

Indigenous Peoples Screening and Due Diligence Report

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INDIA: Madhya Pradesh Urban Services Improvement Project – Additional Financing (Water Supply Scheme in Barigarh Town)

Package No: MPUSIP-6F

CURRENCY EQUIVALENTS

(as of 10 May 2020)

Currency unit	–	Indian rupee (₹)
₹1.00	=	\$0.0132
\$1.00	=	₹75.489

ABBREVIATIONS

ADB	–	Asian Development Bank
BPL	–	below poverty line
CMO	–	Chief Municipal Officer
DBO	–	Design build operate
DDR	–	Due diligence report
DPR	–	Detailed project report
EMP	–	Environmental Management Plan
GOI	–	Government of India
GOMP	–	Government of Madhya Pradesh
GRC	–	grievance Redress Committee
GRM	–	grievance Redress Mechanism
IPP	–	Indigenous People's Plan
IPPF	–	Indigenous People Planning Framework
MPUDC	–	Madhya Pradesh Urban Development Company Limited
MPUIF	–	Madhya Pradesh Urban Infrastructure Fund
MPUSIP	–	Madhya Pradesh Urban Services Improvement Project
NOC	–	No objection certificate
OHT	–	Overhead tank
PIU	–	project implementation unit
PMC	–	project management consultants
PMU	–	Project management unit
RFCTLARRA	–	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
SPS	–	safeguard policy statement
UDED	–	Urban Development and Environment Department
ULB	–	urban local body
WRD	–	Water Resources Department
WSS	–	Water Supply Scheme
WTP	–	water treatment plant

WEIGHTS AND MEASURES

Ha	–	Hectare
kl	–	Kiloliter
km	–	Kilo meter
LPCD	–	Liter per capita day
m	–	meter
MLD	–	million liters per day
mm	–	millimeter

NOTE

In this report, "\$" refers to United States dollars.

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GLOSSARY

Indigenous Peoples. 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. In considering these characteristics, national legislation, customary law, and any international conventions to which the country is a party will be taken into account.

Meaningful Consultation. A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

Particularly Vulnerable Tribal Groups. There are certain tribal communities who use pre-agricultural level of technology, and have a stagnant or declining population growth, extremely low level of literacy and a subsistence level of economy. Such groups are categorized as Particularly Vulnerable Tribal Groups (PVTGs). Most of these groups have not attained significant level of educational, economic progress and are having low health indices.

Scheduled Caste and Scheduled Tribe. Certain communities suffering from extreme social, educational and economic backwardness arising out of age-old practice of untouchability and certain others on account of the primitive agricultural practices, lack of infrastructure facilities and geographical isolation, and who need special consideration for safeguarding their interests and for their accelerated socioeconomic development are notified as Scheduled Castes and Scheduled Tribes as per provisions contained in Clause 1 of Articles 341 and 342 of the Constitution of India respectively.

Vulnerable Persons are those below the poverty line, the elderly—above 60 years of age, female headed households, children (persons below 18 years of age are considered as minors or children in India), physically handicapped, indigenous people, scheduled castes and scheduled tribes, households with disabled persons, landless, transgender and those without legal title.

I. INTRODUCTION

A. Overview

1. The Asian Development Bank (ADB) approved a sector loan for the Government of Madhya Pradesh (GOMP) to implement Madhya Pradesh Urban Services Improvement Project (MPUSIP). The sector project loan was approved on 18 May 2017, signed on 19 June and became effective on 21 August 2017. ADB's support was sought to improve water supply services in small and remote ULBs of Madhya Pradesh, which were not supported by any other program. ADB and the GOMP agreed on ADB's investment in phased manner in this priority sector taking up 68 ULBs under the current project and 70 ULBs under additional financing (hereafter referred as "the project").

2. The additional financing is the next step towards scaling up the coverage of improved urban service delivery in Madhya Pradesh by building on the positive momentum of the outputs and sector reforms¹ initiated to date under the current project. The additional financing will enable additional 64 ULBs to provide 24x7 water supply services; improve and expand the integrated storm water and sewage infrastructure coverage in 6 ULBs following a mix of onsite and offsite sanitation approaches and introduce integrated urban development (IUD) approaches in two ULBs. The integrated storm water and sewage infrastructure approaches include fecal sludge management coupled with stormwater or flood management to address the full range of wastewater generated, cotreated and discharged in the local environment to improve the livability of town. It will also build UDHD, MPUDC, and the participating ULBs' capacities to improve coverage of urban services in Madhya Pradesh.² The project will enhance the outcome of the current project in: (a) expanding access to improved water supply services to additional 1.3 million people, which will increase the project outcome target by 80 percent from 1.6 million to a total of 2.9 million people; (b) increasing coverage area of waste water management from 4 to 11 towns; and (c) expand the capacity development output to include strengthening project ULBs capability in O&M of water supply and integrated storm water and sewage infrastructure. The project is aligned with the following impact(s): economic growth and urban living conditions improved, and infant mortality reduced in the state.³ The project will have the following outcome: quality, coverage, efficiency, and sustainability of urban service delivery improved in the state. Envisaged outputs of the project include: (i) Output 1: Water supply and integrated storm water and sewage infrastructure improved; and (ii) Output 2: Institutions strengthened, and capacity developed.

3. The executing and implementing agencies will remain unchanged from those in the current project. The State Urban Development and Housing Department (UDHD) will continue to be the executing agency (EA) and Madhya Pradesh Urban Development Company Limited (MPUDC) will continue as the implementing agency (IA) for the project.

B. Distribution of Scheduled Tribes in Madhya Pradesh and India

4. According to Census of India 2011, 8.61% of India's population is classified as scheduled tribe.⁴ In comparison to the national figure, Madhya Pradesh has 14.7% of its population classified

¹ Universal coverage, full O&M cost recovery, 100% metering, adopting volumetric tariff coupled with GOMP led urban property tax reforms and eGovernance, and establishing customer services center in each ULB.

² The project towns generally have a population of 5,000 to 100,000.

³ As passed by the Lok Sabha on 29 August 2013.

⁴ The Constitution of India defines scheduled tribes as follows: "Scheduled tribes (scheduled tribes) are those communities 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)

under scheduled tribe and a total of 46 tribal communities reside in the State, refer to Appendix 1, which provides the list of tribal communities in the state of Madhya Pradesh as provided by Tribal Welfare Department, Government of Madhya Pradesh.

5. The tribal population of Madhya Pradesh increased to 15,316,784 in 2011 from 12,233,474 in 2001. The decadal growth rate during this period is 25.20%. Madhya Pradesh has certain areas have been declared as 'Scheduled Areas'⁵ as specified under the Fifth Schedule of the Indian Constitution. The list of scheduled areas in Madhya Pradesh is provided in Appendix 2. The percentage of scheduled tribe population in the rural areas (11.3%) of Madhya Pradesh is much higher than urban population (2.8%).

C. Indigenous Peoples Planning Framework (IPPF)

6. ADB's Indigenous Peoples Policy uses the following characteristics to define indigenous peoples: (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.

7. An Indigenous Peoples Planning Framework (IPPF) for MPUSIP-Additional Financing has been developed to manage and mitigate possible impacts to the indigenous people in the project area. The IPPF sets out the policy, principles, and implementation mechanisms to address such impacts according to ADB's Safeguards Policy Statement (SPS)-2009 requirement no. 3 on indigenous peoples. During the course of project identification and social impact assessment, if there are presence of indigenous peoples, the impacts (both positive and negative) of the subproject component on affected groups/communities are addressed according to the prepared framework. The framework addresses the developmental needs of indigenous peoples as a distinct community through a process of sustainable development.

D. Due Diligence Report

8. This draft indigenous peoples screening and due diligence report (DDR) is prepared in accordance with the agreed IPPF of MPUSIP for Additional Financing and the ADB Safeguard Policy Statement (SPS) 2009 for the proposed subproject of water supply scheme (WSS) for town Barigarh, located in District Chhatarpur of the State Madhya Pradesh to screen subproject impacts on tribal people in detail so that an appropriate planning document can be prepared.

9. This document will be updated and reconfirmed for final indigenous peoples impacts after completion of detailed measurement surveys (DMS) which will be conducted by Design Build and

shyness with the public at large; (iv) geographical isolation; and (v) social and economic backwardness before notifying them as a scheduled tribe." A scheduled tribe will have one of these factors by the respective markers.

⁵ As per the provision under Article 244 (1) of the Constitution of India, the 'scheduled areas' are defined as "such areas as the President may by order declare to be scheduled areas"- as per paragraph 6(1) of the Fifth Schedule of the Constitution. The specification of "Scheduled Areas" in relation to a State is by a notified order of the President, after consultation with the State Government concerned. The same applies in the case of any alteration, increase, decrease, incorporation of new areas, or rescinding any Orders relating to "Scheduled Areas". Criteria for declaring any area as a "Scheduled Area under the Fifth Schedule are: (a) Preponderance of tribal population, (b) Compactness and reasonable size of the area, (c) A viable administrative entity such as a district, block or taluk, and (d) Economic backwardness of the area as compared to the neighboring areas.

Source:<https://tribal.nic.in/declarationof5thSchedule.aspx>;<https://tribal.nic.in/DivisionsFiles/clm/ScheduledAreas.pdf>

Operate (DBO) Contractor, project consultants and PMU before initiation of civil works.⁶ The EA will be responsible for submission of the updated social safeguard document to ADB for No Objection. The final indigenous peoples DDR report will be reviewed and disclosed on website of urban local body (ULB), implementing agency and ADB.

II. PROPOSED SUBPROJECT COMPONENTS

10. Presently, the water supply source of Barigarh town is mainly through tube wells. Tube wells become dry in summer season and are insufficient to cater the demand at 70 LPCD for present and projected population of the town. Hence, these are not dependable sources nor are the people of the town are getting treated water as per CPHEEO minimum norms of 70 LPCD. With this, there is a need for the construction of anicut and intake structure in Kel river, raw water rising main, clear water gravity main, construction of WTP and OHT and providing new distribution system with metering, DMA, Supervisory Controller and Data Acquisition (SCADA) system and house service connections etc. Proposed components are as follows:

- (i) **Surface source:** Kel River (tributary of Ken River) which is about 3340 M from the town Barigarh;
- (ii) **Anicut:** An anicut 73.50 M long and 5 M height is proposed across river Kel near village Chelapur. The capacity of proposed anicut at 5 M is calculated 0.53 mcm and is sufficient up to ultimate year 2048;
- (iii) **Intake Well cum pump house:** In the bank of Kel River near village Chelapur, there is proposed R.C.C. intake well of 6 M diameter and 8 M height to collect and lift water up to treatment works;
- (iv) **Raw Water Rising Main (RWRM):** Length of proposed alignment of RWRM is 3350 M with 200 mm dia of DI K9 from proposed from Intake well to proposed WTP;
- (v) **Raw Water Pump:** Two nos. vertical turbine type pump with 100% as standby is proposed. The discharge of each pump is 11.87 LPS and head is 41.97 meter at intermediate stage Year 2033 and 15.51 LPS and head is 52.52 meter at ultimate stage Year 2048;
- (vi) **Water Treatment Plant:** with capacity of 1.20 MLD at ultimate stage considering 22 hours pumping is proposed;
- (vii) **Clear water Sump** of capacity 40 KL proposed within the premises of WTP for 45 minutes detention time;
- (viii) **Clear water Pump** at WTP: Provision of 2 numbers Centrifugal type pump having discharge 2.92 MLD or 36.87 LPS and head of 79 m with suitable motor is proposed with 100 percent standby (1 no. working and one stand by) arrangement at TP including suction pipe, control panel, cable and all accessories is made. The rating of each pump is 36.21 KW (say 36.50 KW). This will be replaced by 44 KW, 41.54 LPS discharging capacity at 85 m head pumps in year 2049. The pumping is proposed for 22 hours;
- (ix) **Clear Water Gravity Main:** Length of CWGM is 1866 M to be laid to supply clear water;

⁶ Detailed measurement survey will be jointly conducted by safeguards personnel of project implementation unit, consultants and contractors prior to implementation at each site/stretch of alignment. Reports (IR and indigenous people for different sites/stretches will be prepared and submitted to ADB for approval; prior payment of compensation to permanent and/or temporarily impacted persons is mandatory before start of civil work at each site/alignment stretch. The social safeguards documents will be updated by PMDSC based on detailed design and submitted to PMU, which will review and submit the same to ADB for approval.

- (x) **Overhead Tank (OHT):** For effective distribution two zones are proposed. In 1st zone there is existing OHT of 250 KL and is sufficient. In 2nd zone, one OHT of 100 KL capacity is proposed. The staging of the proposed overhead tank will be 9 M to maintain minimum residual head of 7 M at tell ends of the distribution network;
- (xi) **Distribution Network:** Total length of proposed distribution network is around 22317 M of diameter 110 mm to 250 mm HDPE PN 10 pipe.

11. The objective of the proposed subproject improvements in Barigarh is to achieve safe and sustainable water services both in terms of services to customers, cost recovery and conservation of precious water resources. The subproject envisages providing 100% coverage of population with continuous, pressurized and safe drinking water services and achieving progressively increasing cost recovery by expanding the coverage and increasing operating efficiency. The main objectives of the subproject are as follows:

- (i) To supply potable drinking water;
- (ii) To promote sustainable measures to increase potable water supply to the population;
- (iii) To provide water supply through future sustainable source developments;
- (iv) To provide water supply through improvements of safe yield of existing water sources;
- (v) To provide water supply through improvements of water treatment works;
- (vi) To supply drinking water which contributes towards a sustainable regional development; and
- (vii) To improve the current state of the water cycle of subproject through improvements in the separate components of the water supply system in investment program.

III. PRELIMINARY SCREENING

12. A preliminary screening covering all indigenous peoples communities within the vicinity of the proposed sub-project area was undertaken. The ULB arranged public meetings with scheduled caste communities to provide information regarding the Barigarh Water Supply sub-project. During these meetings, community leaders and other participants were given an opportunity to present their views and concerns. An initial screening will check for the following:

- (i) Presence and names of tribal community groups in the area;
- (ii) Cultural and religious distinction of the tribal groups/indigenous peoples vis-à-vis other communities, and mainstreaming of the indigenous peoples with the dominant population;
- (iii) Laws and legislations related to tribal groups;
- (iv) Total number of tribal community groups and percentage of tribal/indigenous peoples population to total population in the area;
- (v) Number and percentage of tribal households likely to be affected by the subproject component; and
- (vi) Identifying vulnerability of the scheduled tribes such as presence of particularly vulnerable tribal groups (PVTG)⁷ and existing socio-economic conditions that may further deteriorate due to project intervention. Vulnerable groups among the tribal community were identified within the project area, as they warrant special

⁷ Three tribal groups namely Baiga, Bahariya and Sahariya have been declared particularly vulnerable tribal groups (PVTGs) in Madhya Pradesh.

measures to protect their socio-cultural identity as per MPUSIP IPPF – Additional Financing. Assessment was also made to understand if there is any possibility of future impact due to the project.

13. Based on Census of India 2011, Barigarh has a significant population of scheduled caste population comprising of 3,038 while the scheduled tribes population is only 8. Overall, scheduled caste and scheduled tribe account for 34.15% (3,046) of the total town's population (8,918). Please check Table 1 for details.

Table 1: Scheduled Caste and Scheduled Tribe Population in Barigarh town

Sl. No.	Category/Group	Population	Population to the total town population (%)
1	Scheduled Caste Population	3,038	34.06
2	Scheduled Tribes Population	8	0.09
3	Scheduled Caste and Scheduled Tribes Population	3,046	34.15
Total Population of Barigarh Town		8,918	

Source: Census of India, 2011

14. Based on the assessment, Barigarh does not fall in a scheduled area and has a small proportion of population (0.09%) categorized as scheduled tribe as per data Census 2011. Furthermore, the rapid assessments through community consultations, transect walks and other secondary data did not indicate the presence of specific backward tribes or primitive scheduled tribes in the subproject town. Details of the ward-wise population in Barigarh is depicted in Table 2. An indigenous peoples screening and impact assessment was undertaken on the basis of ADB's screening checklist. The results of the screening show that the reported number of scheduled tribes' households were government officials and they have been transferred now to other station. Currently, no scheduled tribes' household is reported in Barigarh town. The checklist for screening of indigenous peoples in the subproject is presented in Appendix 5.

15. To understand the concerns and perspectives about the proposed water supply of other community members, a team of DPR consultants has visited the wards, met the Chief Municipal Officer (CMO) of Nagar Parishad-Barigarh and organized consultations with scheduled caste. All have welcomed the water supply subproject for subproject town Barigarh, for more details please refer to Appendix 3 and 4.

Table 2: Details of Ward-wise Population in Barigarh Town

Wards	Number of Households	Population		
		Total	Scheduled Tribes	Scheduled Caste
Ward Number 1	97	569	0	176
Ward Number 2	105	629	0	86
Ward Number 3	93	487	0	8
Ward Number 4	104	499	0	196
Ward Number 5	91	405	0	235
Ward Number 6	74	382	0	21
Ward Number 7	111	635	0	96
Ward Number 8	95	516	0	165
Ward Number 9	138	888	0	204
Ward Number 10	143	735	0	194
Ward Number 11	80	408	0	301

Wards	Number of Households	Population		
		Total	Scheduled Tribes	Scheduled Caste
Ward Number 12	138	881	0	668
Ward Number 13	136	602	0	366
Ward Number 14	201	904	1	173
Ward Number 15	87	378	7	149
Total	1693	8918	8	3038

Source: Census of India, 2011.

IV. CATEGORIZATION

16. The proposed subproject of Barigarh WSS is classified as 'Category C' for indigenous peoples impact. Barigarh does not fall in a scheduled area; and based on initial screening, no presence of particularly vulnerable tribal groups (PVTGs) is reported in the town. The town has a small proportion (0.09%, 8 persons) of population classified as scheduled tribe, which is well assimilated in urban society. No private land acquisition is envisaged and involuntary resettlement and impacts on traditional lands of indigenous peoples are not reported or envisaged. Identified land for subproject components is government land which is vacant and free from all encumbrances. No adverse impacts to the dignity, human rights, livelihood systems or territories or natural or cultural resources that are used, owned, occupied or claimed by indigenous peoples as their ancestral domain or asset, is assessed as a result of the proposed subproject in Barigarh.

V. MEASURES FOR INCLUSION AND PARTICIPATION

17. The impacts on scheduled tribe and vulnerable households being potentially positive, measures will be taken to ensure that benefits are equally shared. This will be by ensuring vulnerable people's participation as stakeholders during consultations at all stages of the subproject. Every effort will be made to ensure that consultations are meaningful, and concerns of vulnerable people are recorded and addressed.

18. Indigenous Peoples Planning Framework (IPPF) of MPUSIP – additional financing seeks to ensure that scheduled tribe, scheduled caste and other vulnerable persons are informed, consulted, and mobilized in order to participate in the project preparation and implementation to ensure the priorities, preferences, and needs of the tribal/vulnerable persons have been taken into consideration adequately. With that objective in view, a strategy for consultation with scheduled caste and other vulnerable persons⁸ will be developed so that these are conducted in a participatory manner. The MPUDC/PMU/PIU/ULB representatives will be part of evolving that strategy and consultation process.

- (i) The project has initiated and will continue to actively engage with scheduled tribe scheduled caste and other vulnerable persons in all stages of the project cycle, including project preparation, and feedback of such consultations will be reflected in the project design followed by disclosure. Their participation in project planning will inform project design, and the scheduled tribe and other vulnerable persons should be convinced of their benefits from the project. The awareness material

⁸ Vulnerable persons in the target group include scheduled tribe, scheduled caste, women headed households, below poverty line households, persons with disabilities, transgenders etc.

prepared will be translated into the local language of the scheduled tribe and other vulnerable persons and made available to them before implementation of the project;

- (ii) Local community-based organizations (CBOs) / community representatives will be involved in resolving all issues related to the scheduled caste and other vulnerable persons through consultation and facilitation by the PIU/Nagar Parishad (ULB) and PMU. The PMU/ULB will ensure adequate flow of funds for consultation and facilitation of planned activities within scheduled tribes' community; and
- (iii) A Project Information Disclosure (PID) brochure will be prepared, translated into a language understandable to the tribal and other vulnerable people, and distributed among them.

19. This draft indigenous peoples DDR is prepared in consultation with key stakeholders mainly elected representatives locally called ward councilors, scheduled tribe and scheduled caste households residing in subproject town, Chairman of Nagar Parishad Barigarh and chief municipal officer (CMO) of town Barigarh. Formal and informal consultations were conducted to seek feedback from the local community and other key stakeholders of both municipalities on the proposed development interventions, perceived impacts and mitigation measures, and the need for continuous monitoring to avoid any adverse impact on scheduled tribe community and ensure their inclusion in project benefits. Consultations revealed that scheduled tribe population is aware of the problems and issues of the existing water supply system in the town and willing to cooperate with the proposed subproject. Summary of the consultations is provided in Appendix 3 while for photographs and list of participants, refer to Appendix 4.

VI. MONITORING

20. The project is classified as Category C for indigenous peoples impact. However, as per policy adopted by the PMU of MPUSIP, monitoring indicators are suggested for inclusion of scheduled tribe, scheduled caste and other vulnerable persons⁹ in the project benefits and to track the positive impact on such populations in various wards in Barigarh town. Through these monitoring indicators, participation can be increased, marginalized group and women to generate income through employment generation in the project. Table 3 reflects the suggested activities and indicators to be monitored for inclusion:

Table 3: Monitoring Indicators

Sl. No.	Activities Suggested	Indicators for inclusion
1	Consultation with scheduled tribe/scheduled caste/poor and vulnerable households throughout the implementation phase	Number and percentage of Scheduled Caste/ Scheduled Tribe/Poor/Vulnerable (specify vulnerability) persons participated (Male/Female)
2	Skill training programs for project related jobs/other work	Number of scheduled tribe, scheduled caste, poor and vulnerable (specify vulnerability) persons (M/F) provided certified training for project related jobs/other works

⁹ Vulnerable Persons are those below the poverty line, the elderly—above 60 years of age, female headed households, children (persons below 18 years of age are considered as minors or children in India), physically handicapped, indigenous people, scheduled castes and scheduled tribes, households with disabled persons, landless, transgender and those without legal title.

Sl. No.	Activities Suggested	Indicators for inclusion
3	Individual/House connections	*Number of connections given to scheduled tribe, scheduled caste, poor and vulnerable households (male headed/female headed), in relation to total households connected
4	Employment Generation in project construction related work	Number of scheduled tribes, scheduled caste, poor and vulnerable employed (M/F)
5	Employment generation in Operation and Maintenance	Number of scheduled tribes, scheduled caste, poor and vulnerable employed in project operation related work by contractor (Male/Female)
6	Consultation with scheduled tribe/scheduled caste/poor and vulnerable households throughout the implementation phase	Number and percentage of Scheduled Caste/ Scheduled Tribe/Poor/Vulnerable (specify vulnerability) persons participated (Male/Female)

*It is being ensured that 100% households will have individual water supply connections in the proposed water supply subproject.

21. Minutes of meeting and photographs during consultations with scheduled tribe people must be maintained by the contractor and urban local body. Contractors, ULB and PIU staff will be given sensitization training to ensure the social inclusion of scheduled tribe people is achieved.

VII. BUDGET

22. A budgetary provision is made for costs likely to be incurred during implementation of subproject town under water supply scheme.

Table 4: Budget

Sl. No.	Description	Target group	Estimated cost (INR)
1.	Consultations, focus group discussions and information dissemination through posters and pamphlets	Scheduled tribe/ scheduled caste, poor and vulnerable persons	1,50,000
2.	Training on income generation activities and provision of toolkits	Scheduled tribe/scheduled caste, poor and vulnerable persons	1,00,000
3.	Contingency (15%)		37,500
Total			2,87,500

VIII. CONCLUSION

A. Summary and Conclusions

23. Barigarh does not fall under a scheduled area and has a small percentage (0.09%) of scheduled tribe. Based on the assessment, most of them are government officials and are reportedly transferred to other duty stations. Barigarh does not fall under the classification of scheduled area where provisions of the Fifth Schedule as per the Constitution of India is applicable and scheduled tribe population does not conform to ADB SPS definition of indigenous peoples' groups. Only beneficial impacts to scheduled tribe, scheduled caste and vulnerable persons in the project town are anticipated and will be ensured. No adverse impacts to the dignity,

human rights, livelihood systems or territories or natural or cultural resources that are used, owned, occupied or claimed by indigenous peoples as their ancestral domain or asset, is assessed as a result of the proposed subproject in Barigarh. The lands identified for the proposed subproject components are government lands and do not belong to any schedule tribe groups/indigenous peoples groups/communities, hence, no physical displacement and / or economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) of indigenous people is anticipated as a result of land acquisition. Land identified for intake well belongs to Irrigation Department while the proposed sites for WTP and OHT belongs to Revenue Department under Government of Madhya Pradesh. No Objection Certificate (NOC) is required for abstraction of water from Water Resource Department (WRD) and from forest department to lay the RWRM. For linear components (pipe lying) or those proposed along right of way (ROW) of existing government roads, temporary disruption to road users, pedestrians and commercial vendors will be avoided.

24. It is ensured that scheduled tribe and other vulnerable households are included in project benefits (a) 100% individual household connections for all households in project coverage area, including scheduled tribe/scheduled caste/poor, women-headed and other vulnerable households are ensured under the project, (b) skill training for at least 2 vulnerable persons per ward (one male and one female) is being taken up by the contractor; and (c) the contract includes a provision related to employment of scheduled caste/scheduled tribe population and women / vulnerable persons, who are interested and possess required skill or are willing to get trained and available for work in construction-related work and work related to O and M of project facilities. The contractor maintains records of such employment, which is being monitored by the PMU.

25. In the congested areas of subproject towns, safety measures and simple mitigation measures will be adopted during construction by the DBO Contractor such as to undertaking construction on weekly market holidays, and proper traffic management and information sharing with the public etc., as safeguard measures for indigenous people too.

26. Other safety measures are taken during construction time to avoid injuries such as cordon off the deep excavated area etc. Inconveniences to the public are mitigated during construction by the contractor through simple measures such as provision of planks for pedestrian access to shops with effective traffic management.

B. Next Steps

- (i) The draft DDR needs to be updated based on detailed design by DBO contractor in coordination with PIU/PMU/PMDSC, initiation/completion of due procedures are reported, and no objection from ADB is obtained prior to start of construction;
- (ii) To increase the participation of scheduled tribe/scheduled caste and other vulnerable groups in project activities, the frequency of consultations, will be increased; record of consultations held with local communities and other stakeholders to be documented and included in updated/final DDR. Draft DDR and more consultation will be added during updated/final DDR;
- (iii) Due diligence report to be updated from time to time by Executing Agency, initiation/completion of due procedures reported, and ADB approval required for No objection.

Appendix 1: List of Tribal Communities in State of Madhya Pradesh

- 1) Agariya
- 2) Andh
- 3) Baiga
- 4) Bhaina
- 5) Bharia Bhumia, Bhuinhar Bhumia, Bhumiya, Bharia, Paliha, Pando
- 6) Bhattra
- 7) Bhil, Bhilala, Barela, Patelia
- 8) Bhil Mina
- 9) Bhunjia
- 10) Biar, Biyar
- 11) Binjhar
- 12) Birhul, Birhor
- 13) Damor, Damaria
- 14) Dhanwar
- 15) Gadaba, Gadba
- 16) Gond; Arakh, Arrakh, Agaria, Asur, Badi Maria, Bada Maria, Bhatola, Bhimma, Bhuta, Koilabhuta, Koliabhuti, Bhar, Bisonhorn Maria, Chota Maria, Dandami Maria, Dhuru, Dhurwa, Dhoba, Dhulia, Dorla, Gaiki, Gatta, Gatti, Gaita, Gond Gowari, Hill Maria, Kandra, Kalanga, Khatola, Koitar, Koya, Khirwar, Khirwara, Kucha Maria, Kuchaki Maria, Madia, Maria, Mana, Mannewar, Moghya, Mogia, Monghya, Mudia, Muria, Nagarchi, Nagwanshi, Ojha, Raj, Sonjhari Jhareka, Thatia, Thotya, Wade Maria, Vade Maria, Daroi
- 17) Halba, Halbi
- 18) Kamar
- 19) Karku
- 20) Kawar, Kanwar, Kaur, Cherwa, Rathia, Tanwar, Chattri
- 21) (Omitted)
- 22) Khairwar, Kondar
- 23) Kharia
- 24) Kondh, Khond, Kandh
- 25) Kol
- 26) Kolam
- 27) Korku, Bopchi, Mouasi, Nihal, Nahul Bondhi, Bondeya
- 28) Korwa, Kodaku
- 29) Majhi
- 30) Majhwar
- 31) Mawasi
- 32) Omitted
- 33) Munda
- 34) Nagesia, Nagasia
- 35) Oraon, Dhanka, Dhangad
- 36) Panika [in (i) Chhatarpur, Panna, Rewa, Satna, Shahdol, Umaria, Sidhi and

Tikamgarh districts, and (ii) Sevda and Datia tehsils of Datia district]

37) Pao

38) Pardhan, Pathari, Saroti

39) Omitted

40) Pardhi, Bahelia, Bahellia, Chita Pardhi, Langoli Pardhi, Phans Pardhi, Shikari, Takankar, Takia [In (i) Chhindwara, Mandla, Dindori and Seoni districts, (ii) Baihar Tahsil of Balaghat District, (iii) Betul, Bhainsdehi and Shahpur tahsils of Betul district, (iv) Patan tahsil and Sihora and Majholi blocks of Jabalpur district, (v) Katni (Murwara) and Vijaya Raghogarh tahsils and Bahoriband and Dhemerkheda blocks of Katni district, (vi) Hoshangabad , Babai, Sohagpur, Pipariya and Bankhedi tah sils and Kesla block of Hoshangabad district, (vii) Narsinghpur district, and (viii) Harsud Tahsil of Khandwa district]

41) Parja

42) Sahariya, Saharia, Seharria, Sehria, Sosia, Sor

43) Saonta, Saunta

44) Saur

45) Sawar, Sawara

46) Sonr

Source: Government of Madhya Pradesh, Tribal Welfare Department

Appendix 2: List of Schedule Areas in State of Madhya Pradesh

- 1) Jhabua district
- 2) Mandla district
- 3) Dindori district
- 4) Barwani district
- 5) Sardarpur, Dhar, Kukshi, Dharampuri, Gandhwani and Manawar tahsils in Dhar district
- 6) Bhagwanpura, Segaon, Bhikangaon, Jhirniya, Khargone and Meheshwar tahsils in Khargone (West Nimar) district
- 7) Khalwa Tribal Development Block of Harsud tahsil and Khaknar Tribal Development Block of Khaknar tahsil in Khandwa (East Nimar) district
- 8) Sailana and Bajna tahsils in Ratlam district
- 9) Betul tahsil (excluding Betul Development Block) and Bhainsdehi and Shahpur tahsils in Betul district
- 10) Lakhanadone, Ghansaur and Kurai tahsils in Seoni district
- 11) Baihar tahsil in Balaghat district
- 12) Kesla Tribal Development Block of Itarsi tahsil in Hoshangabad district
- 13) Pushparajgarh, Anuppur, Jaithari, Kotma, Jaitpur, Sohagpur and Jaisinghnagar tahsils of Shahdol district
- 14) Pali Tribal Development Block in Pali tahsil of Umaria district
- 15) Kusmi Tribal Development Block in Kusmi tahsil of Sidhi district
- 16) Karahal Tribal Development Block in Karahal tahsil of Jaura district
- 17) Tamia and Jamai tahsils, patwari circle Nos. 10 to 12 and 16 to 19, villages Siregaon Khurd and Kirwari in patwari circle no. 09, villages Mainawari and Gaulie Parasia of patwari circle No. 13 in Parasia tahsil, village Bamhani of Patwari circle No. 25 in Chhindwara tahsil, Harai Tribal Development Block and patwari circle Nos. 28 to 36,41,43,44 and 45B in Amarwara tahsil Bichhua tahsil and patwari circle Nos. 05,08,09,10,11 and 14 in Saunsar tahsil, Patwari circle Nos. 01 to 11 and 13 to 26, and patwari circle no. 12 (excluding village Bhuli), village Nandpur of patwari circle No. 27, villages Nikanth and Dhawdikhapa of patwari circle no 28 in Pandurna tahsil of Chhindwara district.

Source: Government of Madhya Pradesh, Tribal Welfare Department

Appendix 3: Summary of Consultation with Scheduled Caste

Date	Location	Participants	Stakeholder	Topic Discussed	Issues Raised
06/02/2020	Ward number 4	Total=9 M=1 F=8	Scheduled Caste Households	<ul style="list-style-type: none"> • Status of existing drinking water supply system and need for improvements • Relevant information of the upcoming project and benefits of the project • Potential positive and negative impacts due to project implementation • Response of the community towards the project • GRM under MPUSIP 	<ul style="list-style-type: none"> • The area has insufficient and inadequate drinking water supply. The area faces severe water crisis during the summer seasons. • The community willingly accepts the project. • Participants expressed that their economic situation would prevent them from paying water user charges. • People were briefed about the complaint redress mechanism. • Award this WSS project to good contractor

Date	Location	Participants	Stakeholder	Topic Discussed	Issues Raised
06/02/2020	Ward number 13	Total=10 M=10	Scheduled Caste Households	<ul style="list-style-type: none"> • Briefing on project objectives probable implementation procedures • Present drinking water supply source and its condition • Need of improvement of the present situation • Potential positive and negative impacts due to project implementation • Land use and area to be covered under the project • Drinking water user charge • Consultants explained Draft DPR prepared for water supply scheme to ULB officials & Elected Ward Members • Discussed about scheme proposed from Ban Sagar dam as a source • Consultants explained about positive impacts of the scheme like 24x7 water supply, area covered in ULB, adequate pressure at user end etc. • GRM under MPUSIP 	<ul style="list-style-type: none"> • The Ward members of the ULB expressed need for the project and willingness to take it up; • The prime concern and apprehension of members was regarding the project was whether it will be a financial burden on the Nagar Parishad. • Discussed about source location and the land parcel for proposed infrastructure facilities. Ward members enquired about material of pipes used in the scheme and they were informed that Ductile Iron pipes are used for rising / pumping mains and HDPE pipes for distribution system • Operation and maintenance of the facilities developed under the project and community participation; • Possibility of exempting the poor and vulnerable from user charge payment. • GRC under MPUDC was briefed to Participants

Appendix 4: Photographs of Stakeholder Consultation and List of Participants

Consultation with Scheduled Caste Households in ward number 4



Consultation with Scheduled Caste Households in ward number 13



Appendix 5: Indigenous Peoples Screening Checklist

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, schedules tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?	√			The subproject area is not located within a "scheduled area" or tribal area. As per Census of India 2011, Barigarh has 0.09% of scheduled tribe population, which has been living there for several generations, is assimilated in urban society and does not have the socio-cultural characteristics of indigenous peoples 'groups' or 'indigenous communities' as per ADB SPS. No indigenous peoples impact involving direct or indirect impacts to the dignity, human rights, livelihood systems or territories or natural or cultural resources that are used, owned, occupied or claimed by indigenous peoples as their ancestral domain or asset, is anticipated. As per IPPF for MPUSIP-AF, only subproject areas located within scheduled areas or those with presence of particularly vulnerable tribal groups (PVTG) will trigger ADB SPS SR 3 for indigenous peoples.
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?				Not applicable, as explained in serial no. 1. There are national laws and policies that apply to scheduled tribe populations across India. These are not specific to the project area.
3. Do such groups self-identify as being part of a distinct social and cultural group?				Not applicable.
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?				Not applicable.
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?				Not applicable.

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
6. Do such groups speak a distinct language or dialect?				Not Applicable The population classified as scheduled tribe, residing in the town speak the mainstream language Hindi as they have been living in the town for a very long time and are assimilated.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?				Not Applicable
8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels?				Not applicable, as explained in serial no. 1. There are reserved seats for elected representatives from scheduled tribe (and scheduled caste), who are part of decision-making bodies at national and state level. However, they do not represent indigenous peoples' groups as defined by ADB SPS 2009.
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?		√		
10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g., child-rearing, health, education, arts, and governance)		√		
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)		√		
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?		√		
C. Identification of Special Requirements <i>Will the project activities include:</i>				

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		√		
14. Physical displacement from traditional or customary lands?		√		
15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		√		
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		√		
17. Acquisition of lands that are traditionally owned or customarily used occupied or claimed by indigenous peoples?		√		

Indigenous People Impact

1. After reviewing the answers above, EA/ Safeguard Team confirms that the proposed subsection/ section/ subproject/component (tick as appropriate):

[N] Has Indigenous People (IP) impact, an indigenous people plan (IPP) (or specific IP action plan) is required. Only beneficial impacts to indigenous peoples are anticipated. A Specific Action Plan is prepared to ensure inclusion and enhance participation.

[Y] Has No IP impact, no IPP/specific action plan required.

Prepared By: Signature: Name: Rajesh Sharma Position: Project Coordinator	Verified By: PMU Safeguard Team, MPUSIP-Bhopal Signature: Name: Position:
Date:	Date: