

# Indigenous Peoples Development Planning Document

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Indigenous Peoples Development Framework  
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## IND: Madhya Pradesh Power Sector Investment Program

The 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.

## INDIGENOUS PEOPLES DEVELOPMENT FRAMEWORK

### A. Background

1. The Investment Program will be provided under a multitranche financing facility (MFF) lending approach over a span of 8 years.
2. The Indigenous Peoples Development Framework (IPDF) has been formulated to guide the preparation of IPDPs, if necessary, for subprojects under the future tranches. The IPDFF identifies the broad scope of the Investment Program and outlines the policy, procedures and institutional requirements for preparing IPDPs for subprojects under the MFF. The EA, for the Tranche 1 which covers transmission subprojects will be the Madhya Pradesh Power Transmission Company Limited (TRANSCO). The Project Management Units (PMUs) will be responsible for conducting the social analyses and formulating IPDPs for subprojects, as outlined in the IPDF. The draft IPDPs will be submitted to ADB for review and approval prior to contract award, and compensation paid to all APs prior to displacement, and commencement of civil works.
3. No impact is expected for the distribution component under the first tranche. Minimal or no impacts are also to be expected under future tranches.

### B. The Indigenous Peoples Development Framework

4. This IPDF is intended to guide selection and preparation of subprojects under the Investment Program to ensure better distribution of subproject benefits and promote development of IPs in the subproject area. There are no IPs found in the subproject areas who will be directly affected, in the first tranche. However, keeping in view the long term subproject duration and since there will be future site identification, it is necessary to have a guideline to address the issues. In cases where significant impacts on IPs are identified, this framework will be applied if necessary during subproject preparation, in accordance with requirements for future tranches and ADB's *Indigenous Peoples Policy* (1998).
5. A full Indigenous Peoples Development Plan (IPDP) is required if: a) an indigenous peoples community is the main beneficiary of a development Investment Program; b) a subproject component significantly benefits the community and; c) the Investment Program or subproject components may have significant adverse impact on IP.
6. If impacts are insignificant, specific actions in favor of IPs can be incorporated within the Resettlement Plan (RP) for the subproject.<sup>1</sup> This would ensure appropriate mitigation and benefits for indigenous people.
7. EAs will be sector companies as follow:
  - (i) The Madhya Pradesh Power Transmission Company Limited (TRANSCO) will be the EA for the transmission component;
  - (ii) The Madhya Pradesh Poorv Kshetra Vidyut Vitaran Company Limited (DISCOM-E) will be the EA for the distribution component in the eastern area;

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<sup>1</sup> Impacts are insignificant when fewer than 100 indigenous people are affected.

- (iii) The Madhya Pradesh Madhya Kshetra Vidyut Vitaran Company Limited (DISCOM-C) will be the EA for the distribution component in the central area;
- (iv) The Madhya Pradesh Paschim Kshetra Vidyut Vitaran Company Limited (DISCOM-W) will be the EA for the distribution component in the western area.

8. All the EAs will have their respective PMUs for the subproject implementation with the inclusion of a Social Development cum Resettlement Specialist where necessary. PMU will do the overall coordination, planning, implementation, and financing. The PMU will hire resettlement specialist having knowledge of IP issues for the duration of the Investment Program to ensure timely and effective implementation of social safeguards issues. The PMU will undertake required social assessments (including IP issues) for subprojects. The PMU will be responsible for preparing IPDPs for subprojects, and will submit to EA for review and approval. Approved IPDPs will be provided to ADB for review and approval prior to implementation.

9. The IPDP policy framework is based on the overall local and national development strategies and ADB's *Policy on Indigenous Peoples* (1998). The principal objectives are to:

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

### **C. Procedures for IPDP Preparation**

10. This framework seeks to ensure that IPs are informed, consulted, and mobilized to participate in the subprojects. Their participation can either provide them benefits with more certainty, or protect them from any potential adverse impacts of the subproject. The main features of the IPDP will be a preliminary screening process, a social impact assessment to determine the degree and nature of impact of each subproject, and an action plan developed if warranted. Consultations with and participation of IP communities, their leaders, and local government representatives will be an integral part of the overall IPDP.<sup>2</sup>

#### **1. Preliminary Screening**

11. The PMU Social cum Resettlement Specialist will visit all IP communities and villages near subproject sites or areas being affected and influenced by subproject sites. The PMU will arrange public meetings in selected communities to provide information on the Investment Program and the subproject. During the visits, community leaders and other participants will present their views with regard to the Investment Program and subproject.

12. The PMU by using the social surveys and official census data will collect necessary information on subproject affected indigenous peoples for the following:

- (i) Name(s) of IP community group(s) in the area;
- (ii) Total number of IP community groups in the area;

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<sup>2</sup> The IPDPs components are: preliminary screening, social impact assessment, mitigation measures, development assistance, and project monitoring.

- (iii) Percentage of IP community population to that of area population; and
- (iv) Number and percentage of IP households to be affected by the subproject.

13. The PMU will also accomplish an IP assessment checklist. The results of the preliminary screening will be provided to the PMU for review as part of the pre-feasibility assessment of the subproject. If the results show that there are IP households in the zone of influence of the proposed Investment Program, a social impact assessment (SIA) will be planned for those areas.

## **2. Social Impact Assessment**

14. The PMU will undertake Social Impact Assessment (SIA) as part of the detailed technical feasibility report. The SIA will gather relevant information on demographic data; social, cultural, and economic situation; and both positive and negative social, cultural and economic impacts.

15. 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 subproject. Discussions will focus on positive and negative impacts of the subproject as well as recommendations on the design of the subproject and Investment Program. The 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 subproject will be significantly adverse—threatening the cultural practices and IP sources of livelihood, or that the IP community rejects the Investment Program works—the PMU will consider other design options to minimize such adverse impacts. If IP communities support the subproject, implementation of an IPDP will be developed.

## **3. Indigenous Peoples Development Plan**

16. The IPDP is time-bound, with an adequate budget for its implementation. An acceptable IPDP 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 subproject effects; (v) measures to ensure subproject 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 Investment Program 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 IPs.<sup>3</sup> The IPDP will include:

- (i) Baseline data: Base line data will be collected both from the primary and secondary sources. In India, most of the tribal people are mainstreamed with the help of Government's effort to bring them in to the mainstream. 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 tribal people is very less compared to other section of mainstreamed people. Tribal people use the public land and forest land for their various uses. Therefore, details on the land tenure and

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<sup>3</sup> The compensation will follow the Resettlement Policy Framework of the Project.

- usage pattern will be collected in order to measure the dependency of tribal 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 (both positive and negative) 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 stakeholders. In particular, NGOs, local institutions, representatives of civil society and/or local associations shall be involved in addressing IPs issues, whenever their expertise may improve the design and the implementation of the subproject and the IPDP.
  - (vi) Implementation schedule: The implementation schedule has to be aligned with the over all subproject implementation schedule and all the compensation and mitigations will be done prior to the commencement of civil work.
  - (vii) Monitoring and evaluation: The IPDP will be monitored both internally and externally. Details are given in the following sections.
  - (viii) Cost estimate and financing plan: Based on the impacts, a budget will be prepared for the implementation of IPDP. The EA will provide sufficient resources to formulate and implement IPDPs in subproject which will have impacts on IPs.

17. Where warranted, the IPDP will be developed by the PMU with technical assistance from other team members, and the IPDP will form part of the final feasibility report for the subproject. The PMU and EA will then review and approve the IPDP and provide the approved IPDP to INRM for review and approval. The IPDP policy and measures must comply with ADB's *Policy on Indigenous Peoples* (1998).

#### **D. Consultation and Information Disclosure**

18. The IPDP will be prepared in consultation with the affected IP groups. The mitigation measures and strategies will be presented to them by the PMU 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 IPDP. The IPDP will be translated into local IP language(s) prior to implementation. Nongovernmental organizations will be involved in implementing the IPDP and resolution of any dispute arising out of the implementation process. The EA will further ensure that adequate budget will be available to implement the IPDP.

#### **E. Institutional Framework**

19. In the preparation of subproject IPDPs, the PMU will have overall coordination and financing responsibilities. The PMU of respective EA will prepare, implement, and monitor the IPDP. Since IP issues are sensitive, the PMU will ensure that a consultant/ Social cum- Resettlement Specialist (PMU) with knowledge and experience of working among IP groups is available for assisting in the planning and implementation of IPDPs for the Investment Program. The PMU will ensure that the specialist hired to assist the PMU in planning and implementation of IPDPs for subprojects is familiar with ADB policy and requirements for IPDPs.

## **F. IPDP Budget**

20. The EA will provide sufficient resources to formulate and implement IPDPs in subprojects which will have impacts on IPs. It will implement the IPDP through its PMU. A detailed budget will be prepared by the PMU taking into account all 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 subproject cost, and will be made available during subproject implementation. However, the EA, in advance, has to have the tentative budget ready for each financial year so that EA provides the budget on a timely basis in order to avoid any delay in the subproject implementation. The EA will be responsible for making the budget available to its PMU for implementation of IPDP.

## **G. Monitoring and Evaluation**

21. Implementation of the IPDP will be monitored regularly. The PMU will establish a quarterly monitoring system involving the PMU staff, representative of affected IP groups, and nongovernmental and community-based organizations to ensure participatory monitoring arrangements. A set of monitoring indicators will be determined during IPDP implementation. The PMU will also prepare appropriate monitoring formats for effective internal and external monitoring and reporting requirements. Independent monitoring will be undertaken through nongovernmental or community-based organizations engaged by the EA/PMU with INRM concurrence to carry out external monitoring of the IPDP operations for the whole Investment Program. Monitoring will be carried out twice a year during Investment Program implementation. These reports will be submitted to both the EA and ADB for review. The EA through the PMU will be responsible for determining if any follow-up actions are necessary and ensuring any necessary actions are taken regarding the implementation of IPDPs.