



**Energy Efficiency Services Limited
Energy Efficiency Scale Up Program
The World Bank assisted**

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Indigenous People's Policy Framework
Social Management Framework
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List of Acronyms

APs	Affected People
CCMS	Centralized Control and Monitoring System
EA	Executing Agency
EESL	Energy Efficiency Service Limited
FGD	Focus Group Discussions
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Services
IA	Implementing Agency
IP	Indigenous Peoples
IPP	Indigenous Peoples Planning
IPPF	Indigenous Peoples Planning Framework
PIU	Project Implementation Unit
SIA	Social Impact Assessment
SDU	Sustainable Development Unit
WB	World Bank

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Executive Summary

1. Introduction

The primary energy demand in India has grown from about 450 million tons of oil equivalent (toe) in 2000 to about 770 million toe in 2012. This is expected to increase to about 1250 (estimated by International Energy Agency) to 1500 (estimated in the Integrated Energy Policy Report) million toe in 2030. Government's efforts are being made to efficiently use the energy in the demand side through various innovative policy measures under the overall ambit of Energy Conservation Act 2001. The Act facilitate and promote Energy Efficiency (EE) in all sectors of the economy.

EE is critical to helping India address the multiple challenges facing the power sector, moderate demand growth, and meet its climate change goals. India's EE potential remains largely untapped, in part due to limited availability and high cost of financing for these types of investments. Given the potential growth in use of electrical appliances, and electricity consumption, Energy Efficiency Services Limited (EESL) has emerged as a vital entity for EE in India by financing and delivering EE solutions, especially in the residential and public sectors.

The Government of India has requested World Bank financing to support EESL in the implementation of its growing program, covering priority EE initiatives. The proposed scope includes support for scaling up of EESL activities related to Light Emitting Diode (LED) lightbulbs, LED tube lights, and ceiling fans under the Government of India's (GoI) UJALA initiative and scaling up of GoI's Street Lighting National Program (SLNP).

The project will be executed through EESL and it is envisaged that the project would involve areas with Indigenous population. The social systems assessment has identified that program interventions will not adversely affect the Indigenous s, but, as groups having distinct socio-cultural identity and being normally "excluded", special attention will be required to ensure their inclusion and equity.

2. Some Major Concerns

As already stated, the exact location of the project is not known, however, most of the Indigenous groups face number of issues. Some of these issues are as follows:

2.1. Poor socio-economic condition, prolonged vulnerability and marginalization – Historically, Indigenous s are vulnerable and marginalised because of poor socio-economic conditions in terms of work-participation and access to education and health. Isolation from the mainstream of society, economic and social backwardness and poverty are manifested in low level of literacy and health care, primitive system of production and social and political marginalization.

2.2. **Literacy rate among Indigenous s is very low-** While the growth of literacy rate in the past three decades in the country was 28.21 per cent, among the STs it was only 11.7 per cent. Lack of literacy among Indigenous people has been identified as a major development problem.

2.3. **Devolution of Powers** - Although a number of specific State and National Acts, Policies and Programmes have been in place for Indigenous areas, these are yet to make any perceptible impact on the conditions of Indigenous people in most of the states. For instance, Panchayat Raj (Extension to Scheduled Area) Act (PESA) was approved in 1996 but implementation modalities to establish and empower the necessary institutions have been rather slow.

2.4. **Small and uneconomical landholdings** – Less crop yield and hence they remain chronically indebted. Further, due to declining fertility of soils, increasing incidences of drought and seasonal shifts in rainfall patterns (esp. in areas of Jharkhand and Chhattisgarh), are affecting traditional cropping patterns and limiting harvests.

2.5. **Left Wing Extremism (LWE)/ presence of Naxal:** Few states like Jharkhand and Chhattisgarh have presence of LWE / Naxal; situation may be exacerbated. These institutions on the one hand, mobilize the discontent amongst Indigenous people to its cause, and on the other hand, prevent the government to deliver services to improve their quality of life and living conditions.

2.6. **Need for strengthening capacities of EESL to address issues of Indigenous population:** EESL does not have a dedicated personnel or unit to handle tribal development aspects / social management aspects of its programs, which can adversely affect the project. To strengthen social safeguards management, EESL must develop a comprehensive social policy and strength its human resource by establishing dedicated unit with social and/or Indigenous development specialist and gender specialist to improve its outreach to vulnerable areas and people.

2.7. **Grievance Redressal:** EESL has established a Centralized Control and Monitoring System (CCMS) and an official mobile app with a simplified process for registering and tracking complaints.. However, it does not have a mechanism and well -structured system to address and redress issues with regard to social development and safeguards. Such a system ensures that all the grievance of the workers and community is addressed in a time bound and effective manner, regardless of the nature of the complaint, gender, culturally appropriate, and readily accessible to concerned people at no costs. It is suggested that EESL extend the services of CCMS to address issues of all the relevant stakeholders of the project like workers, local community, vendor and contractors.

2.8. **Citizen's feedback:** As stated, EESL already has an independent complaint registration and feedback mechanism at the centre level, however, to make it more effective, socially inclusive, and to enable beneficiary feedback, following actions are suggested:

- **Activities in the Indigenous areas to be citizen-oriented**, i.e., having at least one mechanism to engage with beneficiaries;
- **Projects' activities to include beneficiary feedback indicator** to monitor citizen engagement throughout project implementation; and
- **Project to report on the beneficiary feedback indicator** – this could start from the third year of implementation, etc.

3. Need for dedicated attention to Indigenous (tribals)

The history of vulnerability and prolonged marginalization puts forth the need for inclusion of Indigenous population as an important stakeholder group in all developmental activities undertaken. Further, ensuring that they receive due attention not only to meet the basic needs but also to encourage them to participate actively in the development process.

Further, the social systems assessment study brought out the following:

- (i) The Indigenous groups have a distinct cultural identity as compared to other groups
- (ii) They are socially and economically disadvantaged in comparison to others
- (iii) They have special developmental needs in terms of access to services and facilities compared to other backward groups
- (iv) They are perpetually excluded from the decision making.

There are also important legal provisions to safeguard Indigenous interests like The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the Scheduled Castes and Scheduled Tribes: (Prevention of Atrocities) Rules, 1995, provision of Scheduled Areas under 5th Schedule of the Constitution and Panchayat Extension to Scheduled Areas (PESA) Act to safeguard their rights and development. In compliance with these constitutional provisions, and in accordance with the World Bank's Operational Policy 4.10 on Indigenous People, an Indigenous People's Policy Framework is prepared.

4. Objectives and Scope of Indigenous People's Policy Framework

The objective is: 'Promotion of inclusive, equitable and sustainable ways of participation and fostering benefit sharing through empowering Indigenous population in project areas'. Activities under the project would focus on creating an 'enabling environment' through intensive and extensive awareness creation among community members, mandating their participation in planning, and building capacity of local leaders and functionaries to take care of household operations and maintenance of the project schemes.

5. Safeguard compliance:

To ensure compliance with the safeguard provisions, in the event that the project is implemented in areas with significant Indigenous populations, EESL will undertake the following actions:

- (i) Designate / Hire Tribal Development Specialist (to be a part of the Sustainable Development Unit, as proposed in the ESSA) responsible for Indigenous development compliance and ensure safeguard / social development compliance vis-à-vis Indigenous, of sub-projects implemented by project counterparts;
- (ii) Screen potential project counterparts ((with experienced staff to work on issues of tribals and social management) to ensure that only eligible agencies are involved;
- (iii) Prepare and submit IP categorization checklists of the sub projects (format given in Annexure I)
- (iv) Monitor performance of the project counterparts and the sub projects and provide safeguard / social development information to WB.

1 Introduction

1.1 India Energy Efficiency Scaleup Program

Energy efficiency is critical to helping India address the multiple challenges facing the power sector, moderate demand growth, and meet its climate change goals. Maintaining India's electricity supply-demand balance while curbing thermal generation and therefore Greenhouse Gas (GHG) emission will require a combination of investments in networks, additional clean energy generation capacity and energy efficiency (EE). However, India's EE potential remains largely untapped, in part due to limited availability and high cost of financing for these types of investments. Going forward, electricity consumption by lighting, ceiling fans, air conditioners, refrigerators, agricultural pumps, and industrial motors is set to grow significantly. Given the potential growth in use of such appliances, and electricity consumption, the Government shifted its focus to supporting the scale-up of EE appliances and equipment particularly in the residential sector.

Energy Efficiency Services Limited (EESL) is a joint venture of NTPC Limited, Power Finance Corporation, Rural Electrification Corporation and Power Grid Corporation of India Limited. The EESL was set up under the Ministry of Power to facilitate implementation of energy efficiency projects. The EESL was established in 2009, as a public-sector Energy Saving Company (ESCO), or Super ESCO, under the Ministry of Power (MoP) to promote the uptake of energy efficient appliances and catalyze market development, through provision of EE products and services. In close coordination with MoP, BEE, State governments, Urban Local Bodies (ULBs), and Discoms, EESL has been in the forefront of promoting EE in residential and public sectors, addressing barriers and helping unlock the EE potential in many segments which had remained largely untapped for decades. In particular, with the help of public sector financing, use of practical business models and leveraging relationships with State governments to partner with Discoms and municipalities, EESL has been able overcome the challenges resulting from the lack of commercial financing in these segments, demonstrate the viability of EE and trigger market transformation.

EESL managed to deliver EE in diverse contexts, including for entities that were traditionally not deemed adequately creditworthy by the private sector, and hence had limited interaction with ESCOs. In its role as a Super ESCO, EESL also is mandated with supporting the development of private ESCOs and the broader development of EE market in India.

EESL approach involves aggregating demand for energy efficient appliances and equipment and using competitive bulk procurement to improve affordability while ensuring quality. Using a combination of financing sources, including equity capital from its promoters, along with loans from development partners and commercial lenders, EESL provides upfront financing for investment, delivers solutions, and is repaid based on energy saved by the consumers. EESL has been able to mitigate upfront financing risk for its customers by making the entire upfront capital

investment using its own capital, and has demonstrated the viability of the deemed savings approach as the basis for contracts, paving the way for use of this and other performance-based contractual models by private ESCOs. In addition, by procuring large volumes from a variety of suppliers that meet strong technical standards; this model can help spur development of manufacturing capacity in India.

The National Mission for Enhanced Energy Efficiency (NMEEE), which is part of the National Action Plan on Climate Change, aims to strengthen Energy Efficiency by creating conducive regulatory and policy regime and fostering innovative and sustainable business models NMEEE envisages four initiatives to enhance EE in energy intensive sectors, namely (i) PAT scheme for the industrial sector; (ii) Market Transformation for Energy Efficiency (MTEE) for accelerating the shift to energy efficient appliances in select sectors through innovative measures to improve their affordability; (iii) Energy Efficiency Financing Platform (EEFP), for creation of mechanisms that would help finance demand side EE programs in all sectors; and (iv) Framework for Energy Efficient Economic Development (FEEED), for development of fiscal instruments to promote EE.

As one of the key agencies tasked with NMEEE implementation, EESL will undertake a program of investments totalling nearly INR 655 billion (US\$10 billion) through 2022. EESL's mandate is to effect market transformation in sectors and appliances that show significant potential for energy savings. To that end, EESL's business plan, and its investment program up to Fiscal Year (FY22) include appliances under Unnat Jyoti by Affordable LED for All (UJALA); Street Light National Program (SLNP); and scale-up in the newer areas such as agricultural water pumping (AgDSM), superefficient Air Conditioners (ACs) and municipal water pumping, among others, where preparatory analyses and business model development are currently under way.

The proposed program would support EE market transformation for high energy consuming appliances and equipment in residential and public sectors. The Program resources would focus on residential and public sectors.

1.1.1 UJALA Program

The ultimate target of the UJALA program is to increase the market penetration of Light Emitting Diode (LED) lightbulbs, by bringing down prices enough for a strong consumer preference for energy efficient LEDs to emerge, and for market penetration to continue unaided by EESL intervention – the point at which a sustainable market has been created. The initiative has already been highly successful, having deployed over 277.8 million (as on 2 Dec 2017) 7-Watt and 9-Watt LED bulbs to households and institutional consumers through bulk procurement, distribution, quality control, measurement and verification (M&V) of savings, and after-sale and warranty servicing, while also significantly reducing the price of LED lightbulbs in the market.

1.1.2 SLNP Program

Under SLNP, replacement of 15 million conventional streets light will result in considerable energy and cost savings for municipalities annually. Keeping future generations in mind, the revolutionary step is taken to conserve as much energy as possible. The initiative is part of the Government's efforts to spread the message of energy efficiency in the country.

1.1.3 Program Targets and Current Results

Table 1 : UJALA Current Results

Parameter	Achieved as of 2 December, 2017¹
No of LED lights distributed	27,78,78,896
Annual energy savings	36087 mn kWh
Cost Savings per year	INR 14435 Crores
Avoided Peak demand	7,225 MW
CO2 Reduction Per Year	2,92,30,712 t CO2

Table 1: SLNP Current Results

Parameter	Achieved as of 2 December 2017²
No of street lights completed	4,041,154
Average energy savings per light per day	0.385 kWh
Average Energy savings per day	1555844.29 kWh
GHG Emission reduction	1291.35 tCO2
Avoided Capacity	141.44 MW

1.2 Proposed Program

It comprises a US\$ 220 million Program for Results (PforR) loan and US\$80 million as Guarantee to support EESL in scaling up its energy efficiency programs. The proposed scope includes support for scaling up of EESL activities related to LED lightbulbs, LED tube lights, and ceiling fans under the Government of India's (GoI) UJALA initiative and scaling up of GoI's Street Lighting National Program (SLNP). The program will also include technical support to EESL for incorporation of sustainability elements into EESL's newer business areas. In addition, the program will enhance EESL's access to commercial financing; and institutional strengthening.

¹ <http://www.ujala.gov.in/>

² <http://slnp.eeslindia.org/>

1.3 Program Development Objectives

The PDO is to scale up energy savings in residential and public sectors, strengthen EESL's institutional capacity, and enhance its access to commercial financing. The PDO level outcome indicators would focus on market transformation of select energy efficient appliances and equipment, development of sustainable business models in new EE market segments, enhanced access to commercial financing and institutional strengthening. ***For the IPF component, the key results on the amount of commercial financing leveraged by the IBRD guarantee will be quantified, measured and reported as a PDO outcome indicator.***

1.3.1 Key Program Results:

There will be four Results Areas under the PforR, whose achievement will be measured through six Disbursement Linked Indicators (DLIs). The Results Areas are:

- Results Area 1: Energy savings and EE market transformation in the residential sector
- Results Area 2: Energy savings and EE market transformation in public street lighting
- Results Area 3: Development of sustainable business models in new EE market segments
- Results Area 4: Institutional strengthening for sustainable EE scale-up.

1.3.1.1 These components are expected to have the following outputs:

- (i) More efficient light-emitting diode (LED) municipal street lighting
- (ii) More efficient household appliances
 - i. Domestic efficient LED Lamps (DELP)
 - ii. Efficient ceiling fans
 - iii. Efficient Tube Lights

1.4 Need for Indigenous People's Policy Framework (IPPF)

The Indigenous Peoples Policy Framework (IPPF) provides guidance in formulating Indigenous Peoples Plans (IPPs), where necessary, for subprojects under the project. Areas for the project components has not been identified; impacts on IPs are not clearly identified. Therefore, an IPPF is prepared to address all the IP issues in the future if occurs and will guide the Executing Agency (EA) to take necessary action. The IPPF identifies the broad scope of the Project and outlines the policy, procedures for preparing IPPs for subprojects under the Ujala and SLNP components. Energy Efficiency Services Limited is the Executing Agency (EA) for overall coordination and implementation of the project. EESL will set up a Sustainable Development Unit to be staffed with experienced personnel to monitor compliance with environment and social issues at the corporate level and coordination with the concerned agencies. The social specialist / tribal development

specialist at the SDU will be responsible for conducting the social analyses and formulating IPPs (where necessary and if applicable) for subprojects, as outlined in the IPPF.

The objectives of the IPPF are to ensure that if tribal populations are affected by a subproject that they: i) are adequately and fully consulted, ii) receive benefits and compensation equal to that of the mainstream population, (iii) are provided with special assistance as per laws and policies because of their vulnerabilities vis-à-vis the mainstream population, and (iv) receive adequate protection against project adverse impacts on their culture identities.

Though the preliminary assessment based on ESSA reveals that Ujala and SLNP components subprojects would have less negative safeguard impacts and specifically no significant impacts on IPs, however, a detailed screening on potential impacts of IP will be carried out through inventory and social impact assessment and through public consultation to ascertain extent of impacts on Indigenous Peoples. The Project will not locate any major subproject interventions in locations where identified IP reside, still, in the event of unavoidable circumstances (which are unknown at the moment); necessary mitigation measures will be taken. Therefore, an Indigenous Peoples Planning Framework (IPPF) which is a policy and procedural framework has been prepared for future use to screen subprojects and minimize any negative impacts of subprojects on IPs.

2 Objectives and Policy Framework

2.1 Background to the Indigenous policy:

The objectives of the IPPF are to ensure that if IPs are affected by a subproject that they: i) are adequately and fully consulted, ii) receive benefits and compensation equal to that of the mainstream population, (iii) are provided with special assistance as per laws and policies because of their vulnerabilities vis-à-vis the mainstream population, and (iv) receive adequate protection against project adverse impacts on their culture identities. The IPPF specifies requirements that will be followed with regard to subproject selection, screening and categorization, assessment, and preparation and implementation of Indigenous Peoples Plans (IPP). Subprojects consistent with the IPPF will ensure design and implementation of subprojects and foster full respect of Indigenous people's identity, dignity, human rights, livelihood systems, and cultural uniqueness so that they (i) receive culturally appropriate social and economic benefits; (ii) do not suffer from adverse impacts as a result of subprojects; and (iii) can participate actively in subprojects that affect them. This is consistent with the World Bank's Safeguards Policy, and contributes to the Bank's mission of poverty reduction and sustainable development by ensuring that the development process fully respects the dignity, human rights, economies, and cultures of Indigenous (tribal) Peoples. For all the Bank's assisted projects that affect IPs, an Indigenous People's Policy Framework is prepared through a process of free, prior, and informed consultation with the primary stakeholders, to ensure measures for (a) avoiding potentially adverse effects on the Indigenous Peoples' communities; or (b) when avoidance is not feasible, minimize, mitigate, or compensate for such effects.

The Indigenous normally live in contiguous areas unlike other communities. Their lives are closely associated with the nature as they eke out their livelihoods from the natural environ – streams, trees, plants, animals etc. It is, therefore, recognized that maintaining their identities would invariably mean keeping their environment intact with them. Given the contiguous inhabitations, it also becomes simpler to have an area approach for development activities and also regulatory provisions to protect their interests. In order to protect the interests of the Scheduled tribes, the provision of "Fifth Schedule" is enshrined in the Constitution under article 244 (2).

The Fifth Schedule under article 244 (2) of the Constitution defines "Scheduled Areas" as such areas as the President may by order declare to be Scheduled Areas after consultation with the governor of that State. The criteria for declaring any area as a "Scheduled Area" under the Fifth Schedule are:

- **Preponderance of Indigenous population,**
- **Compactness and reasonable size of the area,**
- **Available administrative entity such as district, block or taluk, and**
- **Economic backwardness of the area as compared to neighboring areas**

There are various basis for identification of Indigenous people, the Bank uses the following characteristics in varying degrees 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. Though the project locations are not yet known, it is envisaged that the project interventions would encompass Indigenous areas and / or areas with Indigenous population; the provisions specified in this document will be applicable.

2.2 Some major concerns

As already states, the exact location of the project is not known; however, most of the Indigenous groups face number of issues. Some of these issues are as follows:

2.2.1 Poor socio-economic condition, prolonged vulnerability and marginalization:

Historically, Indigenous s are vulnerable and marginalised because of poor socio-economic conditions in terms of work-participation and access to education and health. Isolation from the mainstream of society, economic and social backwardness and poverty are manifested in low level of literacy and health care, primitive system of production and social and political marginalization.

2.2.2 Literacy rate among Indigenous is very low:

While in 1961, it was 18.53 per cent, in 1991 it increased to 29.60 per cent which compared to general literacy rate of 52.21 per cent in the country is very low, because while the growth of literacy rate in the past three decades in the country was 28.21 per cent, among the STs, it was only 11.7 per cent. Lack of literacy among Indigenous people has been identified as a major development problem.

2.2.3 Devolution of Powers:

Although a number of specific State and National Acts, Policies and Programmes have been in place for Indigenous areas, these are yet to make any perceptible impact on the conditions of Indigenous people in most of the states. For instance, Panchayat Raj (Extension to Scheduled Area) Act (PESA) was approved in 1996 but implementation modalities to establish and empower the necessary institutions have been rather slow.

2.2.4 Small and uneconomical landholdings:

Due to small and uneconomical landholding, their crop yield is less and hence they remain chronically indebted. Further, due to declining fertility of soils, increasing incidences of drought and seasonal shifts in rainfall patterns (esp. in areas of Jharkhand and Chhattisgarh), are affecting traditional cropping patterns and limiting harvests.

2.2.5 Left Wing Extremism (LWE)/ presence of Naxal:

Few states like Jharkhand and Chhattisgarh have presence of LWE / Naxal; situation may be exacerbated. These institutions on the one hand, mobilize the discontent amongst IPs to its cause, and on the other hand, prevent the government to deliver services to improve their quality of life and living conditions.

2.2.6 Weak institutional capacity of ESSL to address issues of IPs:

EESL does not have a dedicated personnel or unit to handle tribal development aspects / social management aspects of its programs, which can adversely affect the project. To strengthen social safeguards management, EESL must develop a comprehensive social policy and strength its human resource by establishing dedicated unit with social and/or tribal development specialist and gender specialist to improve its outreach to vulnerable areas and people.

2.2.7 Grievance Redressal (GRM):

EESL has an official mobile app with a simplified process for registering and tracking complaints and assured response for the same. However, it does not have a mechanism and well -structured system to address and redress issues with regard to social safeguards. Such a system ensures that all the grievance of the workers and community is addressed in a time bound and effective manner, regardless of the nature of the complaint, gender, culturally appropriate, and readily accessible to concerned people at no costs. It is suggested that EESL extend the services of existing CCMS to address issues of all the relevant stakeholders of the project like workers, local community, vendor and contractors.

2.2.8 Citizen's feedback:

As stated, EESL already has an independent complaint registration and feedback mechanism at the centre level; however, to make it more effective, socially inclusive, and to enable beneficiary feedback, following actions are suggested:

- **Activities in the Indigenous areas to be citizen-oriented**, i.e., having at least one mechanism to engage with beneficiaries;
- **Projects' activities to include beneficiary feedback indicator** to monitor citizen engagement throughout project implementation; and
- **Project to report on the beneficiary feedback indicator** – this could start from the third year of implementation, etc.

3 KEY SOCIAL IMPACTS AND IPP FOR SUBPROJECTS

3.1 Anticipated Social Impacts

Given the nature of the project, it is not expected to cause any involuntary resettlement impacts and will not adversely affect the Indigenous people. No private land acquisition and government land transfer is necessary and temporary impacts are unlikely to be envisaged either. Additionally, the people will receive positive benefit from the project interventions (UJALA, Street lighting, AC, Pumps) in terms of inclusion, improved participation, strengthened local systems and through saving energy and increasing income. The project is classified as “B” for both involuntary resettlement, and IPs. The selection and screening criteria for the subproject is presented in sub-section below and it will be observed by EESL to ensure that there is no physical and/or economic displacement.

3.2 Key findings of Social Systems Assessment

3.2.1 Program impacts:

The project is not expected to cause any involuntary resettlement impacts nor any adverse Indigenous peoples impact. The expected social impact from the Program is positive, and benefits are high.

3.2.2 Project areas:

As the project, may involve interventions in the physically remote, politically volatile and predominantly tribal areas, which are sensitive and have issues related to mobility and access, therefore, the project would require additional safeguards and preparation. Though the project is classified as “B” for Indigenous peoples, the selection and screening criteria for the subproject is presented in Annexure-I and it will be observed by EESL to ensure that these are complied. In addition, tribal areas also face issues of:

- *Literacy*: The literacy rates for both males and females are low in comparison with the national and state averages in most of the tribal areas.
- *Poverty*: Poverty levels are quite high, generally, with majority of the households falling under the BPL category.
- *Inaccessibility*: Tribal villages are scattered and some located in inaccessible areas with inadequate road connectivity. Electricity supply is generally skewed and erratic. Availability of Timely repair and maintenance of hand pumps/bore-wells is also a serious issue.

3.2.3 Institutional practices:

Some weaknesses have been observed, such as lack of efforts to identification and targeting of vulnerable areas and people and ensuring their inclusion. Similarly, lack of monitoring and reporting mechanisms for tracking the impact of the outreach efforts in terms of enabling access to the program and its benefits to the vulnerable communities.

3.2.4 EESL institutional capacity:

EESL does not have designated unit to address social safeguard and social management aspects of its programs, especially in the tribal areas. To strengthen social management and address issues of Indigenous population and gender mainstreaming, it is essential that a designated unit with suitable staff be set-up. Further, these staffs to also ensure labour standards and protection of child labours, especially in case of sub-contracting, and improved transparency and accountability.

3.2.5 Participation of women:

ESSA lack of provision for associated facilities with kiosks such as toilets, storage, placing and timings of kiosks, deter women's participation. EESL to take adequate measures to design supporting infrastructure to facilitate and promote women's participation, either as staff who manages the kiosks or as client.

3.2.6 Grievance Redressal:

EESL has an official mobile app with a simplified process for registering and tracking complaints and assured response for the same. However, it does not have a mechanism and well -structured system to address and redress issues with regard to social safeguards. Such a system ensures that all the grievance of the workers and community is addressed in a time bound and effective manner, regardless of the nature of the complaint, gender, culturally appropriate, and readily accessible to concerned people at no costs. . It is suggested that EESL extend the services of existing CCMS to address issues of all the relevant stakeholders of the project like workers, local community, vendor and contractors.

3.2.7 Citizen's feedback:

As stated, EESL already has independent complaint registration and feedback mechanism at the centre level; however, to make it more effective, socially inclusive, and to enable beneficiary feedback, following actions are suggested:

- **Activities in the tribal areas to be citizen-oriented**, i.e., having at least one mechanism to engage with beneficiaries;

- **Projects’ activities to include beneficiary feedback indicator** to monitor citizen engagement throughout project implementation; and
- **Project to report on the beneficiary feedback indicator** – this could start from the third year of implementation, etc.

3.3 Need for dedicated attention to Indigenous (tribals)

The history of vulnerability and prolonged marginalization puts forth the need for inclusion of Indigenous population as an important stakeholder group in all developmental activities undertaken. Additionally, ensuring that they receive due attention not only to meet the basic needs but also to encourage them to participate actively in the development process.

The ESSA has identified that program interventions will not adversely affect the Indigenous, but, as groups having distinct socio-cultural identity and being normally “excluded”, special attentions will be required to ensure their inclusion and equity. Further, it brought out the following:

- The Indigenous groups have a distinct cultural identity as compared to other groups.
- They are socially and economically disadvantaged in comparison to others.
- They have special developmental needs in terms of access to services and facilities compared to other backward groups.
- They are perpetually excluded from the decision making.

In order to safeguard IPs and to empower them, there are also important legal provisions to safeguard their interests like: The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the Scheduled Castes and Scheduled Tribes: (Prevention of Atrocities) Rules, 1995, provision of Scheduled Areas under 5th Schedule of the Constitution and Panchayat Extension to Scheduled Areas (PESA) Act to safeguard their rights and development. In compliance with these constitutional provisions, and in accordance with the World Bank’s Operational Policy 4.10 on Indigenous People, an Indigenous People’s Policy Framework is prepared.

3.4 Indigenous People’s Policy Framework

The document will be applicable in case, the project interventions directly or indirectly affects the dignity, human rights, livelihood systems, or culture of the IPs or affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as their ancestral domain. In accordance with safeguard policy, in case the physical relocation of IPs results in adverse impacts on their identity, culture and customary livelihoods and if such avoidance is impossible then the EA in consultation with WB could formulate a combined Indigenous Peoples Plan and resettlement plan to address both involuntary resettlement and Indigenous Peoples issues. If IPs are the majority of

the direct project beneficiaries and when only positive impacts are identified, the elements of the IPP could be included in the overall project design in lieu of preparing a separate IPP. In such cases the project documents should explain the requirements of meaningful consultations are fulfilled in accordance with the requirements of the policy. The main features of the IPP will be a preliminary screening process, a social impact assessment to determine the degree and nature of impact of each additional project, and an action plan developed if needed. Meaningful consultations with and participation of IP communities, their leaders, and local government representatives will be an integral part of the overall IPP.

3.5 Preliminary Screening

The EA/IA (EESL and counterparts in this case) through its SDU and subject-matter specialist will study all IP communities and areas within and in the vicinity of the proposed sub-project area. The SDU and concerned staff will arrange public meetings at IP 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. 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.

A project's Indigenous Peoples category is determined by the category of its most sensitive component in terms of impacts on Indigenous Peoples. The significance of impacts of this project on IPs will be determined by assessing (i) the magnitude of impact in terms of (a) customary rights of use and access to land and natural resources; (b) socioeconomic status; (c) cultural and communal integrity; (d) health, education, livelihood, and social security status; and (e) the recognition of Indigenous knowledge; and (ii) the level of vulnerability of the affected IP community. The level of detail and comprehensiveness of the IPP are commensurate with the significance of potential impacts on Indigenous Peoples. A proposed project is assigned to one of the following categories depending on the significance of the potential impacts on Indigenous Peoples:

Category A: A proposed project is classified as category A if it is likely to have significant impacts on Indigenous Peoples. An Indigenous Peoples plan (IPP), including assessment of social impacts, is required.

Category B: A proposed project is classified as category B if it is likely to have limited impacts on Indigenous Peoples. An IPP, including assessment of social impacts, is required.

Category C: A proposed project is classified as category C if it is not expected to have impacts on Indigenous Peoples. No further action is required.

An IP assessment checklist will be prepared. If the results of the preliminary screening 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 format for screening of IPs in the sub projects is in **Annexure-I**.

3.6 Sub Project Selection

3.6.1 Sub project selection or inclusion/exclusion criteria to be used for screening are as follows:

- The project should not have any adverse social impacts requiring a sub project to be categorized as category B or C under WB's safeguard policy. EESL should confirm clear information provided through IP categorization checklists in **Annexures I**. If a sub project can have any unexpected adverse impact, the sub project will be implemented after preparing an Indigenous People Plan.
- EESL and/or project counterparts must acquire approval from proper national and provincial authorities in charge, and be designed, constructed, and operated in accordance with relevant national and provincial social laws and regulations.
- The project must not involve any land acquisition or demolition of residential or private commercial buildings.
- EESL and/or project counterparts should be in compliance with the relevant domestic occupational health and safety standards.
- The project should not cause any labor retrenchment and/or redundancies.
- The project must not have any adverse impacts on schedule tribes.
- Inclusive gender target (in proportion to their local representation and/or population) needs to be maintained for applicable sub projects.

3.6.2 Procedures for Safeguard Compliance

EESL will take responsibility to ensure safeguard compliance as follows:

- Designate / Hire a Tribal Development Specialist (to be a part of the Sustainable Development Unit, as proposed in the ESSA) responsible for Indigenous development compliance and ensure safeguard / social development compliance vis-à-vis Indigenous s, of sub-projects implemented by project Counterparts;
- Screen potential project counterparts (with adequate staff to work on issues of tribals and social management) to ensure that only eligible agencies are involved;
- Prepare and submit IP categorization checklists of the sub projects according to Annexure -I
- Monitor performance of the project counterparts and the sub projects and provide safeguard / social development information to WB.

3.7 Rules of the Engagement

3.7.1 Demand Driven:

The project may adopt demand driven approach for selection of sub-project by Indigenous s. The Indigenous in general have limited awareness of development initiatives, and hence would be made aware on the project through a series of capacity building and IEC activities.

3.7.2 District level orientation:

EESL has a strong IEC component and is conducting extensive awareness campaigns through mediums like print, radio, mobile vans, rickshaws, tuktuks, bikes, etc. These campaigns have wide coverage. Same medium can be used for awareness generation on Indigenous issues by the project staff / SDU. Orientation on tribal development to also include officials of the Block Level, Gram Panchayat members, representatives of other social groups, etc. The orientation will be in the local dialect and can include information on project activities, energy-efficient equipment's (LED bulbs, tube-lights and pumps, etc.), reducing their energy consumption through adopting energy efficiency mechanism, etc.

3.7.3 Special training programs:

As building knowledge and skills is essential to developing, implementing, and sustaining energy efficiency, the project will offer education and training opportunities to Indigenous / tribal on sustainable energy efficiency mechanism.

3.7.4 Selection of project areas:

Indigenous habitations will receive priority in participation of the project. All Indigenous settlements in a project district will automatically be eligible to participate in the project. All the applications thus received will go through a screening process and the safeguard specialist and/ or tribal specialist, at EESL along with its counterpart (if any), would select the location based on the

prioritization criteria. The prioritization would be done based on coverage of habitation, demand for energy-efficient appliances (Ujala component), the availability of infrastructure (for SLNP-street lights- readiness of electric poles, etc.). No private land will be acquired.

4 Outline of Indigenous Peoples Plan

The IPP is time-bound, with an adequate budget for its implementation. An acceptable IPP addresses the (i) aspirations, needs, and preferred options of the affected Indigenous peoples; (ii) local social organization, cultural beliefs, ancestral territory, and resource use patterns among the affected Indigenous peoples; (iii) potential positive and negative impacts on Indigenous peoples; (iv) measures to avoid, mitigate, or compensate for the adverse project effects; (v) measures to ensure project benefits will accrue to Indigenous peoples; (vi) measures to strengthen social, legal, and technical capabilities of government institutions to address Indigenous peoples issues; (vii) the possibility of involving local organizations and non-governmental organizations with expertise in Indigenous peoples issues; (viii) budget allocation; and (ix) monitoring. Where there is land acquisition in IP communities, the Project will ensure their rights will not be violated and that they be compensated for the use of any part of their land in a manner that is culturally acceptable to the affected IPs³. The IPP will include:

- (i) **Baseline data:** Baseline data will be collected both from the primary and secondary sources. The survey will be designed to collect the baseline data on their socio-economic and cultural aspect, which will help in identifying the intensity of impact on Indigenous people.
- (ii) **Land tenure information:** Land holding among the IPs is very less compared to other section of mainstreamed people. Indigenous people use the public land and forest land for their various uses. Therefore, details on the land tenure and usage pattern will be collected in order to measure the dependency of Indigenous people on the land.
- (iii) **Local participation:** The plan will be developed in a participatory approach with due consultation with the local IP communities. The views of the IP will be recorded and will be incorporated in the plan.
- (iv) **Technical identification of development enhancement or mitigation activities:** The survey and the engineering design should clearly reflect the impact of sub projects on the IPs. The sub project engineering plan, thus, be developed or modified based on these inputs so that negative impacts are mitigated or better benefits are distributed to the IPs.
- (v) **Institutional arrangement:** The detailed institutional arrangements will be prepared as per defined task for each stake holders.

³ The compensation will follow the Resettlement Policy Framework of the World Bank

- (vi) **Implementation schedule:** The implementation schedule has to be aligned with the overall project implementation schedule and all the compensation and mitigations will be done prior to the civil work.
- (vii) **Monitoring:** The IPP will be monitored both internally and externally.
- (viii) **Cost estimate and financing plan:** Based on the impacts, a budget will be prepared for the implementation of IPP and the EA/IA will be responsible for providing the budget.
- (ix) The IPP should also include provision for unanticipated impacts during the project implementation.

Where necessary, the IPP will be developed by the EA/IA through its SDU and concerned staff with technical assistance from other team members and the IPP will form part of the final report for each component. The EA/IA will approve the IPP and provide the approved IPP to WB for review and approval. An outline of IPP is given in **Annexure-II**.

5 Policy, Legal and Regulatory Framework

LEGAL AND INSTITUTIONAL FRAMEWORK

5.1 National and State Policies, Laws and Regulations on Social Management

National level applicable Policies, Acts, Rules and Standards: As an expanding organization, the following laws are relevant for the given project

S.NO	Provisions	Applicable/Project relevant provisions	Implications
<i>National level</i>			
A.	Constitution of India		
1.	Article 39 (A)	<ul style="list-style-type: none"> • Equal rights to men and women to adequate means of livelihood; • Equal pay for men and women; • To protect health and strength of workers and tender age of children 	<ul style="list-style-type: none"> • Social impact assessment and action plan deals with creation of employment, extending micro credits, capacity building, and skill development to ensure livelihood.
2.	Article 47	<ul style="list-style-type: none"> • Raising standard of living and improvement of public health. Public health also includes protection and improvement of environment 	<ul style="list-style-type: none"> • The standard of living and improvement of public health for all citizens of the proposed project areas
3.	Article 21	<ul style="list-style-type: none"> • Right to pollution free environment 	<ul style="list-style-type: none"> • Pollution control through avoidance, minimization, treatment, etc., will be a key area of focus in all infrastructure development in the project.

S.NO	Provisions	Applicable/Project relevant provisions	Implications
B.	Acts		
1.	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013	<ul style="list-style-type: none"> In consultation with Local Governments and Gramasabhas established under the constitution a humane and participative informed and transparent process for land acquisition for industrialization, development of infrastructure facility and urbanization with least disturbance to the owners of the land and other affected families and provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition an make adequate provisions for such affected persons for their rehabilitation and resettlement and for ensuring that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post-acquisition social and economic status. 	Land Acquisition as per LA R & R Act 2013; not applicable in this project, as no land will be acquired
Labour Laws			
1.	Workman Compensation Act 1923:	The Act provides for compensation in case of injury by accident arising out of and during the course of employment	The sub-projects may involve minor constructions of muff, laying of cable (in case of SLNP) operations and maintenance activities with the use of machinery as well as conditions that may lead to accidents if

S.NO	Provisions	Applicable/Project relevant provisions	Implications
			proper care is not taken and this Act will be applicable in case of an injury or accident to workmen for providing compensation as per statute.
2.	Payment of Gratuity Act 1972	Gratuity is payable to an employee under the Act on satisfaction of certain conditions on separation if an employee has completed 5 years' service or more or on death the rate of 15 days wages for every completed year of service. The Act is applicable to all establishments employing 10 or more employees.	Many of the project activities involve very large contracts employing more than 10 employees and the Gratuity Act as well as employees EPF Act are applicable. Suitable conditions will be laid out in the tender documents to ensure compliance to these Acts.
3.	Employees P.F. and Miscellaneous Provision Act 1952 (<i>since amended</i>):	The act Provides for monthly contribution by the employer plus workers @ 10% or 8.33%. The benefits payable under the Act are: <ul style="list-style-type: none"> - Pension or family pension on retirement or death, as the case may be. - Deposit linked insurance on the death in harness of the worker. - Payment of P.F. accumulation on retirement/death etc. 	
4.	Maternity Benefit Act 1961	The Act provides for leave and some other benefits to women employees in case of confinement or miscarriage etc.	This will be enacted through the contractor where applicable

S.NO	Provisions	Applicable/Project relevant provisions	Implications
5.	Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013:	This Act defines sexual harassment in the workplace, provides for an enquiry procedure in case of complaints and mandates the setting up of an Internal Complaints Committee.	This will be part of the checklist for evaluation of the tenders for sub-project implementation the compliance of which will be monitored through Sustainable Development Unit /EESL and third party agency / NGO.
6.	Contract Labor (Regulation & Abolition) Act 1970	The Act provides for welfare measures to be provided by the Contractor to contract labor and in case the Contractor fails to provide, the same are required to be provided, by the Principal Employer by Law. The Principal Employer is required to take Certificate of Registration and the Contractor is required to take license from the designated Officer. The Act is applicable to the establishments or Contractor of Principal Employer if they employ 20 or more contract labor.	If the project activities involve large contracts employing more than 20 employees, this Act will be applicable. Suitable conditions will be laid out in the tender documents to ensure compliance to this Act.
7.	Minimum Wage Act 1948:	The Employer is supposed to pay not less than Minimum Wages fixed by appropriate Government as per provisions of the Act if the employment is a schedule employment. Construction of Buildings, Roads, and Runways are schedule employments.	Minimum wages Act will be applicable and the contractor is to be mandated to provide compliance as per guidelines stipulated by the EESL.
8.	Payment of Wages Act 1936:	It lays down as to by what date the wages are to be paid, when it will be paid and what deductions can be made from the wages of the workers.	These Acts are applicable and the contractor will be mandated to provide compliance as per agreed terms of payment of Wages and bonuses.

S.NO	Provisions	Applicable/Project relevant provisions	Implications
9.	Equal Remuneration Act 1976:	The Act provides for payment of equal wages for work of equal nature to Male and Female workers and for not making discrimination against Female employees in the matters of transfers, training and promotions etc.	
10.	Trade Unions Act 1926:	The Act lays down the procedure for registration of trade unions of workmen and employers. The Trade Unions registered under the Act have been given certain immunities from civil and criminal liabilities.	The implementation of the Act will be monitored through the contractor by Sustainable Development Unit / EESL / third party monitoring agency.
11.	Child Labor (Prohibition & Regulation) Act 1986:	The Act prohibits employment of children below 14 years of age in certain occupations and processes and provides for regulation of employment of children in all other occupations and processes. Employment of Child Labor is prohibited in Building and Construction Industry.	This Act is applicable in the sub-project and 100% compliance is enforced. As such the World Bank prohibits child labour and it is a criminal offence to encourage child labour in the Bank funded projects.
12.	The Personal Injuries (Compensation Insurance) Act, 1963:	This Act provides for the employer's liability and responsibility to pay compensation to employees where workmen sustain personal injuries in the course of employment.	This is an important Act applicable to the workmen in the sub-projects. The coverage, liability and responsibility documented by the contractor will be scrutinized as part of bid evaluation and continuously monitored by the Sustainable Development Unit /EESL during the project period.

5.2 National policies applicable to Indigenous s

GoI has been sensitive to the needs of the Indigenous population of India. The Supreme Court has aptly summed up the Indigenous situation in India, "...*Indigenous areas have their own problems. Indigenous s are historically weaker sections of the society. They need the protection of the laws as they are gullible and fall prey to the tactics of unscrupulous people and are susceptible to exploitation on account of their innocence, poverty and backwardness extending over centuries.*" Many safeguards are provided under the constitution to safeguard the interests of Indigenous s. This section reviews such safeguards and the associated laws and regulations governing Indigenous development and water and sanitation activities in the state.

5.3 Constitutional Safeguards

The constitutional safeguards related to Indigenous s are:

2.3.1	Article 14, related to equal rights and opportunities
2.3.2	Article 15, prohibits discrimination on grounds of sex, religion, race, caste etc.
2.3.3	Article 15 (4), enjoins upon the state to make special provisions for the STs
2.3.4	Article 16 (3), empowers states to make special provisions for reservation in appointments or posts in favour of STs
2.3.5	Article 46, enjoins upon states to promote with special care educational and economic interests of STs, protection from social injustice and exploitation
2.3.6	Article 275 (I), grant-in-aid for promoting the welfare of STs
2.3.7	Article 330, 332, 335, related to the reservation of seats for STs in Lok Sabha and State Assemblies; and
2.3.8	Article 339, 340, related to Control of the Union over the Welfare of STs and powers to investigations thereof. One of the important Acts which ensures Social Safeguards of the STs is "Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989

5.4 Some Important legal provisions to safeguard Indigenous interests

5.4.1 Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

This Act recognizes and vests forest rights and occupation on forest land in forest dwellings to scheduled tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded. The Act provides for a framework for

recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land.

5.4.2 The Scheduled Castes and Scheduled Tribes: (Prevention of Atrocities) Rules, 1995

This Act provides for specific provisions to prevent atrocities on the Scheduled Castes and the Scheduled Tribes and suggests State Governments to frame rules for the same. These include identification of areas where atrocity may take place or there is an apprehension of re-occurrence of an offence under the Act. The State Government is required to set up a **“Scheduled Castes and the Scheduled Tribes Protection Cell”** at the state headquarters headed by the Director of Police, Inspector-General of Police. This Cell is responsible for, conducting survey of the identified area; maintaining public order and tranquility in the identified area; recommending deployment of special police or establishment of special police post in the identified area; and restoring the feeling of security amongst the members of the Scheduled Castes and the Scheduled Tribes. It can be summed up that the protective provisions safeguard Indigenous people from social injustices and all forms of exploitation, while the developmental provisions promote special care for the educational and economic interests of the weaker sections like the Indigenous s and SCs. Further, administrative provisions under the Fifth and Sixth Schedules give special powers to the state for the protection and governance of Indigenous areas and the reservation provisions ensure due representation in legislative bodies and government jobs.

5.4.3 Provision of Scheduled Areas under 5th Schedule of the Constitution

In order to protect the interests of the Scheduled tribes, the provision of “Fifth Schedule” is enshrined in the Constitution under article 244 (2). The Fifth Schedule under article 244 (2) of the Constitution defines "Scheduled Areas" as such areas as the President may by Order declare to be Scheduled Areas after consultation with the governor of that State. The criteria for declaring any area as a "Scheduled Area "under the Fifth Schedule are:

- Preponderance of Indigenous population,
- Compactness and reasonable size of the area,
- Available administrative entity such as district, block or taluk, and
- Economic backwardness of the area as compared to neighboring areas.

Purpose and Advantage of Scheduled Areas:

Scheduled Areas have certain distinct provisions meant to protect and benefit Indigenous people in a State:

The Governor of a State which has Scheduled Areas is empowered to make regulations in respect of (1) prohibit or restrict transfer of land from Indigenous s; (2) regulate the business of money lending to the members of STs. In making any such regulation, the Governor may repeal or amend any Act of Parliament or of the Legislature of the State, which is applicable to the area in question.

- The Governor may by public notification direct that any particular Act of Parliament or Legislature of the State shall not apply to a Scheduled Area or any part thereof in the State or shall apply to such area subject to such expectations and modifications as may be specified.
- The Governor of a State having Scheduled Areas therein, shall annually, or whenever so required by the President of India, make a report to the President regarding the administration of the Scheduled Areas in that State and the executive power of the Union shall extend to the giving of directions to the State as to the administration of the said area.
- Tribes Advisory Council [TAC] shall be established in States having Scheduled Areas. The TAC may also be established in any State having Scheduled Tribes but not Scheduled Areas on the direction of the President of India. The TAC consists of more than twenty members of whom, as nearly as may be, three fourth are from the representatives of Scheduled Tribes in the Legislative Assembly of the State. The role of TAC is to advise the State Government on matters pertaining to the welfare and advancement of the Scheduled Tribes in the State as may be referred to it by the Governor.
- The Panchayats (Extension to Scheduled Areas), Act 1996, which the provisions of Panchayats, contained in Part IX of the Constitution, were extended to Schedule Areas, also contains special provisions for the benefit of Scheduled Tribes.

5.4.4 Panchayat Extension to Scheduled Areas (PESA) Act

The 73rd and 74th Constitutional (Amendments of 1992), accommodate special powers to PRIs, were later extended, with separate provisions to the Scheduled Areas as well through the Panchayat (Extension to the Scheduled Areas) Act of 1996. With the strength and support of PESA Act, 1996 the PRI bodies at the district and village level have been vested special functional powers and responsibilities to ensure effective participation of the Indigenous people in their own development. This also helps preserve and conserve traditional rights over natural resources.

A summary of powers given to PRIs under PESA Act is given below:

Table 3: Powers given to Gram Sabhas under PESA Act

Gram Sabha Gram	Gram Panchayat	Block Panchayat	Zilla Parishad
<ul style="list-style-type: none"> ▪ Listing of development projects for execution through Gram Panchayats. ▪ Identification and recommendation of beneficiaries under poverty alleviation programs. ▪ Any proposal/ plan presented by the Gram Panchayats needs prior consultation and approval with the Gram Sabha. ▪ Prior approval for collection of taxes. ▪ Wherever necessary asking for information from gram panchayats. ▪ Intervene in conflict resolution through traditional and customary traditional methods if required. ▪ Gram Sabha has power to safeguard the cultural identity, community resources and dispute resolution per traditional customs and regulations. ▪ Control and supervision of functions and powers of Gram Panchayats. 	<ul style="list-style-type: none"> ▪ Enforcement of prohibition of regulation or restriction of the sale and consumption of any intoxicant. ▪ The ownership of Minor Forest Produce. ▪ Prevention of alienation of land and restoration of any unlawful land of a Scheduled Tribe. ▪ Control over the money lending to the Scheduled Tribe. 	<ul style="list-style-type: none"> ▪ The powers of control and supervision of activities of various organizations and individuals and their office bearers engaged in social work ▪ Consulting the Gram Sabha wherever necessary. 	<ul style="list-style-type: none"> ▪ Approval to obtain concession for raising minor minerals, lease and licenses for mining activities or auctioning of minormineral products. ▪ Prior approval of Zilla Parishad, for land acquisition or rehabilitation of affected people with or without consultation with the Gram Sabha. ▪ Planning and management of minor water bodies.

5.4.5 Fifth and Sixth Schedule Areas:

The Indian Constitution protects Indigenous interests through the Fifth and Sixth Schedules. Sixth Schedule is applicable in Assam, Meghalaya, Tripura and Mizoram. Fifth Schedule, applicable in all the other identified Indigenous regions, guarantees Indigenous autonomy and Tribal rights over land through a Tribal Advisory Council in each State.

5.5 Application of WB social safeguard policies

Safeguard Policies	Triggered	Explanation
OP 4.10 - Indigenous Peoples	Yes	EESL's program focuses on scaling up the deployment of LED lightbulbs and other energy efficient appliances under UJALA and SLNP, covering locations in Indigenous areas, across India. The world bank recognizes Indigenous / tribal people as "group of community members with collective attachment" to distinct habitats or territories and the natural resources therein; the presence of "customary cultural, social, economic or political institutions" separate from those of the dominant society; and, an Indigenous language, often different from the national language." As the project area, may include areas notified as distinguished Indigenous area consisting of Indigenous people with separate institution, it is important that their participation is ensured and their voices are heard. The policy on Indigenous people will ensures that project activities do not adversely affect Indigenous community.
OP/BP 4.11 - Physical Cultural Resources	Yes	Installation of LED bulbs may be undertaken in the vicinity of heritage and culturally important precincts. Associated activities may possibly have impacts on the physical and cultural resources. Hence this policy is triggered. The proposed EMF will integrate considerations for managing probable risks related to physical and cultural resources and chance find procedures.

Safeguard Policies	Triggered	Explanation
OP 4.12 Involuntary Resettlement	No	The UJALA and SLNP programs will be implemented in existing settlement areas and are not envisaged to acquiring land (government or private). However, to avoid acquiring land, the borrower will be advised to implement project in the existing land. However, in case, the borrower thinks if any case, land is to be acquired, EESL is recommended prepare a Resettlement Action Plan complying with OP 4.12 to define inclusion principles.

6 Implementation Framework - Tribal Driven Development

The section briefs the framework actions based on the anticipated issues that may arise in the Indigenous areas against the backdrop of the proposed energy efficient project. To start with, issues of significance in the context of formulating an implementation framework are listed. Essentially, the framework details out: institutional and implementation arrangements, GRM and monitoring and evaluation arrangements. The project will conduct activities as per the IPPF given in **Annexure -III**.

6.1 Issues of Significance

The following issues are identified as important to be addressed in the context of reaching the Indigenous s effectively.

6.1.1 Governance – PESA Provisions to be Taken Due Note of

- The ‘village’ in PESA is the fundamental unit of governance. It can be habitation, a group of habitations or a hamlet or a group of hamlets. So, depending upon the situation, the project should define a habitation. This marks a distinct and most important departure from the existing manner in which village is defined and notified in the State legislations. The village for the purpose of Panchayati Raj is the notified village for which there exists a Gram Panchayat which is constituted with a number of revenue villages which in turn consists of a number of habitations. Compared to this definition, the PESA definition of village is normally smaller than the revenue village which may, in few instances, be equal to a revenue village. In other words, the ‘village’ as defined in PESA is not the ‘village’ under the State Panchayati Raj laws, but the habitation.
- Every village shall have a Gram Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level; in other words, this Gram Sabha is not the Gram Panchayat Gram Sabha. This is to make sure that the Gram Sabha is a manageable assembly of people for it to carry out the core functions in PESA that is entrusted to it.
- Every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution.
- Every Gram Sabha shall approve of the plans, programmes and projects for community / public purpose.
- Before such plans, programmes and projects are taken up for implementation by the Panchayat at the village level;

- Listing of projects (in case of street lightning) for execution to be endorsed by/ through Gram Panchayats / Gram Sabhas.
- Any proposal/plan presented by the Gram Panchayats needs prior consultation and approval from the Gram Sabha.
- Gram Sabha has power to safeguard the cultural identity, community resources and dispute resolution per traditional customs and regulations.

6.1.2 Left Wing Extremism / Naxal Affected Areas

- Numbers of districts in Madhya Pradesh, Chhattisgarh, Jharkhand, Orissa, Andhra Pradesh, etc. are Left-wing Extremism (LWE) and /or Naxal affected, which may delay programme implementation. LWE/ Naxal violence could be disruptive as good and large contractors may stay away. So, will be the issues with availability of technical staff and support staff. Project will have to be highly innovative and trigger responsive in managing these issues. Potential conflict between traditional Indigenous leaders and elected Panchayat and Gram Sabha leaders need to be handled through negotiation and persuasion.

6.1.3 Operations

- Some hilly terrains, remote and scattered habitations, lack of roads will pose implementation challenges to timely completion of work.
- There is need to build a cadre of functionaries to take care of operations and maintenance considering the remoteness and lack of availability of technicians.
- Lack of availability of technical services for repair and maintenance.

6.1.4 Human and Institutional Development

- Need for trained personnel for behaviour change communication considering the lack of awareness about utility and advantage of energy-efficient equipment's.
- Poor and weaker sections may not opt for energy efficient equipment's, esp. to use at home.
- There will be need to quickly build the capacity of local service suppliers.
- There will be need of better coordination between Sustainable Development Unit, EESL, Contractors and Local community for comprehensive awareness generation.

6.1.5 Gender

- At the household level women are largely responsible for energy management and therefore, access to improved energy efficiency products has a specific gender dimension. Women are the primary stakeholders of energy resource management especially for domestic use. This positioning reflects not only the recognition of the potential benefit of energy efficiency investments for women, but also the necessity of proactive interventions (e.g., ensuring women's substantive participation and men's support) to realize these benefits.
- Energy access policies and programs generally do not pay sufficient attention to women's needs and priorities, and therefore, do not always benefit women.
- Despite legal framework supporting gender equality and women's empowerment; women are not always able to benefit from energy investments.
- Due to women's lack of awareness about their legal rights, gaps in law enforcement, they have less access to productivity enhancing resources such as land, labor, collateral, credit facilities, information, and training. These inequalities often restrict women's ability to benefit from available opportunities, and hence it cannot be assumed that energy interventions that benefit men will necessarily also benefit women.
- Need to create special enabling conditions to ensure that women can access energy services and benefit from them on an equal footing with men.
- Most often, education programs in the safe and efficient use of electricity at the household level -- which should complement energy efficiency projects --are overlooked or not effectively targeted at women household consumers.
- No involvement of women in decision making.

6.2 Perceived Benefits regarding Gender

The project will have focused gender actions/activities towards maximizing project benefits to women and improve their access to energy efficient appliances and thereby improve their overall quality of life.

6.2.1 Domestic lighting (UJALA)

Direct Benefits to women at the household level through energy efficiency domestic lighting include improved access, energy savings and enhanced quality of life. It is perceived that increased and improved energy efficiency in domestic lighting will further improve the quality of life of women thereby providing them more time for study, rest recreation, skill enhancement. The savings from electricity bills may be further used for higher education of children and skill building/enhancement activities for women providing opportunities to enhance their incomes/livelihood opportunities. The project will facilitate improved awareness and understanding of the benefits of using energy efficient lights in homes.

6.2.2 Street lighting (SLNP)

The street lighting project (SLNP) apart from energy savings for the ULBs will have positive impact on women and girls. Assessment of ESSA and pilot projects suggests that the street lights have been instrumental in improving safety of women through reduction in dark spots on the streets. Reduction in dark spots and threat perception among women and thereby improved safety and security of women in public spaces are some of the perceived benefits from the street lightening project. Enhanced street lighting (with improved LUX level) will also improve/encourage women's mobility especially during night. The impact on safety and security of women and their mobility are to assessed through social impact assessment in project towns.

7 INSTITUTIONAL ARRANGEMENTS

Energy Efficiency Services Limited (EESL) is the Executing Agency (EA) for overall coordination, whereas EESL's counterparts/ regional teams are the implementing agency. EESL currently do not have any separate unit to manage the social safeguards/ social management and Indigenous development aspects of its program. Under the project, EESL will set up a *Sustainable Development Unit (SDU)*, which will be responsible for implementing the proposed project.

7.1 Sustainable Development Unit (SDU)

The SDU will be responsible for overseeing sub-project compliance with social safeguard requirements. The EESL head will be responsible for coordinating all external functions with WB as well as coordinates the internal functions for coordination of environment and social safeguard reporting, legal, finance and accounts, IAs monitoring and reporting. SDU will designate Social Officer of EESL to supervise responsibilities for monitoring for all sub-projects in areas such of Social safeguards including issues related to Indigenous peoples. To assist Social Officer in these specialist functions, EESL will hire appropriate safeguard Consultants at IAs having experience in IP related issues as deemed necessary. The duties of the social officer will include at a minimum: (i) oversight of field offices and construction contractors for monitoring and implementing safeguards mitigation measures; (ii) liaising with the field offices and contractors and seeking their help to solve the safeguard-related issues of subproject implementation; and (iii)) coordination with IAs for monitoring as well as designing appropriate mitigation measures to address social issues. SDU may also be assisted by project management consultant (PMC) for implementation. However, hiring of PMC is subject to the decision of SDU, EESL.

7.2 PIU at the Implementing Agency Level

The PIU/field offices of EESL will assume primary responsibility for the social assessment as well as implementation of IPP in consultation with SDU. The PIU/Project Head will be assisted by the SDU. The PIU/field offices will have overall responsibility to manage the site activities. Project Implementation Units (PIUs), including experienced staff and headed by senior officers will be set up in the EESL's regional units / offices, to undertake day-to-day project planning and implementation activities. Full-time project managers with qualified staff will be appointed to supervise sub-projects under each component. The PIUs will be responsible for overall project planning and implementation, including procurement, accounting, quality assurance, social and environmental issues and coordination with concerned agencies. For the implementation of IPPs PIU at regional level will ensure that a social specialist or consultant or a designated official is

deputed with knowledge and familiarity with the WB policy and requirements for IPPs. The specialist shall be available for assisting in the planning and implementation of IPPs for the Project.

The table below depicts further details on agencies responsible for IP activities.

Table 4: Institutional Roles and Responsibilities for IPs

Activity	Responsible agency
Sub-project Initiation Stage	
Finalization of locations for sub-projects	EESL/SDU/PIU
Disclosure of proposed projects, project sites, and sub-project details by conducting stakeholder meetings / consultations	EESL/SDU/PIU
Meetings at community/household level with IPs	EESL/SDU/PIU
Identification of capacity building needs of IPs on project components	EESL/SDU/PIU
Preparation Stage	
Conducting discussions/meetings/ consultation with IPs and other stakeholders	EESL/SDU/PIU
Making corrections, if any, as per the discussion	SDU/PIU
Finalizing strategies for IP inclusion, esp. women	EESL/SDU/PIU
Finalizing Monitor planning and implementation plan with IPs	EESL/SDU/PIU
Facilitation formation of Grievance Redressal Committees at the state and District levels	EESL/SDU/PIU
Implementation Stage	
Implementation of proposed measures	EESL/SDU/PIU
Consultations with IPs during project implementation activities	EESL/SDU/PIU
Ensure that IPPF implementation is in accordance with the constitutional and legal framework	EESL/SDU/PIU/ WB
Grievances redress	EESL/SDU/PIU
Monitoring	EESL/SDU/PIU
Ensure that appropriate measures are taken on the recommendations of these committees	EESL/SDU/PIU/ WB

7.3 CONSULTATION, DISCLOSURE AND GRIEVANCE

7.3.1 Consultation

Stakeholder consultations will be done during the entire project cycle, i.e., preparation, implementation and post implementation. During the preparatory stages, consultations need to be carried out with various concerned government officials at the national and state and local communities as part of the social study in order to gather their views on the proposed program. Additionally, focused group discussions are also required at the project influence areas. The executing agency and project counterparts will ensure the IPP are prepared in consultation with the affected IP groups. Prior consultation will be held and no objection will be obtained from the IPs, if they are affected by land acquisition⁴. The mitigation measures and strategies will be presented to them by the EA/IA at various places, which will be easily approachable to them. Inputs from the IPs through consultation will be considered in subproject design and the final IPP. The EA/IA will be involved in implementing the IPP and resolution of any dispute arising out of the implementation process. 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.

7.3.1.1 Consultations will be held to;

- (i) create awareness
- (ii) bring various stakeholders on a common platform
- (iii) seek information
- (iv) pass on information
- (v) capacity building

7.3.1.2 The key stakeholders to be consulted during sub-project preparation and implementation includes:

- (i) all APs, including vulnerable households;
- (ii) program beneficiaries;
- (iii) host populations in project sites (if any);
- (iv) elected representatives, community leaders/ Indigenous leaders
- (v) local government and relevant government agency representatives; and
- (vi) project staff.

⁴ The project will not have any land acquisition issues, as it deals with retrofitting of street lights (on the existing land). However, in case of land acquisition, OP 4.12 will be triggered and provisions of the policy will be complied by.

7.4 Disclosure

The IPP prepared in consultation with affected IPs will be translated into local language or any other medium which will be understood by the IPs and made available to them before implementation with the assistance of EA/IA. The EA/IA 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 IPs. In deciding whether to proceed with a project involving such project activities, the EA/IA will seek the consent of affected IPs communities. The IPP will further be disclosed in the website of EA/IA and WB.

7.5 Grievance Redress Mechanism

The EA/IA will establish a mechanism to receive and facilitate resolution of the affected IP communities' concerns, complaints, and grievances. The WB procedures require EESL to establish a project specific Grievance Redress Mechanism (GRM) having suitable grievance redress procedure to receive and facilitate resolution of affected peoples' concerns, complaints, and grievances about the social and environmental performance at subproject level. For this project, EESL would ensure that the Centralized Control and Monitoring System (CCMS) provides the adequate platform for the GR and is streamlined to address issues of all the relevant stakeholders of the project like workers, local community, vendor and contractors. This system will ensure that all the grievance of the workers and IP community is addressed in a time bound and effective manner. At each level of the project, there will be a designated representative, to look at the grievance raised at the workplace and ensure timely mitigation measure for the same. There will also be a provision of continuous monitoring of the system to track the issues and the solution. Monitoring the system will be beneficial in the trend analysis of the issues and the effectiveness of the system to resolve the same. The following process is proposed for the grievance redress mechanism:



- **Receive and Register:** At the filed level, vendor, contractor, and the labour contractor will have a representative to look at the problems and issues faced by the workers and the local community members / Indigenous people. There will be one representative at each level to receive and address the complaints raised by the workers and local community. It will ensure that all the issues raised, registered are resolved in a timely manner.
- **Review and Investigate:** Issues registered, reviewed will be investigated in detail within the limited period of time. Grievances not redressed by the project counterparts (field level) will be brought to the Grievance Redress Committee (GRC), which shall be established at the EESL level. The GRC will have representatives from affected people (Indigenous and non-Indigenous, depending upon the population in the project area), EESL/SDU, project counterparts, and other local community. The GRC will investigate the issue within seven working days. The main responsibilities of the GRC is: (i) to provide support to affected persons on problems arising from project activities; (ii) record affected person's grievances, categorize, and prioritize grievances and resolve them; (iii) immediately inform the SDU of serious cases; and (iv) report to affected persons on developments regarding their grievances and decisions of the GRC and the SDU.
- **Resolve the Issue:** After investigation, efforts will be made to resolve it within the limited time period and recommend the solutions that should be SMART (Specific, Measurable, Attainable, Relevant and Time-bound). The proposed solutions should address all the issues raised by complainant and ensure that preventive measures are taken to avoid recurrence.
- **Record keeping:** Records will be kept of all grievances received including: contact details of complainant, date the complaint received, nature of grievance, agreed corrective actions and the date such corrective actions were effected, and the final outcome. The proposed mechanism does not impede access to the country's judicial or administrative remedies. The affected person has the right to refer the grievances to appropriate courts of law at any stage of the process.
- **Monitor the issues registered on a regular basis.** The issues raised in the grievance mechanism shall be assessed monthly for the actions being taken and its closure. These analyses help in the trend analysis of the issues taking place at the project site and to assess the effectiveness of the solutions provided by the system.
- In addition to the above, communities and individuals who believe that they are adversely affected as a result of a Bank supported operation, as defined by the applicable policy and procedures, may submit complaints to the existing program grievance redress mechanism or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received

are promptly reviewed in order to address pertinent concerns. Affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org

7.6 MONITORING AND REPORTING

The EA (SDU) /IA (PIU) will monitor and measure the progress of implementation of the IPP. The extent of monitoring activities will be commensurate with the project's risks and impacts. In addition to recording information to track performance, the EA/IA will use dynamic mechanisms, such as inspections and audits, to verify compliance with requirements and progress toward achieving the desired outcomes. For projects with significant adverse impacts on Indigenous Peoples, the EA/IA will retain qualified and experienced external experts or qualified NGO to verify monitoring information. The external experts engaged by the borrower/client will advise on compliance issues, and if any significant Indigenous Peoples issues are found, the borrower/client will prepare a corrective action plan or an update to the approved IPP. The borrower/client will implement the corrective actions and follow up on these actions to ensure their effectiveness. The EA/IA will prepare periodic monitoring reports on the progress of IPP implementation, highlighting compliance issues and corrective actions, if any. The EA/IA will submit semi-annual monitoring reports. The costs of monitoring requirements will be reflected in project budgets.

Implementation of the IPP will be monitored regularly. The EA/IA will establish a semiannual monitoring system involving the PIUs staff, SDU, representative of affected IP groups, and local community to ensure participatory monitoring arrangements. A set of monitoring indicators will be determined during IPP implementation. The PIUs will also prepare appropriate monitoring formats for effective internal and external monitoring and reporting requirements. Monitoring will be carried out twice a year during project implementation. These reports will be submitted to WB for review. The EA/IA through the SDU/PIU 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 PIUs will implement the IPP and carry out the monitoring and evaluation activities as prescribed in this section. The PIUs will be trained and motivated in carrying out these activities. IPP implementation will be closely monitored to assess IPP progress and identifying potential

difficulties and problem areas. Monitoring reports will be submitted to WB for review and comments. Each IPP will be submitted by EA/IA to WB for review and approval

7.7 Budget

Each IPP will have its own budget. The EA/IA 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 the PIU 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. The EA/IA will be responsible for making the budget available in advance to PIU for implementation of IPP.

The tentative budget for the IPP implementation at the SDU level is as follows:

Item	Unit cost (INR)	Total cost (INR)	Timeline
Depute/ Hiring Tribal specialist at SDU (EESL)	Rs. -----per month for -- months	Rs. -----	Within 2 months after the project launch
Capacity Building Programmes to counterparts on Indigenous Issues	Rs. ---- per programme for ---- programmes		By 6 th month after project launch
Refresher trainings			Once every 6 months/year
Monitoring visits to participating states	Rs. ---- per visit for ---- - visits		Once every 6 months
External evaluation	Rs. ----		During 2 nd or 3 rd year of the project.

Annexure

ANNEXURE- I

INDIGENOUS PEOPLES IMPACT SCREENING CHECKLIST

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, schedules tribes, Indigenous peoples), "minorities" (ethnic or national minorities), or "Indigenous communities" in the project area?				
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, Indigenous peoples, national minorities, or cultural communities?				
3. Do such groups self-identify as being part of a distinct social and cultural group?				
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?				
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?				
6. Do such groups speak a distinct language or dialect?				
7. Have such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?				

8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "Indigenous populations" in any formal decision-making bodies at the national or local levels?				
B. Identification of Potential Impacts				
1. Will the project directly or indirectly benefit or target Indigenous Peoples?				
2. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)				
3. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)				
4. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?				
C. Identification of Special Requirements - <i>Will the project activities include:</i>				
1. Commercial development of the cultural resources and knowledge of Indigenous Peoples?				
2. Physical displacement from traditional or customary lands?				
3. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?				
4. Establishing legal recognition of rights to lands and territories that are traditionally				

owned or customarily used, occupied or claimed by Indigenous peoples?				
5. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by Indigenous peoples?				

After reviewing the answers above, EESL/ Social Safeguard Specialist (Sustainable Development Unit) confirms that the proposed subproject/component category as follows:

☐ Category A, Significant IP impact, a Framework and a full IP Plan are required.

☐ Category B, No significant IP impact, a Framework and an IP Plan are required.

☐ Category C, No IR impact, no report is required.

ANNEXURE-II

OUTLINE OF AN INDIGENOUS PEOPLES PLAN

This outline is part of the Safeguard Requirements. 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:

- Reviews the legal and institutional framework applicable to Indigenous Peoples in project context.
- 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.
- 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.
- Assesses, based on meaningful consultation with the affected Indigenous Peoples communities, the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected 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.
- Includes a gender-sensitive assessment of the affected Indigenous Peoples' perceptions about the project and its impact on their social, economic, and cultural status.

- 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, 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:

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

ANNEXURE-III

INDIGENOUS ACTION DEVELOPMENT FRAMEWORK

Objective	Activities	Output indicators	Responsibility	Means of verification	Assumption
Assess the potential impact of street lighting efficiency program	Conduct social impact assessment and/or social audits to assess the impact of street lighting efficiency on safety and security and mobility of Indigenous community, esp. girls and/or women in public spaces (especially at night)	Social impact assessment and/or social audits conducted	EESL	Project reports by EESL	<ul style="list-style-type: none"> ▪ EESL is committed to conducting the activities. ▪ Dedicated resources (human and financial) are allocated.
Assess current end user awareness on current behavior, driver and barriers to adopting energy efficiency products (bulbs and /or ceiling fans in households	Conduct formative research and/or an assessment (with equal women participation) to assess current awareness, behavior, drivers and barriers to adopting desired behavior of the target audience	An assessment of current behavior, drivers, and barriers of the target audience conducted	EESL	Project reports by EESL	<ul style="list-style-type: none"> ▪ The activities included in the budget allocated for awareness campaign
Enhance end user awareness on energy efficiency in households	Conduct training for sales staff of the kiosks and mobile vans on Indigenous and gender sensitive communication Prepare a gender sensitive training module and/or toolkit for	Sales staff trained on Indigenous sensitive communication and product information	EESL	Project reports by EESL Reports from distribution agency and/or kiosks and	<ul style="list-style-type: none"> ▪ Provision of social / tribal specialist to guide the

Objective	Activities	Output indicators	Responsibility	Means of verification	Assumption
	<p>Indigenous s (in local dialect for wider circulation / dissemination and adoption)</p> <p>Conduct awareness and/or social mobilization campaigns targeting Indigenous with special emphasis on women consumer, women groups, or women's home energy efficiency clubs; youth especially those in school; women collectives, community groups, self- help groups, other existing institutional mechanism in the states e.g., <i>Kiosks, etc.</i></p>	<p>A gender sensitive toolkit prepared (keeping in view their customs and beliefs)</p> <p>End user awareness and/or social mobilization campaigns conducted</p> <p>Indigenous groups, women, collectives, youth clubs organized and /or mobilized</p>		mobile vans, other points of sale	Indigenous framework