/ activity which needs Public hearing as per EIA notification	Recommended Public Consultation mechanism and activities in the context of Himachal Pradesh and Environment Master Plan for sectors not requiring Public hearing as per EIA notification, 2006
1 Roads, highways, rural roads and Transport	7(a) Airports 7(f) Highways 7(g) Aerial Ropeways	Public hearing is exempted in cases where expansion of Roads and Highways is proposed (item 7 (f) of the Schedule) and which do not involve any further acquisition of land. However, HP- PWD and other concerned departments may consult with PRIs on issues relating to access to village commons (pastureland, water resources etc.), water, air and noise pollution, dumping of muck and other locale specific issues.
2 Hydropower (generation transmission, and distribution)	1(c) River Valley Projects	
3 Tourism, Ecotourism + Art, Architecture and cultural heritage		Public hearing is not mandatory as per EIA notification even if it entails Building/ Construction projects as part of developing the health Infrastructure. However, Tourism Department may consult with other concerned PRIs, ZPs and other stakeholders on the issues relating to site selection of the locations for proposed tourism infrastructural facilities, solid and liquid/waste disposal facilities and other locale specific and socio- cultural specific issues with public.
4 Industry	1(d) Thermal Power Plants 1(e) Nuclear power projects and processing of nuclear fuel 3(a) Metallurgical Industries (ferrous and non ferrous) 3(b) Cement Plants 4(a) Petroleum refining industry 4(b) Coke Oven Plants 4(c) Asbestos milling and asbestos based products 4(d) Chlor-alkali industry 4(e) Soda Ash Industry 4(f) Leather/skin/hide processing industry 5(a) Chemical Industry 5(b) Pesticides industry and pesticide specific intermediates (excluding formulations) 5(c) Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/ or reforming to aromatics) 5(d) Manmade fibres manufacturing 5(e) Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes) 5(f) Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Exemption of public hearing in all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals. However, Industry Department for each of the project(s) -which do not require mandatory public hearing as per EIA notification, 2006- may undertake public consultation with PRIs, ZPs, and other stakeholders relating to the site(s) selected, management of environmental pollution issues and other socio-cultural issues, including redressal of issues appertaining displacement and rehabilitation.

Sub-sectors	Corresponding project/ activity and no. as per the Schedule given in EIA notification and project/ activity which needs Public hearing as per EIA notification	Recommended Public Consultation mechanism and activities in the context of Himachal Pradesh and Environment Master Plan for sectors not requiring Public hearing as per EIA notification, 2006
	5(g) Distilleries 5(h) Integrated paint industry 5(i) Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp without bleaching 5(j) Sugar Industry 5(k) Induction/arc furnaces/cupola furnaces 5TPH or more 6(a) Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks /sanctuaries/coral reefs /ecologically sensitive areas including LNG Terminal 6(b) Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHCRules 1989 amended 2000) 7 (c) Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes. 7 (d) Common hazardous waste treatment, storage and disposal facilities (TSDFs) 7 (h) Common Effluent Treatment Plants (CETPs)	
5 Mining and Geology	1 (a) Mining of Minerals 2 (a) Coal Washerries 2 (b) Mineral beneficiation	
6 Irrigation and Public Health	Public hearing is not mandatory for modernization of irrigation projects (item 1(c) (ii) of the Schedule).	Projects involving modernization of irrigation projects (item 1(c) (ii) of the Schedule) is exempted for conducting public hearing. IPH and other concerned departments may consult with concerned PRIs, ZPs and other stakeholders on the issues relating to site selection of the locations for Sewage Treatment Plants (STPs), other proposed infrastructural facilities, treated waste disposal facility and other locale specific issues with public.
7 Health		Public hearing is not mandatory as per EIA notification even if it entails Building / Construction projects as part of developing the health Infrastructure. However, Health Department may consult with other concerned PRIs, ZPs and other stakeholders on the issues relating to site selection of the locations, proposed infrastructural facilities, biomedical waste disposal facility and other locale specific issues with public.
8 Market Infrastructure (including horticulture and agriculture)		Public hearing is not mandatory as per EIA notification even if it entails Building / Construction projects as part of developing the Market Infrastructure. However, HP Horticultural Produce Marketing and Processing Corporation Limited (HPMC), HP State Agricultural Marketing Board, (HPSAMB), HP State Cooperative Milk Producers Fed. Ltd (HP MILKFED), Himachal Pradesh State Cooperative Marketing And Consumer's Federation Ltd. (HIMFED), H.P. Aquaculture, Fishing and Marketing Society, Himachal Pradesh State Wool Federation may consult with departments of agriculture, horticulture, fisheries, animal husbandry and livestock, PRIs, ZPs and other stakeholders on the issues relating to site selection of the locations, proposed infrastructural facilities, waste disposal from market yards and other locale specific issues.
9 Rural and Urban Planning	Public hearing not required.	Though Public Hearing is not mandatory as per EIA notification, including development of 8(a) Building /Construction projects 8(b) Townships and Area Development projects, but Department of Urban Development, Town and Country Planning and Rural Development may undertake consultation with stakeholders at the time of formulation of master plans and revisions of the existing master plans

## Natural Resource Management (NRM)

Subsectors	Corresponding project/ activity and no. as per EIA notification and need for Public Consultation	Recommended Public Consultation mechanism and activities in the context of Himachal Pradesh and Environment Master Plan for sectors not requiring Public hearing as per EIA notification, 2006
10 Agriculture	Public hearing not required.	All sectoral policies, plans, programmes projects, schemes, mission mooted by the State Agriculture Government should be discussed with concerned departments and communities at PRIs and ZP level Integrate all activities with District Planning process and integration with Comprehensive District Agriculture Plans
11 Horticulture	Public hearing not required.	All sectoral policies, plans, programmes projects, schemes, mission mooted by the State Agriculture Government should be discussed with concerned departments and communities at PRIs and ZP level Integrate all activities with District Planning process and integration with Comprehensive District Agriculture Plans
12 Animal Husbandry Livestock	Public hearing not required.	All sectoral policies, plans, programmes projects, schemes, mission mooted by the State Agriculture Government should be discussed with concerned departments and communities at PRIs and ZP level Integrate all activities with District Planning process and integration with Comprehensive District Agriculture Plans
13 Forests, Wildlife and Wetlands	Public hearing not required.	All sectoral policies, plans, programmes projects, schemes, mission mooted by the State Forest and Wildlife Department Government should be discussed with concerned departments and communities at PRIs and ZP level Integrate sectoral policies, plans, programmes projects, schemes, mission with District Planning process and integration with Wildlife Management plans, Wetlands Management Plan, Management Plan of National Parks and Sanctuaries working area
14 Fisheries	Public hearing not required.	All sectoral policies, plans, programmes projects, schemes, mission mooted by the State Agriculture Government should be discussed with concerned departments and communities at PRIs and ZP level Integrate all activities with District Planning process and integration with Comprehensive District Agriculture Plans

## Services

Subsectors	Corresponding project/ activity and no. as per EIA notification and need for Public Consultation	Recommended Public Consultation mechanism and activities in the context of Himachal Pradesh and Environment Master Plan for sectors not requiring Public hearing as per EIA notification, 2006
15 Education, and Vocational training	Public hearing not required.	Though Public Hearing is not mandatory as per EIA notification, even the building educational infrastructure facilities [ 8(a) Building /Construction projects, 8(b) Townships and Area Development projects] , Department of Higher Education, Universities, Vocational Training Institutes and other concerned departments may consult stakeholders at the time of formulation of master plans and revisions of the existing master plans. Discuss site locations, provision of environment services in the new education infrastructure facilities, waste management (solid/ liquid), e-waste management and other locale specific issues
16 IT and Telecom	Public hearing not required.	Department of IT and BSNL HP Telecom Circle may consult stakeholders at the time of formulation of department's/sector master plans and revisions of the existing master plans. Discuss site locations, provision of environment services in the new infrastructure facilities, waste management (solid/ liquid), e-waste management and other locale specific issues
17 Livelihoods	Public hearing not required.	All sectoral policies, plans, programmes projects, schemes, mission related to livelihoods mooted by the State Government should be discussed with concerned departments and communities at PRIs and ZP level. Integrate all Livelihood activities with District Planning process.
18 Waste disposal	7(i) Common Municipal Solid Waste Management Facility (CMSWMF) 7(d) Common hazardous waste treatment, storage and disposal facilities (TSDFs) Common Effluent Treatment Plants (CETPs)	IPH and other concerned departments may consult with concerned PRIs, ZPs and other stakeholders on the issues relating to site selection of the locations for Sewage Treatment Plants (STPs), other proposed infrastructural facilities, treated waste disposal facility and other locale specific issues with public.



5. The Environment Master Plan (EMP) is committed to strengthening the institution of public hearing under EIA and using the instrument of public hearing to design other development projects, especially those that have a larger carbon footprint across the sectors identified under the EMP. Public hearing is mandatory under the EIA and Himachal Pradesh government is committed to holding participative and meaningful public hearings for all its development projects. The state government's e-samadhan facility is already used, and will be strengthened, as part of making the public hearing process more participatory and transparent. E-samadhan through SMS will also be provided. For effective public hearing, the EMP envisages the following steps to be followed by all line departments:

- Fix responsibility on an individual within the dealing line department to take responsibility for proper holding of public hearings
- Remove barriers identified in section 2.2
- Ensure presence of external jury members for the public hearing in addition to the competent authority
- Ensure a gender balance in the jury
- Ensure a gender balance in participants at the hearing
- Ensure all queries are recorded and responded to either at the hearing or later in a way to satisfy the questioner's concerns
- Ensure the presence of a redressal system and a fair time period allowed for this
- Ensure wide and inclusive sharing of the public hearing outcomes in appropriate language, communication products like posters and leaflets in addition

to web-based postings as well as display in appropriate public places like Panchayat office, local tea shops, bus-stands, schools and health centres.

6. More specifically, to ensure sustainability and meaningful public consultation and communication, Departments will routinely monitor and analyze the public environment as it relates to their policies, programs, services and initiatives anticipate and evaluate issues that may arise and to formulate appropriate response strategies to address public needs and expectations effectively.

Several tools can be used to assess the environment in which the policies, programmes, services and initiatives are operating, including:

- Public feedback from women and men through e-samadhan, including using the SMS facility
- Focused group discussions with women and men
- Media monitoring - journalists and other media representatives play an important role in providing the public with news and information about government but also report on the public's views and opinions of government
- Targeted inputs from elected state-level and national-level women and men legislators who are able to represent the views of the community through their day-to-day contact with constituents.
- Public opinion research through quantitative or qualitative methods from a relevant sample of women and men representing the diversity of the populations for whom the government schemes and plans are intended

### 3.4 | Communicating Public Consultation and Communication Strategy to All Stakeholders

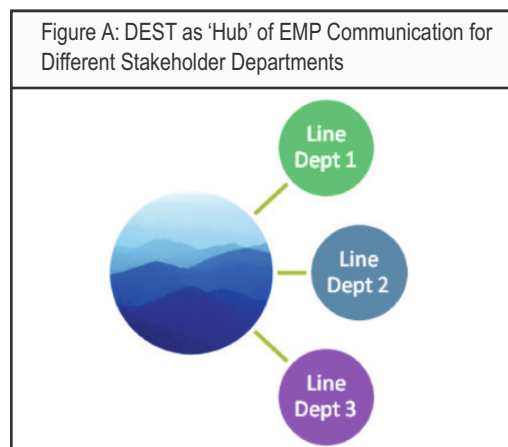
A two-way flow of information between different stakeholders and even between different categories of the same stakeholders is critical for effective public participation and communication. sectoral guidelines. Better flow of information will strengthen institutional mechanisms for bottom-up environmental governance and build capacities of major stakeholders. Key stakeholders for a proper two-way flow of information include:

- Government to government
- Government to communities
- Government to business/private sector

The flow charts below depict the best way to strengthen flow of information in the above three categories.

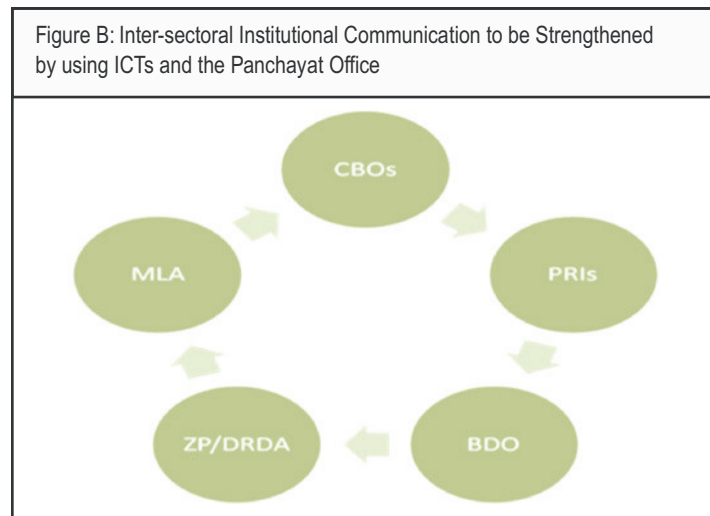
#### Government to Government (Figure A)

DEST and the Public Relations Department would be 'Hub' (shown in blue in the figure below) for inter-departmental sharing and exchange of news, ideas, best practices, challenges and opportunities, liasioning with the Environmental Assistance and Review Cells within each line department.



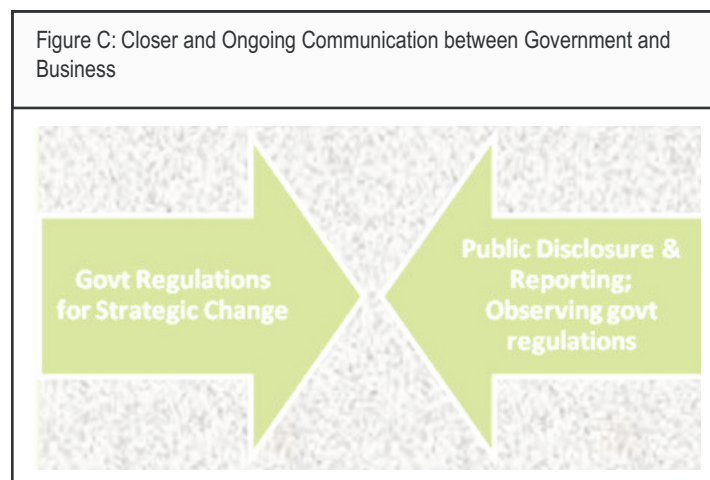
#### Government to Communities (Figure B)

These institutions are well-formed but lack capacity building and the ability to make informed choices. These institutions will be strengthened through training and capacity building and using ICTs and Panchayat offices to spread information and reach out to everyone.



#### Government to Business (Figure C)

The two components of mutual flow of information between these two stakeholders, keeping in view public consultation and communication, would be government regulation and public disclosure and reporting.



### 3.5 | Communicating Environment Master Plan (EMP) to All Stakeholders

The strategy for communicating EMP will derive partly from the section above (3.4) and include use of additional media to:

- Spread awareness about EMP tasks, guidelines and even identified vulnerabilities.
- Ensure cross-sectoral understanding and appreciation of the EMP provisions
- Support implementation of EMP tasks

While some of the media that can be used is listed below, the strength of EMP will lie in word-of-mouth communication, especially to overcome cross-sectoral barriers and encourage convergence, coordination and collaboration. Essential media that will be used to communicate EMP will include:

- Government websites
- Relevant literature at Panchayat o&ces
- Advertisements in print and broadcast media
- Outdoor media (hoardings, electronic displays, posters, etc)
- SMS alerts (especially for specific

projects/cross-sectoral projects)

- ‘New’ media – blogs, facebook communities, twitter, etc (especially to spread awareness and particularly about cross-sectoral issues)

A critical communicating tool for communicating the EMP will be workshops, seminars, panel discussions and roundtables, both internal to departments and across departments. Balancing environment and development is not easy in practice. This communication strategy will encourage cross-fertilisation of ideas, learning from each other and influencing each other. It will also encourage greater collaboration and pilot initiatives. These brainstorming sessions will include experts from various fields and support EMP’s Training and Capacity Enhancement Component.

### 3.6 | Actions for Stakeholder Departments - Summary

Stakeholder Departments will play a key role in rolling out the EMP. This will involve certain policy level changes as well as operational guidelines. In addition, there will be cross-cutting issues. Table 3.5

**Table 3.5: Actions for Stakeholder Departments**

Policy-level changes	Operational additions	Cross-cutting provisions
Public consultation and communication on environmental aspects mandatory and a pre-requisite for preparation and approval of all relevant Detailed Project Reports (DPRs). This is already done to some extent but will henceforth in line with the EMP sectoral guidelines.	Set up an Environmental Assistance and Review Cell (EARC) in every line department with adequate gender balance and internal trained experts and external advisors/ consultants	Adequate gender representation at all decision-making levels
Compulsory EIAs for all relevant projects which have high carbon footprint, in line with the sectoral guidelines and case-by-case decisions.	Production of a Basic Environment Guidelines Training Manual in every line department; To be made in collaboration with DEST and the Training Department.	Use different and appropriate communication tools to reach out to all
Environment planning and budgeting to be part of all annual plans and budgets and visioning exercises	Build appropriate capacities in environment management at different levels	Proper and adequate documentation of environment management
Green accountability	Constant review of environment management and public consultation	Involve stakeholders from the design stage of DPRs, preferably through multi-stakeholder/joint task forces wherever possible
Public disclosure & reporting		

below summaries the main tasks that line departments will perform to implement the EMP. While the first two actions under policy-level changes (Table 3.5) extend the responsibilities of line departments to meet sectoral guidelines, the following three will be new actions.

### 3.7 | Resource Mobilisation

Resources for public consultation and communication include financial and human resources as well built capacities across stakeholders. Costs will be factored into annual plans, project and programme costs and budgets for policy roll-out and green accountability as this will ensure that environmental parameters are integrated into all departmental functions.

In terms of sharing, with reset priorities, the Department of Information and Press Relations will invest more into public consultation communication activities concerning environment, pollution control, awareness generation regarding environmental governance, etc. Budgets

handled by local government will also earmark budget for public consultation. Other development Departments will make this budget part of their planned layout of financial costs. Budgets will include provisions for green accountability, including green technologies, training and capacity building.

Financial resources required for public consultation are not very big. They form a very small part of the overall budget. The challenge lies more in the process and management of public consultation and communication, not in the financial resources required. Financial resources for green accountability offer longer term returns, thereby ensuring sustainability of inputs.



# 4 | Risk and Risk Management regarding Public Consultation



IRGSSA

There are difficulties and risks associated with levels of public participation, tools for consultation, consultation processes, communication barriers and institutional failures. Generally, higher the risk of a project, higher the level of participation is needed to counter that risk. This section lists some of the possible risks and measures to manage these risks. Table 4.1 identifies the risks and then lists a set of questions that may be asked to assess how that risk may be managed.

**Table 4.1: Identifying and Managing Risks**

<b>Risks</b>	<b>Managing Risks</b>
Complexity of information needs to be digested before informed public participation is possible	<ul style="list-style-type: none"> <li>• How much information needs to be communicated to the public?</li> <li>• How much learning is required by the public?</li> <li>• How abstract or technical is the information?</li> </ul>
There is potential for negative environmental or social impact	<ul style="list-style-type: none"> <li>• What is the potential for community conflict post the decision – low, medium or high?</li> <li>• What is the potential for social, environmental, financial damage if a wrong decision is taken – low, medium or high?</li> <li>• How many unknowns are there in the current decision-making – none, few, many?</li> </ul>
Normally, people, especially women, do not participate in meetings	<ul style="list-style-type: none"> <li>• Have all people – across gender, caste, class, religion, ethnic group and geographical location – been adequately informed about the public consultation?</li> <li>• Is the meeting close to where majority of the public resides?</li> <li>• Do women and men think their inputs will affect the outcome?</li> <li>• Is it the harvesting time or festival time?</li> <li>• Do women and men have adequate knowledge and understanding of the issue?</li> </ul>
PRIs and the government administration are not in consensus with each other	<ul style="list-style-type: none"> <li>• Is there an adequate legal requirement for public consultation and communication?</li> <li>• Are there sufficient technical and financial resources with the implementing agency – the local government – to invest in adequate public consultation and communication?</li> <li>• Are the roles and responsibilities of the bureaucracy and PRIs clearly articulated and understood by all?</li> <li>• Is there a need to sensitise and build capacities to work towards a common good?</li> <li>• Is public participation and communication strategies and action plans built into the work plans of the government departments?</li> </ul>
Departments display limited interest in public consultation process (eg Department of Information and Press Relations primary focus is to earn goodwill from the public for the government)	<ul style="list-style-type: none"> <li>• Is the purpose and process of public consultation transparent and widely communicated?</li> <li>• Are there checks and balances within the process to limit monopoly of control on outputs and outcomes of the consultation?</li> <li>• Is the department clear on how it will document feedback/responses, how it will deal with these and how it will share these with the public?</li> <li>• Is the public consultation inclusive and does it reflect a healthy diversity of views?</li> </ul>
Community-based organization are not actively initiating, supporting or participating in public consultation and communication activities	<ul style="list-style-type: none"> <li>• Is there enough capacity and information with CBOs to fully participate in public consultations</li> <li>• Are Gram Panchayat's playing their role?</li> <li>• Is the relevant bureaucracy playing its role?</li> <li>• Are their financial constraints?</li> <li>• Are there political reasons?</li> <li>• Is there any social or economic emergency that is acting as a barrier?</li> <li>• Are other stakeholders – opinion leaders, NGOs, etc – involved to make public consultation meaningful?</li> </ul>
Private sector enterprises do not promote public consultation and communication	<ul style="list-style-type: none"> <li>• Is there a legal provision for appropriate public consultation and communication in public-private initiatives</li> <li>• Has the relevant government department communicated to the private entrepreneur the non-negotiable nature of public participation and communication?</li> <li>• What are real reasons for the private entrepreneur for not supporting public consultation and communication?</li> </ul>
Public is unhappy with the way their inputs/comments/suggestions have been handled	<ul style="list-style-type: none"> <li>• Were the inputs/comments/suggestions documented and was there a common understanding on these?</li> <li>• Has the handling of the responses been transparent and fair?</li> <li>• Were public concerns overridden due to vested interests?</li> <li>• Is the authority handling inputs from women and men the competent authority for this responsibility?</li> </ul>

# 5 | Monitoring and Evaluation



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Monitoring and evaluation will focus on three elements of public consultation and communication:

- The process of the consultation itself
- Outputs
- Outcomes

The very process of consultation will be monitored and evaluated by the departments in an ongoing manner so that corrective action can be taken as the process goes on. Thus, monitoring and evaluation indicators will be part of the design stage to identify both the strengths and weaknesses of the overall process and modify them for the next stage of the consultation, where possible.

The other components to be monitored and evaluated are the 'outputs' and the 'outcomes.'

Outputs are tangible, measurable results like information leaflets, survey reports and number of meetings held. It includes posters, exhibitions, new research findings, etc. Outputs need to be defined at the design stage itself so that it helps the process planner to use the right method of consultation or communication tool to get the outputs needed. Thus, if posters, literature or print media advertisements are needed and this is known at the design stage, financial resources shall have to be put for getting designers on board.

Outputs are the building blocks that help to create the desired outcomes, or the impact of the public consultation. Outcomes are the third component to be monitored and evaluated. Thus, when a meeting is judged

both by whether it was held at all (output result) and whether it achieved the objective of consensus-building (outcome result) for which it was held.

Context influences the correct evaluation of outputs and outcomes to a large extent. So, for instance, exchanging information between two stakeholders may help build trust though the information may not contribute anything substantial to the public consultation. Again, holding of the meeting may be critical to just to bring two opposing stakeholders on the same table even if there is no agreement at the moment and more consultations are required to complete the process. Good process design means keeping an eye out for intangible as well as tangible gains, building on strengths and overcoming weaknesses.

Outcomes are the fundamental differences that public consultation and communication makes. Outcomes are the overall results and impacts. Identification of outcomes helps in designing appropriate methods of public consultation and communication so that they yield the desired outcomes. Thus, for instance, giving an advertisement in a

newspaper for expanding the airport and taking over more land may not have the desired outcome because the affected farmers owning that land may be illiterate or may be listening more to the radio than reading the daily newspaper. Outcomes may include new partnerships forged, improved working relationships, built capacities, behavioural change and eventual policy change.

Output indicators will be different from outcome indicators. Outcome indicators, for instance, would include how citizens have perceived the effectiveness of the public consultation process. The workplan including public consultation and communication activities will include a section on monitoring and evaluation of these activities as well as indicators, milestones and timelines (see Table 5.1 below for an illustration)

A SWOT analysis – assessing Strengths, Weaknesses, Opportunities and Threats – of a public consultation and communication process as well as at the end of the process is a help tool for evaluation and corrective future action.

**Table 5.1 Activity: SMS alerts for a consultative public meeting**

	<b>Output</b>	<b>Outcome</b>
	<b>SMS alert sent</b>	<b>An adequate number of both women and men felt informed and included in the process</b>
Indicator	Number of SMS sent / women and men reached	
Timeline	Date/time period during which SMS alert was to be sent	Preparing for the consultative public meeting stage
Milestone	Universal reach – SMS to all mobile users in the area	SMS alert motivates public to participate in the meeting



# 6 | Conclusion and Recommendations



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With both environment protection and development being high on the priority list of the Himachal Pradesh government and given the inherent conflicts embedded in the two, this Public Consultation and Communication Strategy is indeed timely. When integrated into all State Departments and Local Government, this strategy will help reconcile economic development and environment protection.

## Recommendations

Key guiding principles to hold public consultation and communication:

- Clarity on purpose of public consultation.
- Clarity on why the consultation is happening.
- Clarity on the process of consultation, including how inputs/feedback will be collected and dealt with.
- Identification of all the groups and individuals – women and men - who are likely to be affected or are concerned about the issue on which the consultation is to happen.
- Clarity on which authority and who in that Department/local government is managing the process and ensuring availability of required contact details to those being consulted.
- A realistic timetable will be drawn up to allow sufficient time for women and men to be informed and to prepare for

the consultation as well as to give their feedback/send their responses.

- Active participation by affected marginalised women and men across class, caste, religion, ethnicity and geography will be encouraged..
- Fair access will be ensured, especially for marginalised women and men, by providing the necessary means for all to participate, eg. through use of appropriate media including SMS, use of local language, accessible venue, child care facilities, etc.
- Co-ordination of the process of consultation with any others who may also be taking the lead to bring all stakeholders together on the same table will be ensured.
- Clarity on how outcomes will be shared and this will be done in a transparent and fair manner.
- Evaluation will be done with public participation wherever necessary regarding the effectiveness of the consultation both in an ongoing manner and at the end of the consultation process

and Technology will have a separate wing with additional/built financial and human resources to coordinate this Strategy to take the lead for monitoring and evaluation.

- Public-private partnerships will come under the purview of the legally-backed public consultation and communication provision with mandated public disclosure and reporting regulations.
- Benefit-sharing will be promoted, especially in hydro-power projects and other development projects through various means including ownership of shares.
- Critical sectors like water will include provisions like cumulative water basin plans, in line with sectoral guidelines.
- It is recommended that a Local Area Development Authorities be set up to ensure that EMP sectoral guidelines are being followed.
- Government will take the lead in building capacities of PRIs and CBOs to design and implement as well as participate in public consultation and communication activities.
- Government will give more space to civil society actors, including NGOs, to participate in public consultation and communication processes as pro-active and positive stakeholders.
- Government will ensure that diversity in terms of gender, interest groups, all stakeholders, is reflected adequately in the public consultation and communication process.
- Department of Information and Press Relations as well as Department of Panchayati Raj will build their capacities in, and demonstrate stronger commitment to, public participation and communication

## Key actions for the Government/ DEST

- The push for public consultation and communication will come from the highest levels of the government to ensure that this strategy permeate every government department.
- Public consultation and communication will have a strong legal backing with a special focus on women.
- Gender-just participative approaches will be promoted at all levels – in designing, planning, implementing, monitoring and evaluation
- Public consultations on environmental aspects will be part of the approval process for all relevant DPRs, especially those with high carbon footprints.
- Department of Environment, Science





**Department of Environment,  
Science & Technology**  
**Government of Himachal Pradesh**



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