

Indigenous Peoples Assessment and Measures

Indigenous Peoples Planning Framework
Project Number:
September 2010

India: Agribusiness Infrastructure Development Investment Program

The Indigenous Peoples Planning 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.

INDIA: AGRIBUSINESS INFRASTRUCTURE DEVELOPMENT INVESTMENT PROGRAM: INDIGENOUS PEOPLES PLANNING FRAMEWORK (IPPF)

A. Project Background

1. Agriculture contributes 16% (2009) to national gross domestic product. However, 58% of the work force continues to rely on agriculture for both income and livelihood. The 11th five year plan (FYP) (2008-2012) targets an agriculture sector growth rate of 4%, as higher sector growth brings inclusive economic growth through higher farmer incomes and employment opportunities in rural areas. However, agriculture failed to achieve the planned growth rates for the previous two FYP periods, leaving rural areas in pervasive and persistent poverty. The deceleration in agricultural growth, as a result also of not catalyzing private sector investment, has further accentuated the rural-urban divide. Higher incomes and employment opportunities in rural areas are necessary to benefit rural households, boost off-farm incomes, redress the rural-urban imbalance, and promote inclusive economic growth. Against this backdrop, the 11th FYP off-farm investment targets (i) modern efficient marketing infrastructure, (ii) backward linkages between markets and production areas to provide farmers higher farm gate prices from assured linkages to value chains, and (iii) coordination along the agricultural value chains. Private sector participation in all these activities is necessary to bring in world class technology and modern management in agri-marketing and policy reforms have been undertaken to allow the broadening of investment and management of agri-marketing by the private sector. To attract private sector investment, the Government of India (GOI) policy framework for the sector promotes public private partnerships (PPPs), and provides public sector capital grants to private sector investors wanting to establish agribusiness infrastructure with backward linkages, however these are still in their infancy.

2. The AIDIP aims to address three main constraints to agriculture growth: (i) outdated technologies and management, (ii) lack of public investment in linking infrastructure (such as roads from production areas to collection points), and (iii) lack of private investment and management in modern marketing infrastructure (such as cold chains, controlled atmosphere storages, and automated grading). Using an Integrated Value Chain (IVC) approach, the program invests in physical and institutional linkages along horticultural value chains, through support of (i) site development and agribusiness infrastructure; (ii) linking infrastructure to ensure connectivity and basic services across the value chain; (iii) backward value chain linkages to the production areas through contract farming and producers' companies; and (iv) capacity building on technical and managerial skills along the value chain. The Program area covers selected regions of Bihar and Maharashtra, two States that have adopted different agri-marketing policies, with Bihar promoting the provision of agri-marketing as a private sector led function, and Maharashtra enabling greater private sector participation but leaving the role of regulator and market manager with the public sector.

3. **Tribes of Bihar.** According to the 2001 census, 8.2% i.e 84 million peoples are tribal's. They are located all over the states where its number varies from 30% to 90%. As per 2001 census, 75% of the population in Bihar, Jharkhand and of West Bengal are tribal's¹. After the separation of Jharkhand from Bihar majority of the tribal's have moved to Jharkhand. In Bihar, there are total 8 tribes namely Bathudi, Binjhia, Binjhal, Birhor, Birjia, Chik Baraik, Paharia Korwa, and Santhal. The tribal groups are scattered in different regions of North Bihar, Singhbhum and Manbhum. Bathudi are very religious and spiritual in their beliefs. The tribals are followers of Hinduism and Christianity. The Bathudi tribes restrict intra clan marriages but allow the inter clan marriage and widow marriages. They language for the conversation are either Bihari which is used by most of them, Oriya by some and Ho as mother tongue by few. The major occupation taken up by the tribes are includes fishing,

¹ Source - http://www.nlm.nic.in/lit_scst.htm

hunting, forest produce, agriculture and agriculture laborer. One of the distinct tribal group in Bihar is the Birhor - Birhor word is derived from the two words, "Bir" stands for jungle and "hor" for man. As the name suggests they are closely attached with the forest area. According to the anthropologist earlier they are dependent on hunting and work as gatherers. Among them also there are two sub tribes namely Uthalus and Jhagis. Among them jhagis are nomadic people. There are bands of people who move around and also they are flexible in the marriage norms. The Santhal are the most popular and populated group scattered in different districts of Jharkhand and Bihar. The districts of Bihar are Bhagalpur, Purnea, Sharsha and Munger and mainstream with other communities with agriculture as main occupation.

4. **Tribes of Maharashtra.** According to Tribal Department of Maharashtra, total schedule area is 15.1% of the area of the State, in which 73.18 lakh populations is tribal on the basis of 1991 census². According to the Department there are 47 Schedule tribes in which some are Gond, Bhil, Mahadeo Koli, Warli, Kokna, Thkur, Halba, Andh, Koli Malhar, Katkari, Kolam, Korku, and Gamit. According to some anthropologist, Maharashtra has 313 nomadic tribes and 198 denotified tribal groups. As others these tribal group are also having inclination on religion and spirituals. Hinduism is widely practiced by the tribal's. As an occupation these tribes are involved in cultivation and other activities of agriculture. The society is governed by the Jat Panchayat. Bhil, Gond-Madia, Katkari, Koli, Oraon, Warli are the major tribes of Maharashtra. They are spread over in large areas, mainly on hilltops. The Bhils are the third largest and most widely distributed tribal groups in India. They are in the most interior region of India. Bhil have two divisions: the Central or "pure" Bhil, and the Eastern or part-Rajput Bhil. The Eastern Bhil lives in the mountains of central western India particularly in northern Gujarat, southern Rajasthan, and northern Maharashtra. "Bhil" is derived from the word billee, means bow; a characteristic weapon of the tribe which is carried by the men of the tribes. Since the men are expert in handling the bow, hence they work as peasant farmers, field labourers, and village watchmen. The Oraon in Maharashtra is also notified as Schedule Tribe. They are closely attached with the forest area which is also the source of their livelihood. It is found that most of the people from this tribe have migrated to Gadchiroli district of Maharashtra. Most of them are still very poor and illiterate. The men of this tribe are mostly dependent on women for livelihood. The head of the village is called "Mahato" and village priest are called as "Pahan".

5. While there are Indigenous Peoples or ethnic minority groups based on ADB's operational definition in both states, in Tranche 1 subproject areas, there are no going to be socio-economic impacts on them, due to the location of the planned IVCs. This framework will apply in case any indigenous people are found in any subsequent tranches.

B. Rationale

6. One of the objectives of ADB's Safeguard Policy (2009) is to design and implement projects in a way that fosters full respect for indigenous peoples' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by indigenous peoples themselves so that they receive culturally appropriate social and economic benefits, do not suffer adverse impacts as result of projects and can participate actively in projects that affect them. There are several legal provisions provided within the Indian Constitution and various legislations to ensure protection and assistance to vulnerable communities and sections of the society.

C. Objectives and Framework

² Source-<http://www.maharashtra.gov.in/english/tribal/index.htm>

7. The Indigenous Peoples Planning Framework seeks to ensure that indigenous or tribal (as they are known in India) peoples are informed, consulted, and mobilized to participate in the subproject preparation. The framework is intended to guide screening, selection and preparation of additional subprojects under the MFF where impacts on tribal people may be identified to ensure better distribution of the project benefits and promote development of the indigenous peoples in the project areas.

8. For operational purposes, the term Indigenous Peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region.

9. The Indigenous Peoples safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples or affects the territories or natural or cultural resources that Indigenous Peoples own, use, occupy, or claim as their ancestral domain. When screening by ADB confirms likely impacts on Indigenous Peoples, the borrower will retain qualified and experienced experts to carry out a full social impact assessment (SIA), and if impacts on Indigenous Peoples are identified, the borrower will prepare an IPP in conjunction with the feasibility study. The project's potential social impacts and risks will be assessed against the requirement of ADB's Safeguard Policy (2009) and applicable laws and regulations of the jurisdictions in which the project operates that pertain to Indigenous Peoples matters, including host country obligations under international law. If the screening and SIA indicate that the proposed project will have impacts, positive and/or negative, on Indigenous Peoples, the borrower will prepare an IPP in the context of the SIA and through meaningful consultation with the affected Indigenous Peoples communities. The IPP will set out the measures whereby the borrower will ensure (i) that affected Indigenous Peoples receive culturally appropriate social and economic benefits; and (ii) that when potential adverse impacts on Indigenous Peoples are identified, these will be avoided to the maximum extent possible. Where this avoidance is proven to be impossible, based on meaningful consultation with indigenous communities, the IPP will outline measures to minimize, mitigate, and compensate for the adverse impacts. The level of detail and comprehensiveness of IPPs will vary depending on the specific project and the nature of impacts to be addressed. The borrower will integrate the elements of the IPP into the project's design.

10. Based on India's legal, constitutional and development strategies and ADB's Safeguard Policy (2009), the objective of IPP will be to (i) ensure that IPs affected by any subproject will benefit from the subproject; (ii) ensure IPs inclusion in the entire process of planning, implementation, and monitoring of the subproject; (iii) ensure that benefits of the subprojects are available to IPs more than or at least at par with other affected groups; this may require giving preference to tribal people as vulnerable groups over others on certain benefits under the subprojects; and (iv) provide a base for the tribal groups in the area to receive adequate development focus and attention.

D. Institutional Arrangements

11. PMU will be responsible to address IP concerns and ensure their participation. The Project, upon completion of the detailed engineering design and detailed measurement survey, will clearly identify the IP communities and prepare IPPs if IP communities are affected by the project. One staff will be identified as IP focal point in PMU.

E. Cost Estimate and Financing

12. The project budget will allocate adequate resources for various components and activities of the Project to implement the IPPs. Budget for awareness raising, training and other related activities will be integrated in the line item budget with specific mention of the activities.

F. Monitoring and Evaluation

13. EAs will be responsible for implementation, monitoring and evaluation of the IPP within this IPPF. The Project will collect baseline data and regularly analyze project output and impact indicators considering impact on IPs and include this in regular MIS and reporting system. Semiannual monitoring reports shall be forwarded to ADB.