

Indigenous Peoples Planning Framework

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IND: SASEC Road Connectivity Investment Program

Prepared by Ministry of Road Transport and Highways and Manipur Public Works Department,
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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 subprojects totalling about 175km 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) 49km of AH-2: Panitanki (Nepal border) – Naxalbari – Shivmandir – Fulbari (Bangladesh border) and (ii) 126km of AH-48: Jaigaon (Bhutan border) – Hasimara – Mainaguri – Changrabandha (Bangladesh border). For these two subprojects, detailed design has been completed. For Tranche 1, 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). Tranche 2 preparatory studies are ongoing and will likely have more significant impact on Indigenous Peoples. For the investment program, subprojects categorized as “A” or requiring broad community support will not be excluded solely due to impact on indigenous peoples. Detailed information regarding consent and broad community support can be found in Appendix 1. The list of potential subprojects under preparation for subsequent tranches are 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

5. 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.

6. 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.

7. 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.

8. 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

9. 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.

10. 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

11. 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

12. 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.

13. 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

14. 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.

15. 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

16. 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

17. 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

18. 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.

19. 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

20. 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.

21. 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.

22. 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

23. ADB categorizes proposed subprojects depending on the impact (category A to C):

- Category A: Likely to have significant impact. An IPP, including SIA is required;
- Category B: Likely to have limited impact. An IPP, including SIA is required; and
- Category C: Expected to have no impacts. No further action required.

24. A project may have several components, each with differing impacts on the IP community. The overall project category is set by the category of its most sensitive component to impacts, which are measured both by their magnitude and by that community's vulnerability. The magnitude is assessed through the following aspects:

- Customary rights of use and access to land and natural resources;
- Socioeconomic status;
- Cultural and communal integrity;
- Health, education, livelihood, and social security status; and
- Recognition of indigenous knowledge.

25. SPS applies to IP communities rather than individual or household level. It is important to find out whether project impacts in those five areas would be adverse, neutral/none, or positive to IP communities. When impacts in any of the areas are adverse and widespread at the community or subcommunity (rather than individual or household) level, they are generally rated significant (category A). Otherwise, limited adverse impacts (at community or subcommunity level affecting only a few individuals or households) are normally rated limited (category B).

26. Projects targeted at IP could still potentially have negative impacts, risks that the benefits are not culturally appropriate, or that the community may be unable to capture the benefits proportional to those captured by non-IP groups or by mainstream society. Thus, such risks to not achieving positive impacts on those five areas at community or subcommunity level may be considered of significant impact (category A). It is also possible that IP groups affected are vulnerable to change in any of these five areas, putting them at risk of not benefiting from the project—rendering the impacts significant. When such risks of capturing positive impacts in these five areas are not widespread at community or subcommunity level, the impact would normally be considered limited (category B).

27. Broad community support (BCS) also has to be considered. BCS is required as part of project preparation for all projects and investments that have activities that include the following:

- commercial development of the cultural resources and knowledge of IP;
- physical displacement from IP traditional or customary lands; or

- commercial development of natural resources within customary lands under use that would affect the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of IP.

28. For policy application, BCS of affected IP communities refers to a collective expression by the affected IP communities, through individuals or recognized representatives, of BCS for such project activities. BCS may exist even if some individuals or groups object to them. For project activities requiring BCS, evidence of the support including documentation of processes and outcomes will be required. Further details on BCS are in Appendix 1.

29. 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

30. 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
- (ix) Cost estimate and financing plan.

31. 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.

32. 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.

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.

IV. CONSULTATION AND PARTICIPATION

33. 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.

34. 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.

35. 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 6. Existing government support systems 	Justification for preparing IPP List of spatial and non-spatial issues
	Discussions on possible intervention measures through the project, their likely impacts, and safeguard measures (mitigation and monitoring) to be incorporated into project activities: <ol style="list-style-type: none"> 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

Project Stage	Procedures	Process and Outcome Indicators
	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
Implementa-tion	Implementation of safeguard measures based on resettlement plan/IPP/safeguards framework	Measures undertaken as identified in resettlement plan/IPP/safeguards framework
Post-Implementa-tion	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

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

37. 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

38. 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.

39. 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 Parisad/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.

40. 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 complainant can access the appropriate court of law or any alternative redress at any time and not necessarily go through the GRC. The subproject specific RP/IPPs will detail out the step-by-step mechanism for grievance redress.

VII. INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS

41. 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 subsequent tranches, 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

42. 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 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.

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

IX. BUDGET AND FINANCING

44. 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: CONSENT OF AFFECTED INDIGENOUS PEOPLES COMMUNITIES AND BROAD COMMUNITY SUPPORT

A. Consent and Broad Community Support

1. ADB SPS SR3 acknowledges that IP may be particularly vulnerable when a project has any one of the following three types of activities:

- commercial development of their cultural resources and knowledge;
- physical displacement from their traditional or customary lands; and
- commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define their identity and community.

2. When deciding whether to proceed with a project involving such activities, the borrower/client therefore seeks the consent of affected communities regardless of whether the project is category A or B.

3. There is no universally accepted definition of consent. For purposes of policy application, consent of affected IP communities refers to the collective expression by affected IP communities, through individuals and/or their recognized representatives, of BCS for any of these three activities. BCS is the application of consent.

4. Since consent of affected IP communities is about collective expression, BCS may exist even if some individuals or groups object. BCS of affected communities will thus involve a process seeking such collective support as well as the outcomes indicating the support. Consent, in short, is both process and outcome.

1. Commercial Development of Cultural Resources and Knowledge

5. Commercial development refers to the development, renovation, production, use, replication, or exhibition of the cultural resources for profit-making purposes, primarily by parties outside the IP communities themselves. Examples of commercial development of intangible cultural resources include commercialization of traditional medicinal knowledge or of other sacred or traditional techniques for processing plants, fibers, or metals. Ethnic tourism, where business run by outsiders brings in tourists to observe the culture of the communities, is an example of the commercial development of indigenous cultural resources.

6. Cultural resources and knowledge can be intangible or tangible. The vast range of beliefs, practices, traditions, and knowledge of IP are often referred to as intangible cultural resources, encompassing music, dance, language, crafts, belief systems, folklore and spiritual wisdom, medicinal and healing practices, ceremonies, and intellectual knowledge. They are mainly transmitted from generation to generation, and are constantly recreated by communities and groups in response to their environment, their interaction with nature, and their historical conditions. They provide communities with a sense of identity and social continuity. Safeguarding such intangible cultural resources promotes and sustains cultural diversity.

7. Tangible cultural resources refer to the physical manifestations of an indigenous community's cultural heritage, including movable or immovable objects, sites, structures, and remains of archaeological, architectural, historical, religious, spiritual, cultural, ecological, or aesthetic value or significance. They may also include natural features and landscapes, and be

in urban or rural settings, above or below ground, or under water. Communities affected by commercial development of physical cultural resources include those using such resources for long-standing cultural practices or for those within living memory.

8. Part of SPS's BCS requirements for projects under this head is that the borrower/client ensure that affected IP communities are well informed about the proposed activities, and must share with them three items:

- Their rights to cultural resources under statutory and customary law. IP customary laws may provide details of coverage of such rights to cultural resources. In addition, national legislation and policy may also describe these rights, which may reflect principles under relevant International Conventions. In fact, many countries recognize the rights of IP to cultural resources.
- Scope and nature of the development and the parties interested or involved in it. The scope includes how and to what extent such resources would be appropriated; from whom they would be appropriated; and how they will be developed. The borrower/client also has to disclose information about the particular entities, companies, or persons involved in such activities, as well as the potential beneficiaries or end users of the cultural resources commercialized.
- Potential effects of the development on livelihoods, environment, and use of such resources. This covers continued use of such resources by the IP.

9. In addition, where a project proposes to develop IP cultural resources and knowledge for commercial and profit-making purposes, the borrower/client should share the benefits with the affected communities. Benefits may include profit sharing, vocational training, employment, and participation in community development and similar programs. Benefit-sharing measures should be determined as part of the process of seeking BCS by the affected communities, and must address issues of timing and longevity (e.g. in perpetuity) and the beneficiary communities, including descendants. Agreements on these measures should be included in the IPP.

2. Physical Displacement from Customary or Traditional Lands

10. Consent expressed as BCS is required when a project involves physical displacement of IP from customary or traditional lands. The borrower/client should pursue all avenues to avoid the physical displacement of the communities from customary or traditional lands they possess either by legal title or through customary use. Customary or traditional lands may not be recognized by statutory law. Such lands have typically been in the possession of the groups or families within the groups for generations, and where they reside and establish their livelihood and common cultural identity.

11. Such displacement may apply regardless of whether the communities are relocated away from their traditional lands or still within the same traditional land areas but in a different location. Physical displacement of IP is particularly complex and may have significant and irreversible adverse impacts on their identity, cultural survival, and traditional livelihoods. Any physical displacement should be considered only after the borrower/client has established that there is no feasible alternative to relocation and only once it has sought and obtained BCS from the affected communities. The SPS requires BCS only for physical displacement from customary or traditional lands, not from newly settled or regularized landholdings. In all cases of physical displacement, an IPP must be prepared in addition to, or combined with, an involuntary resettlement plan (RP).

12. Under SR2, physically displaced IP should be fully informed of their rights and entitlements and how they will share in the benefits accrued due to the displacement. This would also be part of the meaningful consultation process, and form an item of GFN.

13. *Preparation of an IPP or combined IPP/RP.* When avoidance of physical displacement is infeasible, the borrower/client has to inform potentially affected communities of the reasons for such relocation and secure their broad support for such relocation. All impacts on IP should be addressed through an IPP. However, when impacts are mainly related to physical displacement and there are no other major impacts resulting from project activities other than involuntary land acquisition or involuntary access restrictions to lands, the borrower/client must prepare an IPP (which can be combined with an RP, in accordance with involuntary resettlement safeguards in SR2).

14. Since IP may not have legal title of ownership to their land, the borrower/client should offer at least the same level of compensation and due process that it offers to those with full legal title. The combined IPP/RP has to consider cultural preferences and include a land-based resettlement strategy. Such cultural preferences may relate to village settlement layouts, architecture, or communal facilities to enable IP to continue practicing their traditional livelihoods.

15. Physical displacement should involve the least change possible. Communities affected by physical displacement usually feel more comfortable in surroundings near their customary territories. One of the key issues in relocation is the agreement of the host communities to accept the new settlers. In many cases, this is linked with the proximity to the original home, since neighboring communities may be more accepting due to existing socioeconomic ties and cultural bonds. The combined IPP/RP will have to ensure availability of land and natural resources for the livelihood and cultural survival of the affected communities. Where possible, it will include a provision to allow affected communities to return to the acquired lands or territories, as well as provisions to rehabilitate such lands if the reasons for their relocation cease.

16. Land-based resettlement arrangements. Resettlement arrangements for affected IP who have land-based livelihoods are land-based as a matter of principle. This helps ensure that affected communities can maintain and improve their livelihood. Careful attention has to be given by the borrower/client to productive natural resources in the new resettlement sites and to sustainability of such resources under the combined pressure of both host and resettled populations.

17. The land occupied and used by IP is often in areas with no land markets and land valuation, a crucial point as IP rarely sees their lands as a market asset but as their source of life and existence (and more—see next paragraph). From this perspective, compensation in the form of direct and acceptable lands rather than monetary compensation makes the most cultural sense. Land-based resettlement is not easy, and the displaced communities must agree on the replacement land offered to them. When lands are owned collectively, regardless of their tenure system, the replacement land must be equally vested in the community rather than in individuals.

18. Efforts should be made to ensure that the proposed resettlement site and resettlement arrangements for any IP groups are broadly acceptable not only to the displaced IP but also to the larger indigenous population in the project area and the host communities. However, compensation of land for land is in itself only part of the picture of compensation for lost assets.

This is because IP often have an integral association of the land with the spiritual aspects of their cultures. Special efforts must be made to ensure that in addition to the land, the compensation covers cultural assets such as sacred sites, waters, temples, cemeteries, and the like. The problem lies in that valuing this kind of asset does not yield a strict monetary value. Thus the nature of compensation for intangible assets must be carefully considered and the displaced communities due to receive compensation consulted on this.

19. Special forms of assistance for those with land claims that cannot be legalized. The legal recognition of customary communal rights to land resources is an important issue. In areas used by IP, land acquisition assessments ascertain whether public lands and privately titled lands to be affected by the project are clear of customary claims. If potentially affected communities do not have legal ownership or use rights for the land or resources on which they customarily rely, the borrower/client is encouraged to help regularize such claims. Most communities have legitimate or recognizable claims over the lands and territories they have been using for generations, but not always as, for instance, when land is constitutionally declared as belonging to the state and all citizens have only use rights. In this case, IP require special forms of assistance before involuntary displacement.

20. SR2 establishes that displaced persons with non-recognizable land claims need not be compensated for the loss of land, but they are still eligible for other assistance to achieve the objectives set out in this policy. The borrower/client is strongly advised to consult the affected IP to identify acceptable substitute assets, resources, or income-generating activities.

21. For displaced communities with primarily land-based livelihoods, such assistance should endeavor to include the option of replacement land, as there is always a risk that communities may opt for cash in lieu of land, preferring short- to long-term benefits. In addition, the valuation of losses and the design of rehabilitation measures require careful qualitative study as some characteristics of indigenous living standards (for example, subsistence production, labor reciprocity, and importance of minor forest products) are difficult to quantify. The borrower/client needs to establish mechanisms to respond to these issues.

3. Commercial Development of Natural Resources within Customary Lands Under Use

22. Given the significance of customary land and natural resources held by IP for their livelihoods and cultural integrity, the borrower/client needs to seek BCS of affected communities when the project involves commercial development of these resources. Natural resources include items such as minerals, hydrocarbons, forests, rivers, waters, and hunting or fishing grounds within customary lands under use.

23. Customary lands under use refer to patterns of long-standing community land and resource use in accordance with IP customary laws, values, customs, and traditions, rather than formal legal title to land and resources issued by the state. Use may include not only economically productive activities, including seasonal or cyclical use, but also occasional visits to a designated area for spiritual or other non-economic reasons.

24. The SPS provides that the borrower/client will make sure that the affected communities are well informed about the proposed activities. As with cultural resources and knowledge, SPS lists three items the borrower/client needs to share with the affected communities:

- IP communities' rights to natural resources within customary lands resources under statutory and customary law. The information covers the description of

such rights under customary as well as statutory law. Customary law and practices may provide the details of IP rights to such resources and the current practices of the resource use within the lands. In addition, the borrower/client also informs them of the various rights to the existing natural resources as prescribed by national laws. Most customary laws are territorially inclusive, and do not distinguish between natural resources on the land and those below the surface. Statutory laws may explicitly prescribe that the control over the land may be in the hands of individuals while resources under the surface may be under the control of the state. Clarifying this and how the project will respect the customary laws to the benefit of IP will forestall problems in the future.

- Scope and nature of the proposed commercial development and the parties interested or involved in such development. The scope of commercial development to be explained must cover all phases of the project cycle, including concept, planning, construction, operations, and even decommissioning. The exercise should provide the potentially affected communities with the necessary information, including publicly available technical plans, for them to fully understand the project, but should not overburden them with excess information. The technical information may not be easily explained to lay persons, including affected IP. The borrower/client should provide assistance to the community to help them understand it. Presentations of the technical information of the project would be most helpful. Hiring a qualified and experienced facilitator who could present the technical information in the language easily understandable to IP would be necessary. The borrower/client also has to disclose information about the particular entities, agencies, companies, or persons involved in the project throughout the different project phases, whether as project proponent, funders, developer, contractors, consultants, facilitators, operators, or workers.
- Potential effects of commercial development on IP livelihoods, environment, and use of such resources. This includes the different potential impacts on the differently affected groups within the communities. The results of the ASI would be the main project information to be shared. Such information could be shared iteratively in different forms and stages, including group discussions, leaflets, radio talk shows, etc. particularly if consultation and participation strategies have been interactively developed with the affected IP. The borrower/client should provide assistance to the IP community to help them understand the technical aspects of the information about such impacts. If there are similar projects under way in a nearby districts or provinces, a field visit could be organized or a video shown.

25. In addition, where natural resources within IP lands are proposed for commercial development, the borrower/client should share the benefits accruing from such use with the affected IP. Benefit sharing should be determined as part of the process of seeking BCS by the affected IP communities. It may include profit-sharing (a share of revenues or after-tax profits), employment, vocational training, and participation in community development and similar programs. It should be able to fairly cover not only the possible immediate losses due to the project but enable IP to comfortably adjust and take advantage of new opportunities from their commercialized natural resources. Such agreements must address issues of timing and longevity (e.g. in perpetuity) and the specific beneficiary communities, including any descendants. Any agreements on benefit sharing should be included in the IPP.

B. The Borrower/Client and Broad Community Support

1. Responsibilities

26. BCS comprises a process and an outcome. When projects entail any of the three types of project activities requiring consent of affected IP communities, the borrower/client should carry out an engagement process by conducting meaningful consultation and GFN that lead to BCS. The process and outcomes of such engagement should be documented.

27. The borrower/client then submits the documentation to ADB as early as possible. Before appraisal, ADB will satisfy itself that the positive outcomes of such process are acceptable; and verify whether any agreements made with the affected IP communities are sufficient to demonstrate their BCS and fulfill the SPS requirements. The borrower/client will also present the documentation of the outcomes of the effort to obtain BCS in the IPP.

28. It is good practice to begin the process very early in project design, and integrate it in the consultation and participation mechanisms. Enough time and funds should be budgeted to ensure the process complies with the SPS. The borrower/client should maintain regular contact with ADB, particularly if there are major issues, to ensure that there is adequate time to respond to any issues arising.

2. Process

29. The BCS process for the borrower/client generally involves engaging the affected IP communities in the project area and within the project impact zone. It builds on the conduct of meaningful consultation and, when there are major disagreements. The borrower/client should document the process of seeking BCS.

3. Outcomes

30. Outcomes from meaningful consultation and GFN may be formal or informal agreements, as well as dissenting views. Agreements with the affected communities indicate their level of support or agreed-on conditions for such support. The borrower/client should document the outcomes of seeking the BCS.

31. Evidence of agreements may be formal or informal. Formal agreements could include a memorandum of understanding; a letter of intent; a joint statement of principles; written agreements on alternatives; measures for mitigation of impacts and enhancement of benefits; additional rounds of consultations or negotiations during project implementation; and indication of community representatives' support for such agreements. Formal dissent could be in the form of written public statements by the affected communities.

32. Informal expressions of support and opposition may be photographs, media reports, personal letters, or third-party accounts on events/demonstration of dissent or support, and organized support or dissent for the project undertaken by affected communities with high participation.

4. Determining Broad Community Support

33. For applying the policy, the consent of affected communities refers to a collective expression by them, through individuals or their recognized representatives (or both), of BCS for project activities. BCS may exist even if some individuals or groups object to the project activities.

Although the SPS does not set a numerical threshold for determining the adequacy of “broad” community support, it is still a reasonable expectation that BCS entails a majority of the affected IP and communities favoring the proposed activities.

34. Operationally, BCS is deemed by ADB to exist if the following conditions are met:
- (i) the majority of recognized representatives of the affected IP communities formally express their support;
 - (ii) a considerable majority of affected IP communities’ members, and particularly those most severely affected, provides their support either through formal agreements or other informal means;
 - (iii) any significant opposition or major disagreement has been resolved through a GFN process.
35. Recognized representatives refer to elected or hereditary leaders or persons nominated as representing a particular subset of the overall IP community. Their support might be expressed through formal agreements such as signed documents.
36. IP community members refer to adult IP (normally older than 16 years) affected by a defined project activity. The degree of support by each differently affected subgroup needs to be clarified, distinguishing the opinions and desires of those more significantly affected by the project from those less affected. Community members’ support may be through formal written means, such as signed documents or agreements; or more informal or oral means, such as group consensus, oral histories; or proactive behaviors in the new areas that denote support, such as moving house or investing in community infrastructure. Informal support should be well evidenced through multiple sources including documents, such as minutes and attendance lists; and multimedia, such as photographs and videos of proceedings, investments, or other activities.
37. The borrower/client must ensure that the most vulnerable elements of the IP community are adequately represented. This may include women, the elderly, and poor. This could be obtained through separate meetings, sensitively held and led by people acceptable to the subgroup. These could include other local women, designated leaders or representatives of the subgroup, or members of similar groups from inside or outside the area. Such people must be acceptable to the vulnerable elements, independent, and relatively impartial.

The evidence of agreements will greatly help decide on whether BCS is present. A thirdparty (expert) opinion may also be needed to assess it exists. That opinion might be from somebody outside the affected community who is not affiliated with the borrower/client in preparing the project or in its daily operations. To be able to perform the function well, the third party should be acceptable to both the affected community and to the borrower/client.

C. Implications of the Absence of Broad Community Support

38. If the BCS of affected IP communities for the proposed project activities is withheld, the project will not be financed by ADB.
39. Depending on the nature of the project, this might have different impacts for the project as a whole. If, for example, local IP communities did not collectively express their broad support to being physically displaced due to the planned construction of a new road through their territory, the project might elect to reroute the road to avoid any effects on the indigenous

communities and so continue with the realigned project. If, on the other hand, affected communities did not collectively express their broad support to physical displacement and/or commercial use of their traditional lands for the construction of a dam, the project might have fewer options available.

APPENDIX 2: 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?				

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
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?				
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 3: 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 4: 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 5: 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