

# Indigenous Peoples Development Planning Document

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Draft Indigenous Peoples Development Framework  
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## IND: North Karnataka Urban Sector Investment Program

Prepared by Karnataka Urban Infrastructure Development and Finance Corporation (KUIDFC).

The draft indigenous peoples development framework is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

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US\$ 1.00	:	Rs. 45
	:	
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## **Abbreviations and Acronyms**

ADB	:	Asian Development Bank
APs	:	Affected Persons
CBO	:	Community Based Organization
CDO	:	Community Development Officer
DC	:	Deputy Commissioner
DSWO	:	District Social Welfare Officer
DoSW	:	Department of Social Welfare
DoTW	:	Department of Tribal Welfare
DTWO	:	District Tribal Welfare Officer
EA	:	Executing Agency
GoI	:	Government of India
GoK	:	Government of Karnataka
IA	:	Implementing Agency
IEE	:	Initial Environmental Examination
IP	:	Indigenous People
IPDF	:	Indigenous People Development Framework
IPDP	:	Indigenous People Development Plan
KUIDFC	:	Karnataka Urban Infrastructure Development and Finance Corporation
LA	:	Land Acquisition
LAA	:	Land Acquisition Act
M&E	:	Monitoring and Evaluation
NGO	:	Non-Government Organization
NKUIDP	:	North Karnataka Urban Infrastructure Sector Development Program
PMU	:	Project Management Unit
RP	:	Resettlement Plan
SA	:	Social Assessment
SC	:	Schedule Caste
ST	:	Schedule Tribe
TOR	:	Terms of Reference
ULB	:	Urban Local Body

## Contents

### **Executive Summary**

I. Project Background	1
A. Overview	1
B. Spread of Schedule Tribes in Karnataka	1
C. Legal and Policy Framework	2
II. Objectives of IPDF and Approach to IPDP Preparation	6
A. Identification of IPs	6
B. Approach to IPDP Preparation	6
III. Steps for Formulating an IPDP	7
A. Preliminary Screening	7
B. Social Impact Assessment	8
C. Mitigation Measures	8
D. Project Monitoring	8
IV. Strategy for Indigenous Person' Participation	9
V. Benefits and Mitigation of Adverse Impacts	9
VI. Institutional Arrangements	10
A. Existing Institutional Structure	10
B. Institutional Arrangements for Preparing and Implementing IPDPs	11
VII. Budget for Formulating and Implementing IPDPs	19
VIII. Program for Monitoring and Evaluation	19
Annex A – District Wise Tribal Population in Karnataka (2001)	21
Annex B – Schedule Tribes in Karnataka as on March 2005	22
Annex C – Entitlement matrix	25
Annex D – Roles and Responsibilities	33
A. Project Consultants	33
B. Implementing NGO	33
C. IPDP Implementing NGO – Selection Criteria	34

## List of Tables

Table 1: Institutional Roles and Responsibilities.....	16
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## List of Figures

Figure 1: Implementation Arrangement for NKUIDP .....	12
Figure 2: IPDP Implementation Arrangements .....	13
<b>Figure 3:</b> IPDP – Flow of Activities .....	14

## List of Maps

Map 1: Districts with 'IPDP' and 'PTG' areas .....	4
Map 2: 'PTG' areas in Chamarajanagar .....	5

## Executive Summary

In Karnataka, Schedule Tribes (ST) account for 6.55 percent (3.46 million) of the total State population, which comprises 4.11 percent of the total tribal population of the country. Bellary district has the highest concentration of STs in Karnataka. Thirteen of the Sector Development Project (SDP) districts

<sup>1</sup> comprise approximately 60% of the total tribal population in the State. However, there are no concentrated tribal areas termed as Integrated Tribal Development Project<sup>2</sup> in the SDP districts.

There are 50 major tribes with 109 sub-tribes in the State (as of March 2005), according to the notified Schedule under Article 342 of the Constitution of India. From these, the Government of Karnataka has identified (i) Jenu Kuruba; and (ii) Koraga tribes as primitive groups (PTGs)<sup>3</sup>. Jenu Kuruba tribes are originally from Mysore, Chamarajanagar and Kodagu districts and Koraba tribes are from Udupi and Dakshina Kannada districts. In Chamarajanagar district, only Kollegala Taluk has PTG areas. PTGs constitute the most vulnerable among the all notified tribes. According to the surveys conducted by Department of Tribal Welfare, these tribes predominantly stay in districts where they originally belong to, however the possibility of tribal migration to neighbouring districts for better employment opportunities cannot be denied. Whether the migrated tribes have been mainstreamed into the society or still continue to live as primitive groups, statistics are unavailable.

The SDP will finance investment in the sectors of (i) water supply; (ii) sewerage and sanitation; (iii) urban drainage; (iv) roads and transportation; (v) poverty alleviation; (vi) non-municipal infrastructure inclusive of conservation of lakes, expansion of fire services and development of tourism facilities; (vii) institutional development; and (viii) investment program assistance.<sup>4</sup> Potential impacts on indigenous peoples (IPs) were examined in sample subprojects. Discussions with Revenue and Gram (Village) Panchayat officials and a survey of Schedule Tribes show that Scheduled Tribes have been mainstreamed.

The Sector Development Program (SDP) has a sector loan component. Thus it may include subprojects for which all or part of the impact area cannot be determined before the appraisal, owing to incipient technical designs, and/or the lack of clearly defined sites. Also, the possibility of expanding the current SDP area (i.e., addition of few more towns) cannot be excluded under a sector loan approach, under which impacts on indigenous peoples (IPs) cannot be envisaged at this stage. Therefore, an Indigenous People's Development Framework (IPDF) has been developed. The Resettlement Framework also provides entitlements to IPs as vulnerable persons. The IPDF sets out the policy, principles and implementation mechanisms to address such impacts. During the course of the SDP identification and survey if any IPs are identified, the impacts (both positive and negative) of the subproject component on affected groups/community will be addressed according to the IPDF. The IPDF will address the developmental needs of IPs as a distinct community through a process of sustainable development. The IPDF is a policy and procedural framework for Indigenous People Development Plans (IPDPs) that are developed for sub-projects and that are to be approved during Project implementation. Further, an IPDF sets out the indigenous people's policy together with the screening and planning procedures.

The need for formulating an IPDP will be established if the subprojects to be funded under the SDP are screened as Category 'A' projects<sup>5</sup>. Category 'A' projects envisage significant impacts on IPs

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<sup>1</sup> Bagalkot, Belgaum, Bellary, Bidar, Bijapur, Chamarajanagar, Davangere, Dharwad, Gadag, Gulbarga, Haveri, Koppal and Raichur.

<sup>2</sup> The ITDPs are generally contiguous areas of the size of a Block (Group of villages) or Taluka in which the ST population is 50 percent or more of the total population.

<sup>3</sup> Tribal groups are still at the most primitive stage. They continue to live in isolated areas and practice either primitive agriculture or no agricultural practice and most of them are still in food gathering stage with almost stagnating population.

<sup>4</sup> Covering the construction of the KUIDFC building in vacant government land.

<sup>5</sup> As per the ADB's F3/OP (13 May 2004), screening process categorizes projects by the significance of their impacts on IPs. It is recommended that for (i) Category 'A' projects: Impacts should be significant that require IPDP and/or IPDF; (ii)

and they positively or negatively (i) affect their customary rights of use and access to land and natural resource; (ii) change their socio-economic status; (iii) affect their cultural and communal integrity; (iv) affect their health, education, livelihood and social security status; or (v) alter or undermine the recognition of indigenous knowledge.

IPDPs address the aspirations, needs and preferred options of the affected indigenous peoples taking into consideration the marginality status of tribal community and offers them development options while respecting their socio-cultural distinctiveness. The IPDP aims at strengthening the existing capacity of the affected tribal community to participate and benefit from Project interventions.

Responsibility for all indigenous peoples activities will be with the borrowing Urban Local Bodies (ULBs), which will recruit a full time resource person with an appropriate background to manage IPDP activities (the Resettlement Officer appointed for resettlement and rehabilitation activities shall be actively involved in any IPDP activity). The designated staff will coordinate all IPDP activities with the District Social Welfare Officer/District Tribal Welfare Officer under the department of Tribal Welfare. Local revenue officials will provide required necessary help in conducting preliminary screening after ULBs finalize sub-project component sites/alignments.

The implementation of IPDP under each sub-project component will be under the direct responsibility of the borrowing ULB. An NGO appointed by the PMU, through funds from NKUIDP, will facilitate IPDP Action Plan implementation. The Community Development Officer at the PMU will monitor IPDP implementation periodically along with an Independent Agency appointed by the PMU.

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Category 'B' Projects: Impacts are limited that require specific action for IPs, specified in RP; and (iii) Category 'C' Projects: No impacts on IPs that require no special provision for them.

## I. PROJECT BACKGROUND

### A. Overview

1. The North Karnataka Urban Infrastructure Sector Development Program (NKUIDP) will finance investment in the sectors of (i) water supply; (ii) sewerage and sanitation; (iii) urban drainage; (iv) roads and transportation; (v) poverty alleviation; (vi) non-municipal infrastructure inclusive of conservation of lakes, expansion of fire services and development of tourism facilities; (vii) institutional development; and (viii) investment program assistance.<sup>1</sup> The overall development goal of the NKUIDP is to facilitate economic growth in the towns of North Karnataka and bring about urban development through equitable distribution of urban basic services to the citizens that are environmentally sound and operationally sustainable. The development purpose is designed to assist Urban Local Bodies (ULBs) to “promote good urban management, and develop and expand urban infrastructure to increase economic opportunities and to reduce vulnerability to environmental degradation and urban poverty”.

2. Based on discussions with respective Revenue and Gram (Village) Panchayat officials and surveys on Schedule Tribes (STs) in sample subprojects; it was observed that STs have already been mainstreamed into the society. Any impacts can be addressed under Resettlement Framework.

3. While NKUIDP activities in urban areas are not likely to have impacts on IPs, and most of them are already mainstreamed, it is necessary to identify IPs, and survey their economic, social, and cultural needs. Further, as the NKUIDP has a sector loan component, part of the impact area cannot be determined before the appraisal, owing to incipient technical designs, and/or the lack of clearly defined sites. Also, the possibility of expanding current NKUIDP area (i.e., addition of few more towns under NKUIDP) cannot be neglected under a sector loan approach, under which impacts on IPs cannot be envisaged at this stage. Therefore, an Indigenous People’s Development Framework (IPDF) has been developed. The IPDF sets out the policy, principles and implementation mechanisms to address such impacts. During the course of project identification and survey if any IPs are identified, the impacts (both positive and negative) of the subproject component on affected groups/community will be addressed according to the Indigenous People’s Development Framework (IPDF). The IPDF will address the developmental needs of Scheduled Tribes as a distinct community through a process of sustainable development.

### B. Spread of Schedule Tribes in Karnataka

4. India has the largest concentration of Schedule Tribes (synonymous with tribal/indigenous people)<sup>2</sup> in the world except, besides Africa. The prominent tribal areas constitute roughly about 15 percent of the total geographical area of the country. According to Census of India 1991 there were 67.8 million tribes in the country, accounting for approximately 8 percent of the total population. This has increased to 84.3 million in 2001.

5. In Karnataka, Schedule Tribes account for 6.55 percent (3.46 million) of the total State population, which comprises 4.11 percent of the total tribal population of the country. Bellary district

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<sup>1</sup> Covering the construction of the KUIDFC building in vacant government land.

<sup>2</sup> Scheduled Tribes (ST) is those, which are notified as such by the President of India under Article 342 of the Constitution. The first notification was issued in 1950. The President considers characteristics like (i) tribes’ primitive traits; (ii) distinctive culture; (iii) shyness with the public at large; (iv) geographical isolation; and (v) social and economic backwardness before notifying them as a Scheduled Tribe. Today, there are total 698 schedule tribes in the country. Seventy-five of the 698 Scheduled Tribes in the country are identified as Primitive Tribal Groups (PTGs) considering they are more backward than Scheduled Tribes.

has the highest concentration of Schedule Tribes (STs) in Karnataka. Thirteen NKUIDP districts<sup>3</sup> comprise approximately 60 percent of the total tribal population in the State (**Annex A**). Concentrated tribal areas termed as Integrated Tribal Development Project (ITDP)<sup>4</sup> areas exist in districts of Mysore, Chickmagalur, Kodagu, Dakshina Kannada and Udupi (South and Coastal Karnataka), which do not overlap with the Project (NKUIDP) districts (**Map 1**).

6. There are 50 major tribes (**Annex B**) with 109 sub-tribes in the State (as of March 2005), according to the notified Schedule under Article 342 of the Constitution of India. From these, GoK has identified (i) Jenu Kuruba; and (ii) Koraga tribes as primitive groups (PTGs)<sup>5</sup>. Jenu Kuruba tribes are originally from Mysore, Chamarajanagar and Kodagu districts and Koraba tribes are from Udupi and Dakshina Kannada districts (**Map 1**). In Chamarajanagar district, only Kollegala Taluk has PTG areas (**Map 2**). PTGs constitute the most vulnerable among the all notified tribes. According to the surveys conducted by Department of Tribal Welfare (DoTW), these tribes predominantly stay in districts where they originally belong to, however the possibility of tribal migration to neighbouring districts for better employment opportunities cannot be denied. Whether the migrated tribes have been mainstreamed into the society or still continue to live as primitive groups, statistics are unavailable. This again states a need for preparation of IPDF, to address the unforeseen impacts of sub-projects on indigenous people.

### **C. Legal and Policy Framework**

7. Identification of tribes is a State subject. Constitution of India may classify these as Schedule Tribe (ST), Schedule Caste (SC), Other Backward Class (OBC) or General (Forward Class) category, taking into consideration the characteristics like (i) tribes' primitive traits; (ii) distinctive culture; (iii) shyness with the public at large; (iv) geographical isolation; and (v) social and economic backwardness. This may vary based on the classification of particular tribe into any of the above stated category as per the status of that tribe in the respective State (for example, a Scheduled Tribe in Karnataka may be classified as a Scheduled Caste in Maharashtra). Therefore, tribes notified for Karnataka State are Schedule Tribes in Karnataka only and their category may vary in other States.

8. Schedule Tribes in the State are covered by the Karnataka Land Reforms (KLR) Act, 1964, Karnataka Schedule Caste and Schedule Tribe (Prohibition of Transfer<sup>6</sup> of Certain Lands - PTCL) Act, 1978, and Prevention of Atrocities Act, 1989.

- (i) Under the KLR Act, 1964, Scheduled Caste (SC) and Scheduled Tribe (ST) families are eligible for part of lands identified as surplus land in the State.
- (ii) The PTCL Act, 1978, was intended for restricting the transfer of land by members of Scheduled Tribes in the State, and for the restoration of lands alienated by such members. No Schedule Tribe can transfer allotted or granted lands without the permission of Government, if done, the new registration will be invalid. Further, nothing in this Act shall apply to the transfer of allotted/granted lands in favour of the Government or Central Government, a local authority or a bank either before or after the commencement of this Act.

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<sup>3</sup> Bagalkot, Belgaum, Bellary, Bidar, Bijapur, Chamarajanagar, Davangere, Dharwad, Gadag, Gulbarga, Haveri, Koppal and Raichur.

<sup>4</sup> The ITDPs are generally contiguous areas of the size of a Block (Group of villages) or Taluka in which the ST population is 50 percent or more of the total population.

<sup>5</sup> Tribal groups are still at the most primitive stage. They continue to live in isolated areas and practice either primitive agriculture or no agricultural practice and most of them are still in food gathering stage with almost stagnating population.

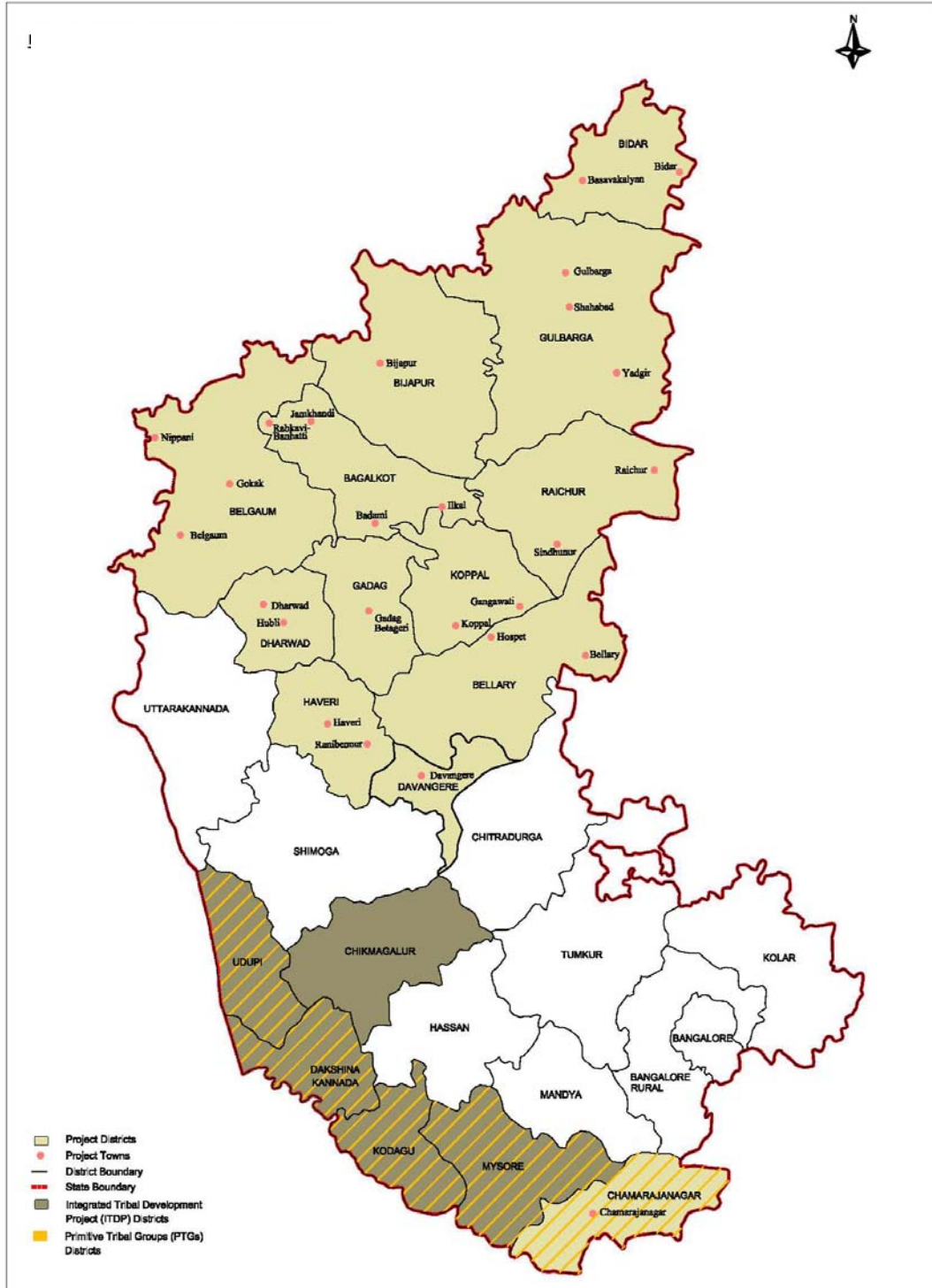
<sup>6</sup> Transfer means a sale, gift, exchange, mortgage (with or without possession), lease or any other transaction not being a partition among members of a family or a testamentary disposition and includes the creation of a charge or an agreement to sell, exchange, mortgage or lease or enter into any other transaction.

- (iii) *Land Purchase Scheme.* No Schedule Caste or Schedule Tribe is allowed to transfer the land before the loan repayment period of 10 years, given under Land Purchase Scheme of Karnataka Schedule Caste and Schedule Tribe Development Corporation Limited.

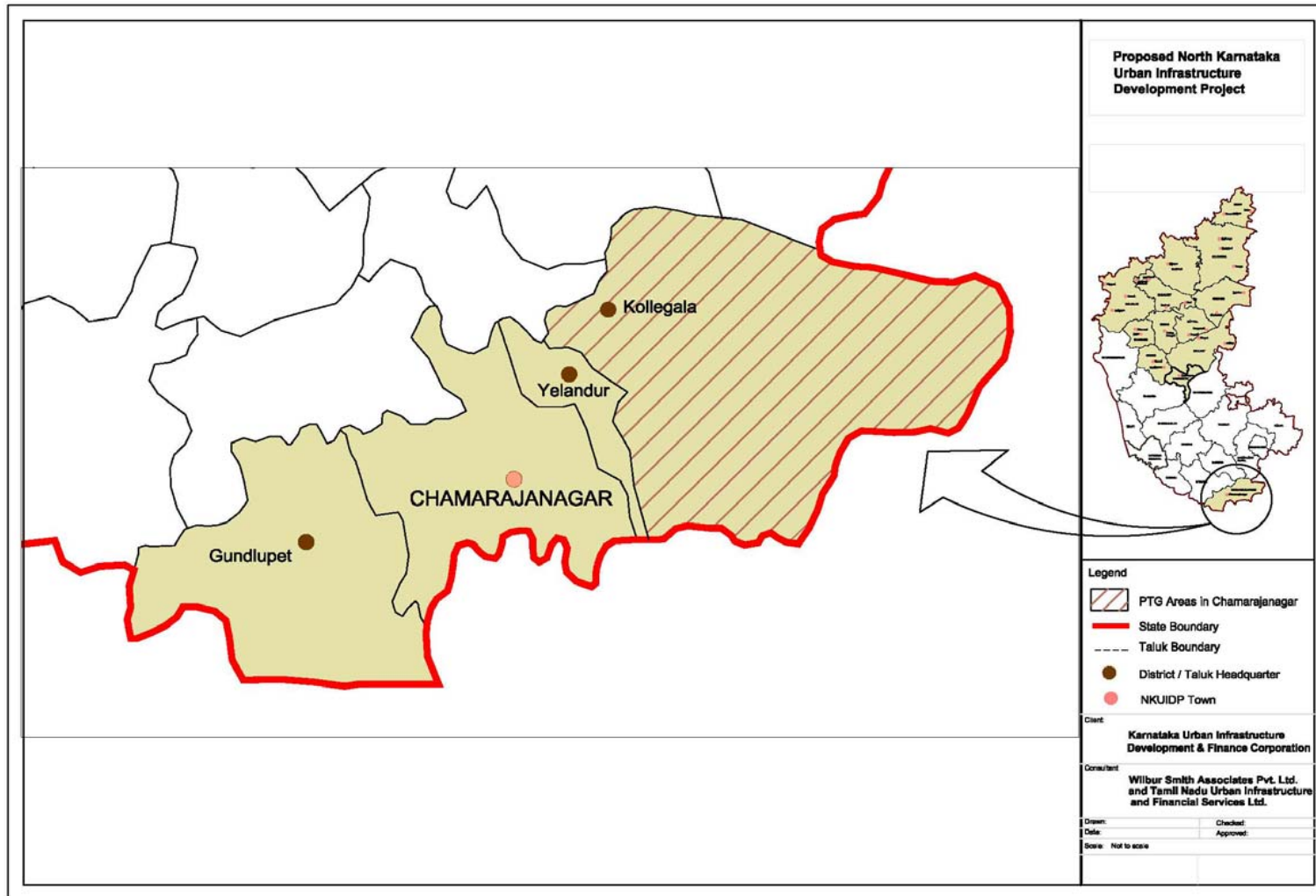
9. The Ministry of Tribal Affairs, Government of India (GoI), has instructed all States to consult the National Policy on Resettlement and Rehabilitation (dated 19<sup>th</sup> February, 2004) prepared by the Ministry of Rural Development, GoI, in relation to any involuntary resettlement of tribes. The Policy provides guideline for the provision of minimum facilities and compensations towards resettlement and rehabilitation of persons displaced due to acquisition of land under public purposes. This Policy embraces STs in Karnataka affected by the Project. However, the National Policy on Resettlement and Rehabilitation falls short of the ADB's Indigenous Peoples Policy requirements of "the potential vulnerability of indigenous peoples" should be recognized, and "development interventional that affect indigenous peoples should ensure that they have opportunities to participate in and benefit equitably from the interventions" (1998 para 6). However, the recent directive from the National Commission on Schedule Castes and Schedule Tribes to establish Schedule Caste/Tribe Commission is a landmark in State level attention to indigenous peoples affairs and development needs.

10. The above policy and legal instruments available in India and Karnataka are supplemented by ADB's Indigenous Peoples Policy (1998) for the implementation of NKUIDP. The Policy ensures equality of opportunity for indigenous peoples. It aims to ensure that any Bank-assisted development interventions which will have any impact on indigenous peoples will be consistent with the needs and aspirations of affected indigenous peoples and compatible in substance and structure with affected IP's culture and social and economic institutions. The IPDF recognizes the vulnerability of indigenous peoples and it specifically ensures that any project intervention, whether positive or adverse will be addressed by the implementing agencies. Moreover, the implementing agencies will ensure that affected IPs will have opportunities to participate in and benefit equally from such project interventions.

Map 1: Districts with 'IPDP' and 'PTG' areas



Map 2: 'PTG' areas in Chamarajanagar



## II. OBJECTIVES OF IPDF AND APPROACH TO IPDP PREPARATION

### A. Identification of IPs

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

12. Likewise, the President of India under Article 342 of the Constitution uses the following characteristics to define indigenous peoples [Scheduled Tribes (ST)], (i) tribes' primitive traits; (ii) distinctive culture; (iii) shyness with the public at large; (iv) geographical isolation; and (v) social and economic backwardness before notifying them as a Scheduled Tribe. Essentially, indigenous people have a social and cultural identity distinct from the 'mainstream' society that makes them vulnerable to being overlooked or marginalized in the development processes.

### B. Approach to IPDP Preparation

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

14. The need for a formulation of an IPDP will be established if the projects to be funded under NKUIDP are screened as Category 'A' projects<sup>12</sup>. Category 'A' projects envisage significant impacts on IPs and they positively or negatively (i) affect their customary rights of use and access to land and natural resource; (ii) change their socio-economic status; (iii) affect their cultural and communal integrity; (iv) affect their health, education, livelihood and social security status; or (v) alter or undermine the recognition of indigenous knowledge.

15. An IPDP addresses the aspirations, needs and preferred options of the affected indigenous peoples taking into consideration the marginality status of tribal community and offers them development options while respecting their socio-cultural distinctiveness. The IPDP aims at strengthening the existing capacity of the affected tribal community to participate and benefit from Project interventions. The key elements in an IPDP include:

- (i) All development plans for indigenous people should be based on full consideration of the options and approaches that best meet the interests of individuals and communities affected by the Project.
- (ii) Scope and impact of adverse effects be assessed and appropriate mitigation measures are identified.
- (iii) Project should take into account the social and cultural context of affected peoples, and

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<sup>12</sup> As per the ADB's F3/OP (13 May 2004), screening process categorizes projects by the significance of their impacts on IPs. It is recommended that for (i) Category 'A' projects: Impacts should be significant that require IPDP and/or IPDF; (ii) Category 'B' Projects: Impacts are limited that require specific action for IPs, specified in RP; and (iii) Category 'C' Projects: No impacts on IPs that require no special provision for them.

their skills and knowledge relating to local resource management.

- (iv) During Project preparation, formation, and strengthening of indigenous peoples organization; communication to facilitate their participation in Project identification, planning, execution and evaluation should be promoted.
- (v) Where previous experience and knowledge of working successfully with indigenous peoples is lacking, pilot scale operations should be carried out and evaluated prior to the execution of full-scale efforts.
- (vi) Experienced community organizations, non-government organizations (NGOs), and consultants will be hired to prepare IPDP.
- (vii) Responsible agency will formulate IPDP implementation schedule, which will be periodically monitored by ULB officials as well as independent/external monitoring agency.
- (viii) Responsible agency will also prepare a budget for IPDP implementation and a Financing Plan to ensure smooth progress.

### **III. STEPS FOR FORMULATING AN IPDP**

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

16. During the preliminary screening stage, ULB officials will visit all indigenous peoples (IP) communities and villages near sub-project component sites or areas being affected and influenced by sub-project component sites. The ULB will arrange public meetings in selected communities to provide information on the Project and sub-project components. During the visits, community leaders and other participants will present their views with regard to the Project and sub-project components.

17. At this visit, the ULB will undertake a screening for IP populations with the help of IP community leaders and local leaders. Concerned staff will refer the list of notified tribes for GoK (**Annex B**) and description of IPs based on ADB's and GoI policy. The 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 to that of area population; and
- (iv) Number and percentage of IP households to be affected by the sub-project component site.

18. An IP assessment checklist will be accomplished. If the results show that there are IP households in the zone of influence of the proposed Project, a social impact assessment (SIA) will be planned for those areas.

## **B. Social Impact Assessment**

19. The policy on indigenous people ensures that the process of initial social assessment includes specific consideration of indigenous peoples as a potentially affected population. If the initial social assessment identifies indigenous peoples specifically as a significantly and adversely affected population, or vulnerable to being so affected, it is required that an indigenous peoples plan acceptable to ADB is prepared by the Project proponent.

20. The Social Impact Assessment (SIA) will gather relevant information on demographic data; social, cultural and economic situation; and both positive and negative social, cultural and economic impacts.

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

## **C. Mitigation Measures**

22. All affected indigenous households will be provided with assistance, which would help them to improve their living standards without exposing their communities to disintegration. As vulnerable groups, they are entitled to receive special assistance<sup>13</sup> not only to restore and improve their income and livelihood, but also to maintain their distinct cultural identity.

23. In case of land acquisition, IPs are entitled to receive land-for-land compensation for the acquired land. As indigenous peoples, they will have traditional land rights and these will be honored and the absence of land titles will not be a bar for receiving compensation and alternate land. Their compensation entitlements will be the same that are listed in the approved Resettlement Framework (RF) of the Project. The RF defines IPs as vulnerable people/ households. Land-for-land will be provided before any sub-project activity is started. The RF's entitlement matrix is reproduced in Annex C.

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

## **D. Project Monitoring**

25. Monitoring and Evaluation (M&E) help ameliorate problems faced by project implementing agencies and develop solutions without delay. IPDP includes a set of monitoring indicators, for periodic assessment of planned activities, which will be reviewed during IPDP implementation. The Apex NGO appointed by the PMU will periodically report the assessment under these indicators and

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<sup>13</sup> Special Assistance is an additional allowance to which IPs are entitled to other than decided compensation package. This may include assistance/ support in preserving IP's cultural knowledge; identity and income generating practices. The amount decided will be depending on results of detailed surveys conducted as a part of IPDP.

reports will be sent to the PMU. The PMU after initial check will send these reports to ADB for final evaluation.

#### **IV. STRATEGY FOR INDIGENOUS PERSON' PARTICIPATION**

26. Consultations and information disclosure will be undertaken to ensure that needs, priorities and preferences of IPs are adequately dealt with. The strategy of IPDP therefore would be to promote participation of the tribal people, initiating and identifying people's need, priorities and preferences through participatory approaches. Consultations with and participation of IP communities, their leaders, and ULB and PMU representatives hence will be an integral part of the overall IPDP.

27. The affected IPs will be informed and consulted in preparing IPDP. Their participation in planning will enable them to benefit from the project and to protect them from any potential adverse impacts of the project. The IPDP prepared in consultation with affected IPs will be translated into local language of IPs and made available to them before implementation by PMU with the assistance of NGOs (the NGOs appointed for conducting Community Development and Participation activities will implement the IPDP).

28. Local/tribal communities and community based organizations (CBOs) will be involved in implementing IPDPs and all issues in dispute will be resolved through consultation and facilitation. The EA/PMU will ensure that adequate funds will be made available for consultation and facilitation.

#### **V. BENEFITS AND MITIGATION OF ADVERSE IMPACTS**

29. The main thrust of IPDP is to address the development issues taking into consideration the marginality status of tribal community. The IPDP will offer development options addressing community based needs of indigenous people while respecting their socio-cultural distinctiveness. The IPDP aims at strengthening the existing capacity of the affected tribal community to participate and benefit from project interventions.

30. Based on the impacts and their significance, affected IPs will be entitled to various compensation packages. These compensation entitlements will be the same that are listed in the approved Resettlement Framework of the Project. In case of land acquisition, they are entitled to receive land-for-land compensation for acquired land. As indigenous peoples, they will have traditional land rights and these will be honored and the absence of land titles will not be a bar for receiving compensation and alternate land. Land-for-land will be provided before any sub-project activity is started.

31. Additionally, as vulnerable group, they are entitled to receive special assistance,<sup>14</sup> not only to restore and improve their income and livelihood but also to maintain their distinct cultural identity. The action plan required under a particular project to mitigate adverse impacts will be prepared by the community themselves while the District Tribal Welfare Office (DTWO)/ District Social Welfare Office (DSWO) officials, ULB officials and design and implementation consultants will support them in interpretation and enhancement of their ideas.

32. If the impacts of the sub-project are not significant, the PMU could decide to prepare a 'specific action' to address the IP issues without preparing IPDP. This decision will depend on the severity of impacts on them<sup>15</sup>. A 'specific action' could take the form of a common community action

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<sup>14</sup> Special Assistance is an additional allowance to which IPs are entitled to other than decided compensation package. This may include assistance/ support in preserving IP's cultural knowledge; identity and income generating practices. The amount decided will be depending on results of detailed surveys conducted as a part of IPDP.

<sup>15</sup> As per the ADB's F3/OP (13 May 2004), if the subprojects are screened as Category 'B' Projects.

plan where the indigenous peoples groups live with non-indigenous peoples in the same subproject location. Another 'specific action' is to incorporate IP issues and their benefits into the Resettlement Plan, if any. If the above are not feasible, it is possible to specifically include them into the sub-project beneficiary group.

## VI. INSTITUTIONAL ARRANGEMENTS

### A. Existing Institutional Structure

33. *National Level.* The Ministry of Tribal Affairs was constituted in October, 1999 by bifurcating the Ministry of Social Justice and Empowerment with the objective of more focused attention on integrated socio-economic development of Scheduled Tribes (STs) in a coordinated and planned manner. The Ministry of Tribal Affairs is the Nodal Ministry for overall policy, planning and coordination of development programs for Scheduled Tribes. Apart from this, National Commission for Scheduled Castes and Scheduled Tribes issue directions regarding the drawing up and execution of schemes essential for the welfare of Scheduled Tribes.

34. *State Level.* GoK's Department for Social Welfare manages all matters related to SC and ST development in the State since 1956. After the separation of the Department of Tribal Welfare in 1998, State level directorate of Schedule Caste and Schedule Tribe was established. Separate directors head both these directorates. Department of Tribal Welfare provides social and economic justice for the upliftment of STs. Apart from this, Karnataka Schedule Castes and Schedule Tribes Development Corporation Limited works purely for economic development of SCs and STs since 1975.

- (i) Department of Social Welfare. A Principal Secretary, the Commissioner, heads the department and he/she is assisted by three Joint Directors, five Deputy Directors, one Assistant Director and one Chief Accounts Officer at State Level. All programs of the Social Welfare Department at the District Level are implemented by the Zilla (District) Panchayats where District Social Welfare Officer heads the district level operations. Chief Executive Officer (CEO) of Zilla Panchayat assists in program implementation. Taluk level operations are headed by Taluk Social Welfare Officer and are implemented with the help of Taluk Panchayat.
- (ii) Department of Tribal Welfare. A Senior Karnataka Administrative Services (KAS) Officer, the Director, heads the department and he/she is assisted by two Deputy Directors, one Assistant Director, one Research Officer, one Accounts Officer, one Assistant Statistical Officer and other support staff. As the directorate was recently separated from its parent department, the required staff strength is not met and officers at the District and Taluk level have not yet been employed. Therefore, in 18 out of total 27 districts, District Social Welfare Officers undertake/oversee development programs. The Department of Tribal Welfare has appointed 4 District Tribal Welfare Officers in Chitradurga, Belgaum, Raichur and Chamarajanagar. District Tribal Welfare Officers also work under the administrative control of Chief Executive Officer (CEO) of Zilla Panchayats like District Social Welfare Officers. The remaining 5 ITDP Districts of Mysore, Kodagu, Dakshina Kannada, Udupi and Chikmagalur are headed by Project Coordinators. At Taluk Level programs are still implemented by staff of Social Welfare Department, which are headed by Taluk Social Welfare Officers.

## **B. Institutional Arrangements for Preparing and Implementing IPDPs**

35. Negative impacts on the tribal community are not anticipated and if any occur, they should be limited. **Figure 1** indicates the implementation arrangement for NKUIDP. Responsibility for all indigenous peoples activities will be with the borrowing Urban Local Bodies (ULBs), which will recruit a full time resource person with an appropriate background to manage IPDP activities (the Resettlement Officer appointed for resettlement and rehabilitation activities shall be actively involved in any IPDP activity). The designated staff will coordinate all IPDP activities with the District Social Welfare Officer (DSWO)/ District Tribal Welfare Officer (DTWO) under the department of Tribal Welfare. Local revenue officials will provide required necessary help in conducting preliminary screening after ULB finalizes sub-project component sites/alignments.

36. Based on preliminary screening results, the PMU will recommend SIA. Project Consultants appointed by PMU will undertake Social Impact Assessment (SIA) to evaluate requirement for IPDP under the Project. Designated staff from ULB will monitor the SIA activities while DTWO/DSWO will provide required help to PC during SIA. The report of the same will be submitted to PMU. The Deputy Project Director at the Divisional Office will recommend if an IPDP is required based on Project impacts.

37. If an IPDP is recommended, the preparation and implementation of the IPDP will be linked with State's existing administrative setup for tribal affairs with maximum participative orientation. The PMU shall authorize the Project Consultants appointed for project design to prepare an IPDP, in consultation with the concerned ULB staff and the DSWO/DTWO.

38. Once prepared, the Director, Department of Tribal Welfare, will approve the IPDP. Fund flows from PMU to the borrowing ULB is contingent on the Director, Department of Tribal Welfare, approving the IPDP. PMU will scrutinize the IPDP for compliance with ADB's guidelines/OM/policy and will send it to ADB for final approval. ADB will review and approve the document. Any further improvements required will be incorporated by ULB with the help of PC. After the final approval from ADB, PMU will authorize the ULB to undertake IPDP implementation.

39. The implementation of IPDP under each sub-project component will be under the direct responsibility of the borrowing ULB. An NGO appointed by the PMU, through funds from NKUIDP, will facilitate IPDP Action Plan implementation. The Community Development Officer (CDO) at the PMU will monitor IPDP implementation periodically along with an Independent Agency (Apex NGO) appointed by the PMU. **Table 1** gives the institutional roles and responsibilities for preparation and implementation of IPDP.

Figure 1: Implementation Arrangement for NKUIDP

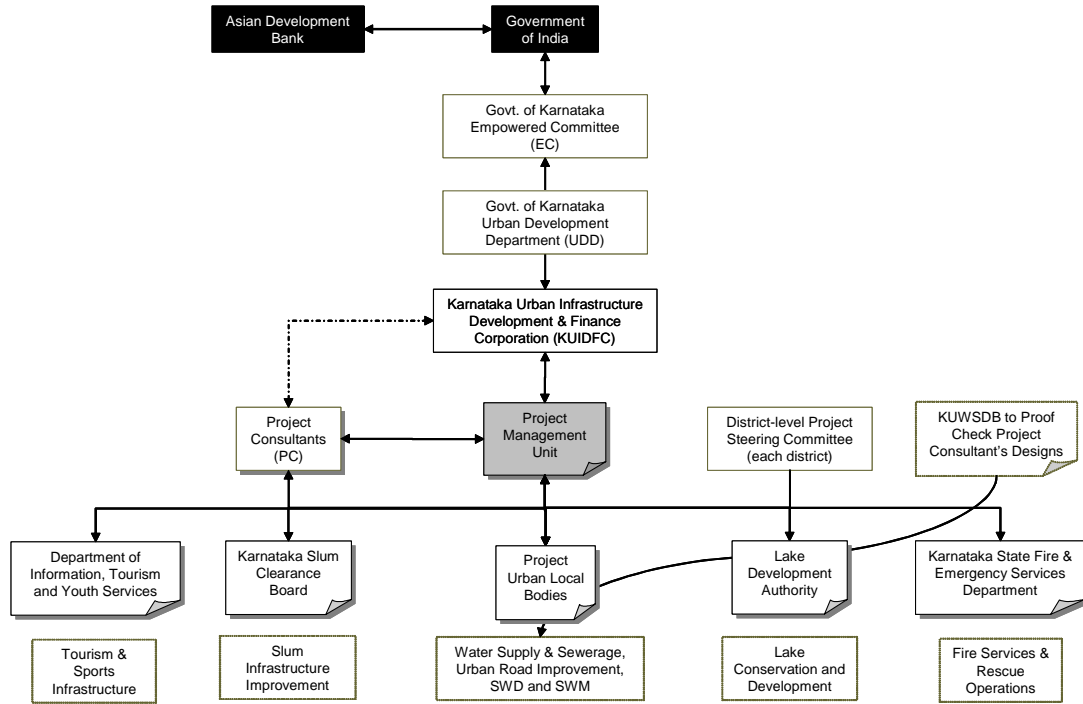
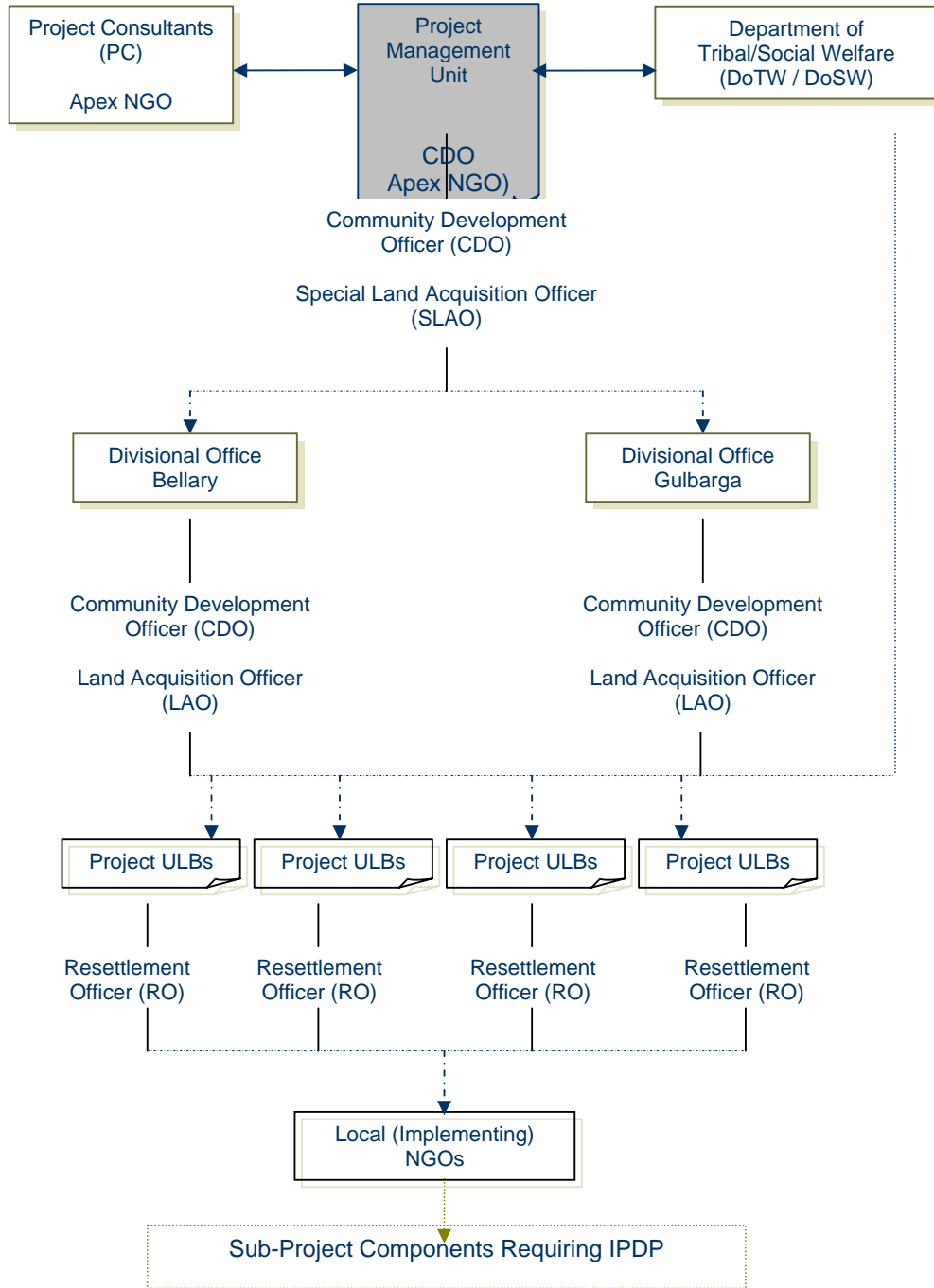
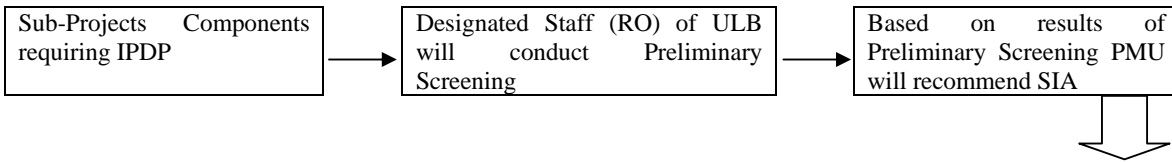


Figure 2: **IPDP Implementation Arrangements**

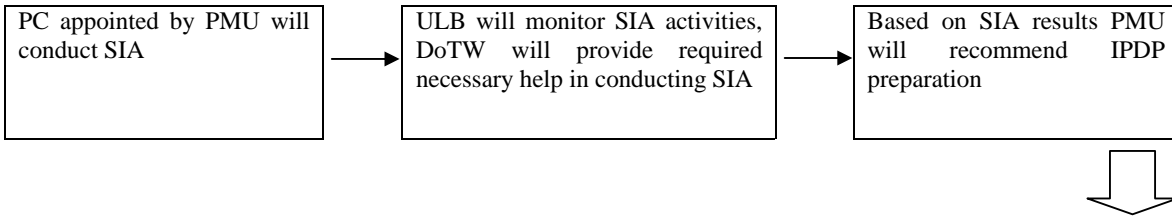


**Figure 3: IPDP – Flow of Activities**

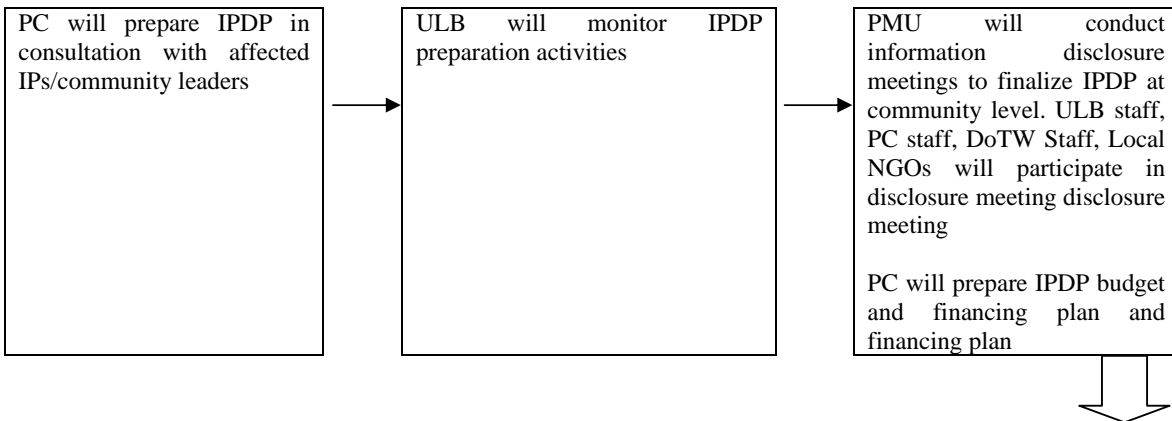
**1. Preliminary Screening**



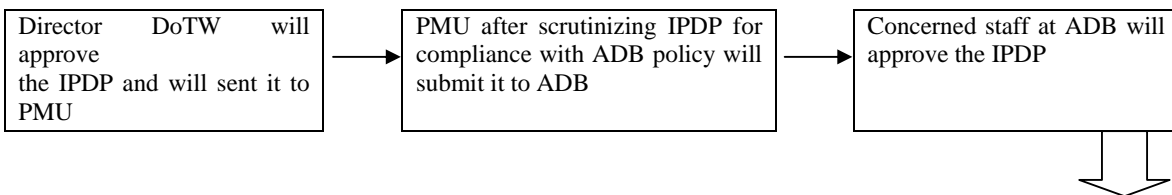
**2. SIA**



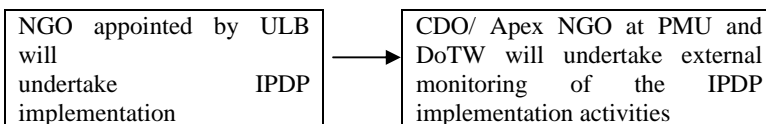
**3. Preparation of IPDP**



**4. IPDP Approval**



**5. IPDP Implementation**





**Table 1: Institutional Roles and Responsibilities**

<b>Sr. No.</b>	<b>Activities</b>	<b>Urban Local Body (ULB)</b>	<b>PMU of NKUIDP</b>	<b>Project Consultants</b>	<b>NGOs</b>	<b>Department of Tribal Welfare</b>	<b>ADB</b>	<b>IP community Involvement</b>
1.	Finalization of sites/alignments for sub-project components	ULB will identify and finalize sites/alignments for sub-project components	PMU will appoint Project Consultants (PC) for design and implementation of sub-project components	PC appointed by PMU will provide technical help to ULB in finalizing sites/alignments	-	-	-	-
2.	Preliminary Screening (PS)  a. Collecting and analyzing required information	ULB will appoint a full time resource person to oversee IPDP activities, who will undertake PS	-	-	-	DTWO/ DSWO will provide required necessary help to designated staff of ULB	-	Co-operation and active participation of IPs is anticipated in IPDP activities
	b. Preparation of PS report	Designated staff will prepare the PS report, which will be sent to the PMU	-	-	-	-	-	-
	c. SIA recommendation	-	Based on PS report, and in compliance with ADB policy, PMU will recommend SIA	-	-	-	-	-
3	Social Impact Assessment  a. Collecting and analyzing required information	Designated staff of ULB will monitor SIA activities	-	PC appointed by PMU will conduct SIA	-	DTWO/ DSWO will provide required necessary help to designated staff of ULB and PC	-	IPs will be responsible for giving adequate information to and participate with concerned

Sr. No.	Activities	Urban Local Body (ULB)	PMU of NKUIDP	Project Consultants	NGOs	Department of Tribal Welfare	ADB	IP community Involvement
								officials.
	b. Preparation of SIA report	-	-	PC will prepare report and will submit it to the PMU	-	-	-	-
	c. Recommendation for IPDP preparation	-	Based on SIA report, and in compliance with ADB policy, PMU will recommend IPDP preparation	-	-	-	-	-
4.	Preparation of IPDP a. Formulation of mitigation measures and development of action plan	Designated staff will monitor IPDP preparation activities and will provide required help to PC	-	PC will prepare IPDP in consultation with affected IPs/community leaders	-	DTWO/ DSWO will participate in all activities and will help PC in interpretation, enhancement of ideas suggested by IPs		Affected IPs, IP leaders, CBOs will participate in formulation of mitigation measures and development of action plan
	b. Disclosure of IPDP	Designated staff will participate in information disclosure meetings to finalize IPDP at community level.	PMU staff will participate in information disclosure meetings to finalize IPDP at community level.	PC will conduct meetings for information disclosure and will provide required information during meetings	Local NGOs can be invited to bring transparency in information disclosure meetings	DTWO/ DSWO will participate in information disclosure meetings to finalize IPDP at community level.	-	Affected IPs, IP leaders will participate and approve IPDP
	c. Preparation of Budget and Financing Plan	Designated staff will provide required necessary help to PC	-	PC will prepare IPDP budget and financing plan	-	-	-	-

Sr. No.	Activities	Urban Local Body (ULB)	PMU of NKUIDP	Project Consultants	NGOs	Department of Tribal Welfare	ADB	IP community Involvement
	d. IPDP approval from DoTW	-	-	-	-	Director, DoTW will approve IPDP and will sent it to PMU	-	-
	e. IPDP approval from ADB	-	PMU after scrutinizing IPDP for compliance with ADB policy will submit it to ADB	As per ADB's comments, PC will revise IPDP and budget.	-	-	Concerned staff at ADB will review and approve the IPDP document	-
5.	IPDP Implementation	ULB will appoint NGO for IPDP implementation	CDO at the PMU will monitor IPDP implementation periodically along with an Independent Agency (Apex NGO) appointed by PMU.	-	-	DTWO/ DSWO will monitor the implementation activities.	-	-

## **VII. BUDGET FOR FORMULATING AND IMPLEMENTING IPDPS**

40. The Implementing Agency (IA) of a sub-project will provide sufficient resource to formulate an IPDP if the sub-project will have any impact on indigenous communities. It will implement IPDP through district, divisional and local agencies/consultants and with the assistance from NGOs and CBOs. A detailed budget will be prepared by PMU through the Project Consultants by taking into account all the activities associated with the formulation and implementation of IPDPS. Each IPDP will have its own budget. Such budgets will be an integral part of the Project cost, and will be made available during Project implementation.

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

41. Monitoring and Evaluation (M&E) are critical activities in developmental activity/program in order to ameliorate problems faced by the implementers and develop solutions immediately. Monitoring will be a periodic assessment of planned activities providing midway inputs, facilitating changes, and giving necessary feedback on activities and the direction on which they are going. Evaluation will take place at the end of the Project assessing whether the activities have actually achieved their intended goals and purposes. The M&E mechanism will measure project performance and fulfillment of the Project objectives.

42. A set of monitoring indicators will be included in IPDP, and they will be reviewed during project implementation. Chief among the indicators are:

- Reactions from the community;
- Information from the community on plan preparation, implementation, time taken at each stage, etc.;
- Visits to sites to observe physical progress of plans;
- Socio-economic status of the community;
- Degree of community participation;
- Usefulness and utilization of training imparted;
- Utilization of funds; and
- Interaction between Implementing NGO and the community

43. The CDO at the PMU with the help of the implementing NGO (at the ULB-level) will carry out internal monitoring. NGO will be thoroughly briefed about the ADB's Policy on Indigenous Peoples. An external agency (Apex NGO appointed by PMU) will be engaged to monitor and proactively evaluate the IPDP objectives. The external agency will submit quarterly progress reports and will be responsible for mid term and end term evaluation. Broadly, monitoring and evaluation system will involve:

- (i) Administrative monitoring: daily planning, implementation, trouble shooting, feed back and trouble shooting, individual village file maintaining, progress reports;
- (ii) Socio-economic monitoring: case studies, using baseline information for comparing the socioeconomic conditions, morbidity & mortality, communal harmony, dates for consultations, employment opportunities, etc.; and
- (iii) Impact evaluation monitoring: living standards improved; access to natural resources; better bargaining power in the society; etc.

44. Reporting and monitoring formats will be prepared for an effective internal and external monitoring. These reports will be submitted to ADB for review and comments. Each IPDP will be

submitted by EA to ADB for review and approval before any sub-project activity is started. This particularly applies to land acquisition and compensation payment for indigenous people.

**ANNEX A – DISTRICT WISE TRIBAL POPULATION IN KARNATAKA (2001)**

Sl. No.	District	Total Population	Total ST Population	% of ST Population in the District	% of ST Population to the State ST Population
<b>A</b>	<b>NKUIDP Districts</b>				
1	Raichur	1,669,762	303,042	18.15%	8.75%
2	Bellary	2,027,140	364,638	17.99%	10.53%
3	Bidar	1,502,373	182,219	12.13%	5.26%
4	Davangere	1,790,952	209,701	11.71%	6.05%
5	Koppal	1,196,089	138,588	11.59%	4.00%
6	Chamarajanagar	965,462	106,111	10.99%	3.06%
7	Haveri	1,439,116	127,163	8.84%	3.67%
8	Belgaum	4,214,505	243,451	5.78%	7.03%
9	Gadag	971,835	54,410	5.60%	1.57%
10	Gulbarga	3,130,922	154,195	4.92%	4.45%
11	Bagalkot	1,651,892	80,181	4.85%	2.31%
12	Dharwad	1,604,253	70,442	4.39%	2.03%
13	Bijapur	1,806,918	30,051	1.66%	0.87%
<b>B</b>	<b>Other Districts</b>				
14	Chitradurga	1,517,896	266,235	17.54%	7.69%
15	Mysore	2,641,027	271,351	10.27%	7.83%
16	Kodagu	548,561	46,115	8.41%	1.33%
17	Kolar	2,536,069	205,711	8.11%	5.94%
18	Tumkur	2,584,711	193,819	7.50%	5.60%
19	Udupi	1,112,243	41,613	3.74%	1.20%
20	Chikmagalur	1,140,905	41,019	3.60%	1.18%
21	Shimoga	1,642,545	55,997	3.41%	1.62%
22	Dakshina Kannada	1,897,730	62,936	3.32%	1.82%
23	Bangalore Rural	1,881,514	61,555	3.27%	1.78%
24	Uttara Kannada	1,353,644	23,781	1.76%	0.69%
25	Hassan	1,721,669	26,451	1.54%	0.76%
26	Bangalore	6,537,124	86,018	1.32%	2.48%
27	Mandya	1,763,705	17,193	0.97%	0.50%
<b>C</b>	<b>Total Karnataka</b>	<b>52,850,562</b>	<b>3,463,986</b>	<b>6.55%</b>	<b>100.00%</b>

## **ANNEX B – SCHEDULE TRIBES IN KARNATAKA AS ON MARCH 2005<sup>16</sup>**

1. Adiyan
2. Barda
3. Bavacha, Bamcha
4. Bhil, Bhil Garasia, Sholi Bhil, Dungri Bhil, Dungri Garasia, Mewasi Bhil, Rawal Bhil, Tadvi Bhil, Bhagalia, Bhilala, Pawra, Vasava, Vasave
5. Chenchu, Chenchwar
6. Chodhara
7. Dubla, Talavia, Halpati
8. Gamit, Gamta, Gavit, Mavchi, Padvi, Valvi
9. Goud, Naikpod, Rajgond
10. Gowdalu
11. Hakkipikki
12. Hasalaru
13. Irular
14. Iruliga
15. Jenu Kuruba
16. Kadu Kuruba
17. Kammara (In South Kanadda District and Kollegal Taluk of Mysore district)
18. Kanivan, Kanyan (In Kollegal Taluk of Mysore district)
19. Kathodi, Katkari, Dhor Kathodi, Dhor Katkari, Son Kathodi, Son Katkari
20. Kattunayakan
21. Kokna, Kokni, Kukna

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<sup>16</sup> Constitution of India under Article 342 has right to remove any Tribe from the above stated list, also has right to add new tribes after detail surveys conducted with the help of State Tribal Departments. PMU and concerned ULBs are recommended to refer updated list of Statewide Schedule Tribes while implementing the IPDP.

22. Koli Dhor, Tokre Koli, Kolcha, Kolgha
23. Konda Kapus
24. Koraga
25. Kota
26. Koya, Bhine Koya, Rajkoya
27. Kudiyam Melekudi
28. Kuruba (In Coorg District)
29. Kurumans
30. Maha Malasar
31. Malaikudi
32. Malasar
33. Malayekandi
34. Maleru
35. Maratha (In Coorg district)
36. Marati (In South Kanadda District)
37. Meda
38. Naikda, Nayaka, Chollivala Nayaka, Kapadia Nayaka, Mota Nayaka, Nana Nayaka, Naik Nayak, Beda, Bedar, and Valmiki.
39. Palliyan
40. Paniyan
41. Pardhi, Advichincher, Phase Pardhi
42. Patelia
43. Rathawa
44. Sholaga
45. Soligaru

46. Toda
47. Varli
48. Vitolia, Kotwalia, Barodia
49. Yerava
50. Siddies

### ANNEX C – ENTITLEMENT MATRIX

Sl No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
1	Loss of private land	Homestead land, agricultural land, or vacant plot	Owner(s) with legal title	<ol style="list-style-type: none"> <li>1. Replacement/market value of land or land-for-land where feasible (including compensation for non-viable residual portions).</li> <li>2. Subsistence allowance<sup>17</sup> based on three months minimum wage rates.</li> <li>3. Free transport facility or shifting assistance<sup>18</sup>;</li> <li>4. Provision of all fees, taxes, and other charges (registration, etc.) incurred for replacement land.</li> <li>5. Additional compensation for vulnerable<sup>19</sup> households (Item 7).</li> </ol>	<ul style="list-style-type: none"> <li>▪ If land-for-land is offered, ownership will be in the name of original landowner(s).<sup>20</sup></li> <li>▪ Charges will be limited to those for land purchased within a year of compensation payment and for land of equivalent size.</li> <li>▪ Vulnerable households will be identified during the census conducted as a part of the RP.</li> </ul>	<p>DLVC<sup>21</sup> will determine replacement value.</p> <p>ULB will confirm minimum wage rates during detailed socio-economic surveys conducted as part of the RP, determine shifting assistance, verify all charges, and identify vulnerable households.</p>
1-a	Loss of private land	Homestead land, agricultural land, or vacant plot	Tenants and leaseholders	<ol style="list-style-type: none"> <li>1. Subsistence allowance based on three months of land rental.</li> <li>2. Additional compensation for vulnerable households (Item 7).</li> </ol>	<ul style="list-style-type: none"> <li>• Land owners will reimburse tenants and leaseholders land rental deposit or unexpired lease.</li> <li>• Vulnerable households will be identified during the census conducted as a part of the RP.</li> </ul>	<p>ULB will confirm land rental and ensure tenants and leaseholders receive reimbursement for land rental deposit or unexpired lease.</p> <p>ULB will identify vulnerable households.</p>
1-b	Loss of private land	Homestead land, agricultural	Share cropper	<ol style="list-style-type: none"> <li>1. Notice to harvest standing seasonal crops.</li> <li>2. If notice for harvest cannot be given, compensation for share of crops will be</li> </ol>	<ul style="list-style-type: none"> <li>▪ Harvesting prior to acquisition will be accommodated to the extent possible.</li> <li>▪ Work schedule will avoid harvest</li> </ul>	<p>ULB will ensure provision of notice.</p>

<sup>17</sup> Subsistence allowance is a transitional allowance for APs provided for utilization/consumption until an alternate source of livelihood is obtained.

<sup>18</sup> Shifting assistance will be a one time payment decided based on the amount of material/assets to be shifted and the distance. Alternatively the ULB may provide free transport facilities.

<sup>19</sup> Vulnerable household comprise female-headed household, disabled-headed household, indigenous person-headed households and Below Poverty Line households.

<sup>20</sup> Joint ownership in the name of husband and wife will be offered in case of non-female-headed households.

<sup>21</sup> The **District Level Valuation Committee (DLVC)** chaired by the Deputy Commissioner will be responsible for determining the Replacement Value of land and structures. Other members of the DLVC shall comprise the Land Acquisition Officer of the Project Management Unit (PMU), the ULB's Resettlement Officer, representative of the Affected Persons, and the implementing NGO.

Sl No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
		land, or vacant plot		provided (Item 6). 3. Additional compensation for vulnerable households (Item 7).	season. ▪ Vulnerable households will be identified during the census conducted as a part of the RP.	DLVC will request relevant Departments (Item 6) to undertake crop valuation.  ULB will identify vulnerable households.
1-c	Loss of private land	Homestead land, agricultural land, or vacant plot	Encroachers	1. 60 days advance notice to shift from encroached land. 2. Additional compensation for vulnerable households (Item 7).	○ Vulnerable households will be identified during the census conducted as a part of the RP.	ULB will ensure provision of notice.  ULB will identify vulnerable households.
1-d	Loss of private land	Homestead land, agricultural land, or vacant plot	Squatters	1. 60 days advance notice to shift from occupied land. 2. Additional compensation for vulnerable households (Item 7).	○ Vulnerable households will be identified during the census conducted as a part of the RP.	ULB will ensure provision of notice.  ULB will identify vulnerable households.
2	Loss of Government land	Homestead land, agricultural land, or vacant plot	Fixed-term leaseholder	1. Subsistence allowance based on three months of land rental. 2. Reimbursement of unexpired lease. 3. Additional compensation for vulnerable households (Item 7).	Vulnerable households will be identified during the census conducted as a part of the RP	ULB will confirm land rental.  ULB will identify vulnerable households.
2-a	Loss of Government land	Homestead land, agricultural land, or vacant plot	Encroachers and squatters	1. 60 days advance notice to shift from encroached land. 2. Additional compensation for vulnerable households (Item 7).	Vulnerable households will be identified during the census conducted as a part of the RP	ULB will ensure provision of notice.  ULB will identify vulnerable households.

Sl No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
3	Loss of residential structure	Residential structure and other assets <sup>22</sup>	Owner(s) of residential structures with legal title	<ol style="list-style-type: none"> <li>1. Replacement value of structure and other assets (or part of structure and other assets if remainder is viable).</li> <li>2. Free transport facility or shifting assistance.</li> <li>3. All fees, taxes and other charges (registration, etc.) incurred for replacement structure.</li> <li>4. Rights to salvage material from structure and other assets.</li> <li>5. Subsistence allowance based on three months minimum wage rates.</li> <li>6. Additional compensation for vulnerable households (Item 7).</li> </ol>	<ul style="list-style-type: none"> <li>▪ Vulnerable households will be identified during the census conducted as a part of the RP.</li> </ul>	<p>DLVC will determine replacement value based on the BSR.<sup>23</sup></p> <p>ULB will determine shifting assistance, verify all charges, confirm minimum wage rates during detailed socio-economic surveys conducted as part of the RP, and identify vulnerable households.</p>
3-a	Loss of residential structure	Residential structure and other assets	Tenants and leaseholders	<ol style="list-style-type: none"> <li>1. Replacement value of structure and other assets (or part of structure and other assets if remainder is viable) constructed by the AP.</li> <li>2. Free transport facility or shifting assistance.</li> <li>3. All fees, taxes and other charges (registration, etc.) incurred for replacement structure.</li> <li>4. Rights to salvage material from structure and other assets constructed by the AP.</li> <li>5. Subsistence allowance based on three months minimum wage rates.</li> <li>6. Additional compensation for vulnerable households (Item 7).</li> </ol>	<ul style="list-style-type: none"> <li>▪ Vulnerable households will be identified during the census conducted as a part of the RP.</li> <li>▪ Structure owners will reimburse tenants and leaseholders rental deposit or unexpired lease.</li> </ul>	<p>DLVC will determine replacement value based on the BSR.</p> <p>ULB will determine shifting assistance, verify all charges, confirm minimum wage rates during detailed socio-economic surveys conducted as part of the RP, identify vulnerable households, and ensure tenants and leaseholders receive reimbursement for rental deposit or</p>

<sup>22</sup> Other assets includes but is not limited to walls and fences, sheds, and wells.

<sup>23</sup> Basic Schedule of Rates are rates for civil works determined by the Public Works Department, Government of Karnataka and revised on an annual basis.

Sl No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
						unexpired lease.
3-b	Loss of residential structure	Residential structure and other assets	Encroachers and squatters	<ol style="list-style-type: none"> <li>1. Replacement value of structure and other assets (or part of structure and other assets if remainder is viable) constructed by the AP.</li> <li>2. Free transport facility or shifting assistance.</li> <li>3. All fees, taxes and other charges (registration, etc.) incurred for replacement structure.</li> <li>4. Rights to salvage material from structure and other assets constructed by the AP.</li> <li>5. Subsistence allowance based on three months minimum wage rates.</li> <li>6. Additional compensation for vulnerable households (Item 7).</li> </ol>	Vulnerable households will be identified during the census conducted as a part of the RP.	<p>DLVC will determine replacement value based on the BSR.</p> <p>ULB will determine shifting assistance, verify all charges, confirm minimum wage rates during detailed socio-economic surveys conducted as part of the RP, and identify vulnerable households.</p>
4	Loss of commercial structure	Commercial structure and other assets	Owner(s) of commercial structure with legal title	<ol style="list-style-type: none"> <li>1. Replacement value of structure and other assets (or part of structure and other assets if remainder is viable).</li> <li>2. Free transport facility or shifting assistance.</li> <li>3. All fees, taxes and other charges (registration, etc.) incurred for replacement structure.</li> <li>4. Rights to salvage material from structure and other assets.</li> <li>5. Subsistence allowance based on three months minimum wage rates.</li> <li>6. Additional compensation for vulnerable households (Item 7).</li> </ol>	<ul style="list-style-type: none"> <li>▪ Vulnerable households will be identified during the census conducted as a part of the RP.</li> </ul>	<p>DLVC will determine replacement value based on the BSR.</p> <p>ULB will determine shifting assistance, verify all charges, confirm minimum wage rates during detailed socio-economic surveys conducted as part of the RP, and identify vulnerable households.</p>
4-a	Loss of commercial structure	Commercial structure and other assets	Tenants and Leaseholders	<ol style="list-style-type: none"> <li>1. Replacement value of structure and other assets (or part of structure and other assets if remainder is viable) constructed by the AP.</li> </ol>	Vulnerable households will be identified during the census conducted as a part of the RP.	DLVC will determine replacement value based on the BSR.

Sl No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
	structure			<ol style="list-style-type: none"> <li>2. Free transport facility or shifting assistance.</li> <li>3. All fees, taxes and other charges (registration, etc.) incurred for replacement structure.</li> <li>4. Rights to salvage material from structure and other assets constructed by the AP.</li> <li>5. Subsistence allowance for three months based on minimum wage rates.</li> <li>6. Additional compensation for vulnerable households (Item 7).</li> </ol>		<p>ULB will determine shifting assistance, verify all charges, confirm minimum wage rates during detailed socio-economic surveys conducted as part of the RP, identify vulnerable households, and ensure tenants and leaseholders receive reimbursement for rental deposit or unexpired lease.</p>
4-b	Loss of commercial structure	Commercial structure and other assets	Encroachers and squatters	<ol style="list-style-type: none"> <li>1. Replacement value of structure and other assets (or part of structure and other assets if remainder is viable) constructed by the AP.</li> <li>2. Free transport facility or shifting assistance.</li> <li>3. All fees, taxes and other charges (registration, etc.) incurred for replacement structure.</li> <li>4. Rights to salvage material from structure and other assets constructed by the AP.</li> <li>5. Subsistence allowance based on three months minimum wage rates.</li> <li>6. Additional compensation for vulnerable households (Item 7).</li> </ol>	Vulnerable households will be identified during the census conducted as a part of the RP.	<p>DLVC will determine replacement value based on the BSR.</p> <p>ULB will determine shifting assistance, verify all charges, confirm minimum wage rates during detailed socio-economic surveys conducted as part of the RP, and identify vulnerable households.</p>
5	Loss of Livelihood	Livelihood	Business owner, tenant, leaseholder,	<ol style="list-style-type: none"> <li>1. Assistance for lost income based on three months minimum wage rates.</li> <li>2. Additional compensation for vulnerable households (Item 7).</li> </ol>	<ul style="list-style-type: none"> <li>▪ Vulnerable households will be identified during the census conducted as a part of the RP.</li> </ul>	<p>ULB will confirm minimum wage rates during detailed socio-economic surveys</p>

Sl No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
			or employee/ agricultural worker			conducted as part of the RP, and through NGOs will determine assistance for loss of business, and will identify vulnerable households.
6	Loss of trees and crops	Standing trees and crop	Owner/ farmer with legal title, tenants, leaseholders, sharecroppers, encroachers or squatters	<ol style="list-style-type: none"> <li>1. Notice to harvest standing seasonal crops.</li> <li>2. If notice cannot be provided, compensation for standing crop (or share of crop for sharecroppers) at market value.</li> <li>3. Compensation for perennial crops and fruit bearing trees at annual net product market value multiplied by remaining productive years.</li> <li>4. Compensation for non-fruit trees at market value of timber.</li> <li>5. Subsistence allowance for one cropping cycle in case of seasonal crops.</li> </ol>	<ul style="list-style-type: none"> <li>▪ Harvesting prior to acquisition will be accommodated to the extent possible</li> <li>▪ Work schedules will avoid harvest season.</li> <li>▪ Market value of trees/crops has to be determined.</li> </ul>	<p>ULB will ensure provision of notice.</p> <p>DLVC will request the Departments of Agriculture, Forest, and Horticulture to undertake valuation of standing crops, perennial crops and trees.</p> <p>DLVC will finalize compensation rates in consultation with APs.</p>
7	Impacts on Vulnerable APs <sup>24</sup>	All impacts	Vulnerable APs	<ol style="list-style-type: none"> <li>1. <b>Land.</b> Further to Item 1, in case of loss of private land, land-for-land compensation if feasible/available.</li> <li>2. <b>Residential Structure.</b> Further to Item 3, in case of loss of residential structure, subsistence allowance for three months based on minimum wage rates, and skill training for vulnerable households.</li> <li>3. <b>Commercial Structure.</b> Further to Item 4, in</li> </ol>	<ul style="list-style-type: none"> <li>▪ Vulnerable households will be identified during the census conducted as a part of the RP.</li> <li>▪ If land-for-land is offered, ownership in the name of original landowner(s).</li> </ul>	<p>ULB will identify vulnerable households, confirm minimum wages, and through NGOs will determine assistance for loss of business.</p>

<sup>24</sup> Vulnerable household comprise female-headed household, disabled-headed household, indigenous person-headed households and Below Poverty Line households.

<sup>25</sup> NGO will assist the ULB in beneficiary identification, purchasing income generating assets etc. Examples of income generating assets are tools for carpenters or mechanics, sewing machines for tailors etc., which would be AP-specific.

Sl No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
				<p>case of loss of commercial structure, subsistence allowance based on three months minimum wage rates, and skill training for vulnerable households including assistance up to a maximum limit of Rs.30,000 for purchase of income generating assets.</p> <p>4. <b>Livelihood.</b> Vulnerable households will be prioritized in project employment. Skills training and subsistence allowance based on three months minimum wage rates to augment current livelihood. Assistance up to a maximum limit of Rs.30,000 for purchase of income generating assets.<sup>25</sup></p>		
8	Temporary loss of land	Land temporarily required for project activities	Owner(s) with legal title, tenants, leaseholders, sharecroppers, employee/agricultural workers, encroachers or squatters.	<ol style="list-style-type: none"> <li>60 days advance notice</li> <li>Provision of land and structure rental value during the duration of temporary acquisition</li> <li>Compensate any lost income during temporary acquisition based on minimum wage rates.</li> </ol>	-	<p>DLVC will determine rental value and duration of lost income through survey and consultation with APs.</p> <p>ULB will confirm minimum wage.</p>
9	Temporary disruption of livelihood	Commercial and agricultural activities	Owners, tenants, leaseholders, sharecroppers, employee/agricultural workers, hawkers or	<ol style="list-style-type: none"> <li>Provision of alternative sites for hawkers and vendors for continued economic activity will be part of project design where possible.</li> <li>In case alternative sites cannot be provided, allowance based on minimum wage rate will be provided.</li> <li>Free transport facility or shifting assistance.</li> <li>Compensation for agricultural losses (Item 6).</li> </ol>	<ul style="list-style-type: none"> <li>During construction, the ULB will identify alternative temporary sites for vendors and hawkers to continue economic activity.</li> <li>ULB and PMU will ensure civil works will be phased to minimize disruption</li> </ul>	ULB will identify alternative sites for economic activity, and will confirm minimum wage.

Sl No.	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsible Agency
			vendors.			
10	Loss and temporary impacts on common resources	Loss or disruption to common resources	Community or local body	<ol style="list-style-type: none"> <li>1. Replacement or restoration of affected community facilities such as public water pumps, sanitation and drainage facilities, schools, hospitals, temples and shrines, and cultural resources.</li> <li>2. Enhancement of community resources.</li> </ol>	-	ULB, PMU and Contractor.
11	Any other loss not identified	-	-	1. Unanticipated involuntary impacts shall be documented and mitigated based on the principles provided in the ADB IR Policy.	-	ULB

## **ANNEX D – ROLES AND RESPONSIBILITIES**

### **A. Project Consultants**

1. The Project Consultants appointed by the PMU will be principally responsible for development of the IPDP after Deputy Project Director, PMU, has approved its recommendation. The activities of the consultant will include:

- (i) Review and analysis of the SIA , the proposed project design, and other supporting materials and in conjunction with the CDO determine additional information needed to develop a IPDP;
- (ii) Define surveys and other measures to gather data for development of the IPDP;
- (iii) Develop the IPDP in conjunction with the CDO, DSWO/DTWO, and tribal members; and
- (iv) Provide periodic oversight for implementation of the IPDP.

### **B. Implementing NGO**

2. The NGO will ensure that the benefits from the IPDP flow to the tribal members in the most effective and transparent manner. The success of the NGO inputs will largely depend on their liaison with the tribal and other concerned government agencies involved in IPDP. Other involved agencies are expected to collaborate in the IPDP, based on instructions from the ULB Department and the SC/ST Development Department, in accordance with the policy framework. The role of NGO will be of a facilitator. The NGO will work as an interface between the borrowing ULB and the tribal families. Briefly, the activities of the NGO will be to:

- (i) Develop rapport with the tribal family/community;
- (ii) Identify and strengthen existing social organizations among the tribal community;
- (iii) Identify appropriate indigenous technology;
- (iv) Help form community based organizations including Women Interest Groups, etc.;
- (v) Strengthen the role and status of women;
- (vi) Involve the ULB in the implementation of IPDP so that family/community as a whole could participate;
- (vii) Help in formulation of participative system of monitoring and evaluation of IPDP;
- (viii) Assist tribal households in getting benefits from various government tribal specific and non tribal development programs;
- (ix) Train the tribes, if necessary, in acquiring literacy and income-generation related schemes;

- (x) Provide appropriate field staff; and
- (xi) Undertake any other responsibility that may be assigned by the ULB for the welfare of the affected communities.

**C. IPDP Implementing NGO – Selection Criteria**

3. It is extremely important for successful implementation of IPDP to select an effective NGO committed to the tasks assigned. The payment to the NGO should be linked to performance of the tasks assigned and the time period. Their payment will be arranged as per contract agreement. The NGO will submit a monthly progress report. The monitoring and evaluation will also include the performance of the contracted NGO. Key quality criteria include:

- (i) Experience in direct implementation of programs in local, similar and/or neighbouring districts;
- (ii) Availability of trained staff capable of including tribal community into their programs;
- (iii) Competence, transparency, and accountability based on neutral evaluations, internal reports, and audited accounts;
- (iv) Integrity to represent vulnerable groups against abuses, experience in representing vulnerable groups, demonstrable mandate to represent local groups; and
- (v) Should have a clearer understanding to gender and poverty relations within the tribal community and have the ability to pay particular attention to the social and economic needs of women and tribes.