

National Call for Grant Applications from CSOs
Legal Awareness and aid provision for communities in India's Iron Ore Mining Areas

Reference No.:

Deadline: 26 June 2022

I. BACKGROUND

UNDP is the United Nations' lead development agency, working to support countries' work towards achieving the Sustainable Development Goals or SDGs. Through Business and Human Rights in Asia (B+HR) project, UNDP in India works with government, businesses and civil society organisations to enable Sustainable Economic Development, through the Protect, Respect and Remedy Framework of the UN Guiding Principles on Business and Human Rights (UNGPs). The project aims to raise awareness, build capacity of all stakeholders and rights holders, and facilitate policy coherence in the implementation of the UNGPs. The B+HR Asia project is implemented with support from the European Union.

The mining and metals industry in India remains critical to the government's vision to boost economic activity, employment and contributing to broader economic growth, with a GDP contribution of 2.5%.¹ With rising demands from infrastructure, real estate and transportation sectors, both globally and domestically, India remains a big market for mineral resources, as metals and power demand is expected to have robust growth in long term. In terms of generating employment, the sector, second only to agriculture, directly and indirectly employs about 11 million people, and sustains the livelihood of about 55 million people.²

In the recent years various policy initiatives have been undertaken by the Indian government (including National Mineral Policy 2019 and the Mines and Minerals (Development and Regulation) Amendment Act 2021) to reform the sector, boost output and attract foreign investment into the country's metal industry. These remain consistent approaches towards making India a \$5 trillion GDP economy by 2024-25.

Iron ore Mining in India – Scale

India has large resources of iron ore, most available across the States of Odisha, Chhattisgarh, Jharkhand, Karnataka and Goa. Iron and steel make up a core component for the real estate sector. Demand for these metals is expected to continue given strong growth prospects of residential and commercial building industry. Iron ore production in the country stood at 189 million tonnes in FY21. According to official data, in the first quarter of FY22, iron ore exports reached US\$ 1.7 billion, registering an increase of 168% YoY.³

II. RATIONALE

¹<https://www.dgms.gov.in/UserView/index?mid=1287#:~:text=Mining%20and%20quarrying%20sector%20contributes,GDP%20economy%20by%202024%2D25.>

²<https://www.hindustantimes.com/opinion/in-new-india-leveraging-the-country-s-great-mineral-potential-101617803609498.html>

³<https://www.ibef.org/industry/metals-and-mining.aspx#:~:text=In%20February%202021%2C%20two%20new,and%20employment%20opportunities%20for%20locals.>

A close review of India's mining statistics reveals⁴ that the country's major mineral area is under its richest forests and in the watersheds of its key rivers which are also the homes of India's most vulnerable communities, mainly tribal communities and forest dwellers. India's iron ore reserves are also predominantly found in this geographical belt, with the state of Odisha and Chhattisgarh being leading producers in the country, accounting for over 75% of the iron ore production in the nation cumulatively (Odisha -59.64%, Chhattisgarh – 14.11%)⁵

Mining activity in India has often led to land conflicts, serious environmental damage and violations of rights of indigenous and other vulnerable communities. Opening up ecologically sensitive and forest areas has in many reported cases resulted in irreversible damage to biodiversity and water sources, thereby affecting millions relying on these forests for their livelihoods and threatening the lives of the local people.

III. PURPOSE AND SCOPE OF WORK

The grant activities will be dedicated to developing interventions **to make contributions towards greater rights awareness and enhancing access to remedy for vulnerable populations affected by iron ore mining operations by businesses across any one Indian state of Odisha, Chhattisgarh, Jharkhand, Karnataka or Goa.** This Call for Grant of Applications is specifically for civil society actors with capacity for undertaking legal aid awareness and services.

Key *outputs* include:

- 1) To set up actions relating to greater awareness (particularly legal) and access to remedies for communities adversely affected by mining operations (iron ore focus) on key priority issues related to land acquisition, environmental concerns and participation in public processes as part of social and environment impact assessments;
- 2) To establish mechanisms and provisions for effective legal advice and aid to individuals and communities impacted adversely by mining operations by businesses; and
- 3) To strengthen capacities of paralegal volunteers, human rights defenders, activists and lawyers to address human rights abuses in the context of mining operations with particular focus on laws and legal processes including (but not limited to) land rights, environmental rights, health and public participation in social Impact Assessment (SIA) and Environment Impact Assessments (EIA)

The *activities* (indicative) are as follows:

Related to greater awareness (including legal) and access to remedies

- a) Conduct legal awareness workshops for community members, human rights defenders, civil society actors, paralegal volunteers and lawyers related to
 - issues including land rights, environmental rights, right to livelihood, free prior informed consent, processes related to effective public participation in social and environment impact assessments etc.

⁴ http://ismenvis.nic.in/KidsCentre/Mineral_Distribution_in_India_13948.aspx

⁵ <https://www.statista.com/statistics/1214139/india-iron-ore-production-share-by-state/>

- building increased understanding of state legal aid services and justice mechanisms to enhance accessibility
- b) Support awareness generation efforts through development and dissemination of communications products related to key priority issues and supporting legal aid services (in forms including brochures, pamphlets, community radio broadcasts etc.)

Related to providing legal advice and aid

- a) Provide legal advisory services (including at pre-litigation stages) to individuals/communities, human right defenders and civil society actors related to any adverse human rights impacts faced due to mining operations of businesses
- b) Provide legal aid services to individuals/communities, human right defenders and civil society actors related to any judicial process (court cases) arising out of adverse human rights impacts faced by communities/individuals due to mining operations of businesses

Related to building capacities of stakeholders

- a) Design and undertake training sessions for paralegal volunteers, lawyers, individual/community members and civil society actors on laws and legal processes including (but not limited to) land rights, environmental rights, health and public participation in social Impact Assessment (SIA) and Environment Impact Assessments (EIA);
- b) Support learning of paralegal volunteers, lawyers, community members through innovative approaches;

Eligible beneficiaries of assistance to be provided

- i. Any individual or community whose human rights have been impacted adversely by mining operations undertaken by a business;
- ii. any civil society organization, lawyer or paralegal volunteer supporting efforts of individuals and communities impacted by such operations;
- iii. a minimum of 50% of these beneficiaries will be women and girls, preferably more;
- iv. special efforts to be made to reach out to beneficiaries belonging to vulnerable communities (including scheduled tribes and scheduled castes), persons with disabilities and any particular group that in the opinion of the applicant organization is disadvantaged and/or marginalized with respect to adverse impacts of mining operations by businesses.

IV. ORGANISATIONS ELIGIBLE TO APPLY

Eligible organizations are civil society organizations with demonstrated networks and capacities for delivering legal advisory and aid services to disadvantaged, vulnerable communities impacted by mining projects in India, preferably with focus on iron ore mining in Odisha, Chhattisgarh, Jharkhand, Karnataka or Goa.

Eligibility criteria

- i. Holding the necessary permissions to provide services as outlined in this ToR (along with documentation to support organization registration)
- ii. Demonstrated experience of **at least 5 years** in delivery of legal advisory and aid services to disadvantaged, vulnerable communities impacted by mining projects in India, preferably with

focus on iron ore mining in one of the project states. Experience in sustainability, human rights and community development is also preferred

V. HOW TO APPLY FOR A GRANT

Those wishing to apply for grant under this call for proposal should submit the following:

1. Copy of the Registration of the Organization
2. Civil Society Organizational Structure
3. Resumes of the proposed project team
4. Sample of knowledge products (for example Annual Reports, or applicable Research products)
5. Proposed Work Plan (See Annex A);
6. Budget Form (See Annex A).

IMPORTANT: Please send Grant Submission Form electronically in one file (pdf format) signed and scanned to the following email bizhumanrights.india@undp.org The Results and Resources Framework in the proposed work plan (See Annex A) together with Budget Form (Also in Annex A) shall be submitted as separate documents electronically in Excel format. If additional clarifications required, questions can be sent to the same email address indicated above. Answers to questions will be provided within two working days.

Deadline for applications is **26 June 2022, 23:59 hrs India time**. Applications received after the deadline will not be considered.

Budget

Under the small grants programme, UNDP will contribute approximately **40,000 USD to a CSO found eligible under this Call for Applications**.

Proposals with the project staff salary costs exceeding 25% of the total budget will be disqualified without further consideration.

Eligible costs include honorarium/salary, workshops and trainings, rental, stationery and office equipment, printing and translation, creation of online tools and resources, and other costs directly related to this assignment. Expenditures such as the infrastructure improvement, equipment, maintenance, utilities, overhead and similar costs are ineligible for this grant proposal.

VI. EVALUATION AND SELECTION OF GRANT APPLICATIONS

a) **UNDP will review proposals through a five-step process:**

- **Step 1: Determination of eligibility**

This first step will consist of checking the administrative responsiveness and/or eligibility of the application, including: submission by deadline; in the required format; computer typed in English; application form fully completed with requested documents attached; applicant is an 'eligible organisation'; requested funding is within specified range; duration is within timeframe set out in this call for application.

- **Step 2: Technical review of eligible applications**

All proposals considered eligible under Step 1 will be reviewed and evaluated by a Technical Selection Committee based on a pre-defined criteria and related weighting as summarized below. The evaluation criteria allow the quality of applications submitted to be assessed consistently and systematically in relation to the objectives and priorities set, and grants to be awarded to projects that are likely to have high outreach and effective delivery to the target groups. The review will include checking that budgets are reasonable, realistic and in line with all activities proposed in the work plan.

CRITERIA	ALLOCATION OF POINTS
Project Relevance	30
Project Implementation	30
Technical Capacity and Expertise	20
Budget and cost effectiveness	20
TOTAL	100

- **Step 3: Capacity assessment of organisations whose applications have been considered eligible**
UNDP will assess shortlisted applicants' organizational and financial management capacity. UNDP's Partner Capacity Assessment Tool (PCAT) will be used, and the findings will also feed into future institutional capacity development activities. At this stage there may be a round of clarifications to seek further information from applicants.
- **Step 4: Submission of Recommendations to the Grants Selection Committee**
Based on the results of the technical review and the capacity assessment of short-listed applicants, a Grants Selection Committee composed of members selected based on their technical expertise, neutrality and impartiality (and independent from B+HR Asia project) will make final decisions on the allocation of grants based on
 - Scores from Step 2
 - Alignment of the proposed grant with the objectives of the Call for applications
 - An equitable balance between priority target groups
 - An equitable geographical balance
 - The targeting of undeserved locations
 - The allocated share of funds per window
 - Level of risk from the capacity assessment in Step 3
 - Quality assurance procedures and risk mitigation measures
- **Step 5: Grant agreement signed and awards made public**
Successful applicant will be notified in writing and will then enter into a legally binding contract with UNDP. All successful organizations will be provided with orientation and training by UNDP, including on planning, financial management, accountability and reporting.

Note: UNDP reserves the right not to fund any proposals arising from this Call for Grant Applications

c) Project Implementation Timeframe

Implementation period for approved projects **shall not exceed ten (10) months**, counted from the date of the contract signature to the date when all relevant activities have been successfully completed.

26 May 2022: Call for Grant Applications opens

26 June 2022: Deadline for organizations to submit proposals

27 June-1 July 2022: Evaluation and initial selection processes will take place

4 -8 July 2022: Partner Capacity Assessment will be conducted

11-15 July 2022: Final evaluation and selection process

18-22 July 2022: Contracting process

25 July 2022: Target Project Start date (Project Initiation meeting planned with grantee)

预览已结束，完整报告链接和二维码如下：

https://www.yunbaogao.cn/report/index/report?reportId=5_31204

