
Appendix 1

Model Terms of Reference for Social Impact Assessment and Preparation of Resettlement Plan¹

Project Background

Description of project

In order to assess the potential socioeconomic impact of the project, consultants are invited to submit technical and financial proposals for the following two components:

- (i) Conduct a social impact assessment (SIA) of the project; and
- (ii) Prepare social safeguard instruments, such as Resettlement Plans (RPs), Ethnic Minority or Indigenous Population Development Plan (IPDP), Cultural Property Management Plan (CPMP), as necessary, for highways/roads selected for improvement/upgrading and maintenance.

Component One—Social Impact Assessment

To ensure that the benefits of the proposed infrastructure development are distributed equitably to the extent possible, and that no segment of the population is adversely affected, an SIA will be carried out. This should precede the feasibility and detailed design stages of the project and should be carried out contemporaneously with the pre-feasibility of the project. While SIA is proposed to be undertaken during the initial stages of project preparation, social impacts will continue throughout, namely, feasibility and detailed project report (DPR) stage as needed. The following provides objectives, scope, activities and outputs to complete the SA process.

Objectives of Social Impact Assessment

SIA is an approach for incorporating social analyses and participatory processes into project design and

implementation. The study aims to improve decision making that enhances social benefits and mitigates adverse social impacts in the process of developing projects for highway improvement/upgradation and maintenance. The specific objectives of SIA are to

- (i) Carry out a socioeconomic, cultural, and political/institutional analysis to identify potential social impacts of the proposed development of the key transport corridors;
- (ii) Identify principal stakeholders and develop a consultation framework for participatory implementation;
- (iii) Screen social development issues along all corridors and scope SIA activities for feasibility and design stage;
- (iv) Ensure that results of SIA provide inputs to the monitoring of project impacts during implementation and to the evaluation of project outcomes at completion; and
- (v) Provide inputs to the project design at the feasibility and detailed design stage, including specific recommendations in selection of design alternatives (identification of areas that may require adjustments in project designs) and preparing social policy framework.

Scope of Social Impact Assessment

SA should be selective and strategic. SIA should begin with identification of people and communities, including ethnic minorities and indigenous groups, that would be affected by the project, and define operationally relevant social issues that may affect project design, delivery, and outcomes. A checklist of activities, along with outputs for pre-feasibility and feasibility, is provided in Annex I. The annex also includes the activities to be carried out for the

¹ World Bank (Forthcoming). Management of Environmental and Social Issues in highway projects in India, Environmental and Social Development Unit, South Asia Region, New Delhi.

inception report. The scope of the proposed SIA at the two stages is as follows:

Stage I: Pre-feasibility Stage

- (i) Identify key social issues relevant to the project objectives, and specify the project's social development outcomes.
- (ii) Provide a macro-level socioeconomic profile of the population and available infrastructure facilities for services (disaggregated by gender, ethnicity, vulnerable groups, especially indigenous minorities, youth and aged; economic aspects; etc.) in the project influence area to identify potential positive impacts toward reducing poverty and adverse impacts of the project on affected communities.
- (iii) Identify key stakeholders who are directly affected (positively or negatively) and carry out stakeholders' analysis to determine their role to achieving social development outcomes.
- (iv) Inform, consult, and carry out dialogues with stakeholders on matters relating to project alternatives, identification of priorities, and selection of project highways and provide specific recommendations to avoid/minimize high social risks (e.g. activities where it is advisable not to proceed); also develop consultation framework for participatory implementation.
- (v) Identify and analyze the performance of formal (borrower and other line departments) and informal institutions that have a stake in the project to influence social development outcomes.

Stage II: Feasibility Stage

- (i) Inform, consult, and carry out dialogues with stakeholders on matters regarding project design alternatives, implementation of social mitigation measures, and provide specific recommendations on project highways with high social risks, including identification of areas, such as congested sections, presence of significant common property or indigenous community that may require adjustments in project design.
- (ii) Determine magnitude of adverse social impacts and identify safeguard instruments as required based on policies, countries laws,

and regulations.

- (iii) Assess the capacity of institutions and mechanism for implementing safeguard instruments and recommend capacity building.
- (iv) Develop monitoring and evaluation mechanism to assess social development outcomes during completion.
- (v) Prepare draft resettlement and rehabilitation policy framework with preliminary budget estimates.

SIA Methods and Tools

- (i) For socioeconomic, cultural, and political/institutional analysis, combine multiple tools and employ a variety of methods for collecting and analyzing data, including both quantitative and qualitative methods (expert and key informant interviews, focus group discussions, beneficiary assessments, rapid and participatory rural appraisal [RRA/PRA], gender analysis).
- (ii) Develop interview schedules, field survey instruments, and checklist for data collection and discussions.
- (iii) Screen and prioritize social issues through different techniques, such as ranking and composite index.
- (iv) For determining the magnitude of impact and analysis of alternatives, develop strip map and indicate all information on structures, utilities and abutting land use that is likely to be affected within the project impact zone.
- (v) The selection of SA methodology should emphasize consultation and participation of project affected persons (APs), project implementing and executing agencies at the state, district, and village levels. The discussions with relevant government officials, other institutions, and organizations in the civil society should be participatory and broad-based, leading to the identification, selection, and agreement on project.

Outputs

The expected outcome of this task would be in the form of a Social Assessment Report during pre-feasibility and Social Impact Assessment report during feasibility including

- (i) Findings of analysis and consultation framework for project.
- (ii) Outline of safeguard instruments as required.
- (ii) Recommendation for adjustments in designs during feasibility and detailed design stage.
- (iii) Draft resettlement policy framework during feasibility.

Component Two—Prepare Social Safeguard Instruments

The proposed upgradation and maintenance works for selected project highways may cause involuntary resettlement, disturb indigenous communities/ethnic minorities, and impact on cultural properties of significance. A checklist of activities, along with outputs for the required instruments, is provided in Annex II.

Objectives of Social Safeguard Instruments

Safeguard instruments must be prepared to meet the following objectives:

- (i) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- (ii) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons (DPs) should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- (iii) APs and DPs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- (iv) Development process fosters full respect for the dignity, human rights, and cultural uniqueness of indigenous people. More specifically, to ensure that indigenous peoples do not suffer adverse effects during the development process and receive culturally compatible social and economic benefits.

- (v) Assist in the preservation of cultural property and to avoid significant damage to non-repliable cultural property; and assist in enhancement of cultural properties encountered.

Scope of Work

The social impact assessment (SIA) will cover the directly affected persons to formulate development strategies in order to assist in determining project impacts on the social, economic, cultural, and livelihood activities of affected communities. This will establish a social baseline against which changes resulting from the intervention can be measured in the future.

- (i) A census and socioeconomic survey, including a detailed inventory of affected assets would, however, need to be carried out for all APs to establish a cutoff date; loss of fixed assets, such as structures and trees; livelihood or access to community resources as a result of project implementation.
- (ii) Assess local tenure and property rights arrangements, which may include usufruct or customary rights to the land or other resources taken for the project, including common property resources, and develop realistic land acquisition (LA) plan on the basis of revenue records.
- (iii) One important aspect is to prepare an inventory of affected assets to identify the affected structures that have land available in the vicinity to enable minor shifting without any damage to the building material, and those that will be displaced from present location and need to be relocated elsewhere.
- (iv) The assessment will be incorporate all resettlement and rehabilitation (R&R) measures necessary to ensure compensation for assets acquired at replacement cost, assistance to facilitate shifting of structures out of the corridor, and mitigation measures of loss of livelihood, or reduction in incomes for APs. The RP is intended to be action-oriented and time-bound document. Clarifying the parameters of RP during the early stages will ensure that RP is a document focused on practical steps for implementation of R&R measures.
- (v) Those who are affected, including indigenous peoples/ethnic minorities, the social and

economic benefits they receive would be in harmony with their cultural preferences and would be decided in consultation with affected communities.

Methods and Tools

- (i) Conduct census and baseline survey with the help of interview schedules and prepare linear maps at appropriate scales showing each affected property to identify all project-affected households and assets.
- (ii) Conduct land surveys in project area with the assistance of revenue personnel for preparing land plan schedules.
- (iii) Conduct focus group discussions (FGDs) to discuss adjustment in designs.
- (iv) Conduct consultations with affected person, and district-level workshops with communities and executing organizations to finalize the implementation mechanism and for informed decision making.
- (v) Develop database for Project Affected Households to enable monitoring.

Outputs

The following shall be the outputs based on magnitude and extent of impact:

- (i) Resettlement plan (RP),
- (ii) Indigenous peoples development plan (IPDP), if required
- (iii) Cultural property management plan (CPMP), if required

Deliverables for the Stages of Preparation

- (i) Inception report with methodology, personnel, work plan, time schedule, modification to TOR along with presentation—within 1 month of mobilization

- (ii) Social Assessment report—3 months
- (iii) SIA and R&R policy with entitlement matrix to provide different types of assistance to all categories of affected and displaced people with the monetary values wherever feasible. Documentation of public consultation on the entitlement framework—4 months
- (iv) Detailed RP, including the LA plan, action plans for cultural property and/or indigenous people, if affected—7 months (The time required will depend upon extent of impact and land acquisition.)

Qualifications and Experience

The consulting team will consist of senior staff (number will depend on the magnitude of the project) with the experience and qualifications to undertake SIA and resettlement planning, including

- (i) Advanced degree in social sciences (anthropology, sociology, social work, economics); public administration; or management;
- (ii) Experience doing fieldwork preferably among project-affected person, including rapid rural appraisal, household census interviews, and land-use surveys;
- (iii) Experience in land acquisition;
- (iv) Experience in India's transport sector, especially R&R;
- (v) Experience with Indian scheduled tribes and other vulnerable groups (desirable);
- (vi) Experience in data analysis, both quantitative and qualitative (essential); and
- (vii) Ability to manage and train local survey teams (essential).