

# Indigenous People Planning Framework

---

Document Stage: Updated Draft  
Project Number: 48434-004  
November 2022

## India: Visakhapatnam-Chennai Industrial Corridor Development Program – Tranche 2

Prepared by the Department of Industries (Dol), Government of Andhra Pradesh, for the Asian Development Bank.

## **CURRENCY EQUIVALENTS**

(As of November 2022)

Currency unit	-	Indian rupee (₹)
₹1.00	=	\$ 0.0125
\$1.00	=	₹81.90

## **ABBREVIATIONS**

ADB	–	Asian Development Bank
APIIC	–	Andhra Pradesh Industrial Infrastructure Corporation
APRDC	–	Andhra Pradesh Road Development Corporation
APTransco	–	Transmission Corporation of Andhra Pradesh
DoI	–	Department of Industries
DTWO	–	District Tribal Welfare Officer
GoAP	–	Government of Andhra Pradesh
Gol	–	Government of India
GRC	–	Grievance Redress Committee
GRM	–	Grievance Redress Mechanism
GVMC	–	Greater Visakhapatnam Municipal Corporation
IPP	–	Indigenous People's Plan
IPPF	–	Indigenous Peoples Planning Framework
M&E	–	Monitoring and evaluation
MFF	–	Multitranchise financing facility
PID	–	project information disclosure
PMU	–	Project management unit
PIU	–	project implementation unit
PMSC	–	project management supervision consultants
PMU	–	Project management unit
NGO	–	non-government organization
SIA	–	social impact assessment
SPS	–	safeguard policy statement
TSP	–	Tribal Sub Plan
VCIC	–	Visakhapatnam Chennai Industrial Corridor
VCICDP	–	Visakhapatnam Chennai Industrial Corridor Development Program

## **NOTE**

In this report, "\$" refers to United States dollar.

This draft indigenous people planning framework is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, management, or staff, and may be preliminary in nature. Your attention is directed to the “terms of use” section of this website.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

## **CONTENTS**

	<b>Page</b>
I. PROJECT BACKGROUND	1
A. Overview	1
B. Subproject Description	1
C. Indigenous Peoples Planning Framework-IPPF	3
D. Scope of Indigenous Peoples Planning Framework (IPPF)	5
E. Legal Policy and Framework	6
II. OBJECTIVES	10
A. Identification of Indigenous People	10
B. Approach to Indigenous People Plan Preparation	10
III. STEPS FOR FORMULATING AN INDIGENOUS PEOPLE'S PLAN	12
A. Preliminary Screening	12
B. Social Impact Assessment	13
C. Mitigation Measures	14
D. Project Monitoring	15
E. Outline of Indigenous People's Plan	15
F. Grievance Redress Mechanism (GRM)	17
V. STRATEGY FOR INDIGENOUS PEOPLES PARTICIPATION	20
VI. BENEFITS OF THE PROJECT AND MITIGATION OF ADVERSE IMPACTS	21
VII. INSTITUTIONAL ARRANGEMENTS	22
A. Existing Institutional Structure	22
B. Institutional Arrangements for Preparing and Implementing IPPs	22
VIII. BUDGET FOR FORMULATING AND IMPLEMENTING INDIGENOUS PEOPLES PLAN	34
IX. PROGRAM FOR MONITORING AND EVALUATION	34
A. Internal and External Monitoring	35
B. Reporting	35

## **APPENDICES**

Appendix 1: Scheduled Tribe Population in Andhra Pradesh Per District (2011)	37
Appendix 2: List of Notified Scheduled Tribes in Andhra Pradesh	38
Appendix 3: Special Provisions in the RFCTLARR Act Pertaining to Scheduled Tribes	40
Appendix 4: Entitlement Matrix	42
Appendix 5: Suggested Structure of Information disclosure leaflet for IPP	51
Appendix 6: Roles and Responsibilities of Agencies/ Government Departments for IPP Preparation and Implementation	53
Appendix 7: Indigenous People Impacts Screening Checklist	59
Appendix 8: Indicative Terms of Reference of the Support Agencies/NGOs to assist APIIC / APRDC in Resettlement Plan Implementation	62
Appendix 9: Indicative Terms of Reference for Engaging an External Monitoring Agency/Expert	71

## **TABLES**

Table 1: Subprojects under Implementation - Tranche 1	2
Table 2: Subprojects Proposed under Tranche 2	2

## **FIGURES**

Figure 1: Grievance Redress Process	20
Figure 2: IPP Implementation Arrangements	24
Figure 3: IPP - Flow of Planned Activities	25
Figure 4: Project Organization Structure	26
Figure 5: Safeguards and Gender Organogram	27



## **I. PROJECT BACKGROUND**

### **A. Overview**

1. The proposed Visakhapatnam-Chennai Industrial Corridor Development Program (VCICDP) will complement ongoing efforts of the Government of Andhra Pradesh (GoAP) to enhance manufacturing sector growth and create high quality jobs in the state of Andhra Pradesh. The VCICDP comprises: (i) a policy-based loan to support policy reforms, and institutional development in the state's industrial sector; and (ii) a multitranche financing facility (MFF) for priority infrastructure projects within the Visakhapatnam-Chennai Industrial Corridor (VCIC). The program was approved by ADB on 20 September 2016 that comprise of multitranche financing facility (MFF 0093-IND) of \$500 million, policy-based loan (PBL, Loan 3424-IND) of \$125 million, and capacity building TA (TA 9173-IND) of \$1.0 million. The report and recommendation for MFF approval anticipated two tranches. Accordingly, ADB on 26 September 2016 approved Project 1 of the MFF that comprised a loan (Loan 3430-IND) of \$245 million, and a grant from the Urban Climate Change Resilience Trust Fund (UCCRTF) (Grant 0495-IND) of \$5 million. Subprojects under first tranche are currently under implementation. Further, the subprojects under second Tranche (Project 2) have also been finalized and are being proposed for ADB approval.

2. The envisaged outputs of VCICDP include: (i) ease of doing business improved; (ii) VCIC infrastructure strengthened; and (iii) institutional capacities and program management strengthened. The Program will support output 1; and the MFF will support outputs 2 and 3. Tranche 1 subprojects aims to (i) develop internal infrastructure in industrial clusters, (ii) strengthen electric power distribution capacity to meet industry demand, (iii) widen a section of a state highway to improve connectivity from the national highway to a port, and (iv) improve the water distribution network in Visakhapatnam for 24/7 supply. The second MFF tranche for project 2 will enhance VCIC infrastructure, with a focus on prioritized industrial nodes in Visakhapatnam and the Srikalahasti–Chittoor. The stated outputs for Project 2 are (i) Visakhapatnam industrial node infrastructure strengthened (ii) Srikalahasti–Chittoor industrial node infrastructure strengthened and (iii) Sustainable, green, and integrated industrial development enhanced.

3. The State of Andhra Pradesh acting through its Department of Industries (DoI) will be the executing agency. The Directorate of Industries within the DoI is responsible for the daily coordination and execution of both the Program as well as the MFF. A program management unit (PMU), established in the DOI, is responsible for planning, implementation, monitoring and supervision, and coordination of all activities under the Program and the MFF. Project implementation units (PIUs) are established in Andhra Pradesh Industrial Infrastructure Corporation (APIIC), Andhra Pradesh Road Development Corporation (APRDC), Andhra Pradesh Power Transmission Company (APTransco), and Greater Visakhapatnam Municipal Corporation (GVMC), and are responsible for implementing the MFF for Project 1 while APIIC and APRDC will continue this role for Project 2. The respective PIUs will be responsible for screening subprojects, categorization based on involuntary resettlement and indigenous peoples impacts, conducting the social assessment, preparation and implementation of Resettlement Plans and Indigenous Peoples Plan as required, and as outlined in this Resettlement Framework.

### **B. Subproject Description**

4. The list of subprojects (under tranche 1 and tranche 2), their description is provided in the table below.

**Table 1: Subprojects under Implementation - Tranche 1**

S. No.	Package No	Name of Subproject	Location
1.	APIIC/01	Construction of Common Effluent Treatment plant at Naidupeta Industrial cluster	Naidupeta, Nellore District
2.	APIIC/03	Augmenting utility services for Naidupeta Industrial cluster. [SWD, power, internal road and one stop centre]	Naidupeta, Nellore District
3.	APIIC/04	Providing bulk water facility and summer storage in Naidupeta Industrial cluster	Naidupeta, Nellore District
4.	APIIC/05	Providing water supply to Industrial Clusters/NIMZs in southern region (Krishnapatnam node and Sri city)	Chittoor District and Nellore District
5.	GVMC/02	Distribution Network improvements for NRW reduction and 24x7 water supply in GVMC area	Visakhapatnam, Visakhapatnam District
6.	APTransco/01	Augmenting power distribution capacity for meeting Industry demand at Kapuleppada, Nakkapalle/ Chandanada and Atchutapuram locations	Kapuluppada, Visakhapatnam District Nakkapalle and Atchutapuram, Visakhapatnam District
7.	APTransco/03	Augmenting power distribution capacity for meeting Industry demand at Rachagunneri, Naidupeta and Yerpedu locations	Rachagunneri and Yerpedu, Chittoor District Naidupeta, Nellore District
8.	APRDC/01	Upgrading and Rehabilitation of 'Samarlakota to Rajanagaram' Section of 'Kakinada – Rajanagaram' Road to '2 Lane Dual Carriageway Standard	East Godavari District Rajahmundry District and Kakinada District
9.	UCCRTF/04	"Design, Procurement, Supply, erection, testing, commissioning and maintenance for Five years of 3 MWp grid connected Floating Type Solar PV Power Project on Meghadrigedda Reservoir in Visakhapatnam District along with grid connecting equipment including associated Electrical & Civil Works".	Visakhapatnam District
10.	UCCRTF/05	Watershed management Mudasarlova Watershed and rejuvenation of Mudasarlova Lake	Visakhapatnam District
11.	UCCRTF/06	Non-motorized traffic zones and introduction of E- Vehicles in Visakhapatnam city	Visakhapatnam District

Note: All the tranche 1 subprojects were Category C for indigenous peoples impacts.

**Table 2: Subprojects Proposed under Tranche 2**

S. No.	Package No.	Name of Subproject	Location
<b>A. APIIC</b>			
1.	VCICDPT2-APIIC/06A	Development of Internal Infrastructure in the Start-up Area of Chittoor-South Industrial Cluster	Chittoor District
2.	VCICDPT2-APIIC/08A	Development of Internal Infrastructure in the Start-Up Area of Rambilli Industrial Cluster	Rambilli Mandal, Visakhapatnam District
3.	VCICDPT2-APIIC/09A	Development of Internal Infrastructure in the Start-up Area of Nakkapalli Industrial Cluster	Nakapalli Mandal, Visakhapatnam District



S. No.	Package No.	Name of Subproject	Location
<b>B. APRDC</b>			
4.	VCICDPT2-APRDC/04	Development of Road for External Connectivity to Naidupeta Industrial Cluster Road Subproject	Chittoor District
5.	VCICDPT2-APRDC/05	Development of Road for External Connectivity to Routhusuramala Cluster	Chittoor District
6.	VCICDPT2-APRDC/06	Development of Road for External Connectivity to Nakkapalli Industrial Cluster Road	Visakhapatnam District
7.	VCICDPT2-APRDC/07	Widening of Anakapalli to Atchutapuram Road	Visakhapatnam District

Note: One subproject (VCICDP T2-APIIC 06A) is assessed to have impacts to scheduled tribe population due to resumption of assigned government land.

### **C. Indigenous Peoples Planning Framework-IPPF**

5. This updated<sup>1</sup> indigenous people planning framework (IPPF) has been prepared conforming to the National laws, the State laws and the Asian Development Bank's (ADB's) Safeguard Policy Statement (SPS), 2009. The IPPF will be the reference document for the preparation of indigenous peoples plan in the proposed subprojects under VCICDP. This document is an extension to updated resettlement framework prepared for the VCICDP and must be read conjointly with the updated resettlement framework document.

6. This updated IPPF outlines the objectives, policy principles and procedures for any land acquisition, if any; compensation, and other assistance measures for affected indigenous persons, if any. A detailed description of each compensation measure and assistance is provided in the entitlement matrix. The updated indigenous people planning framework will apply to all subprojects under VCICDP and will be reviewed and updated to ensure relevance and consistency with applicable country legal frameworks and ADB's SPS, 2009, as amended from time to time.

7. All subprojects proposed under Tranche-I and Tranche-II of VCICDP have been screened for social impacts and are in compliance with this framework. Any subproject included under VCICDP needs to comply with this framework to be eligible for financing. In the course of initial social assessment, in one subproject package (Development of Start-up Area of Chittoor-South Industrial Cluster -VCICDPT2-APIIC/06A) impacts to 138 affected scheduled tribe families are identified, who stand to lose government land assigned to them. Relocation impacts to all 138 scheduled tribe households are avoided by the project. The largest cluster of scheduled tribe households (65 households of Yenadhi tribe) lives in the Sastriyanadhi Colony settlement, Chittoor-South subproject area, which will be retained and no physical displacement will be allowed by the project. In addition to avoidance of physical displacement, the project will also benefit the affected scheduled tribe households through skill development and access to employment opportunities in the industries that come up in the nearby industrial cluster. The 138 households will lose assigned government land (used for agriculture by some households and left unused and vacant by others) due to execution of the subproject and its components. The

<sup>1</sup> The indigenous people planning framework prepared during the Project 1 approval stage (2016) has been updated (this document) in line with the updated resettlement framework and Tranche 2 subprojects (Project 2).

Yenadhi community does not belong to Particularly Vulnerable Tribal Group (PVTG)<sup>2</sup> and constitutes about 20.3% of the total tribal population of the State. During consultation and socio-economic survey, it was observed that the Yenadhi people speak only Telegu, the official language of the State, and are Hindus or Christians in their religious beliefs. The impacts to the scheduled tribe households are assessed as potential loss of non-traditional livelihood source, i.e., involuntary resettlement impact, due to resumption of assigned government land. A resettlement and indigenous peoples plan (RIPP) has been prepared to address the economic impacts on the scheduled tribe community with all applicable benefits as indicated in the entitlement matrix in the resettlement framework of the project and this IPPF.

8. None of the subprojects under VCICDP are located within scheduled areas as defined by the Constitution of India.<sup>3</sup> Further, none of the subproject areas are within any ITDP/ITDA<sup>4</sup> blocks or MADA<sup>5</sup>/Cluster<sup>6</sup> pockets. Scheduled tribe households residing in the Project areas did not display ties to ancestral lands and were not observed to follow traditional ways of life or livelihoods. Potential loss of non-traditional livelihoods (involuntary resettlement impact) to scheduled tribe households due to resumption of assigned government land is assessed in Chittoor South Industrial Area (package VCICDPT2-APIIC/06A) alone.

---

<sup>2</sup> Presence of 7 scheduled tribe categorized as Particularly Vulnerable Tribal Group (PVTGs) is reported in the state of Andhra Pradesh (i) Chenchu; (ii) Gadaba; (iii) Kolam; (iv) Konda reddy; (v) Kondh; (vi) Porja; and (vii) Savaras. PVTGs are more vulnerable among the tribal groups, having the following characteristics: (i) declining or stagnant population, low level of literacy, pre-agricultural level of technology and are economically backward; (ii) generally inhabit remote localities having poor infrastructure and administrative support. Source: [Tribal Welfare Department - Government Of Andhra Pradesh](#) (accessed on 24 November 2022).

<sup>3</sup> Scheduled areas are defined as exclusive tribal areas that require special consideration for development of the indigenous/tribal people (IP). The criteria followed for declaring an area as scheduled area are: a) preponderance of tribal population; b) compactness and reasonable size of the area; c) underdeveloped nature of the area; and d) marked disparity in economic standard of the people. In August 1976, it was decided to make the boundaries of the scheduled areas co-terminus with the tribal sub-plan areas. Source: Ministry of Tribal Affairs, Government of India.

<sup>4</sup> Integrated Tribal Development Project (ITDP) / ITDA is an area of size of one or more Development Blocks in which ST population is 50% or more of total population of such Blocks.

<sup>5</sup> Modified Area Development Approach (MADA) Pockets are identified pockets (consisting of one or more revenue villages) in contiguous areas with a concentration of tribal 50% or more with in total population of 10,000 or more in such areas.

<sup>6</sup> Clusters are identified pockets (with one or more revenue village(s) being constituent units) with a concentration of tribal 50% or more with in total population of 5,000 or more in such area.

## **D. Scope of Indigenous Peoples Planning Framework (IPPF)**

9. The objectives of the IPPF are to ensure that indigenous people communities (i) receive culturally appropriate social and economic benefits from the Project; (ii) do not suffer adverse impacts as a result of the Project (VCICDP); and (iii) can participate actively in the Project (VCICDP). The IPPF has been prepared to (i) provide guidance for subprojects selection, screening and assessment of social impact; (ii) provide guidance in the preparation and implementation of IPP for subprojects; and (iii) facilitate compliance with the requirements of the Government of India and the State of Andhra Pradesh, and ADB. This section summarizes the relevant Government and State laws in respect of scheduled tribes and the Asian Development Bank's (ADB's) Safeguards Policy Statement (SPS) requirement no. 3 on indigenous people.

10. The selection of the VCICDP subprojects mentioned in Table 1 and table 2 above was made under an MFF loan. During the course of project identification and social impact assessment, the identified indigenous peoples impacts (both positive and negative) of the subproject component on affected groups/communities will be addressed according to the prepared framework. The framework will address the developmental needs of indigenous people and/or tribes as a distinct community through a process of sustainable development.

11. It is also necessary to define the term indigenous people, which is not only co-terminus with the communities defined by the Constitution of India as scheduled tribe<sup>7</sup> it often also includes backward communities, as per the recommendation of the Andhra Pradesh Backward Classes Commission. Out of a total of 34 scheduled tribes in Andhra Pradesh, five (Goudu, Nayaks, Malis, Thoti and Valmiki) have been notified with an area restriction. Of these, Goudu, Nayaks, and Valmiki have been notified in the Agency tracts area, which comprises Srikakulam, Vizianagaram, Visakhapatnam, East Godavari, West Godavari, and Khammam districts.<sup>8</sup> Thoti have been notified in Adilabad, Hyderabad, Karimnagar, Khammam, Mahbubnagar, Medak, Nalgonda, Nizamabad and Warangal districts. Twelve tribes (Bodo Gadaba, Gutob Gadaba, Bondo Poraja, Khond Poraja, Parangiperja, Chenchu, Dongaria Khonds, Kolam, Kondareddis, Konda Savaras, and Thotis are identified as primitive tribal groups, who are more backward even by the standards of scheduled tribes. The scheduled tribe population of Andhra Pradesh was 2.63 million in 2011 (comprising 1,309,399 male and 1,321,746 female), about 5.33% of the state's population. The State accounts for 2.5 percent of the scheduled tribe population in the Country. Appendix 1 provides the district-wise distribution of scheduled tribes in Andhra Pradesh. Appendix 2 provides a list of notified scheduled tribes in Andhra Pradesh, and the list of villages in agency tracts areas by district.

12. In official parlance, neither the state nor union government has a category called indigenous people in its policies. By a constitutional provision, the Government of India provides a definition of scheduled tribes.

13. To ensure application of ADB's Indigenous People Policy within the context and Constitution of India this framework will use the tribal people (indigenous people) that consist of scheduled tribes to refer the indigenous people that targeted in ADB's Policy on Indigenous People.

---

<sup>7</sup> Scheduled tribes are those communities notified as such by the President of India under Article 342 of the Constitution. The first notification was issued in 1950. The President considers characteristics like (i) tribes' primitive traits; (ii) distinctive culture; (iii) shyness with the public at large; (iv) geographical isolation; and (v) social and economic backwardness before notifying them as a scheduled tribe.

<sup>8</sup> Agency Tracts" means the areas in East Godavari, West Godavari, Visakhapatnam, Srikakulam, Adilabad, Warangal, Khammam and Mahboobnagar Districts declared as Scheduled Areas.

It is also important that indigenous people issues and ADB's Safeguard Requirement 3 triggers are identified during initial stages of screening.<sup>9</sup>

## E. Legal Policy and Framework

14. A scheduled tribe is identified by the Constitution of India, taking into consideration various factors such as (i) primitive traits, (ii) distinctive culture, (iii) geographical isolation, (iv) social and economic backwardness, and others. But identification of tribes is a state subject. Thus, the scheduled tribe is judged by one or a combination of these factors by the respective state. Tribes notified for Andhra Pradesh State are scheduled tribe in Andhra Pradesh only, and their category may vary in other states.

15. Under the Constitution of India, a number of articles have been included for the protection of the STs in particular.<sup>10</sup> These are:

- (i) Article 14 – confers equal rights and opportunities to all;
- (ii) Article 15 – prohibits discrimination against any citizen on grounds of sex, religion, race, caste, etc.;
- (iii) Article 15(4) – enjoins upon the state to make special provisions for the advancement of any socially and educationally backward classes;
- (iv) Article 16(4) – empowers the state to make provisions for reservation in appointments or posts in favor of any backward class of citizens;
- (v) Article 46 – enjoins upon the state to promote with special care the educational and economic interests of the weaker sections of the people and, in particular, the STs, and promises to protect them from social injustice and all forms of exploitation;
- (vi) Article 275(1) – promises grant-in-aid for promoting the welfare of STs and for raising the level of administration of the scheduled areas;
- (vii) Articles 330, 332, and 335 – stipulate reservation of seats for STs in the Lok Sabha and in the State Legislative Assemblies and in services;
- (viii) Article 340 – empowers the state to appoint a commission to investigate the conditions of the socially and educationally backward classes; and
- (ix) Article 342 – specifies those tribes or tribal communities deemed to be scheduled tribes (STs).

16. Government of India (GoI) recognizes and seeks to protect the rights of scheduled tribes, principally through the following Acts/policies:

- (i) The **National Commission for Scheduled Tribes (NCST)** came into effect from 19 February 2004 through Constitution (89th Amendment) Act, 2003 which bifurcated the erstwhile National Commission for Scheduled Castes and Scheduled Tribes into two separate commissions for Scheduled Castes and Scheduled Tribes. The NCST functions under clause (5) of Art.338 A includes “To investigate & Monitor matters relating to Safeguards provided for STs under the Constitution or under other laws or under Govt. Order, to evaluate the working of such Safeguards.” Further, it also has a duty to submit report to the President annually and at such other times as the Commission may deem fit, upon/ working of Safeguards.

<sup>9</sup> Safeguards Requirement 3 triggers are if Program's activity will directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples or affects the territories or natural or cultural resources that Indigenous Peoples own, use, occupy, or claim as an ancestral domain or asset.

<sup>10</sup> The Tenth Five-Year Plan, 2002-2007.

- (ii) **the Scheduled Tribes and other Traditional Forest Dwellers** (Recognition of Forest Rights Act, 2006 and the Rules, which came into force from 1 January 2008 (including an Amendment in 2012). The Act recognizes and records the rights of forest dwellers who have been residing and depending on the forest for generations for their Bonafide livelihood needs, without any recorded rights;
- (iii) **The Provisions of the Panchayats (Extension to Scheduled Areas) Act** or PESA, 1996 empowers the Gram Sabha in a scheduled area to prevent alienation of land in the scheduled area and to take appropriate action to restore unlawfully alienated land of a scheduled tribe; and the power to control local plans (for development) and resources for such plans. The Gram Sabha has to approve any plan for social and economic development in a scheduled area before implementation and is responsible for selection of beneficiaries under any poverty alleviation or other program.
- (iv) **the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989**, which protects scheduled caste and schedule tribes from (a) wrongful occupation or cultivation of any land owned by them or allotted to them or lands notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe and transfer of land allotted to scheduled caste and schedule tribes; (b) wrongful dispossession of a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interference with the enjoyment of his rights over any land, premises or water; and (c) from any forceful removal/causing of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence.<sup>11</sup>

17. In addition, the **Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013** has special provisions for additional benefits to scheduled caste and schedule tribes families under Section 41, Subsections 1-11, and Section 42, subsections 1-3. Notably, it provides for (a) free land for community and social gatherings; (b) in case of displacement, a Development Plan is to be prepared; and (c) continuation of reservation and other Schedule V and Schedule VI area benefits from displaced area to resettlement area. Appendix 3 presents all relevant clauses of the RFCTLARR Act 2013 for scheduled tribes. The Act meets ADB indigenous peoples policy requirement of broad community consent and of ensuring that development interventions that affect indigenous peoples should ensure that they have opportunities to participate in and benefit equitably from the interventions.

18. The RFCTLARR Act applies to acquisition of land for a public purpose, as defined in the act. The act provides for consultation with and involvement of local self-government in undertaking a Social Impact Assessment (SIA).<sup>12</sup> The SIA is reviewed by an Expert Group to assess if the potential benefits of the project outweigh the social cost and adverse social impacts. The expert group can recommend either for or against proceeding with the project. The appropriate government is not bound by the decision of the expert group and can decide otherwise.

<sup>11</sup> Transfer means a sale, gift, exchange, mortgage (with or without possession), lease, or any other transaction not being a partition among members of a family or a testamentary disposition and includes the creation of a charge or an agreement to sell, exchange, mortgage, or lease or enter into any other transaction.

<sup>12</sup> The state legislature through the Act No. 22 of 2018, called as "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Andhra Pradesh Amendment) Act, 2018. Andhra Pradesh", has exempted application of provisions under chapter 2 (on requirements of conduct of SIA) and chapter 3 of the principal Act to certain categories of projects that include industrial corridor and infrastructure projects (where land ownership continues to vest with the government). Refer link [ACT No.22 of 2018.pdf \(indiacode.nic.in\)](https://indiacode.nic.in/ACT%20No.22%20of%202018.pdf)

19. Scheduled tribes in the state are covered by the Agency Tracts Land Transfer Act, 1917, and A.P. Scheduled Areas Land Transfer Regulation 1959 and its amendments. Significant features of these Acts are:

- (i) The Agency Tracts Land Transfer Act, 1917 came into being in response to a series of unrests in the tribal areas of Andhra Pradesh. The object of the Act was to regulate the transfer of land in the agency tracts. The Act prohibits the transfer of lands between tribals and non-tribals without any prior consent from the Agent to Government or any other prescribed officer.
- (ii) The history of armed resistance or struggle by tribals against the administration from pre-independence era the erstwhile state of Hyderabad resulted in the promulgation of the Tribal Areas Regulation 1356 *Fasli* (1946 A.D). The substance of this regulation was incorporated in the Tribal Areas Regulation 1359 *Fasali* (1949 AD) and the rules giving effect to its provisions were issued by the Revenue Department under the title Notified Tribal Area Rules 1359 *Fasli* on 16-11-1949.
- (iii) The A.P. Scheduled Areas Land Transfer Regulation 1959 was an Act meant to exercise the powers conferred under Para 5 (2) of the Fifth Schedule of the Constitution of India. It became effective in March 1959.

20. The above laws have the following provisions related to transfer of immovable property by a member of a Scheduled Tribe:

- (i) Any transfer of immovable property situated in the Agency tracts by a person, whether or not such person is a member of a Scheduled Tribe shall be absolutely null and void, unless such transfer is made in favour of a person, who is a member of a Scheduled Tribe or a Cooperative Society composed solely of members of Scheduled Tribes.
- (ii) When no member of a Scheduled Tribe is willing to purchase the land, the person intending to sell his land may apply to the Agent or any other prescribed officer for acquisition of such land by the State Government.
- (iii) Then, the Agent or the prescribed officer i.e., Deputy Collector (Tribal Welfare) etc., may by order, take over such land on payment of compensation in accordance with Section 10 of the A.P. Ceiling on Agricultural Holdings Act, 1961.
- (iv) Such land shall vest in the State Government free from all encumbrances and shall be disposed off, to members of STs or a Cooperative Society composed solely of STs @ five acres of wet or ten acres of dry.
- (v) Where transfer made in contravention of above provision, Agent or Prescribed Officer i.e., Deputy Collector (Tribal Welfare) etc., on application by interested persons or on information by a public servant or suo-motu decree ejectment of any person in possession of land after due notice and restore land to transferor or his heirs.
- (vi) If transferor not willing to take back property, the Agent or Prescribed Officer may assign or sell the property to any other member of STs or Cooperative Society, composed solely of STs or otherwise dispose it off.
- (vii) No relinquishment of a holding by a tribal *ryot* (landholder) to be valid unless with the previous sanction of State Government or previous consent of Agent or the Agency Divisional Officer.

21. In more recent times, GoAP enacted the Andhra Pradesh Scheduled Castes Sub Plan and Tribal Sub Plan (Planning, Allocation and Utilisation of Financial Resources) Act N. 1 of 2013. The Act seeks to ensure accelerated development of scheduled castes and scheduled tribes, with emphasis on equality in terms of economic, educational and human development, security, social dignity and equity. It provides for specific plan outlays for the Scheduled Caste Sub Plan and the

Tribal Sub Plan every year. It aims to provide direct benefits to scheduled castes and scheduled tribes and defines an institutional mechanism for implementation and monitoring of the SCSP and Tribal Sub Plan (TSP). The Nodal Agency for implementation of the TSP is constituted under the Chairmanship of the Minister for Tribal Welfare. The Tribal Welfare Department is designated as the Nodal Department for the TSP. Under the Act, the District Monitoring Committee under the Chairmanship of District Collector is responsible for implementation of TSP. A District Tribal Welfare Officer in each district is the convener. Though this Act is meant for equity-oriented and social development programs, its implementation and monitoring mechanism make for easy adaptation to a monitoring and grievance redress process under a multi-lateral aided project.

22. The above policies and legal instruments available in India and Andhra Pradesh are supplemented by ADB's SPS, 2009 for the implementation of VCICDP. The SPS ensures equality of opportunity to be derived from project interventions for indigenous peoples. The policy emphasizes that development interventions will be planned in a manner consistent with the needs and aspirations of affected indigenous peoples, and compatible in substance and structure with affected indigenous people's culture and social and economic institutions. The IPPF recognizes the vulnerability of indigenous peoples, and specifically ensures that any project intervention, whether positive or adverse, will be addressed by the implementing agencies. Moreover, the implementing agencies will ensure that affected indigenous peoples will have opportunities to participate in and benefit equally from such project interventions.

23. ADB policy on safeguards requirement for indigenous peoples recognizes the right of indigenous people to direct the course of their own development. Indigenous people are defined in different countries in various ways. For operational purposes, the term "indigenous people" is used to refer to a distinct, vulnerable social and cultural group with the following characteristics:

- (i) self-identification as members of a distinct indigenous cultural group and recognition of this community by others;
- (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in the habitats;
- (iii) customary, cultural, economic, social, or political institutions that are 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.

24. According to ADB policy, indigenous people safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of indigenous people or affects the territories, natural, or cultural resources that they own, use, occupy, or claim as their ancestral property. In the present VCICDP activities, for the known sites and/or alignments, such a situation has not arisen, according to initial social assessments. However, in view of such a possibility in the future, this IPPF will provide guidelines to mitigate the adverse impact, if any, through the preparation of an indigenous people plan (IPP). The need for an IPP will depend on the nature and scale of the project impacts and sensitivity of ethnic minority issues. Based on the initial poverty and social assessment prepared in every project, a requirement for preparing an IPP will be identified. An IPP would be required if the impact is "significant," which means (i) adverse impacts on customary rights of use and access to land and natural resources; (ii) negative effects on the socioeconomic and cultural integrity; (iii) effects on health, education, livelihood, access to project benefits, and social security status; and (iv) other impacts that may alter or undermine indigenous knowledge and customary institutions. An indigenous people impact checklist to be used in the indigenous people screening exercise during project preparation is provided.

25. Provisions of the Constitution of India and several acts that ensure protection of scheduled tribes, as defined by the Constitution, the national and state policy framework for scheduled tribes, as discussed above, are aligned with the ADB's indigenous people's safeguards. ADB SPS SR3 Policy Principle 8 has an additional requirement for an action plan to be prepared for legal recognition of customary rights to lands and territories or ancestral domains of indigenous peoples, which is not a requirement as per Indian law. Such impacts are not assessed under the project, hence, no action plan for legal recognition of customary rights to lands is required.

## **II. OBJECTIVES**

26. The United Nations Declaration on the Rights of Indigenous Peoples was adopted by the United Nations General Assembly in September 2007. India, like many other Asian countries, have voted in favor of this nonbinding declaration. ADB also recognizes the right of indigenous peoples and realizes the fact that indigenous peoples do not automatically benefit from development initiatives since these are often conceived, prepared, and implemented by mainstream people or the dominant population. Hence, SPS underlined the necessity for an exclusive safeguards policy for the indigenous peoples in ADB-financed projects.

### **A. Identification of Indigenous People**

27. ADB's IPP 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 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.<sup>13</sup> ADB SPS' Indigenous People Safeguard Requirement (SR 3) will be triggered if Program's activity will directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples or affects the territories or natural or cultural resources that Indigenous Peoples own, use, occupy, or claim as an ancestral domain or asset.

28. Under Article 342 of the Constitution of India, following characteristics are used to define indigenous people (scheduled tribes, as termed by the Constitution): (i) tribes' primitive traits, (ii) distinctive culture, (iii) shyness with public at large, (iv) geographical isolation, and (v) social and economic backwardness. Essentially, indigenous people have a social and cultural identity distinctly different from the mainstream (or dominant) society that makes them marginalized, socially isolated, and often overlooked in the development process.

### **B. Approach to Indigenous People Plan Preparation**

29. The IPPF is a policy document that sets out the procedural framework for preparing an IPP for the subprojects of future projects and future projects in the event of any positive or/and adverse impacts on indigenous people. The IPPF also spells out screening and planning procedures.

---

<sup>13</sup> The Yenadhi schedule tribe community residing in Sastriyanadhi Colony will lose DKT/assigned government land and are likely to face economic impact.



30. Preparing an IPP is necessary when ADB-supported subprojects are screened as category A or B projects.<sup>14</sup> Indigenous People category is determined by the project's impact on these people. The significance of a project's impact on indigenous people and/or scheduled tribe is determined by the following assessment.

- (i) Magnitude of impact in terms of:
  - customary rights of use and access to land and natural resources;
  - socioeconomic status;
  - cultural and communal integrity;
  - health, education, livelihood, and social security status;
  - recognition of social security status; and
  - recognition of indigenous knowledge.
- (ii) Level of vulnerability of the affected tribal people

31. An IPP addresses the aspirations, needs, and preferred options of the affected indigenous people, and places before them development options, keeping their distinctive socio-cultural status in view. The IPP aims to strengthen the capacity of the affected tribal community to encourage them to participate in and derive benefits from the project intervention. The principal elements of an IPP are:

- (i) development plans for indigenous people should be prepared considering best options and approaches that are in accordance with affected individuals and communities;
- (ii) scope and impact of adverse effects of the project are assessed, and appropriate mitigation measures designed;
- (iii) social and cultural context of affected indigenous peoples and their traditional skill and knowledge in natural resource management should be considered;
- (iv) regular consultation will be held with the indigenous peoples, including the women, to seek their informed participation in designing mitigation measures and project intervention at all stages of project preparation and implementation. To achieve this information sharing, disclosure meetings, workshops, and distribution of pamphlets in local language will be carried out;
- (v) in areas where working experience with indigenous people is unknown, a pilot scale operation will be carried out and evaluated prior to full-scale implementation;
- (vi) community organizations, nongovernment organizations (NGOs), and consultants experienced in executing indigenous people development plans will be engaged to prepare IPP;
- (vii) responsible agency will formulate IPP implementation schedule, which will be periodically monitored by PMU/PIU officials as well as an independent/external monitoring agency; and
- (viii) responsible agency will also prepare a budget for IPP implementation and a financing plan to ensure smooth progress.

32. If the indigenous people impacts are not significant or limited impacts or impacts are generally positive, the PIU/PMU in consultation with PMSC (the consultants) and resettlement

---

<sup>14</sup> As per the ADB's OM Section F1/OP March 2010 (Para 10), screening process categorizes projects by the significance of their impacts on IPs. A proposed project is classified as category A if it is likely to have significant impacts on indigenous peoples. An indigenous peoples plan (IPP), including assessment of social impacts, is required. A proposed project is classified as category B if it is likely to have limited impacts on indigenous peoples. An IPP, including assessment of social impacts, is required. A proposed project is classified as category C if it is not expected to have impacts on indigenous peoples. No further action is required.

plan implementation NGO could decide to prepare a “specific action” plan in a due diligence report or a combined resettlement and indigenous peoples plans (RIPP).

### **III. STEPS FOR FORMULATING AN INDIGENOUS PEOPLE’S PLAN**

#### **A. Preliminary Screening**

33. During the preliminary screening stage, PIU officials will visit all indigenous peoples and tribal communities and villages at subproject potential impact areas. The PIU will arrange public meetings for selected communities at a pre-announced place and date to provide information on the project and subproject components. During the visits, community leaders and other participants, including representatives of tribal communities, will present their views on the merits, benefits, and envisaged constraints of the project and subproject components.

34. During initial visit, a screening exercise will be undertaken by the PIU using ADB’s screening and categorization forms for indigenous people populations, with the help of indigenous people community leaders. Concerned staff will refer the list of scheduled tribes for the GoAP and description of indigenous peoples based on ADB indigenous people policy. The screening will be done based on the following:

- (i) presence and names of indigenous people community groups in the area;
- (ii) cultural and religious distinction of the indigenous people groups vis-à-vis other communities, and mainstreaming of the indigenous people with the dominant population;
- (iii) laws and legislations related to indigenous people groups;
- (iv) total number of indigenous people community groups and percentage of indigenous people population to total population in the area;
- (v) number and percentage of indigenous people households likely to be affected by the subproject component; and
- (vi) initial assessment to also include level of vulnerability of the indigenous people, such as being (primitive) tribal groups and existing socioeconomic conditions that may further deteriorate due to project impact. If such especially vulnerable groups among the indigenous people community are identified within the project area, they warrant special measures for protecting their socio-cultural identity and baseline economic standard. While determining vulnerability of these indigenous people groups, assessment will be made if there is any possibility of future impact due to the project.

35. Based on the indigenous people assessment checklist, the project would be categorized according to ADB policy.<sup>15</sup> If the assessment confirms likely impacts on indigenous people, PIU will engage qualified and experienced experts to carry out a full social impact assessment (SIA) of the affected indigenous people and/or scheduled tribe families and community.

---

<sup>15</sup> As per the ADB’s OM Section F1/OP March 2010 (para 10), screening process categorizes projects by the significance of their impacts on IPs. A proposed project is classified as category A if it is likely to have significant impacts on indigenous peoples. An indigenous peoples plan (IPP), including assessment of social impacts, is required. (A proposed project is classified as category B if it is likely to have limited impacts on indigenous peoples. An IPP, including assessment of social impacts, is required. A proposed project is classified as category C if it is not expected to have impacts on indigenous peoples. No further action is required.

## B. Social Impact Assessment

36. The SPS spells out that in the initial project preparatory phase, an initial social assessment will include specific potential impacts on indigenous peoples potentially affected due to project implementation. If the indigenous peoples are identified as an adversely affected group of people or become vulnerable to being thus affected, an IPP must be prepared by the executing agency in a manner acceptable to ADB.

37. Based on screening, a primary SIA field level survey will be conducted, either as part of a detailed project study report or as a stand-alone activity. The SIA will be conducted in consultation with the indigenous people communities, with emphasis on a gender-sensitive approach, and will identify project-affected indigenous peoples, potential impact, and severity of impact with special reference to gender impact. The SIA will prepare a baseline socioeconomic profile of the indigenous people groups in the project area and project impact zone. It will assess their access to social infrastructures and economic opportunities. The study will also indicate and focus on short- and long-term benefits and potential positive and adverse impacts on the indigenous people groups' social, cultural and economic status due to the project, assess which indigenous people group will require indigenous people principles, and recommend the subsequent approaches, resource requirements, and planning mechanism to address the issues and concerns of the affected indigenous people groups. The level of detailed and comprehensive information required for the SIA will be commensurate with the complexity of the proposed project's impact on the indigenous people groups.

38. ADB's safeguards policy statement for indigenous people have special requirements for assessment of project impact on an indigenous people community, which needs to be assessed during SIA before project implementation. Particular attention has to be paid to the following aspects:

- (i) Ancestral domains and related natural resources
  - As indigenous people communities are closely tied to ancestral domains and natural resources, including land, forest, water, and others, special attention will be given to protect such ties in terms of their customary rights to these ancestral domains which they traditionally own, use, or occupy, and where access to natural resources is vital for their survival and livelihood system. The need to protect such ties, respecting cultural and spiritual values that indigenous people attach to these resources, and natural resource management for long-term sustainability should be considered while undertaking SIA. Rehabilitation of livelihood systems of indigenous people who are displaced should take priority.
  - If the project requires acquisition of lands that are customarily owned, used, or occupied by indigenous people, legal recognition of their customary rights to such lands and ancestral domains should be integrated into the project by the borrower and/or client. This will need full recognition of the existing customary land tenure system of the indigenous people and conversion of customary usage of rights to communal and/or individual ownership rights. If this option is not possible under national law, the IPP will include an action plan for legal recognition of perpetual or long-term renewable custodial or user rights.
- (ii) Consent of affected tribal communities
  - Indigenous People may become particularly vulnerable if the project includes commercial development of cultural resources and knowledge of indigenous people, physical displacement of indigenous people, and

commercial development of natural resources within customary land use. The borrower and/or client in such projects will seek the consent of the affected indigenous people communities to proceed with the project. For the purpose of policy application, consent of affected indigenous peoples through a collective expression, by individuals, or by their recognized representatives can be considered broad community support for the project activities.

- After receiving community support/consent, the borrower/client will provide documentation detailing the process and outcomes of consultation with indigenous people and indigenous people organizations, including findings of SIA, consultation briefs, additional measures (including project design modification that may be required for mitigating adverse impacts), and content of formal agreement with the indigenous peoples/organizations. The borrower/client will submit all these documentation for review to ADB for investigation of broad community support. If investigation does not confirm community support, ADB will not finance the project.
- (iii) Commercial development of cultural resources
- If the project involves commercial development of indigenous people's cultural resources and knowledge, the borrower/client will ensure that the affected indigenous people communities are informed of (i) their rights to such resources under statutory or customary law, (ii) the scope and nature of proposed development and those involved in the project development, and (iii) potential effects of such development on indigenous people's livelihood, environment, and use of such resources. The IPP will reflect the nature and content of the agreement and will include arrangements to ensure indigenous peoples receive an equitable share from such commercial development/the project.
- (iv) Physical displacement of tribal people
- All possible alternate project designs will be explored to avoid physical displacement of indigenous people that will result in adverse impacts on their identity, culture, and customary livelihoods. In case avoidance is not possible, an IPP will be prepared that could be combined with a resettlement plan.

39. The main source of information for SIA will be direct interviews with potentially affected indigenous people households, besides separate group meetings with the indigenous people communities, including their leaders, youth, and men and women, especially those living within the project impact zone of the proposed subproject components. Group discussion will center on positive and negative impacts of the subproject components and indigenous people groups' recommendations on design of the project components. The project management supervision consultant (PMSC) with support from implementation NGO will be responsible for analyzing the SIA data and information and developing an action plan in consultation with the indigenous people community leaders. If the SIA indicates significantly adverse impacts, or that the indigenous people community rejects the project proposal outright, other design options will be looked into to minimize adverse impacts. An IPP will be prepared only when the IP community accepts the design of the subproject component, and broad community support (BCS) has been ascertained.

### **C. Mitigation Measures**

40. All affected tribal households will be provided with assistance, which would help them improve their living standards without exposing their communities to disintegration. As vulnerable

groups, they are entitled to special assistance<sup>16</sup> not only to restore their livelihood and improve their income level, but also to maintain their distinct cultural identity.

41. Where land acquisition is essential, indigenous peoples are entitled to receive land-for-land compensation for the acquired land if government land is available. As indigenous people, they have the traditional customary right over land use, which will be retained, and absence of land title will not restrict them from receiving compensation or alternative land. They will be entitled to all types of compensation and assistance as defined in the Resettlement Framework of the project. According to the Resettlement Framework, the indigenous people, defined as scheduled tribes, will be treated as vulnerable persons/groups. The entitlement matrix from the Resettlement Framework is attached as an Appendix 4.

42. In case of insignificant impact on indigenous people due to resettlement, these impacts will be addressed by specific action planned for mitigation and included within the resettlement plan. These specific action plans will be incorporated into the Resettlement Plan to safeguard their interest as indigenous people. This decision of preparing a specific action plan for the indigenous peoples will depend on the significance and severity of impacts. A grievance redress mechanism (GRM) is prepared to address project-related issues affecting indigenous peoples, and to identify responsible persons for mitigating project-related grievances. (Figure 1).

#### **D. Project Monitoring**

43. Monitoring and evaluation (M&E) facilitate resolving problems that crop up during implementation by providing solutions without delay. The IPP/RIPP includes a set of monitoring indicators for periodic monitoring of the progress of planned activities incorporated in the IPP/RIPP. For subprojects with significant adverse impact on indigenous peoples, the PIU will engage qualified and experienced external experts and a qualified NGO with experience in similar work to assist the monitoring expert and verify monitoring information. The external monitor will advise the executing agency on compliance issues. If any significant indigenous people issues are identified, the executing agency will prepare a corrective action plan to mitigate those and/or update approved IPP/RIPP. The PIU will implement the corrective action plan and take necessary steps to follow up the effectiveness of those corrective measures. The executing agency will prepare periodic monitoring reports on the progress of IPP/RIPP implementation, highlighting compliance issues and corrective actions taken, if any. The PIU will submit biannual monitoring reports. The costs of monitoring requirements will be included in project budgets.

#### **E. Outline of Indigenous People's Plan**

44. The substantive aspects of this outline will guide the preparation of IPPs. The IPP will contain the following chapters:

- (i) Executive Summary of the Indigenous People Plan - describes the critical facts, significant findings, and recommended actions.
- (ii) Description of the Project - provides a general description of the project; discusses project components and activities that may cause impacts on indigenous people; and identifies project area.
- (iii) Social Impact Assessment - this section:

---

<sup>16</sup> Special assistance is an additional allowance to which IP are entitled, other than the decided compensation package. This may include assistance/support to preserve IP's cultural heritage, identity, and income-generating practices. The amount decided will depend on results of detailed surveys conducted as a part of the IPP.

- reviews the legal and institutional framework applicable to indigenous people in project context;
  - provides baseline information on the demographic, social, cultural, and political characteristics of the affected indigenous people communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend;
  - identifies key project stakeholders and elaborates a culturally appropriate and gender-sensitive consultation process with indigenous people at each stage of project preparation and implementation;
  - based on meaningful consultation with the affected indigenous people communities, assesses the potential adverse and positive effects of the project. Assessment will include a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected indigenous people communities with respect to their close ties to land and natural resources, as well as their lack of access to opportunities;
  - includes a gender-sensitive assessment of the affected indigenous peoples' perceptions about the project and its impact on their social, economic, and cultural status; and
  - based on meaningful consultation with the affected indigenous people communities, identifies and recommends 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 indigenous people receive culturally appropriate benefits under the project.
- (iv) Information Disclosure, Consultation, and Participation - this section:
- describes the information disclosure, consultation, and participation process with the affected indigenous people communities that was carried out during project preparation;
  - 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;
  - 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;
  - describes consultation and participation mechanisms to be used during implementation to ensure indigenous people participation during implementation; and
  - confirms disclosure of the draft and final IPP to the affected indigenous people communities.
- (v) Beneficial Measures - This section specifies the measures to ensure that the indigenous people receive social and economic benefits that are culturally appropriate and gender responsive.
- (vi) Mitigation Measures - This section specifies the measures to avoid adverse impacts on indigenous people, and where avoidance is impossible, specifies the measures to minimize, mitigate, and compensate for the unavoidable adverse impacts for each affected indigenous people group.
- (vii) Capacity Building - This section provides measures to strengthen the social, legal, and technical capabilities of (a) government institutions, to address indigenous

- people issues in the project area; and (b) indigenous people organizations in the project area, to enable them to represent the affected IP more effectively.
- (viii) **Grievance Redress Mechanism** - This section describes the procedures to redress grievances of affected indigenous people communities. It also explains how the procedures are accessible to indigenous people, culturally appropriate, and gender sensitive.
  - (ix) **Monitoring, Reporting, and Evaluation** - 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 indigenous people in the preparation and validation of monitoring and evaluation reports.
  - (x) **Institutional Arrangement** - This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the IPP. It also describes the process of including relevant local organizations and NGOs in carrying out the measures of the IPP.
  - (xi) **Budget and Financing** - This section provides an itemized budget for all activities described in the IPP.

## **F. Grievance Redress Mechanism (GRM)**

45. Redressing grievances of the affected indigenous peoples is vital, particularly if project impacts displace any indigenous people community or individuals, disrupt livelihood, affects their customary rights over land, forest, water, and other natural resources, or put obstacles to cultural heritage sites. Grievances may be caused by any of these adverse impacts and need to be resolved as quickly as possible, with consent and consultation with the indigenous people community or their representatives.

46. A project-specific multi-tier GRM will be in place to receive, evaluate, and facilitate complaints and grievances of the affected persons in relation to the project's social and environmental performances. Indigenous People-related concerns will also be integrated in this process to inquire, investigate, and apply mitigation measures for resolving issues. The main objective of this common GRM will be to provide time-bound action and transparent mechanisms to resolve indigenous peoples' concerns due to adverse impact of the project. This common GRM will be regarded as an accessible and trusted platform for receiving and facilitating all project related complaints and grievances raised by the indigenous people community. The multi-tier GRM for the program will have realistic time schedules to address grievances, and specific responsible persons identified to address grievances, and to whom the indigenous people community has access to interact easily. Awareness on grievance redress procedures will be created through a public awareness campaign, with the help of print and electronic media and radio. The implementing NGO will ensure that the indigenous people are made aware of the GRM and their entitlements and assured that their grievances will be redressed adequately and in a timely manner. However, where indigenous peoples or the community are not literate in languages other than their own, special assistance will be sought from community leaders, community-based organizations (CBOs), and NGOs having knowledge of their language, culture, or social norms, or having working experience among the indigenous people community, who will help the indigenous peoples express their concerns, consult about mitigating measures, and explain to them the project and its potential impact on the indigenous people community.

47. Where indigenous people communities or their representatives are educated and literate in the local language of the mainstream, they will be informed about multiple means of registering grievances and complaints: by dropping grievance forms in complaint/suggestion boxes at

accessible locations, or through telephone hotlines, email, post, or writing in a complaint register book in the PIU's project office. There will also be a complaint register book and complaint boxes at the construction site office to allow a quick response to their grievances/ complaints on urgent matters. The name, address, and contact details of the persons, with details of the complaint/grievance, location of problem area, and date of receipt of complaint will be documented. One special officer on tribal affairs will be recruited to register and sort out grievances and complaints of the indigenous people community, and who will assist PMU's safeguard officer for registration of grievances and communication with the aggrieved indigenous people community for timely resolution of the issues. A project information disclosure (PID) leaflet, which will include contact numbers of the respective PIU offices responsible for the implementation of VCICDP, is to be distributed to all affected indigenous people communities and individuals. (Appendix 5 presents the typical structure of a PID leaflet).

## **1. Grievance Redress Process**

48. There will be several tiers for grievance redress. For urgent matters that need immediate attention, supervision consultants and contractors will provide easily accessible contact details for speedy resolution. The name, designation, and contact number of personnel responsible for grievance redress—that is, the safeguard manager, special officer on tribal affairs, and the key person of the implementing NGO—will be posted in the contractor's and PMSC's site office in full view of the public. If possible, this will be translated into tribal language, if any written form exists, or in a language understandable to the indigenous people. Simple grievances and those needing immediate redress will be resolved onsite by the contractor and the PMSC engineer. If the grievance is not addressed in 7 days at field level, they will be escalated to the safeguard manager and special officer on tribal affairs at the PIU. During all these activities, the implementing NGO will maintain liaison and assist the aggrieved IPs/ communities. Grievances of an immediate and urgent nature should be resolved at PIU level within 15 days of registration of grievances, in written form. The assistance of the implementing NGO will be sought. If necessary, a joint field visit should be made by the PIU safeguards manager and special officer on tribal affairs, the local NGO at PIU level, and the site engineers from the contractor's and PMSC's office to verify justification and nature of the grievances, and seek mitigation measures to resolve the grievance, with consultation with the indigenous peoples, community, and representatives.

49. Major grievances that cannot be resolved at PIU level will be forwarded to the grievance redress committee (GRC) set up at district level under the chairmanship of the District Collector and having the District Tribal Welfare Officer as member. For addressing issues related to the indigenous people community, one expert member will be inducted into the committee who will provide best judgment and advice to resolve issues of the indigenous peoples. The GRC will try to resolve the issues within 30 days. All documents related to grievances and follow-up action taken to resolve them, along with an explanatory note on the nature, seriousness, and time taken for grievance redress, shall be prepared by the PIU special officer on tribal affairs and circulated to GRC members at least one week prior to the scheduled meeting. The decision taken at the GRC level will be communicated to the indigenous peoples/ community by the PIU and the implementing NGO. Despite the project GRM, an aggrieved person shall have access to the country's legal system at any stage and accessing the country's legal system can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.



## **2. District Level GRC composition for Indigenous People**

50. The existing district monitoring committee for TSP will be used for IPP monitoring and grievance redress. The GRC for indigenous people will have as members:<sup>17</sup> (i) district collector/deputy commissioner (DC) of the district as Chairperson, (ii) revenue department (registrar) official, (iii) IPP NGO and PMSC social safeguard specialist; (iii) PIU social safeguard officer/special officer on tribal affairs, who will request for inclusion of indigenous people communities' issues related to VCICDP in the periodic meeting of the district monitoring committee and shoulder responsibility of keeping records of grievances/complaints in detail, with help from the resettlement NGO, (v) expert on tribal affairs; and (v) DTWO as convener. Hence, the existing structure of the district monitoring committee will remain; and project-related social safeguard/tribal welfare officers will join the meeting of the district monitoring committee for discussions on any grievances / complaints lodged by indigenous people, that cannot be resolved at field level. Other members, such as NGO/CBO representatives, ward council/tribal gram sabha representatives, and other indigenous people community representatives will be selected by the DTWO to represent them in the GRC meeting. The NGO should also deploy one person in the team who will be responsible for coordinating with all GRC members and the displaced persons for grievance redress.

## **3. State Level GRC composition**

51. Unlike the district level, there will be no separate GRC at the State level for indigenous people, as all issues are expected to be resolved at the district level itself. In case of any issue that remains unresolved or spills beyond the jurisdiction of a single district, the matter will be referred to the PMU/State-level GRC which will be set up for the overall project, which will have the Director Tribal Welfare as special invitee, along with the concerned District Collector(s) and DTWOs, IPP implementing NGO and indigenous people representatives. The State Level GRC will attempt to resolve issues within 30 days.

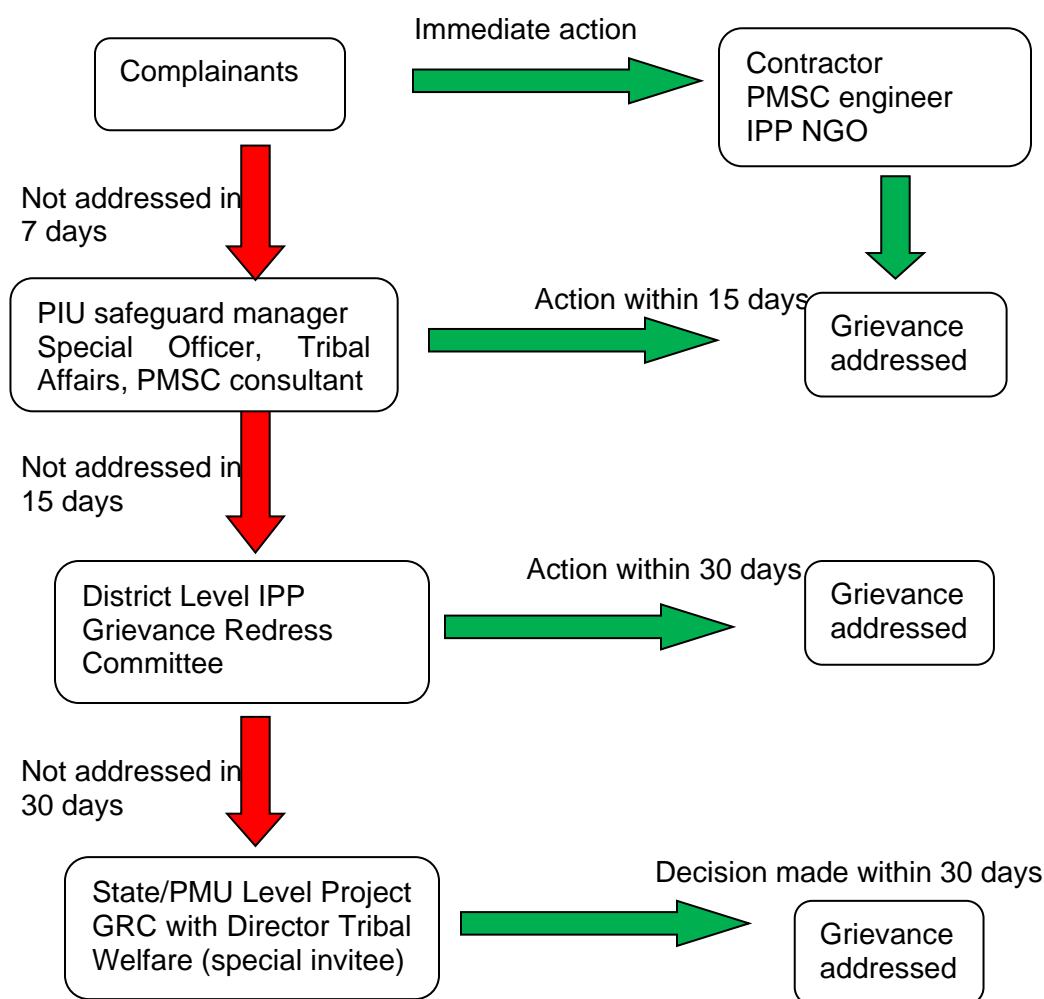
52. Since indigenous people issues typically cannot be resolved in a hurry, the GRM proposes adequate time at each stage.

## **4. ADB Accountability Mechanism**

53. In the event that the established GRM is not in a position to resolve the issue, the indigenous people, as affected person, can also use the ADB Accountability Mechanism by directly contacting (in writing) the Complaint Receiving Officer (CRO) at ADB headquarters or ADB India Resident Mission. The complaint can be submitted in any of the official languages of ADB's developing member countries. The ADB Accountability Mechanism information will be included in the PID to be distributed to the affected communities, as part of the project GRM.

---

<sup>17</sup> The project GRC at PIU level is conceived as a committee that deals mainly with LARR issues (apart from environmental issues). Since IP issues may be more than just LARR, linked with the IP community's sentiments and concerns, a district level GRC using the existing TSP monitoring setup is proposed.

**Figure 1: Grievance Redress Process**

IPP = indigenous people plan; NGO = nongovernment organization; PIU = project implementation unit; PMSC = project management and supervision consultants; PMU = program management unit.

## **V. STRATEGY FOR INDIGENOUS PEOPLES PARTICIPATION**

54. Consultations and information disclosure are an integral part of IPP preparation in order to ensure that the priorities, preferences, and needs of the tribal groups have been taken into consideration adequately. With that objective in view, a strategy for consultation with tribal communities and their leaders will be developed so that these are conducted in a participatory manner. The PIU will be fully involved in evolving the strategy and consultation process.

55. The affected indigenous peoples will be actively engaged in all stages of the project cycle, including project preparation, and feedback of consultations with the indigenous peoples will be reflected in the project design, followed by disclosure. Their participation in project planning will inform project design, and the indigenous peoples should be convinced of their benefits from the project. The IPP prepared will be translated into the local language of the indigenous peoples and made available to them before implementation by the PIU, with assistance from NGO. The

draft/updated Indigenous People Planning Framework (IPPF) as well as the draft/updated RIPP/IPP will be disclosed on the websites of the PMU, PIU and ADB. The draft/updated IPPF/RIPP/IPP will be disclosed to affected indigenous peoples groups if any, in a language understood by them.

56. Local CBOs/tribal community representatives will be involved in RIPP/IPP implementation and resolving all issues related to the RIPP/IPP through consultation and facilitation by the implementing NGO. The GoAP through the concerned PIU will ensure adequate flow of funds for consultation and facilitation of planned activities within RIPP/IPP. Meaningful consultations were carried out including as part of ADB missions to understand the concerns and issues of the affected tribal community. The opinions and perceptions of the affected persons belonging to scheduled tribes, and of concerned stakeholders were obtained during these consultations. The tribal community was appraised about the provisions of the project IPPF including the availability of the GRM to address their grievances if any. Consultations with the tribal community will continue throughout the project implementation period.

57. One PID brochure will be prepared, translated into a language understandable to the IPs, and distributed among them. Appendix 5 provides the template for the PID.

## **VI. BENEFITS OF THE PROJECT AND MITIGATION OF ADVERSE IMPACTS**

58. The main thrust of the IPP is to address the potential adverse impacts of the development project, taking into consideration the marginality and vulnerability status of the tribal community. The IPP will be formulated in such a way that the indigenous peoples groups will have development options built into the project design which are in accordance with their needs, and at the same time preserve their distinctive sociocultural identity. The IPP will also focus on developmental strategy that encourages and strengthens their existing skill so that the indigenous peoples are able to derive benefits from project intervention.

59. Based on the significance and nature of the project impact on the indigenous people community, the affected indigenous peoples will be entitled to various compensation packages. Where land acquisition is essential, indigenous peoples are entitled to receive land-for-land compensation for acquired land, if feasible. Their traditional customary right over land use will be protected. Absence of legal title over land will not be a bar to receiving compensation for land or alternate land. They will be entitled to all types of compensation and assistance as defined in the Resettlement Framework of the project. All compensation and assistances will be paid prior to start of project civil work.

60. In addition, the affected indigenous peoples are entitled to: (i) special assistance earmarked for the vulnerable group to restore their livelihood; (ii) improvements in their economic condition and better quality of life; and (iii) maintaining their cultural identity. The indigenous people community living in the project impact zone will prepare the mitigation action plan to address the adverse issues, with support from DTWO officials, PIU officials, and PMSC to give shape to their plan of action.

61. If the indigenous people impacts are not significant, the PIU in consultation with PMSC could decide to prepare a "specific action" plan detailing required actions to address the IP issues without preparing a stand-alone IPP. This decision will depend on the severity of impacts. This "specific action" plan can be a community action plan where the indigenous people groups live with non-indigenous peoples in the same subproject location. Another way is to incorporate

indigenous people issues and their benefits into the Resettlement Plan, if any. If the above are not feasible, it is possible to specifically include them in the subproject beneficiary group.

## VII. INSTITUTIONAL ARRANGEMENTS

### A. Existing Institutional Structure

62. **National level:** The Ministry of Tribal Affairs was constituted in October 1999 by bifurcating the Ministry of Social Justice and Empowerment with the objective of more focused attention on integrated socioeconomic development of scheduled tribes in a coordinated and planned manner. The Ministry of Tribal Affairs is the nodal ministry for overall policy, planning, and coordination of development programs for scheduled tribes. Apart from this, the National Commission for Scheduled Castes and Scheduled Tribes issues directions on the drawing up and execution of schemes essential for the welfare of scheduled tribes.

63. **State level:** The GoAP's Department of Tribal Welfare is headed by a Commissioner/Director. The Department of Tribal Welfare provides social justice and economic upliftment to the tribes. The Director of Tribal Welfare is the chief controlling officer for the department's budget. He/she formulates, directs the process of implementation and monitors the progress of all tribal development programs in the State. He/she coordinates with other departments on implementation of TSP and also implementation of constitutional safeguards.<sup>18</sup>

64. Apart from these national and state-level institutions that cater to the fulfillment of needs of the indigenous people, in case of identification of any indigenous peoples issues, the PMU and PIU should have an officer or personnel specially trained in handling issues related to indigenous peoples. It is advisable to provide a special course to train them in understanding tribal issues, customary rights, and laws protecting their rights and cultural heritage, particularly natural resource management. There should be dedicated persons at the PIU level who will be responsible for handling project-related indigenous peoples issues, and they will be given special capacity development training for the benefit of the project. The implementing NGO should preferably appoint one local person having knowledge of the indigenous people community, their socioeconomic and cultural background, and their customary rights over land, forest, water, wildlife, and other natural resources. However, if such person is not available for inclusion in the team, one dedicated person should be trained in these matters to implement indigenous people-related project components and resolve issues concerning the indigenous people.

### B. Institutional Arrangements for Preparing and Implementing IPPs

65. No negative impacts on indigenous peoples are envisaged in the tranche 1 subprojects under VCICDP for the identified sites and alignments. Only 1 subproject in tranche 2 (package-VCICDPT2-APIIC/06A) has impacts on scheduled tribes due to resumption of government land. Relocation impact to the scheduled tribe households will be avoided. The PIUs will be the responsible body for implementing the IPP, if required, and they will recruit a full-time qualified resource person experienced in similar work, as the Special Officer, Tribal Welfare. The Safeguard Manager appointed for Resettlement Plan implementation activities will also be involved in IPP preparation and implementation activities. The designated staff of the PIU (Special Officer Tribal Welfare) will coordinate with the DTWO under the Department of Tribal Welfare during implementation of all IPP activities. District revenue officials will provide necessary help and guidance in conducting preliminary indigenous people screening, which will be the primary

---

<sup>18</sup> <http://aptribes.gov.in/>

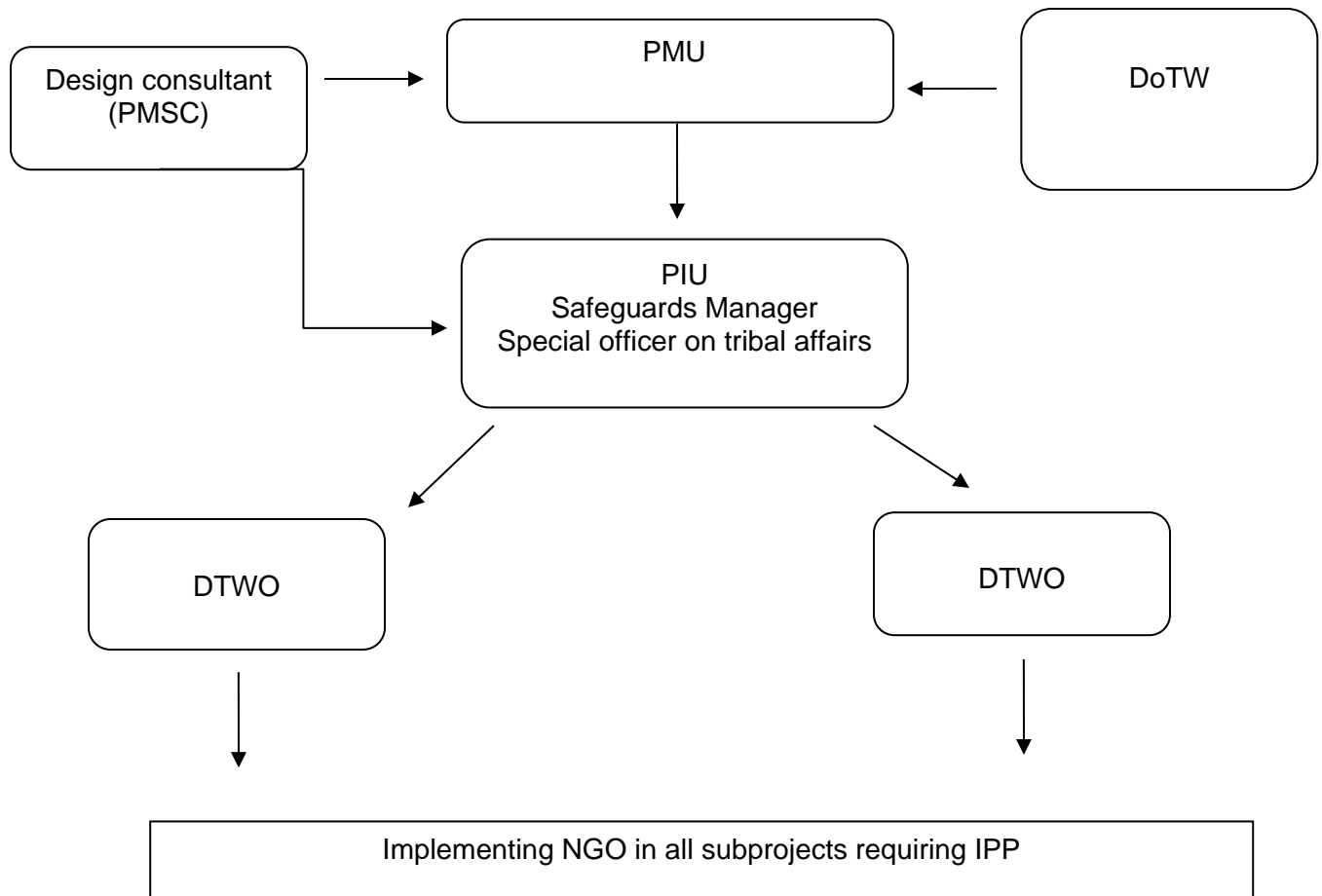
task of designated staff of PIUs. Based on this screening, PIUs will finalize design of the subproject component sites and alignment, wherever necessary.

66. Based on preliminary screening results, the PIU will recommend SIA. The project's consultants PMSC will undertake SIA to evaluate requirements for the IPP under the project. Designated staff from the PIU will monitor the SIA survey, while the DTWO will provide required help to the PMSC during SIA. The report will be submitted to PIU. The safeguards manager at PIU office will recommend if an IPP is required based on project impacts.

67. If an IPP is recommended, the PMSC, will prepare the IPP in consultation with the designated PIU staff and the DTWO. In all these activities, the state's existing administrative set-up for tribal affairs, namely the Department of Tribal Welfare, will be consulted, and an orientation on a participatory approach will be provided by the responsible officers of these departments.

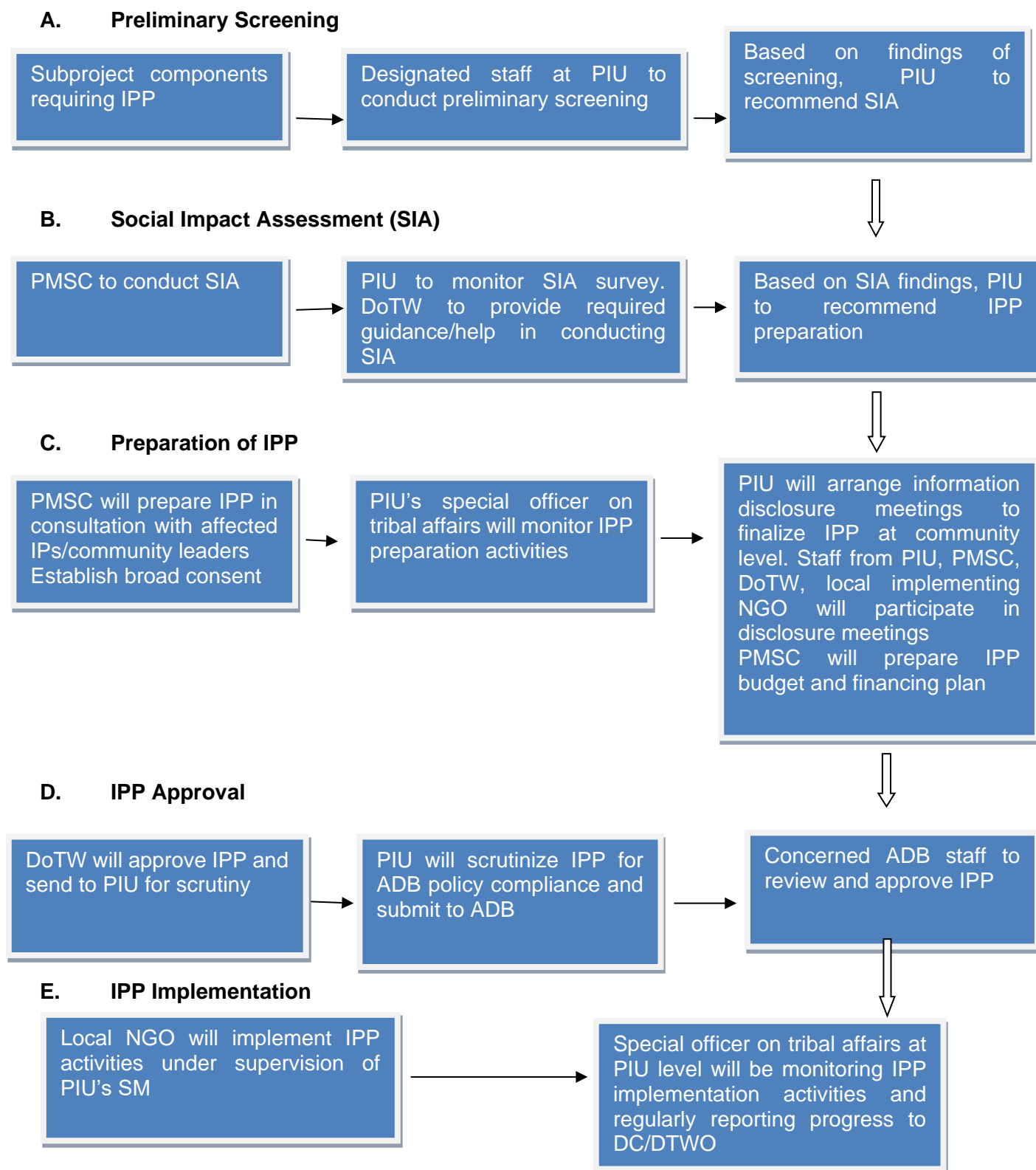
68. The draft IPP will be approved by the Department of Tribal Welfare, which will scrutinize whether all provisions have been made in accordance with the existing laws pertaining to protection of the interest and welfare of tribal communities. The PIU and PMU will scrutinize the draft IPP for compliance with ADB guidelines and SPS policy and send it to ADB for approval. ADB will review and approve the IPP after incorporation of observations, if any, by the PIUs for IPP implementation. After the final approval from ADB, PIU will undertake IPP implementation.

69. The PIUs will be directly responsible for implementation of IPP for each subproject component. An NGO appointed by the PIU will facilitate IPP action plan implementation. The safeguard officer at PMU, safeguard manager at the PIU supported by the special officer on tribal affairs, will monitor IPP implementation periodically along with an independent agency (apex NGO) appointed by the PMU. Appendix 6 gives the institutional roles and responsibilities for preparation and implementation of the IPP. Diagrams in Figures 2 and 3 show the flow of activities for IPP implementation.

**Figure 2: IPP Implementation Arrangements**

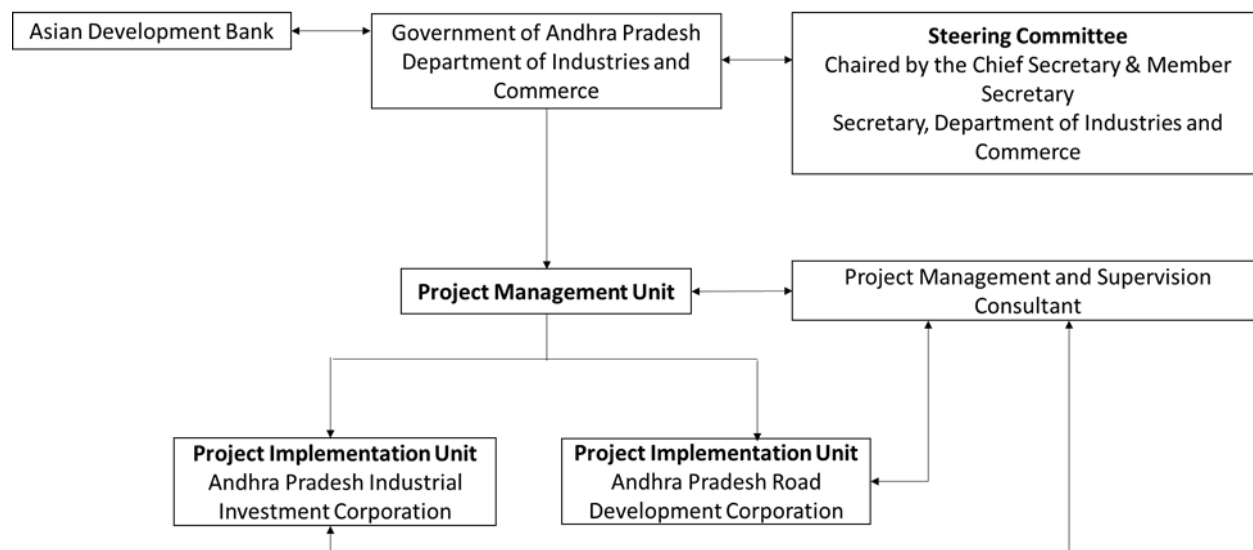
DoTW = Department of Tribal Welfare; DTWO = District Tribal Welfare Officer; IPP = indigenous people plan; NGO = nongovernment organization; PIU = project implementation unit; PMSC = project management and supervision consultants; PMU = project management unit

Figure 3: IPP - Flow of Planned Activities



70. The GOAP will ensure that all the requirements prescribed in the framework financing agreement and the VCICDP safeguard frameworks i.e. (i) environmental assessment and review framework (EARF), (ii) resettlement framework, and (iii) indigenous peoples planning framework (IPPF) will be complied with during processing and implementation of VCICDP. The project organization structure<sup>19</sup> is provided below in Figure 2.

**Figure 4: Project Organization Structure**

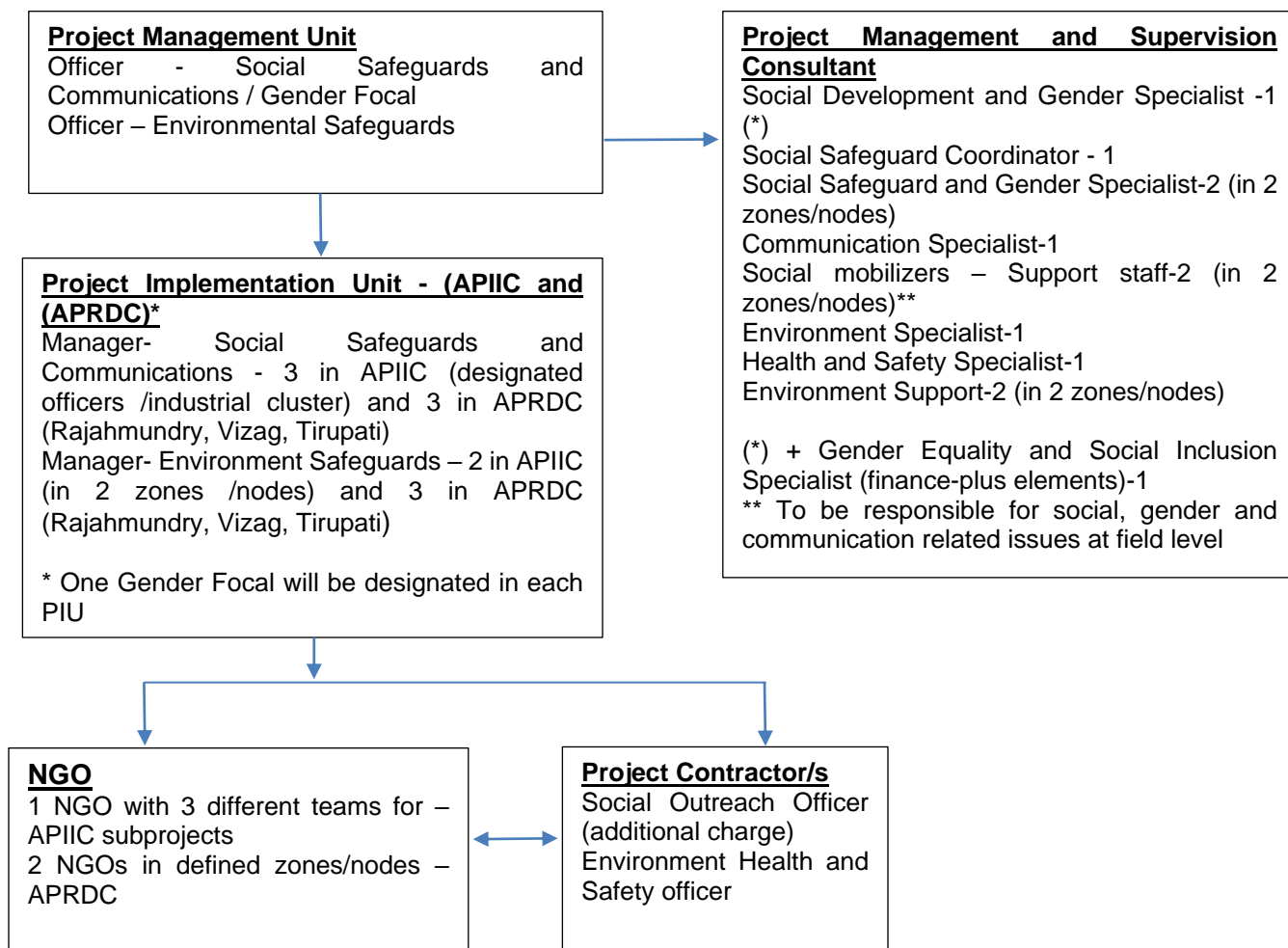


71. Safeguard frameworks for VCICDP cover the institutional arrangements (including budget and capacity requirements) and government's and ADB's responsibilities and authorities for the preparation, review and clearance of safeguard documents. The requirements have been reviewed and updated in view of learning from Project 1 implementation and resource deployment needs assessed for Project 2 implementation. Updated institutional arrangements applicable to VCICDP for safeguards compliance is provided in Figure 3.

72. As per the arrangement, safeguards will be the responsibility of the PMU and the respective PIUs. The PMU and PIUs will be supported by experts as part of the PMSC and resettlement plan implementation nongovernment organizations (NGOs). All executing and implementing agencies will ensure that VCICDP is implemented with active participation of all stakeholders, using participatory practices, and consultation will continue throughout implementation of the Investment Program. Disclosure of relevant information to these stakeholders will continue throughout implementation of the Investment Program. Roles and responsibilities of PMU, PIU and other implementation support agencies is elaborated later in this chapter.

<sup>19</sup> Organization structure during implementation of Project 1 had APTransco and GVMC as additional PIUs. In Project 2 only APIIC and APRDC are the PIUs.



**Figure 5: Safeguards and Gender Organogram****A. Project Management Unit (PMU)**

73. The State of Andhra Pradesh through the DoI will be the Executing Agency for the project and the Project Director, Directorate of Industries will head the PMU and will be in charge of overall coordination between the various PIUs and in prioritizing subprojects for subsequent tranches based on social safeguards compliance. A Project Steering Committee will be established to advise the PMU on policy, monitor the implementation of the Investment Program, and coordinate with PIUs on cross-cutting issues.

74. The officer - social safeguard and communications in the PMU with assistance from PMSC social safeguards coordinator will:

- (i) review the updated resettlement plans/RIPP, prepared by the PIUs in accordance with VCICDP resettlement framework, ADB's Safeguard Policy Statement, 2009 based on final detailed designs and submit to ADB for review, final approval, and disclosure prior to award of contract;
- (ii) ensure payment of compensation and resettlement assistances prior to commencement of civil works;
- (iii) monitor resettlement plan/RIPP implementation and rehabilitation of displaced

- persons prior to and during construction;
- (iv) conduct internal monitoring and assist the external monitor in external monitoring of the resettlement process to ensure smooth implementation;
- (v) monitor work of NGOs or agency as required;
- (vi) review quarterly resettlement monitoring reports prepared by resettlement agency or NGOs and take required corrective actions, if any and consolidate the reports of all subprojects;
- (vii) prepare and submit semi-annual safeguard monitoring report to ADB based on the quarterly resettlement reports;
- (viii) address and record grievances through the GRM in a timely manner, and taking quick corrective actions where necessary to facilitate the redressal of grievances in coordination with contractors, NGO, and displaced persons;
- (ix) engage in ongoing meaningful consultations with stakeholders and affected persons;
- (x) implement project GRM and maintain the records;
- (xi) recruit independent external monitoring agency for all Category A subprojects, with endorsement from ADB;
- (xii) ensure project compliance to resettlement framework of VCICDP and ADB Safeguard Policy Statement, including safeguards requirement on indigenous people and Indigenous Peoples Development Framework;
- (xiii) monitor the implementation of corrective action plans, if any, consistent with the safeguard frameworks;
- (xiv) Coordinate database management for social safeguards implementation and monitoring;
- (xv) Coordinate public awareness campaigns by the PIUs including resettlement provisions;
- (xvi) Serve as Gender Focal Point at PMU, which would involve overseeing – with the support of PMSC, the implementation, monitoring and reporting on the gender equality and social inclusion action plan (GESI AP);
- (xvii) ensure implementation of the specific action plan proposed in the RIPP; and
- (xviii) Ensure skills training for vulnerable and economically weak people including project affected persons, scheduled tribe and women.

## **B. Roles of PIUs in Project 1 implementation**

75. PIUs will be set up in each of the implementing agencies. The road subprojects will be implemented by APRDC PIU; the energy subprojects will be implemented by APTransco PIU; the infrastructure subcomponents proposed in the industrial estates and special economic zones will be implemented by APIIC PIU; and urban infrastructure subprojects in GVMC area will be implemented by GVMC PIU. The respective PIUs will be responsible for screening subprojects, categorization based on involuntary resettlement and/or indigenous peoples impacts, conducting the social assessment, preparation and implementation of Resettlement Plans and/or Indigenous Peoples Plan as required, and as outlined in this Resettlement Framework. Roles of PIUs during Project 1 and Project 2 implementation is discussed below.

76. **APRDC:** The road subprojects will be implemented by APRDC and the Social Management Unit comprising of the Sociologist (R&B) and Deputy Collector (R&B), at the head office of APRDC in Hyderabad, will be responsible for subproject compliance to social safeguards and concurrent internal monitoring of Resettlement Plan /Indigenous Peoples Plan (IPP)

implementation.<sup>20</sup> The role is to implement the policies and operational procedures of Resettlement Framework and IPP, and requirements under the Gender Equity and Social Inclusion (GESI) Plan.

77. The following are the envisaged responsibilities of the sociologist:

- (i) Update the draft Resettlement Plans<sup>21</sup> and preparation of Resettlement Plans implementation plan in consultation with affected people and the project manager;
- (ii) Recruit and oversee the performance of implementation NGO;
- (iii) Mobilize community and initiate public consultations in coordination with the PMU including public dissemination of project GRM ;
- (iv) Ascertain the extent of private land to be acquired and extent of government to be transferred and liaison with the jurisdictional RDO and concerned government departments in getting possession of the same.
- (v) Initiate engagement of a Resettlement Plan implementation support NGO/agency to assist the field units in Resettlement Plan implementation.
- (vi) Review and approve micro plans, containing the list of displaced persons and their entitlements, prepared by field units.
- (vii) Translate and disclose the final Resettlement Plans and/or micro plans into language and forms that are appropriate and understood by the affected people;
- (viii) Obtain necessary approval for the micro plans and make necessary funds available for disbursement and for development of resettlement sites.
- (ix) Coordinate with Joint Collector and field units in identifying suitable land for resettlement sites and monitor the progress of development of site and relocation of displaced persons.
- (x) Prepare, review, certify progress and compliance of Resettlement Plan implementation to the project manager and/or Superintending engineer;
- (xi) Closely monitor and evaluate the status of socio economic of the affected people in each subproject as reported in the monthly progress report from PIU, especially vulnerable/poor people that will experience permanent physical/economical displacements from road subprojects. If the affected households are becoming economically worse off due to the subproject activities corrective action plan will have to be prepared and implemented to bring back the economic status of the affected households into pre project level;
- (xii) Ensure that disbursement decision takes into account the successful completion of the Resettlement Plan, GESI, and IPP implementation.
- (xiii) Ensure complete payment, readiness of relocation sites and the required resettlement assistance provided to the identified affected persons **prior to** economic and physical displacement and starts of civil works/awards of contracts in the affected areas;
- (xiv) Prepare and submit monthly social safeguard implementation and progress reports to PMU;
- (xv) Undertake internal monitoring of the progress made in Resettlement Plan implementation through the NGO and take necessary corrective actions, if required;
- (xvi) Participate, facilitate on the implementation of project GRM and problem solving;
- (xvii) Maintain Resettlement Plans and GRM data base; and

---

<sup>20</sup> The GOAP has proposed to continue services of the existing PMSC (for Project 1) through contract variations to address changes made in resource deployment requirements for Project 2.

<sup>21</sup> The GOAP has proposed to continue services of the existing PMSC (for Project 1) through contract variations to address changes made in resource deployment requirements for Project 2.

- (xviii) Ensure submission of final Resettlement Plans to PMU for ADB review, approval and disclosure.

78. **APTransco:** The energy subprojects will be implemented by APTransco. The subprojects of APTransco involve construction of substations, transmission towers and drawing/laying of transmission and distribution cables. The jurisdictional Assistant Divisional Engineer (ADE) will be designated Safeguard Manager, Social and Gender and will be responsible for social safeguards compliance. The Safeguard Manager, Social and Gender at APTransco PIU will be responsible for subproject compliance to social safeguards and concurrent internal monitoring of Resettlement Plan implementation. The PIU will use the services of safeguards personnel from PMU and PMSC for support, as APTransco will be developing infrastructure on land transferred by agencies such as APIIC/ Government. The role of APTransco PIU related to social safeguards is to implement the policies and operational procedures of Resettlement Framework and IPP, and requirements under the GESI Plan.

79. The following are the specific responsibilities of the Safeguards Manager (Social and Gender):

- (i) Update the prepared draft Resettlement Plans<sup>22</sup> and preparation of Resettlement Plans implementation plan in consultation with the project manager;
- (ii) Monitor and initiate public consultations in coordination with the PMSC experts/Turnkey contractors and PMU including public dissemination of project GRM ;
- (iii) Conduct meaningful consultation with the vulnerable groups for the design and implementation of livelihood rehabilitation/income restoration program;
- (iv) Prepare, review, certify progress and compliance of Resettlement Plans implementation to the project manager and/or Superintending engineer;
- (v) Ensure that disbursement decision takes into account the successful completion of the Resettlement Plan, GESI and IPP implementation;
- (vi) Ensure complete payment and the required resettlement assistance provided to the identified affected persons prior to economic and physical displacement and starts of civil works/awards of contracts in the affected areas;
- (vii) Monitor the socio-economic status of the vulnerable people losing their access to assigned lands or diminution of land value due the constructions of substations and transmission towers. If negative impacts are identified prepare the necessary corrective action plan to bring back their socio-economic status to the pre project level;
- (viii) Prepare and submit monthly social safeguard implementation and progress reports to PMU;
- (ix) Participate, facilitate on the implementation of project GRM and problem solving;
- (x) Maintain Resettlement Plans and GRM data base; and
- (xi) Ensure submission of final Resettlement Plans to PMU for ADB review, approval and disclosure.

80. **APIIC:** The infrastructure subcomponents proposed in the industrial estates/special economic zones will be implemented by APIIC. The Deputy Zonal Manager (Electrical) at head office of APIIC at Vijayawada will be designated as the Safeguard Manager, Social and Gender and will be responsible for social safeguards compliance. The role of the Safeguard Manager is

---

<sup>22</sup> The GOAP has proposed to continue services of the existing PMSC (for Project 1) through contract variations to address changes made in resource deployment requirements for Project 2.

to implement the policies and operational procedures of Resettlement Framework, IPP, and requirements under the GESI Plan.

81. The following are the specific responsibilities of the Safeguard Manager:
- (i) Update/confirm the prepared draft Resettlement Plans and/or DDRs<sup>23</sup> based on detailed design and reflecting any design changes and/or site changes; and preparation of Resettlement Plans implementation plan in consultation with the project manager;
  - (ii) Mobilize community and initiate public consultations in coordination with the PMU including public dissemination of project GRM ;
  - (iii) Prepare, review, certify progress and compliance of Resettlement Plans implementation to the project manager/ Superintending engineer;
  - (iv) Ensure that disbursement decision takes into account the successful completion of the Resettlement Plan, GESI and IPP implementation;
  - (v) Ensure complete payment and the required resettlement assistance provided to the identified affected persons **prior to** economic and physical displacement and starts of civil works/awards of contracts in the affected areas;
  - (vi) Prepare and submit monthly social safeguard implementation and progress reports to PMU;
  - (vii) Participate, facilitate on the implementation of project GRM and problem solving;
  - (viii) Maintain Resettlement Plans and GRM data base; and
  - (ix) Ensure submission of final Resettlement Plans to PMU for ADB review, approval and disclosure.

82. The Land Acquisition Officer in APIIC, a retired officer of joint collector cadre, will be responsible for land acquisition involved in subprojects, if any. The Land Acquisition Officer will ascertain the extent of private land to be acquired and extent of government to be transferred and liaison with the jurisdictional RDO and concerned government departments in getting possession of the same.

83. **GVMC:** The urban infrastructure subprojects in GVMC area will be implemented by GVMC. A PIU will be established in GVMC. The Executive Engineer (Projects) at head office of GVMC at Vishakhapatnam will be designated as the Safeguard Manager, Social and Gender and will be responsible for social safeguards compliance. The role of the Safeguard Manager is to implement the policies and operational procedures of Resettlement Framework and IPP, and requirements under the GESI Plan. The following are the responsibilities of the Safeguard Manager related to Resettlement Plan implementation:

- (i) update resettlement plans in accordance with VCICDP Resettlement Framework, ADB's SPS, 2009 based on final detailed designs with supports from PMSC and/or turnkey contractors;
- (ii) submit the final Resettlement Plans to PMU to be submitted to ADB for review, final approval, and disclosure prior to award of contract;
- (iii) the implementation of R&R activities in coordination with line departments and revenue officials;
- (iv) prepare and review of individual entitlement plans and/or micro plans or implementing Resettlement Plan and submit for approval;

---

<sup>23</sup> The GOAP has proposed to continue services of the existing PMSC (for Project 1) through contract variations to address changes made in resource deployment requirements for Project 2.

- (v) identify suitable land for the resettlement and/or relocation area in coordination with District administration and initiate transfer and/or acquisition process, after receiving endorsement for the physically displaced persons;
- (vi) supervise the contractor in Resettlement Plan implementation, in particular, implementation of impact avoidance and mitigation measures;
- (vii) assisting in disbursement of compensation and resettlement assistances;
- (viii) holding periodical and meaningful consultations with the affected people on implementation of Land Acquisition and R&R activities;
- (ix) Closely monitor and evaluate the status of socio-economic of the affected people in each subproject as reported in the monthly progress report from PIU, especially vulnerable/poor people that will experience permanent physical/economical displacements. If the affected households are becoming economically worse off due to the subproject activities corrective action plan will have to be prepared and implemented to bring back the economic status of the affected households into pre project level;
- (x) preparing monthly Resettlement Plan implementation and physical and financial progress reports;
- (xi) lead the GRM implementation and record keeping at the project/district/PIU level;
- (xii) updating payment of compensation, disbursement of resettlement assistances, displaced persons socio-economic data in the database; and
- (xiii) verification of claims for inclusion as displaced persons and submit report to PMU for decision.
- (xiv) Prepare and implement any corrective action plan, when required, consistent with the frameworks requirements.
- (xv) Ensure submission of final Resettlement Plan to PMU for ADB review, approval and disclosure

### **C. Roles of PIUs in Project 2 implementation**

84. The PIUs, 3 in APIIC (at Rambilli, Nakkapalli, and Chittoor–South) and 3 in APRDC (at Rajahmundry, Vizag, Tirupati), each to be staffed with a manager-social safeguards and communications and assisted by the PMSC specialists, will be responsible for:

- (i) updating resettlement plans/RIPP in accordance with VCICDP resettlement framework, ADB's Safeguard Policy Statement, 2009 based on final detailed designs with supports from PMSC and/or turnkey contractors;
- (ii) supervising NGOs and in coordination with PMSC conducting census and socio-economic surveys, detailed measurement surveys, and verification surveys of affected persons, consultations with affected persons, finalizing the list of affected persons, preparing and/or updating the resettlement plan, RIPP with the assistance of PMSC and submit to PMU for review and approval and submission to ADB;
- (iii) submitting the final resettlement plans/RIPP to PMU to be submitted to ADB for review, final approval, and disclosure prior to award of contract;
- (iv) implementing resettlement activities through resettlement plan implementation support agency (NGO), line departments, and revenue officials;
- (v) assisting the external monitor in external monitoring of the resettlement process to ensure smooth implementation;
- (vi) preparing and reviewing individual entitlement plans/micro plans or implementing resettlement plans and submit for approval;
- (vii) identifying suitable land for the resettlement/relocation area in coordination with district administration and initiate transfer/acquisition process, after receiving endorsement for the physically displaced persons;

- (viii) supervising the resettlement plan implementation support NGO/agency involved in implementation;
- (ix) assisting in disbursement of compensation and resettlement assistances;
- (x) holding periodical and meaningful consultations with the affected people on implementation of land acquisition and resettlement activities;
- (xi) preparing monthly resettlement plan implementation and physical and financial progress reports;
- (xii) leading the GRM implementation and record keeping at the project/district/PIU level;
- (xiii) updating payment of compensation, disbursement of resettlement assistances, displaced persons socioeconomic data in the database;
- (xiv) verifying claims for inclusion as displaced persons and submit report to PMU for decision;
- (i) preparing and implementing any corrective action plan, when required, consistent with the frameworks requirements;
- (ii) assisting in the implementation, monitoring, and reporting progress of gender equality and social inclusion action plan;
- (iii) ensure implementation of the specific action plan for Chittoor – South startup area;
- (iv) ensuring skills training for vulnerable and economically weak people including project affected persons, scheduled tribe, and women.

#### **D. Project Management and Supervision Consultant**

85. The PMSC,<sup>24</sup> reporting to the PMU will work under the overall guidance, technical control, and direction of the project director at PMU.<sup>25</sup> The PMSC will assist PMU to review and ensure resettlement plans/RIPPs are prepared, updated based on detailed design and as per agreed resettlement framework/IPPF and submit to ADB for approval. The PMSC will also assist PMU in implementation and monitoring of overall resettlement plan/RIPP activities, recommend corrective action measures for non-compliance, if any. PMSC will assist in preparation of monitoring reports, continued public consultations and grievance redressal. Adequate training of project staff on social and indigenous peoples safeguards will be PMSC responsibility. PMSC will assist PMU to ensure that the project complies with loan covenants and assurances related to social safeguards. Assisting PMU in implementation of GESI AP and community awareness and participation plan (CAPP) will be PMSC's responsibility. PMSC is expected to extend all support to external monitor in external monitoring of the resettlement process to ensure smooth implementation. PMSC will have a Social Safeguards Coordinator stationed at PMU. The Social Safeguards Coordinator will be supported by two Social Safeguards Specialists stationed at the two zones/nodes and will support the coordinator in all social safeguards activities including resettlement plan/RIPP updating and implementation. Two social mobilizers (one in each zone/node) in the PMSC will provide field level support for social safeguards, gender mainstreaming and communication activities.

#### **E. Resettlement Plan/Resettlement and Indigenous Peoples Plan Implementation Support Agencies/Nongovernment Organizations**

86. The Support Agencies/NGOs financed by the government will assist the respective PIUs in carrying out rehabilitation and resettlement activities at the grass root level as per the approved

<sup>24</sup> The GOAP has proposed to continue services of the existing PMSC (for Project 1) through contract variations to address changes made in resource deployment requirements for Project 2.

<sup>25</sup> The GOAP proposed these services to be provided by the existing PMSC through contract variations.

resettlement plan/RIPP of respective subprojects. The project NGOs will support the project in (i) collecting data and managing and maintaining records related to affected persons, their entitlements, and compensation; (ii) educating the displaced persons on their eligibility, entitlements and obligations; (iii) translating the summary of resettlement plan/RIPP in local language for disclosure and disseminate to displaced persons; (iv) conducting meaningful consultations and ensuring that the displaced persons receive their entitlements as per their eligibility in accordance with the resettlement plan; (v) support PIU in implementation of the specific action plan included in the RIPP (for Chittoor–South startup area; (vi) providing support and information to displaced persons for income restoration, skill training opportunities; (vii) assisting the displaced persons in redressing their grievances through the GRM established for the project, and maintaining records of the status of grievance registration, resolution, and feedback to affected persons; (viii) assisting displaced persons in compiling all documents and papers required for receipt of compensation; and (ix) and maintaining records of consultations with affected persons including meeting minutes, photographs, and signature sheets. The NGOs will work in close coordination with the project contractors to ensure smooth implementation of the resettlement plans and RIPP. The detailed TORs are provided in Appendix 8.

## **F. Contractors**

87. **Contractors.** The contractor will execute the work as per the final design and in compliance with the approved resettlement plan for the subproject. The contractor will designate one person as social outreach officer who will engage with the PIU, NGO, and PMSC on social safeguards, grievance redressal, health and safety, and core labor standards related issues. The contractor's social outreach officer will support project consultants in updating the draft resettlement plan/RIPP for submission to PIU/PMU and ADB for review and approval; (ii) ensure strict adherence to agreed impact avoidance and mitigation measures in the resettlement plan/RIPP; (iii) assist with grievance redressal and ensure recording, reporting, and follow-up for resolution of all grievances received; and (iv) submit monthly progress reports including social safeguards, health and safety, and gender-disaggregated data as required for monitoring.

## **VIII. BUDGET FOR FORMULATING AND IMPLEMENTING INDIGENOUS PEOPLES PLAN**

88. The GoAP will ensure that each PIU has sufficient resources to prepare and implement the IPP if the subproject component will have any impact on indigenous communities. The activities of the IPP will be implemented by the PIU, with assistance from local NGOs/CBOs, and PMSC. A detailed budget will be prepared by the PIU through the consultant (PMSC), considering all the activities associated with formulation and implementation of IPPs. Such budgets will be an integral component of the project cost and will be made available during project implementation.

## **IX. PROGRAM FOR MONITORING AND EVALUATION**

89. Monitoring and evaluation (M&E) are significant activities in developmental programs which deal with indigenous people communities, in particular. The implementing agency and the PMU are likely to come across many issues and problems related to implementation, which need to be solved immediately and in a sensitive manner. Monitoring will provide such solutions. Monitoring will be a periodic assessment of planned activities, providing inputs at the project's mid-term level, facilitating changes, and giving necessary feedback on IPP implementation activities and directing all involved on the right path, if necessary. Evaluation will take place at the



end of the project and assess whether the planned activities have actually achieved their objectives to improve the indigenous people community's standard of living and retain their tribal sociocultural identity at the same time. The M&E mechanism will measure project performance and fulfillment of the project objectives.

## **A. Internal and External Monitoring**

90. The safeguard officer at the PMU, with the help of the PMSC, PIU and implementing NGO at the PIU level, will carry out regular monthly internal monitoring. The PIU will submit monthly progress reports to PMU. Semi-annual social safeguards monitoring reports will be prepared by PMU and submitted to ADB for review and disclosure, within 30 days of the end of each monitoring period, until a project completion report is issued. Upon ADB's review and clearance, the semi-annual social monitoring reports will be disclosed on ADB, PMU and PIU websites. The NGO will be thoroughly briefed and oriented on ADB's SPS, 2009. For projects with significant adverse impacts on indigenous people, the project will engage qualified and experienced external experts or NGOs to verify monitoring information. The external monitor engaged by the borrower/client (EA) will advise on ADB compliance issues. If any significant indigenous people issues are found, the borrower/client will prepare a corrective action plan or prepare an updated IPP under the guidance of the DoTW. The PIU will implement the corrective actions and follow up on these to ensure their effectiveness. The PIU, with support from the implementing NGO, will prepare periodic monitoring reports to the PMU safeguards officer on the progress of RIPP/IPP implementation, highlighting compliance issues and corrective actions, if any. The costs of monitoring requirements will be reflected in project budgets.

91. Projects with indigenous people impact of category A will need external monitoring. The IPP will include the following monitoring indicators, if required:

- (i) community's perception on project benefits, adverse impact, and proposed mitigation measures;
- (ii) information on plan preparation, implementation process, and time taken at each stage;
- (iii) visits to sites to observe physical progress of plans;
- (iv) socioeconomic status of the community through sample survey of the targeted indigenous people families at pre- and post-project levels;
- (v) degree and frequency of participation of indigenous people communities, and effectiveness of such participation;
- (vi) usefulness and utilization of training imparted;
- (vii) utilization of funds;
- (viii) interaction between implementing NGO, the PIU and the indigenous people community; and
- (ix) improvement in socioeconomic status of the affected indigenous families.

92. The VCICDP does not envisage any significant impact on indigenous people. Any subproject with significant adverse impacts on indigenous people should be avoided for financing under the investment program.

## **B. Reporting**

93. The semiannual safeguards monitoring report (SSMR) prepared by the PIUs / PMU should include the implementation of the IPP/RIPP or specific action plan of the identified indigenous people. SSMRs will be submitted by PMU to ADB, until a project completion report is issued. The

external agency, as required, will submit biannual external monitoring reports to the ADB. Broadly, monitoring and evaluation systems will involve:

- (i) administrative monitoring: daily planning, implementation, troubleshooting, feedback, individual village file maintenance, and progress reports;
- (ii) Socioeconomic monitoring: case studies, using baseline information for comparing the socioeconomic conditions, morbidity and mortality, communal harmony, dates for consultations, employment opportunities, etc.; and
- (iii) impact evaluation monitoring: improved living standards; access to natural resources; better bargaining power in the society; etc.

94. Reporting and monitoring formats will be prepared by the monitoring experts for effective internal and external monitoring. The reports will be submitted to ADB for review and comments. Each IPP monitoring report will be submitted by executing agency to ADB for review and disclosure on the ADB website. Particularly, if land acquisition issues and packages for payment of compensation are involved, the monitoring reports will consist of details of the payment, and whether these are in conjunction with the project's civil work implementation.

### Appendix 1: Scheduled Tribe Population in Andhra Pradesh Per District (2011)

State/District	ST Population			Total Population			ST Population as percent to Total Population		
	Total	Rural	Urban	Total	Rural	Urban	Total	Rural	Urban
Andhra Pradesh	2631145	2293102	338043	49386799	34776389	14610410	5.33	6.59	2.31
Srikakulam	166118	160438	5680	2703114	2266411	436703	6.1	7.1	1.3
Vizianagaram	235556	226130	9426	2344474	1853563	490911	10.0	12.2	1.9
Visakhapatnam	618500	579968	38532	4290589	2254667	2035922	14.4	25.7	1.9
East Godavari	213195	198698	14497	5154296	3840324	1313972	4.1	5.2	1.1
West Godavari	109072	99659	9413	3936966	3128189	808777	2.8	3.2	1.2
Krishna	132464	93915	38549	4517398	2673738	1843660	2.9	3.5	2.1
Guntur	247089	190905	56184	4887813	3235075	1652738	5.1	5.9	3.4
Prakasam	151145	124386	26759	3397448	2732866	664582	4.4	4.6	4.0
Sri Potti Sriramulu Nellore	285997	240972	45025	2963557	2105927	857630	9.7	11.4	5.2
Y.S.R	75886	58181	17705	2882469	1903337	979132	2.6	3.1	1.8
Kurnool	82831	64735	18096	4053463	2904177	1149286	2.0	2.2	1.6
Anantapur	154127	126362	27765	4081148	2935437	1145711	3.8	4.3	2.4
Chittoor	159165	128753	30412	4174064	2942678	1231386	3.8	4.4	2.5

Source: Census 2011

**Appendix 2: List of Notified Scheduled Tribes in Andhra Pradesh<sup>26</sup>**

**LIST OF SCHEDULED TRIBES OF ANDHRA PRADESH  
THE SCHEDULED CASTES AND SCHEDULED TRIBES ORDERS  
(AMENDMENT) ACT, 2002**

<b>a) List of Scheduled tribes of Andhra Pradesh</b>			
1	Andh, Sadhu Andh	18	Koya, Doli Koya, Gutta Koya, Kammara Koya, Musara Koya, Oddi Koya, Pattidi Koya, Rajah, Rasha Koya, Lingadhari Koya (ordinary), Kottu Koya, Bhine Koya, Rajkoya
2	Bagata	19	Kulia
3	Bhil	20	Malis
4	Chenchu	21	Manna Dhora
5	Gadabas, Bodo Gadaba, Gutob Gadaba, Kallayi Gadaba, Parangi Gadaba, Kathera Gadaba, Kapu Gadaba	22	Mukha Dhora, Nooka Dhora
6	Gond, Naikpod, Rajgond, Koitur	23	Nayaks
7	Goudu	24	Pardhan
8	Hill Reddis	25	Porja, Parangiperja
9	Jatapus	26	Reddidora
10	Kammara	27	Rona, Rena
11	Kattunayakan	28	Savaras, Kapu Savaras, Maliya Savaras, Khutto Savaras
12	Kolam	29	Sugalis, Lambadis, Banjara
13	Konda Dhoras, Kubi	30	Valmiki
14	Konda Kapus	31	Yenadis, Chella Yenadi, Kappala Yenadi, Manchi Yenadi, Reddi Yenadi
15	Kondareddis	32	Yerukulas, Koracha, Dabba Yerukula, Kunchapuri Yerukula, Uppu Yerukula
16	Kondhs, Kodi, Kodhu, Desaya Kondhs, Dongria Kondhs, Kuttiya Kondhs, Tikiria Kondhs, Yenity Kondhs, Kuvinga	33	Nakkala, Kurvikaran
17	Kotia, Bentho Oriya, Bartika, Dulia, Holva, Sanrona, Sidhopaiko	34	Dhulia
<b>b) list of PVTGs</b>			
1	Chenchu		
2	Gadabas, Bodo Gadaba, Gutob Gadaba, Kallayi Gadaba, Parangi Gadaba, Kathera Gadaba, Kapu Gadaba		
3	Kondareddis		
4	Kondhs, Kodi, Kodhu, Desaya Kondhs, Dongria Kondhs, Kuttiya Kondhs, Tikiria Kondhs, Yenity Kondhs, Kuvinga		
5	Porja		
6	Savara		

Source: Census of India 2011

<sup>26</sup> Constitution of India, under Article 342, has the right to remove any tribe from the above list, and also has the right to add new tribes after detailed surveys conducted with the help of state tribal departments. It is recommended that PMU and concerned PIUs refer to the updated list of statewide scheduled tribes while implementing the IPP.

### Scheduled Areas in Andhra Pradesh

- (1) Visakhapatnam Agency area 1 [excluding the areas comprised in the villages of Agency Lakshmipuram, Chidikada, Konkasingi, Kumarapuram, Krishnadevipeta, Pichigantikothagudem, Golugondapeta, Gunupudi, Gummudukonda, Sarabhupalapatnam, Vadurupalli, Pedajaggampeta].
- (2) Sarabhupathi Agraharam, Ramachandrarajupeta Agraharam, and Kondavatipudi Agraharam in Visakhapatnam district.
- (3) East Godwari Agency area 2 [excluding the area comprised in the village of Ramachandrapuram including its hamlet Purushothapatnam in the East Godavari district].
- (4) West Godawari Agency area in West Godavari district.
  1. Inserted by the Madras Scheduled Areas (Cesser) Order, 1951
  2. Inserted by the Andhra Scheduled Areas (Cesser) Order, 1955
- (5) Data includes the Submergence of Sch. villages of 7 mandals from Khammam district to the A.P. State (as per Reorganisation Act, 2014):  
 Nellipapaka, Kunavaram, Chintoor and V.R.Puram in East Godavari district and Burgampad, Kukunoor and Valaipadu in West Godavari district.

### Appendix 3: Special Provisions in the RFCTLARR Act Pertaining to Scheduled Tribes

Special provisions for Scheduled Castes and Scheduled Tribes.

41. (1) As far as possible, no acquisition of land shall be made in the Scheduled Areas.

(2) Where such acquisition does take place it shall be done only as a demonstrable last resort.

(3) In case of acquisition or alienation of any land in the Scheduled Areas, the prior consent of the concerned Gram Sabha or the Panchayats or the autonomous District Councils, at the appropriate level in Scheduled Areas under the Fifth Schedule to the Constitution, as the case may be, shall be obtained, in all cases of land acquisition in such areas, including acquisition in case of urgency, before issue of a notification under this Act, or any other Central Act or a State Act for the time being in force:

Provided that the consent of the Panchayats or the Autonomous Districts Councils shall be obtained in cases where the Gram Sabha does not exist or has not been constituted.

(4) In case of a project involving land acquisition on behalf of a Requiring Body which involves involuntary displacement of the Scheduled Castes or the Scheduled Tribes families, a Development Plan shall be prepared, in such form as may be prescribed, laying down the details of procedure for settling land rights due, but not settled and restoring titles of the Scheduled Tribes as well as the Scheduled Castes on the alienated land by undertaking a special drive together with land acquisition.

(5) The Development Plan shall also contain a programme for development of alternate fuel, fodder and non-timber forest produce resources on non-forest lands within a period of five years, sufficient to meet the requirements of tribal communities as well as the Scheduled Castes.

(6) In case of land being acquired from members of the Scheduled Castes or the Scheduled Tribes, at least one-third of the compensation amount due shall be paid to the affected families initially as first instalment and the rest shall be paid after taking over of the possession of the land.

(7) The affected families of the Scheduled Tribes shall be resettled preferably in the same Scheduled Area in a compact block so that they can retain their ethnic, linguistic and cultural identity.

(8) The resettlement areas predominantly inhabited by the Scheduled Castes and the Scheduled Tribes shall get land, to such extent as may be decided by the appropriate Government free of cost for community and social gatherings.

(9) Any alienation of tribal lands or lands belonging to members of the Scheduled Castes in disregard of the laws and regulations for the time being in force shall be treated as null and void, and in the case of acquisition of such lands, the rehabilitation and resettlement benefits shall be made available to the original tribal land owners or land owners belonging to the Scheduled Castes.

(10) The affected Scheduled Tribes, other traditional forest dwellers and the Scheduled Castes having fishing rights in a river or pond or dam in the affected area shall be given fishing rights in the reservoir area of the irrigation or hydel projects.

(11) Where the affected families belonging to the Scheduled Castes and the Scheduled Tribes are relocated outside of the district, then, they shall be paid an additional twenty-five per cent. rehabilitation and resettlement benefits to which they are entitled in monetary terms along with a one-time entitlement of fifty thousand rupees.

42. (1) All benefits, including the reservation benefits available to the Scheduled Tribes and the Scheduled Castes in the affected areas shall continue in the resettlement area.

Reservation  
and other  
benefits.

(2) Whenever the affected families belonging to the Scheduled Tribes who are residing in the Scheduled Areas referred to in the Fifth Schedule or the tribal areas referred to in the Sixth Schedule to the Constitution are relocated outside those areas, then, all the statutory safeguards, entitlements and benefits being enjoyed by them under this Act shall be extended to the area to which they are resettled regardless of whether the resettlement area is a Scheduled Area referred to in the said Fifth Schedule, or a tribal area referred to in the said Sixth Schedule, or not.

(3) Where the community rights have been settled under the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the same shall be quantified in monetary amount and be paid to the individual concerned who has been displaced due to the acquisition of land in proportion with his share in such community rights.

**Appendix 4: Entitlement Matrix**

Impact Category	S. No.	Entitlements	Implementation Guidelines
<b>Section I. TITLE HOLDERS - Loss of Private Property</b>			
Loss of Land (agricultural, homestead, commercial or otherwise)	1.1	Compensation for land at Replacement Cost or Land for land, where feasible.	<p>Land will be acquired by the competent authority in accordance with the provisions of RFCTLARR Act, 2013.</p> <p>Replacement cost for land will be the higher of the following: (i) market value as per Indian Stamp Act, 1899 for the registration of sale deed or agreements to sell, in the area where land is situated; or (ii) average sale price for similar type of land situated in the nearest village or nearest vicinity, ascertained from the highest 50% of sale deeds of the preceding 3 years ; or (iii) consented amount paid for PPP projects or private companies.</p> <p>In addition to the above, 100% solatium and 12% interest from date of notification<sup>27</sup> to award.</p> <p>The multiplier or factor adopted by GoAP<sup>28</sup> for land in rural area, based on the distance from urban area to the affected area, will be applied.</p> <p>In case of severance of land, the landowner will have the option of offering the unviable severed portion of the land for acquisition.</p>
	1.2	One-time payment of Rs.500,000 for each affected household or, annuity policy that shall pay Rs.2000 per month for 20 years with appropriate indexation to CPIAL	
Loss of residential structure	2.1	<p>In addition to compensation for land and assistance listed above under S.No.1</p> <p>Cash compensation at scheduled rates for structure without depreciation and with 100% solatium</p>	The value of houses, buildings and other immovable properties will be determined by R&B Department on the basis of relevant R&B (Buildings) SoR as on date, without depreciation.

<sup>27</sup> For the purpose computing the 12% interest on the market value, the competent authority will take the period from SIA notification [Sec 4 (2)] to award or, from preliminary notification [Sec 11(1)] to award, as the case may be

<sup>28</sup> Vide G.O.Ms. No. 389 of Revenue (Land Acquisition) Department, dated 20.11.2014.



Impact Category	S. No.	Entitlements	Implementation Guidelines
			For partially affected structures, the affected person will have the option of claiming compensation for the entire structure, if the remaining portion is unviable.
	2.2	Right to salvage materials from affected structure	
	2.3	One time assistance of Rs.25,000 to those who lose a cattle shed	
	2.4	An alternative house as per IAY <sup>29</sup> specifications for those in rural areas who have to relocate; and a constructed house/flat of minimum 50 m <sup>2</sup> for those in urban areas, or cash in lieu of house if opted for (the cash in lieu of house will be RS.100, 000 <sup>30</sup> in rural areas in line with GoI IAY standards, and RS.150,000 <sup>31</sup> in case of urban areas.	Stamp duty and registration charges will be borne by the project in case of new houses or sites.
	2.5	One-time assistance of RS.25,000 for affected family <sup>32</sup> of an artisan or self- employed person who has to relocate.	
	2.6	One-time subsistence allowance of Rs.36,000 for affected households who are required to relocate due to the project.	
	2.7	Shifting assistance <sup>33</sup> of Rs.50,000 for affected households who require to relocate due to the project	

<sup>29</sup> IAY is now renamed as Pradhan Mantri Awaas Yojana (PMAY) and the cash in lieu of house will be paid as per the latest revised amount under the scheme, including the State contribution.

<sup>30</sup> Beneficiary assistance currently under Pradhan Mantri Awaas Yojana-Grameen (PMAY-G) is ₹ 120,000, of which GoI contribution is ₹.72,000 and State (GoAP) contribution is ₹ 48,000. Additional assistance of ₹ 80,000 that includes GoAP loan facility (₹18,740), MGRENGS employment (₹58,260) and Individual Household Latrine construction assistance (₹3,000) is further provided by the state.

<sup>31</sup> As per G.O.R.T. No. 86 (dated 14.07.2016), Housing (R&UH.A2) department, Government of Andhra Pradesh, assistance of ₹ 250,000 (GoAP- ₹ 100,000 and GoI- ₹ 150,000) is provisioned under PMAY-Urban. Further, loan assistance up to ₹ 75,000 is also provided under the scheme

<sup>32</sup> The term 'family' is used in the RFCTLARR Act, 2013. In this entitlement matrix, the term 'household' and 'family' denote 'affected family'.

<sup>33</sup> To cover the cost of transportation of household articles and salvaged material from the structure.

Impact Category	S. No.	Entitlements	Implementation Guidelines
	2.8	One time Resettlement Allowance of Rs.50,000 for affected households who have to relocate	
	2.9	Additional one-time assistance of Rs.50,000 to scheduled caste and scheduled tribe families displaced from Scheduled areas and who are required to relocate due to project.	
	2.10	Registration cost and taxes associated with new house, if any, will be borne by the project.	
Loss of Commercial structure	3.1	In addition to compensation for land and assistances listed above under S. No.1  Cash compensation for structure at scheduled rates without depreciation, with 100% solatium.	The value of commercial structures and other immovable properties will be determined by R&B Department on the basis of relevant R&B (Buildings) SOR as on date, without depreciation.  For partially affected structures, the affected person will have the option of claiming compensation for the entire structure, if the remaining portion is not viable for continuing business.
	3.2	Right to salvage affected materials	
	3.3	Shifting assistance <sup>34</sup> of Rs.50,000 for affected households who require to relocate the business due to the project	.
	3.4	One time Resettlement Allowance of Rs.50,000 for affected households who have to relocate the business	
	3.5	Additional onetime assistance of Rs.50,000 to scheduled caste and scheduled tribe families who are displaced from scheduled areas and who are required to relocate the business due to the project.	
Impact to tenants / leaseholders (residential / commercial / agricultural) / sharecroppers	<b>4.1</b>	<b>Residential</b>	
	4.1.1	Two months' notice to vacate the rented premises	
	4.1.2	For tenants who have to relocate, rental allowance for two months	
	4.1.3	Shifting assistance <sup>35</sup> of Rs.10,000	

<sup>34</sup> To cover the cost of transportation of household articles and salvaged material from the structure.

<sup>35</sup> To cover the cost of transportation of household articles and salvaged material from the structure.

Impact Category	S. No.	Entitlements	Implementation Guidelines
	<b>4.2</b> 4.2.1	<b>Commercial</b> Two months' notice to vacate the rental premises	
	4.2.2	For tenants who have to relocate, rental allowance for two months	
	4.2.3	Shifting assistance <sup>36</sup> of Rs.10,000	
	<b>4.3</b> 4.3.1	<b>Agricultural Tenants</b> In case of agricultural tenants, advance notice to harvest crops, or compensation for lost crop at market value of the yield determined by the Agricultural Department	
	<b>4.4</b>	For all the above categories (residential/commercial/agriculture) of tenants/leaseholders/ sharecroppers	
	4.4.1	In addition to the above, reimbursement for unexpired lease/advance rent paid. Even if informal.	
	4.4.2	Assistance to find new land/place for affected tenants/leaseholders.	
	4.4.3	All the above provisions will apply to tenants/ leaseholders/ sharecroppers of negotiated land settlements as well as those affected by land acquisition.	
Impact to trees, standing crops, other properties, perennial and non-perennial crops:	5.1	Three months (90 days) advance notification for the harvesting of standing crops, or lump sum equal to the market value of the yield of the standing crop lost determined by the Agricultural Department	

<sup>36</sup> To cover the cost of transportation of household articles and salvaged material from the structure.

Impact Category	S. No.	Entitlements	Implementation Guidelines
	5.2	Compensation for trees based on timber value at market price to be determined by the Forest Department for timber trees and by the Horticulture / Agriculture Department for other trees (perennial trees), with 100% solatium.	
	5.3	Loss of other associated properties such as irrigation wells will be compensated at scheduled rates of R&B Department (Buildings) Department, with 100% solatium.	
Section II. NON-TITLE HOLDERS <sup>37</sup> - Impact to squatters / encroachers			
Impact to Squatters	6.1	Loss of Residential House	Only directly affected squatters who live there will be eligible for all assistance.  Structure owners in RoW/government lands who do not live there and have rented out the structure will be provided compensation for structure and no other assistance will be provided to them. The occupier (squatter-tenant) will be eligible for other assistances.
	6.1.1	Compensation for structure at scheduled rates without depreciation, with two months' notice to demolish the affected structure	
	6.1.2	Right to salvage materials from the affected house.	
	6.1.3	An alternative house for those who have to relocate, as per IAY <sup>38</sup> specifications in rural areas and a constructed house/flat of minimum 50 m <sup>2</sup> . in urban areas, or cash in lieu of house, if opted for (the cash in lieu of house will be Rs.100,000 <sup>39</sup> in line with GoI IAY standards in rural areas and Rs.150,000 <sup>40</sup> in case of urban areas), for those who do not have any homestead land and who have been residing in the affected area as per subproject cut-off date.	
	6.1.4	One-time subsistence allowance of Rs.18,000	
	6.1.5	Shifting assistance <sup>41</sup> of Rs.10,000.	
	6.2	Loss of Commercial shop	Only directly affected squatters, who do business at the location, will be eligible for all assistance.  Structure owners in RoW/government land who do not run the
6.2.1	Compensation at scheduled rates without depreciation for structure with one-month notice to demolish affected structure		

<sup>37</sup> affected person who has no legal right over the acquired land.

<sup>38</sup> (Footnote 29)

<sup>39</sup> (Footnote 30)

<sup>40</sup> (Footnote 31)

<sup>41</sup> To cover the cost of transportation of household articles and salvaged material from the structure.

Impact Category	S. No.	Entitlements	Implementation Guidelines
	6.2.2	Right to salvage materials from affected structure	business and have rented out the structure will be eligible for compensation for structure and no other assistance will be provided them. The occupier (squatter-tenant) will be eligible for one time subsistence allowance and shifting/relocation assistances.
	6.2.3	One time rehabilitation grant of Rs. 20,000 for reconstruction of affected shop	
	6.2.4	One time subsistence allowance of Rs.18,000	
	6.2.5	Shifting assistance <sup>42</sup> of Rs.10,000	
	<b>6.3</b> 6.3.1	<b>Street Vendors</b> One month's advance notice to relocate to nearby place for continuance of economic activity.	The PIU and the implementation support NGO/agency will consult such displaced persons and assess the requirement of rehabilitation grant.
	6.3.2	One-time financial assistance of Rs.5,000	
	<b>6.4</b> 6.4.1	<b>Cultivation</b> Two months' notice to harvest standing crops, or market value as compensation for standing crops, if such notice is not given.	
Impact to Encroachers	<b>7.1</b> 7.1.1	<b>Cultivation</b> Two months' notice to harvest standing crops, or market value as compensation for standing crops, if such notice is not given.	Market value for the loss of standing crops will be decided by the PIU, in consultation with the Agriculture or Horticulture Department.
	<b>7.2</b> 7.2.1	<b>Structure</b> Two months' notice to demolish the encroached structure	
	7.2.2	Compensation at scheduled rates without depreciation for the affected portion of the structure	The value of commercial structures and other immovable properties will be determined by R&B Department on the basis of relevant SoR as on date without depreciation.
<b>Section III. Loss of Livelihood Opportunities</b>			
Loss of income from commercial shop / business to titleholders	8.1	Subsistence allowance of Rs.36,000 to affected business owner who is required to relocate the business due to the project	If the business owner is different from the structure owner, the subsistence allowance and one-time grant for loss of livelihood will be paid to the business owner.
	8.2	One time grant of Rs.25,000 for affected business owners who are required to relocate the business due to the project	
	8.3	Displaced families in scheduled area belonging to Scheduled Caste and Scheduled Tribe will received additional one-time Rs.50,000 as subsistence allowance	

<sup>42</sup> To cover the cost of transportation of household articles and salvaged material from the structure.

Impact Category	S. No.	Entitlements	Implementation Guidelines
Loss of employment in non-agricultural activities or daily agricultural wages or other wage workers	8.4	Subsistence allowance equivalent to applicable prevalent minimum wage for 6 months.	Only agricultural labourers, who are in full-time / permanent employment of the land owner, or, full-time employees of affected businesses will be eligible for this assistance. Seasonal agricultural labourers will not be entitled to this assistance.
<b>Section IV. Temporary Impacts</b>			
Temporary loss of land and damage to crops during erection of towers and drawing transmission / distribution lines	9.1	Titleholders will be entitled for one-time grant <sup>43</sup> of Rs.190,000 for a 400 kV, Rs.99,500 for a 220 kV and Rs. 55,000 for a 132 kV tower erected in their land as compensation for diminution of land value to the land owner.	The landowner will have the right to use the land after civil works are completed, without causing damage to the tower or lines.
	9.2	For trees and crops, the landowner will be compensated at four times the rate fixed by Revenue Department vide their GO 357 of Revenue (LA) dated 23.03.2006 for loss of crops/trees, and land will be restored back to its original condition.	
		Non-titleholders will be given three months' notice to harvest standing crops.	

<sup>43</sup>The unit rate will be revised as and when the Chief Engineer, Construction, Transmission Corporation of Andhra Pradesh Limited (APTTransco) revises the rate. As per the G.O. RT. No. 83 of Energy, Infrastructure and Investment (Pr.II.A2) Department, Government of Andhra Pradesh dated 20.06.2017, the compensation is revised to (i) 100% of land value as determined by District Magistrate or any other authority based on circle rate/ Guidelines value/Stamp Act rates for tower base area (between four legs) impacted severely due to installation of tower/ pylon structures and when there is revision by state authority; and (ii) compensation towards diminution of land value in the width of Right of Way (RoW) corridor due to laying of transmission line and as per categorization/ type of land, subject to a maximum of 10% of land value as determined based on Circle rate/ Guideline value / Stamp Act rates.

Impact Category	S. No.	Entitlements	Implementation Guidelines
Temporary disruption to residences and shops during laying of transmission/distribution lines	10.1	<u>Residential</u> Temporary access to residences with adequate safety measures	The project will provide alternate space in cases not involving permanent displacement.  In the event that temporary displacement exceeds three months, monthly assistance will be payable at minimum wage rate for the duration of disruption.  .
	10.2	<u>Commercial shops/vendors/kiosks</u> All temporarily disrupted commercial activities will be provided with alternative temporary space to enable continuity of the economic activities	
	10.3	Compensation at the average net income/loss reported by similar types of affected businesses in the area for the period of disruption, or three months of minimum wages whichever is more	
Section V. Impact to Vulnerable Displaced Persons			
Vulnerable <sup>44</sup> Households (affected by all type of impacts)	11.1	Training for skill development. This includes cost of training and financial assistance for travel/conveyance, food, and loss of wages for earning members for the duration of training.	One adult member of the affected household, whose livelihood is affected, will be entitled for skill development.  The PIU, with the support of the NGO appointed for Resettlement Plan implementation, will identify the number of eligible vulnerable displaced persons during joint verification and updating of the Resettlement Plan. The PIU will conduct training needs assessment in consultation with the affected persons so as to develop appropriate training programmes suitable to the skill and the region.
	11.2	One time assistance of Rs.25,000 to AHs who have to relocate	Suitable trainers or local resource persons will be identified by PIU and NGO in consultation with local training institutes.  Assistance to be provided by PIU and NGO to vulnerable households to find suitable jobs.
	11.3	Preference in employment in project construction activities, and project-related permanent employment and industries in GVMC/APIIC areas	

<sup>44</sup> Women Headed Households (WHH), elderly headed households, children (orphans and/or working children, if any) households with physical/mentally disabled members, Antyodaya Anna Yojana (AAY) and Annapurna Scheme (AP) card holder households (i.e.) who come under BPL households, scheduled caste households, scheduled tribe households, landless households and those without legal title.

Impact Category	S. No.	Entitlements	Implementation Guidelines
Section VI. Impact During Civil Works			
Impact to structure / assets / tree / crops	12.1	The contractor is liable to pay damages to assets/trees/crops in private/public land, caused due to civil works	The PIU will ensure compliance
Use of private land	12.2	The contractor should obtain prior written consent from the landowner and pay mutually agreed rental for use of private land for storage of material or movement of vehicles and machinery or diversion of traffic during civil works	The land will be restored to the original condition
Section VII. Common Property Resources			
Impact to common property resources such as places of worship, community buildings, schools, etc.	13.1	Relocation or restoration, if feasible, or cash compensation at replacement cost.	The PIU will ensure that utilities are relocated prior to commencement of civil works in accordance with the civil works schedule.
Utilities such as water supply, electricity, etc.	13.2	Will be relocated and services restored prior to commencement of civil works.	
Section VIII. Unforeseen Impacts			
Unforeseen impacts encountered during implementation will be addressed in accordance with the principles of ADB SPS 2009.			

APIIC = Andhra Pradesh Industrial Infrastructure Corporation; DM= District Magistrate; GoAP = Government of Andhra Pradesh; GoI = Government of India; PMAY = Pradhan Mantri Awaas Yojana; kV = kilovolt; NGO = nongovernment organization; PIU = project implementation unit; R&B = Roads and Buildings; RFCTLARR = Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement; RoW = right of way; SoR = Schedule of Rates



## Appendix 5: Suggested Structure of Information disclosure leaflet for IPP

The following structure of Information Disclosure leaflet on IPP is recommended to be prepared in the local language by PMSC:

**Background.** The proposed Visakhapatnam-Chennai Industrial Corridor Development Program (VCICDP) will complement ongoing efforts of the Government of Andhra Pradesh (GoAP) to enhance manufacturing sector growth and create high quality jobs in the state of Andhra Pradesh. The VCICDP comprises: (i) a policy-based loan from Asian Development Bank (ADB) to support policy reforms, and institutional development in the state's industrial sector; and (ii) a multitranche financing facility (MFF) of ADB for priority infrastructure projects within the Visakhapatnam-Chennai Industrial Corridor (VCIC), which will provide support for infrastructure development in tranches or phases. An urban water supply subproject for Visakhapatnam, aimed at distribution network improvements for NRW reduction and 24x7 water supply in Greater Visakhapatnam Municipal Corporation (GVMC) area, is proposed under tranche 1 of VCICDP MFF.

**Policy and Principles: Indigenous Peoples Planning Framework (IPPF).** The IPPF for VCICDP sets out the policy, principles, and implementation mechanisms to address such impacts according to ADB's Safeguards Policy Statement (SPS) requirement no. 3 on indigenous people (IP). During the course of project identification and social impact assessment, if any IPs are identified, the impacts (both positive and negative) of the subproject component on affected groups/communities will be addressed according to the prepared framework. The framework addresses the developmental needs of indigenous people/ tribes as a distinct community through a process of sustainable development.

**Subproject components.** Specific and brief description of subproject (that is assessed to have IP impacts)

**Indigenous Peoples Impacts.** Brief summary of IP impacts assessed as a result of the subproject.

**Indigenous peoples plan (IPP).** An IPP is prepared to safeguard potential impacts of proposed subproject components to IP. During the course of project identification and social impact assessment, if any IPs are identified, the impacts (both positive and negative) of the subproject component on affected groups/communities will be addressed according to the prepared framework. The framework will address the developmental needs of indigenous people/ tribes as a distinct community through a process of sustainable development. This IPP includes the following measures for IP living in proposed subproject areas, to be accomplished by the project team (the PMU/PIU of VCICDP): (a) beneficial measures include xxxx; and (b) mitigative measures include xxx. Specific budgets for each of the above-mentioned activities are provided in the IPP. The above-mentioned activities, their timelines and budgets in the IPP, are part of the condition for project activities to proceed. These IPP activities are selected in consultation with the IP communities in proposed subproject affected areas.

**Entitlements and Compensation.** The Entitlement Matrix in the IPPF defines entitlements and compensation for affected persons, whether titled or non-titled. A budgetary provision of INR xxxx is made for IPP implementation.

*Brief summary of applicable sections of the EM, relevant to identified losses for the specific subproject components with IP impacts to be added to this PID leaflet. Applicable sections of EM to be translated and appended to the PID leaflet.*

**Institutional arrangements.** The State of Andhra Pradesh acting through its Department of

Industries is the executing agency (EA) of VCICDP. The Directorate of Industries within the Department of Industries is responsible for the daily coordination and execution. A program management unit (PMU), established in the DOI, will be responsible for planning, implementation, monitoring and supervision, and coordination of all activities under the Program and the MFF. Project implementation unit (PIU) will be established in APIIC/GVMC/APRDC/APTransco and will be responsible for implementing the MFF. The PIUs will be staffed with a Safeguard Manager, Social and Gender and in case of any IP impacts, a Special Officer Tribal Affairs. The Project Management Supervision Consultants will facilitate the planning and implementation of the subproject, having social safeguards personnel for IP planning and implementation activities, internal monitoring and reporting, and including a critical role in capacity building of PIU and contractors for IPP implementation and monitoring. The PIU and PMSC will work in close coordination with the district tribal welfare officer (DTWO) for IPP implementation. An NGO will be appointed to assist the PIU in IPP implementation. An independent external monitor will be appointed by the PMU to monitor IPP implementation.

**Grievance Redress Mechanism (IPP).** A multi-level grievance redress mechanism is established for IPP implementation. The first/field level grievances will be resolved by the contractors, DE and PIU safeguard officers immediately on-site in consultation with the complainants, within 7 days of receipt of a complaint/grievance. If the grievance is not addressed in 7 days at field level, they will be escalated to the safeguard manager and special officer on tribal affairs at the PIU. During all these activities, the implementing NGO will maintain liaison and assist the aggrieved IPs/ communities. Grievances of an immediate and urgent nature should be resolved at PIU level within 15 days of registration of grievances, in written form. The assistance of the implementing NGO will be sought. Major grievances that cannot be resolved at PIU level will be forwarded to the grievance redress committee (GRC) set up at district level under the chairmanship of the District Collector and having the District Tribal Welfare Officer as member. For addressing issues related to the IP community, one expert member will be inducted into the committee who will provide best judgment and advice to resolve issues of the IPs. The GRC will try to resolve the issues within 30 days.

#### Contact details

Organization	Name	Position	Phone no.	Email Id
Contractor				
PIU Special Officer Tribal Affairs				
PIU Safeguard Manager (Social and Gender)				
PMSC Supervision Staff				
VCICDP PMU Safeguard Officer (SPO)				

### Appendix 6: Roles and Responsibilities of Agencies/ Government Departments for IPP Preparation and Implementation

Sl. No	Activities	PIU	PMU	PMSC	NGOs	Department of Tribal Welfare (Government of Andhra Pradesh) and District Collector	ADB	Others/ IP Community
1	Finalization of sites/alignment for subprojects	To identify and finalize sites/alignments for subprojects	Will appoint PMSC for design, implementation and (internal) monitoring of subprojects.	PMSC will provide technical help to PIU in finalizing sites/alignments	-	-	-	-
	Assessment of alternatives: sites/alignments and technological options, as applicable, to minimize IP impacts			PMSC engineering and social safeguard specialists to work together for assessment of alternatives,				
2	Preliminary screening Collection of required information, analysis of data	Will appoint a full-time resource person to supervise, participate in IPP activities, and will perform preliminary screening	-	-	-	DTW will provide necessary help/guidance to designated staff of DC Office and PIU	-	Active participation of IP community and their leaders will be facilitated in preliminary screening exercise
	Preparation of screening report	Designated staff (appointed resource person) will prepare screening report for review by PMU (with PMSC support)	-	PMSC to assist in preparation of screening report	-	-	-	-

Sl. No	Activities	PIU	PMU	PMSC	NGOs	Department of Tribal Welfare (Government of Andhra Pradesh) and District Collector	ADB	Others/ IP Community
	SIA recommendation	-	Based on screening report and in accordance with ADB policy, PMU will recommend SIA	PMSC to assist PMU in decision-making	-	-	-	-
	Recommendation whether broad community consent triggered		PMU, with the advice of PMSC, will recommend whether broad community consent triggered					
3	SIA preparation i) Collection and analysis of required socioeconomic data on IPs and other vulnerable groups in project areas, if any	Designated staff of PIU will monitor SIA study/ analysis	-	PMSC will conduct SIA	-	DTW will extend necessary guidance and help	-	Active participation of IP community and their leaders will be solicited/facilitated
	ii) Preparation of SIA	-	-	PMSC to prepare report and submit to PMU	-	-	-	-
	iii) Recommendation for IPP preparation	-	Based on SIA report and in agreement with ADB policy, PMU will recommend preparation of IPP	-	-	-	-	-

Sl. No	Activities	PIU	PMU	PMSC	NGOs	Department of Tribal Welfare (Government of Andhra Pradesh) and District Collector	ADB	Others/ IP Community
4.	Meaningful consultations with IP population including subgroups within IPs, women and other vulnerable sections: recording issues and concerns	PIU with the support of PMSC to conduct meaningful consultations and document the issues, concerns and needs of IP community		PMSC and PIU to conduct of meaningful consultations with IP community and documentation of the same				
5.	Preparation of IPP: Devising mitigation measures and action plan development	Designated staff will monitor IPP preparation and provide necessary help and inputs	-	PMSC will prepare IPP in consultation with affected IPs/ community leaders	-	DTW will actively participate in IPP preparation and will help DPR consultants and designated officer of DC office by interpreting, explaining, and elaborating on ideas suggested by IPs/community	-	Affected IPs/ IP community leaders, CBOs will be actively engaged in preparing IPP activities, mitigation measures of adverse impact, and development of action plan

Sl. No	Activities	PIU	PMU	PMSC	NGOs	Department of Tribal Welfare (Government of Andhra Pradesh) and District Collector	ADB	Others/ IP Community
	Establishing broad community consent, if required	PIU to establish broad community consent through consultations with IP community members, with the support of PMSC		PMSC and PIU to document surveys and consultations undertaken to establish broad community consent		DTW and DC to facilitate surveys and consultations to establish broad community consent.		Affected IPs/ IP community members to be engaged in consultation meetings and proposed impact minimization measures, benefits and mitigation measures under the project to be clearly explained
	Disclosure of IPP	Designated staff will participate in disclosure meetings to finalize IPP at community level	PMU staff (SDDO/ special officer) will participate in information disclosure meetings to finalize IPP	PMSC will conduct IPP information and disclosure meetings and clarify any points/measures	Local NGO will be invited to attend disclosure meeting	DTW and DC or his/her representative will participate in disclosure meeting to finalize IPP at community level	-	Affected IPs/IP leaders will be consulted in finalization and acceptance of IPP
7.	Preparation of budget and financing plan	Designated staff will provide required help to prepare financing plan and budget allocation	-	PMSC will prepare IPP budget and financing plan	-	-	-	-

Sl. No	Activities	PIU	PMU	PMSC	NGOs	Department of Tribal Welfare (Government of Andhra Pradesh) and District Collector	ADB	Others/ IP Community
	IPP approval from GoAP	-	-	-	-	Concerned Deputy Commissioner and Director, Department of Tribal Welfare will approve IPP and forward it to PMU	-	-
	IPP approval from ADB	-	PMU and PIU will scrutinize the IPP for ADB compliance and submit it to ADB as draft IPP	As per ADB's comments/ observations, DC will revise and finalize the final IPP and budget	-	-	ADB will review the draft IPP and approve final IPP	-
8.	IPP implementation	PIU will appoint local NGO for IPP implementation. NGOs with experience of working with IPs and having staff with knowledge of IP languages/dialects will be preferred.	SDDO/special officer at PMU level will monitor IPP implementation periodically	-	Local NGO appointed by PIU, will carry out IPP activities under supervision of SM/IPP resource person at PIU.	-	-	

Sl. No	Activities	PIU	PMU	PMSC	NGOs	Department of Tribal Welfare (Government of Andhra Pradesh) and District Collector	ADB	Others/ IP Community
	Appointment of external monitor for IPP implementation		PMU will appoint external monitor/agency to independently monitor and supervise IPP implementation and prepare/submit semiannual reports to PMU/ADB					



## Appendix 7: Indigenous People Impacts Screening Checklist

### A. Introduction

1. Each project/subproject/component needs to be screened for any indigenous people impacts which will occur or have already occurred. This screening determines the necessary action to be taken by the project team.

Information on project/subproject/component:

- a. District/administrative name: \_\_\_\_\_
- b. Location (km): \_\_\_\_\_
- c. Civil work dates (proposed): \_\_\_\_\_
- d. Technical description: \_\_\_\_\_

### B. Screening Questions for Indigenous People Impact

KEY CONCERNS (Please provide elaborations in the "Remarks" column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous People Identification				
1. Are there socio cultural groups present in or using the project area who may be considered "tribes" (hill tribes, scheduled tribes, tribal people), "minorities" (ethnic or national minorities), or "indigenous communities" in the project?				
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 people, 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. Have such groups been historically, socially, and economically marginalized, disempowered, excluded, and/or discriminated against?				

<b>KEY CONCERNS</b> <b>(Please provide elaborations in the "Remarks" column)</b>	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
8. Are such groups represented as "indigenous people," "ethnic minorities," "scheduled tribes," or "tribal populations" in any formal decision- making bodies at the national or local levels?				
<b>B. Identification of Potential Impacts</b>				
9. Will the project directly or indirectly benefit or target indigenous people?				
10. Will the project directly or indirectly affect indigenous people' traditional sociocultural and belief practices (e.g., child-rearing, health, education, arts, and governance)?				
11. Will the project affect the livelihood systems of indigenous people (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 people, and/or claimed as ancestral domain?				
<b>C. Identification of Special Requirements</b> Will the project activities include:				
13. Commercial development of the cultural resources and knowledge of indigenous people?				
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, and spiritual uses that define the identity and community of indigenous people?				
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied, or claimed by indigenous people?				
17. Acquisition of lands that are traditionally owned or customarily used, occupied, or claimed by indigenous people?				

**C. COVID-19 Risk Screening for IP Impact Assessments**

Risk screening questions	Yes	No	Not sure	Remarks
1. Will project preparation be affected by the inability of experts/consultants, to visit the project site because of the pandemic?				
2. Is the project likely to face challenges in achieving meaningful consultation because of the pandemic? If yes, please clarify the types of consultations to be affected and at what stages in social safeguards planning and implementation.  <i>Examples: Project consultants are unable to travel to the project site and meet with affected people for IPP planning; the project will face challenges in conducting culturally appropriate consultations with IP communities, etc.</i>				
3. Is the project likely to face challenges in preparing safeguards assessments/planning instruments and/or implementing social safeguards plans because of the pandemic? Please be as specific as you can in the remarks section.				

**D. Indigenous People Impact**

After reviewing the answers above, EA/safeguard team confirms that the proposed subsection/section/subproject/component (tick as appropriate):

- ☐ has indigenous people (IP) impact, so an indigenous people plan (IPP) or specific IP action plan is required.
- ☐ has No IP impact, so no IPP/specific action plan is required.

Prepared by:	Verified by:
Signature:	Signature:
Name:	Name:
Position:	Position:

## **Appendix 8: Indicative Terms of Reference of the Support Agencies/NGOs to assist APIIC / APRDC in Resettlement Plan Implementation**

(To be customized for the concerned PIU and NGO Package)

### **A. Project Background**

1. Government of Andhra Pradesh (GOAP) has taken up the implementation of the Visakhapatnam to Chennai Industrial Corridor Development Program (VCICDP) and has availed a loan from the Asian Development Bank (ADB) towards the same. The project involves infrastructure development and policy and institutional reforms to stimulate economic growth and employment generation. The subprojects covering transport, water supply, energy and infrastructure in industrial estate/SEZ, have been proposed in identified project towns and industrial clusters.
2. The project is being executed by the Department of Industries (DoI) who will be the Project Management Unit (PMU). The subprojects are being implemented by four Project Implementation Units (PIUs), namely, Andhra Pradesh Industrial Investment Corporation (APIIC), Andhra Pradesh Road Development Corporation (APRDC), Transmission Corporation of Andhra Pradesh (APTransco) and Greater Visakhapatnam Municipal Corporation (GVMC).
3. Subprojects identified for funding under Tranche 1 of the MFF are under implementation and those of Tranche 2 will be taken up for implementation.
4. Resettlement Plan/Resettlement and Indigenous Peoples Plan (RIPP) have been prepared for all subprojects under VCICDP depending on the significance of impact and the corresponding involuntary resettlement and indigenous peoples categorization. Resettlement Plans/RIPP are prepared for subprojects that have involuntary resettlement and indigenous peoples impacts.
5. The resettlement plan/RIPP describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements, mechanism for resolving grievances and monitoring and list of affected persons.
6. The PMU has decided to call in for the services of Resettlement Plan/RIPP Implementation Support Agencies/non-government organization (NGO) (financed by the GOAP) experienced in carrying out such rehabilitation and resettlement activities at the grass root level to assist the APIIC/APRDC in RP implementation. The subprojects being implemented by APIIC/APRDC that trigger involuntary resettlement and require the services of RP Implementation Support Agencies/NGOS to assist APIIC/APRDC in RP implementation/ RIPP implementation (applicable for Chittoor–South start-up area). The list of the subprojects to be handled by the concerned NGO is given as Annexure 1 (to be inserted prior to bidding).

### **B. Objectives of the Assignment**

7. The NGO shall be responsible for the following:
  - (i) data collection, management and maintenance of records related to affected persons, their entitlements and compensation;
  - (ii) educating the displaced persons on their eligibility, entitlements and obligations;

- (iii) to ensure that the displaced persons receive their entitlements, project supported skill training as per their eligibility in accordance with the Resettlement Plan/RIPP;
- (iv) assist PIU in implementation of specific action plan as provided in RIPP (applicable for NGO appointed for Chittoor South start-up area under Project 2)
- (v) assist displaced persons in compiling all documents and papers required for receipt of compensation;
- (vi) to provide support and information to displaced persons for income restoration, skill training opportunities;
- (vii) assist the displaced persons in relocation to resettlement site and rehabilitation, including counseling, and coordination with local authorities/line departments;
- (viii) to assist the displaced persons in redressing their grievances through the grievance redress mechanism (GRM) established for the project, and maintain records of the status of grievance registration, resolution and duly provide feedback to affected persons;
- (ix) to conduct meaningful consultations and maintain records of consultations with affected persons including meeting minutes, photographs and signature sheets;
- (x) assist to translate the summary of resettlement plan/RIPP in local language for disclosure and disseminate to displaced persons;
- (xi) to assist APIIC/APRDC with contractual responsibilities of the subproject, such as compliance with labour laws, prohibition of child labour, and gender issues;
- (xii) to extend support to PMSC and external monitor with required data and consultation details;
- (xiii) to collect data and submit monthly status note and quarterly progress reports to APIIC/APRDC for effective monitoring of the progress of Resettlement Plan/RIPP implementation.

### **C. Detailed Scope of Work**

- (i) Overall Responsibilities of the NGO:
  - (a) shall assist the manager-social safeguards and communications in respective PIUs (in APIIC/APRDC) in carrying out the implementation of the Resettlement Plan;
  - (b) conduct census and socio-economic survey of the displaced persons based on final subproject scope and design;
  - (c) data collection, management and maintenance of records related to affected persons based on the census and socio-economic survey, their entitlements and compensation. Maintain raw and clean survey data and records in editable softcopies. The record and database maintenance should be adequate to generate quick data-based reports, and information that APIIC/APRDC will require from time to time. The Project Management and Supervision Consultant (PMSC) to develop standard format of such database.
  - (d) shall ensure that the displaced persons receive their entitlements, project supported skill training as per their eligibility in accordance with the Resettlement Plan/RIPP;
  - (e) assist displaced persons in compiling all documents and papers required for receipt of compensation and other entitlements;
  - (f) conduct consultation with the affected persons including timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people. Ensure adequate participation of women and

- other vulnerable persons in consultation. Maintain the consultation records like minutes of meeting, photographs and signature sheets.
- (g) assist PIU in implementation of specific action plan as provided in RIPP (applicable for NGO appointed for Chittoor South startup area under Project 2)
  - (h) Support agency / NGO is expected to capture audio-visual documentation of important gatherings and consultation meetings in coordination with relevant expert from PMSC;
  - (i) Provide assistance to displaced persons in compiling all documents like land ownership records, identification proof, legal heir certificates, bank account details required for ease of receipt of compensation;
  - (j) shall assist the displaced persons in redressing their grievances through the project GRM. The NGO is expected
  - (k) shall assist the manager-social safeguards and Communications in disclosure, conducting public meetings, information campaigns during the Resettlement Plan/RIPP implementation and give full information to the affected community;
  - (l) shall assist APIIC/APRDC to translate the summary of resettlement plan/RIPP in local language for disclosure and disseminate to displaced persons;
  - (m) shall assist manager-social safeguards in translating the summary of Resettlement Plan in local language for disclosure and disseminate to displaced persons;
  - (n) shall assist APIIC /APRDC in ensuring that the Contractors comply with the applicable labour laws (including prohibition of child labour, bonded labour and gender requirements) as contained in the contract document;
  - (o) shall assist APIIC / APRDC in providing skill training to displaced persons, wherever required in the implementation of resettlement plan and skill training opportunities generated through the project;
  - (p) shall extend support to PMSC and external monitor during field visits and data requirements; shall work in close coordination with the Contractor in grievance redresses and public outreach and communication;
  - (q) shall submit monthly progress note and quarterly progress report to the PIUs covering both physical and financial progress of Resettlement Plan / RIPP implementation. The report should also cover implementation issues, summary of grievances and summary of consultations.
- (ii) Responsibilities for Implementation of the Resettlement Plan/RIPP:
- (a) shall verify the information already contained in the resettlement plan and the individual losses of the displaced persons. They should validate the data provided in the resettlement plan and report to APIIC /APRDC on changes required, if any, along with documentary evidence;
  - (b) shall establish rapport with displaced persons, consult and provide information to them about the respective entitlements as proposed under the resettlement plan, and distribute entitlement cum identity cards to the eligible displaced persons. The identity card should include a photograph of the displaced person, the extent of loss suffered, the entitlement and contact details of the APIIC, NGO and a brief of the GRM with contact details;

- (c) shall update the census and socio-economic survey carried out during project preparatory stage, as required and wherever additional impacts are identified, carryout fresh surveys;
- (d) shall keep survey data updated, in editable soft copies to as to generate quick reports and information. The PMSC to develop standard format of such database;
- (e) shall provide the survey data as soft copy in the specified format that APIIC / APRDC will require in the management of the data base of the displaced persons and if APIIC / APRDC has a web-based database, update and enter the survey data in the desired format;
- (f) shall assist PMSC with survey database of displaced persons and consultation details during updating of Resettlement Plan/RIPP;
- (g) shall assist in the joint verification of affected persons and prepare micro plan detailing the type of impact and entitlements for each displaced person and display the list of eligible displaced persons in prominent public places like villages, Panchayat offices, Block/Mandal headquarters, and the District Headquarters;
- (h) assist PIU in implementation of specific action plan as provided in RIPP (applicable for NGO appointed for Chittoor South startup area under Project 2)
- (i) during the verification of the eligible displaced persons, ensure that each of the displaced persons are contacted and consulted either in groups or individually. Ensure consultation with women and other vulnerable groups from the displaced persons families, especially women headed households;
- (j) shall develop rapport between the displaced persons and the project authority, particularly manager-social safeguards and communications. This will be achieved through regular interactions with both the manager-social safeguards and communications and the displaced persons. Meetings with the manager-social safeguards and communications will be held at least fortnightly, and meetings with the displaced persons will be held monthly, during the entire duration of the assignment. All meetings and decisions taken shall be documented;
- (k) shall prepare monthly action plans with targets in consultation with the manager-social safeguards and communications;
- (l) participatory methods should be adopted in assessing the needs of the displaced persons, especially with regard to the vulnerable groups of displaced persons. The methods of contact may include village level meetings, gender participation through group's interactions (focus group discussions), and individual meetings and interactions;
- (m) shall explain to the displaced persons the provisions of the policy and the entitlements under the Resettlement Plan. This shall include communication to the roadside squatters and encroaches about the need for the timely shifting/relocation to resettlement site, the timeframe for disbursement of their entitlement;
- (n) shall disseminate information to the displaced persons on the possible consequences of the project on the communities' livelihood systems and the options available, so that they do not remain ignorant;
- (o) shall monitor the civil construction work in each package to ensure there is no bonded/child labour; that equal wages for equal work is paid irrespective of gender (male female should be paid equally for equal work);

- (p) in all of these, consider women as a special focus group, and deal with them with care and sympathy;
  - (q) shall assist the project authorities in ensuring a smooth transition (during the part or full relocation of the displaced persons), helping the displaced persons to take salvaged materials and shift. In close consultation with the displaced persons, inform the manager-social safeguards and communications about the shifting dates agreed with the displaced persons in writing and the arrangements desired by the displaced persons with respect to their entitlements;
  - (r) shall assist the displaced persons in opening bank accounts explaining the implications, the rules and the obligations of a joint account and how s/he can access the resources s/he is entitled to;
  - (s) shall assist displaced person to identify and select the relocation sites;
  - (t) shall assist displaced person to rehabilitate/ reconstruct their livelihood at the new relocation areas; and
  - (u) shall support APIIC / APRDC and PMSC in the resettlement plan monitoring.
  - (v) shall extend support to external monitor in external monitoring activities for smooth implementation of Resettlement Plan. Shall work in close coordination with the Contractor in grievance redresses and public outreach and communication.
- (iii) Accompanying and representing the displaced persons at the Grievance Redressal Committee (GRC) Meetings
  - (a) shall nominate a suitable person (from the staff of the NGO) to assist the displaced persons in the GRC;
  - (b) shall make the displaced persons aware of the existence of GRM structure and grievance redressal committees (GRCs);
  - (c) shall help the displaced persons in filling the grievance application and also in clearing their doubts about the procedure as well as the context of the GRC award;
  - (d) shall record the grievance and bring it to the notice of the GRCs within seven days of receipt of the grievance from the displaced persons. It shall submit a draft note with respect to the particular grievance of the displaced person, suggesting multiple solutions, if possible, and deliberate on the same in the GRC meeting through the NGO representative in the GRC; and
  - (e) shall accompany the displaced persons to the GRC meeting on the decided date, help the displaced person to express his/her grievance in a formal manner if requested by the GRC and again inform the displaced persons of the decisions taken by the GRC within 3 days of receiving a decision from the GRC.
- (iv) Carry out Public Consultation
  - (a) in addition to counseling and providing information to displaced persons, shall carry out periodic consultation with displaced persons and other stakeholders throughout the duration of this contract;
  - (b) should organize meetings and appraise the communities about the schedule/progress of civil works; and
  - (c) all the consultations should be documented and if possible, photographs and attendance sheets should be compiled. The list of participants and a



summary of the consultations and outcome should be submitted to APIIC/APRDC. In case of large or important meetings, audio-visual recording may be explored in consultation with PMSC and PIU.

- (v) **Assisting APIIC/APRDC with the Project's Social Responsibilities**
  - (a) shall assist APIIC/APRDC to ensure that the contractors are abiding by the various provisions of the contract and applicable laws pertaining to labour standards;
  - (b) shall assist APIIC in conducting the Resettlement and Rehabilitation award enquiry.
- (vi) **Monitoring and Reporting**
  - (a) The Resettlement Plans includes provision for internal monitoring by APIIC/APRDC and PMU. Similarly, external monitoring is also proposed to be conducted by an external monitor. Submission of monitoring reports quarterly, mid-term (semi-annual), and post-project monitoring and evaluation separately by PMU and external agency will be required. The Agency/NGO involved in the implementation of the Resettlement Plan will be required to supply all information, documents to the PIU/PMU and external monitoring consultants.
- (vii) **Safeguard Compliance Role related to land acquisition issues**
  - (a) The Support Agency/NGO on behalf of PIU will be responsible to take additional safeguard compliance measures related to land acquisition issues (including those related to land acquisitions carried out in the past, prior to the subproject). This would include conduct of due diligence related to payment of compensation and other entitlements to affected persons, documentation of plot-wise compensation payment status and reasons for delay in payments, facilitate affected person in grievance redress and access to available GRM for past land acquisitions related complaints, hold consultation with affected community/persons.

#### **D. Documentation and Reporting by NGO**

- 8. The Support Agency/NGO selected for the assignments shall be responsible to:
  - (a) submit an inception report within four weeks; on signing up of the contract including a work plan for the whole contract period, staffing and personnel deployment plan, and a withdrawal plan at the end of the period of contract. The withdrawal plan shall be detailed and reflect how the displaced persons will maintain the assets created and transferred to the displaced persons;
  - (b) prepare monthly progress notes to be submitted to the PIU, with weekly progress and work charts as against the scheduled timeframe of resettlement plan implementation;
  - (c) prepare and submit quarterly reports on a regular basis, to be submitted to the PMU;
  - (d) submit a completion report at the end of the contract period summarizing the actions taken during the project, the methods and personnel used to carry out the assignment, and a summary of support/assistance given to the displaced persons;
  - (e) all other reports/documentation as described in these terms of reference;

- (f) record minutes of all meetings; and
- (g) four copies of each report shall be submitted to APIIC/APRDC together with one soft copy of each report in the CD

#### **F. Data, Services and Facilities to be provided by the Client**

9. APIIC/APRDC will provide to the Support Agency/NGO the copies of the resettlement plan/ displaced persons' census, the strip plan of final design and any other relevant reports/data prepared by the DPR consultants. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for staff of, etc., shall be arranged by the agency/NGO.

#### **E. Timeframe for Services**

10. It is estimated that the services will be required for about 24 months to undertake the assignment of facilitating the implementation of the resettlement plan. The time schedule for completion of key tasks is given below

<b>S. No</b>	<b>Task Description</b>	<b>Time for completion</b>
1.	Inception Report	At the end of the 4 <sup>th</sup> week after commencement of services
2.	<ul style="list-style-type: none"> <li>a. Joint verification, issue of identity card and submission of corrected data, if any, including proposal for replacement and upgradation of community assets</li> <li>b. Additional and /or missing census survey records of displaced persons (to be collected only after due approval of such cases by manager-social safeguards and communications in writing) including profiles of displaced person in such survey</li> </ul>	<p>At the end of the 2<sup>nd</sup> month after commencement of services</p> <p>At the end of the 3<sup>rd</sup> month after commencement of services</p>
3.	Monthly Progress Note /Quarterly Progress Report covering the activities in the scope of works and corresponding deliverables	In 10 days from the end of each month /quarter
4.	Facilitating disbursement of the entitlements for 25% of total affected persons coinciding with the handing over of land for civil works	At the end of the 5 <sup>th</sup> month after commencement of services
5.	Disbursement of the entitlements for another 25% of total affected persons	At the end of the 7 <sup>th</sup> month after commencement of services

S. No	Task Description	Time for completion
6.	Disbursement of the entitlements for another 25% of total affected persons	At the end of the 9 <sup>th</sup> month after commencement of services
7.	a. Disbursement of the entitlements for remaining 25% of total affected persons b. Facilitating resettlement of displaced persons to the resettlement site(s)	At the end of the 12 <sup>th</sup> month after commencement of services
8.	Draft Final Report summarizing the action taken and other resettlement works to be fulfilled by the Support Agency/NGO	One month before the service / 23 <sup>rd</sup> month after commencement of services
9.	Final report summarizing the action taken and other resettlement works to be fulfilled by the Support Agency/NGO	At the end of the service / 24 <sup>th</sup> month after commencement of services incorporating suggestions of APIIC/APRDC on the draft report.

### G. Team for the Assignment

11. The Agency/NGO shall assign a team of professionals for assisting APIIC/APRDC in Resettlement Plan implementation. The Agency/NGO team should consist of the following five core professionals, four support staff and one skilled data entry operator. The core team should have a combined professional experience in the areas of land acquisition, rehabilitation and resettlement, social mobilization, community development, census and socio-economic surveys and participatory planning and consultations.

12. One R&R expert, one-field coordinator and two-field staff each should be base out of South Node and Vizag Node. The team leader will be responsible for overall coordination.

	Key Professional	No. of Persons	Experience
<b>Key Professionals</b>			
	Team Leader (Intermittent input)	1	Postgraduate in Social Science with a minimum of 10 years' experience in R&R and proficient in Telugu and English
	R&R Expert (Intermittent input)	2	Postgraduate in Social Science with 5 years' experience in R&R and proficient in Telugu and English
	Field Coordinator (Full time input)	2	Graduate in Social Science with knowledge and experience in census and socio-economic surveys, PRA Technique and fluent in Telugu and English.
<b>Non-Key Staff</b>			
		4	Graduate in any discipline and social

	Key Professional	No. of Persons	Experience
<b>Key Professionals</b>			
			work experience is desirable
	Data Entry Operator	1	Graduate with knowledge in database management

## Appendix 9: Indicative Terms of Reference for Engaging an External Monitoring Agency/Expert Terms of Reference (ToR)

### I. Project Description

Government of Andhra Pradesh (GoAP) has taken up the implementation of the Visakhapatnam to Chennai Industrial Corridor Development Program (VCICDP) and has availed a loan from the Asian Development Bank (ADB) towards the same. The project involves infrastructure development and policy and institutional reforms to stimulate economic growth and employment generation. The subprojects covering transport, water supply, energy and infrastructure in industrial estate/SEZ, have been proposed in identified project towns and industrial clusters.

The project is being executed by the Department of Industries (DOI), which functions as the Project Management Unit (PMU). The subprojects are being implemented by four Project Implementation Units (PIUs), namely, Andhra Pradesh Industrial Investment Corporation (APIIC), Andhra Pradesh Road Development Corporation (APRDC), Transmission Corporation of Andhra Pradesh (APTransco) and Greater Visakhapatnam Municipal Corporation (GVMC).

Subprojects identified for funding under Tranche 1 of the MFF and being implemented are given in Table 1.

**Table A9-1: Subprojects under Implementation - Tranche 1**

S. No	Package No.	Name of Subproject	Location	Involuntary Resettlement Categorisation
1.	APIIC/01	Construction of a 1 MLD capacity CETP at the Naidupeta cluster	Naidupeta, Nellore District	C
2.	APIIC/03	Augmenting utility services for Naidupeta Industrial cluster comprises of the Naidupeta MPSEZ, IP-Naidupeta and IP-Attivaram.	Naidupeta, Nellore District	C
3.	APIIC/04	Providing 21 MLD bulk water facility and summer storage in Naidupeta Industrial cluster	Naidupeta, Nellore District	B
4.	APIIC/05	Providing Water Supply to Industrial Clusters in the state of Andhra Pradesh - Southern Region	Tirupati District	B
5.	GVMC/02	Distribution Network improvements for NRW reduction and 24x7 supply in North-west area of GVMC	Visakhapatnam, Visakhapatnam District	B
6.	UCCRTF/04	Design erection, commission and operate a grid connected 3 MW floating type solar power project on MeghadriGedda reservoir in Vishakhapatnam	Visakhapatnam District	C
7.	UCCRTF/05	Development and Rejuvenation of Mudasarlovalake and catchment area	Visakhapatnam District	C

S. No	Package No.	Name of Subproject	Location	Involuntary Resettlement Categorisation
8.	UCCRTF/06	'Non - Motorized traffic zones and introduction of E- Vehicles	Visakhapatnam District	C
9.	APRDC/01	Widening and Strengthening of 'Samarlakota to Rajanagaram' Section of 'Kakinada – Rajanagaram' Road to divided 4 – Lane in East Godavari District.	East Godavari District Rajahmundry District and Kakinada District	A
10.	APTransco/01	Augmenting power distribution capacity for meeting Industry demand at Kapuleppada, Nakkapalle/ Chandanada and Atchutapuram locations	Kapuluppada, Visakhapatnam District Nakkapalle and Atchutapuram, Visakhapatnam District	B
11.	APTransco/03	Augmenting power distribution capacity for meeting Industry demand at Rachagunneri, Naidupeta & Yerpedu locations	Rachagunneri and Yerpedu, Chittoor District Naidupeta, Nellore District	B

Note: Tranche-1 works are in progress. Only Category A subproject (APRDC/01) requires external monitoring.

The proposed subprojects identified for funding under Tranche 2 of the MFF include:

**Table A9-2: Subprojects Proposed under Tranche 2**

S. No	Package No	Name of Subproject	Location	Involuntary Resettlement Categorisation (Indicative)
1	APIIC/06A Chittoor South	Development of Start-up Area of Chittoor-South Industrial Cluster	Chittoor District	A
2	APIIC/08A Rambilli	Development of Start-up Area of Rambilli Industrial Cluster	Rambilli Mandal, Annanakapalli District	A/B*
3	APIIC/09A Nakapalli	Development of major infrastructure and utilities in Start-up area of Nakkapalli cluster	Visakhapatnam District	A
4	APRDC/04 Naidupeta connectivity road	Development of Roads for External Connectivity to Naidupeta Industrial Cluster	Tirupati District	A
5	APRDC/05 Routhusurmala connectivity road	Development of Roads for External Connectivity to Routhusuramala Industrial Cluster	Chittoor District Annnakapalli District	B

S. No	Package No	Name of Subproject	Location	Involuntary Resettlement Categorisation (Indicative)
6	APRDC/06 Nakapalli connectivity road	Development of Roads for External Connectivity to Nakkapalli Industrial Cluster	Annnakapalli District	B
7	APRDC/07 AA Road	Widening of Anakapalli to Atchuthapuram Road	Annnakapalli District	A

Note: Tranche 2 under process

\* Categorization of package APIIC/08A will be confirmed based on the method of land acquisition ultimately adopted by the project. Only Category A subprojects will be monitored by the external monitoring agency.

Resettlement Plan (RP)/ Resettlement and Indigenous Peoples Plan (RIPP) have been prepared for all subprojects under VCICDP depending on the significance of impact and the corresponding Involuntary Resettlement (IR) categorisation. Resettlement Plans (RPs) are prepared for subprojects that have IR impacts and RIPPs are prepared for the subprojects with impacts on indigenous peoples and/or scheduled tribes (RIPP prepared for only 1 subproject i.e. APIIC/06A Chittoor South) and Due Diligence Report (DDR) are prepared for subprojects where there are no IR impacts. The RP describes the magnitude of impact, mitigation measures proposed, method of valuation of land, structure and other assets, eligibility criteria for availing benefits, baseline socio-economic characteristics, entitlements based on type of loss and tenure, the institutional arrangement for delivering the entitlements and mechanism for resolving grievances and monitoring. The DDR provide detail of subproject components and documents to establish that the subproject does not involve any involuntary resettlement (IR) impact.

The project management unit (PMU and project implementation unit (PIU) have appointed agencies/NGO's to support the PIUs in RP implementation for subprojects that are categorised as Category-A and Category-B for involuntary resettlement impacts.

The monitoring and evaluation of the RP implementation of Category-A subprojects should be undertaken by an external monitor. Therefore, the project management unit (PMU) requires the services of an external monitor for undertaking monitoring and evaluation of RP implementation of subprojects that are Category-A for involuntary resettlement (please refer Table 1 and Table 2 above).

## II. Scope of work

The scope of this assignment includes but not limited to the following tasks.

### 1. Generic

- a) Review and verify the progress in resettlement implementation as outlined in the Category-A RPs;
- b) Monitor the effectiveness and efficiency of PIUs, and NGOs in RP implementation;
- c) Assess whether resettlement objectives, particularly livelihoods and living standards of the Displaced Persons (DPs) have been restored or enhanced;
- d) Assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary; and

- e) Review the project impacts on vulnerable groups, indigenous people and groups and assess the effectiveness of the mitigative actions taken.

## **2. Concurrent Monitoring**

- a) Undertake supervision of Category-A subprojects RP/RIPP implementation to ascertain delivery of compensation and entitlements to APs in accordance with the provisions and procedures of RF and subproject RP/RIPP;
- b) Advise and guide the NGOs who are supporting respective PIUs in the implementation of RP in accordance with their Terms of Reference;
- c) Assist the field units of PIU to oversee the implementation of RP/RIPP;
- d) Participate in periodical meetings held between PMU, PIU and NGOs to assist PMU for successful outcomes of the meetings;
- e) Verify whether the land acquisition, compensation and other related land acquisition tasks are proceeding as per applicable laws and RF and assist the implementing agencies for any additional support is needed to address the land acquisition related aspect of project implementation;
- f) Verify if compensation for land and non-land assets and rehabilitation and resettlement assistances / allowances have been provided to APs
- g) Verify if payment as per micro plan prepared by NGO is disbursed in a timely manner and if payment has been made fully before dispossession of assets
- h) Verify receipt of payment acknowledged by APs and confirm the same through random field checks with APs and through consultation meetings
- i) Verify implementation of the specific action plan as provided in RIPP (RIPP prepared for only 1 subproject i.e. APIIC/06A Chittoor South);
- j) Undertake reviews on behalf of PMU of all documents and reports related to land acquisition and resettlement received from PIU/NGOs/ consultants and advise the PMU for taking appropriate decisions on such reports;
- k) Assist the PMU to respond to ADB on any matters related to the implementation of RP and related matters and also coordinate the ADB Mission visits to the subprojects and facilitate discussions with NGOs, AP, officials and other stakeholders;
- l) Verify to report compliance with the certification issued by concerned officer prior to handing over of the respective subproject land to the contractors, confirming the completion of land acquisition, payment of compensation and R&R assistances, mitigation of resettlement impacts and reconstruction of community properties in the respective subprojects;
- m) Ensure synchronization of R&R implementation with civil works timetable to avoid time and cost over runs. This should be done in close co-ordination with the Project Management Supervision Consultants (PMSC);
- n) One of the key task is to ascertain how the physically displaced families have made the alternative arrangements for their relocation and provide support as needed for addressing this challenge in the project;
- o) Wherever resettlement sites are developed, ensure that required amenities and facilities have been provided and the houses comply with the local building rules;
- p) Review and assess the adequacy of income restoration programs and wherever required advise PIU/PMU in improving the implementation of income restoration programs
- q) Review the progress in unskilled jobs provided by the contractors to the local people;



- r) Organization of periodical training in the implementation of RP and delivering of entitlements, consultations etc. to PIU staff and NGOs/consultants as necessary;
- s) Monitor the schedules and the achievement of target described in the resettlement plans;
- t) Provide periodical suggestion and recommendations for mid-stream alternation based on the implementation progress;
- u) Report on the working of GRC and analyses on the outcome of complaints dealt by GRCs;
- v) Undertake field visits to interact with the APs and other beneficiaries, at least twice in a quarter in the first year and once a quarter in the subsequent years, to report their feedback on receipt of compensation and assistance received by them. Document the good practices and lessons learned during the course of implementation of RP;
- w) During field visits meet PIU officials and NGO and assess the physical and financial progress made in RP implementation,
- x) Verify the quality and suitability of replaced community assets affected by the project, and
- y) Any other tasks that is necessary in realizing the objectives of the assignments.

### **3. Mid-term Impact Evaluation**

This assignment also includes carrying out a midterm impact evaluation during the last quarter of the contract period to evaluate the following outcomes of RP implementation through a sample survey amongst APs.

- a) Verify whether the objectives of resettlements have been realized, particularly the changes in the in the living standards of APs;
- b) impact assessment is to be compared with the baseline values for key socioeconomic as given in the RP. If such information is not available information has to be collected on recall basis at the time of survey. A small sample of control population should also be included for comparison purpose;
- c) to assess whether the compensation is adequate to replace the lost assets;
- d) to assess how the compensation has been utilized;
- e) to assess implementation of the specific action plan of APIIC/06A Chittoor South;
- f) assess the perceived benefits and losses of resettlement and perception of the implementation in their living standards; and
- g) Assess the level of satisfaction of the various assets provided as part of R&R implementation;

Based on the impact assessment, suitable remedial measure is to be proposed for any shortcomings. In monitoring and impact evaluation, gender disaggregated assessment and analysis will be factored in reporting especially on: Proportion of women land owners who received compensation, Number of women headed households and other vulnerable groups received R&R assistances; and local female and Scheduled Caste labor force participation in unskilled jobs under contractors, Proportion of women as beneficiaries of house sites/houses offered under R&R assistance; and Proportion of women participation in consultation meetings during implementation.

### **III. Methodology**

The consultant should use rapid assessments, sample surveys, consultations, discussions, meetings, interviews, etc. At least 2-visits to each subproject sites should be undertaken in each

quarter in the 1st year and 1-visit to each subproject from the 2nd year onwards. Quarterly Progress Reports (QPRs) should be submitted within 15 days of end of each calendar quarter and semi-annual report summarizing the progress made and corrective actions, if any. Whenever semi-annual reports are submitted, there is no need for a QPR.

For the mid-term impact evaluation, the consultant should carry out a sample survey of not less than 400 affected households spread across all the Category-A subprojects proportion to the magnitude of impact and type of loss. A control sample of 100 households will also have to be carried out for comparison purpose.

For the final closure report, the monitoring consultant will also carry out a sample survey in the last quarter to capture the socio-economic status of the APs and include the findings in the report, with recommendations for further support, if required. This sample survey for final closure report should cover not less than 400 affected households spread across all the Category-A subprojects proportion to the magnitude of impact and type of loss.

#### IV. Reporting

The Consultant shall submit the following reports:

- a. Inception Report outlining the methodology, approach and deployment of resources, etc.;
- b. Two semi-annual reports per annum – within 1 month of each SSMR submission;
- c. Mid Term Evaluation report at end of 1<sup>st</sup> year
- d. Final closure report outlining the experience, lesson learned, outcome of survey findings on socio-economic status of the APs, etc.

#### V. Time Frame and Composition of consultant

This assignment will be carried out by a firm of consultants over the period of 24 months. Staffing input of the firm will be 64 person-months (inclusive of support staff) with the breakdown of person-months and assignment of tasks shown in Table 1. Qualification requirements as mentioned below.

**Table A9- 3: Indicative Breakdown of Consultant's Input**

Key Expert -			Months
No.	Position	Tasks	Input
1	Monitoring Consultant (Team Leader)	I-V	10
2	Resettlement Expert - 3 Nos	I-V	30
Non-Key- Staff -			
1	Minimum Support Staff	Assistance Experts @ for data collection	24
2	Data Entry Operator	To Assist Project Team	24

#### Qualifications Requirements

The qualification requirements in this Annex are “preferred” qualifications, and not pass/fail.

##### 1. Team Leader Cum Social Development Expert

The Monitoring Consultant should be a Post-graduate / Doctorate in Social science /Sociology/Anthropology/ Economics/ MSW or equivalent with minimum of **15 years of** experience in the field of social development after post-graduation. He should have experience as Social Development specialist having experience in resettlement issues, consultations, and Community development. (Note: PG and PHD in other subjects shall not be considered for evaluation)

He should have monitoring and evaluation experience of minimum 5 projects and should have held responsible positions in the previous assignments including as Team leader. Experience in similar assignments for any external aided projects such as WB /ADB /JBIC or other bilateral /multi-lateral funding agencies will be an added advantage & weightage given accordingly. He should have adequate managerial skill and should be conversant with the region and the local language.

The input of consultant will be required on intermittent basis and while submitting the proposal, a detailed workplan should be submitted with proposed input of the monitoring consultant.

## **2. Resettlement Expert - 3 Nos**

The Monitoring Consultant (Resettlement expert) (should have minimum 3 support staff), who would assist the monitoring consultant in data collection, data collation and field support. The expert should possess a degree in social science /Sociology or related degree courses with **minimum 5 years' experience** in socio-economic surveys/ consultations /RP Implementation at field levels etc. in last 5 years, with 2 years' experience in monitoring for similar assignments in He must be fluent and conversant with the regional and the local language and having minimum reporting skills and should be conversant with MS office.

## **3. Non-Key (Support Staff- 1 No)**

Any Computer literate with Degree in Science or Commerce with minimum 3- years of experience in Data entry works and documentation with experience in MS office. He must be fluent and conversant with the region and the local language.

## **VI. Data, Services and Facilities to be provided by the Client**

The PMU will provide to the Consultant the copies of the RP/APs Census, the DPR, plan of final design and any other relevant reports/ data prepared by the DPR consultants & NGO's. All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for the Consultant, shall be arranged by the Consultant. The Consultant should have one office in the approved location to have better co-ordination, preferably where the PMU -HO is located.

The consultant shall submit the following reports. All reports should be submitted in hard copy and soft copy in MS Word for easy transmission. All the draft reports will be reviewed by the Report Evaluation Committee of PMU within a week of submission of the reports and the comments need to be incorporated in the final version. The reports, especially the Final reports will also be reviewed by the Asian Development Bank (ADB). The consultants will devise the reporting formats as desired and may be reflected in the Inception report.

- Inception report with mobilization details;

- Semi-annual Monitoring Reports; and
- Final Completion Report containing implementation experience, lessons learnt and socio-economic status of APs.

## VII. Payment Schedule

The payment will be made on successful completion of key tasks is given below.

S. No	Task Description	Cumulative
1	Inception Report (within 30 days)	15%
2	Semi-annual Monitoring Reports (10% upon clearance of each report)	40%
3	Midterm Impact Evaluation Report – end of 12 <sup>th</sup> month (Annual)	70%
4	Draft Final Report - 24 <sup>th</sup> month	85%
5	Final Report after acceptance of Draft report by Client with any changes	100%
	Total	<b>100%</b>

## VIII. Time Frame and Reporting

The independent monitoring expert will be responsible for overall monitoring of the RP implementation and will submit quarterly and semi-annual monitoring report directly to PMU for onward transmission to ADB with PMU's comments within 10 days of the preceding reporting month.

The monitoring expert will commence with the task of monitoring the RP implementation in the Category-A subprojects under Tranche-1 and II immediately after signing of the contract.

## IX. Budget and Logistics

Copies of the proposal - both technical and financial - should be submitted and the budget should include all cost and any other logistics details necessary for resettlement monitoring including surveys.