

# Indigenous Peoples Planning Framework

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## India: Himachal Pradesh Rural Drinking Water Improvement and Livelihood Project

Prepared by the Jal Shakti Vibhag (JSV) Government of Himachal Pradesh for the Asian Development Bank.

## CURRENCY EQUIVALENTS

(as of 29 September 2021)

Currency unit	–	Indian rupee (₹)
₹1.00	=	\$ 0.0135
\$1.00	=	₹ 74.215

## ABBREVIATIONS

ADB	-	Asian Development Bank
AESEO	-	Assistant Engineer (Safeguard/Environment) Officer
BBMB	-	Bhakra Beas Management Board
INRM	-	India Resident Mission
BSR	-	Basic Schedule of Rates
CBO	-	Community Based Organization
CDO	-	Community Development Officer
CDS	-	Community Development Specialist
CRO	-	Complaint Receiving Officer
DBO	-	Design-Build-Operate
DDR	-	Due Diligence Report
DEA	-	Department Of Economic Affairs
DLFC	-	District Land Price Fixation Committee
DMS	-	Detailed Measurement Survey
DNC	-	District Negotiation Committee
EHS	-	Environment Health and Safety
EMP	-	Environmental Management Plan
ESS	-	Environment Safeguard Specialist
FGD	-	Focus Group Discussions
GOHP	-	Government Of Himachal Pradesh
GRC	-	Grievance Redressal Committee
GRM	-	Grievance Redress Mechanism
IPP	-	Indigenous Peoples Plan
JSV	-	Jal Shakti Vibhag
LARRA	-	Land Acquisition, Rehabilitation and Resettlement Authority
LPCD	-	Liters Per Capita Per Day
NGO	-	Non-Government Organization
NOC	-	No Objection Certificates
PDMSC	-	Project Design Management and Supervision Consultant
PMU	-	Project Management Unit
RFCTLARR	-	Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
HPRDWILP	-	Himachal Pradesh Rural Water Improvement and Livelihood Project
ROW	-	rights-of-way
RRS	-	Rehabilitation And Resettlement Scheme
SEC	-	State-Level Empowered Committee
SIA	-	Social Impact Assessment
SIMP	-	Social Impact Management Plan
SMP	-	Social Management Plan
SPS	-	Safeguard Policy Statement, 2009
SSGO	-	Social Safeguard and Gender Officer

SSS	-	Social Safeguard Specialist
SSGS	-	Social Safeguard & Gender Specialist
TOR	-	terms of reference

### **WEIGHTS AND MEASURES**

cm	-	centimeter
dB	-	decibels
ha	-	hectare
kg	-	kilogram
km	-	kilometer
l	-	liter
m	-	meter
m <sup>2</sup>	-	square meter
m <sup>3</sup>	-	cubic meter
mg/l	-	milligrams per liter
ml	-	milliliter
MLD	-	million liters per day
mm	-	millimeter
km <sup>2</sup>	-	square kilometers
µg/m <sup>3</sup>	-	micrograms per cubic meter

### **NOTE**

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

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## I. INTRODUCTION

### A. Background

1. Himachal Pradesh is the least urbanized state in India, where 1.7 million households (or 90%) live in rural areas across the state. Most of these rural populations live in small villages with population below 25,000 people. About 75.5% of the state's rural population has access to drinking water from improved sources (i.e., a functional tap connection of piped drinking water supply), substantially higher than the national average of 33.6%.<sup>1</sup> Despite a relatively high access rate, the existing rural water supply infrastructure is in poor condition and the service level is low. This is a result of aging infrastructure and the absence of an overall asset management framework, further exacerbated by a lack of operation and maintenance (O&M) funding. The existing water supply is intermittent at 6–8 hours per day, with an average of 40 liters per capita per day (LPCD). With small schemes located in remote and steep terrain, data gathering is subject to physical field inspections, making the rural systems difficult to manage. The current monthly tariff is fixed at ₹ 34.54 and is insufficient for operation and maintenance (O&M) cost recovery.

2. Jal Shakti Vibhag (JSV), Government of Himachal Pradesh (GOHP) is responsible for delivering bulk water to villages. The Government of Himachal Pradesh (GOHP) approached Asian Development Bank (ADB) for financial assistance to support the state's initiative. The objective for the Project is to ensure end-to-end delivery system of rural water supply across the state, resulting in overall equitable access to quality drinking water and better sanitary conditions.

3. The proposed Himachal Pradesh Rural Water Improvement and Livelihood Project (HPRDWILP) aligns with Jal Jeevan Mission of Government of India, and the state's Water Policy, GOHP is committed to ensuring that 100% of the rural population has access to drinking water at 70 LPCD, including nonrevenue water reduction from 30% to 10%, and universal coverage of improved sanitation facilities (from 69.7%) by 20301.

4. The project is also aligned with ADB Strategy 2030 operational priorities (OP) for (i) addressing remaining poverty and reducing inequalities by providing poor and vulnerable households with access to water and sanitation services (OP1); (ii) accelerating progress in gender equality through gender-sensitive training and providing access to water supply services (OP2); (iii) promoting rural development through the provision of adequate water supply and sanitation infrastructure and services (OP5); and (iv) strengthening governance and institutional capacity to enhance sustainability (OP6).<sup>2</sup> The project will contribute to SDG 1 (no poverty); SDG 5 (gender equality); SDG 6 (clean water and sanitation); and SDG 13 (climate action).<sup>3</sup>

### B. Project Description

5. Under HPRDWILP project, a total number of 187 water supply schemes (commissioned before year 2000) have been proposed across 4 different zones Mandi, Hamirpur, Dharamshala and Shimla covering 10 districts out of total 12 districts in the state. Grids are formed by the integration of various small water supply schemes. Similarly, the package is an integration of grids

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<sup>1</sup> Jal Jeevan Mission. The mission follows on from the National Rural Drinking Water Programme, 2009–2019. Government of India, Ministry of Jal Shakti, Department of Drinking Water and Sanitation. 2019. *Jal Jeevan Mission*. Delhi. The Jal Jeevan Mission vision states: "Every rural household shall have assured drinking water supply in adequate quantity of prescribed quality on regular and long-term basis at affordable service delivery charges leading to improvement in living standards of rural communities."

<sup>2</sup> ADB. 2018. Strategy 2030: Achieving a Prosperous, Inclusive, Resilient and Sustainable Asia and the Pacific. Manila.

<sup>3</sup> United Nations. Sustainable Development Goals.

falling under the respective circles of each zone. The details are mentioned below in Tables 1 and 2.

**Table 1: Proposed Contract packages**

Zone	Package Number	Name of Circle	District	Grids	Schemes
Mandi	1	Sundernagar	Mandi	8	33
	2			7	28
	3	Kullu	Kullu	6	28
	<b>Total</b>			<b>21</b>	<b>89</b>
Hamirpur	1	Hamirpur	Hamirpur	6	17
	2	Bilaspur	Bilaspur	6	13
	3	Una	Una	6	20
	<b>Total</b>			<b>18</b>	<b>50</b>
Dharamshala	1	Dharamshala	Kangra	6	8
	2	Chamba	Chamba	2	2
	<b>Total</b>			<b>8</b>	<b>10</b>
Shimla	1	Kasumpti	Shimla	3	6
		Rohru	Shimla	4	10
	2	Solan	Solan	3	15
	3	Nahan	Sirmaur	3	7
	<b>Total</b>			<b>13</b>	<b>38</b>
<b>Grand Total</b>				<b>60</b>	<b>187</b>

**Table 2: Proposed works under HPRDWILP**

Zone	Mandi Zone	Hamirpur Zone	Dharamshala Zone	Shimla Zone	
<b>No. of Packages</b>	3	3	2	3	
<b>No. of Grids</b>	21	18	8	13	
<b>No. of Schemes</b>	89	50	10	38	
<b>No. of Habitations</b>	933	893	315	196	
<b>Total Population (2042)</b>	1,42,639	1,95,131	72,829	58,094	
<b>Total Water demand (2042 KLD)</b>	13,551	18,538	6,919	5,523	
<b>House Service Connection</b>	23,436	32,032	11,960	10,085	
<b>Proposed Sources (PW/TW/SP/KHAD/River/Dam)</b>	<b>Number</b>	54	38	11	34
<b>WTP</b>	<b>Number</b>	38	36	10	31
	<b>Capacity (KLD)</b>	18,978	15,785	10,040	6,507
<b>Pump house</b>	<b>No.</b>	29	53	13	31
	<b>Total Area of PH (m2)</b>	1,483	2,663	685	1,420
<b>PUMPS</b>	<b>Number</b>	172	378	86	228
	<b>Capacity</b>	5,449	3,683	3,020	3,474



Zone		Mandi Zone	Hamirpur Zone	Dharamshala Zone	Shimla Zone
	(HP)				
Length of pumping main	50 mm	15,150	27,702	2,171	26,420
	65 mm	8,621	21,434	2,616	17,406
	80 mm	15,055	41,893	526	27,972
	100 mm	13,276	20,513	3,151	14,774
	125 mm	5,011	18,738	7,671	230
	150 mm	10,062	3,722	32,718	-
	200 mm	9,462	-	-	-
	250 mm	-	-	-	-
	<b>Total</b>	76,637	1,34,002	48,853	86,802
Length of Gravity main	50 mm	76,361	19,240	31,369	36,740
	65 mm	1,83,616	68,432	60,734	23,191
	80 mm	45,717	22,924	46,315	6,070
	100 mm	38,441	25,333	28,558	-
	125 mm	15,301	9,191	14,498	-
	150 mm	3,146	1,465	2,384	-
	200 mm	35,007	-	7,152	-
	250 mm	7,729	-	-	-
	300 mm	-	-	-	-
		<b>Total</b>	4,05,318	1,46,585	1,91,010
Length of Distribution main	25 mm	28,503	13,296	21,545	52,097
	32 mm	63,564	19,475	24,862	45,195
	40 mm	1,45,709	45,975	83,372	71,096
	50 mm	1,92,003	1,24,919	1,28,898	70,086
	65 mm	2,70,099	2,96,964	1,63,817	95,010
	80 mm	29,300	78,340	15,933	8,768
	100 mm	8,675	39,286	5,807	11,137
	125 mm	2,555	17,024	1,461	3,846
	150 mm	1,696	6,122	-	-
		<b>Total</b>	7,42,104	6,41,401	4,45,695
Reservoirs (MBR/SR) KL	Number	280	177	99	84
	Capacity	10,307	8,440	4,200	6,650
Automation		2,461	2,682	1,028	1,197

### C. Implementation Arrangement

6. Government of Himachal Pradesh, through its Jal Shakti Vibhag (JSV), is the executing agency and implementing agency for the HPRDWILP project. The project management unit (PMU) headed by a dedicated Project Director (Chief Engineer rank from JSV). There will be four PIUs at zonal level in Hamirpur, Shimla, Mandi and Dharamshala. State-level empowered committee and district-level committees are also proposed to guide PMU. JSV will supervise the overall work and upon commissioning of the distribution network, the distribution network will be transferred to the gram panchayats for O&M. The state-level committee will be responsible for oversight of the overall project implementation progress and provide policy, reform and implementation guidance. District-level committee will focus on day-to-day project implementation issues and ensure effective coordination between JSV and gram panchayats. The project implementation units will include gram panchayat representatives for implementation support, capacity development, and community mobilization activities. The Project Design Management and Supervision Consultant (PDMSC) centrally located in PMU and with field teams located at PIU level shall be responsible for implementation of the project.

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

7. This Indigenous Peoples planning framework (IPPF) will be the guiding document for the preparation of Indigenous Peoples plan for the proposed Project. This document is an extension to resettlement framework prepared for the HPRDWILP and must be read together with the resettlement framework document.

8. This IPPF outlines the objectives, policy principles and procedures for any land acquisition, if any; compensation, and other assistance measures for affected Indigenous Peoples, if any. A detailed description of each compensation measure and assistance is provided in the entitlement matrix. The Indigenous Peoples planning framework will apply to all subprojects under HPRDWILP 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.

9. Three districts have Scheduled areas in the State, fulfilling the minimum criterion of 50% scheduled tribe (ST) population concentration in a Community Development (CD) Block. It is identified that out of the 12 districts of Himachal Pradesh, 519 villages from 10 districts have more than 40% tribal population, as per Census 2011 data. Eight districts out these 10 districts, are covered under the HPRDWILP project.

**Table 3: Number of Villages having More than 40% Tribal Population in Himachal Pradesh<sup>4</sup>**

Details	Total
Total No. of Villages (inhabited)	17361
Out of total villages no. of having more than 40% tribal population	519
No. of villages having ST population more than 100 persons but concentration less than 40% of total population	405

Source: Census 2011

<sup>4</sup> Directory of Villages having concentration of Scheduled Tribe Population excluding Scheduled Areas in Himachal Pradesh (2011-Census), Issued by: Tribal Development Department, Government of Himachal Pradesh, Shimla-2. <http://himachalservices.nic.in/tribal/pdf/DirectoryofSTVillages2015.pdf>

10. Based on the official list of Scheduled Tribes, the state of Himachal Pradesh has 10 tribal groups (refer Appendix 1). Scheduled tribe population is observed in other locations of the state other than scheduled areas. Of the sample subprojects, one package is identified as category B for Indigenous Peoples (IP) due to positive impact and a Community Action Plan is to be prepared for the package that will be attached with the due diligence report for the same. The impact on Indigenous Peoples at all subproject component locations are yet to be assessed and currently not known. Therefore, an Indigenous Peoples planning framework (IPPF) has been developed to manage and mitigate possible impacts to the scheduled tribe/ Indigenous Peoples in the investment program area, identified during implementation. Any proposed subproject that will have impacts, positive and/or negative on the Indigenous Peoples, that will require preparation of Indigenous Peoples plan (IPP) or community action plan.

11. The IPPF prepared for HPRDWILP, comply with all relevant Indigenous Peoples safeguards requirements of the Government of India, State Government of Himachal Pradesh and the SPS 2009 of the Asian Development Bank (ADB).

12. The project's Indigenous Peoples category is determined by the category of its most sensitive component in terms of impacts on Indigenous Peoples. The significance of impacts on Indigenous Peoples is determined by assessing (i) the magnitude of impact in terms of (a) customary rights of use and access to land and natural resources; (b) socioeconomic status; (c) cultural and communal integrity; (d) health, education, livelihood, and social security status; and (e) the recognition of indigenous knowledge; and (ii) the level of vulnerability of the affected Indigenous Peoples community. The level of detail and comprehensiveness of the IPP are commensurate with the significance of potential impacts on Indigenous Peoples. Based on a consideration of the above, the project is classified as Category B for Indigenous Peoples safeguards. This Indigenous Peoples Planning Framework provides guidance for the screening and assessment of Indigenous Peoples impacts and for the preparation of Indigenous Peoples plans for components that are identified or subprojects that are assessed or any changes in design after Board approval. Any proposed future subproject involving significant impacts to Indigenous Peoples will not be allowed.

## **II. OBJECTIVES AND POLICY FRAMEWORK**

### **E. Objectives**

13. This IPPF is prepared to provide guidance to the project executing agency, implementing agency under JSV and project consultants who will be carrying out the investment project, on policy and procedures to screen project impacts on Indigenous Peoples and, when required, to prepare Indigenous Peoples plan (IPP) to safeguard the rights of Indigenous Peoples in accordance with ADB's Safeguard Policy Statement (SPS), 2009 and domestic laws. ADB's safeguard policy requirements pertaining to Indigenous Peoples are triggered if a project 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.

14. The objectives of the IPPF are to ensure that Indigenous Peoples communities (i) receive culturally appropriate social and economic benefits from the Project; (ii) do not suffer adverse impacts as a result of the Project; and (iii) can participate actively in the Project. 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

Himachal Pradesh, and ADB. This section summarizes the relevant Government and State laws in respect of scheduled tribes and the ADB Indigenous Peoples safeguards.

## F. Policy Framework

### 1. National and State Laws and Regulatory Policies

15. The Constitution of India defines scheduled tribes, as follows: “Scheduled tribes (scheduled tribes) are those communities notified as such by the President of India under Article 342 of the Constitution. The president may with respect to a state or union territory, and where it is a state, after consultation with governor of the state, may notify a community as scheduled tribe. The first notification was issued in 1950. Criteria followed for specification of a community as a scheduled tribe are (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>5</sup>

16. Under the Constitution of India, a number of articles have been included for the protection of its citizens and few that are specifically for scheduled tribes. 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 scheduled tribes, 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 scheduled tribes and for raising the level of administration of the scheduled areas;<sup>6</sup>
- (vii) Articles 330, 332, and 335 – stipulate reservation of seats for scheduled tribes 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 (scheduled tribes).

<sup>5</sup> Source: <https://pib.gov.in/PressReleaseFramePage.aspx?PRID=1514486> and [https://ncst.nic.in/sites/default/files/2017/Office\\_Order/798.pdf](https://ncst.nic.in/sites/default/files/2017/Office_Order/798.pdf)

<sup>6</sup> As per the Constitutional provision under Article 244(1) of the Constitution of India, the ‘scheduled areas’ are defined as “such areas as the President may by order declare to be scheduled areas”- as per paragraph 6(1) of the Fifth Schedule of the Constitution. The specification of “Scheduled Areas” in relation to a State is by a notified order of the President, after consultation with the State Government concerned. The same applies in the case of any alteration, increase, decrease, incorporation of new areas, or rescinding any Orders relating to “Scheduled Areas”. Criteria for declaring any area as a “Scheduled Area under the Fifth Schedule are: • Preponderance of tribal population, • Compactness and reasonable size of the area, • A viable administrative entity such as a district, block or taluk, and Economic backwardness of the area as compared to the neighboring areas.

Source: <https://tribal.nic.in/declarationof5thSchedule.aspx> <https://tribal.nic.in/DivisionsFiles/clm/ScheduledAreas.pdf>

17. Furthermore, the Government of India 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<sup>th</sup> February 2004 through Constitution (89<sup>th</sup> 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.
- (ii) The **Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights Act)** or FRA, 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; The Act defines the roles and responsibilities of the Gram Sabha and the State Government in protecting the rights of scheduled tribes and traditional forest dwellers.
- (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; and
- (iv) The **Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995** which protect SC/scheduled 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 SC/scheduled 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>7</sup>

18. The **Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARRA), 2013** has special provisions for additional benefits to affected households who are members of scheduled castes/scheduled tribes 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 VI area benefits from

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<sup>7</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.

displaced area to resettlement area. Appendix 4 presents all relevant clauses of the RFCTLARRA 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.

19. **Acquisition of Land by Private Negotiation (Standing Order No. 28)** is an additional guideline to support the existing Standing Order on private negotiations to execute for infrastructure projects by Financial Commissioner, Government of Himachal Pradesh, January 2018. As the acquisition of land often takes considerable time and execution of the projects gets delayed and for speedier acquisition of land, the process of acquisition by private negotiations with the interested landowners have proved to be beneficial to both the parties i.e. landowners as well as acquiring department too. In case, it is found that acquisition of land is imminent for a public purpose, following two options will be available with the concerned department, which is contained in Himachal Pradesh Financial Commissioner Standing Order No.28. The standing order guidelines 2018 also provide for statutory benefits and it means the same as the assistances under the Act (RFCTLARRA, 2013) and as specified in Schedule II and III which includes provisions for scheduled tribes.

## **2. ADB Safeguard Policy Statement, 2009**

20. The above policies and legal instruments available in India and Himachal Pradesh are supplemented by ADB's SPS, 2009 Indigenous Peoples safeguards for the implementation of HPRDWILP. The objective of the Indigenous Peoples safeguards is to design and implement projects in a way that fosters full respect for Indigenous Peoples' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the Indigenous Peoples themselves so that they (i) receive culturally appropriate social and economic benefits; (ii) do not suffer adverse impacts as a result of projects; and (iii) can participate actively in projects that affect them.

21. The following Indigenous Peoples safeguard policy principles are applied in ADB financed projects:

- (i) Screen early on to determine (i) whether Indigenous Peoples are present in, or have collective attachment to, the project area; and (ii) whether project impacts on Indigenous Peoples are likely;
- (ii) Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options the affected Indigenous Peoples prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected Indigenous Peoples that are culturally appropriate and gender and inter-generationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on Indigenous Peoples;
- (iii) Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected Indigenous Peoples communities in a culturally appropriate manner. To enhance Indigenous Peoples active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development. Establish a

- culturally appropriate and gender inclusive grievance mechanism to receive and facilitate resolution of the Indigenous Peoples' concerns;
- (iv) Ascertain the consent of affected Indigenous Peoples communities to the following project activities: (i) commercial development of the cultural resources and knowledge of Indigenous Peoples; (ii) physical displacement from traditional or customary lands; and (iii) commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples. For the purposes of policy application, the consent of affected Indigenous Peoples' communities refers to a collective expression by the affected Indigenous Peoples communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities;
  - (v) Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected Indigenous Peoples' communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equitably shared;
  - (vi) Prepare an Indigenous Peoples' plan (IPP) that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected Indigenous Peoples communities. The IPP includes a framework for continued consultation with the affected Indigenous Peoples communities during project implementation; specifies measures to ensure that Indigenous Peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures;
  - (vii) Disclose a draft IPP, including documentation of the consultation process and the results of the social impact assessment in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected Indigenous Peoples' communities and other stakeholders. The final IPP and its updates will also be disclosed to the affected Indigenous Peoples communities and other stakeholders;
  - (viii) Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands; and
  - (ix) Monitor implementation of the IPP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the IPP's objective and desired outcome have been achieved, considering the baseline conditions and the results of IPP monitoring. Disclose monitoring reports.
  - (x) 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 Peoples' safeguards.

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### III. IDENTIFICATION OF INDIGENOUS PEOPLES

23. Under Article 342 of the Constitution of India, following characteristics are used to define Indigenous Peoples (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 Peoples 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.

24. According to the Census of India 2011, 104.28 million or 8.84% of India's population is classified as scheduled tribes (ST). In comparison with the national figure, Himachal Pradesh has 5.71% (which constitute 0.4% of total ST population of India) of its population classified as scheduled tribes (3,92,126). As per Census 2011, rural scheduled tribe population of Himachal Pradesh is 3,74,392. In Himachal Pradesh, scheduled tribes also commonly referred to as tribal people, are classified in to 10 distinct tribal community groups. Of these, none are classified as Particularly Vulnerable Tribal Groups (PVTGs). Appendix 1 provides the list of tribal communities in the state as per Ministry of Tribal Affairs, Government of India. The Appendix 2 also provides rural-urban distribution of scheduled tribe population in Himachal Pradesh (Census 2011).

25. For operational purposes, the ADB SPS, 2009 considers a group as Indigenous Peoples when they possess the following characteristics: For operational purposes, the term "Indigenous Peoples" 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

26. ADB Indigenous Peoples safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples or affects the territories, natural, or cultural resources that they own, use, occupy, or claim as their ancestral property. In the context of HPRDWILP, only those subproject locations that fall in scheduled areas and/or those recording a presence of a particularly vulnerable tribal groups (and not a few individuals belonging to such tribes) will trigger ADB SPS safeguards requirement 3 for Indigenous Peoples. Any subproject with significant adverse impacts on Indigenous Peoples should be avoided for financing under this Project.

27. The impacts to scheduled tribe population in project areas are likely to be beneficial in nature (as assessed based on sample subprojects). As per available information from preliminary detailed project report (DPR) and transectwalk conducted in project locations including alignment of proposed pipe network for water supply components, adverse impact to Indigenous Peoples is not anticipated in this project. However, possibilities, nature and extent of impacts, direct or



indirect, can only be ascertained only after alignments related to various project infrastructure components are confirmed after designfinalization by the contractor. Impacts on scheduled tribes (Indigenous Peoples) will be confirmed after completion of census surveys of affected persons and site-specific consultations at all subprojects and their components locations.

#### IV. SOCIAL IMPACT ASSESSMENT AND INDIGENOUS PEOPLE PLAN

##### A. Preliminary Screening and Classification

28. The ADB SPS, 2009 requires the borrower/ client to screen and categorize a subproject at the initial project preparatory phase. The objective of the exercise is to (i) determine the significance of the potential impacts and risks on Indigenous Peoples that a project might present; identify the level of assessment and institutional resources required to address Indigenous Peoples safeguard issues; and (iii) determine information disclosure and consultation requirements. The executing agency, through the project management unit (PMU), will screen and categorize subproject components. A project's Indigenous Peoples category is determined by the category of its most sensitive component in terms of impacts on Indigenous Peoples. The significance of impacts of an ADB supported project on Indigenous Peoples is determined by assessing (i) the magnitude of impact in terms of (a) customary rights of use and access to land and natural resources; (b) socioeconomic status; (c) cultural and communal integrity; (d) health, education, livelihood, and social security status; and (e) the recognition of indigenous knowledge; and (ii) the level of vulnerability of the affected Indigenous People's community. The level of detail and comprehensiveness of the IPP needs to be commensurate with the significance of potential impacts on Indigenous Peoples. A proposed project is assigned to one of the following categories depending on the significance of the potential impacts on Indigenous Peoples:

- (i) **Category A:** A proposed project is classified as category A if it is likely to have significant impacts on Indigenous Peoples. An IPP, including assessment of social impacts, is required.
- (ii) **Category B:** 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.
- (iii) **Category C:** A proposed project is classified as category C if it is not expected to have impacts on Indigenous Peoples. No further action is required.

29. An Indigenous Peoples assessment checklist will be prepared. If the results of the preliminary screening show that there are Indigenous Peoples households in the proposed subproject area, a social impact assessment (SIA) will be conducted to capture Indigenous Peoples issues and development opportunities that exist in the area. A checklist format for screening of Indigenous Peoples in the sub projects is in Appendix 5.

##### B. Social Impact Assessment

30. 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 initial screening process will be based on: (i) secondary data (population Census data) to determine the proportion of Indigenous Peoples/scheduled tribe to total population in the subproject coverage areas; (ii) areas of concentration of scheduled tribes such as scheduled areas, Integrated Tribal Development Project (ITDP) areas, Modified Area Development Approach (MADA) areas as defined by Government of India; (iii) presence or absence of particularly vulnerable tribal groups (PVTGs); (iv) socioeconomic indicators of scheduled tribe versus other populations available from

secondary sources such as literacy rate, sex ratio, average household size and workforce participation (sex-disaggregated); (v) ADB's Indigenous Peoples screening checklist; and (vi) transect walks, consultations and field observations. Predominance of scheduled tribe population, presence of scheduled/ITDP/MADA areas associated with scheduled tribes, presence of PVTGs, coupled with socioeconomic indicators for scheduled tribe population that reveal the level of backwardness compared to the rest of the population during screening, will help decide on the level of detail required in the SIA.

31. The SIA will be conducted in consultation with the Indigenous Peoples/ 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 Peoples groups in the project area and project impact zone. It will assess their access to social infrastructures and economic opportunities. The social impact assessment will use participatory methods such as focus group discussions with Indigenous Peoples groups, consultations and meetings with indigenous people community leaders and members, and other participatory rural appraisal techniques as required, to make an assessment of non-tangible aspects of the socio-cultural impacts of the project, if any. Consultations with indigenous peoples households will be conducted in all stages of the subproject and will help identify any specific cultural-spiritual requirements and traditions such as avoidance of any specific festival days like Shivaratri – a major festival for Gaddi tribes, and/or other activities with cultural significance to the Indigenous Peoples communities during civil work; and any other specific issues and concerns that may be of importance to the communities and their sentiments. Robust documentation of such consultations and participatory processes will inform the provision of compensation (if any) and benefits (including direct benefits of the project, such as water supply) to the Indigenous Peoples' communities, in a culturally appropriate manner.

32. The social impact assessment based on consultative and participatory approaches should be able to discern which specific elements of Indigenous Peoples are impacted, that trigger Indigenous Peoples safeguards. The consultations will also help identify the poor and more vulnerable among the Indigenous Peoples groups, through a process of community-led identification. The study will also indicate and focus on short- and long-term benefits and potential positive and adverse impacts on the Indigenous Peoples groups' social, cultural and economic status due to the project, assess which Indigenous Peoples group will require Indigenous Peoples principles, and recommend the subsequent approaches, resource requirements, and planning mechanism to address the issues and concerns of the affected Indigenous Peoples groups. The level of detail and comprehensive information required for the SIA will be commensurate with the complexity of the proposed project's impact on the Indigenous Peoples groups.

33. In addition to the qualitative methods outlined above, quantitative methods such as baseline surveys will be employed, which will inform the social impact assessment. An end-line sample survey will also be conducted to document the subproject level impacts upon project completion as well as views of Indigenous Peoples' households about subproject benefits.

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

- (i) Ancestral domains, lands and related natural resources:
  - a) As Indigenous Peoples 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 Peoples attach to these resources, and natural resource management for long-term sustainability should be considered while undertaking SIA. Rehabilitation of livelihood systems of Indigenous Peoples who are displaced should take priority.

- b) If the project requires acquisition of lands that are customarily owned, used, or occupied by Indigenous Peoples, legal recognition of their customary rights to such lands and ancestral domains should be integrated into the project by the borrower/ client. This will need full recognition of the existing customary land tenure system of the Indigenous Peoples 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:

- a) Indigenous Peoples may become particularly vulnerable if the project includes commercial development of cultural resources and knowledge of Indigenous Peoples, physical displacement of Indigenous Peoples, and commercial development of natural resources within customary land use. The borrower/ client in such projects will seek the consent of the affected Indigenous Peoples 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.
- b) After receiving community support/consent, the borrower/ client will provide documentation detailing the process and outcomes of consultation with Indigenous Peoples and Indigenous Peoples 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:

- a) If the project involves commercial development of Indigenous Peoples cultural resources and knowledge, the borrower/client will ensure that the affected Indigenous Peoples 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 Peoples 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:

- a) All possible alternate project designs will be explored to avoid physical displacement of Indigenous Peoples 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.

35. The main source of information for SIA will be direct interviews with potentially affected Indigenous Peoples households, besides separate group meetings with the Indigenous Peoples 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 Peoples groups' recommendations on design of the project components. The Project Design Management and Supervision Consultant (PDMSC) under the guidance of Project Management Unit (PMU) will be responsible for analyzing the SIA data and information collected by field support staff and developing an action plan in consultation with the Indigenous Peoples community leaders. If the SIA indicates significantly adverse impacts, or that the Indigenous Peoples 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 Indigenous Peoples community accepts, the design of the subproject component, and broad community support (BCS) has been ascertained. Meaningful consultation will be undertaken such that participation of affected Indigenous Peoples are ensured.

36. The SIA should be conducted by using standard and accepted study methodology adopted in social study. Combination of quantitative and qualitative methods will be undertaken to verify the information and data collected. Either census or sampling method can be used. While taking the sample, universally accepted sample methodology and statistically representative and significant sample size should be taken. The SIA should be conducted ensuring COVID-19 safety protocols prepared for the project.

37. Local Indigenous Peoples should be involved in facilitation of the consultation process in areas where Indigenous Peoples are present and in the preparation of preliminary SIA (if possible). Such persons would be familiar with local (Indigenous Peoples) language and communication with the Indigenous Peoples groups should be in their own language.

### **C. Mitigation Measures and Benefit Sharing**

38. The IPP will include mitigation measures to address the potential adverse impacts due to project implementation taking into consideration the marginality and vulnerability status of the tribal community. Where there is acquisition of land and/or structures the executing agency will ensure that the rights of the Indigenous Peoples households are not violated, and that they are compensated as per the provisions outlined in the RFCTLARRA 2013 (and included in the entitlement matrix of resettlement framework prepared for the project) for the losses. The IPP will be prepared 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 in a manner that is culturally acceptable to them and preserve their distinctive socio-cultural identity.

39. Based on the significance and nature of the project impact on the Indigenous Peoples 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.

40. 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 Peoples community living in the project impact zone will prepare the mitigation action plan to address the adverse issues, with support from project implementation unit (PIU) officials, and PDMSC to give shape to their plan of action.

41. If the Indigenous Peoples impacts are not significant or generally positive, the PIU in consultation with PDMSC (the consultants) could decide to prepare a “specific action” plan in a due diligence report or a combined resettlement and Indigenous Peoples plans (RIPP) detailing required actions to address the Indigenous Peoples 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 Peoples groups live with non-Indigenous Peoples in the same subproject location. Another way is to incorporate Indigenous Peoples issues and their benefits into the resettlement plan. The reporting template for Indigenous Peoples specific action plan is provided in Appendix 9.

42. **Specific Action Plan.** To address any potential safeguards issues and ensure maximum benefits reach the scheduled tribe/Indigenous Peoples households, a specific action plan for Indigenous Peoples is proposed for this subproject. The action plan will carry out the following specific activities: (i) a baseline survey will be conducted for identification and inclusion of Indigenous Peoples households within the project coverage area; (ii) proposed benefits (e.g.) to Indigenous Peoples households will be shared and monitored; (iii) IEC materials, information sharing, consultations and other activities will be culturally sensitive and appropriate when implemented in the scheduled area; (iv) in case of any Indigenous Peoples impacts in subproject, the chief of the tribe or a member of the tribal council as traditional arbitrator (to ensure that traditional grievance redress systems are integrated) and an NGO working with Indigenous Peoples is consulted. GRC will also ensure IP representation in receiving and facilitating resolution of the IPs’ concerns or any impacts on Indigenous Peoples; (v) consultations with IP households will be conducted in all subproject stages which shall help in identifying any culture-specific requirements and traditions like avoidance of any specific festival days, and/or other activities with cultural significance to the IP communities during civil work; and any other IP related issues and concerns that may be of importance to the community. An end-line sample survey will be conducted to document the views of IP households about subproject benefits. Such survey is in line with subproject internal monitoring. This action plan will be used for project monitoring to ensure that IP activities are undertaken on a timely basis and reported semi-annually and to determine whether project objectives have been achieved.

43. 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>8</sup> not only to restore their livelihood and improve their income level, but also to maintain their distinct cultural identity.

44. Where land acquisition is essential, Indigenous Peoples are entitled to receive land-for-land compensation. As Indigenous Peoples, 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 Peoples, defined as scheduled tribes, will be treated as vulnerable persons/groups. The involuntary resettlement entitlement matrix is annexed as Appendix 6.

45. In case of limited impacts on Indigenous Peoples due to land acquisition, 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 Peoples. 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.

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

46. 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. Though not anticipated at this stage, for sub-projects with significant adverse impact on Indigenous Peoples, the PIU will engage qualified and experienced external experts and a qualified academic institution or non-government organization 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 Peoples 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.

### **V. CONSULTATION, PARTICIPATION AND DISCLOSURE**

#### **A. Consultation and Participation**

47. Meaningful consultations and information disclosure will be undertaken at various stages of a subproject implementation to deal adequately with the needs, priorities and preferences of Indigenous Peoples. Affected Indigenous Peoples' communities, Indigenous Peoples' leaders, community-based organizations (CBOs) working with affected Indigenous Peoples' groups, if any, will participate in the subproject preparation phase to assess the positive and negative impacts of the subproject. Their involvement will be sought to minimize the negative impact to the extent possible and to maximize subproject benefits to the Indigenous Peoples community. The affected

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<sup>8</sup> Special assistance is an additional allowance to which Indigenous Peoples are entitled, other than the decided compensation package. This may include assistance/support to preserve Indigenous Peoples' cultural heritage, identity, and income-generating practices. The amount decided will depend on results of detailed surveys conducted as a part of the IPP.

Indigenous Peoples will be informed and consulted in preparing IPP(s). Their participation in planning will enable them to benefit from the subproject and protect them from any potential adverse impacts of a subproject.

48. A combination of different methods like posters in prominent locations especially in Indigenous Peoples settlements, loudspeaker announcements in Indigenous Peoples neighborhoods etc. and announcements by community organizers through key persons identified in the Indigenous peoples' communities should be used to ensure the participation of Indigenous peoples' groups in all venues of consultation. Key stakeholders should be present in the consultation process. Culturally appropriate and gender sensitive process and suitable time and venue should be arranged for meaningful consultation at each stage of the project cycle. Appropriate mitigation measures and relevant recommendation will be developed based on the meaningful consultations and available baseline information to avoid adverse effects on such Indigenous Peoples.

49. The executing agency will ensure the participation of Indigenous Peoples in project cycle. There should be the clear provision for participation of Indigenous Peoples (percentage among the total participants/beneficiaries) in different stage of project implementation such as labor, general consultation, representation in different activities, amongst others. The consultations should be conducted ensuring COVID-19 safety protocols prepared for the project.

50. A process of continuous consultation with different will be followed throughout the project lifecycle that will help to monitor the progress of the project and will enable in reducing risks and impacts related to scheduled tribe or Indigenous Peoples population during project planning and implementation. Continuous consultations will be held with the following:

- (i) Scheduled tribe community members and their headmen;
- (ii) Self-help groups (if any);
- (iii) Women of the scheduled tribe community;
- (iv) State and district level Tribal welfare Department; and
- (v) Community based organizations or non-government organizations working with tribal population.

51. Consultations with the relevant stakeholders, affected tribal population will include the following issues:

- (i) Project objective and potential impacts on the Indigenous Peoples;
- (ii) Social impact assessment survey in the impacted area;
- (iii) Assess the need of the Indigenous Peoples communities and communication to the concern department for support;
- (iv) Entitlement provisions for different impacts as specified in the entitlement matrix in resettlement framework;
- (v) Entitlement provisions for the scheduled tribe as specified in the RFTLARRA 2013;
- (vi) Grievance redress mechanism and procedures; and
- (vii) Any other issue related to the project.

## **B. Information Disclosure**

52. JSV will disclose relevant information in a timely manner, in an accessible place, and in a form and language that the affected persons/Indigenous Peoples can understand. This information can be made available as brochures, leaflets, or booklets in local languages, can be broadcasted in local radio and posted in the local newspapers. The relevant information includes

the IPPs/RIPPs, details of compensation and resettlement options, detailed asset valuation, entitlements and special provisions, timing of payments, displacement schedules and GRM details. For illiterate persons, other suitable communications methods may be used, including pictorial messages and announcements in public places, such as a weekly market. Also, small group meetings will be organized with all shopkeepers at all the project locations. Traffic management and the likely construction schedule as well as impact avoidance and mitigation measures will be discussed with them. Impact minimization measures will also be disclosed. Any suggestions regarding avoidance of peak season/festival season and peak sale hours will be recorded and taken into consideration. In addition to disclosure to the affected persons, JSV will submit to ADB the resettlement documents such as draft and final resettlement plan/framework/RIPP/IPP, new or updated resettlement plan/RIPP/IPP(if there is a change in scope or there are unanticipated impacts), corrective action plan (if any) and social safeguards monitoring reports (SSMR)for disclosure on the ADB website.

53. The approved Entitlement Matrix and Resettlement Plans will be placed in the JSV Office and offices of local authority, accessible to affected persons. Further, the electronic version of resettlement framework/resettlement plans will be placed in the official website of the PMU. The PMU, PIU along with PDMSC will continue the consultations, information dissemination and disclosure. The updated and final Resettlement Plans/RIPP/IPP will be disclosed on the website of JSV. Project information will be continually disseminated through disclosure of resettlement planning documents, as and when updated. Information relating to resettlement planning, management, and entitlements for loss of income will be made available in local language and the same will be distributed to affected persons. The consultation process will be continuous, through the project cycle. The project information disclosure leaflet containing the executive summary of the resettlement plan/RIPP/IPP and the entitlement matrix, together with the contact numbers of PMU, PIU, contractor, project engineer and social safeguards personnel and concerned engineer, and grievance redress hotline number will be distributed among affected persons and beneficiaries.

### **C. Continued Consultation and Participation**

54. The extent and level of involvement of stakeholders at various stages of the project from design and throughout the implementation of the project activities will entail opening up the line of communication between the various stakeholders and the project implementing authorities, thereby aiding the process of resolving conflicts at early stages of the project rather than letting it escalate into conflicts resulting in implementation delays and cost overrun. Participation of the local community in decision-making will help in mitigating adverse impacts.

55. Further, successful implementation of the resettlement plans is directly related to the degree of continuing involvement of those affected by the Project. Consultations with affected persons have been proposed during resettlement plan implementation and the JSV will be responsible for conducting these consultations.

56. Public consultation and disclosure activities to be followed by JSV for the Project as per the following Table 4.



**Table 4: Public Consultation and Disclosure Plan**

<b>Subproject Phase</b>	<b>Activities</b>	<b>Details</b>	<b>Responsible Agency</b>
Subproject Initiation Phase	Mapping of the subproject area	Subproject area to be mapped, clearly showing survey numbers of titleholders of land/property proposed for acquisition	Project implementation unit (PIU) in co-ordination with local land record/revenue office, under the overall supervision of the Project management unit (PMU).
	Stakeholder identification	Cross section of stakeholders to be identified in order to facilitate their participation in the subproject.	PIUs, under the overall supervision of the PMU.
	Subproject information dissemination; Disclosure of proposed land acquisition and sub-project details	Leaflets containing information on sub-project to be prepared. Public notice will mention the names and survey nos. of titleholders of land/property proposed for acquisition along with sub-project details. Notice will be issued in local newspapers. Web disclosure on website also proposed.	PIUs in coordination with local government authorities will be involved in information dissemination, under the overall supervision of the PMU. PIUs will be assisted by consultants for leaflet preparation.
	Stakeholder Meetings	Meetings at community/household level with titleholders of affected land/property and their family members during project scoping.	Respective PIUs with local government authorities handling land acquisition or land pooling will facilitate draft land pooling plan to the affected land owners. At least two such meetings should be conducted.
Resettlement Plan/RIPP/IPP Preparation Phase	Socio-economic surveys and social impact assessment	Resettlement framework will be made available in the local government office handling land acquisition / land pooling and PMU office, to be translated in local language.	PMU and PIUs will ensure the availability of resettlement framework.
	Formulating compensation measures and rehabilitation measures	Conducting discussions/ meetings/workshops with all affected persons and other stakeholders	PIUs under overall supervision of PMU will conduct all required discussions/ meetings/ workshops and will invite all secondary stakeholders.
	Disclosure of Resettlement Framework and Resettlement Plan/RIPP/IPP with entitlements and rehabilitation packages	Web disclosure of the resettlement plan. Circulating copies of resettlement plans to All Stakeholders including Affected Persons (including affected Indigenous Peoples), Translating Summary Resettlement Plan/RIPP/IPP in Local	PIU will undertake all activities related to circulation of Resettlement Plan. PIU will arrange public meeting of all Stakeholders With affected Persons for resettlement plan Approval. DBO contractor will document all the comments and suggestions made by

Subproject Phase	Activities	Details	Responsible Agency
		Language Before Conducting Final Disclosure Meeting. Conducting Public Meetings for resettlement plan approval by affected persons.	affected persons and will send it to the PMU along with the resettlement plan.
Resettlement Plan/RIPP/IPP Implementation Stage	Disclosing final resettlement plans Approved by ADB to all important stakeholders	Final resettlement plans reviewed and approved by ADB, to be updated/disclosed on the implementing agency/executing agency's website. The final plans will be disclosed to affected persons and other stakeholders. Ensuring the availability of copy of the approved resettlement plans and ADB Involuntary resettlement policy at PMU, PIU offices.	Executing agency/PMU and PIUs
	Consultation with Affected persons during rehabilitation activities	Meetings/discussions will be arranged with Affected persons. Households to identify help required by Affected persons during rehabilitation	PIUs will arrange required meetings/discussions. Designated staff from the PMU and PDMSC will participate while the PIU/PMU will monitor consultation activities.

## VI. GRIEVANCE REDRESS MECHANISM

### A. Common Grievance Redress Mechanism

57. The project will adopt a three-tier Grievance Redress Mechanism (GRM) in implementing the project. The GRM will receive, evaluate, and facilitate the resolution of social, environmental or any other project related grievances. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. The GRM described below has been developed in consultation with stakeholders. Public awareness campaign will be conducted to ensure that awareness on the project and its grievance redress procedures is generated and shared with affected persons and other stakeholders. The campaign will ensure that the poor, vulnerable and others are made aware of the need for and process in availing the GRM.

58. The GRM provides an accessible, inclusive, gender-sensitive and culturally appropriate platform for receiving and facilitating resolution of affected persons' grievances related to the project. A sample grievance/complaint register template is provided in Appendix 7. The three-tier GRM for the project is outlined below, each tier having time-bound schedules and with responsible persons identified to facilitate and address grievances at each stage, as required. Public awareness campaigns will ensure that awareness on grievance redress procedures is generated through the campaign. The Environmental Safeguard Officer and Social Safeguard and Gender Officer, PMU will have the overall responsibility for timely grievance redress on environmental and social safeguards concerns. The CSOs/NGOs engaged by the PMU will have a few specific responsibilities to raise awareness on the GRM established by the project and to hold

consultations in the habitations of the project area including Indigenous Peoples' communities to identify community concerns, if any.

59. **Who can file a complaint:** A complaint may be registered by stakeholders who may be, directly or indirectly affected by the project. A representative can register a complaint on behalf of the affected person or group, provided that the representative is identified by the affected person or group and submits evidence of the authority to act on their behalf.

60. **What type of grievance/complaint.** Any comments, complaints, queries and suggestions pertaining to safeguard compliance - environment, involuntary resettlement, and Indigenous Peoples, design related issues, compensation, service delivery or any other issues or concerns related to the project can be registered. The complaint must indicate the name, date, address/contact details of the complainant, location of the problem area, along with the problem.

61. **Where and how to file a complaint:** The contractor's site office will be the primary point for receiving and lodging any complaint. Apart from that, grievances/suggestions/queries from affected persons can be dropped into suggestion boxes or conveyed through phone or e-mails. Affected persons or any complainant will also be able to register grievances on social, environmental or other related issues, personally to the Complaint Cell at PIU level.

62. **Process and Timeframe:** The grievance redress process and timeframe involved in the GRM is described below:

- (i) **1st Level grievance (Field Level).** In case of grievances that are immediate and urgent in the perception of the complainant, concerned officer (Junior Engineer, Civil) of PIU will direct the contractor to resolve the complaint and ensures that it is resolved. If the grievance is not under the contractor's scope, PDMSC (PIU level) safeguard personnel will resolve this issue with the support of respective PIU (Junior Engineer, Civil). Efforts will be made to resolve all grievances within seven days from the date of receipt of a complaint / grievance. Relevant government representatives from the respective districts and sub-districts, where the subproject will be implemented, can be consulted as and when required.
- (ii) **2nd Level grievance (PIU Level).** Grievances that cannot be redressed at first level within seven days will be brought to the notice of PIU. The Project Manager will try to resolve the grievance/ complaint within a timeframe of seven days of receiving the complaint from the first level with the support of Safeguards/Environment Officer, PIU and Environmental Safeguards Specialist or Social, Gender and Community Development Specialist, PDMSC. Government representatives from the respective districts and sub-districts (Tehsils/ Development Blocks) where the subproject will be implemented can be consulted as and when required. Any unresolved complaint at the second level will be taken up to the third level.
- (iii) **3rd Level Grievance (PMU Level):** All the grievances that are not addressed at 2nd level by PIU will be brought to the third level, Grievance Redressal Committee (GRC)<sup>9</sup> at the PMU level. The GRC<sup>10</sup> will meet once a month and determine the

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<sup>10</sup> Indigenous People representations at GRC 3<sup>rd</sup> level (PMU level) will be ensured in case of any indigenous peoples impacts (positive or negative) in the subproject area or if a subproject is implemented in any scheduled areas or Integrated Tribal Development Projects (ITDP) blocks/tribal clusters or tribal villages or if presence of particularly vulnerable tribal groups (PVTGs) is reported in the project area. The Indigenous Peoples even if they benefit from

merit of each grievance/s brought to the committee. The third level grievance redress committee will resolve the grievance within fifteen days of receiving the complaint from the second level. The GRC will be chaired by the Project Director and will have the following members: Social Safeguard and Gender Officer, Environmental Safeguard Officer and Community Development Officer from the PMU, the concerned Project Manager from the PIU, the Environmental Safeguard Specialist and Social, Gender and Community Development Specialist of PDMSC, women representative from a Civil Society Organization (CSO), and local elected representative (if required). In case of any Indigenous Peoples impacts in subproject, the chief of the tribe or a member of the tribal council as traditional arbitrator (to ensure that traditional grievance redress systems are integrated) and an NGO working with Indigenous Peoples is consulted. GRC will also ensure IP representation in receiving and facilitating resolution of the IPs' concerns or any impacts on Indigenous Peoples.

63. In case of any inter-departmental or inter-jurisdictional coordination required for resolution of specific grievances, the PIU will refer the matter directly to the PMU for state-level or inter-departmental coordination and resolution, instead of the District-level GRC. Also, in case of any matters related to the scheduled tribes and other traditional forest dwellers rights, the PMU will refer the matter to the Sub-Divisional Committee or the District-level Committee, as applicable.<sup>11</sup> The project GRM notwithstanding, 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. Alternatively, if the grievance is related to land acquisition, resettlement and rehabilitation, the Affected Persons can approach the Land Acquisition, Rehabilitation and Resettlement Authority (LARRA) of Himachal Pradesh, established under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013.<sup>12</sup>
64. The GRM notwithstanding, an aggrieved person shall have access to the country's legal system at any stage. This can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.
65. The process of the project GRM is given in Figure 1.

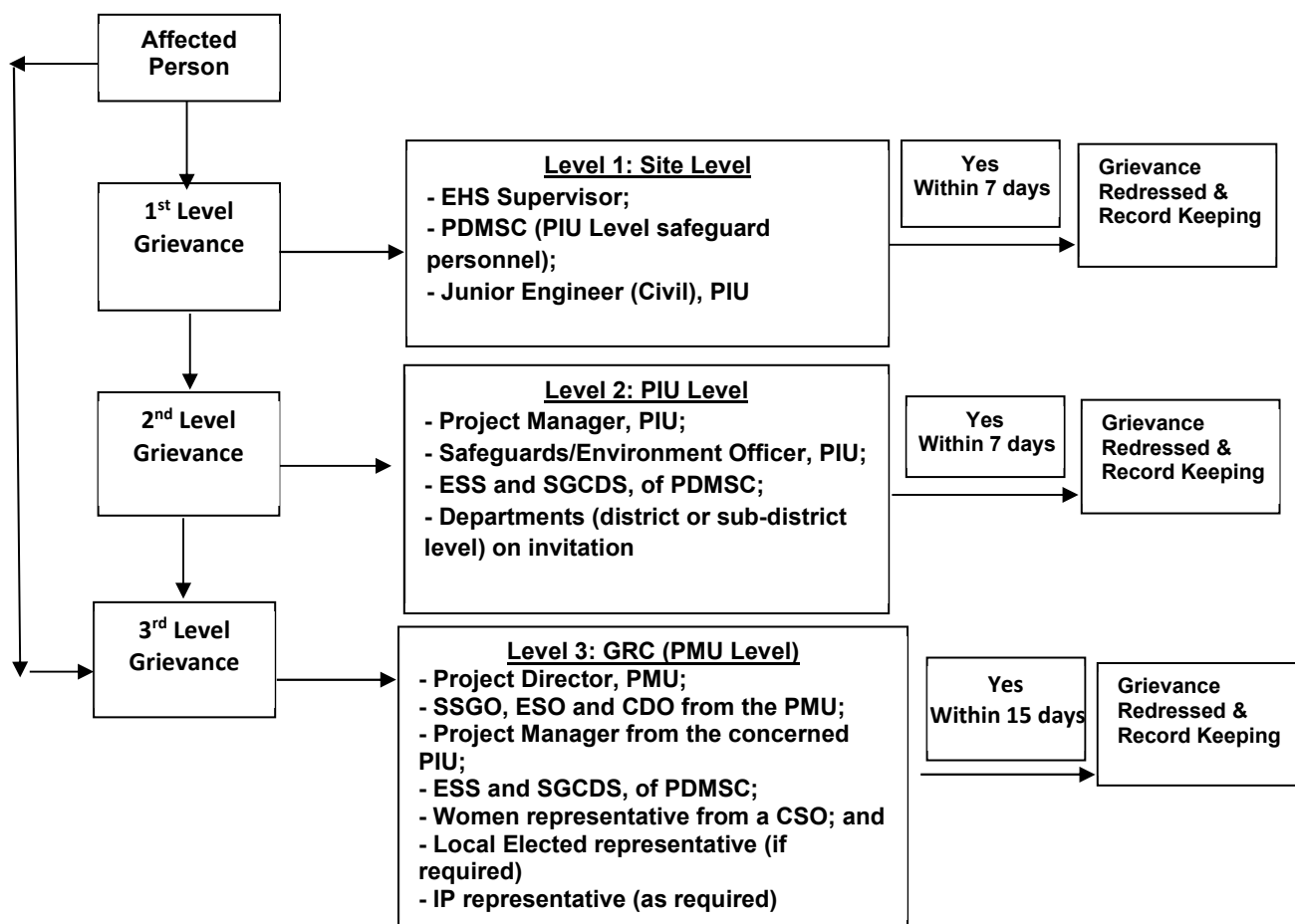
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the project will be treated as affected. The Indigenous Peoples representative can be a leader of Indigenous Peoples groups, or representative suggested by the indigenous peoples' community, and/or a representative member of a CSO working with indigenous peoples' communities, to be decided by PMU.

<sup>11</sup> Sub-Divisional Committees and District Level Committees are formed by the State Government as per requirements under the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006,

<sup>12</sup> The Authority admits grievance only with reference to the Land Acquisition and R&R issues under the RFCTLARRA, 2013.

Figure 1: Grievance Redressal Mechanism - (HPRDWILP)



CDO = Community Development Officer; CSO = Civil Society Organization; ESO = Environmental Safeguard Officer  
 ESS = Environmental Safeguard Specialist; GRC= Grievance Redressal Committee; IP = Indigenous Peoples; PDMSC  
 - Project Design, Management and Supervision Consultant; PIU = Project Implementation Unit; PMU = Project  
 Management Unit; PM = Project Manager; SGCDs = Social, Gender and Community Development Specialist; SSGO  
 = Social Safeguard and Gender Officer.

66. The timeframes within which to resolve the issues may be adjusted (to a maximum of 7 additional days at each level) accordingly during extraordinary circumstances, such as lockdowns or travel restrictions imposed by local or national governments due to the ongoing COVID-19 pandemic. The adjustment will depend on the period of interruption during these events and will be decided upon by the PMU.

67. **Information Dissemination Methods about GRM.** Periodic community meetings will be held by PIUs, and PDMSC with affected communities to understand their concerns and help them through the process of grievance redress (including translation from local dialect/language, recording, and registering grievances of non-literate affected persons and explaining the process of grievance redress) if required. The above Grievance Redress Process will be discussed with the different stakeholders during stakeholder consultation meetings. These meetings will be held with affected persons and community members (beneficiaries) and the concerned local government representatives where civil works are proposed. The process and timelines for grievance redress and contact details of the persons responsible for grievance redress will be

shared in the stakeholder meetings. Action taken in respect of all complaints will be communicated to the complainant by letter, over phone or e-mail or text messaging.

68. **Consultation Arrangements for GRM.** This will include group meetings and discussions with affected persons, to be announced in advance and conducted at the time of day agreed on with affected persons and conducted to address general/common grievances; and if required with the Environment/Social Specialist of PMU/PIU for one-on-one consultations. Non-literate affected persons/vulnerable affected persons will be assisted to understand the grievance redress process, at the site office of the contractor and at PIU level, the official appointed to receive grievances will assist the non-literate affected persons to register complaints and follow-up with actions at different stages in the process.

69. **Record Keeping.** Records of all grievances received, including contact details of complainant, date of receiving complaint/grievance, nature of grievance, agreed actions and measures, the date these were affected, and outcome will be kept by PIU. The number of grievances recorded and resolved, and the outcomes will be displayed/disclosed in the PIU office, and on the website of PMU, as well as reported in the semiannual social and environmental monitoring reports to be submitted to ADB. The Environmental Officer and the Social Safeguard Officer will be responsible for maintaining the grievance record.

70. **Periodic Review and Documentation of Lessons Learned.** The PMU, and PIUs, supported by the PDMSC specialist will periodically review the functioning of the GRM and record information on the effectiveness of the mechanism, especially on the PIU's ability to prevent and address grievances.

71. **Costs.** All costs involved in resolving the complaints (meetings, consultations, communication, and reporting/information dissemination) will be borne by the PMU. Cost estimates for grievance redress are included in resettlement cost estimates.<sup>13</sup>

72. **ADB Accountability Mechanism.** If the established GRM is not able to resolve the issue, the affected person can use the ADB Accountability Mechanism<sup>14</sup> through directly contacting (in writing) the Complaint Receiving Officer (CRO) at ADB headquarters. Before submitting a complaint to the Accountability Mechanism, it is recommended that affected people make effort in good faith effort to resolve their problems by working with the concerned ADB operations department (in this case, the India Resident Mission (INRM)). Only after doing that, and if they are still dissatisfied, they could approach the Accountability Mechanism. The ADB Accountability Mechanism information will be included in the project-relevant information to be distributed to the affected communities, as part of the project GRM.

## VII. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

### A. Institutional Arrangements

73. Jal Shakti Vibhag (JSV) of the Government of Himachal Pradesh (GOHP) is the Executing and Implementing Agency for the Program, responsible for management, coordination and execution of all activities funded under the loan. A central Project Management Unit (PMU) is established under Jal Shakti Vibhag and will be responsible for implementing the project. The PMU shall function as a central project management coordination mechanism based in the zonal

<sup>13</sup> Reimbursement of the transportation cost to GRC members to participate in the meeting will be provided by PMU and will form part of the GRM cost.

<sup>14</sup> Accountability Mechanism. <http://www.adb.org/Accountability-Mechanism/default.asp>.

headquarter office in Mandi. A total of four Project Implementation Units (PIUs) will be established at the zonal offices to support the project implementation.

74. State-level Empowered Committee and 10 district level committees are proposed. The state-level committee will be responsible for oversight of the overall project implementation progress and provide policy and reform guidance, while the district-level committee will focus on day-to-day project issues including resolving any major issues or bottlenecks that impede smooth efficient and effective project implementation.

75. The PMU and PIUs will be supported by Project Design Management and Supervision Consultant (PDMSC) and two CSOs.

76. Project Design Management and Supervision Consultant (PDMSC) centrally located in PMU and with field teams located at PIU level shall be responsible for implementation of the project. All infrastructure contracts will be procured through performance-based contracts (PBCs) and include build-operate (BO) framework. Based on the preliminary designs prepared by Design Consultants, the DBO (design-build-operate) Contractor will design, construct, commission and operate for 5 years, after which it will be transferred to the JSV. The preparation, review, and approval of project design and due diligence studies including bidding process is centralized at the PMU. PIUs will provide necessary support to PMU in preparation and will play main role in supervising the construction process.

77. **Project Management Unit (PMU).** The PMU is headed by a Project Director (PD) of Chief Engineer rank from JSV. The Project Director will be supported by two Deputy Project Directors (1 and II) for procurement and contract management. Deputy Project Director – I (DPD-I) of Executive Engineer rank will be responsible for procurement and contract management of Hamirpur zone and Dharamshala zone and DPD-II will be responsible for Shimla zone and Mandi zone. The Project Director will be supported by a third Deputy Project Director (DPD -III), of Deputy Controller rank from Finance and Administration Department for finance management of the project. The PMU will have a position of Social Safeguard and Gender Officer (SSGO) responsible for implementation of social safeguard, resettlement, and gender related activities. The PMU will also have a position of Environmental Safeguard Officer, responsible for environmental safeguards and a Community Development Officer for community mobilization activities.

78. **Project Implementation Units (PIUs), Zonal Level.** Four PIUs will be established at each of the subproject towns (Hamirpur, Dharamshala, Shimla and Mandi). Each PIU at the zonal level will be headed by a Project Manager of Executive Engineer rank. The Project Manager will be supported by Safeguard/Environment Officer of Assistant Engineer, rank responsible for social (including issues and concerns related to Indigenous Peoples) and environmental safeguard implementation. The PIUs will be supported by the Safeguards and gender team of PDMSC.

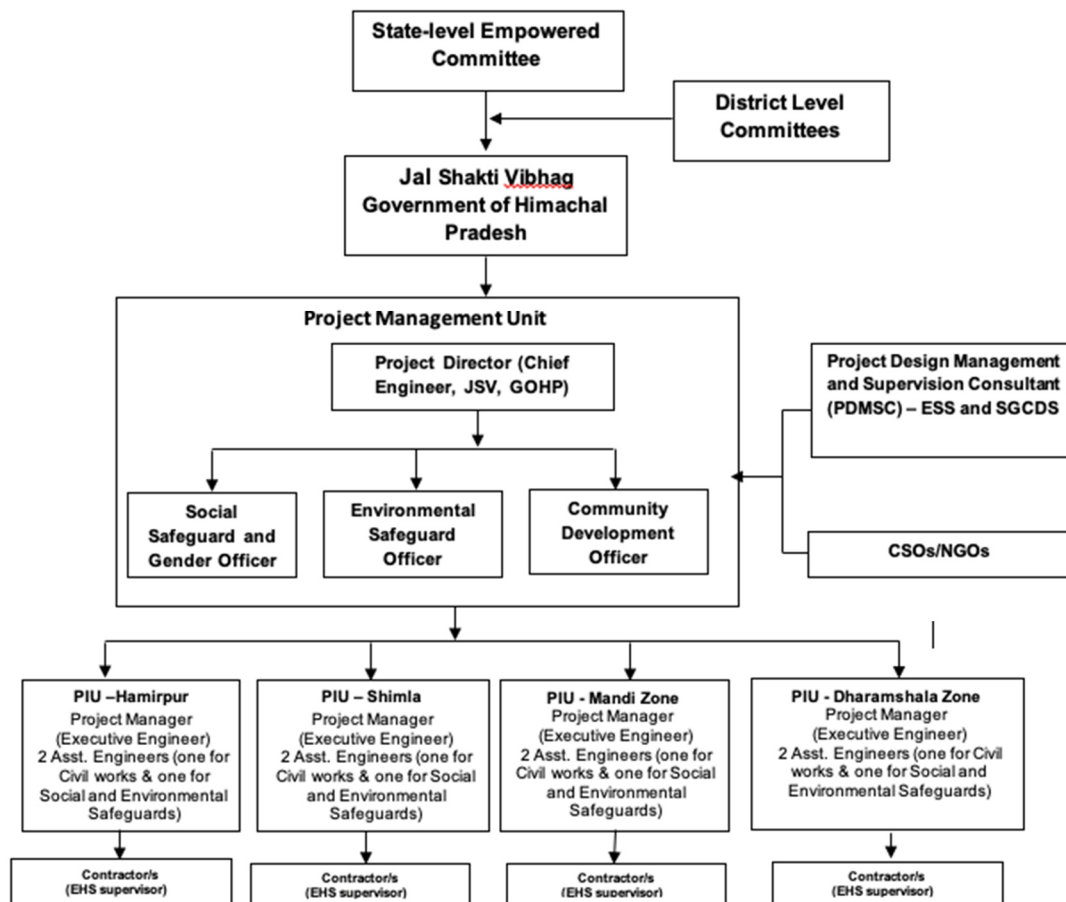
79. **Safeguards Compliance Responsibilities.** At PMU, there will be three safeguard officers: (i) Environment Safeguard Officer (ESO) (ii) Social Safeguard and Gender Officer (SSGO), and (iii) Community Development Officer (CDO) who will be responsible for compliance with the environmental, social safeguards and community related issues in program implementation respectively. Environment Safeguard Officer and Social Safeguard and Gender Officer (SSGO) will have overall responsibility of safeguard implementation in compliance with ADB SPS 2009. At individual subproject level, Environment Safeguard Officer and Social Safeguard and Gender Officer will ensure that environmental assessment and social impact assessment is conducted, and a project-specific Environmental Management Plan (EMP) and

Social Management Plan (SMP) and Resettlement Plans (RP), due diligence reports (DDRs), Indigenous Peoples plans (IPPs) are prepared and implemented, and the compliance, and corrective actions, are undertaken. Environmental Safeguard Specialist (ESS) and Social, Gender and Community Development Specialist (SGCDS) of the PDMSC will have primary responsibility of preparing the safeguard documents and supervising the EMP and resettlement plan implementation, while the Safeguards Officers at PMU will review, approve and oversee the compliance. At each PIU, a Safeguard/Environment Officer of Assistant Engineer rank, AE (SEO), will be responsible for safeguard implementation. AE(SEO) will oversee the safeguards implementation at PIU level and will be responsible for reporting to Environment Safeguard Officer and Social Safeguard and Gender Officer at PMU. The AE(SEO) will coordinate public consultation, information disclosure, regulatory clearances and approvals, EMP and resettlement plan implementation and grievance redress. Contractor will appoint an Environment, Health and Safety (EHS) supervisor to implement EMP; EHS supervisor of DBO Contractor will have responsibilities related to environmental and social safeguards compliance and grievance redress and management at field level.

## B. Institutional Arrangement for Safeguard Implementation

80. Figure below depicts the implementation arrangement for safeguards (environmental and social), including gender-related aspects of the project.

**Figure 2: Implementation Arrangement for Safeguard Implementation**





81. **Social Safeguard Tasks of SSGO at PMU Level.** Detailed tasks and responsibilities at the PMU level are as follows:

- (i) ensure subprojects conform to the agreed subproject selection criteria for the project;
- (ii) review and finalize subproject involuntary resettlement and Indigenous Peoples category;
- (iii) oversee preparation of resettlement plans/due diligence reports (DDRs)/RIPPs/IPPs and community action plans; confirm existing resettlement plans/ RIPP/DDRs/IPPs are updated based on detailed designs, and that new subproject resettlement plans/ DD Rs are prepared in accordance with the resettlement framework prepared in compliance with ADB SPS 2009 and policies, regulations of GOHP for the project;
- (iv) be part of consultation activities with affected persons including Indigenous Peoples group, tribal community head and other relevant stakeholders from time to time organized by PIUs to ensure free, fair and meaningful consultation are conducted and meeting minutes with signatures of all attendees, photographs of the consultations are maintained;
- (v) responsible for issuing the public notice to acquire a particular land/property (if applicable) for the subproject along with project information/details as well as the project cut-off-date;
- (vi) ensure that resettlement plans/RIPP/DDRs/IPPs are included in bidding documents and civil works contracts;
- (vii) provide oversight on social safeguard management aspects of subprojects and ensure resettlement plans and impact avoidance measures outlined in the resettlement framework/environmental management plan/IPPF/resettlement plans/RIPP/DDR/IPPs are implemented by PIUs and contractors;
- (viii) ensure and monitor the provision in the contract to include the vulnerable affected persons and groups are included during the project construction work as semi-skilled or unskilled workers;
- (ix) facilitate and ensure compliance with all government rules and regulations regarding No Objection Certificates, third party certificates for negotiated settlement or donation, land ownership and transfer details etc. for each site, as relevant;
- (x) supervise and guide the PIUs to properly carry out the social safeguard and gender monitoring (resettlement plans) as per the resettlement framework;
- (xi) review, monitor, and evaluate the effectiveness with which the resettlement plans/ RIPP/provisions of DD Rs are implemented, and recommend corrective actions to be taken as necessary;
- (xii) consolidate monthly social safeguard and gender monitoring reports from PIUs and with the support of PDMSC submit quarterly progress reports (QPR) and semi-annual social safeguard monitoring reports (SSMR) to ADB;
- (xiii) ensure timely disclosure of final resettlement plans/ RIPP/DDRs/IPPs in locations and form accessible to the public and affected persons;
- (xiv) address any grievances brought about through the GRM in a timely manner;
- (xv) oversee training needs assessment of affected persons and vulnerable persons by PIUs, coordinate training activities with the support of PDMSC;
- (xvi) ensure that induction course for the training of contractors is conducted regularly. Prepare contractors (with consultants' support) on resettlement plans/ DDR/IPPs implementation, social safeguard and gender monitoring requirements related to mitigation measures, health and safety and on taking immediate action to remedy

- unexpected adverse impacts or ineffective mitigation measures found during the course of implementation;
- (xvii) identify training needs and coordinate training activities for the PIUs/ PDMSC/contractors for capacity building to implement the resettlement plans/DDR/IPPs, and GRM;
  - (xviii) coordinate database management for social safeguards implementation and monitoring; and
  - (xix) coordinate public awareness campaigns by the PIUs including resettlement provisions with the help of print and electronic media.

**82. Social Safeguard and Gender Tasks at PIU Level.** The key social safeguard role and tasks of zonal level PIU will be:

- (i) Provide field data to fill up IR/IP impact checklist and classify the project;
- (ii) Ensure compliance with government and ADB requirements on social safeguards including concerns related to Indigenous Peoples;
- (iii) Conduct regular site visits, including spot checks, to ensure implementation of resettlement plan/IPP/RIPP or community action plan for IPs ;
- (iv) Oversee and conduct census and socio-economic surveys, detailed measurement surveys, and verification surveys of affected persons together with PDMSC before start of civil construction work, conduct consultations with affected persons, prepare list of affected persons and ensure all data required to prepare/update resettlement plans, RIPP, DDRs with the assistance of Social, Gender and Community Development Specialist of PDMSC. Ensure updated information is submitted to PMU for preparation/updating of documents with PDMSC and contractor's support;
- (v) Inform affected persons about tentative schedule of land acquisition/occupation, entitlement matrix and compensation packages against different categories of loss, and cut-off date;
- (vi) Coordinate valuation of assets, such as land, trees of various species, etc. based on proper due diligence and assessment, prepare compensation packages;
- (vii) Coordinate, supervise and monitor disbursement of compensation;
- (viii) Obtain no objection certificates (NOCs), land documents, third party certifications (if required) for the project;
- (ix) Support to PMU in preparing/updating RPs/DDR/IPP;
- (x) Oversee day-to-day implementation of impact avoidance and mitigation measures in resettlement plans /DDR and EMPs by contractors, including compliance with all government rules and regulations particularly health and safety;
- (xi) Oversee maintenance of data for monitoring, by consultants and contractors;
- (xii) Implement corrective actions when necessary to ensure no adverse social impacts;
- (xiii) Submit monthly social monitoring reports to PMU;
- (xiv) Conduct continuous public consultation and awareness with the support of PDMSC safeguard and gender specialists;
- (xv) Set up GRM at field/site/PIU level and ensure it is fully functional. Address any grievances brought about through the grievance redress mechanism in a timely manner;
- (xvi) Ensure that contractors are aware about resettlement plans/ DDR/ IPPs implementation, social safeguard and gender monitoring requirements related to mitigation measures, health and safety and on taking immediate action to remedy

- unexpected adverse impacts or ineffective mitigation measures found during the course of implementation;
- (xvii) Liaise with the district/sub-district administration and line departments as and when required;
  - (xviii) Supervise the work of all consultants at field level;
  - (xix) Oversee day-to-day implementation of final resettlement plans/ RIPPs/IPP and community action plan;
  - (xx) Provide field level information required to prepare periodic safeguard monitoring reports in a format acceptable to ADB provided in PAM;
  - (xxi) Extend support in carrying out awareness campaigns in project towns.

83. **Project Design Management and Supervision Consultant (PDMSC).** The PMU and PIUs will be supported by Project Design Management and Supervision Consultant (PDMSC) in project management and implementation. The Social, Gender and Community Development Specialist of PDMSC will assist PMU and PIUs in implementing resettlement plans, ensure social safeguard compliance and Indigenous Peoples safeguards at all subproject locations, including review and updating of all resettlement plans, DDRs. PDMSC Social, Gender and Community Development Specialist (SGCDS) will oversee project implementation, support on policy reform related issues and compliance of all the reporting requirements of GOHP, other statutory regulatory bodies and ADB SPS, 2009.

84. **Social Safeguards and Gender Tasks, PDMSC.** The specific tasks of Social, Gender and Community Engagement Specialist will include the following Screen and categorize subproject components.

- (i) Carry out (a) social baseline data collection, (b) assessment of social risks, and (c) meaningful consultations with affected persons;
- (ii) Collect relevant baseline data on Indigenous Peoples for preparation of specific action plan and ensure the action plan is implemented in a culturally appropriate manner;
- (iii) Ensure the contractors comply with the agreed social safeguards frameworks, resettlement plans, and due diligence reports on social safeguards for the project;
- (iv) Prepare any additional draft resettlement plans, update the existing resettlement plan (based on revalidation and DMS, before start of construction work), due diligence reports and prepare any new safeguard documents as and when required;
- (v) Assist the PIUs in the implementation of final resettlement plans/ RIPPs/IPP/community action plans and gender action plan;
- (vi) Assisting with any capacity building activities for stakeholders;
- (vii) Prepare periodic safeguard monitoring reports as per the format acceptable to ADB and quarterly gender action plan updates in format provided in PAM;
- (viii) Collect relevant data on implementation of gender action plan and design gender sensitive communication strategy and IEC materials illustrating key social and behavioral messages related to hygiene, sanitation and health jointly with the communication specialist and in accordance with the gender action plan;
- (ix) Extend assistance to PMU, JSV in carrying out awareness campaigns focused on title rights, operation and maintenance of the residential units and common areas, access to basic civic facilities, health and education facilities, etc.

85. **Civil Society Organizations.** Two civil society organizations will also be contracted to support the PMU in the successful implementation of the project. The CSOs/NGOs will be

responsible for GESI action plan and CAPP implementation, provide specific support to implement community development and awareness raising activities, support the PIUs in holding consultations with the community and support the project-GRM. The CSOs/NGOs will have the following specific tasks:<sup>15</sup>

### 1. Coordination support

- (i) Coordinate with elected representatives, district administration, JSV, line departments, PIUs, Contractor, PDMSC, and community for project activities;
- (ii) Provide necessary field level information to PIU and PDMSC for reports preparation and other documentation;
- (iii) Coordinate with contractor's representatives to promptly address community grievances and avoid undue escalations;
- (iv) Coordinate with the Contractor for collecting and reporting sex disaggregated data of labour engaged in construction activity at the project sites;
- (v) Coordinate with experts in PDMSC and ADB TA consultants for effective implementation of GESI AP and community development and public participation activities.

### 2. Grievance redressal

- (i) Conduct awareness in the community and among affected persons on grievance redressal mechanism established under the project;
- (ii) Assist PIU in the dissemination of entitlement matrix among affected persons as per the resettlement plan;
- (iii) Hold consultations in the habitations of the project area including Indigenous Peoples' communities to identify community concerns if any, document such consultations, and inform PIU and concerned officials appropriately.

86. **Design Build and Operate (DBO) Contractors.** The resettlement plans/DDR's will be included in bidding and contract documents and verified by the PIUs and PMU. All contractors will be required to designate an Environment Health and Safety (EHS) Supervisor to ensure social safeguard compliance / EMP during civil works and operation and maintenance, who will also have the responsibility for communication with the public under the guidance of PMU/PIUs and grievance registration. Contractors are to carry out all compliances as mentioned in their contract.

87. The DBO Contractor shall comply with: (i) all applicable labour laws and core labour standards on (a) prohibition of child labour as defined in national legislation for construction and maintenance activities;(b) equal pay for equal work of equal value regardless of gender, ethnicity, or caste; and (c) elimination of forced labour; and with (ii) the requirement to disseminate information on, COVID-19 safety protocols, sexually transmitted diseases, including HIV/AIDS, to employees and local communities surrounding the project sites. The key responsibilities of social safeguard supervisor on social compliance are as follows:

- (i) Work in close coordination with the PIU, design engineers and social safeguards personnel to finalize detailed design keeping the safeguard principles adopted for the project in view.

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<sup>15</sup> The detailed tasks are outlined in the TOR attached in the Project Administration Manual.

- (ii) Ensure that all design-related measures (e.g., special considerations for the vulnerable related to facility locations or design, mitigation measures for affected persons) are integrated into project designs before approval.
  - (iii) Conduct joint walk-throughs with PIU, design engineers and social safeguards personnel from PDMSC at sites/sections ready for implementation; identify the need for DMS and conduct DMS to arrive at the final inventory of loss.
  - (iv) Ensure strict adherence to ADB and government policy on social safeguards and the agreed entitlement matrix during implementation.
  - (v) Review the resettlement plan including the entitlement matrix, category and the EMP, and conduct site visits to understand the environmental and social sensitivity of the project sites.
  - (vi) Make sure that that induction course for the training of contractors is conducted regularly. Prepare contractors (with consultants' support) on resettlement plans/DDR/IPP/GESI implementation, social safeguard and gender monitoring requirements related to mitigation measures, health and safety and on taking immediate action to remedy unexpected adverse impacts or ineffective mitigation measures found during the course of implementation;
  - (vii) Assist with grievance redress and ensure recording, reporting and follow-up for resolution of all grievances received.
  - (viii) Understand the regulatory compliance requirements related to labour welfare, environmental and social safeguards, and occupational health and safety.
  - (ix) Ensure that all imported labourer screened for HIV/AIDS and other infectious and transmissible diseases before being deployed at work sites. Besides, the Contractor must conduct an orientation on the health, occupational safety, movement and citizenship laws of the country before the work can start and from time to time to avert any issues resulting in conflict with local law and law keepers.
  - (x) Assist PIU in disclosing relevant information on construction timelines, GRM to beneficiaries and affected persons including the vulnerable groups.
  - (xi) Ensure COVID-19 safety protocols are regularly monitored and followed at each of the construction site.
88. The above institutional arrangement will ensure that:
- (i) Social safeguard issues are addressed.
  - (ii) Resettlement framework is followed in all resettlement issues.
  - (iii) Approved resettlement plans and impact avoidance and mitigation measures in resettlement planning documents are implemented.
  - (iv) Implementation of resettlement plans is monitored.
  - (v) Periodic monitoring reports are prepared in a timely manner and submitted to Project Director, PMU for onward submission to ADB for approval.
  - (vi) Database on resettlement monitoring and due diligence is updated and maintained.

### **C. Social Safeguards Implementation**

89. The PIUs will be responsible for implementation of the resettlement plans/RIPPs/IPPs and the PMU for monitoring of the resettlement plans. The PIU will undertake surveys and record observations throughout the construction period to ensure that safeguards and mitigation measures are provided as intended. The PMU through the PIUs will arrange for disbursement of compensation to affected persons, implementation and monitoring of safeguards compliance activities, stakeholder consultation and public awareness activities, and ensure gender mainstreaming activities. It will also arrange for obtaining statutory clearances and obtaining no

objection certificates from government agencies and/or other entities, as/if required. It will also coordinate for obtaining ROW clearances with related state and national agencies. The PDMSC Social, Gender and Community Development Specialist and Safeguard and Environment Officer of PIUs will supervise data collection for resettlement plan/IPP / due diligence report updating, preparation and implementation and prepare progress reports with respect to resettlement plan/RIPP/IPP implementation. They will record IR/IP impacts at field level during implementation, need to update resettlement plans/RIPPs/IPPs/DDR and need to prepare resettlement plans where earlier no impacts were envisaged and only DDRs prepared.

90. The PIU/PDMSC will finalize the micro-plans on entitlements for each affected person, disclose with affected persons, and will receive approval from PMU. The PIU along with PDMSC will ensure disbursement of compensation to affected persons prior to start of the construction work.

91. The PIU will assist the PMU in implementing and monitoring the resettlement plans (duly approved by ADB prior to implementation). PMU and PIU staff capacity needs to be built to ensure that they are fully conversant with public awareness generation activities, consultations and field surveys and an understanding of data entry and quality control.

**Table 5: Institutional Roles and Responsibilities**

<b>Activities</b>	<b>Agency Responsible</b>
<b>Subproject Initiation Stage</b>	
Finalization of sites/alignments for project (on ground)	PMU/PIUs/Contractors
Meetings at community/household level with affected persons and beneficiaries	PMU/PIUs/PDMSC
<b>Resettlement Plan Preparation/ Updating Stage</b>	
Conducting DMS and Survey/Census of all affected persons	PIUs/PDMSC/Contractor
Conducting FGDs/meetings/workshops during census surveys	PIUs/PDMSC/Contractor
Verification of survey results, vulnerable households	PMU/PIU/PDMSC
Computation of compensation	PMU/ PIU assisted by PDMSC
Conducting discussions/FGD/meetings/workshops with all affected persons and other stakeholders	PIUs/PDMSC
Finalizing entitlements	PMU/PIUs with support of PDMSC
Disclosure of final entitlements and compensation packages	PIUs/PDMSC
Approval of Resettlement Plan Budget	JSV and SEC
Approval of Resettlement Plan	ADB
<b>Resettlement Plan Implementation Stage</b>	
Payment of compensation	PMU/ PIUs
Consultations with affected persons during rehabilitation activities	PIUs/PDMSC
Grievances Redressal	PMU/PIUs/PDMSC/ Contractor
Internal Monitoring	PMU/PIU

DMS= detail measurement survey; FGD= focus group discussion; GRC = Grievance Redress Committee; MOF= Ministry of Finance; PMU = project management unit; PDMSC= project design management and supervision consultant; PIU= project implementation unit; SEC=state-level empowered committee

92. The above institutional arrangement will ensure that:

- (i) Social safeguard issues are addressed;
- (ii) Resettlement framework and Indigenous Peoples Planning Framework is followed in all resettlement and indigenous peoples issues;
- (iii) Approved Resettlement and Indigenous Peoples Plan (RIPP)s and impact avoidance and mitigation measures in Resettlement and Indigenous Peoples Plan (RIPP) are implemented;
- (iv) Implementation of Resettlement and Indigenous Peoples Plan (RIPP)s and impact avoidance and mitigation measures is monitored;
- (v) Periodic monitoring reports are prepared in a timely manner and submitted to Project Director, PMU for onward submission to ADB for approval;
- (vi) Database on Resettlement and Indigenous Peoples Plan (RIPP) and indigenous peoples specific action plan monitoring and due diligence is updated and maintained;
- (vii) Project grievance redress mechanism established and functional.

#### **D. Institutional Capacity Development**

93. Capacity to handle environmental / involuntary resettlement / Indigenous Peoples impacts, gender and vulnerability issues, etc., needs to be built in the Project. Training of PMU / PIU staff on aspects such as environmental planning/resettlement planning/implementation, social protection and gender, including the specific recording, reporting, and disclosure requirements therefore need to be planned separately.

94. For the capacity building of designated safeguard officers and engineers, PMU will organize training programs on safeguards. The PDMSC Social, Gender and Community Development Specialist will be responsible for training the PMU's safeguards officers (environmental and social), and PIU's engineers and other staff.

95. Owing to the complexity of Projects spread across a large area, there is a need to specially focus on capacity building on social (distinct social, economic and cultural traits and traditions of people and the importance of preserving these, including indigenous knowledge systems, etc.), legal (traditional rights over land and land tenure issues) and technical aspects in such Projects with an adequate budgetary provision. Training on provisions of EARF/resettlement framework.

96. The specific capacity development program, which will include but will not be limited to:

- (i) sensitization on ADB's policies and guidelines on social and Indigenous Peoples safeguards (ADB's Safeguard Requirement 2 and 3: Involuntary Resettlement and Indigenous Peoples) including meaningful consultation, GRM and accountability mechanism;
- (ii) introduction to the assessment of involuntary resettlement and Indigenous Peoples impacts and mitigation measures, including best practices, in the design, construction, operation and maintenance of water supply, sewerage, roads, and drainage subprojects;
- (iii) preparation and review of RPs/IPP/DDR/RIPP based on preliminary design, and updating of the documents based on the final design;
- (iv) Effective communication with stakeholders including elected representatives, media and general masses;
- (v) improved coordination within nodal departments;
- (vi) disbursement of compensation, consultation; and
- (vii) monitoring and reporting requirements.

## **VIII. BUDGET FOR FORMULATING AND IMPLEMENTING INDIGENOUS PEOPLES PLAN (IPP) OR RESETTLEMENT AND INDIGENOUS PEOPLES PLAN (RIPP)**

97. Each IPP will have its own budget; cost estimates will include an allocation for contingencies and unanticipated impacts. HPRDWILP/PMU will ensure that each PIUs has sufficient resources to prepare and implement the IPP/RIPP if the subproject component will have any impact on indigenous communities. The activities of the IPP/RIPP will be implemented by the PIUs, with assistance from PDMSC. A detailed budget will be prepared by the PIUs through the consultant PDMSC, 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. MONITORING AND REPORTING**

98. Monitoring and evaluation (M&E) are significant activities in developmental projects which deal with Indigenous Peoples 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 Peoples community's standard of living and retain their tribal socio-cultural identity at the same time. The M&E mechanism will measure project performance and fulfillment of the project objectives.

### **A. Internal Monitoring**

99. Internal monitoring for RIPP/IPP implementation will be carried out on a regular basis to identify potential issues, concerns and develop effective solutions in timely manner. After 3 months of project initiation, monitoring will be initiated following generation of reports, every quarter for the first year of implementation (refer to social monitoring report outline in the project administration manual) and bi-annually thereafter (social safeguard monitoring report). The PDMSC will undertake internal monitoring at PIU level and prepare reports documenting actual achievements against targets fixed and identifying reasons for shortfalls, if any. All monitoring reports will be produced within fifteen days of the end of each quarter or half-year. After review, the zonal PIUs will submit their monitoring reports to the PMU.

100. No negative impact on Indigenous Peoples is anticipated under HPRDWILP. Any subproject with significant adverse impacts on Indigenous Peoples will be avoided for financing under this Project.

### **B. Reporting**

101. The quarterly and semiannual social monitoring report prepared by the PIUs should include the implementation of the IPP/RIPP or specific action plan of the identified Indigenous Peoples. The executing agency, as required, will submit biannual monitoring reports to ADB. Broadly, monitoring and evaluation systems will involve:

- (i) administrative monitoring: daily planning, implementation, troubleshooting,



- (ii) feedback, individual village file maintenance, and progress reports;  
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.

102. Reporting and monitoring formats will be prepared by the monitoring experts for effective internal monitoring. The reports will be submitted to ADB for review and comments. Semiannual social monitoring reports will be prepared and submitted by executing agency to ADB for review and disclosure on the ADB website.

## Appendix 1: List of Scheduled Tribes in Himachal Pradesh<sup>16</sup> and Particularly Vulnerable Tribal Groups in India<sup>17</sup>

List of Scheduled Tribes in Himachal Pradesh:

1. Bhot, Bodh
2. Gaddi
3. Gujjar
4. Jad, Lamba, Khampa
5. Kanaura, Kinnara
6. Lahaula
7. Pangwala
8. Swangla
9. Beta, Beda
10. Domba, Gara, Zoba

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<sup>16</sup> <https://tribal.nic.in/ST/LatestListofScheduledtribes.pdf>

<sup>17</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 RPIUs refer to the updated list of statewide scheduled tribes while implementing the IPP/Indigenous Peoples DDR. Source: <https://tribal.nic.in/ST/StatewisePvTGsList.pdf>

**Appendix 2: Rural-Urban Distribution of Scheduled Tribe Population in Himachal Pradesh  
(Census 2011)<sup>18</sup>**

State	Rural			Urban			Total			Scheduled Tribes as percentage to total population
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
<b>H.P.</b>	<b>186896</b>	<b>187496</b>	<b>374392</b>	<b>9222</b>	<b>8512</b>	<b>17734</b>	<b>196118</b>	<b>196008</b>	<b>392126</b>	<b>5.71</b>

**Schedule Tribe Population in Subproject Districts**

District	Total Population		Total ST Population		(% of ST Population)
Kangra	Rural	Urban	Rural	Urban	Kangra 5.6
	1423794	86281	80234	4330	
<b>Total</b>	<b>1510075</b>		<b>84564</b>		
Mandi	Rural	Urban	Rural	Urban	Mandi 1.28
	937140	62637	12359	428	
<b>Total</b>	<b>999777</b>		<b>12787</b>		
Hamirpur	Rural	Urban	Rural	Urban	Hamirpur 0.67
	423338	31430	2801	243	
<b>Total</b>	<b>454768</b>		<b>3044</b>		
Shimla	Rural	Urban	Rural	Urban	Shimla 1.08
	612659	201351	5399	3356	
<b>Total</b>	<b>814010</b>		<b>8755</b>		
District	Total Population		Total ST Population		(% of ST Population)
Bilaspur	Rural	Urban	Rural	Urban	Bilaspur 2.80
	356827	25129	10334	359	
<b>Total</b>	<b>381956</b>		<b>10693</b>		
Una	Rural	Urban	Rural	Urban	Una 1.65
	476260	44913	8452	149	
<b>Total</b>	<b>6864602</b>		<b>8601</b>		
Chamba	Rural	Urban	Rural	Urban	Chabra 26.10
	482972	36108	132907	2593	
<b>Total</b>	<b>519080</b>		<b>135500</b>		
Solan	Rural	Urban	Rural	Urban	Solan 4.42

<sup>18</sup> Source: Statistical Abstract of Himachal Pradesh 2018-2019;  
[https://himachalservices.nic.in/economics/pdf/StatisticalAbstract\\_2018\\_19.pdf](https://himachalservices.nic.in/economics/pdf/StatisticalAbstract_2018_19.pdf)

District	Total Population		Total ST Population		(% of ST Population)
	478173	102147	24075	1570	
<b>Total</b>	<b>580320</b>		<b>25645</b>		

**Fifth Schedule Areas<sup>19</sup> in Project Districts**

Himachal Pradesh	Pangi tehsil and Bharmour sub-tehsil in Chamba district
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Note: Specified by the Scheduled Areas (Himachal Pradesh) Order, 1975 (Constitution Order No. 102) dated 21.11.1975.

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<sup>19</sup> Source:  
<https://niti.gov.in/planningcommission.gov.in/docs/sectors/sj/List%20of%20Fifth%20Scheduled%20Area.doc>

### Appendix 3: Outline of Indigenous Peoples Plan (IPP)

#### Outline of Indigenous People Plan

The main components of an IPP includes (i) discussion on aspirations, needs, and preferred options of the affected Indigenous Peoples; (ii) local social organization, cultural beliefs, ancestral territory, and resource use patterns among the affected Indigenous Peoples; (iii) potential positive and negative project impacts on them; (iv) measures to avoid, mitigate, or compensate for the adverse project effects on them; (v) measures to ensure project benefits will accrue to them; (vi) measures to strengthen executing agency capacity to address their issues; (vii) the possibility of involving local organizations and NGOs with expertise in Indigenous Peoples issues; (viii) their budget allocation; and (ix) Indigenous Peoples monitoring with a time frame. The executing agency will submit the IPP to ADB for review and approval prior to commencement of any civil works.

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

- (i) Executive summary of the IPP—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 Peoples; and identifies project area.
- (iii) Social Impact Assessment—this section:
  - a) reviews the legal and institutional framework applicable to Indigenous Peoples in project context;
  - b) provides baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend;
  - c) identifies key project stakeholders and elaborates a culturally appropriate and gender-sensitive consultation process with Indigenous Peoples at each stage of project preparation and implementation;
  - d) based on meaningful consultation with the affected Indigenous Peoples 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 Peoples communities with respect to their close ties to land and natural resources, as well as their lack of access to opportunities;
  - e) 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
  - f) based on meaningful consultation with the affected Indigenous Peoples 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 Peoples receive culturally appropriate benefits under the project.
- (iv) Information Disclosure, Consultation, and Participation—this section:
  - a) describes the information disclosure, consultation, and participation process with the affected Indigenous Peoples communities that was carried

- out during project preparation;
  - b) 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 Indigenous Peoples communities and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities;
  - c) describes consultation and participation mechanisms to be used during implementation to ensure Indigenous Peoples participation during implementation; and
  - d) confirms disclosure of the draft and final IPP to the affected Indigenous Peoples communities.
- (v) *Beneficial Measures*-This section specifies the measures to ensure that the Indigenous Peoples 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 Peoples, and where avoidance is impossible, specifies the measures to minimize, mitigate, and compensate for the unavoidable adverse impacts for each affected Indigenous Peoples group.
- (vii) *Capacity Building*-This section provides measures to strengthen the social, legal, and technical capabilities of (a) government institutions, to address Indigenous Peoples issues in the project area; and (b) Indigenous Peoples organizations in the project area, to enable them to represent the affected Indigenous Peoples more effectively.
- (viii) *Grievance Redress Mechanism*-This section describes the procedures to redress grievances of affected Indigenous Peoples communities. It also explains how the procedures are accessible to Indigenous Peoples, 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 Peoples 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.
- (xi) *Budget and Financing*-This section provides an itemized budget for all activities described in the IPP.

#### Appendix 4: 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 5: Indigenous Peoples Impact Assessment with COVID-19 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.

**B. Information on project/subproject/component:**

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

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**C. Screening Questions for Indigenous Peoples Impact**

<b>KEY CONCERNS</b> (Please provide elaborations in the "Remarks" column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
<b>A. Indigenous Peoples Identification</b>				
1. Are there sociocultural 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?				

<b>KEY CONCERNS</b> (Please provide elaborations in the "Remarks" column)	YES	NO	NOT KNOWN	Remarks
7. Have such groups been historically, socially, and economically marginalized, disempowered, excluded, and/or discriminated against?				
8. Are such groups represented as "Indigenous Peoples," "ethnic minorities," "scheduled tribes," or "tribal populations" in any formal decision-making bodies at the national or local levels?				
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?				
10. Will the project directly or indirectly affect Indigenous Peoples' traditional sociocultural and belief practices (e.g., child-rearing, health, education, arts, and governance)?				
11. Will the project affect the livelihood systems of Indigenous Peoples (e.g., food production system, natural resource management, crafts and trade, employment status)?				
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?				
C. Identification of Special Requirements Will the project activities include:				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?				
14. Physical displacement from traditional or customary lands?				
15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, and spiritual uses that define the identity and community of Indigenous Peoples?				
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied, or claimed by Indigenous Peoples?				

<b>KEY CONCERNS</b> (Please provide elaborations in the "Remarks" column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
17. Acquisition of lands that are traditionally owned or customarily used, occupied, or claimed by Indigenous Peoples?				

#### D. Indigenous Peoples Impact

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

- has Indigenous Peoples (Indigenous Peoples) impact, so an Indigenous Peoples plan (IPP) or specific Indigenous Peoples action plan is required.
- has No Indigenous Peoples impact, so no IPP/specific action plan is required.

#### E. COVID-19 Risk Screening for IP Impact Assessments

<b>Risk screening questions</b>	<b>Yes</b>	<b>No</b>	<b>Not sure</b>	<b>Remarks</b>
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.				

Prepared by:  Signature: Name: Position:	Verified by:  Signature: Name: Position:
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Appendix 6: Entitlement Matrix<sup>20</sup>

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
<b>1. Loss of Private Land</b>						
1.a	Loss of private land	Agricultural land, <sup>a</sup> homestead land or vacant plot	Legal titleholders/ traditional titleholder <sup>b</sup>	<ul style="list-style-type: none"> <li>• Compensation at replacement cost (as per RFCTLARRA, 2013) or land-for-land where feasible.<sup>c</sup> If land-for-land is offered, titles will be in the name of original landowners. Joint titles in the name of husband and wife will be offered in the case of married affected persons;</li> <li>• Compensation at replacement cost for any investment made to land;</li> <li>• Solatium to be paid at 100 of the compensation amount;</li> <li>• One-time resettlement allowance<sup>23</sup> of ₹50,000 per affected family;<sup>24</sup></li> <li>• If the residual plot(s) is (are) not viable, any of the following three options are to be given to the affected person, subject to acceptance: <ul style="list-style-type: none"> <li><u>Option 1</u> - The affected person remains on a portion of the plot and compensation is paid only for the amount of land acquired.</li> <li><u>Option 2</u>- The affected person remains on a portion of the plot, and the compensation is paid for all the remaining land, which will be acquired if the AP so desires.</li> <li><u>Option 3</u> - Compensation to be provided for the entire plot including residual part, if the owner of such land wishes that the residual plot should also be acquired by the executing agency.</li> </ul> </li> <li>• All displaced families<sup>d</sup> will receive monthly</li> </ul>	<p>Fees, taxes, and other charges should be completed within a year of compensation payment and for land of equivalent size.</p> <p>Vulnerable Households will be identified during the census survey.</p>	<p>The Valuation Committee will determine replacement cost as per the procedures outlined in the subsequent sections of this document.</p> <p>PMU will ensure provision of notice PDMSC<sup>26</sup> with support of DBO contractor will verify the extent of impacts through a 100% survey of affected persons, determine assistance, and identify vulnerable households</p>

<sup>20</sup> All entitlements in rupees (other than those provided under RFCTLARRA) will be adjusted for inflation till the year of compensation payment.

<sup>21</sup> Transportation costs, monthly subsistence allowance and resettlement costs are not incremental. For example, if an affected household loses land, shelter and commercial business in one lot, the family will get each of these allowances only once.

<sup>22</sup> For design, build and operate (DBO) contracts, the DBO contractor undertakes design tasks.

<sup>23</sup> The LARR Act, 2013 specifies that each affected family shall be given a one-time resettlement allowance of Rs. 50,000.

<sup>24</sup> 'Affected Family' includes a person, his or her spouse, minor children, minor brothers and minor sisters dependent on the household head. Widows, divorcees and women deserted by families shall be considered a separate family. An adult of either gender with or without spouse or children or dependents shall be considered as a separate family – as defined under LARR Act, 2013.

<sup>26</sup> PDMSC may hire services of any agency/NGO for verification survey, census/socio-economic survey, DMS survey as part of their contract provisions.

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
				<p>subsistence allowance of ₹ 3,000<sup>25</sup> for one year (total ₹ 36,000) from the date of award.</p> <ul style="list-style-type: none"> <li>• Choice of annuity or employment: Each affected family shall be eligible for choosing one time assistance option – (i) where jobs are created through the project, after providing suitable training and skill development in the required field, make provision for employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required; or (ii) one-time payment of ₹500,000 per affected family; or (iii) annuity policies that shall pay not less than ₹2,000 per month per family for twenty years, with appropriate indexation to the Consumer Price Index for Agricultural Labourers;</li> <li>• All displaced families will receive both: (i) One time Shifting assistance of ₹ 50,000 towards transport costs etc.; and (ii) affected Scheduled Castes/Scheduled Tribes households will receive additional ₹50,000 towards the same;</li> <li>• All affected families<sup>e</sup> will receive: (i) compensation for damage to land/quality of land (if any) sustained by reason of severing land proposed for acquisition or adjoining lands from/to affected land; calculated from the date of preliminary notification till the date of final award; (ii) diminution of the profits of the land between the time of the publication of the Declaration for taking possession of land and the time of the Collector's taking actual possession of the land; and (iii) Compensation incidental to such change if affected landowner is compelled to change his place.</li> <li>• Compensation for affected plants and trees to be provided at market rate;</li> <li>• Compensation for affected standing crops to be provided at market value;</li> </ul>		

<sup>25</sup> The LARR Act, 2013 provides for monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award.

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
				<ul style="list-style-type: none"> <li>All fees, stamp duties, taxes, and other charges, as applicable under the relevant laws, incurred in the relocation and rehabilitation process, are to be borne by the implementing agency.</li> <li>Additional compensation for vulnerable households as specified in row # 7.a.<sup>f</sup></li> </ul>		
1.b	Loss of private land	Agricultural land, homestead land or vacant plot	Tenants and leaseholders (whether having written tenancy/lease documents or not)	<ul style="list-style-type: none"> <li>Compensation for rental deposit or unexpired lease.</li> <li>One-time resettlement allowance of ₹ 50,000 per affected family, those who need to relocate due to acquisition;</li> <li>Choice of annuity: (i) Job for at least one member of the affected family in project which has created impact or in similar such other project; (ii) One-time payment of ₹ 500,000 per family; (iii) Annuity policy that shall not pay less than ₹2,000 per month per family for 20 years with appropriate indexation to the Consumer Price Index for Agricultural Labourers.</li> <li>All displaced families will receive both: (i) One time Shifting assistance of ₹50,000 towards transport costs etc.; and (ii) monthly subsistence allowance of ₹3,000 for one year (total ₹36,000) from the date of award. (iii) affected Scheduled Castes/Scheduled Tribes households will receive additional ₹ 50,000 towards the same.</li> <li>All affected families will receive: (i) Compensation for damage to land/quality of land (if any) sustained by reason of severing land proposed for acquisition or adjoining lands from/to affected land; calculated from the date of preliminary notification till the date of final award; (ii) diminution of the profits of the land between the time of the publication of the Declaration for taking possession of land and the time of the Collector's taking actual possession of the land; and (iii) Compensation incidental to such change if affected landowner is compelled to change his place of residence or business due to proposed land acquisition</li> <li>Notice to harvest standing seasonal crops and if</li> </ul>	<p>Land owners will reimburse tenants and leaseholders land rental deposit or unexpired lease</p> <p>Vulnerable households will be identified during the census survey.</p>	<p>PIU and PDMSC will confirm land rental and ensure tenants and leaseholders receive reimbursement for land rental deposit or unexpired lease, and report to PMU.</p> <p>PIU to initiate and PMU to ensure provision of notice.</p>

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
				notice cannot be provided compensation for affected plants and trees to be provided at market rate; <ul style="list-style-type: none"> <li>• Additional compensation for vulnerable household as specified in row # 7.a</li> </ul>		
1.c	Loss of private land	Agricultural land, homestead land or commercial or mixed-use land	Sharecroppers, other non-titleholder families (encroacher/squatter) <sup>9</sup>	<ul style="list-style-type: none"> <li>• Notice to harvest standing seasonal crops or perennial crops, fruit trees, (if any). and timber trees. If notice cannot be given, compensation for loss of seasonal or perennial crops and fruit bearing trees will be provided at annual net product market value multiplied by the remaining productive years to be determined by Horticulture Department and/or Agriculture Department. Compensation value of timber trees will be determined at market price in consultation with the Forest Department;</li> <li>• Compensation at full replacement cost for lost assets, irrigation infrastructure and other improvements made to the land by the AP.</li> <li>• Non-titleholder affected households will be given 60 days advance notice;</li> <li>• Compensation for affected structures at replacement cost calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation.</li> <li>• Right to salvage material from the demolished structure at no cost.</li> <li>• A lump sum shifting assistance of ₹15,000 will be provided;</li> <li>• Additional compensation for vulnerable household as specified in row # 7.a</li> </ul>	<p>Harvesting prior to acquisition will be accommodated to the extent possible.</p> <p>Work schedule will avoid harvest season.</p> <p>Vulnerable households will be identified during the census survey.</p>	PIU to initiate and PMU to ensure provision of notice. PDMSC will identify vulnerable households.
<b>2. Loss of Government Land</b>						

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
2.a	Loss of Government land	Vacant plot, Agricultural land, homestead land	Leaseholders	<ul style="list-style-type: none"> <li>• Reimbursement of unexpired lease.</li> <li>• All displaced families will receive monthly subsistence allowance of ₹3,000 for one year (total ₹36,000) from the date of award</li> <li>• One-time Resettlement allowance of ₹50,000 per affected family</li> <li>• All affected families will receive compensation for: (i) damage to land/quality of land (if any) sustained by reason of severing land proposed for acquisition or adjoining lands from/to affected land; calculated from the date of preliminary notification till the date of final award; (ii) diminution of the profits of the land between the time of the publication of the Declaration for taking possession of land and the time of the Collector's taking actual possession of the land; and (iii) compensation incidental to such change if affected leaseholder is compelled to change his place of residence or business due to proposed land acquisition;</li> <li>• Notice to harvest standing seasonal crops or perennial crops, fruit trees, (if any) and timber trees. If notice cannot be given, compensation for loss of seasonal or perennial crops and fruit bearing trees will be provided at annual net product market value multiplied by the remaining productive years to be determined by Horticulture Department and/or Agriculture Department. Compensation value of timber trees will be determined at market price in consultation with the Forest Department.</li> <li>• One-time financial assistance of ₹50,000 as shifting allowance;</li> <li>• In the event of permanent livelihood impact to leaseholder, choice of annuity or employment;</li> <li>• Additional compensation for vulnerable household as specified in row # 7.a.</li> </ul>	Vulnerable households will be identified during the census survey.	PIU to initiate and PMU to ensure provision of notice. PDMSC will identify vulnerable house
2.b	Loss of Government land	Vacant plot, Agricultural land, homestead land,	Non-titleholders	<ul style="list-style-type: none"> <li>• Encroachers will be given 60 days advance notice to remove their assets</li> <li>• Compensation at replacement cost for any investment made to the land;</li> <li>• Notice to harvest standing seasonal crops. If notice</li> </ul>	The date of the census survey will serve as cut-off date for non-titleholders.	Valuation committee will verify replacement cost of any invest made on the land and share



Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
		ROW of road		cannot be given, compensation for loss of crops will be provided; Additional compensation for vulnerable household as specified in row # 7.a.	Vulnerable households will be identified during the census survey.	with PIU and PMU. PIU PIUs will identify vulnerable households with the assistance of PDMSC.
<b>3. Loss of Structures</b>						
3.a	Loss of residential structure	Residential structure and other assets <sup>h</sup>	Legal titleholders, Family with traditional land rights	<ul style="list-style-type: none"> <li>Replacement cost of the structure (calculated on latest prevailing Basic Schedule of Rates adjusted for inflation from the year of publication) and other assets (or part of the structure and other assets, if remainder is viable) without any depreciation cost applied.</li> <li>If house lost in rural areas, constructed house as per Indira Awas Yojana specifications. If in urban area, house of minimum 50 square meters (m<sup>2</sup>) plinth area. This benefit should be extended irrespective of title if the affected family is residing in affected area for continuously at least for three years prior to issue of notification. In urban area if family is not willing to accept the constructed house then shall get one-time financial assistance of at least ₹150,000. In rural areas, the actual cost of house construction shall be offered in such cases.</li> <li>Fees, taxes, and other charges related to replacement structure.</li> <li>Right to salvage materials from structure and other assets with no deductions from replacement value.</li> <li>One-time resettlement allowance of ₹50,000 per affected family</li> <li>All displaced families will receive both: (i) One time Shifting assistance of ₹50,000 towards transport costs etc.; and (ii) monthly Subsistence allowance of ₹3,000 for one year (total ₹36,000) from the date of award. Scheduled Castes/Scheduled Tribes from scheduled areas will receive additional ₹ 50,000 towards the same;</li> <li>Additional compensation for vulnerable households.</li> </ul>	Vulnerable households will be identified during the census survey.	<p>Valuation committee will verify replacement cost of structures and other assets.</p> <p>PIU and PDMSC will verify the extent of impacts through a 100% survey of affected households determine assistance, verify and identify vulnerable households.</p>

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
3.b	Loss of residential structure	Residential structure and other assets	Tenants and leaseholders	<ul style="list-style-type: none"> <li>• Replacement cost of the structure (calculated on latest prevailing Basic Schedule of Rates adjusted for inflation from the year of publication) and other assets (or part of the structure and other assets, if remainder is viable) constructed by the affected person without any depreciation cost applied.</li> <li>• Any additional structures erected by tenants will also be compensated and deducted from owner's compensation amount;</li> <li>• If the lease holders are residing for minimum three years prior to acquisition, if house lost in rural areas, constructed house as per Indira Awas Yojana specifications. If in urban area, house of minimum 50 m<sup>2</sup>. plinth area. This benefit should be extended irrespective of title if the affected family is residing in affected area for continuously at least for three years prior to issue of notification. In urban area if family is not willing to accept the constructed house then shall get one-time financial assistance of at least ₹ 150,000. In rural areas, the actual cost of house construction shall be offered in such cases.</li> <li>• The tenants will receive a monthly rental assistance of ₹ 4000 for rural areas and ₹ 7000 for urban areas for six months;</li> <li>• Fees, taxes, and other charges related to replacement structure.</li> <li>• Compensation for rental deposit or unexpired lease.</li> <li>• Right to salvage materials (of the portion constructed by affected person) from structure and other assets with no deductions from replacement value.</li> <li>• Additional compensation for vulnerable households.</li> <li>• One-time resettlement allowance of ₹ 50,000 per affected family, in case of relocation;</li> <li>• For the loss of cattle shed a one-time assistance payment of ₹ 25,000 to be provided</li> <li>• All displaced families will receive one time shifting assistance of ₹ 50,000 towards transport costs etc.; and</li> <li>• Additional compensation for vulnerable household as</li> </ul>	<p>Land/structure owners will reimburse tenants and leaseholders rental deposit or unexpired lease.</p> <p>Vulnerable households will be identified during the census survey.</p>	<p>Valuation committee will verify replacement cost of structures and other assets.</p> <p>PIU and PDMSC will verify the extent of impacts through a 100% survey of affected households determine assistance, verify and identify vulnerable households.</p>

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
				specified in row # 7.a.		
3.c	Loss of residential structure or other minor structure	Residential structure, other minor structures and assets	Non-titleholders	<ul style="list-style-type: none"> <li>• Squatters and encroachers will be given 60 days advance notice to remove their assets</li> <li>• Replacement cost of structure constructed by the non-titleholder without any depreciation cost applied;</li> <li>• Right to salvage materials from structure and other assets;</li> <li>• One-time resettlement allowance of ₹ 50,000 per affected family, in case of relocation;</li> <li>• A lump sum shifting assistance of ₹15,000 will be provided.</li> <li>• Additional compensation for vulnerable household as specified in row # 7.a.</li> </ul>	<p>Non-titleholders will be eligible for compensation when they are found residing at the land on the date of the census / cut-off date</p> <p>Vulnerable households will be identified during the census survey.</p>	PIU with support of PDMSC will verify the extent of impacts through a 100% survey of affected households determine assistance, verify and identify vulnerable households.
<b>4. Loss of Commercial Structures</b>						
4.a	Loss of commercial structure	Commercial structure and other assets <sup>i</sup>	Legal titleholders and those with traditional land rights	<ul style="list-style-type: none"> <li>• The replacement cost of the structure, calculated as per the latest prevailing Schedule of Rates without depreciation (Basic Schedule of Rates adjusted for inflation from the year of publication) without any depreciation cost applied;</li> <li>• One-time grant of a minimum of ₹ 25,000 for self-employed persons, artisans, traders etc.</li> <li>• Fees, taxes, and other charges related to replacement structure;</li> <li>• Right to salvage materials from structure and other assets with no deductions from replacement cost;</li> <li>• One-time resettlement allowance of ₹ 50,000 per affected family;</li> <li>• All displaced families will receive both: (i) One time shifting assistance of ₹50,000 towards transport costs etc., (ii) monthly Subsistence allowance of ₹ 3,000 per month for one year (total ₹36,000) from the date of award and (iii) Scheduled Castes/Scheduled Tribes from scheduled areas will receive additional ₹ 50,000 towards the same;</li> <li>• Additional compensation for vulnerable household as</li> </ul>	Vulnerable households will be identified during the census survey.	<p>Valuation committee will determine replacement cost of structures.</p> <p>PIU and PDMSC will verify the extent of impacts through a 100% survey of affected households determine assistance, verify and identify vulnerable households.</p>

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
				specified in row # 7.a.		
4.b	Loss of commercial structure	Commercial structure and other assets	Tenants and leaseholders	<ul style="list-style-type: none"> <li>Replacement cost of the structure and other assets (or part of the structure and other assets, if remainder is viable) constructed by the affected person without any depreciation cost applied.</li> <li>Compensation for rental deposit or unexpired lease.</li> <li>Right to salvage materials from structure and other assets with no deductions from replacement cost;</li> <li>One-time Resettlement allowance of ₹50,000 per affected family;</li> <li>All displaced families will receive both: (i) One time shifting assistance of ₹50,000 towards transport costs etc.; and (ii) monthly Subsistence allowance of INR 3,000 for one year (total ₹36,000) from the date of award.</li> <li>Additional compensation for vulnerable household as specified in row # 7.a.</li> </ul>	<p>Land/structure owners will reimburse tenants and leaseholders the residual land/structure rental deposit or unexpired lease.</p> <p>Vulnerable households will be identified during the census survey.</p>	<p>Valuation committee will determine replacement cost of the structures.</p> <p>PIU and PDMSC will verify the extent of impacts through a 100% survey of affected households determine assistance, verify and identify vulnerable households.</p>
4.c	Loss of commercial structure	Commercial structure and other assets	Non-titleholders	<ul style="list-style-type: none"> <li>Squatters and encroachers will be given 60 days advance notice to remove their assets</li> <li>Replacement cost of structure constructed by the non-titleholder without any depreciation cost applied;</li> <li>Right to salvage materials from structure and other assets;</li> <li>One-time assistance equivalent to resettlement allowance of ₹50,000 per affected family, in case of relocation and reestablishment of business;</li> <li>A lump sum shifting assistance of ₹15,000 will be provided.</li> <li>Additional compensation for vulnerable household as specified in row # 7.a.</li> </ul>	Vulnerable households will be identified during the census.	PIU and PDMSC will verify the extent of impacts through 100% surveys of affected households determine assistance, issue identity cards and identify vulnerable households.
<b>5. Livelihood Loss</b>						
5.a	Loss of livelihood	Permanent loss of livelihood to business owners/op	All APs facing loss of livelihood, irrespective of title	<ul style="list-style-type: none"> <li>Choice of annuity or employment – the following options are to be provided: <ul style="list-style-type: none"> <li>(a) where jobs are created through the project, 'after providing suitable training and skill</li> </ul> </li> </ul>	Non-titleholders will be eligible for compensation. Vulnerable	PIU/PDMSC will verify the extent of livelihood impacts through a 100%

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
		erators or self-employed persons	(owners/tenants and leaseholders, with or without written tenancy/lease documents	<p>development in the required field, make provision for employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required; or</p> <p>(b) onetime payment of ₹5,00,000 per affected family; or</p> <p>(c) annuity policies that shall pay not less than ₹2000.00 per month per family for twenty years, with appropriate indexation to the Consumer Price Index for Agricultural Labourers.</p> <ul style="list-style-type: none"> <li>• Subsistence allowance of ₹3,000 per month for a period of one year from the date of award (total ₹36,000);</li> <li>• Scheduled Caste/Scheduled Tribe families from scheduled areas will receive additional ₹ 50,000.</li> <li>• Preference for employment opportunity for affected persons in the project construction work, if so desired by them.</li> <li>• One time grant of a minimum of ₹ 25, 000<sup>27</sup> for self-employed persons, artisans and small traders.</li> <li>• Training would be provided for income generating vocational training and skill improvement options based on the choice of the affected person at ₹ 20,000 per family. This cost would be directly paid by the project to the training institute; or purchase of income generating assets up to ₹40,000.<sup>28</sup></li> </ul>	households will be identified during the census survey.	<p>survey of APs.</p> <p>PMU will ensure coordination with government departments and convergence with government social security schemes, skill trainings.</p>
5.b	Loss of livelihood	Permanent loss of employment	Wage-earning employees affected due to permanent	<ul style="list-style-type: none"> <li>• The employees will receive compensation equivalent to their net income for the duration of twelve months based on the payment/salary/wage receipts. If income documents are not available then the person will receive</li> </ul>	Determination of income loss during detail census and socio-economic	PIU/PDMSC will verify the extent of livelihood impacts through a 100% survey of APs.

<sup>27</sup> The Vocational Training Programme by the Industrial Training Institutes provides training on a number of trades, under the Directorate general of Employment and Trade, Ministry of Labour and Employment, GOI or additional cash assistance. The cost for training/additional cash assistance will be calculated based on prevailing minimum wage rates for semi-skilled labor in Kolkata for 26 working days a month for three months.

<sup>28</sup> This is an estimate. The income generating asset will be skill related. However, the assets will be decided on a case-to-case basis.

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
			displacement of commercial structure (those working in businesses such as petty shops, eateries etc.)	<p>compensation calculated as per the minimum wage rate.<sup>29</sup> (Appendix 9)</p> <ul style="list-style-type: none"> <li>• Preference for employment opportunity for Affected Persons in project construction work, if so desired by them.</li> </ul>	survey conducted and part of final resettlement plan preparation.	
<b>6. Loss of Crops and Trees</b>						
6.a	Loss of trees and crops	Standing trees and crops	Legal titleholder/tenant/leaseholder/sharecropper / non-titled affected person	<ul style="list-style-type: none"> <li>• Notice to harvest standing/seasonal crops or perennial crops, fruit trees. For seasonal crops notice should be given at least 6 months in advance.</li> <li>• If timely notice cannot be provided, compensation for standing crop (or share of crop for sharecroppers), compensation for loss of perennial crops and fruit bearing trees will be provided at annual net product market value multiplied by the remaining productive years to be determined by Horticulture Department and/or Agriculture Department.</li> <li>• Compensation for trees based on timber value at market price, to be determined in consultation with the Forest Department for timber trees</li> </ul>	<p>Harvesting prior to acquisition will be accommodated to the extent possible. Work schedules will avoid harvest season.</p> <p>Market value of trees/crops has to be determined.</p>	<p>PIU to initiate PMU to ensure provision of notice.</p> <p>Valuation Committee will undertake valuation of standing crops, perennial crops and trees, and finalize compensation rates in consultation with affected persons.</p>
<b>7. Impact on Vulnerable Affected Persons (APs)</b>						
7.a	Impacts on vulnerable affected persons (endnote f)	Permanent impact	Vulnerable affected persons <sup>j</sup>	<ul style="list-style-type: none"> <li>• In addition to the compensation benefits mentioned in row # 1,2,3,4,5 and 6, the vulnerable affected families will receive: <ul style="list-style-type: none"> <li>• Preferential employment in the project construction;</li> <li>• Provision of skill training for alternate livelihood for the affected person or any member of the household as specified in # 5a.</li> <li>• Assistance to converge with any appropriate government schemes;</li> <li>• Additionally, each vulnerable affected family will receive one-time vulnerability assistance of amount ₹</li> </ul> </li> </ul>	<p>Vulnerable households will be identified during the census.</p> <p>Skill training need assessment will be carried out during socio-economic survey.</p>	<p>PIU and PDMSC will verify the extent of impacts through 100% surveys of AHs and determine assistance, verify and identify vulnerable households.</p> <p>PIU and PDMSC will</p>

<sup>29</sup> Rates of daily wage workers as issued by Finance (Pay-Revision Department), Government of Himachal Pradesh, dated 16 April 2021.

Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
				25000.		monitor and ensure receipt of entitlement by vulnerable APs.
<b>8. Temporary Impact</b>						
8.a	Temporary loss of land <sup>k</sup>	Land temporarily required for subproject construction	Legal titleholders, tenants, leaseholders, sharecroppers, non-titled affected persons	<ul style="list-style-type: none"> <li>• Provision of rent for period of occupation, to the legal titleholders for use of land;</li> <li>• Restoration of land to previous or improved condition.</li> <li>• Compensation for assets lost at replacement cost, and trees and crop loss in accordance with item.</li> <li>• 30 days advance notice regarding construction activities, including duration and type of disruption.</li> <li>• In case the land has become permanently unfit for the purpose it was used before, it shall be acquired, and compensated in accordance with item # 1.</li> </ul>	<p>Assessment of impacts if any on structures, assets, crops and trees due to temporary occupation.</p> <p>Site restoration.</p> <p>Contractor's actions to ensure there is no income/access loss consistent with the initial environmental examination. This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work.</p>	Valuation Committee will determine rental value and duration of construction survey and consultation with affected persons. A pre-subproject photograph should be taken by PIU and PDMSC. PMU will ensure compensation is paid prior to site being taken-over by contractor. Contractor will be responsible for site restoration.
8.b	Structures temporarily required for project activities	Structures in the right of way	Legal titleholders/ non-titled holders including building owners,	<ul style="list-style-type: none"> <li>• 30 days advance notice;</li> <li>• Assistance to shift to nearby alternate sites for continued daily activities (if feasible);</li> <li>• Assistance to shift back once construction completed;</li> <li>• Compensation for damaged assets at replacement cost without depreciation</li> </ul>	PIU and contractor will identify alternative site and help in shifting to the alternative site and back to the original place.	PMU/PIU will be responsible for assistance and monitoring.

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			tenants, informal settlers, licensed or non-licensed vendor	<ul style="list-style-type: none"> <li>Rental assistance as per the prevalent rate in the form of grant to cover the duration of project construction activities</li> <li>Subsistence/relocation allowance at ₹3000 per month for 3 months, if temporarily displaced for more than 1 month.</li> </ul>	Replacement cost for damaged assets as determined by the PIU, with the assistance of PMC will be provided by the contractor.	
8.c	Temporary disruption of livelihood		Legal titleholders, tenants, leaseholders; non-titled affected persons, sharecroppers, wage labours	<ul style="list-style-type: none"> <li>30 days advance notice regarding construction activities, including duration and type of disruption.</li> <li>Cash compensation equivalent to net income from the affected business for the period of disruption on producing relevant income or income tax return documents; in absence of proper income documents, the income will be assessed by PMU.</li> <li>The employees will receive compensation equivalent to their net income for the duration of disruption based on the payment/salary/wage receipts or as reported during socio-economic survey. If income documents are not available then the person will receive compensation calculated as per the minimum wage rate.</li> <li>Contractor's actions to ensure access, consistent with the environmental management plan (EMP)/initial environmental examination (IEE).<sup>1</sup></li> <li>Assistance to vendors/hawkers to temporarily shift for continued economic activity. After the construction is completed, the affected persons will be allowed to come back to their original place of work. One-time shifting allowance<sup>m</sup> of ₹10,000 to be provided (which will include labour charges, and transportation to move out and to move back to the original place).</li> </ul>	<p>Identification of alternative temporary sites to continue economic activity. Contractor's actions to ensure access consistent with the initial environmental examination. This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.</p> <p>Any damage to</p>	<p>Valuation Committee will determine income loss and structure damage during shifting if any.</p> <p>Contractors will perform actions to minimize income/access loss.</p>



Sl. No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy <sup>21</sup>	Implementation Issues <sup>22</sup>	Responsible Agency
					temporary structures during shifting will be compensated at replacement cost.  The start date of census survey will be the cut-of-date for identification of the non-titleholders and they will be intimated about the same.	
<b>9. Loss of Common Property Resources (CPR)</b>						
9.a	Loss of common resources	Common resources	Communities/ user groups (formal/informal)	<ul style="list-style-type: none"> <li>• Replacement or restoration of the affected community facilities – including public water stand posts, public utility posts, temples, shrines, bus shelters, community water bodies/ponds, playgrounds, etc.</li> <li>• Restoration of access / provision of alternative access to common facilities/resources.</li> <li>• Enhancement of community resources in areas with major impacts on common resources (if applicable)</li> </ul>	The scope of work of the contractor should include the restoration of common sources if affected during project implementation	PMU and PIU through Contractor.
<b>10. Any Other Unanticipated Impact</b>						
10.a	Any other loss not identified	Any other loss not identified in the matrix	Any affected person or affected entity	Any unanticipated involuntary impacts will be documented and mitigated based on principles agreed in this resettlement framework and in spirit of ADB's Safeguard Policy (SPS), 2009.	-	PIU and PDMSC will review and ascertain the nature and extent of loss. PMU will finalize the entitlements in line with resettlement framework and ADB's SPS, 2009.

PDMSC = project design and management supervision consultant, EMP = environmental management plan, PMU = project management unit, ROW = right-of-way, RFCTLARRA = Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, SPS = Safeguard Policy Statement, m<sup>2</sup> = square meter.

- <sup>a</sup>The RFCTLARR, 2013 Act says no irrigated multi cropped land shall be acquired under this Act, except in exceptional circumstances, as a demonstrable last resort. Wherever such land is acquired, an equivalent area of culturable wasteland shall be developed for agricultural purposes or an amount equivalent to the value of land acquired shall be deposited with the appropriate Government for investment in agriculture for enhancing food-security. Such costing shall also reflect while preparing resettlement budget. Similarly, the Act says, as far as possible, no land acquisition shall be made in scheduled areas and where such acquisition takes place, it shall be done only as a demonstrable last resort.
- <sup>b</sup> Traditional land rights refer to households with customary rights to land and shall be treated equivalent to titleholders.
- <sup>c</sup> Including option for compensation for non-viable residual portions. Land for land will be the preferred option for compensation in case of land loss to scheduled tribes or scheduled caste.
- <sup>d</sup> "Displaced family" means any family, who on account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area. This also includes affected people that lose their agricultural land but not the houses. But they still have to relocate for economic reasons.
- <sup>e</sup> These compensations will be appropriately distributed among various eligible candidates (if any) (such as between owner, tenant, sharecropper etc.).
- <sup>f</sup> Vulnerable households comprise below poverty line households, female-headed households, households with out of school/working children, disabled person-headed household, elderly headed household, landless household, household with no legal title/tenure security, and schedule castes and scheduled tribe households.
- <sup>g</sup> Non-titleholders are those without legal title to land and without any recognizable rights to land occupied by them.
- <sup>h</sup> Other assets include, but is not limited to walls, fences, sheds, wells, etc. Detailed entitlements will be finalized after detailed measurement survey when all impacts are known, and all impacts will be mitigated with appropriate compensation based on ADB's Safeguard Policy (SPS), 2009.
- <sup>i</sup> Detailed entitlements will be finalized after detailed measurement survey when all impacts are known, and all impacts will be mitigated with appropriate compensation based on ADB's SPS, 2009.
- <sup>j</sup> Vulnerability benefits are incremental, i.e., in addition to other entitlements and benefits
- <sup>k</sup> Temporary possession of land for project purpose can be taken only for three years from the date of commencement of such possession/occupation.
- <sup>l</sup> This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.
- <sup>m</sup> For example, assistance to shift to the other side of the road where there is no construction. Such assistances will be given only to non-movable businesses (which are not on wheels).

## Appendix 7: Sample Grievance Registration Form

(To be made available in Local language(s) and English)

The \_\_\_\_\_ Project welcomes complaints, suggestions, queries, and comments regarding project implementation. We encourage persons with grievance to provide their name and contact information to enable us to get in touch with you for clarification and feedback.

Should you choose to include your personal details but want that information to remain confidential, please inform us by writing/typing \*(CONFIDENTIAL)\* above your name. Thank you.

<b>Date</b>	<b>Place of registration</b>	<b>Project Town</b>			
		<b>Project:</b>			
<b>Contact information/personal details</b>					
<b>Name</b>		<b>Gender</b>	* Male * Female	<b>Age</b>	
<b>Home address</b>					
<b>Place</b>					
<b>Phone no.</b>					
<b>E-mail</b>					
<b>Complaint/suggestion/comment/question</b> Please provide the details (who, what, where, and how) of your grievance below:					
If included as attachment/note/letter, please tick here:					
<b>How do you want us to reach you for feedback or update on your comment/grievance?</b>					

### FOR OFFICIAL USE ONLY

<b>Registered by:</b> (Name of official registering grievance)	
<b>Mode of communication:</b> Note/letter E-mail Verbal/telephonic	
<b>Reviewed by:</b> (Names/positions of officials reviewing grievance)	
<b>Action taken:</b>	
<b>Whether action taken disclosed:</b>	Yes No
<b>Means of disclosure:</b>	

## **Appendix 8: Survey Safety Protocol on Covid-19<sup>30</sup>**

### **Himachal Pradesh Rural Drinking Water Supply Improvement and Livelihood Project (HPRDWILP)**

#### **Socio-Economic Surveys**

#### **SURVEY SAFETY PROTOCOL ON COVID-19**

#### **A. Introductions**

1. The Government of Himachal Pradesh has requested support from Asian Development Bank for the Himachal Pradesh Rural Water Improvement and Livelihood Project (HPRDWILP) Project to improve universal and equitable access to safe and affordable drinking water, and access to adequate and equitable sanitation and hygiene for all ending open defecation. The outcome of the project is reliability and efficiency of water supply in targeted districts enhanced. As a part of the social safeguard documents (resettlement plans), and detail measurement surveys, socio-economic survey will require to be conducted for the project locations. As the COVID-19 situation is prevailing, safety protocol for survey work has been developed addressing COVID-19.

#### **B. About the Corona Virus Disease**

2. Coronavirus disease (COVID-19) is an infectious disease caused by a newly discovered coronavirus. Most people infected with the COVID-19 virus will experience mild to moderate respiratory illness and recover without requiring special treatment. Older people and those with underlying medical problems like cardiovascular disease, diabetes, chronic respiratory disease, and cancer are more likely to develop serious illness. The COVID-19 virus spreads primarily through droplets of saliva or discharge from the nose when an infected person coughs or sneezes. At this time, there are no specific vaccines or treatments for COVID-19.<sup>31</sup> However, precautions can be implemented to prevent and slow down the transmission of the virus.

#### **C. Common Symptoms of Corona Virus Disease<sup>32</sup>**

3. COVID-19 affects different people in different ways. Most infected people will develop mild to moderate illness and recover without hospitalization.

Most common symptoms:

- (i) fever;
- (ii) dry cough;
- (iii) tiredness.

Less common symptoms:

- (i) aches and pains;
- (ii) sore throat;
- (iii) diarrhea;
- (iv) conjunctivitis;

<sup>30</sup> <https://www.adb.org/documents/series/covid-19-asia-pacific-guidance-notes>

<sup>31</sup> World Health Organization. [https://www.who.int/health-topics/coronavirus#tab=tab\\_1](https://www.who.int/health-topics/coronavirus#tab=tab_1)

<sup>32</sup> World Health Organization. [https://www.who.int/health-topics/coronavirus#tab=tab\\_1](https://www.who.int/health-topics/coronavirus#tab=tab_1)

- (v) headache;
- (vi) loss of taste or smell;
- (vii) a rash on the skin, or fingers or toes become pale.

Serious symptoms:

- (i) difficulty breathing or shortness of breath;
- (ii) chest pain or pressure;
- (iii) loss of speech or movement.

#### **D. Personal Protective Equipment that should be worn by survey team of HPRDWILP**

4. While in the field, all the members of the survey team shall use or wear proper personal protective equipment (PPE) at all times. These PPEs may be removed on certain circumstances only, such as, but not limited to, eating, drinking, and any other task or activity that the PPE may inhibit the action. However, during these times, strict observance of social distancing is required.

5. The most common type of PPEs that should be worn by the field surveyors and enumerators are the following:

- (i) **Reusable mask or surgical mask.** Reusable masks should be maintained clean per the manufacturer's instruction. Surgical masks should not be reused.
- (ii) **Face shield.** This PPE is especially useful for the field workers especially when talking to various people in a relatively confined space or indoors.
- (iii) **Gloves.** This is especially useful in situations in the field where items are being passed around from one hand to another, and no available hand sanitizers, or water and soap for handwashing after the activity.

#### **E. Safety Protocol for Survey Work**

##### **1. The survey team of HPRDWILP should ensure the following;**

- (i) Before undertaking the survey, ensure that the respective Garm Panchayats and other local administrative bodies has been informed by HPRDWILP about the survey.
- (ii) Never carry out survey activities in containment zone, if any, and undertake surveys in such areas after restrictions are lifted and necessary approvals are obtained for survey work.
- (iii) Maintain adequate stock of masks and sanitiser for survey team; and single-use surgical mask for respondents.
- (iv) The team should have handheld contactless temperature scanner and pulse oximeter (minimum 3-sets).
  - a) To test all members of the survey team every morning before starting of survey to ensure no persons are having a fever (above 100 F or 38 C) and oxygen saturation level (should be above 95).
  - b) Once in the field, the head of the team should test the temperature of every respondent before assigning a team member to a particular respondent.
    - The temperature of the respondent should be below above 100 F or 38 C.
    - If the temperature is high, then advise such respondents to take a rest and consult a doctor.

6. FGDs should be held only if allowed by District administration and situation permits. Otherwise, avoid FGDs.

- (i) If FGDs are conducted, ensure it is held in the open, ensuring that participants are seated at least 1-meter apart.
- (ii) Ensure there is no handshaking or any physical contact between participants and provide surgical mask to all participants.
- (iii) Participants with fever, if any, should be asked to stay at home and not join the FGD.

7. Check daily the latest information on areas where COVID-19 is spreading and ensure no survey work is undertaken in any area declared as a containment zone.

8. Ensure no member of the survey team is in the high-risk category, those with medical conditions such as diabetes, heart, lung disease, etc. If any, counsel them and exclude them from the survey activity.

9. Ensure that no respondent with fever, cough, and cold is included in the enumeration, and collect information from some other member of the family who is in good health. If all members of the family are unwell, skip enumerating such families.

10. Mobile phones of the survey team, laptop, etc. need to be wiped with disinfectant daily on return from the field.

11. The safety protocol will be implied for the entire survey team of HPRDWILP.

**1. Every enumerator/Interviewer of the survey team should strictly adhere to the following safety measures**

12. HPRDWILP will provide an adequate number of branded N95 masks (single use only). At the end of each day, upon reaching home/place of stay, cut the mask into 2-pieces (to prevent recycling) and safely dispose of it in a separate wrapper as per Municipal Corporation guidelines.

13. The enumerator/ interviewer should have a shoulder bag for carrying the hand sanitiser, single-use surgical masks, hand towel, survey tablet, identity card, water bottle, etc.

14. He should use N95 mask before setting out of his place to survey location and should use it throughout the day, till he completes the day's survey work and returns to his place.

- (i) Before putting on the mask, clean hands with alcohol-based hand sanitise or soap and water.
- (ii) Cover mouth and nose with mask and make sure there are no gaps between the face and the mask.
- (iii) Avoid touching the mask while using it; if it is touched, clean hands with alcohol-based hand sanitise immediately after touching the mask.
- (iv) To remove the mask: remove it from behind (do not touch the front of the mask); clean hands with alcohol-based hand rub or soap and water; and wash the mask with washing soap and dry it in sunlight.

15. Before and after every household survey, clean hands thoroughly with an alcohol-based hand sanitiser, which will be provided by HPRDWILP.

- (i) Avoid touching eyes, mouth, and nose immediately after using the hand sanitiser, as it can cause irritation.
  - (ii) Under no circumstance, drink or let children at home or survey-place, swallow the hand sanitizer. It can be poisonous.
  - (iii) Hand sanitizers recommended to protect against COVID-19 are alcohol-based and therefore can be flammable, be careful.
16. Wash hands with soap and water or using alcohol-based hand sanitiser before having tea and lunch.
17. Carry a freshly washed hand towel every day to dry your hands after washing.
18. Maintain at least 2 metre (6 feet) distance between yourself and the respondent and others during the enumeration.
  - (i) Since the place of the respondent to be surveyed, may be congested and it may be difficult to maintain the minimum 6-feet distance, ensure that the respondent wears a mask throughout the enumeration.
  - (ii) Collect and keep some single-use surgical masks from your supervisor for giving to respondents.
  - (iii) Request respondents to avoid crowding of other family members when the enumeration is in progress.
19. After collecting and handing over the identity cards for taking photographs, ensure that hands are cleaned using alcohol-based hand sanitiser.
20. Avoid going to crowded places during and after enumeration.
21. Avoid touching eyes, nose, and mouth until reaching home and have taken a bath.
  - (i) Use shampoo and wash hair thoroughly.
  - (ii) Wash clothes and dry them in sunlight.
  - (iii) All gadgets and materials used during survey should be disinfected, put in one bag and keep away from any family member, to ensure no virus is brought into the households of enumerators/surveyors.
  - (iv) Dispose off used face masks properly as described above. Face shields should be properly washed or disinfected as well.
22. Consume only cooked hot food and avoid consuming any packaged food.
  - (i) Carry drinking water and keep the body hydrated.
  - (ii) Drink hot water, wherever possible
23. Avoid public transport for local travel and use vehicle/motorcycle of HPRDWILP (if possible) to reach survey places (settlements).
  - (i) If auto-rickshaw is used ensure only 2-persons travel and in taxi, 3-persons. As much as possible, avoid auto and taxi, and use motorcycle or cycle instead.
24. If someone has any minor symptoms such as cough, headache, mild fever, inform HPRDWILP, and stay at home. Do not come for the survey work.

- (i) At home, be isolated from others.
- (ii) call the nearest government COVID-19 health care contact person and give details of your symptoms and places that is visited for survey work.

**F. Important**

25. HPRDWILP will facilitate testing of the members for COVID-19, once they reach the destination town and the supervisors should be in self-quarantine till results come. Only after the result is known and is Negative, the survey activities should commence. If anyone tests Positive, then such a person should immediately contact the hospital and take treatment as recommended.



### Appendix 9: Reporting Template for Indigenous Peoples Specific Action Plan

This Indigenous Peoples Specific Action Plan implementation report shall be prepared for subprojects which are being implemented in a scheduled area in which DDR/RIPP is prepared.

#### Name of the Subproject

Sl. No.	Specific Activities	Means of Verification	Responsibility	Timeline	Status/Remarks
1.	Identify and include IP households and localities in coverage area	Baseline data generated from the house service connection survey and secondary data analysis	PIU and PDMSC	Year 1	
2.	Proposed benefits to IP households (from the subproject scope/ DMF indicators and GESI indicators if applicable) 1. House service connection (water supply) <sup>33</sup> ; 2. Participation of IP in awareness campaigns; 3. Participation of Ips in training programs; 4. Number of IP representatives in any water management village committees or any such similar groups formed.	Project documents	DBO Contractor/PIU	Throughout project duration	
3.	Type of consultations planned with IP households (stage of project cycle) 1. Pre- construction 2. During construction, and 3. Post construction	Detailed report on consultation prepared during DDR/ RRIP preparation/monthly progress report, quarterly progress report, SSMR, photographs, participants list	PIU/PDMSC	Year 1 onwards	
4.	Grievance Redress Mechanism established at different level	IP representation in GRC as described in the project GRM (in case of any Indigenous Peoples impacts)	PMU	Year 1	

<sup>33</sup>All households under the project area will be provided household connections free of cost.

		Report related to project grievance reflected in the monitoring reports of the Project			
<b>Monitoring – Project Completion Stage</b>					
5.	Endline Survey Including assessment of coverage and satisfaction levels of IP households with subproject work completed/ subproject intended benefits vs actual benefits to the IP community	End-line survey report and project completion report (PCR)	PIU/PMU	Project end	

<sup>3</sup>All households under the project area will be provided household connections free of cost