

Indigenous Peoples Planning Framework

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IND: SASEC Road Connectivity Investment Program

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ABBREVIATIONS

ADB	–	Asian Development Bank
IP	–	indigenous people
IPP	–	Indigenous Peoples Plan
IPPF	–	Indigenous Peoples Planning Framework
LCS	–	land customs station
MPWD	–	Manipur Public Works Department
MORTH	–	Ministry of Road Transport and Highways
NH	–	national highways
NGO	–	non-government organization
PIU	–	project implementation unit
PMC	–	project management consultant
RP	–	Resettlement Plan
SASEC	–	South Asia Subregional Economic Corporation
SH	–	state highways
SIA	–	social impact assessment
SPS	–	Safeguard Policy Statement, 2009
ST	–	Scheduled Tribe
WBHDC	–	West Bengal Highways Development Corporation

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I. INTRODUCTION

1. The SASEC Road Connectivity Investment Program (“SRCIP”) will improve road connectivity and efficiency of the international trade corridor, by expanding about 500km of roads in the North Bengal and Northeastern Region (NB-NER) of India. The project area under SRCIP is a key strategic thoroughfare integrating South and South East Asia, bordering Bangladesh, Bhutan, Myanmar and Nepal. It will enable efficient and safe transport within India and regionally with other South Asia Subregional Economic Cooperation (SASEC) member countries.¹ Ultimately, SRCIP will pave the way from India and other South Asian countries to Myanmar, and further afield to other member countries of the Association of South East Asian Nations (ASEAN).

2. The proposed investment program will upgrade national highways (NH), and state highways (SH) connecting five countries: Bangladesh, Bhutan, India, Myanmar and Nepal in the northeastern part of India including North Bengal. A Multitranche Financing Facility modality is proposed to finance the program given the large scale of the program and the need to carefully study priority corridors particularly in the India-Bangladesh-Myanmar region.

3. For the NH sections, MORTH will be the EA and the IA for Manipur and West Bengal will be the Manipur Public Works Department and Public Works (Roads) Department respectively. For the SH sections in Manipur, the EA and IA will be the Manipur PWD. MPWD and WBPWD will establish Project Implementation Units (PIU) and they will be responsible for conducting the social assessment and formulating RPs for the subprojects, as outlined in this RF.

4. Under Tranche 1 of the investment program, two identified subprojects totalling about 134km in West Bengal will be improved due to their significant regional cooperation and integration impacts, economic viability, and social, resettlement and environmental soundness. They include (i) 37km of AH-2: Panitanki (Nepal border) – Naxalbari – Shivmandir – Fulbari (Bangladesh border) and (ii) 97km of AH-48: Jaigaon (Bhutan border) – Hasimara – Mainaguri – Changrabandha (Bangladesh border). For these two subprojects, detailed design has been completed.

5. For AH-2 and AH-48, there are approximately 135 indigenous person households who will be impacted by involuntary resettlement. The census found that these households are not distinctive in the sense that they are inherently integrated with the dominant population of the project area. Therefore, Tranche 1 will be categorized as “C” as per ADB Safeguard Policy Statement (SPS 2009). Studies are ongoing for potential subprojects. For the investment program, subprojects categorized as “A” or requiring broad community support will not be excluded solely due to impact on indigenous peoples. The list of potential subprojects under preparation is provided below in Table 1.

Table 1: List of Potential Subprojects

Name of Road	Area
Mechi River Bridge	West Bengal
Imphal-Moreh Road (NH)	Manipur
Imphal-Wangjing-Heirok-Machi-Khudengthabi Road	Manipur
Greater Imphal Ring Road	Manipur
Impahl-Kanchup-Tamenglong-Tousem-Haflong	Manipur

¹ Comprising Bangladesh, Bhutan, India and Nepal.

II. OBJECTIVES AND POLICY FRAMEWORK

A. Objectives

6. This Indigenous Peoples Planning Framework (IPPF) has been prepared for the investment program in accordance with ADB's *Safeguard Policy Statement, 2009 (SPS)*. The IPPF guides the selection, screening, preparation, and categorization of subprojects under the MFF to ensure better distribution of project benefits and promote development of indigenous peoples (IPs) in the project area.

7. An Indigenous Peoples Plan (IPP) is required if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of IPs or affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as their ancestral domain.

8. If impacts are insignificant, specific actions in favor of IPs may be incorporated within the Resettlement Plan (RP) for a subproject. This would ensure appropriate mitigation and benefits for indigenous people. If physical relocation of IPs is involved, a combined IPP and RP is required to be prepared in consultation with ADB.

9. The IPP policy framework is based on the overall local and national development strategies and ADB's SPS. The principal objectives are to:

- (i) ensure IPs affected by any additional project will receive culturally appropriate social and economic benefits from the Project;
- (ii) ensure IPs participate in the entire process of preparation, implementation, and monitoring of Project activities; and
- (iii) ensure IPs do not suffer adverse impacts as a result of projects.

B. Policy Framework

1. National Commission for Scheduled Tribes

10. The bifurcation of the National Commission for Scheduled Tribes from the National Commission for Scheduled Castes and Scheduled Tribes is under the 94th Amendment Act of the Constitution. Although, the National Commission for Scheduled Tribes has been created in August 2003, little measures in terms of budgetary and staff allocations have been made to make the Commission functional.

11. One of the duties assigned to the National Commission for Scheduled Tribes and Scheduled Castes is to submit reports to the President annually or at such other time as the Commission may deem fit, upon the working of the safeguards.

2. The SCs/STs Prevention of Atrocities Act, 1989

12. The Act deals with atrocities against members of Scheduled Castes and Scheduled Tribes. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989—the main Act dealing with atrocities against members of Scheduled Castes and Scheduled Tribes—largely remains unimplemented. Then Minister of State for Home Affairs, Mr. I.D. Swami informed the parliament on 23 April 2002 that over 28,000 incidents of crimes, including murder and rape, were committed against Scheduled Castes and Scheduled Tribes across India during 2001. Mr. Swami further informed that while 24,792 cases were reported against Scheduled

Castes, as many as 3,691 crimes were committed against Scheduled Tribes. The statistics pertaining to the calendar year 2001 show that the States of Uttar Pradesh (7356 cases), Madhya Pradesh (4336 cases), Rajasthan (1996 cases), Gujarat (1760 cases), Andhra Pradesh (1288 cases) and Orissa (1125 cases), collectively accounted for 82.39% of total number of 21,678 cases charge sheeted in the courts under the Act.

3. Panchayat Extension to the Scheduled Areas Act (PESA), 1996

13. The Parliament of India passed the Provisions of the PESA, to extend the provisions of the 73rd Constitutional Amendment to the Schedule V Areas of the country. This Act accords statutory status to the Gram Sabhas in Schedule V areas with wide-ranging powers and authority. This aspect was missing from the provisions of the 73rd Constitutional Amendment. The Act has recognized the prevailing traditional practices and customary laws besides providing the management and control of all the natural resources—land, water and forest in the hands of people living in the Schedule Areas. The Act empowers people in the tribal areas through self governance.

14. One of the important provisions of this act states “the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-settling or rehabilitating persons affected by such projects in the Scheduled Areas

4. The Scheduled tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006

15. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, recognises and vests the forest rights and occupation in forest land to Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights are not recorded.

16. This law provides for recognition of forest rights to Scheduled Tribes in occupation of the forest land prior to 13.12.2005 and to other traditional forest dwellers who are in occupation of the forest land for at least 3 generations i.e. 75 years, up to maximum of 4 hectares. These rights are heritable but not alienable or transferable.

5. The National Policy on Tribals, 2006

17. The success of the National Policy on Tribals of the Government of India to a large extent will depend on strengthening of the National Commission for Scheduled Tribes, implementation of the Civil Rights Act and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and making necessary budgetary allocations. However, the Draft National Policy fails to make any reference to these issues.

C. Identification of Affected Indigenous Groups

18. IPs are defined as those having a distinct social, cultural, economic, and political traditions and institutions compared with the mainstream or dominant society.² In India,

² ADB uses the following characteristics to define indigenous people: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are

Scheduled Tribes (STs) constitutes 8.6% of the total population or more than 104 million people according to the 2011 census, a total of 645 distinct scheduled tribes are present in India. Among the Project states, Manipur has 29 tribes and West Bengal is home to 38 different scheduled tribes. An overview of number of STs in project area can be found in Table 2.

Table 2: Scheduled Tribe Population in India and in Project Area

Locality	Total Population of State	Scheduled Tribe Population			% of Total State Population
		Male	Female	Total	
Manipur	2,570,390	450,887	451,853	902,740	35%
West Bengal	91,276,115	2,649,974	2,646,979	5,296,953	6%
All India	1,210,569,573	52,409,823	51,871,211	104,281,034	9%

Source: Census of India, 2011

19. The tribal population of Manipur and West Bengal is not distinctive rather integrated with the other modern dominant population of the state. The tribal groups of the project area have free social interaction with mainstream population. The tribes share their source of water, folklore, food, infrastructure and other belongings like community structures, places of common gatherings with the outside community. Moreover, these groups are also open to new ideas like family planning and formal education. The project impact will not be different for these people and will not severely affect their present socioeconomic status.

20. Many STs have fixed assets such as houses and land, and derive their income mainly from agriculture and small business. STs are largely involved in farming, service and other small commercial activities. During preparation of subprojects, extensive consultations were undertaken and analysis with reference to IPs shows that there will be no differential impact between the ST and non-ST population in the project area.

III. SOCIAL IMPACT ASSESSMENT AND IPP FOR SUBPROJECTS

21. The EA will undertake a social impact assessment (SIA). The SIA will gather relevant information on demographic data; social, cultural and economic situation; and social, cultural and economic impacts both positive and negative on the tribal communities in the subproject area.

22. Information will be gathered from separate group meetings within the tribal community, including tribal leaders; group of tribal men and women, especially those who live in the zone of influence of the proposed subproject under the Project. Discussions will focus on the positive and negative impacts of the subproject as well as recommendations on the design of the subproject. The information to be gathered for the SIA should include (i) a baseline socioeconomic profile of the indigenous groups in the project area and project impact zone; (ii) assessment on their access to and opportunities they can avail of the basic and socio economic services; (iii) assessment of the short and long term, direct and indirect, positive and negative impacts of the project on each group's social, cultural and economic status; (iv) assessing and validating which indigenous groups will trigger the Indigenous peoples policy principles; and (v) assessing the subsequent approaches and resource requirements for addressing the various concerns and issues of projects that affect them.

separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region.

23. The EA will be responsible for analysing the SIA and based on it developing an action plan with the tribal community leaders. If the SIA indicates that the potential impact of the proposed Project will be significantly adverse threatening the cultural practices and their source of livelihood, the EA will consider other design options to minimize such adverse impacts and will prepare an IPP.

A. Screening and Classification

24. The PIUs will visit all IP communities and villages near subproject sites or areas being affected and influenced by sites. The PIUs will arrange public meetings in selected communities to provide information on the Project and the additional project. During the visits, community leaders and other participants will present their views with regard to the Project and additional project.

25. At this visit, the PIU will the support from project management consultant (PMC) will undertake a screening for IP populations with the help of IP community leaders and local leaders. The screening will check for the following:

- (i) Name(s) of IP community group(s) in the area;
- (ii) Total number of IP community groups in the area;
- (iii) Percentage of IP community population to that of area population; and
- (iv) Number and percentage of IP households to be affected by the additional project site.

26. The PIU will prepare an IP screening based on feasibility assessment of the additional subproject. If the results show that there are IP households in the zone of influence of the proposed Project and ADB confirms likely impacts on the IPs, then a SIA will be carried out.

B. Preparation of an IPP or combined RP/IPP

27. If there are IP population affected by the subproject and the ADB IP safeguards are triggered, then an IPP will be prepared.³ For an IPP, the action plan will consist of a number of activities and will include mitigation measures of potentially negative impacts, modification of project design, and development assistance. Where there is land acquisition in IP communities, the Project will ensure their rights will not be violated and that they be compensated for the use of any part of their land in a manner that is culturally acceptable to the affected IPs.⁴ The IPP will include:

- (i) Social impact assessment,
- (ii) Land tenure information,
- (iii) Local participation, information disclosure, meaningful consultation,
- (iv) Beneficial measures or mitigation activities,
- (v) Institutional arrangement and capacity building,
- (vi) Grievance Redress Mechanism,
- (vii) Implementation schedule,
- (viii) Monitoring and evaluation, and

³ The IP safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of IPs or affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as an ancestral domain or asset.

⁴ The compensation will follow the Resettlement Framework of the Project.

- (ix) Cost estimate and financing plan.

28. Where warranted, the IPP will be developed by the relevant IA and the IPP will form part of the final detailed design report for the subproject. The relevant EA will then review and approve the IPP and provide the approved IPP to ADB for review and approval prior to award of civil works contract. The IPP policy and measures must comply with ADB's Safeguard Policy Statement (2009). Appendix 2 provides a detailed outline of the IPP.

29. Per ADB SPS, a combined RP/IPP could be formulated to address both involuntary resettlement and IP issues. Such a combined plan will need to meet all relevant requirements specified under Safeguard Requirements 2 and 3. A special chapter in the combined RP/IPP should be devoted to detailing IP issues and results from the social impact assessment.

IV. CONSULTATION AND PARTICIPATION

30. Consultation and information disclosure will be undertaken to ensure that needs, priorities and preferences of indigenous peoples are adequately reflected. The IPP will promote participation of indigenous peoples in and around the project area, and identify indigenous people needs, priorities, and preferences through participatory approaches. Consultations with and participation of indigenous people groups, their leaders, rights groups, community-based organizations (CBOs), line agencies, and IA representatives will be an integral part of the IPP.

31. Affected indigenous peoples will be informed and consulted in preparing the IPP. Their participation in planning will enable them to benefit from the project road and protect them from any potential adverse impacts. The IPP prepared in consultation with affected indigenous peoples and will be translated into local language and made available to affected communities. RDA will ensure that adequate funds will be made available for consultation and facilitation.

32. Involvement of indigenous people groups in problem identification and design of solutions has to be ensured through the entire cycle of project interventions. Table 3 presents the activities to be undertaken by IAs to ensure inclusion of indigenous issues in project roads.

Table 3: Activities and Indicators for Inclusion of Indigenous People Issues

Project Stage	Procedures	Process and Outcome Indicators
Design	Identify locations of dominant indigenous peoples, in project sites	Indigenous peoples screening checklist
	Identification of indigenous community stakeholders in project sites	List of all indigenous communities in the project areas
	Sensitization and consultation through focus group discussions with indigenous communities groups	Documentation on number of discussions and minutes of the meetings
Design	Identification of environmental and social issues of indigenous peoples and possible impacts as a result of the project	Documentation of issues
	Consultations to establish existing concerns related to: <ol style="list-style-type: none"> 1. Land availability and tenure 2. Current livelihood options 3. Access to infrastructure facilities 4. Participation in local government/service delivery related activities 5. Representation in CBOs 	Justification for preparing IPP List of spatial and non-spatial issues

Project Stage	Procedures	Process and Outcome Indicators
	6. Existing government support systems	
	Discussions on possible intervention measures through the project, their likely impacts, and safeguard measures (mitigation and monitoring) to be incorporated into project activities: 1. Loss of agricultural and homestead land 2. Loss of structure and immovable assets 3. Loss of livelihood 4. Loss of common property resources 5. Loss of hunting, food gathering, fishing areas, etc.	List of safeguard measures List of project impacts
	Consultations with indigenous groups for further suggestions	List of safeguards measures into the Draft IPP
	Participatory approach to be taken up to involve indigenous peoples in finalizing projects, resettlement plan/IPP etc.	Measures to be taken in complying with the RF and IPPF
	Disbursement of entitlements based on the resettlement plan/IPP/safeguard framework	Measures undertaken as identified in resettlement plan/IPP/safeguards frameworks
Implementation	Implementation of safeguard measures based on resettlement plan/IPP/safeguards framework	Measures undertaken as identified in resettlement plan/IPP/safeguards framework
Post-Implementation	Evaluation of the success of safeguards undertaken	Indicators developed for evaluation of project impacts
	Follow up activities based on lessons learned	Listing of modified tasks to be implemented for uplifting affected indigenous communities

CBO = community based organization, IPP = Indigenous Peoples Plan, PIU = Project Implementation Unit

V. DISCLOSURE

33. IAs will submit the following documents for disclosure on ADB's website: (i) IPPFs; (ii) IPPs; and (iii) social safeguard monitoring reports.

34. IAs will provide information to the all indigenous peoples and other minority groups in project locations on indigenous peoples principles (and will be distributed during consultations such as those undertaken during screening, and during the conduct of the SIA) and features of the IPP. Basic information in the IPPs will be presented in the form of a brochure that will be circulated among affected indigenous peoples/indigenous peoples groups. Posters designed to present the basic tenets of the IPPs will be displayed at public locations for generating mass awareness.

VI. GRIEVANCE REDRESS MECHANISM

35. A project-specific grievance redress mechanism (GRM) will be established to receive, evaluate and facilitate the resolution of displaced people's concerns, complaints and grievances about the social and environmental performance at the level of the Project. The GRM will aim to

provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. The project-specific GRM is not intended to bypass the government's own redress process, rather it is intended to address displaced people's concerns and complaints promptly, making it readily accessible to all segments of the displaced people and is scaled to the risks and impacts of the project.

36. The IPP will have a mechanism to ensure that the benefits are effectively transferred to the beneficiaries and will ensure proper disclosure and public consultation with the displaced population. The GRCs are expected to resolve the grievances of the eligible persons within a stipulated time. The decision of the GRCs is binding, unless vacated by the court of law. The GRC will be constituted at PWD level headed/chaired by Chief Engineer. At the PIU level comprising of the Project Director, Resettlement Officer, a representative from local NGOs or a local person of repute and standing in the society, elected representative from Zilla Parishad/District Council, two representatives of displaced persons including vulnerable groups and women in the committee. The GRC will continue to function, for the benefit of the DPs, during the entire life of the project including the defects liability periods.

37. The response time prescribed for the GRCs would be three weeks. Since the entire resettlement component of the project has to be completed before the construction starts for the whole project, the GRC will meet at least once in three weeks to resolve the pending grievances. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, relocation, payment of compensation and other assistance. The complaint / grievance will be redressed in 3 weeks' time and written communication will be sent to the complainant. A complaint register will be maintained at PIU with details of complaint lodged, date of personal hearing, action taken and date of communication sent to complainant. If the complainant is still not satisfied s/he can approach the GRC at PWD level and still not satisfied can approach the court of law. The subproject specific RP/IPPs will detail out the step-by-step mechanism for grievance redress.

VII. INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS

38. In the preparation of subproject IPPs, the EAs will have overall coordination related to IPP preparation, implementation and ensuring that adequate funds are allocated by the states. The relevant IAs will prepare, implement, and monitor the IPP. Since IP issues are sensitive, the IAs will be supported by the resettlement specialist having knowledge of working on IP issues in the planning and implementation of IPPs for the Project. This task can also be simultaneously handled by the Resettlement Officer in the IA. If Category A projects are to be financed under the investment program, the IA will be required to appoint an indigenous peoples specialist and adequate resources will be dedicated and assigned during project design and implementation.

VIII. MONITORING AND REPORTING

39. The EAs will set up an internal monitoring system comprising RO (as defined in the RF), NGO/agency, tribal people/IP and their institutions to monitor the plan implementation. Monitoring indicators will be established. EA will submit semi-annual monitoring report to ADB. In addition, an experienced and qualified external monitoring agency/expert will be engaged by the EA with ADB concurrence to undertake independent external monitoring of the IPP implementation. This is a prudent measure. The external experts engaged by the EA will advise on compliance issues and if any significant issues indigenous peoples issues are found, prepare a corrective action plan and or update the IPP. The external monitor will submit semi-annual reports to EA and the EA will be responsible for submitting the reports to ADB.

40. Any IPP prepared under this Project will be endorsed by the EA before sending to ADB for final approval.

IX. BUDGET AND FINANCING

41. The EAs will ensure that sufficient resources are allocated to formulate IPPs in additional subprojects which will have impacts on IPs. It will implement the IPP through IAs. A detailed budget will be prepared by the IAs taking into account all activities associated with the formulation and implementation of IPPs. Each IPP will have its own budget. Such budgets will be an integral part of the project cost, and will be made available during project implementation by the respective states.

APPENDIX 1: INDIGENOUS PEOPLES IMPACT SCREENING CHECKLIST

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, scheduled tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?				
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?				
3. Do such groups self-identify as being part of a distinct social and cultural group?				
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?				
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?				
6. Do such groups speak a distinct language or dialect?				
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?				
8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels?				
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?				
10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)				
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)				
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?				
C. Identification of Special Requirements <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?				
14. Physical displacement from traditional or customary lands?				
15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?				

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?				
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?				

APPENDIX 2: OUTLINE OF AN INDIGENOUS PEOPLES PLAN

1. This outline is part of the Safeguard Requirements. An Indigenous Peoples Plan (IPP) is required for all projects with impacts on Indigenous Peoples (IP). Its level of detail and comprehensiveness is commensurate with the significance of potential impacts on IP. The substantive aspects of this outline will guide the preparation of IPPs, although not necessarily in the order shown.

A. Executive Summary of the IPP

2. This section concisely describes the critical facts, significant findings, and recommended actions.

B. Description of the Project

3. This section provides a general description of the project; discusses project components and activities that may bring impacts on IP; and identify project area.

C. Social Impact Assessment

4. This section:

- (i) reviews the legal and institutional framework applicable to IP in project context;
- (ii) provides baseline information on the demographic, social, cultural, and political characteristics of the affected IP communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend;
- (iii) identifies key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with IP at each stage of project preparation and implementation, taking the review and baseline information into account;
- (iv) assesses based on meaningful consultation with the affected IP communities, the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected IP communities given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live;
- (v) includes a gender-sensitive assessment of the affected IPs' perceptions about the project and its impact on their social, economic, and cultural status; and
- (vi) identifies and recommends, based on meaningful consultation with the affected IP communities, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects and to ensure that the IPs receive culturally appropriate benefits under the project.

D. Information Disclosure, Consultation and Participation

5. This section:

- (i) describes the information disclosure, consultation and participation process with the affected IP communities that was carried out during project preparation;
- (ii) summarizes their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in project design;
- (iii) in the case of project activities requiring broad community support, documents the process and outcome of consultations with affected IP communities and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities;
- (iv) describes consultation and participation mechanisms to be used during implementation to ensure IP participation during implementation; and
- (v) confirms disclosure of the draft and final IPP to the affected IP communities.

E. Beneficial Measures

6. This section specifies the measures to ensure that the IPs receive social and economic benefits that are culturally appropriate, and gender responsive.

F. Mitigation Measures

7. This section specifies the measures to avoid adverse impacts on IPs; and where the avoidance is impossible, specifies the measures to minimize mitigate and compensate for identified unavoidable adverse impacts for each affected IP groups.

G. Capacity Building

8. This section provides measures to strengthen the social, legal, and technical capabilities of: (a) government institutions to address IP issues in the project area; and (b) IPOs in the project area to enable them to represent the affected IP more effectively.

H. Grievance Redress Mechanism

9. This section describes the procedures to redress grievances by affected IP communities. It also explains how the procedures are accessible to IP and culturally appropriate and gender sensitive.

I. Monitoring, Reporting and Evaluation

10. This section describes the mechanisms and benchmarks appropriate to the project for monitoring, and evaluating the implementation of the IPP. It also specifies arrangements for participation of affected IP in the preparation and validation of monitoring, and evaluation reports.

APPENDIX 3: MANIPUR SCHEDULED TRIBE PROFILE

A. Introduction

1. The population of Manipur in 2011 Census has been 2,570,390. Of this 902,740 are Scheduled Tribes (STs), which constitutes 35.1% of the total population of the state. The state has registered 21.8% decadal growth of its Scheduled Tribe population in 2001–2011. There are a total of twenty nine (29) notified Scheduled Tribes in the state.⁵

B. Population: Size & Distribution

2. Of the total STs in Manipur, Thadou is the largest with 1.8 lakh population representing 24.6% of the state's total ST population, followed by Tangkhul (19.7%), Kabui (11.1%), Paite (6.6%), Hmar (5.8%), Kacha Naga (5.7%), and Vaiphui (5.2%). Among other major tribes, Maring, Anal, Zou, Any Mizo (Lushai) tribes, Kom, and Simte are having percentages between 3.1 and 1.5. The rest of the STs are comparatively small in number having less than 10,000 people each.

3. The ST population in Manipur is predominantly rural with 95.3% rural and 4.7% urban population. Of the thirteen major STs, Kacha Naga (99%), Anal (98.5%), Maring (98.2%), and Simte (98.1%) have returned majority (98-99%) of their population in rural areas.

4. The highest concentration of urban population at 14.5% has been recorded among Any Mizo (Lushai) tribes, followed by Kabui (11.3%) and it is less than 5% among rest of the thirteen main STs in the state.

5. The Ukhrul, Tamenglong, Churachandpur, and Chandel are predominantly tribal districts having more than 90% of the district's population as ST. The Senapati has recorded 78.5% of its population as ST. These five districts together hold 92.4% of the state's total ST population. The rest of the four districts of Manipur have negligible percentage of ST population.

C. Sex Ratio

6. As per 2001 Census, sex ratio of the ST population is 980, which is higher than the national average for STs (978). The state, however, has recorded low child sex ratio (0-6 age group) of 959 as compared to the national average (973).

7. Of the thirteen main STs, Anal has recorded preponderance of females over males with the highest sex ratio of 1031. Simte has recorded a balanced sex ratio (1000). The sex ratio is, however, comparatively low among Maring (954), Kacha Naga (961), and Tangkhul (965).

8. The Simte (1039) and Vaiphui (1001) have recorded more girls per thousand boys in the age group 0-6. The Kabui (930), Hmar (932), Kacha Naga (936), Tangkhul (941), and Zau (944) have recorded child sex ratio below the state average for STs. Kom has recorded the lowest child sex ratio at 903.

D. Literacy & Educational Level

⁵ At the time of IPPF preparation, only macro level statistics from 2011 Census has been published. All other data in this appendix are from 2001 census.

9. The Scheduled Tribe population in Manipur has recorded 65.9% literacy, which is above the national average for STs (47.1%). The females are lagging behind by 14.7% points in literacy rates than their male counterpart with male and female literacy at 73.2% and 58.4% respectively.

10. Of the thirteen major STs, Hmar has recorded the highest literacy of 79.8%, followed by Paite (79%), Any Mizo (Lushai) tribes (74%), Anal (73.9%), and Tangkhul (72.7%). On the contrary literacy rate is less than 50% among Maring (53.1%), Thadou (57.1%), Kacha Naga (58.7%), and Vaiphui (59.8%).

11. The highest gender gap in literacy has been recorded among Maring. With 63.4% male and 42.3% female literacy, the Maring females are lagging behind by 21.1 percentage points. The gender gap is the lowest at 9.1 percentage points among Hmar.

12. In the age group 5-14 years, 69.2% of the ST population is attending schools or any other educational institutions. Of the thirteen major STs, Paite has recorded the highest 79.9%, closely followed by Tangkhul (77.9%), Hmar (73.9%), Anal (71.9%), and Kom (71.3%). Thadou (60.5%) has the lowest percentage attending school in the age group 5-14 years.

13. Of the total ST literates 6.2% are having educational level graduation and above. The Tangkhul has recorded the highest at 8.2% among the thirteen main STs in the state, closely followed by Any Mizo (Lushai) tribes (8%). It is, however, the lowest at 3.6% among Kacha Naga.

E. Work Participation Rate (WPR)

14. In 2001 Census, 44.1% of the ST population of the state has been recorded as workers, which is below the aggregated national figure for STs as a whole (49.1%). Of the total workers, 73.8% have been recorded as main workers and 26.2% as marginal workers. The female WPR (41.8%) is lower than male WPR (46.4%). Among female workers 65% have been recorded as main workers against 81.6% among males.

F. Category of Workers

15. The STs in Manipur are predominantly cultivators as 69.7% of the total ST main workers have been recorded as 'cultivators' and 4.4% agricultural laborers'. Individual ST wise, among the thirteen major STs, Kacha Naga has recorded the highest 87.2% of main workers as cultivators. It is more than 70% among Simte (77.2%), Maring (75%), Hmar (74.3%), Thadou (73.6%), and Tangkhul (71.9%). On the other hand the Paite has recorded the lowest at 50.6% as cultivators.

G. Marital Status

16. The distribution of ST population by marital status shows that 61% is never married, 36.1% currently married, 2.5% widowed, and merely 0.5% divorced /separated.

Source: Office of the Registrar General, India, Census 2001

APPENDIX 4: WEST BENGAL SCHEDULED TRIBE PROFILE

A. Introduction

1. The total population of West Bengal at 2011 Census is 91,276,115. Of this 5,296,953 persons are Scheduled Tribes (STs) constituting 5.8% of the total population of the state. The state has registered 20.2% decadal growth of ST population in 2001–2011. There are total thirty eight (38) notified STs in the state.⁶

B. Population: Size & Distribution

2. The Santal represents more than half of the total ST population of the state (51.8%). Oraon (14%), Munda (7.8%), Bhumij (7.6%) and Kora (3.2%) are the other major STs having sizeable population. Along with Santal, they constitute nearly 85% of the state's total ST population. The Lodha, Mahali, Bhutia, Bedia, and Savar are the remaining STs, and having population of one% or more. The rest of the STs are very small in population size.

3. The STs in the state are predominantly residing in the rural areas (93.9%). Among Lodha, Savar, and Bedia more than 95% are residing in the rural areas. Contrary to the overall situation among the majority of tribes, Bhutia has recorded the highest (34%) urban population. The Mahali (10.2%) and Kora (9.9%) are the other STs having comparatively higher concentration in urban areas.

4. More than half of the total ST population of the state is concentrated in the four districts namely Medinapur, Jalpaiguri, Purulia, and Bardhaman. Of the remaining districts, Bankura, Maldah, Uttar Dinajpur, and Dakshin Dinajpur have sizable ST population.

C. Sex Ratio

5. As per 2001 Census, the sex ratio of total ST population in the state is 982, which is higher than the national average for STs (978). The state also has recorded a higher child sex ratio (0-6 age group) of 981 as compared to the aggregated national figure (973) for the STs.

6. The sex ratio among Bhutia (999) is the highest among the major STs. But the child sex ratio (951) is low among them. Bedia has recorded the lowest sex ratio of 962. The situation is just the reverse among Bedia.

D. Literacy & Educational Level

7. Among all STs, 43.4% of the population has been returned as literate, which is lower than the national average (47.1%). The male literacy rate of 57.4% and female of 29.2%, show a gender disparity in literacy. Of the ten major STs, Bhutia with 72.6% overall literacy, 80.2% male and 65.2% female literacy respectively, is well ahead of others. Savar are at the other extreme having 26.3% overall literacy and 16% female literacy rate.

8. A total of 51.7% of the STs in the age group 5-14 years have been attending an educational institution. Of the ten major STs, Bhutia has recorded the highest at 77% and Savar the lowest at 35.5% of their respective population for school attendance.

⁶ At the time of IPPF preparation, only macro level statistics from 2011 Census has been published. All other data in this appendix are from 2001 census.

E. Work Participation Rate (WPR)

9. In 2001 Census, 48.8% of the ST population has been recorded as workers, which is close to the aggregated national average for STs (49.1%). Of the total workers 65.7% has been returned as main workers and 34.3% as marginal workers. WPR at 43.7% among females is slightly lower than males (53.8%). Gender disparity, however, is paramount in the category of main workers; 78.3% males and 49.9% females have been returned as main workers. The percentage of female marginal workers is more than twice than that of male. Among the major STs, Savar has recorded the highest WPR at 53.4%, while it is lowest among Bhutia (36.3%).

F. Category of Workers

10. Industrial category wise, of the total ST main workers, 23.7% have been recorded as cultivators and 45.1% as agricultural laborers.

11. The Mahali are ordinarily involved in non-agricultural activities with only 5.3% of their main workers in cultivation and 19.6% as agricultural laborers.

G. Marital Status

12. The distribution of ST population by marital status shows that 50.6% has never been married, 43.1% are currently married, 5.4% are widowed, and 0.8% are divorced /separated. The Santal has the highest rate for divorce/separated, while Oraon is the lowest at 0.5% of their population.

13. For all STs, 2.6% of the female population below 18 years – the minimum legal age for marriage – is married. Of the ten major STs, Savar has recorded the highest 3.5% of their females as married, which is well above the state average for STs. On the other hand among Oraon and Bhutia only 2% of females are married below the stipulated age.

Source: Office of the Registrar General, India, Census 2001