

# Resettlement Planning Document

Indigenous Peoples Development Framework (IPDF)  
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## **India: Uttaranchal Power Sector Development**

**Prepared by the Uttaranchal Energy and Irrigation Department, Government of  
Uttaranchal, India for the Asian Development Bank**

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## INDIGENOUS PEOPLES DEVELOPMENT FRAMEWORK

### A. Background

1. The proposed Project will be provided under a sector lending approach over a span of 5 years. The Project will have three components: transmission, small hydropower, and institutional strengthening.

2. **Component A: Transmission System.** The Phase I transmission system expansion includes 790 kilometer (km) of 400 kilovolt (kV) lines, 100 km of 220 kV lines, and 60 km of 132 kV lines, plus associated substations and auxiliary equipment. The total proposed investment is approximately \$310 million (Rs. 14.26 billion). The proposed physical investments are the most urgent components of the Uttaranchal power sector plan. ADB financing of up to \$250 million is proposed for this investment.

3. **Component B: Small Hydropower.** This component will support expansion of hydropower generating capacity, covering grid-connected projects ranging from 3 MW to 25 MW. An initial list of 6 projects totaling about 35 MW has been proposed. Preparatory work on these projects is underway, including development of technical and economic feasibility; and environmental, social and poverty reduction impact analysis. UJVNL also will develop a hydro-meteorological river basin monitoring and telemetry network to support optimized generating operations, which will be partly financed by the Project. ADB financing of up to \$45 million is proposed for this component.

4. Rehabilitation, modernization, and upgrading (RMU) on existing hydropower plants (e.g. the 144 MW Chilla powerhouse near Hardiwar) is also within the scope of ADB assistance. UJVNL has identified 7 major RMU investments totaling about \$100 million. ADB will consider supporting the RMU projects pending Government concurrence.

5. **Component C: Institutional Strengthening.** The third component of the ensuing loan project will support developing and strengthening institutional framework within Uttaranchal government and implementing agencies (IAs) to undertake power system expansion activities in a cost-effective manner. This will include (i) training of executing agency (EA) and IA staff in all aspects of transmission, generation, distribution, maintenance and rehabilitation; and (ii) initial design of a power trading program. ADB financing of up to \$5 million is proposed for this component.

6. The selection of subprojects is based on the following parameters:

- i) The subproject will be part of Power Transmission Corporation of Uttaranchal, Ltd. (PTCUL) expansion plans, and scheduling will be consistent with commissioning of new generating capacity.
- ii) The subproject will be part of Uttaranchal Jal Vidyut Nigam, Ltd. (UJVNL) expansion plans, and scheduling will be coordinated with PTCUL for connection to the transmission system.
- iii) For the hydropower component, subprojects will be economically viable with its estimated economic internal rate of return (EIRR) higher than the Financial Internal Rate of Return (FIRR), which will be higher than the weighted average cost of capital (WACC).

- iv) Subprojects will be consistent with overall least-cost expansion plan.
- v) Any non-core subprojects classified as Category A in accordance with ADB's 2003 *Environmental Assessment Guidelines*, will require a SEIA to be prepared and circulated to ADB's Board of Directors 120 days prior to approval, and will be subject to all government clearance requirements.

## B. Indigenous Groups

7. Indigenous peoples (IP) are defined as those having a distinct social, cultural, economic, and political traditions and institutions compared with the mainstream or dominant society.<sup>1</sup> The Indian Constitution (Article 342) defines Scheduled Tribes (STs) according to characteristics such as (i) primitive traits, (ii) distinctive culture, (iii) shyness with the public at large, (iv) geographical isolation, (v) social and economic backwardness. Of the 698 STs a further 75 are classified as Primitive Tribal Groups—considered more backward compared with STs. Constitutional protection and programs for tribal development have brought significant changes since 1947.

8. Nationwide, 8.2% of the total population is classified under STs. In comparison 256,129 in Uttaranchal<sup>2</sup> or only 3.02% are classified under STs. There are five major tribal groups (Bhotia, Buska, Jannsari, Raji, and Tharu) in Uttaranchal. These are hill tribes observed to interact closely with mainstream society. None of Uttaranchal's STs are Primitive tribal groups. STs are concentrated mostly in Udham Singh Nagar district and Dehradun (Table 1).

**Table 1: ST Population in Uttaranchal**

District	Population	% of Tribal Population to the National Tribal Population	% of Tribal Population to the State Tribal Population
India	84,326,240	100	NA
Uttaranchal	256,129	0.30	100.00
Uttarkashi	2,685	0.003	1.05
Chamoli	10,484	0.01	4.09
Rudraprayag	186	0.0002	0.07
Tehri Garhwal	691	0.001	0.27
Dehradun	99,329	0.12	38.78
Garhwal	1,594	.002	0.62
Pithoragarh	19,279	0.02	7.53
Bageshwar	1,943	0.002	0.76
Almora	878	0.001	0.34
Champawat	740	0.001	0.29
Nainital	4,961	0.01	1.94

<sup>1</sup> ADB 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 toward traditional production systems rather than mainstream; and (vii) unique ties and attachments to traditional habitats and ancestral territories.

<sup>2</sup> Uttaranchal total population is 8,489,349 (Census 2001).

District	Population	% of Tribal Population to the National Tribal Population	% of Tribal Population to the State Tribal Population
Udham Singh Nagar	110,220	0.13	43.03
Hardiwar	3,139	0.004	1.23

Source: Primary Census Abstract: Census of India 2001.

9. In accordance with ADB procedures for sector lending, core subprojects have been selected for project preparation and processing (Table 2). The core subprojects are in 7 districts: Chamoli, Rudraprayag, Pauri, Almora, Uttarkashi, Tehri, and Pithoragarh. In these districts, STs have fixed assets such as houses and land, and derive their income mainly from agriculture and small business. STs are largely involved in farming commercial crops such as rice, wheat, nuts, fruits, and vegetables which they sell in local markets. With reference to Table 1, the concentration of STs in these districts is comparatively low.

**Table 2: Location of Key Core Subprojects**

	Capacity/Size	Village	Districts
<b>Substation</b>			
Kuwaripaas	400	Ravigram	Chamoli
Karanprayag	400	Simli	Rudraprayag
Srinagar	400	Khandukhal	Pauri
Almora	400	Almora	Almora
Baranvara	132	Bhatwari Sunar	Uttarkashi
Melkhet	132	Naldhura	Uttarkashi
Barkot	132	Chakoti and Chhatanga	Chamoli
Morie	132	Dhungiri and Kandiyal Gaon	Pauri
<b>Small Hydropower</b>			
Kaliganga-I	2X 2000 KW	Jaitala and Khunnu (Kotimaheswari)	Rudraprayag
Kaliganga-II	2X3000KW	Khunnu (Kotimaheswari) and Kobilta	Rudraprayag
Madhyamaheswar	2X5000KW	Giriyagaon and Chuni	Rudraprayag
Kaldigad	2X4500KW	Sangam Chatti	Uttarkashi
Bhilangna-II	2X2250 KW	Ghansali	Tehri Garhwal
Tankul	2X3900 KW	Dharchula	Pithoragarh

10. During project preparation, extensive consultations were undertaken and analysis with reference to IPs show that among project affected households, none are STs.

### **C. The Indigenous Peoples Development Framework**

11. This Indigenous Peoples Development Framework is intended to guide selection and preparation of subprojects under the Project to ensure better distribution of project benefits and promote development of IPs in the project area. In cases where significant impacts on IPs are identified, this framework will be applied if necessary during subproject preparation, in accordance with requirements for sector loans and ADB's *Indigenous Peoples Policy* (1998).

12. A full Indigenous Peoples Development Plan (IPDP) is required if there exists:

- (i) adverse impacts on customary rights of use and access to land and natural resources;
- (ii) negative effects on socioeconomic and cultural integrity;

- (iii) effects on health, education, livelihood, and social security status; and/or
- (iv) other impacts that may alter or undermine indigenous knowledge and customary institutions.

If impacts are insignificant, specific actions in favor of IPs can be incorporated within the Resettlement Plan (RP) for the subproject.<sup>3</sup> This would ensure appropriate mitigation and benefits for indigenous people.

13. The EA for the Project is the Uttaranchal Energy and Irrigation Department (UEID) responsible for overall project management. PTCUL and UJVNL will be IAs for the transmission and small hydropower components, respectively, with PTCUL retaining the lead role of Project Management Office (PMO).<sup>4</sup> The PMO will subproject processing including undertaking detailed design, procurement, and construction supervision. Project Implementation Units (PIU), guided by the PMO will be responsible for implementing the subprojects (commissioning, maintenance, and operation). The PMO/PIUs will be assisted by technical experts who will evaluate technical reports, feasibility studies, preliminary design reports, environmental assessment reports (including environmental management plan with budget) reports, RPs, IPDPs, and detailed design reports to ensure compliance with ADB and Government requirements. Summary appraisal reports will be submitted to ADB subsequent to EA approval and required Government clearances. Overall Project progress reports will be submitted to ADB on a quarterly basis, and other required project performance and monitoring reports (including environmental monitoring) will be submitted on a twice per year basis.

14. The PMO will provide guidelines and will assist PIUs in undertaking required social assessments (including IP issues) for subprojects. With technical assistance from the PMO, the PIUs (further elaborated in the following section), where required, will be responsible for preparing IPDPs for subprojects, and will submit IPDPs to the PMO, IAs and EA for review and approval. Approved IPDPs will be provided to ADB's India Resident Mission (INRM) for review and approval prior to implementation.

15. 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 Project;
- (ii) ensure IPs inclusion in the entire process of preparation, implementation, and monitoring of Project 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 Project; and
- (iv) provide a base for IPs in the area to receive adequate development attention.

#### **D. Procedures for IPDP Preparation**

<sup>3</sup> Impacts are insignificant when fewer than 100 indigenous people are affected.

<sup>4</sup> The PMO will be the IA for the institutional strengthening component.

16. 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>5</sup>

### **1. Preliminary Screening**

17. The PIUs will visit all IP communities and villages near subproject sites or areas being affected and influenced by subproject sites. The PIUs will arrange public meetings in selected communities to provide information on the Project and the subproject. During the visits, community leaders and other participants will present their views with regard to the Project and subproject.

18. At this visit, the PIU will undertake a screening for IP populations with the help of IP community leaders and local leaders. 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 subproject site.

19. The PIU will also accomplish an IP assessment checklist. The results of the preliminary screening will be provided to the PMO 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 Project, a social impact assessment (SIA) will be planned for those areas.

### **2. Social Impact Assessment**

20. The PIU, with technical assistance from PMO, will undertake an 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.

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 subproject. Discussions will focus on positive and negative impacts of the subproject as well as recommendations on the design of the subproject and Project. The PMO 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 Project works—the PIU in

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<sup>5</sup> The IPDPs components are: preliminary screening, social impact assessment, mitigation measures, development assistance, and project monitoring.

consultation with the PMO 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**

22. The action plan will consist of a number of activities and will include mitigation measures of potentially negative impacts, modification of project design, and development assistance. Where there is land acquisition in IP communities, the Project will ensure their rights will not be violated and that they be compensated for the use of any part of their land in a manner that is culturally acceptable to the affected IPs.<sup>6</sup> The IPDP will include:

- (i) Baseline data,
- (ii) Land tenure information,
- (iii) Local participation,
- (iv) Technical identification of development or mitigation activities,
- (v) Institutional arrangement,
- (vi) Implementation schedule,
- (vii) Monitoring and evaluation, and
- (viii) Cost estimate and financing plan.

23. Where warranted, the IPDP will be developed by the PIU with technical assistance from the PMO, and the IPDP will form part of the final feasibility report for the subproject. The PMO, IAs 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).

#### **E. Consultation and Information Disclosure**

24. The IPDP will be prepared in consultation with the affected IP groups. The mitigation measures and strategies will be presented to them by the PIU, with technical assistance from the PMO and consultants, in community level workshops. Inputs from the community level workshops will be considered in subproject design and the final IPDP. The IPDP will be translated into local IP language(s) prior to implementation.

25. 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.

#### **F. Institutional Framework**

26. In the preparation of subproject IPDPs, the PMO will have overall coordination and financing responsibilities. The PMO through the relevant PIUs and in coordination with the

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<sup>6</sup> The compensation will follow the Resettlement Policy Framework of the Project.

relevant IA will prepare, implement, and monitor the IPDP. Since IP issues are sensitive, the PMO will ensure that a consultant with knowledge and experience of working among IP groups is available for assisting in the planning and implementation of IPDPs for the Project. The PMO will ensure that the consultant hired to assist the PIU in planning and implementation of IPDPs for subprojects is familiar with ADB policy and requirements for IPDPs.

#### **G. IPDP Budget**

27. The EA will provide sufficient resources to formulate IPDPs in subprojects which will have impacts on IPs. It will implement the IPDP through PIUs. A detailed budget will be prepared by the PIU 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 project cost, and will be made available during project implementation.

#### **H. Monitoring and Evaluation**

28. Implementation of the IPDP will be monitored regularly. The PIU will establish a quarterly monitoring system involving the PIU 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 PIU 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/PMO with INRM concurrence to carry out external monitoring of the IPDP operations for the whole Project. Monitoring will be carried out twice a year during project implementation. These reports will be submitted to the EA and INRM for review. The EA through the PMO will be responsible for determining if any follow-up actions are necessary and ensuring any necessary actions are taken regarding the implementation of IPDPs.