



COMMERCIAL AGRICULTURE ALLIANCE
(A Not Profit Distribution Company set up under the
Nepal Company Act, 2006)

Complaint Redressal Mechanism of CAA¹

November 2007

¹ Approved and adopted by the CAA Board of Directors on 20 November 2007.

List of Abbreviations

ADB	Asian Development Bank
BM	Branch Manager
BOD	Board of Directors
CAA	Commercial Agriculture Alliance
CADP	Commercial Agriculture Development Project
CAF	Commercial Agriculture Fund
CO	Compliance Officer
DRC	District Review Committee
GM	General Manager
GNP	Gunaso Nirupan Prakriya (Nepali)
MOAC	Ministry of Agriculture & Cooperatives
PM	Project Manager
PMU	Project Management Unit
SCN	Subproject Concept Note
SDP	Subproject Detailed Proposal

**Complaints Redressal Mechanism
for
COMMERCIAL AGRICULTURE ALLIANCE**

Commercial Agriculture Alliance (the Company), incorporated as a not distributing profit company under the Company Act, 2006 is committed to conducting its business in accordance with the applicable Laws, Rules and Regulations and with the highest standards of ethics and recognized principles of corporate governance. In line with its Grant Agreement between the Government and the Asian Development Bank, the Board of Directors of the Company has adopted this Complaint Redressal Mechanism on 20 November 2007.

The purpose of this Complaint Redressal Mechanism or *Gunaso Nirupan Prakriya* in Nepali (GNP) is to lay down procedures for fair and expeditious handling of complaints of potential beneficiaries, clients and other stakeholders in order that the complaints are acknowledged, promptly redressed and complainants are suitably replied afterwards. This will help the CAA and relevant stakeholders to **track the measures undertaken by the responsible authorities to address them.**

This GNP shall be complied by Chairperson of the Company Board of Directors, members of the Board of Directors, members of the Appraisal Panel Members (including District Review Committee Members), members of the Audit Committee and all employees of the CAA including General Manager, Branch Managers and Company Secretary. Likewise, the Project Manager of the Commercial Agriculture Development Project (CADP), members of the CADP Steering Committee including its chairperson and all related stakeholders will conform and cooperate for its execution. With its adoption, CAA envisages to minimize **instances of clients' complaints and grievances through proper service delivery and to ensure prompt redressal of complaints and grievances.**

However, adoption of this GNP by the CAA will not restrict the rights and power of any competent authorities including Company Registrar and the investigation authorities/officials appointed as per the Corruption Control Act to investigate complaints or irregularities in the CAA as per the power and authorities vested to them by the Company Act or any other appropriate legislations of the country.

The Company's policy on complaints redressal follows the under noted principles.

- Clients/members shall be treated fairly at all times.
- Complaints can be made at any time and without hindrance.
- Complaints raised by clients/members shall be dealt with courtesy and on time.
- Clients/members will be fully informed of avenues to escalate their complaints/grievances within the organization and their rights to alternative remedy, if they are not fully satisfied with the response of the company to their complaints.
- The Company's employees, members of the appraisal committees, members of the audit committees will work in good faith and without prejudice to the interests of the clients/potential beneficiaries/general and nominated members of the Company.

- Anonymity of the complainant, if requested, shall be fully maintained and departmental action will follow to any employee of the CAA who violates this provision.

Chapter-I

Preliminary

1. Title and Commencement

- (1) This Complaint Redressal Mechanism may be called "Complaint Redressal Mechanism" 2007", and, in Nepali, it may be called ***Gunaso Nirupan Prakriya*** or in short, GNP.
- (2) The Board of Directors of the Company has adopted this GNP on 20 November 2007.

2. Definition

- (1) "Company Office" shall denote Commercial Agriculture Alliance. This will include Corporate Office and Branch Office unless stated otherwise.
- (2) "General Manager" shall denote the General Manager of the CAA Corporate Office, Biratnagar.
- (3) "Branch Manager" shall denote the Manager of the Branch Office.
- (4) "Compliance Officer", or in short, CO, shall denote both the incumbent and officiating Compliance Officer.
- (5) "Complainant" shall denote the person who lodges complaint regarding the operation of the Company, about the behavior of the Company staff or CAF.
- (6) "Fund" shall denote the Commercial Agriculture Fund established by the Company as per its Articles of Association.
- (7) "Board" shall denote the Company Board of Directors formed pursuant to the Company Articles of Association.
- (8) "Members" shall denote Company's general and nominated members unless stated otherwise.

3. Lodging of the Complaints

3.1 In Corporate Office, Biratnagar

- (1) In case of any complaints/grievances regarding the operation of the CAA headquarters, practices/behaviors of any officials of the Company including the General Manager and CAA Board of Directors and management of the Commercial Agriculture Fund (CAF), any person may lodge written complaint in the complaint book. General Manager will ensure the availability of the complaint book in the headquarters at all times in one of the most visible and accessible places. Compliance Officer will return a copy of the complaint to the complainant with acknowledgement of receipt. However, there will be no need for the complainant to give identity if she/he wishes to remain anonymous.
- (2) Instead of lodging a written complaint, one may also decide to drop complaint in a **Complaint Box** kept in one of the most visible places within the Company premise. The

complaint box shall be properly locked. Of the two keys of the complaint box, one will remain with the General Manager and other with CO.

- (3) The Box will be opened twice a week with an interval of not more than 3 days which may exceed only in case of holidays. While opening the box, General Manager or his/her representative and the responsible CO will be present.

3.2 In Branch Corporate Offices (11 districts)

- (1) In case of any complaints/grievances regarding the operation of the CAA Branch Office, practices/behaviors of any officials of the Branch Office including the Branch Manager and implementation of the projects funded through Commercial Agriculture Fund (CAF), any person may lodge written complaint in the complaint book. Branch Manager will ensure the availability of the complaint book in the Branch Office at all times in one of the most visible and accessible places. The Branch level Compliance Officer as designed by General Manager² will return a copy of the complaint to the complainant with acknowledgement of receipt. However, there will be no need for the complainant to give identity if she/he wishes to remain anonymous.
- (2) Instead of lodging a written complaint, one may also decide to drop complaint in a **Complaint Box** kept in one of the most visible places within the office premise. The Complaint Box shall be properly locked. Of the two keys of the Complaint Box, one will remain with the Branch Manager and other with CO.
- (3) It would be the responsibility of CO to enter the complaint infallibly in the Complaint Book as provisioned in (1) above, be it with proper identification of complainants, or anonymous.

4. Opening the Complaints Box

- (1) The Compliance Officer shall infallibly open the Complaint Box twice a week with an interval of not more than 3 days which may exceed only in case of holidays. While opening the box, Manager or his/her representative and the responsible CO will be present.
- (2) CO shall enter all complaints infallibly in the complaint book regardless of identification of complainant.
- (3) When there is proper identification of the complainant, CO shall acknowledge the complaint and mail the complainant within 3 days from the date of the complaint receipt.

5. Provision of Compliance Officer

- (1) **CO at Corporate Office, Biratnagar.** There will be a Compliance Officer at the CAA Corporate Office at all times. If the Officer is in official duty or in leave, the General Manager will designate any competent officer to work as a Compliance Officer till the incumbent is physically present in the office.

² The Monitoring and Evaluation officer is generally designated as Compliance Officer by the General Manager.

- (2) **CO at Branch Offices:** General Manager of the Company Corporate Office will designate any competent officer of the Branch Office to perform the role of the Compliance Officer. If such designated CO is in official duty or in leave, the concerned Branch Manager will designate any other competent officer/staff to work as a CO till the incumbent is physically present in the office.
- (3) **CO** will work under the direct control and supervision of Branch Manager in case of Company Branch Office and under General Manager in case of Corporate Office.
- (4) CO will act honestly, transparently, ethically and responsibly.
- (5) Roles and responsibilities of CO are described in Annex 1.

6. Redressal of Complaints

- (1) The CO will properly record and analyze the complaints every day, and characterize them as follows:
 - (a) Possibility of Corruption Case
 - (b) Delay/Late action (gaps in standards of services expected and actual services rendered, delay in decision making)
 - (c) Behavior of employees
 - (d) Non compliance of the code of conduct
 - (e) Grievances against merits of the decision taken by the decision makers
 - (f) Miscellaneous/Any other
- (2) Having characterized the complaints within one working day, CO will submit the complaints to the Manager immediately for necessary action in order to ensure speedy disposal of the complaints.
- (3) Manager will take necessary actions for the resolution of complaints/grievances lodged in the company within 3 working days, and make attempts to settle all complaints received at the company. He will ask CO to investigate the fact (truthfulness and reliability) of the complaints and report to him/her. The results/actions undertaken to redress complaints will be informed to the complainants via CO within 7 working days. Complaints received, which would require some time for examination of issues involved, will be invariably acknowledged promptly.
- (4) If the Branch Manager feels that it is not possible at her/his level to solve the problem s/he can refer the case to General Manager for guidance with reasons.
- (5) When the General Manager feels that it is not possible at her/his level to address the complaints, s/he can refer the case to the Board with reasons within 7 working days for guidance and inform the same to the complainants via concerned CO.
- (6) The Board may form a sub-committee or designate a director to probe the reliability and truthfulness of the complaints and suggest recommendations for necessary action.

- (7) When complaints are referred to the Board, General Manager will ensure that the complainants will get the appropriate responses within 15 working days from the date of the first Board meeting held after the complaint is referred to it.
- (8) If the complaint is related to CO, the Manager will designate other competent staff to investigate the case with the approval of the BOD in case of Compliance Officer at the CAA Headquarters Biratnagar and that of the GM in case of CO at the Branch Office.
- (9) If the complaint is related to the Branch Manager, s/he will refer the case to the General Manager, who, in turn will appoint appropriate competent investigation officer to investigate the case and submit the report with recommendations to the BOD for necessary action.
- (10) If the complaint is related to the General Manager, the concerned CO will submit the case to the BOD directly with a c.c. to General Manager. The BOD, in turn, will appoint an investigation committee from among the members of the BOD for investigation. The BOD will act on the advice of the Investigation Committee.
- (11) It will be the responsibility of CO to keep the complainant updated about the complaint and that none of the officials including Branch Manager, General Manager and Board Directors will interfere/stop CO in this activity.
- (12) If for any reasons the Company is unable to redress the grievance within 21 working days from the date of the complaints lodged, the complainant will be informed of the reasons and the action taken for early redressal.
- (13) **Press release and use of electronic media.** When complaints are related to the public interest and that news/articles have been published, it will be the responsibility of the General Manager to cause investigation and keep public informed about the fact through press release or use of appropriate electronic media.
- (14) CO will prepare a detail report of complaint redressal activities undertaken in the Company every fifteen days (fortnight) in prescribed format (Annex 2).

7. When Complainant is not satisfied with the actions carried out

- (1) In case complaint is not resolved within given time or if complainant is not satisfied with the actions/solutions provided by the Company, the complainant can approach the General Manager of the Corporate Office. It will be the foremost duty of the General Manager to see that the complaint is resolved to the complainant's satisfaction and if the complainant is not satisfied, s/he should be provided with alternate avenues to escalate the issue.
- (2) In case complainant is not satisfied with the response of the General Manager, the complainant can approach the Chairperson of the Board. The Chairperson will then take the case to the Board for discussion and necessary actions. The Board will then act in accordance with the clause (6), (7), (8) and (9) of Section 6.

- (3) In case of unsatisfactory reply in respect of complaint brought to the notice of the Board, the complainant can approach the Secretary of the Ministry of Agriculture and Cooperatives³.
- (4) When the Complaints are referred to the⁴ Secretary MOAC, s/he may refer the case to the BOD for the review and revisiting its earlier decision.
- (5) Whatever is written in this GNP, Complainants, but, may decide voluntarily for not to follow the steps described above, and lodge the complaints directly to the Project Manager, Regional Director of the Directorate of Agriculture, Eastern Region, Biratnagar, Director General of the Department of Agriculture, or to any appropriate authorities deemed appropriate by him/her.
- (6) When complaints are received as of (5) above, the complaints might be forwarded to the Secretary, MOAC⁵ who, in turn, will observe the provision mentioned in Clause (4) depending on the nature of complaints.

8. Mandatory display requirements

- (1) The company must display the following information in one of the most visible places within the company premise:
 - Arrangement for receiving complaints and suggestions (Complaint Book and Complaint Box).
 - The name, address and contact number of CO
 - Contact details of the Branch Manager, General Manager and Project Manager of the Project Management Unit of the CADP.

9. Miscellaneous

- (1) It would be the responsibility of the General Manager to ensure that internal machinery for handling complaints/grievances operates smoothly and efficiently at corporate office and all Branch Offices.
- (2) It will be the responsibility of COs to keep complainants informed of the action taken, the reasons for delay if any, in redressal and the progress in redressal of complaints.
- (3) When the General⁶ Manager is convinced that the complaint refers to a serious case of corruption, s/he will forward the case to the Commission for Investigation of Abuse of Authority (CIAA) or any other competent authorities, for example District Administration

³ Deleted " Project Manager of CADP or" by Board of Directors

⁴ Deleted "Project Manager or" by Board of Directors

⁵ Added "The Secretary MOAC" and deleted Project management unit by Board of Directors.

⁶ Added " General Manager" instead Manager by Board of Directors

Office, for necessary investigation and actions, as per the Corruption Control Act. The General Manager will, however, inform the Board about this as soon as possible.

- (4) COs are expected to give feed back on training needs of staff at various levels with respect to strengthening public relationships, compliance to the code of conduct and compliance redressal mechanisms to the Human Resource Section/Focal Point.
- (5) Each COs will submit report on his/her performance to the Board via General Manager at quarterly intervals.
- (6) The General Manager will submit the following reports to the Board at quarterly intervals (a) Performance evaluation records of all COs with his/her remarks and suggestions and (b) Summary of complaints redressal activities undertaken by the Company over the reporting period, apart from fortnightly report (Annex 2) to the concerned Manager.
- (7) When any news or articles related to the corruption or wrongdoings of the company are published in local or national newspapers or broadcasted by a news media, GM will ensure:
 - duly entry of news/complaints in the complaint book of the CAA Headquarters Biratnagar,
 - quick investigation of the cases as per Section 6.
 - issuance of press release to inform general public, stakeholders and other concerned parties about the truthfulness of the news/articles or CAA's position with regard to issues raised in the paper or news media,
 - general public duly informed about actions undertaken related to the news/articles.

Annex 1: Roles and Responsibilities of the Compliance Officer

A. Corporate Office, CAA Headquarters, Biratnagar

Title: Compliance Officer

Responsible to: General Manager.

Key Task:

- To undertake all necessary measures to prevent and address any financial irregularities and/or abuse of authority in CAA operations, including in grant management.
- To liaise with the relevant government agencies or commissions responsible to combat corruption and abuse of authority in the project activities.

Main duties and responsibilities:

- To make the CAA members aware on the processes to be followed in preparation, development and management of project.
- To update the information on acts, rules and regulation relevant to CAA and processes a grant applicant has to follow to utilize the grant and co-financing support and inform the same to management.
- To inform the management on the status of grant applicants on public benefit and development nature of the project, level of stakeholders participation, its role in poverty alleviation, commercialization of agriculture and its sustainability.
- To help the management in designing the proposal processing and funding formats required for the project.
- To help in assessing and processing the SDP (Subproject Detailed Proposal) submitted considering the level of transparency, participation of stakeholders in its formation and inbuilt mechanism to minimize/ eliminate the potential abuse of authority in project management.
- To design a complaint format, make available to CAA members so that the community and the stakeholders involved in the grant program will be able to submit complaint and track the measures undertaken to address them.
- To keep updated with the process of implementation and transparency of the activities.
- To analyze the available data on client and members for management Use.
- To keep knowledge of relevant position of anti-corruption policy of ADB and government of Nepal on grant regulation and bidding activities of the project.
- To attend meetings with the management team, as required
- To help the GM in implementing the annual plan in line with purpose of CAA.

B. Branch Office (11 Districts)

Title:	Compliance Officer*
Responsible to:	Branch Manager.
Key Task:	<ul style="list-style-type: none"> • To undertake all necessary measures to prevent and address any financial irregularities and/or abuse of authority in CAA Branch Office. • To liaise with the relevant government agencies responsible to combat corruption and abuse of authority in the project activities in the district
Main duties and responsibilities:	<ul style="list-style-type: none"> • To make the CAA Branch Office and members of the District Review Committee (DRC) aware on the processes to be followed in the initial review and selection of proposals submitted by CAA members of the district. • To inform the DRC on the status of grant applicants on public benefit and development nature of the project, level of stakeholders participation, its role in poverty alleviation, commercialization of agriculture and its sustainability. • To help the management in documentation on financing and information disseminated to CAA district members on activities of the project and CAF at the district level. • To make a complaint format available to office visitors, clients and CAA members so that the community and the stakeholders involved in the program will be able to submit complaint and track the measures undertaken to address them. • To keep updated with the process of implementation and transparency of the activities. • To analyze the available data on client and members for management use. • To keep knowledge of relevant position of anti-corruption policy of ADB and government of Nepal on grant regulation and bidding activities of the project. • To attend meetings with the management team, as required. • To help the BM in implementing the annual plan in line with purpose of CAA

**- M and E Officer will be designated to undertake the roles and responsibilities of the Compliance Officer at the District Level.*

Annex 2: Complaints Reporting Formats (fortnightly)

C. 1: Summary of the Complaints

Name of the Compliance Officer

Company Office:

Reporting Period: from to

SN	Nature of complaints	Complaints received (Number)			Complaints redressed (Number)			Remarks
		Till last reporting	This reporting	Total	This reporting	Till last reporting	Total	
1	Possibility of Corruption Case							
2	Delay/Late action (Gaps in standards of services expected and actual services rendered, delay in decision making)							
3	Behavior of employees/staff							
4	Non compliance of the code of conduct							
5	Grievances against merits of the decision taken by the decision makers							
6	Miscellaneous/Any other							

Signature of Compliance Officer:

Approved/Attested by :
General Manager/Branch Manager

C.2: Details of Complaints received during the reporting period

Complaint number	Name and address of the Complainant including telephone/ mobile number	Date of lodging complaints	Nature of complaints	Short description of the complaints

C.3: Details of Complaints resolved during the reporting period

Complaint number	Name and address of the Complainant	Date of lodging complaints	Nature of complaints	Short description of redressal mechanisms	Was the complainant satisfied with the response/reply? Give reasons.

C.4: Details of Complaints which have crossed the limit of 3 weeks but yet to be closed

Complaint number	Name and address of the Complainant	Date of lodging complaint	Nature of complaints	Reasons for the delay	What actions are being taken to resolve the complaint and expected date of closure of complaints

Submitted by:.....CO

Verified by:.....Branch/General Manager

Note: This report should be prepared in triplicate- one for the office record, one for the Company Corporate Office, Biratnagar and One for the Project Management Unit, Biratnagar

