

Indigenous Peoples Planning Document

Indigenous Peoples Planning Framework
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I. PROJECT BACKGROUND

A. Overview

1. The Investment Program will improve environment and well-being of urban residents in five capital cities¹ of the North Eastern Region. The Program will improve and expand urban infrastructure and services in cities, including its slums; and strengthen urban institutions' management and financing capacity. The Program's outputs include: (i) urban infrastructure and services improvement including the rehabilitation, improvement, and expansion of water supply, sewerage and sanitation, solid waste management, and slum infrastructure; and (ii) capacity building and investment program management. This document is revised from the original prepared in 2008 to be consistent with ADB's Safeguards Policy Statement (SPS, 2009).²

B. Spread of Scheduled Tribes in Project Cities

2. All the states in the North Eastern Region of India have a high concentration of scheduled tribes both at the state level as well as in the urban areas. The concentration of scheduled tribes in the project cities is given in Table 1. The proportion of scheduled tribes varies amongst the cities. Also, a list of scheduled tribes (notified under Article 342 of the Constitution of India) present in the project cities has been compiled (Table). Appendix 1 gives the list of the notified tribes in each of the states.

Table 1: Scheduled Tribes in Project Cities

Project Cities	% of STs	Scheduled Tribes
Agartala	5	Tripuri (86), Jamatia (2.3), Halam (2.5), Chakma (2.2).
Aizawl	92	Lushai (98), Others (2)
Gangtok	26	Bhutia (85), Lepcha (13).
Kohima	61	Angami (29), AO (28), Sema (11), Lotha (10), Chakhesang (5), Rengma (4), Zeliang (2), Naga (1.7), Sangtam (1.4).
Shillong	48	Khasi (93), Garo (3), Lushai (2).

Source: Socio-Cultural Tables, Census of India for Respective States, 2001. Note: The figures in parentheses refer to proportion of the particular tribe amongst the total number of scheduled tribes in the project cities.

3. Extensive consultations with stakeholders were conducted. Focus group discussions, meetings and individual interviews were held involving stakeholders, particularly affected households; and a socio-economic survey was conducted. Socio-economic surveys show STs among city residents (6.5% in Agartala, 98.2% in Aizawl, 32.3% in Gangtok, 89.6% in Kohima, and 77% in Shillong). In all cities, initial screening for impact on IPs show that there are no impacts on IPs other than the fact that the Law defines STs are part of a distinct indigenous group. In urban program areas of Agartala and Gangtok where STs do not constitute a majority of the population, the social, cultural, economic, and political characteristics of STs are no different from non-ST groups. In Kohima and Shillong where STs have strong attachments to natural resources, habitats, and ancestral territories, STs comprise mainstream or dominant society, and there is general homogeneity in social, cultural, economic, and political characteristics in the urban areas. Based on discussions with the respective state government

¹ Agartala, Aizawl, Gangtok, Kohima, and Shillong.

² The SPS applies to tranches of multitranchise financing facility (MFF) projects for which periodic financing requests are to be approved by ADB Management after 20 January 2010. Tranche 2 and 3 subprojects will therefore require compliance with the SPS while ongoing Tranche 1 will be implemented under the former ADB safeguard policies for environment, resettlement, and indigenous people. In the event of any discrepancy or contradiction between the relevant features of this IPPF pertaining to ADB's safeguards policies and ADB Safeguards Policy Statement, 2009, the SPS, 2009 shall prevail.

officials and surveys on the Scheduled Tribes (STs), it was observed that STs have already been mainstreamed into the society.

4. NERCCIP will result in environmental and public health benefits to the population, STs and non-STs. The negative impacts on affected persons are mostly related to land acquisition. Negative impacts are addressed through resettlement plans (RPs) including specific entitlements for vulnerable persons that include IPs. Based on the *National Policy on Scheduled Tribes* displacement of tribal people should be kept to a minimum and undertaken only after possibilities of non-displacement and least displacement have been exhausted. When displacement becomes inevitable, each scheduled tribe family having land in the earlier settlement shall be given land against land. This will be reflected in the entitlement matrix of the RP. In view of this, the likelihood of sub-projects affecting IPs is small and likely impacts are addressed by RPs. Further, sub-project design prioritizes rehabilitation over new construction of infrastructure, avoiding land acquisition and consequent resettlement, and sub-project siting in built-up areas. Despite the small likelihood, there is a possibility that certain sub-projects identified during program implementation may have some impact on STs. A brief profile of the STs in the project cities is given in Appendix 2.

C. Legal and Policy Framework

5. The Ministry of Tribal Affairs, Government of India has drafted a National Policy on Scheduled Tribes (ST) to bring these tribes into the mainstream society through a multi-pronged approach for their all-round development without disturbing their distinct culture. The Policy stipulates that displacement of tribal people should be kept to a minimum and undertaken only after possibilities of non-displacement and least displacement have been exhausted. When displacement becomes inevitable, each scheduled tribe family having land in the earlier settlement shall be given land against land. To handle the problem of shifting cultivation, land tenure system is proposed giving tribals the right to land ownership so that they invest their energy and resources in checking soil erosion and fertility. The Policy seeks to tackle tribal land alienation by stipulating that:

- (i) Tribals have access to village land records.
- (ii) Land records be displayed at the Panchayat.
- (iii) Oral evidence be considered in the absence of records in the disposal of tribals' land disputes.
- (iv) States prohibit transfer of lands from tribal to non-tribal.
- (v) Tribals and their representatives are associated with land surveys

6. The constitutional provisions applicable with respect to the project cities in the context of the STs are (i) the sixth schedule³ and (ii) Article 371 A⁴ and 371G⁵ in the case of Kohima and

³ **Sixth Schedule:** Of the five project cities, Shillong, Agartala and Aizawl fall under the Sixth Schedule³ of the Constitution of India. In **Shillong, Agartala and Aizawl** (and also for the entire state of Meghalaya, Tripura and Mizoram), the provisions of the Sixth Schedule as per Article 244(2) and 275(1) of the Constitution of India are applicable to the administration of the indigenous areas. This essentially means that the tribal area of Meghalaya, Tripura and Mizoram will be governed not by other provisions of the Constitution relating to the States or Union Territories of the Union of India but by the provisions of the Sixth Schedule alone, which contain a self-contained code for the governance of the tribal areas. The Autonomous District Councils, under paragraph 3 of the Sixth Schedule, have the powers to make laws. The Sixth Schedule gives the ADC power over management of land, watercourses, creation of village and town committees, public health, sanitation, appointment and succession of chiefs (Syiems) and headmen, inheritance of property, marriage and social customs.

⁴ **Article 371 A of constitution of India:** In **Nagaland**, Article 371 A of the constitution of India is applicable. Article 371A of the Constitution specifies that no Act of Parliament in respect of (i) religious or social practices of the Nagas, (ii) Naga customary law and procedure, (iii) administration of civil and criminal justice involving decisions according to Naga customary law and (iv) ownership and transfer of land and its resources shall apply to the State unless its Legislative Assembly by a Resolution so decides.

Mizoram. Besides these constitutional provisions, there exist at the state level, legislations⁶ that govern land acquisition, transfer, eviction, etc. of tribal land. The provisions of these legislations are integrated in the RF for the NERCCIP.

7. The above policy and legal instruments are supplemented by ADB's Safeguard Policy Statement (2009) on Indigenous People for the implementation of NERCCIP. The policy ensures equality of opportunity for indigenous peoples. It aims to ensure that any ADB-assisted development interventions which will have any impact on indigenous peoples will be consistent with the needs and aspirations of affected indigenous peoples and compatible in substance and structure with affected IP's culture and social and economic institutions. The IPPF recognizes the vulnerability of indigenous peoples and it specifically ensures that any project intervention, whether positive or adverse will be addressed by the implementing agencies. Moreover, the implementing agencies will ensure that affected IPs will have opportunities to participate in and benefit equally from such project interventions.

II. OBJECTIVES OF IPPF AND APPROACH TO IPP PREPARATION

A. Identification of IPs

8. ADB's Indigenous Policy uses the following characteristics to define indigenous people (i) maintenance of cultural and social identities separate from dominant societies and cultures; (ii) self-identification and identification by others as being part of a distinct cultural group; (iii) linguistic identity different from that of dominant society; (iv) social, cultural, economic, and political traditions and institutions distinct from dominant culture; (v) economic systems oriented more towards traditional production systems rather than mainstream; and (vi) unique ties and attachments to traditional habitats and ancestral territories.

9. Likewise, the President of India under Article 342 of the Constitution uses the following characteristics to define indigenous peoples [Scheduled Tribes (ST)], (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. Essentially, indigenous people have a social and cultural identity distinct from the 'mainstream' society that makes them vulnerable to being overlooked or marginalized in the development processes. In the context of the project cities, where STs constitute the mainstream, the STs who have dependence on traditional mode of subsistence (for instance, shifting cultivation) and have no other alternative and modern means of subsistence, with distinctive culture and are characterized by socio-economic backwardness could be identified as Indigenous Peoples.

⁵ Special provision with respect to the State of Mizoram Notwithstanding anything in this Constitution, (a) no Act of President in respect of (i) religious or social practices of the Mizos, (ii) Mizo customary law and procedure, (iii) administration of civil and criminal justice involving decisions according to Mizo customary law, (iv) ownership and transfer of land, shall apply to the State of Mizoram unless the Legislative Assembly of the State of Mizoram by a resolution so decides: Provided that nothing in this clause shall apply to any Central Act in force in the union territory of Mizoram immediately before the commencement of the Constitution (Fifty third Amendment) Act, 1986 ; (b) the Legislative Assembly of the State of Mizoram shall consist of not less than forty members

⁶ Such legislations exist in states of Nagaland and Meghalaya. In Nagaland, these acts include (i) the Nagaland Tribe, Area, Range and Village Council Act, 1966, (ii) the Nagaland Land (Requisition and Acquisition) Act 1965, and (iii) the Nagaland Eviction of Persons in Unauthorized Occupation of Public Land Act, 1971. Similarly, in Meghalaya the Meghalaya Transfer of Land (Regulation) Act, 1971 has been enacted. A brief description of each of these is given in Appendix 3.

B. Approach to IPP Preparation

10. An Indigenous People Planning Framework (IPPF) is a policy and procedural framework for Indigenous People Plans (IPPs) that are developed for sub-projects and that are to be approved during Project implementation. Further, an IPPF sets out the indigenous people's policy together with the screening and planning procedures.

11. The need for a formulation of an IPP will be established if the sub-projects to be funded under NERCCIP are screened as Category 'A' projects¹⁰. Category 'A' projects envisage significant impacts on IPs and they positively or negatively (i) affect their customary rights of use and access to land and natural resource; (ii) change their socio-economic status; (iii) affect their cultural and communal integrity; (iv) affect their health, education, livelihood and social security status; or (v) alter or undermine the recognition of indigenous knowledge.

12. This will include additional assistance for IPs as vulnerable groups included in the RP. This would ensure appropriate mitigation of adverse program impacts on IPs and enhancement of program benefits for IPs.

13. The IPP framework is based on the overall local and national development strategies and ADB's *Safeguards Policy Statement (2009)*. The principal objectives are to:

- (i) ensure IPs affected by any sub-project will benefit from the Program;
- (ii) ensure IPs inclusion in the entire process of preparation, implementation, and monitoring of program activities;
- (iii) ensure benefits of sub-projects are available to IPs more than or at least equal to other affected groups; this may require giving preference to IPs as vulnerable groups over others on certain benefits under the Program; and,
- (iv) Provide a base for IPs in the area to receive adequate development attention.

14. An IPP addresses the aspirations, needs and preferred options of the affected indigenous peoples taking into consideration the marginality status of tribal community and offers them development options while respecting their socio-cultural distinctiveness. The IPP⁷ aims at strengthening the existing capacity of the affected tribal community to participate and benefit from Project interventions. The key elements in an IPP include: (i) all development plans for indigenous people should be based on full consideration of the options and approaches that best meet the interests of individuals and communities affected by the Project; (ii) scope and impact of adverse effects be assessed and appropriate mitigation measures are identified; (iii) project should take into account the social and cultural context of affected peoples, and their skills and knowledge relating to local resource management; (iv) during project preparation, formation, and strengthening of indigenous peoples organization and, communication to facilitate their participation in project identification, planning, execution and evaluation should be promoted; (v) where previous experience and knowledge of working successfully with indigenous peoples is lacking, pilot scale operations should be carried out and evaluated prior to the execution of full-scale efforts; (vi) experienced community organisers/organizations, and consultants will be hired to prepare IPP; (vii) responsible agency will formulate IPP implementation schedule, which will be periodically monitored by ULB officials as well as independent/external monitoring agency; (viii) responsible agency will also prepare a budget for IPP implementation and a Financing Plan to ensure smooth progress.

⁷ As per the ADB's F1/OP (2013), screening process categorizes projects by the significance of their impacts on IPs. It is recommended that for (i) Category 'A' projects: Impacts should be significant that require IPP; (ii) Category 'B' Projects: Impacts are limited that require IPP; and (iii) Category 'C' Projects: No impacts on IPs that require no special provision for them.

15. The IPP will consist of a number of activities and will include mitigation measures of potentially negative impacts, modification of program design, and development assistance. Where there is land acquisition in IP communities, the Program will ensure their rights will not be violated and that they will be compensated for the use of any part of their land in a manner that is culturally acceptable to the affected IPs.⁸ The IPP will include:

- (i) Baseline data,
- (ii) Land tenure information,
- (iii) Local participation,
- (iv) Technical identification of development or mitigation activities,
- (v) Institutional arrangement,
- (vi) Implementation schedule,
- (vii) Monitoring and evaluation, and
- (viii) Cost estimate and financing plan.

III. STEPS FOR FORMULATING AN IPP

16. The IPPF seeks to ensure that IPs are informed, consulted, and mobilized to participate in the sub-projects during IPP preparation and ensure equitable sharing of program benefits. Participation can provide benefits with more certainty, and protect them from any potential adverse impacts of the sub-project. The main features of IPP will be a preliminary screening process, a social impact assessment to determine the degree and nature of impact of each sub-project, and an action plan developed, if warranted. Meaningful consultations with and participation of IP communities, their leaders, and local government representatives will be an integral part of the overall IPP.

A. Preliminary Screening

17. The designated officer for social safeguards of the State Investment Program Management and Implementation Unit (SIPMIU) will study all IP communities and villages within and in the vicinity of the proposed sub-project area. The SIPMIU will arrange public meetings at selected communities to provide information regarding the proposed sub-project. During these meetings, community leaders and other participants will be given an opportunity to present their views and concerns.

18. An initial screening will check for the following:

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

19. An IP assessment checklist will be prepared. If the results of the preliminary screening (reviewed with assistance from the project consultants) show that there are IP households in the proposed sub-project area, a social impact assessment (SIA) will be conducted to capture IP issues and development opportunities that exist in the area. (A checklist for screening of IPs in the sample sub projects is in Appendix 5.)

⁸ Compensation will be consistent with the Resettlement Framework for the Program.

B. Social Impact Assessment

20. The policy on indigenous people ensures that the process of initial social assessment includes specific consideration of indigenous peoples as a potentially affected population. If the initial social assessment identifies indigenous peoples specifically as a significantly and adversely affected population, or vulnerable to being so affected, it is required that an indigenous peoples plan acceptable to ADB is prepared by the Project proponent. The SIA will gather relevant information on demographic data; social, cultural, and economic situation; and both positive and negative social, cultural and economic impacts.

21. Information will be gathered through separate group meetings within the IP community, including IP leaders; group of IP men and women, especially those who live in the zone of influence of the proposed sub-project. Discussions will focus on positive and negative impacts of the sub-project as well as recommendations on the design of the sub-project. The PC appointed by the SIPMIU will be responsible for analyzing the SIA and for leading the development of an action plan with the support of IP community leaders. If the SIA indicates that the potential impact of the proposed sub-project will be significantly adverse—threatening the cultural practices and IP sources of livelihood, or that the IP community rejects the sub-project works—the SIPMIU will consider other design options to minimize such adverse impacts. If IP communities support the sub-project an IPP will be formulated.

C. Mitigation Measures

22. All affected indigenous households will be provided with assistance, which would help them to improve their living standards without exposing their communities to disintegration. As vulnerable groups, they are entitled to receive special assistance not only to restore and improve their income and livelihood, but also to maintain their distinct cultural identity.

23. As indigenous peoples, they will have traditional land rights and these will be honored and the absence of land titles will not be a bar for receiving compensation and alternate land. Their compensation entitlements will be the same that are listed in the approved Resettlement Framework (RF) of the Program. The RF defines IPs as vulnerable people/ households. The RF's entitlement matrix is reproduced in Appendix 4.

24. If the sub-project impacts are not significant, and if they could be addressed by resettlement plans that will be prepared according to the agreed RF, 'specific actions' could be built into resettlement plans to safeguard their entitlements and a combined RP and IPP could be prepared. This decision will depend on the severity of impacts on them. Such 'specific actions' are outlined in the RF.

D. Monitoring

25. Monitoring and Evaluation (M&E) help ameliorate problems faced by project implementing agencies and develop solutions without delay. IPP includes a set of monitoring indicators, for periodic assessment of planned activities, which will be reviewed during IPP implementation. The DSMC and community organisers will periodically report the assessment under these indicators and reports will be sent to the SIPMIU. The SIPMIU after initial check will send these reports to ADB for final evaluation.

IV. STRATEGY FOR INDIGENOUS PEOPLE PARTICIPATION

26. Meaningful consultations and information disclosure will be undertaken to ensure that needs, priorities and preferences of IPs are adequately dealt with. The strategy of IPP therefore would be to promote participation of the IPs, initiating and identifying people's need, priorities and preferences through participatory approaches. Meaningful consultations with and participation of IP communities, their leaders, ULBs/line agencies and SIPMIU representatives hence will be an integral part of the overall IPP.

27. The affected IPs will be informed and consulted in preparing IPP. Their participation in planning will enable them to benefit from the project and to protect them from any potential adverse impacts of the project. The IPP prepared in consultation with affected IPs will be translated into local language⁹ of IPs and made available to them before implementation with the assistance of DSMC and community organisers (the community organisers appointed for conducting Community Development and Participation activities will implement the IPP). The EA/SIPMIU will ensure that adequate funds will be made available for consultation and facilitation. Indigenous Peoples may be particularly vulnerable when project activities include (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 that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples. In deciding whether to proceed with a project involving such project activities, the borrower/client will seek the consent of affected Indigenous Peoples communities.

28. In the following paragraphs, a broad strategy for inclusion of IP s issues and information disclosure has been formulated.

A. Activities for inclusion of IPs' Issues

29. Involvement of IPs / indigenous groups in problem identification and design of solutions has to be ensured through the entire cycle of project interventions. Table 2 presents the activities to be undertaken by the implementation agency to ensure inclusion of indigenous issues in the main project.

Table 2: Activities and Indicators of IPs' Involvement Issues

Project Stages	Procedures	Process and Outcome Indicators	Remarks
	Identify locations of dominant indigenous population in the sub-project sites.	IP screening checklist	To be carried out by SIPMIU with assistance from project consultants.
	Identification of indigenous community stakeholders at site	List of all Indigenous communities in the project areas	
	Sensitization and meaningful consultation through focus group discussions with indigenous communities	Documentation on number of discussions and minutes of the meetings	

⁹ Bengali in case of Agartala, Mizo in case of Aizawl, Hindi/Nepali in case of Gangtok. In case of Kohima and Shillong, the IPP in English language shall be notified to the public.

Project Stages	Procedures	Process and Outcome Indicators	Remarks
	Identification of environmental and social issues of the indigenous population and possible impacts as a result of the project	Documentation of the issues.	
	Meaningful consultations to establish existing concerns related to: 1. Land availability and Tenure 2. Access to urban infrastructure facilities 3. Representation in CBDs 4. Existing Government schemes 5. Dependency on Minor Forest Produce (MFP) and common property resources	Justifications for preparing IPP List of spatial and non-spatial issues	
	Discussions on possible intervention measures, through the project their likely impacts and safeguard measures (mitigation and monitoring) to be incorporated into the project activities. 1. Loss of agricultural and homestead land 2. Loss of structure and immovable assets 3. Loss of livelihood 4. Loss of common property resources	List of safeguard measures Enlistment of project impacts	
	Meaningful consultations with indigenous groups for further suggestions Participatory approach to be taken up to involve IPs in finalizing projects, Resettlement Action Plan/ IPP etc.	List of safeguards measures into the Draft Plan Measures to be taken in complying with the frameworks prepared for resettlement and IPP.	
Design Stage	Disbursement of entitlements as per the RP / IPP / Framework.	Measures undertaken as suggested in RP/IPP / Framework	DSMC through community organisers engaged for
Implementation Stage	Implementation of safeguards measures as per IPP / Framework proposals	Measures undertaken as suggested in RP/IPP / Framework	implementing CPP will do that during project implementation
Post Implementation Stage	Evaluation of the success of programs and safeguard measures undertaken	Indicators developed for evaluation of project impacts	Consultants engaged for impact evaluation study will do that after project completion
	Follow up activities based on lessons learnt	Listing of modified programs to be implemented for uplifting affected indigenous communities	

IP = indigenous people, IPP = Indigenous People Plans, RP = resettlement plan, SIPMIU = State Investment Program Management and Implementation Unit.

30. Electronic version of the IPP will be placed in the official website of the SIPMIU / State Government and the official website of ADB after approval of the IPP by Government and ADB. Hard copies of the IPP will be accessible to citizens and kept in the city library, SIPMIU and office of the ULBs/line agencies. The information of the IPP including entitlements for IPs and

implementation arrangements will be presented in the form of a brochure that will be circulated among the indigenous APs. Posters designed to mass campaign the basic tenets of the IPP will be displayed at suitable locations for generating mass awareness.

V. BENEFITS AND MITIGATION OF ADVERSE IMPACTS

31. The main thrust of IPP is to address the development issues taking into consideration the marginality status of tribal community. The IPP will offer development options addressing community based needs of indigenous people while respecting their socio-cultural distinctiveness. The IPP aims at strengthening the existing capacity of the affected tribal community to participate and benefit from project interventions. Based on the impacts and their significance, affected IPs will be entitled to various compensation packages. These compensation entitlements will be the same that are listed in the approved Resettlement Framework of the program. As indigenous peoples, they will have traditional land rights and these will be honored and the absence of land titles will not be a bar for receiving compensation.

32. Additionally, as vulnerable group, they are entitled to receive special assistance, not only to restore and improve their income and livelihood but also to maintain their distinct cultural identity.

33. The SIPMIU could decide to prepare a 'specific action' to address the IP issues as part of preparing IPP or a combined RP and IPP. This decision will depend on the severity of impacts on them. A 'specific action' could take the form of a common community action plan where the indigenous peoples groups live with non-indigenous peoples in the same subproject location. Another 'specific action' is to incorporate IP issues and their benefits into the Resettlement Plan, if any.

VI. INSTITUTIONAL ARRANGEMENTS

A. Institutional Arrangements for preparing and implementing IPPs

34. The Ministry of Urban Development (MOUD) is the national-level executing agency (EA) of the Program. An IPCC will be established in MOUD and will include a social officer. A National Steering Committee (NSC) will monitor fund use and overall implementation performance of the Investment Program. A State-level Executing Agency (SEA) will execute the part of the loan falling under respective State Governments. In each State there will be a State Steering Committee (SSC), and an Investment Program Empowered Committee (IPEC). SIPMIUs will be responsible for overall program implementation, monitoring, and supervision. The SIPMIU will have a designated officer for managing safeguard issues. The designated officer and implementing community organisers, when required, will be responsible for RP implementation.

35. The designated officer for managing safeguard issues of the SIPMIU shall be responsible for implementing the IPP. The assigned officer will be taking care of redressing grievances and mitigating negative social impacts caused due to the project on APs including those belonging to indigenous communities. The SIPMIU should have staff fully aware of provisions of IPP, adequate understanding on norms and customs of and respect to the local people, especially the indigenous people. A common grievance redress mechanism on safeguard issues will be established in each subproject location¹⁰. In the event that the impacts

¹⁰ Detail grievance redress mechanism and process is in Appendix 7 of this IPPF

are significant and/or the need arises specific grievance redress mechanism and committee supported by panel of experts on indigenous people will be established.

36. The designated officer for managing safeguard issues will be entrusted with responsibilities to effectively implement the RP/Gender Action Plan/IPP complying with the safeguard provisions in the project. The roles and responsibilities of the assigned officer include but not limit to the following:

- (i) Coordinate implementation of R&R activities with the assistance of SIPMIU staff/DSMC specialist.
- (ii) Coordinate training for the SIPMIU staff & contractors for capacity building to implement the RP.
- (iii) Organize public awareness campaigns on project including resettlement provisions with the help of print and electronic media.
- (iv) Facilitate and coordinate joint verification survey of APs with the elected representatives as appropriate, finalize list of APs and inform them about tentative schedule of land acquisition / occupation.
- (v) Coordinate valuation of assets, such as land, trees of various species, agricultural crops, etc. facilitating a joint process involving the elected representatives, NGOs and APs.
- (vi) Based on assessment of property values finalize compensation packages.
- (vii) Prepare procedures to be adopted for the land acquisition within the ambit of LA Act, 1894.
- (viii) Coordinate the land acquisition processes with the associated Government departments.
- (ix) Inform APs about entitlement matrix and compensation packages against different categories of losses.
- (x) Liaison with the District Administration and line departments (DRDA, DoRD, etc.) for dovetailing Government's schemes for income generation and development programs for the APs.
- (xi) Make budgetary provisions for R&R activities.
- (xii) Coordinate, supervise and monitor disbursement of compensation.
- (xiii) Coordinate monitoring activities to be taken up for assessing progress in implementing RP.
- (xiv) Facilitate the appointment of the external agency for Impact Evaluation and coordinate evaluation activities to be taken up by the agency.
- (xv) Prepare Terms of Reference (ToR) for procuring the external agency.
- (xvi) Facilitate appointment of the consultant to carry out the studies and coordinate them.
- (xvii) Prepare quarterly monitoring reports for the SIPMIU on the progress of RP implementation.
- (xviii) Participate in the GRC.

37. The major IPP implementation responsibilities vest with DSMC and community organisers appointed by DSMC. The responsibilities of these community organisers in IPP implementation will include the following:

- (i) Work under close coordination of the SIPMIU's safeguard officer and staff to implement the IPP.
- (ii) Facilitate transparency in process and public participation.
- (iii) Take lead in joint verification and identification of IPs, enlist IPs, counselling for livelihood restoration, dissemination of project policies, documents etc.
- (iv) Identify training needs of IPs for income generation activities and ensure that they are adequately supported.

- (v) Put forth the grievances of the IPs to the GRC.
- (vi) Generate awareness about the livelihood restoration activities, and help the IPs to make informed choices.
- (vii) Assist the SIPMIU's assigned safeguard officer and relevant government agencies in disbursement of cheques.
- (viii) Participate in public meetings as and when required.
- (ix) Periodical IPP implementation report should be submitted to the RO.

38. The external impact evaluation agency appointed for RP implementation will also carry out monitoring and evaluation of the effectiveness of IPP implementation through formulation of indicators. The program will have a Grievance Redressing Committee (GRC) for redressing the grievances of the APs, with emphasis on vulnerable communities in the project. Table 1 gives the institutional roles and responsibilities for preparation and implementation of IPP.

Table 3: Institutional Roles and Responsibilities

S.No.	Activities	ULB/Line Agency	SIPMIU	Project consultants	NGOs	ADB	IP Community Involvement
1	Finalization of sites/alignments for sub-project components	Identify and finalize sites/alignments for sub-project components	SIPMIU will appoint project consultants (PC) for design and implementation of sub-project components	PC appointed by SIPMIU will provide technical help to ULB in finalizing sites/alignments			
2	Preliminary Screening (PS)						
A	Collecting and analyzing required information	SIPMIU will appoint a full time resource person to oversee IPP activities, who will undertake PS					Co-operation and active participation of IPs is anticipated in IPP activities
B	Preparation of PS report	Designated staff will prepare PS report, which will be sent to SIPMIU					
C	SIA recommendation		Based on PS report, and in compliance with ADB policy, SIPMIU will recommend SIA				
3	Social Impact Assessment						
A	Collecting and analyzing required information	Designated staff of SIPMIU agency will monitor SIA activities		PC appointed by SIPMIU will conduct SIA			IPs will be responsible for giving information to and participate with concerned officials
B	Preparation of SIA report			PC will prepare report and submit it to the SIPMIU			

S.No.	Activities	ULB/Line Agency	SIPMIU	Project consultants	NGOs	ADB	IP Community Involvement
C	Recommendation for IPP preparation		Based on SIA report, and in compliance with the ADB policy, SIPMIU will recommend IPP preparation				
4	Preparation of IPP						
A	Formulation of mitigation measures and development of action plan	Designated staff will monitor IPP preparation activities and will provide required help to PC		PC will prepare IPP in consultation with affected IPs/community leaders			Affected IPs, IP leaders, CBOs will participate in formulation of mitigation measures and development of action plan
B	Disclosure of IPP	Designated staff will participate in information disclosure meetings to finalize IPP at community level	SIPMIU staff will participate in information disclosure meetings to finalize IPP at community level	PC will conduct meetings for information disclosure and will provide required information during meetings	Local NGOs can be invited to bring transparency in information disclosure meetings		Affected IPs, IP leaders will participate and approve IPP
C	Preparation of budget and financing plan	Designated staff will provide required necessary help to PC		PC will prepare IPP budget and financing plan			
E	IPP approval from ADB		SIPMIU after scrutinizing IPP for compliance with ADB policy will submit it to ADB	As per ADBs comments, PC will revise IPP and budget		Concerned staff at ADB will review and approve the IPP document	
5	IPP implementation	Community organisers will be identified by DSMC and SIPMIU for IPP implementation	SIPMIU will monitor IPP implementation periodically along with an independent agency				

ADB = Asian Development Bank, IP = indigenous people, IPP = Indigenous People Plans, SIA = social impact assessment, SIPMIU = State Investment Program Management and Implementation Unit.

VII. BUDGET FOR FORMULATING AND IMPLEMENTING IPPS

39. Each IPP will have its own budget. The EA will provide sufficient resources to formulate an IPP for each sub-project that will have impacts on IPs. A detailed budget will be prepared by assigned safeguard officer with support from DSMC specialist taking into account all activities associated with the formulation and implementation of the IPP. Such budgets will be an integral part of the program cost, and will be made available during program implementation.

VIII. PROGRAM FOR MONITORING AND EVALUATION

40. Implementation of the IPP will be monitored regularly. The SIPMIUs will establish a quarterly monitoring system involving the staff of the assigned safeguard officer with support from DSMC specialist, representative of affected IP groups, community organisers and CBOs to ensure participatory monitoring arrangements are followed. A set of monitoring indicators will be determined during IPP implementation. The SIPMIU will prepare appropriate monitoring formats for effective internal and external monitoring and reporting requirements. Independent monitoring will be undertaken through community organisers / CBOs engaged by the EA in consultation with ADB to carry out external monitoring of the IPP operations for the whole Program. Monitoring reports will be prepared twice a year (semiannual) during program implementation. These reports will be submitted to the EA and ADB for review. The SIPMIU will be responsible for determining if any follow-up actions are necessary and ensuring any necessary actions are taken regarding the implementation of IPPs. The cost of monitoring requirements will be reflected in project budgets.

41. The assigned safeguard officer with support from DSMC specialist will implement the IPP. As part of their duty they will carry out the monitoring and evaluation activities as prescribed in this section. The assigned officer and community organisers will be trained and motivated in carrying out these activities. The mid-term and end-term impact evaluation will be conducted by outsourcing it to an Agency/NGO/Institution, which will do the work in close coordination with the assigned safeguard officer with support from DSMC specialist of SIPMIU.

42. IPP implementation will be closely monitored to provide effective basis for assessing resettlement progress and identifying potential difficulties and problem areas. Monitoring will be carried out by appropriate specialists of independent panel of expert, or SIPMIU safeguard officer if the impacts are limited, on a quarterly basis. The internal monitoring will involve the following tasks:

- (i) Administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis.
- (ii) Socio-economic monitoring during and after the relocation process utilizing the baseline information established by the socio-economic survey of APs undertaken during project preparation to ensure that people are settled and recovering.
- (iii) Overall monitoring whether recovery has indeed taken place successfully and in time.

43. Data from the baseline socio-economic surveys undertaken during the project preparation stage will provide the benchmark for the Monitoring process to assess the progress and success of the IPP programme. However, Monitoring process will also include the following:

- (i) Communication to and noting of reactions from APs.
- (ii) Information from APs on entitlements, options, alternative developments and relocation timetables.

- (iii) Valuation of properties.
- (iv) Usage of grievance redress mechanism.
- (v) Disbursement of compensation amounts and all assistances.

44. Monitoring will also cover the physical progress of implementation of IPP. This will include land acquisition of the AHs and project affected community properties. Quarterly reports will be prepared by the SIPMIU safeguards officer on the progress of the IPP provisions.

45. **Internal Monitoring Indicators:** the assigned safeguards specialist of SIPMIU and DSMC social safeguard experts will carry out internal monitoring. The indicators for achievement of objectives under the IPP programme are of two kinds as stated below:

- (i) Process Indicators – Indicating project inputs, expenditure, staff deployment, etc.
- (ii) Output Indicators – Indicating results in terms of numbers of affected indigenous people compensated and resettled, training imparted, credit disbursed, etc.

46. **External Monitoring:** For projects with significant adverse impacts on Indigenous Peoples, the respected SIPMIU will retain qualified and experienced external experts or qualified NGO to verify monitoring information. The external experts engaged by the SIPMIU will advice on compliance issue, and if any significant IP issues are found, the SIPMIU will prepare a corrective action plan or an update to the approved IPP. The SIPMIU will implement the corrective actions and follow up on these actions to ensure their effectiveness.

47. **Reporting:** Reporting and monitoring formats will be prepared for an effective internal and external monitoring. These reports will be submitted to ADB for review and comments. Each IPP will be submitted by EA to ADB for review and approval.

APPENDIX 1 LIST OF SCHEDULED TRIBES

A. Mizoram

1. Chakma
2. Dimasa (kachari)
3. Garo
4. Hajong
5. Hmar
6. Khasi and Jaintia, (Including Khasi, synteng or Pnar,
7. War, Bhoi or Lyngngam)

Any Juki tribes, including: (i) Baite or beite , (ii) Changsan, (iii) Chonloi, (iv) DOUNGEL, (v) Gamalhu, (vi) Gangte, (vii) Guite, (viii) Hanneng, (ix) Haokip or Haupt, (x) Haolai, (xi) Hengna, (xii) Hongsungh, (xiii) Hrangkhwal or Rangkhoh, (xiv) Jongbe, (xv) Knawchung, (xvi) Knawathlang or Khothalong, (xvii) Khelma, (xviii) Kholhou, (xix) Kipgen, (xx) Kuki, (xxi) Lenthang, (xxii) Lhangum, (xxiii) Lhoujem, (xxiv) Lhouvun, (xxv) Lumpheng, (xxvi) Mangjel (xxvii) Missao (xxviii) Riang (xxix) Siarhem (xxx) Selnam (xxxi) Singson (xxxii) Sitlhou (xxxiii) Sukte (xxxiv) Thado (xxxv) Thangneu (xxxvi) Uibuh (xxxvii) Vaiphei

8. Lakher
9. Man (Tai-speaking)
10. Any Mizo (Lushai) tribes
11. Mikir
12. Any Naga tribes.
13. Pawi
14. Synteng

B. Meghalaya

1. Chakma
2. Dimasa, Kachari
3. Garo
4. Hajong
5. Hmar
6. Khasi, Jaintia, Synteng, Pnar, War, Bhoi, Lyngngam
7. Kuki, including the following sub-tribes :-

i. Biate, Biete ii. Changsan iii. Chongloi iv. DOUNGEL v. Gamalhou vi. Gangte vii. Guite viii. Hanneng ix. Haokip, Haupt x. Haolai xi. Hengna xii. Hongsungh xiii. Hrangkhwal, Rangkhoh xiv. Jongbe xv. Khawchung xvi. Khawathlang, Khothalong xvii. Khelma xviii. Khoohou xix. Kipgen xx. Kuki xxi. Lenthang xxii. Lhangum xxiii. Lhoujem xxiv. Lhouvun xxv. Lumpheng xxvi. Mangjel xxvii. Misao xxviii. Riang xxix. Sairhem xxx. Selnam xxxi. Singson xxxii. Sitlhou xxxiii. Sukte xxxiv. Thado xxxv. Thangngcu xxxvi. Uibuh xxxvii. Vaiphei

8. Lakher
9. Man (Tai Speakign)
10. Any Mizo (Lushai) tribes
11. Mikir
12. Any Naga Tribes
13. Pawi

14. Synteng
15. Boro kacharis
16. Koch
17. Raba, rava

C. Nagaland

1. Naga
2. Kuki
3. Kachari
4. Mikir
5. Garo

D. Tripura

1. Bhil
2. Bhutia
3. Chaimal
4. Chakma
5. Garoo
6. Halam
7. Jamatia
8. Khasia
9. Kuki, including the following sub-tribes:-

(i) Baite (ii) Belalhut (iii) Chhalya (iv) Fun (v) Hajango (vi) Jangtei (vii) Khareng (viii) Khephong (ix) Kuntei (x) Laifang (xi) Lentei (xii) Mizel (xiii) Namte (xiv) Paitu, paite (xv) Rangchan (xvi) Rangkhole (xvii) Thangluya

10. Lepcha
11. Lushai
12. Mag
13. Munda, Kaur
14. Noatia
15. Orang
16. Raing
17. Santal
18. Tripura, tripuri, tippera
19. Uchai.

E. Sikkim

1. Bhutia (including Chumbipa, Dophapa, Dukpa, Kagatcy, Sherpa, Tibetan, Tromopa, Yolmo)
2. Lapeha

APPENDIX 2: PROFILE OF SCHEDULED TRIBES IN PROJECT CITIES

1. In Agartala, the tribes constitute 6.5% of the population mainly belonging to Tripura / Tripuri / Tippera and Chakma communities. In the city a few households of Tripura tribe live in Krishnanagar area. Apart from this, a very few others are scattered over Agartala.

2. In Aizawl and the entire state of Mizoram, the tribes constitute the mainstream society. These STs account for nearly the entire population. The main tribes are the Lushais, Chakmas, Ralte, Paite, Baite, Pawi Dhilen, Lakher, Hmar and Piang. Lushai group of tribals accounts for more than 98% of the city tribals. Though they speak their tribal dialect among themselves, they also speak English in general, while interacting with others. Most tribes are Christian (84%). Riangs and Chakmas are Buddhists (8%). There are some Hindus and Muslims. The other languages of Mizoram are Mizo, Hmar, Chakma, Lai, Mara and Ralte. An estimated 98.2% of the population in the city is STs.

3. In Sikkim, except for the North district where 50% of the population is tribal, in the other districts of Sikkim one fourth of the population are STs. Overall 20.59% of the population in Sikkim is tribal. An estimated 32.3% of the population in the city belongs to ST category. The major communities are the Lepcha, the Bhutia, the Nepali and the caste communities from the plains. These different ethnic groups have their distinct languages and cultural pattern. Over centuries, the narrow fertile valleys of the inner Himalayas and the rugged hill tracts of the greater Himalayas have been settled by the Tibeto-Burmese, Tibeto-Mongoloid and Indo-Aryan races who have adjusted themselves to the rigorous climate of this state. Thus Sikkim has become a state of multi-racial inhabitants. The oldest inhabitants are the Rongs or Lepchas who migrated via Assam to this mountain state. Next came the Khampas from the Tibetan province of Kham, they are now commonly known as Bhutias. The Limbus who are considered by some as belonging to Lhasa gotra are believed to have migrated from Shigatse, Penam, Norpu, Giangtse etc. of the Tsong province of Tibet. These Limbus and other Magar, Rai, Gurung, Murmi etc. are allied races and in fact belong to the Kirati sub-cultural stock of the Nepali race that migrated to Sikkim from Nepal in the west. English is the official language of Sikkim. The Lingua-franca is however Nepalese. It closely resembles Hindi. The Lepcha language belongs to the Tibeto-Burman family. The language of the Bhutias, Limbu, Murmi, Magar, Khamba and Mewar also belongs to it.

4. In Kohima and the entire state of Nagaland, the tribes constitute the mainstream society. There are 16 tribes in Nagaland. These tribal communities (IPs) account for nearly the entire population. The major tribes include Angami, AO, Sema, Lotha, Chakesang, Rengma, Zeliang and Sangtam. An estimated 89.6% of the population in the city is STs.

5. In Shillong and the entire state of Meghalaya, the tribes constitute the mainstream society. The Khasi, Jaintia, Bhoi and War collectively known as the Hynniewtrep people predominantly inhabit the districts of East Meghalaya, also known to be one of the earliest ethnic group of settlers in the Indian sub-continent, belonging to the Proto Austroloid Monkhmer race. The main tribal groups are the Khasi, Garo, Jaintia, and Bhoi. All of these tribals claim to have descended from the 'Ki Hynniew Trep' and are now known by the generic name of Khasi-Pnars or simply Khasis. They have the same traditions, customs and usage with a little variation owing to geographical divisions.

APPENDIX 3: STATE LAWS

A. Nagaland

1. Nagaland Tribe, Area, Range and Village Council Act, 1966

1. After the formation of the State of Nagaland in 1963, the traditional Village Councils were restructured and replaced by Village, Area and Regional Councils under the Nagaland Tribe, Area, Range and Village Council Act, 1966. In general, the Village Councils had the duties, such as to function as the highest court in the village, as the custodian and manager of village common property. At the village level the members were to be chosen by their respective clans. The size of the Village Council was to be determined according to the customs of the village. The supra-Village Councils i.e. the Area and Regional Councils, were much more intimately linked with the next lower level. In 1978, a new Act was passed which did away with the regional councils, while the duties and powers of the Village Councils were more elaborately defined including that of constituting a Village Development Board. In 1980 statutory rules were promulgated to cover the latter also. In 1990, the Act was amended to do away with the Area Councils leaving only the Village Councils.

2. The Nagaland Land (Requisition and Acquisition) Act 1965

2. This Act relates to the law for requisition and speedy acquisition of premises and land for certain public purposes. The State Government has the power to requisition any land if it is of the opinion that it is necessary for maintaining services essential to the life of the community or for providing proper facilities for transport, flood control and anti-erosion measures including embankment and drainage etc. Except land used for religious purposes, the State Government may also acquire land subject to the provisions of the Land Acquisition Act, 1894. The Land Acquisition Act, 1894 applies to the extent that the principles contained therein, such as for the making of the award would apply and later reference to the Court. But for the purposes of determining the compensation payable and powers of requisition and acquisition, it is this State legislation that comes into play. It is noteworthy that compensation payable in the case of compulsory acquisition attracts an additional 15% of the market value, i.e. in addition to the market value. Though this act is in place the general process followed for land acquisition is only through negotiations with the individual landowners.

3. Nagaland Eviction of Persons in Unauthorized Occupation of Public Land Act, 1971

3. This act applies to Kohima and has the effect to override custom or usage that permits the use or occupation of any public land by any person or group of persons without the sanction of the appropriate officer. This provision becomes relevant in view of the myriad customs that permit people to continue to occupy public land and it becomes difficult to evict them. It is stipulated that the term of a lease not governed by a written contract or any local law for public land, shall be year-to-year, terminable by a six months' notice by either the lessor or the lessee in the case of land used for agricultural or manufacturing purposes. For any other purpose, the lease would be month-to-month and terminable in the same manner by fifteen days' notice. For unauthorized occupants, the Deputy Commissioner is empowered to issue a show cause notice to the said unauthorized occupants and they are in turn required to respond to the same within 15 days. Thereafter the Deputy Commissioner after considering the response may issue orders evicting the said persons from the land within 14 days from the date of the order. An appeal against the orders of the Deputy Commissioner may be preferred to the Commissioner of

Nagaland, who is the designated appellate officer and his orders have finality and the same cannot be impugned before any other court.

B. Shillong

1. Meghalaya Transfer of Land (Regulation) Act, 1971

4. The Meghalaya Transfer of Land (Regulation) Act (MLTRA) 1971 is applicable in the State that protects tribal land alienation. However, the act also has an exemption clause that states –“Nothing contained in this Act shall apply to any transfer of land to, or in favor of, Government or Autonomous District Council.”

5. MLTRA specifies – “No land in Meghalaya shall be transferred by a tribal to a non-tribal or by a non-tribal to another non-tribal except with previous sanction of the competent authority. Provided that the Government of Meghalaya is satisfied may, from time to time, by notification, prohibit any transfer of land within such area or areas as may be specified in the notification and there upon the competent authority shall not sanction any such transfer of land under the provision of this Act, within such area or areas.”

C. Aizawl

The Mizoram (Land Revenue) Law, 2013

6. This Law relates to the law of government for allotment of lands; determine the land use and division of lands, types of landholdings rights and pass, as well as for land mutation and partition. The State Government has the power to assign any land if it is of the opinion that it is necessary for maintaining services essential to the life of the community or for providing proper public facilities for transport, flood control and anti-erosion measures including embankment and drainage etc.

CENTRAL LAWS

7. **Panchayat (Extension to the Scheduled Areas) Act, 1996.** The Act defines scheduled areas as defined in Clause (1) Article 244 of the Constitution of India. It extends provision of Part IX of the Constitution related to Panchayats, to scheduled areas. It recognizes customary law, social and religious practices and traditional management practices of community resources. It also defines the role of the Gram Sabha in approval of plans, programs and projects and selection of beneficiaries for poverty alleviation and other schemes in such areas, and in certification of utilization of funds allocated. The Gram Sabha or the Panchayats in such areas need to be consulted before land acquisition for development projects in such areas; and specifies that planning and management of minor water bodies need to be undertaken by Panchayats. It vests in Gran Sabhas the power to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe, and the power to exercise control over local plans and resources for such plans.

8. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The Act recognizes the rights of forest dwellers who have been living for generations in such forests but whose rights could not be recorded, and seeks to provide a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting of rights.

9. **The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008.** The Rules complement the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006 and describe the process for granting of title to holders of community forest rights.

APPENDIX 4: ENTITLEMENT MATRIX

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
1	Loss of private land	Agricultural land, homestead land or vacant plot	Titleholders	<ol style="list-style-type: none"> 1. Compensation at replacement value /market value as specified in the RFCTLARRA or land-for-land where feasible; 2. Solatium to be paid at 100% of the compensation amount; 3. If the residual plot(s) is (are) not viable, any of the following two options are to be given to the affected person, subject to acceptance: <ul style="list-style-type: none"> • Option 1 - The affected person remains on the plot, and the compensation and assistance are paid only for the required amount of land to be acquired. • Option 2 - 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. 4. A monthly subsistence allowance equivalent to Rs.3000.00 per month for a period of one year from the date of award will be provided. 5. Compensation for affected plants, standing crops and trees will be provided at market value.(refer to #6 of the Matrix)¹¹ 6. 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 executing agency. 7. One-time shifting assistance based on Resettlement Allowance of Rs.50, 000. 8. All affected families will receive compensation for: (i) damage to 	<ul style="list-style-type: none"> • If land-for-land is offered, (i) ownership will be in the name of original landowners, (ii) joint ownership in the name of husband and wife will be offered in case of non-female-headed households. • Charges will be limited to those for land purchased within a year of compensation payment and for land of equivalent size. • Vulnerable households will be identified during the census conducted by the project NGO/CBO, organized by DSMC 	The Valuation committee will determine replacement value and confirmed by District Commissioner. The NGO/CBO will verify the AHs determine assistance, and identify vulnerable households.

¹¹ To be valued by persons experienced in the field of agriculture, horticulture forestry etc. as necessary.

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
				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		
1-a	Loss of private land	Agricultural land, homestead land or vacant plot	Tenants and leaseholders /sharecroppers (whether having written tenancy/lease documents or not)	<ol style="list-style-type: none"> 1. Reimbursement of rental/lease deposit or unexpired lease; 2. Compensation at replacement cost for any investment made to the land; 3. One time resettlement allowance of Rs.50, 000. 4. A monthly subsistence allowance equivalent to Rs.3000.00 per month for a period of one year from the date of award will be provided. 5. Notice to harvest standing seasonal crops. If notice cannot be given, compensation for loss of crops will be provided; and 6. One-time financial assistance of Rs.50, 000 as transportation cost for shifting. 	<ul style="list-style-type: none"> • Land owners will reimburse tenants and leaseholders land rental deposit or unexpired lease • Harvesting prior to acquisition will be accommodated to the extent possible. • Work schedule will avoid harvest season. 	DSMC/NGO will confirm land rental and ensure tenants and leaseholders receive reimbursement for land rental deposit or unexpired lease, and report to SIPMIU. Vulnerable households will be identified during the census conducted by the DSMC/ NGO
1-b	Loss of private land	Agricultural land, homestead land or vacant plot	Encroachers/	<ol style="list-style-type: none"> 1. Encroachers will be notified and given 60 days advance notice to remove their assets. 2. Compensation for affected structures at replacement value calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation. 3. Right to salvage material from the demolished structure at no cost. 4. Additional assistance for vulnerable households (refer to #7 in this matrix). 	<ul style="list-style-type: none"> • Vulnerable households will be identified during the census conducted as part of the RP. 	SIPMIU will ensure provision of notice. DSMC/NGO will identify vulnerable households.

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
			Squatters	<ol style="list-style-type: none"> 1. Squatters will be notified and given 60 days advance notice to remove their assets. 2. Compensation for affected structures at replacement value calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation. 3. Right to salvage material from demolished structure at no cost. 4. A lump sum shifting assistance of Rs.10,000 will be provided 5. Additional assistance for vulnerable households (refer to #7 in this matrix). 	<ul style="list-style-type: none"> • 	
2	Loss of Government land	Vacant plot, Agricultural land, homestead land	Leaseholder	<ol style="list-style-type: none"> 1. Compensation for unexpired lease; 2. Compensation for any investment made to the land; 3. One time resettlement allowance of Rs.50, 000. 4. Choice of annuity or employment as referred in #5 of the Matrix. 5. 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 landowner is compelled to change his place of residence or business due to proposed land acquisition 6. Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to Rs.3000 per month for a period of one year from the date of award. 	<ul style="list-style-type: none"> • Vulnerable households will be identified during the census conducted by the assigned NGO. 	

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
				7. Notice to harvest standing seasonal crops. If notice cannot be given, compensation for loss of crops will be provided; 8. One-time financial assistance of Rs.50,000 as transportation cost for shifting 9. Additional assistance for vulnerable households (refer to #7 in this matrix).		
2-a	Loss of Government land	Vacant plot, RoW of road	Encroachers	1. Encroachers will be notified and given 60 days advance notice to remove their assets. 2. Compensation at replacement cost for any investment made to the land	<ul style="list-style-type: none"> Vulnerable households will be identified and provided assistance as required (see entitlement # 7 of this matrix). 	SIPMIU will ensure provision of notice. NGO will identify vulnerable households.
2-b	Loss of Government land	Vacant plot, RoW of road	Squatters	1. Squatters will be notified and given 60 days advance notice to remove their assets. 2. A lump sum shifting assistance of Rs.10,000 will be provided.	<ul style="list-style-type: none"> Vulnerable households will be identified and provided assistance as required 	SIPMIU will ensure provision of notice. NGO will identify vulnerable households.
3	Loss of residential structure	Residential structure and other assets ¹²	Legal Titleholder of affected structure/ those without homestead land ¹³	1. If a house is lost in rural area a constructed house shall be provided as per the Indira Awas Yojana specifications OR equivalent cost of the house. 2. In urban areas, a constructed house shall be provided, which will be not less than 50 sq. mts in plinth area OR a one-time financial assistance for house construction, which shall not be less than Rs1,50,000. 3. The replacement value of the structure, will be provided, calculated as per the latest prevailing Basic Schedule of Rates (BSR) without depreciation; 4. Where the loss of structure is partial and the remaining structure is unviable, compensation will be based on the total structure and benefits will be given as	<ul style="list-style-type: none"> Vulnerable households will be identified during the census conducted by the DSMC/NGO. 	The Valuation committee will determine replacement value ¹⁴ . The NGO will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.

¹³ Who have been residing in the area continuously for a period of not less than three years preceding the date of notification

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
				<p>mentioned in this section.</p> <ol style="list-style-type: none"> 5. One-time financial assistance of Rs.50,000 as shifting allowance; 6. A monthly subsistence allowance equivalent to Rs.3000.00 per month for a period of one year from the date of award will be provided 7. Right to salvage material from the demolished structure at no cost; 8. If relocation required, rental assistance at Rs.5000 per month till alternative house is ready; 9. Each affected family shall be given a one-time Resettlement Allowance of Rs.50,000 only. 10. All fees, taxes and other registration charges incurred for the replacement structure shall be borne by executing agency. 		
3-a			Tenants and leaseholders	<ol style="list-style-type: none"> 1. Rental assistance at Rs. 5000 per month for 3 months. 2. One-time financial assistance of Rs.50,000 as shifting allowance. 3. A monthly subsistence allowance equivalent to Rs.3000.00 per month for a period of one year from the date of award will be provided 4. Any additional structures erected by tenants will also be compensated and deducted from owner's compensation amount; 5. Any advance deposited by the tenant to the landlord will be deducted from land lord/owner's total compensation package on submission of documentary evidences; and 6. Right to salvage material from demolished structure, erected by tenants. 7. Additional compensation for vulnerable households (item # 7) 	<ul style="list-style-type: none"> • Vulnerable households will be identified during the census conducted by the assigned NGO. • Structure owners will reimburse tenants and leaseholders rental deposit or unexpired lease. 	The NGO will verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households.
3-b	Loss of	Residential	Encroachers,	1. Encroachers will be notified and given	• Vulnerable households	The NGO will verify the

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
	residential structure	structure and other assets	Squatters, and informal settlers	<ol style="list-style-type: none"> 60 days advance notice to remove their assets. Compensation for affected structures at replacement value calculated as per the latest prevailing basic schedule of rates (BSR) without depreciation. Right to salvage material from the demolished structure at no cost. A lump sum shifting assistance of Rs.10,000 will be provided Additional compensation for vulnerable squatter households (item # 7) 	will be identified during the census conducted by the assigned NGO.	extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.
4	Loss of commercial structure	Commercial structure and other assets	Legal titleholders	<ol style="list-style-type: none"> The replacement value of the structure without depreciation, subject to a minimum of Rs. 25000; One-time Resettlement Allowance of Rs.50, 000. A monthly subsistence allowance equivalent to Rs.3000.00 per month for a period of one year from the date of award will be provided. Right to salvage material from the demolished structure at no cost; One-time financial assistance of Rs.50, 000 as transportation allowance. Rental assistance at Rs. 60 per sq. feet for 3 months, equivalent to the space lost. All fees, taxes and other registration charges incurred for the replacement structure shall be borne by the executing agency. Additional compensation for vulnerable households (item # 7) 	<ul style="list-style-type: none"> Vulnerable households will be identified during the census conducted by the assigned NGO. 	The Valuation committee will determine replacement value. The NGO will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.
4-a	Loss of commercial structure	Commercial structure and other assets	Tenants and leaseholders	<ol style="list-style-type: none"> Rental assistance at Rs. 60 per sq. feet for 3 months, equivalent to the space lost. One-time financial assistance of Rs.50, 000.00 as transportation/shifting allowance. A monthly subsistence allowance equivalent to Rs.3000.00 per month for 	<ul style="list-style-type: none"> Vulnerable households will be identified during the census conducted by the assigned NGO. Structure owners will reimburse tenants and leaseholders rental deposit or unexpired 	The NGO will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
				<p>a period of one year from the date of award will be provided</p> <ol style="list-style-type: none"> 4. Any additional structures erected by tenants will also be compensated and deducted from owner's compensation amount; 5. Any advance deposited by the tenant to the landlord will be deducted from land lord/owner's total compensation package on submission of documentary evidences; 6. Right to salvage material from demolished structure, erected by tenants 7. Additional compensation for vulnerable households (item 7) 	lease.	
4-b			Encroachers and squatters	<ol style="list-style-type: none"> 1. Encroachers will be notified and given 60 days advance notice to remove their assets. 2. Compensation for affected structures at replacement value without depreciation. 3. Right to salvage material from the demolished structure at no cost. 4. A lump sum shifting and transitional assistance of Rs.10,000 will be provided 5. Additional compensation for vulnerable squatter households (item # 7). 	<ul style="list-style-type: none"> • Vulnerable households will be identified during the census conducted by the assigned NGO. 	The NGO will verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households.
5	Loss of livelihood	Livelihood	Owner/tenants and leaseholders /sharecroppers (whether having written tenancy/lease documents or not)	<ol style="list-style-type: none"> 1. Choice of annuity or employment – the following options are to be provided: (a) 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 (b) onetime payment of Rs.5,00,000 per affected family; or (c) annuity policies that shall pay not less than Rs.2000.00 per month per family for twenty years, 	<ul style="list-style-type: none"> • Vulnerable households will be identified during the census conducted by the assigned NGO. 	The NGO will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
				<p>with appropriate indexation to the Consumer Price Index for Agricultural Labourers.</p> <p>2. Preference for employment opportunity for Affected Persons in the project construction work, if so desired by them.</p> <ul style="list-style-type: none"> • Training would be provided for income generating vocational training and skill improvement options based on the choice of the affected person at Rs 20,000¹⁵ per family. This cost would be directly paid by the project to the training institute OR purchase of income generating assets up to Rs.40,000¹⁶. 		
5-a			Titleholders / tenants/leaseholders losing income through business	<p>1. One time grant of a minimum of Rs. 25,000¹⁷ for self-employed persons, artisans, small traders etc.</p> <p>2. Choice of annuity or employment – the following options are to be provided:</p> <p>(a) 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 (b) onetime payment of Rs.5,00,000 per affected family; or (c) annuity policies that shall pay not less than Rs.2000.00 per month per family for twenty years, with appropriate indexation to the Consumer Price Index for Agricultural</p>	<ul style="list-style-type: none"> • Vulnerable households will be identified and provided assistance as required 	

¹⁵ 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 is will be calculated based on prevailing minimum wage rates for semi-skilled labor in the respective cities for 26 working days a month for three months

¹⁶ This is an estimate. The income generating asset will be skill related. However the assets will be decided on a case to case basis.

¹⁷ Based on the RFCTLARRA

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
				Labourers.		
5-b			Wage-earning employees affected due to displacement of commercial structure (those working in businesses such as petty shops, eateries)	<ol style="list-style-type: none"> 1. One-time financial assistance for lost income based on 6 months subsistence allowance at Rs.18, 000¹⁸ per affected person. 2. Preference for employment opportunity for Affected Persons in the project construction work, if so desired by them. 	<ul style="list-style-type: none"> • Vulnerable households will be identified and provided assistance as required 	
6	Loss of trees and crops	Standing trees and crops	Legal titleholder, Sharecropper, Leaseholder	<ol style="list-style-type: none"> 1. Affected person will be notified and given 60 days advance notice cut/clear the affected trees. For seasonal crops and fruit trees 6 months' notice is to be given. 2. Compensation for cash crops at prevalent market rates¹⁹, to be calculated as annual net product value multiplied by number of productive years remaining. 3. Compensation for one year net harvest for seasonal crops at prevalent market rates. 4. Compensation at market value of timber in case of timber-bearing trees. 5. for fruit bearing trees compensation to be calculated at market value of annual net product multiplied by the number of productive years.²⁰ 	<ul style="list-style-type: none"> • Harvesting prior to acquisition will be accommodated to the extent possible • Work schedules will avoid harvest season. • Market value of trees/crops has to be determined. • Vulnerable households will be identified and provided assistance as required 	SIPMIU will ensure provision of notice. The valuation committee will undertake valuation of standing crops, perennial crops and trees, and finalize compensation rates in consultation with APs
6-a			Encroachers/squatters	<ol style="list-style-type: none"> 1. Encroachers and squatters will be notified and given 60 days advance notice to remove trees and 6 months' notice to harvest seasonal crops and fruit trees. 2. In case of standing crops/ trees planted by non- titleholders, compensation will 	<ul style="list-style-type: none"> • Harvesting prior to acquisition will be accommodated to the extent possible • Work schedules will avoid harvest season. • Market value of 	

¹⁸ Based on 6 months of subsistence allowance. In the RFCTLARRA the subsistence allowance for titleholders is Rs.36, 000 for a year. In this case 50% of given amount is provided for non-titleholders.

¹⁹ Valued by an experienced person in the field of agriculture.

²⁰ To be valued by persons experienced in the field of agriculture, horticulture forestry etc. as necessary.

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
				be given	<p>trees/crops has to be determined.</p> <ul style="list-style-type: none"> Vulnerable households will be identified and provided assistance as required 	
7	Impacts on vulnerable APs	All impacts	Vulnerable APs ²¹	<ol style="list-style-type: none"> Additional one-time lump sum assistance of Rs. 36,000 (calculated for 12 months subsistence allowance) per vulnerable family will be paid. This will be over and above the other assistance given in this framework. Vulnerable households will be given priority in employment in the project construction activities. All Scheduled Castes and Scheduled Tribes relocated outside the district will be provided an additional 25% of the resettlement benefits to which they are entitled along with a onetime resettlement entitlement of Rs.50, 000 per the provisions of the RFCTLARRA. Provision for skill training for displaced vulnerable persons including assistance for purchase of income generating assets and initial capital of INR 40,000/- 	<ul style="list-style-type: none"> Vulnerable households will be identified during the census conducted by the assigned NGO. If land-for-land is offered, ownership in the name of original landowner(s). 	The NGO will verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households.
8	Temporary loss of land	Land temporarily required for project activities	Legal titleholders Legal titleholder/ traditional land rights/ non-titleholders	<ol style="list-style-type: none"> In case of standing crops, cash compensation for loss of agricultural crops at current market value. Compensation for loss of trees at current market value. Restoration of land to its previous or better quality. Affected households will be notified and given 60 days advance notice to remove trees and 6 months' notice to harvest crops and fruit trees. Provision of rent for the period of occupation 	<ul style="list-style-type: none"> Arrangement by the contractor on the activities to be taken up. Impacts if any on the structures, assets and plantation due to the temporary occupation. Extent of rehabilitation, restoration of the site. 	<p>The valuation committee will determine rental value and duration of lost income through survey and consultation with APS.</p> <p>A photograph of the pre occupation to be made by the NGO.</p> <p>NGO and RO will ensure that the compensation is paid prior to handing over of site to the owner.</p>

²¹ Vulnerable households comprise below poverty lines households, including poor female-headed households, poor households with disabled members, and indigenous peoples or ethnic minority households.

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
				<ol style="list-style-type: none"> 6. Compensation for damaged assets at replacement value 7. Restoration of land to its previous or better quality. 		The site will be taken up by the contractor after consent of RO.
8-a	Structures temporarily required for project activities		Legal titleholders/ non-titled holders building owners	<ol style="list-style-type: none"> 1. Compensation for damaged assets at replacement value without depreciation 2. Rental assistance as per the prevalent rate in the form of grant to cover the duration of project construction activities 3. Subsistence/relocation allowance at Rs.3000 per month for 3 months 4. Provision of alternative sites for continued economic activity, if required 	<ul style="list-style-type: none"> • 	
9	Temporary disruption of livelihood	Commercial and agricultural activities	Legal titleholders, tenants, leaseholders, sharecroppers, employees, hawkers or vendors.	<ol style="list-style-type: none"> 1. 30 days advance notice regarding construction activities, including duration and type of disruption. 2. Cash assistance based on the minimum wage for the loss of income/livelihood for the period of disruption 3. For construction activities involving disruption for a period of more than a month, provision of alternative sites for hawkers and vendors for continued economic activities. If not possible, allowance based on minimum wage rate for vulnerable households for 1 month or the actual period of disruption whichever is more. 	<ul style="list-style-type: none"> • During construction, the SIPMIU will identify alternative temporary sites to the extent possible, for vendors and hawkers to continue economic activity. • SIPMIU will ensure civil works will be phased to minimize disruption through construction scheduling in co-ordination with the contractors and the DSC 	Alternative locations, if any will be identified for the said duration of disruption.
10	Loss and temporary impacts on common resources	Common resources	Communities, Government Agencies, Dorbars, Village Councils	<ol style="list-style-type: none"> 1. The contractor shall follow the provisions in this entitlement matrix for any impact on structure or land due to movement of machinery during construction or establishment of construction plant. 2. Compensation for standing crops and trees as per the market rate. 3. Time bound restoration of land to its previous or better quality. 4. The contractor will maintain access to businesses (e.g., planks, keeping traffic flow, pedestrian access, no full street closures, etc.). 5. Replacement or restoration of the 	-	SIPMIU and Contractor.

S. No	Type of loss	Application	Definition of entitled person	Compensation policy	Implementation issues	Responsible agency
				<p>affected community facilities – including public water stand posts, temples, shrines, bus shelters etc.</p> <p>6. Enhancement of community resources</p>		
11	Any other loss not identified	-	-	<p>7. Any unanticipated impacts of the project will be documented and mitigated based on the spirit of the principles agreed upon in this Resettlement Framework and the RFCTLARRA</p> <p>8. Unanticipated involuntary impacts will be documented and mitigated based on the principles provided in the ADB IR Policy.</p>	-	The NGO will ascertain the nature and extent of such loss. The SIPMIU will finalize the entitlements in line with the ADB IR policy.

APPENDIX 5: IP IMPACT SCREENING CHECKLIST
IP Impact Screening Checklist

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land to be acquired known?				
4. Will easement be utilized within an existing Right of Way (ROW)?				
5. Will there be loss of shelter and residential land due to land acquisition?				
6. Will there be loss of agricultural and other productive assets due to land acquisition?				
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?				
8. Will there be loss of businesses or enterprises due to land acquisition?				
9. Will there be loss of income sources and means of livelihoods due to land acquisition?				
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?				
11. If land use is changed, will it have an adverse impact on social and economic activities?				
12. Will access to land and resources owned communally or by the state be restricted?				
Information on Displaced Persons:				
Any estimate of the likely number of persons that will be displaced by the Project? [] No [] Yes If yes, approximately how many? _____				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? [] No [] Yes				
Are any displaced persons from indigenous or ethnic minority groups? [] No [] Yes				

AP = affected persons, ST = scheduled tribes.

APPENDIX 6: OUTLINE OF AN INDIGENOUS PEOPLES PLAN

This outline is part of the Safeguard Requirements 3. An Indigenous Peoples plan (IPP) is required for all projects with impacts on Indigenous Peoples. Its level of detail and comprehensiveness is commensurate with the significance of potential impacts on Indigenous Peoples. The substantive aspects of this outline will guide the preparation of IPPs, although not necessarily in the order shown.

A. Executive Summary of the Indigenous Peoples Plan

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

B. Description of the Project

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

C. Social Impact Assessment

This section:

- (i) reviews the legal and institutional framework applicable to Indigenous Peoples in project context.
- (ii) 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.
- (iii) identifies key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with Indigenous Peoples at each stage of project preparation and implementation, taking the review and baseline information into account.
- (iv) assesses, based on meaningful consultation with the affected Indigenous Peoples communities, the potential adverse and positive effects of the project.
- (v) Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples communities given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.
- (vi) includes a gender-sensitive assessment of the affected Indigenous Peoples' perceptions about the project and its impact on their social, economic, and cultural status
- (vii) identifies and recommends, based on meaningful consultation with the affected Indigenous Peoples communities, the measures necessary to avoid adverse effects or, if such measures are not possible,
- (viii) 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.

D. Information Disclosure, Consultation and Participation

This section:

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

E. 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.

F. Mitigative Measures

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

G. 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.

H. Grievance Redress Mechanism

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

I. 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

J. Institutional Arrangement

This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the IPP. It also describes the process of including relevant local organizations and NGOs in carrying out the measures of the IPP.

K. Budget and Financing

This section provides an itemized budget for all activities described in the IPP.

APPENDIX 7: GRIEVANCE REDRESS MECHANISM

1. In case of grievances that are immediate and urgent in the perception of the complainant, the contractor and DSMC on-site personnel will provide the most easily accessible or first level of contact for quick resolution of grievances. Contact phone numbers and names of the concerned SIPMIU safeguard officers and contractors, will be posted at all construction sites at visible locations. The SIPMIU safeguard officers will be responsible to see through the process of redressal of each grievance.

- (i) **1st Level Grievance.** The phone number of the SIPMIU office should be made available at the construction site signboards. The contractors and SIPMIU safeguard officers can immediately resolve on-site in consultation with each other, and will be required to do so within 7 days of receipt of a complaint/grievance.
- (ii) **2nd Level Grievance.** All grievances that cannot be redressed within 7 days at field/ward level will be reviewed by the city-level grievance redress committee (GRC) with support from SIPMIU safeguard officers and DSMC environment and resettlement specialists. City-level GRC will attempt to resolve them within 15 days.
- (iii) **3rd Level Grievance.** The SIPMIU safeguard officers will refer any unresolved or major issues to the State-level GRC, who with consultation with SIPMIU and city-level GRC will resolve them within 15 days.

2. Despite the project GRM, an aggrieved person shall have access to the country's legal system at any stage, and accessing the country's legal system can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.

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

4. **Recordkeeping.** Records of all grievances received, including contact details of complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected and final outcome will be kept by SIPMIU. The number of grievances recorded and resolved and the outcomes will be displayed/disclosed in the SIPMIU office, and on the web, as well as reported in the semi-annual environmental monitoring reports to be submitted to ADB.

APPENDIX 8: SAMPLE GRIEVANCE REGISTRATION FORM

(To be available in Hindi 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.

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

FOR OFFICIAL USE ONLY

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