

Resettlement Action Plan

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Proposed Equity Investment NSL Renewable Power Private Limited Hydro and Wind Power Development Project - 100 MW Tidong-1 Hydro Electric Project (India)

Prepared by AECOM India Private Limited for NSL Renewable Power Private Limited (NRPPL),
Hyderabad

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Resettlement Action Plan
for
100 MW Tidong-1 Hydro Electric Project,
Kinnaur, Himachal Pradesh, India

February 2013

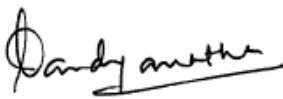
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Hyderabad

Date: 25/02/2013

LETTER OF COMMITMENT

NSL Renewable Power Private Limited (NRPPL) has applied for an investment from the Asian Development Bank(ADB) part of which would be used to finance the Tidong-1 Hydro Power Project of 100 MW capacity (hereinafter 'Project') developed through a Special Purpose Vehicle namely NSL Tidong Power Generation Private Limited (NTPGPL). The project must be implemented in accordance with ADB's social safeguard policies. This Resettlement Action Plan (RAP) represents a key requirement of ADB and becomes a basis for Land Acquisition and Resettlement & Rehabilitation (R&R) for the Project. As mandated in the project Implementation Agreement, the R&R scheme for the project is prepared by the Deputy Commissioner (DC), Kinnaur District, Himachal Pradesh, who is the Administrator of R&R and submitted the same for approval of the Government of Himachal Pradesh. The final approval is awaited. This RAP complies with the applicable State and Local Laws and Regulations. In order to complete resettlement more effectively, this RAP includes appropriate measures for implementation and monitoring arrangements.

NRPPL hereby acknowledges the contents of this RAP and warrants that upon approval of the project R&R Scheme by the Government of Himachal Pradesh, the funds requirement under this RAP will be included in the Project Estimate and be made available as per the schedule of drawal. In case of any variation or change in the above project R&R scheme, the same will be addressed accordingly.



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25.2.13

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List of Abbreviations

ADB	Asian Development Bank
ADM	Additional District Magistrate
AP	Affected Persons
Bigha	752 sqm. or 0.0753 ha
CAT	Catchment Area Treatment
CDM	Clean Development Mechanism
CEP	Chief Executive Officer
CLO	Community Liaison Officer
COD	Commercial Operation Date
CSR	Corporate Social Responsibility
DC	District Collector
DDP	Desert Development Program
DPL	Demarcated Protected Forest
EHS	Environment Health and Safety
ESIA	Environment and Social Impact Assessment
GRC	Grievance Redressal Cell
GRM	Grievance Redressal Mechanism
HPPTCL	Himachal Pradesh Power Transmission Corporation Limited
IFC	International Finance Corporation
ITI	Industrial Training Institute
LAA	Land Acquisition Act
LADA	Local Area Development Authority
LADC	Local Area Development Committee
LADF	Local Area Development Fund
LPG	Liquefied Petroleum Gas
MoEF	Ministry of Environment and Forests
NRPPL	NSL Renewable Power Private Limited
NRPP	National Rehabilitation and Resettlement Plan
NSLGPL	NSL Tidong Power Generation Pvt. Ltd
PAF	Project Affected Families
PHEP	Parbati Hydro Electric Project
PS	Performance Standard
R&R	Rehabilitation and Resettlement
RAP	Resettlement Action Plan
SPS	Safeguard Policy Statement
SPV	Special Purpose Vehicle
ST	Scheduled Tribe
VP	Vice President

EXECUTIVE SUMMARY

1. NSL Renewable Power Private Limited (NRPPL) is a private energy group part of the NSL Energy Ventures Private Limited established for implementation of Renewable Power Projects across the country. NRPPL is in the process of developing a 100MW Tidong-I Hydro Electric Project in District Kinnaur, Himachal Pradesh, India. The project is executed through a Special Purpose Vehicle (SPV) namely NSL Tidong Power Generation Pvt. Ltd (NTPGPL). The Project site is situated in Thangi, Moorang and Rispa Panchayats under Moorang Tehsil¹ of the Kinnaur District and proposed on the Tidong Khad, a tributary of river Sutlej and is a run-of-the-river scheme.

2. The project has already obtained an environment clearance in the year 2007, from the Ministry of Environment and Forests (MoEF) and is partially funded by International Finance Corporation (IFC). NRPPL has applied for an investment from Asian Development Bank (ADB) and part of which will be used to finance the above project. As per ADB's SPS, 2009, this project is identified as Category 'A' for environmental aspects and Category 'B' for social attributes. All the necessary documentation including the present RAP is prepared to address the safeguard requirements of ADB. Private land acquisition for the project is completed with no displacement. The RAP contains the extent of impact caused by land acquisition due to construction of the project and spells out the compensation and rehabilitation of the affected households. All the affected households are considered to be economically impacted and the terminology used for affected households is project affected family as per the Resettlement and Rehabilitation Scheme prepared by the appropriate State Government authority. The R&R Scheme has been prepared in due consultation with all the stakeholders especially the local people.

3. The project has several benefits to the immediate affected community and society at large. As electricity is a key input for socioeconomic development process once the project is operational, it ensures efficient provision of electricity which not only contributes to poverty reduction indirectly through economic growth, but also central to the basic human needs of health and education. Direct positive economic and social benefits that result from the proposed project include generating local employment, provide good access roads and health facility at site during emergencies. In addition, the local community will be benefited from several grants being given to State Government, Panchayats under Local Area Development Fund (LADF) scheme and the Corporate Social Responsibility (CSR) initiatives by NTPGPL.

4. Total private land acquired for the project is 3.2011 ha. which will have impact on 28 affected families losing part of their agricultural land and 1 Mandir Devta Kuldev (local temple deity). There are no homestead structures that are affected by the project and only 4 dilapidated kutcha/ semi pucca structures that got affected due to the process of land acquisition. A total of 173 trees are affected out of which 39 were fruit bearing trees and the remaining 134 were non-fruit bearing trees. The land acquisition for the project affected one women headed family who have lost more than 30% of their total land holding and identified as vulnerable affected family. The construction activity of the project commenced in mid 2008 and due to various project activities, inadvertently a total of 398 Chilgoza trees are damaged on non diverted forest/government land. Most of these trees are Chilgoza (Neoza) which are considered as common property resource of the Village Panchayat. The summary is presented in Table E-1.

Table E-1: Summary of Impacts

SI No	Impacts	Number
1	Total land requirement (Ha)	42.2557
2	Total forest land acquired (Ha)	39.0546
3	Total private land acquired (Ha)	3.2011
4	Total number of dilapidated kutcha/semi pucca structures affected	4
5	Total number of fruit bearing trees affected	39
7	Total number of non fruit bearing trees affected	134
8	Total number of affected family	28

¹ Taluka or tehsil is a unit of local government that covers several villages.

SI No	Impacts	Number
9	Total number of vulnerable affected family (women headed)	1
10	Total number of Chilgoza trees affected during construction activity	398

5. The private land is already acquired as per the national law of Land Acquisition Act 1894. As per Award No. 01/2009, by the ADB cum Land Acquisition Collector, Pooh, Kinnaur District, the compensation rate per hectare for irrigated/orchard land is INR 74,99,900/- and un-irrigated/uncultivable waste land is INR 16,66,200/-. A total amount of INR. 25.82 Million has already been paid as compensation for the private land and other attachments to the concerned land owners. The compensation is disbursed among the land owners and subsequent to the disbursement of the compensation, the Land Acquisition Collector has given the possession of the private land for construction activity. The land owners were reportedly not satisfied with the compensation amount and accepted the compensation with protest. About 20 of them have filed petitions in August 2009 to the District Judge of Kinnaur under Section 18 of the LAA seeking enhanced compensation. The case hearings are still in process and NTPGPL has taken a stand that it shall honour the Court Judgement of the court regarding the payment of any enhanced compensation.

6. All the 28 affected families belong to Scheduled Tribe community because the project affected district, Kinnaur is a scheduled area. Even though the district of Kinnaur has been declared as Notified Tribal Districts as per the Scheduled Area, the Scheduled Tribe (ST) people are the dominant group and they are not distinct from the main stream population since all their activities are very much developed and most of them are well off economically mainly due to apple cultivation. They have access to infrastructure facilities such as roads, electricity, schools and hospitals etc.

7. As said earlier the land acquisition process has followed the national law, Land Acquisition Act 1894. The policy framework and entitlements for the RAP program are based on the local laws, ADB's Involuntary Resettlement Safeguard framework, IFC's performance standard on Land Acquisition and Involuntary Resettlement and various other R&R Schemes implemented for similar projects in Himachal Pradesh. As mandated in the project Implementation Agreement the Deputy Commissioner, Kinnaur in consultation with the representatives of the affected panchayats and NTPGPL developed a Resettlement and Rehabilitation (R&R) Scheme for Tidong-I Hydro Electric Project and forwarded to The Principal Secretary (Revenue), Government of Himachal Pradesh for approval and taking further necessary action. The approval of the scheme is awaited. Based on the revised R&R Scheme for the project an entitlement matrix has been prepared and presented in Table E-2.

Table E-2: Entitlement Matrix

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement	Responsible Agency
1	Loss of Land (Agricultural / Non-Agriculture Land)	Titleholder's	Compensation Measure	Land Owners	<ul style="list-style-type: none"> • Compensation at replacement value assessed as per the market value under LAA Act 1894 and 20% increase over the assessed market rate. • Solatium @ 30% of land value • Interest @ 12% per annum on land value for land acquisition period 	DC, Kinnaur and NTPGPL.
			R&R Measure	Project Affected Family	<ul style="list-style-type: none"> • Rehabilitation Grant @ Rs 1, 20, 000/- per family whose land is acquired for project was more than 0.0753 ha. • Rehabilitation Grant @ Rs 1, 10, 000/- per family whose land is acquired for project was less than 0.0753 ha • Affected family who are not rendered landless/houseless/shopless and who are not provided with employment in project or have not been allotted any shop will be assisted through gainful occupation in form of petty contracts, training, seed capital for self employment occupations. 	DC, Kinnaur and NTPGPL. Affected Families shall be Certified by the DC, Kinnaur. DC, Kinnaur will formulate the self employment scheme.

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement	Responsible Agency
					<ul style="list-style-type: none"> Free of cost LPG gas cylinder to each project affected family. 	
			R&R Measure	Project Affected Family rendered Landless	<ul style="list-style-type: none"> One member of each family rendered landless will be provided employment by the Project Authority in the category of skill/semiskilled/unskilled workmen subject to fulfilling the requisite criteria/qualification. 	DC, Kinnaur and NTPGPL. Affected Families shall be Certified by the DC, Kinnaur.
2	Loss of Cattle Shed	Titleholder's / Non-Titleholders	Compensation Measure	Asset Owner	<ul style="list-style-type: none"> Compensation at replacement value assessed as per HPPWD under LAA Act 1894. Solatum @ 30% of asset value Interest @ 12% per annum on asset value for land acquisition period 	DC, Kinnaur, HPPWD and NTPGPL.
			R&R Measure	Project Affected Family	<ul style="list-style-type: none"> Each family shall get one time financial assistance @ Rs 50,000/- for loss of cattle shed. 	DC, Kinnaur and NTPGPL. Affected Families shall be Certified by the DC, Kinnaur.
3	Loss of House	Titleholder's / Non-Titleholder's	Compensation Measure	Asset Owner	<ul style="list-style-type: none"> Compensation at replacement value assessed as per HPPWD under LAA Act 1894. Solatum @ 30% of asset value Interest @ 12% per annum on asset value for land acquisition period 	DC, Kinnaur, HPPWD and NTPGPL.
			R&R Measure	Project Affected Family rendered Houseless	<ul style="list-style-type: none"> Each family which is rendered houseless will be provided an independent house with a built up plinth area of 60 m2 on a plot of 5 biswa. Or Each family will be offered a plot of size, which allows construction of built up house 60m2 and provide construction cost of the house @ Rs. 5500/- per m2. Or Each family, which does not opt for House/plot but constructs his house on his own cost, shall be paid the construction cost of the house @ Rs. 5500/-per m2 for a house 60 m2 and in addition to this cost of 5 biswas of land will be paid to the family at the rate at which company had bought the affected land. Transportation for relocation will be arranged by the project or a lumpsum grant @ Rs 10,000/- per family will be provided. Stamp duty and other fees for registration of new house shall be borne by the project authority. 	DC, Kinnaur and NTPGPL. Affected Families rendered houseless shall be Certified by the DC, Kinnaur.
4	Loss of Shop/commercial structure	Titleholder's /Non-Titleholder's	Compensation Measure	Asset Owner	<ul style="list-style-type: none"> Compensation at replacement value assessed as per HPPWD under LAA Act 1894. Solatum @ 30% of asset value Interest @ 12% per annum on asset value for land acquisition period 	DC, Kinnaur, HPPWD and NTPGPL.
		Shopkeeper	R&R Measure	Project	<ul style="list-style-type: none"> Each Displaced shopkeeper will be given 	DC, Kinnaur and

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement	Responsible Agency
		(Owner / Tenant)		Displaced Shopkeeper	<p>shop in allotment in the market complex of the project colony wherever the project authority constructs such market places. The shops so given shall be Pucca shops with minimum size of 10x15' or size equivalent to it. In addition they will be provided one time displacement grant of Rs. 50,000/- .</p> <ul style="list-style-type: none"> • In case the project is unable to provide shops, displaced shopkeepers (owner of the shops) shall get financial Assistance of Rs.85, 000/-. • Transportation for relocation will be arranged by the project or a lump sum grant @ Rs 10,000/- per family will be provided. • Stamp duty and other fees for registration of new house shall be borne by the project authority. 	NTPGPL. Displaced Shopkeepers shall be Certified by the DC, Kinnaur.
5	Loss of Trees/ other structures on Private Land	Titleholder's	Compensation	Land Owners	<ul style="list-style-type: none"> • Compensation at replacement value as per assessment of Forest/Horticulture/HPPWD Department under LAA Act 1894. • Solatium @ 30% of asset value • Interest @ 12% per annum on asset value for land acquisition period 	DC, Kinnaur, Forest/Horticulture/HPPWD Department, Govt of Himachal Pradesh and NTPGPL.
6	Loss to the project area from project construction and operation	Community	Community Development	Project Affected Group	<ul style="list-style-type: none"> • After start of generation of electricity the Project authority will pay Rs. 15 Lakhs annually for community development and infrastructural up-gradation activity in the affected area. 	Deputy Commissioner, Kinnaur, Village Panchayats and NTPGPL.
			Social Responsibility	Project Affected Family and Project Affected Group	<ul style="list-style-type: none"> • An amount of Rs 7 Lacs for scholarship to the boys and girls of Project Affected Families (PAFs)/area will be paid annually by the Project Authority to the Deputy Commissioner Kinnaur. • All Orphan's in the project affected area will be provided a financial support of an amount of Rs 1, 00,000/- at the time of their marriage. • Fatherless girls in project affected area will be provided a financial support of an amount of Rs 51,000/- at the time of their marriage. • Project Authorities will build infrastructural facilities in the vicinity of the Project Area that may be essentially required for the construction of the Project and or benefit the local population. 	Deputy Commissioner, Kinnaur, Village Panchayats and NTPGPL. The Deputy Commissioner after approval of the R&R Scheme will sanction scholarship on merit cum Poverty basis.
7	Impact on Vulnerable Affected Family	Titleholder and Non-titleholder	R&R Measure	Project Affected Family	<ul style="list-style-type: none"> • The land acquisition for the project affected one women headed family (Ms Suraj Devi) who have lost more than 30% of their total land holding and identified as vulnerable affected family will be provided a monthly pension of Rs 1000/- . This will be provided through an annuity policy. 	NTPGPL will implement the measure after approval of R&R Scheme.

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement	Responsible Agency
8	Any other impact not identified - Loss of income from loss of Chilgoza trees during project construction	Community	Compensation	Project Affected Group	<ul style="list-style-type: none"> NTPGPL in consultation with affected panchayats agreed to pay compensation for the loss of earnings from Chilgoza trees damaged during the project construction activity. The payment will be made by 30th November of each year based on prevailing wholesale rate in Reckong Peo in first week of the same month. The disbursement of the compensation will be initiated from year 2013 for the period of 40 years and made through Deputy Commissioner/ Additional District Magistrate as appropriate. 	Deputy Commissioner, Kinnaur, ADM, Pooh, Village Panchayats and NTPGPL.

*The loss of income from loss of Chilgoza trees damaged during project construction was not envisaged while preparing the R&R Scheme. However, the above provision is suitably included in the R&R Plan for the project.

8. NTPGPL during various stages of project including preparatory and executing stage has carried out several consultations with various stakeholders such as affected families, local administration and affected Panchayats. Some of the important consultations were held during environmental impact assessment and public hearing, land acquisition, seeking support for the project, social impact assessment, clean development mechanism registration, development activity consultations, women consultations etc. Different techniques of consultation with stakeholders were used such as public meetings, group discussions and in-depth interviews. Measures were taken to address concerns of villagers, i.e., land acquisition, compensation for chilgoza, muck disposal, employment to locals, direct financial assistance were discussed and suitably agreed by both parties were adopted. Consultation will be continued all through the project cycle. As a measure of transparency in planning and implementation a number of documents are already disclosed to the local community. A summary of the RAP containing information on compensation, entitlement and resettlement management adopted for the Project which will be distributed to affected family and the copy of the RAP will be disclosed in the ADB's website.

9. Grievance Redress Mechanism (GRM) is already in place for the project to receive and facilitate concerns and grievances of not only the local communities, panchayats and other stakeholders but also for the workers employed for the project. The purpose of the GRM is to record the grievances and find mutually acceptable solutions for problems like employment, disputes with project activities, damages to private property, community development needs, socio-economic development of villages etc. A Grievance Redressal Committee (GRC) is constituted to address the grievances. For the project affected community the GRC has three levels of redressal, at Site, Divisional and Corporate office of NTPGPL. The GRC convenes regular meetings and takes steps to redress the grievance of the community.

10. None of the affected families were rendered houseless and there are no displaced shopkeepers however, the appropriate entitlements have been set as a standard in case of unanticipated impacts. The affected families considered economically impacted and losing income include titleholders losing their part of agricultural land. Regardless of whether they are physically displaced as per the above entitlement matrix they will be promptly compensated for the loss of income or source of livelihood at replacement cost. As part of the income restoration and rehabilitation they will be provided resettlement grants and direct employment opportunity in the project and secondary employment opportunity such as work contracts and others so that they can improve their income earning capacity and standard of living. So far NTPGPL has provided direct employment to one member of 14 affected families and work contracts to about 4 affected families.

11. At the community level NTPGPL so far has provided work contracts worth of INR 150 Million to 42 people from affected panchayats. In addition to address any direct/indirect impacts arising out of diverting 39.0546 ha of government/forest land and other project activity NTPGPL has paid a total of INR 51.80 Million to 3 project affected panchayats. Further NTPGPL will also pay compensation to the local community towards the loss of the Chilgoza trees damaged during the construction activity.

12. The local community development in the form of infrastructure development activity and social development activity under the project is taken up by both the State Government as well as NTPGPL directly. At the Government level the local area development activity during the project construction period and prior to commissioning of the project is undertaken through contribution of 1.50% of project cost amounting to INR 80.30 Million for the creation of new Infrastructural Schemes. NTPGPL as part of its social development activity prior to commissioning of the project has undertaken a number of activity including promotion of local culture and tradition, health awareness, support the local education and sports activity etc. For this the proposed budget estimated is INR 4.1 Million of which so far INR 1.78 Million is already utilized.

13. The total estimated budget for implementation of RAP including the compensation for private land and other attachments, compensation for Chilgoza trees, rehabilitation assistance measures, community development and social responsibility activity is about INR 316.93 Million. Of the total estimated an amount of INR 136.39 Million is already disbursed and utilized till end of December 2012 towards compensation for private land and other attachments, local area development, community development and social responsibility activity.

14. The Deputy Commissioner, Kinnaur in whose jurisdiction the Project Affected Area falls, will be the Administrator for R&R. He will be assisted by officers and employees as the appropriate Government may provide. The executing agency for RAP will be NTPGPL. At this level, a Project Environment and Social Group has already been setup at the project site. This group is headed by the Vice President for the Project and supported by a Manager-EHS and a Community Liaison Officer (CLO). The CLO is informally supported by coordinators who are from project affected villages. This group reports to Environment and Social Management Group at NRPPPL on a day to day basis on the progress of all the environment and social issues including RAP implementation.

15. The activity that is required to be taken up at the project preparatory phase including assessment of the impacts, establishing environment and social management systems, establishing a grievance redressal mechanism are already completed. Some of the implementation stage tasks such as appropriate consultation and notification of land acquisition, valuation of lost affected assets, award of compensation and disbursement of compensation are also completed. The project is in the execution phase and the RAP implementation activity will be coordinated with the on-going civil works. Upon approval and finalization the full version of the RAP will be disclosed to the Affected Families/Affected Villages and all the arrangements for disbursement including payment of all grants; initiation of other economic rehabilitation measures; distribution of LPG gas cylinders etc will be taken up. The disbursement of funds and implementation of the community development and social development activity for operations phase will be initiated once the project is commissioned and a formal Commercial Operation Date (COD) is issued to NTPGPL.

16. Public consultation, grievance redress, monitoring and evaluation will be undertaken intermittently throughout the project duration. Monitoring will be undertaken jointly both by DC, Kinnaur who is the administrator for the R&R implementation and NTPGPL. Internally the process evaluation will be undertaken by both the Environment and Social Management Groups established at both NRPPPL and NTPGPL levels. Externally the evaluation will be undertaken under the on-going Quarterly EHS and Social Audits conducted by reputed consultants. The progress and monitoring and evaluation indicators of the RAP implementation will include and related to process adopted, physical and financial progress achieved, social well being and economic improvement. Upon completion of the RAP implementation, a completion report will be prepared and submitted to ADB.

1. Introduction and Project Description

1.1 General

NSL Renewable Power Private Limited (NRPPL) is a Hyderabad based private energy group part of the NSL Energy Ventures Private Limited established for implementation of Renewable Power Projects across the country. NRPPL as part of setting up of its Hydro Power projects is in the process of developing a 100MW Tidong-I Hydro Electric Project in District Kinnaur, Himachal Pradesh, India. In order to ensure close monitoring and execution of the project, a Special Purpose Vehicle (SPV) has been created which is known as NSL Tidong Power Generation Pvt. Ltd (NTPGPL).

1.2 The Project

The Project site is situated in the Moorang Tehsil² of Kinnaur District in the State of Himachal Pradesh. The administrative headquarter of Kinnaur District is at Reckong Peo, whereas the Tehsil headquarter is at Moorang. The site area is about 278 km from Shimla (the State capital), 250 km on National Highway-22 up to Moorang and 13km on the state road up to village Thangi. There onwards it is another 16km to the diversion site. The location map of the project is given in Figure 1-1

Figure 1-1 Location map of Tidong –I HEP Project



The project is proposed on the Tidong Khad, a tributary of river Sutlej. It is a run-of-the-river scheme proposed to harness the hydro potential of Tidong Khad. The barrage of the project is at Lambar village and powerhouse at Rispa village. The Project consists of a 10 m high concrete barrage at about 9.8 km upstream from the confluence of Tidong and Sutlej River, a surface desilting basin on the left bank of the river, a 8.46 km long head race tunnel and an underground surge shaft of 8.0m diameter (u/g) with inclined pressure shaft. The power house is surface type on the left bank of Tidong Khad near the village Lambar. The power house shall house two units of 50 MW each to produce 100 MW of power.

² Taluka or tehsil is a unit of local government that covers several villages.

The project has already obtained an environment clearance in the year 2007, from the Ministry of Environment and Forests (MoEF). The first Environmental Impact Assessment (EIA) study for the purpose of environmental clearance from the Ministry of Environment and Forests (MoEF) was undertaken by M/s RITES Pvt. Ltd. in November 2005. Subsequently, the proponent approached International Finance Corporation (IFC) to seek partial funding for the project and hence the report was modified to include elements pertaining to IFC's Environmental and Social requirements and an ESIA Report was prepared by M/s AECOM India Pvt. Ltd.

The proposed project is partially funded by International Finance Corporation (IFC) and now NRPL is exploring the possibility of funding from Asian Development Bank (ADB) and as per ADB's SPS, 2009, this project is identified as Category 'A' for environmental aspects and Category 'B' for social attributes. To fulfill ADB's requirements, the existing environmental and social management plans are being updated. In line with this, as part of mitigating the adverse socio-economic impacts from land acquisition and/or restrictions on affected persons (AP)³ use of land and to establish and maintain an ongoing relationship with the affected persons throughout the life of the Project, a Rehabilitation Action Plan (RAP) is being prepared by M/s AECOM Pvt. Ltd. In addition, the present report also details the current status of measures towards addressing the identified social impacts.

1.3 Benefit of the Project

The project has several benefits to the immediate affected community and society at large. As electricity is a key input for socioeconomic development process once the project is operational, it ensures efficient provision of electricity which not only contributes to poverty reduction indirectly through economic growth, but also central to the basic human needs of health and education.

Direct positive economic and social benefits that result from the proposed project include generating local employment, provide good access roads and health facility at site during emergencies. In addition, the local community will be benefited from several grants being given to State Government, Panchayats under Local Area Development Fund (LADF) scheme and the Corporate Social Responsibility (CSR) initiatives by NTPGPL. The efforts proposed under the Rehabilitation and Resettlement (R&R) scheme for both direct affected families and to the local panchayats such as self-employment schemes, merit scholarship scheme, empowering women will substantially contribute to the overall development of the project area.

1.4 Measures Taken for Minimizing Impacts

Various efforts were made to minimize the adverse impacts of the project. Measures adopted for minimizing the impacts included the following:

- 1) Site selection for construction of infrastructure and other facilities were done in such a manner which involved minimal land acquisition of private land

³ Affected person includes any people, households, firms, or private institutions who, on account of changes that result from the project will have their (i) standard of living adversely affected; (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, and/or grazing land), water resources, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with or without displacement.

- 2) The joint inspection team constituting of revenue authorities, forest officials and developer had examined all the alternatives with a view to avoid/minimize the use of forest land and private land
- 3) During the design stage, additional care was taken to avoid cultural and religious properties and public property
- 4) Efforts were made to avoid displacement of habitation/settlements centers and the project activities were planned in such a way that they do not disturb any habitation centres
- 5) The project infrastructure locations were planned in a manner so that the existing approach roads were used and laying of new approach roads has been kept bare minimum to avoid land acquisition
- 6) As part of the standard practice, the developer would ensure that 15% of the water flow is to be maintained for the downstream users which will not cause any disruptions in the downstream.

1.5 Report Layout

The layout of this report constitutes the sections including 1) Introduction and Project Description; 2) Scope of Land acquisition and Resettlement; 3) Socio-economic Profile and Information; 4) Resettlement Policy and Legal Framework; 5) Public Consultation and Disclosure; 6) Grievance Redressal Mechanism; 7) Income Restoration and Rehabilitation; 8) Rehabilitation Costs and Budget; 9) Institutional Arrangements; 10) Implementation Schedule and 11) Monitoring and Evaluation.

2. Scope of Land Acquisition and Resettlement

2.1 General

The proposed project site and its various components were designed to minimize the acquisition of land and resettlement by confining the area to the government land involving minimal land acquisition of private land. The impact is limited to the partial land acquisition and insignificant impact on the loss of few dilapidated structures which has not resulted in physical displacement and relocation. The following section deals with the details of land acquired and resultant adverse impacts on the local community.

2.2 Acquisition of Land and other assets

Land is required for setting up of proposed project and its components such as diversion structure, powerhouse, head race tunnel, approach roads for adits, approach roads for surge shaft, staff colony and other associated facilities such as labour camps, muck disposal sites etc. The project has developed roads for the Head works, Power house and Surge Shaft. The roads are 3 – 4 m wide with adequate width along the curves. The road towards headworks and adit 1 is 2.5 km, while the road to the power house is 2.46 km. The third road will be the longest and shall go up to the surge shaft, it will be 6.22km.

The land required for setting up of transmission line is not covered under this report as the original evacuation plan proposed for Tidong-1 was to be evacuated by LILO of one circuit of 220 kV D/C Kshang-Bhaba line at Tidong-I HEP, however, after commissioning of the Jangi Pooling station, Tidong-I - Jangi line shall be constructed and also Kashang – Jangi 220 kV D/c line with single HTLS conductor shall be established. Earlier Himachal Pradesh Power Transmission Corporation Limited (HPPTCL) was to carry out this work with financial assistance from ADB, but now NTPGPL is desirous to take up this activity. Therefore, the resultant impact from setting up of transmission line has not covered in this report and will be assessed at an appropriate time and covered separately.

2.3 Loss of Private Land

The total land required for the project is 42.2557 hectares (ha), of which 39.0546 ha. comprise of government/forest land and 3.2011 ha. of private land. Out of the total private land acquired 1.6046 ha. constitute irrigated/ orchard lands, while 1.5965 ha is un-irrigated/uncultivable waste lands. The private land involved in the project falls in three villages of three different Panchayats as mentioned in Table 2-1. It is observed that out of 57 ha. of total private land available, the land affected is 3.2011 ha.(5.62%).

Table 2-1: Details of Private Land Acquired

Sl. No.	Name of Panchayat	Name of the Village	Total Land Available (ha)	Land Acquired (ha)	% Acquired to total available	Project Component
1	Thangi	Lambar	11	0.8156	7.41	Upstream structures and part of access road to Adit-1

Sl. No.	Name of Panchayat	Name of the Village	Total Land Available (ha)	Land Acquired (ha)	% Acquired to total available	Project Component
2	Moorang	Roowang	33	0.1353	0.41	Power House area
3	Rispa	Lizang	13	2.2502	17.31	Staff Colony and part of access road to Power house
		Total	57	3.2011	5.62	

2.3.1 Ownership of Private land

All the private land acquired for the project except for one land parcel belongs to the legal titleholder private owners. One land parcel measuring 0.0705 ha under Lizang village of Rispa Panchayat belongs to the local Mandir Devta Kuldev (Local village Deity). A total of 28 household have been affected from the private land acquisition. The total number of land owners including the joint owners/shareholders is 38. The joint owners/shareholders live in same household and are mostly the children, spouse/husband of the main owner. Village wise number of affected households is given in Table 2-2.

Table 2-2: Details of Affected Households

Sl. No.	Name of Panchayat	Name of the Village	No. of Families affected
1	Thangi	Lambar	5
2	Moorang	Roowang	21
3	Rispa	Lizang	2
		Total	28

2.3.2 Loss of Structures and Other Assets

There are no homestead structures which have been affected in the process of land acquisition. There were 4 Kutcha/ semi pucca structures that got affected due to the process of land acquisition. At the time of acquisition these structures were abandoned and in a dilapidated condition. They were reportedly used for stacking fodder. Further, the private land acquisition has resulted in loss of 173 trees, of which 39 are fruit bearing trees and 134 are non-fruit bearing trees.

2.3.3 Severity of Impact

The analysis presented in **Table 2-3** on the severity of impact calculated according to the affected land in comparison to the total land holding shows that of the total households a majority (53.57%) of households lost less than 10% of their total holdings followed by people who lost about 10 to 20 percent of their holdings (28.57%). Only 1 household has lost above 30% of the land holding. None of them have become landless. The details of the affected families and their land holdings are presented in **Annexure-1**.

The land acquisition pattern indicates that all the land losers have considerable land left for sustenance and none have been rendered landless. Only one woman headed family had lost more than 30 % of her holding and hence, falls within the vulnerable section of the population. In addition,

Table 2-3: Percentage of Loss of Land of affected households

Sl. No.	Percentage of loss to total land holdings	Households	
		No.	%
1	Upto 10%	15	53.57
2	10 to 20%	8	28.57
3	20 to 30%	4	14.29
4	30 to 35%	1	3.57
	Total	28	100.00

it is pertinent to mention that although all the affected households belong to the Scheduled Tribe (ST) category they cannot be bracketed under 'vulnerable' as the entire district is a tribal district where more than 70 percent of population belonging to the ST category. Almost the entire population have substantial amount of landholdings in their ownership through which their source of income is generated. They have apple orchards and in addition cultivate potatoes, rajmah (Kidney Beans), vegetables crops and badam (Almond) which are their primary source of income. They also possess livestock and cattle which act as their supplementary income. Although partial acquisition of private land for the project activities has limited impacts, the project affected families including the main/joint land owners do not in any way become marginalized or adversely affected.

Acquisition of private land will not have any impact on the available employment opportunities in village. Most of the land owners employ migrant Nepali labourers for agricultural activities. A socio-economic survey has been conducted for the affected families and the detailed socio-economic profile of the area and affected families is discussed in the next section of this report.

2.4 Loss of Forest Land

As mentioned, of the total land acquired, 39.0546 ha constitute government/forest land. This land is mainly diverted for both underground and surface activities of the project. Most of the land is un-demarcated protected forest used as grazing land and falling under the same 3 villages and panchayats discussed above. Of the total forest land diverted less than 20% area comes under Demarcated Protected Forest (DPF) and falls under DPF 191-192 and 193 of Forest Department. The loss of forest land also resulted in loss of 1261 trees including Chilgoza, Deodar and Kail etc. The forest produce in terms of fuel woods have been used by the local residents. In addition, the loss of chilgoza trees which have been considered as the common property by the Village Panchayat will result in loss of income for the Panchayat and the villages. Details of the forest land diverted across the nature of activity are presented in Table 2-4.

2.4.1 Mitigation measures for Loss of Forest Land

The forest land required for the project was diverted in favour of NTPGPL by the Regional Office of Ministry of Environment and Forests, Government of India vide their letter no. 9-HPC602/2007-CHA/5228 dated 18-Jun-2008 after receiving the required amount towards Compensatory Afforestation and Net Present Value from the project proponent. The forest corporation of HP had felled 1261 trees and cleared the land for construction of roads and other project components.

Table 2-4: Details of Forest Land diverted for the project

Nature of Activity	Name of Panchayat	Name of Village/DPF	Land Diverted (ha)	Components
Under Ground Activities	Thangi and Rispa	Lambar, DPF 191-192, DPF 193, Lizang	4.2940	Diversion Tunnel, Head Race Tunnel, Adit-1,2,3 and 4, Surge Shaft, Valve House and Pressure Shaft
Surface Activities	Thangi, Moorang and Rispa	Lambar, Roowang, DPF 191-192, DPF 193, Lizang	34.7606	Diversion Structure, Desilting Chambers, Spillway and undersluice, Reservoir, Power house, Switch Yard, Muck Dumping sites, Stores, Workshops and Labour hutments, Stone crushing plants, Colony, Approach Roads for Surge Shaft and other working areas for Adits.
Total			39.0546	

In order to counter the adverse impacts due to forest loss, compensatory afforestation measures will be taken up by HP Forest Department in unreserved forest block C-194 of Charang and unreserved forest block C-186 of Thangi over 79.00 hectares of degraded forest land. NTPGPL has already deposited INR 26.67 Million towards Compensatory Afforestation to Himachal Pradesh Forest Department. An amount of INR 24.48 Million towards Net Present Value of the forest produce has also been paid to the Forest Department.

In addition, an amount of INR 72.484 Million has been deposited by NTPGPL towards the Catchment Area Treatment (CAT) Plan for the project. Under this, a provision has been made for 12 % of total outlay for forest conservation and improvement of tree cover. It includes measures for afforestation of degraded forest land and provides for Chilgoza Plantation on an area of 28 ha. Other conifers in and around project areas are also being considered. Activities in the plan also relate to measures for natural regeneration and replenishment of the degraded forests.

A reclamation plan for the mucking dumping sites is proposed by the developer for restoration of vegetation in the areas which will have temporary land use changes. Areas such as muck disposal area, batching plant, labor camp, quarry sites, etc. after the closure shall be covered with grass and

plants. Local species for plantation shall be selected to restore the biodiversity of the area in consultation with the Forest Department.

2.5 Loss of trees during Construction Activity

The construction activity of the proposed project commenced in mid 2008 and due to various project activities, the project developer inadvertently damaged an additional 418 trees on non diverted forest/government land. Most of these trees are Chilgoza (Neoza) which are considered as common property resource of the Village Panchayat. The income accrued by selling the extracted seeds from these trees is shared amongst the village households. The village Panchayats manages the seed extraction process through tendering the activity.

The Forest Department assessed the damage of trees and NTPGPL has deposited a sum of INR 8.3 Million to the Forest Department as compensation. Most of the damage was seen during the construction of approach roads to the surge shaft. As a mitigation measure and to address any further damage to the trees, the developer has decided to approach the surge shaft and HRT through rope way instead of an approach road.

Further the loss of income for the local villagers from the loss of Chilgoza trees is being assessed and the necessary compensation is proposed to be paid to the local villagers under the present R&R Plan implemented for the project. As per the assessment, the number of Chilgoza trees and loss of produce across the various Forest Compartments is presented in Table 2-5.

Table 2-5: Details of loss of Chilgoza Trees during project construction activity

Sl No	Compartment Number	Name of the Panchayat	No of Trees Lost	Average annual yield from each tree (Kg)	Total annual produce lost (Kg)
1	194	Thangi	156	2.05	319.80
2	192	Moorang and Rispa	131	2.63	344.53
3	193	Moorang and Rispa	111	2.63	291.93
Total			398	7.31	956.26

2.6 Status of Land Acquisition

The private land for the project has been acquired by the project under Land Acquisition Act (LAA), 1894 through Land Acquisition Collector-Cum-Additional District Magistrate (ADM), Pooh, District Kinnaur, HP vide their office letter no. SDP-III-71(Peshi)/2009-1163 dated 14-Jul-2009. Based on the compensation awarded by the Land Acquisition Collector, a total amount of Rs 25.82 million (including land, trees and structures) was deposited by NTPGPL vide letter dated 16-Jul-09. The details of the compensation paid for land and others are presented under Rehabilitation Budget section of this report. The compensation is disbursed among the land owners and subsequent to the disbursement of the compensation, the Land Acquisition Collector has given the possession of the private land for construction activity.

2.7 Summary of Impacts

The total land required for the project is 42.2557 ha which includes 39.0546 ha of forest land and 3.2011 ha of private land. The nature of private land acquired comprises of agricultural land both irrigated/orchard and un-irrigated/other land. A total of 28 families are affected by the losing part of their agricultural land and none of them are rendered landless or physically displaced. One land parcel falling in Lizang village under Rispa Panchayat belongs to the Mandir Devta Kuldev (Temple of local Deity). In addition, 4 kutcha/temporary dilapidated structures and 173 fruit bearing trees have also been affected due to the land acquisition. The summary of impacts of land acquisition is presented in Table 2-6.

Table 2-6: Summary of Impact of land acquisition

SI No	Impacts	Number
1	Total land requirement (Ha)	42.2557
2	Total forest land acquired (Ha)	39.0546
3	Total private land acquired (Ha)	3.2011
4	Total number of dilapidated kutcha/semi pucca structures affected	4
5	Total number of fruit bearing trees affected	39
7	Total number of non fruit bearing trees affected	134
8	Total number of affected family	28
9	Total number of vulnerable affected family (women headed)	1
10	Total number of Chilgoza trees affected during construction activity	398

3. Socio Economic Information and Profile

3.1 General

As part of the Environment and Social Impact Assessment (ESIA) study, a socio economic study in the project affected area was conducted in seven selected villages namely Rispa Khas, Lizang, Roowang, Lambar, Thangi Khas, Piwar and Charang Khas which are situated within the study area. Out of these, land for various project activities was only acquired from 3 villages, namely Lizang (Rispa Panchayat), Roowang (Moorang Panchayat) and Lambar (Thangi Panchayat). The study also involved socio-economic survey of the project affected households. This section gives a general socio-economic profile of the study area and also details the socio-economic profile of the project affected families.

3.2 Profile of the Project District

The proposed 100 MW Tidong-I project site is situated in the Moorang Tehsil of the Kinnaur District in the State of Himachal Pradesh, India. Kinnaur is one of twelve administrative districts in the state of Himachal Pradesh. The district is divided into three administrative areas - Pooh, Kalpa, and Nichar - and has five Tehsils (counties). The administrative headquarter of Kinnaur district is at Reckong Peo. The Deputy Commissioner is the pivot round whom the entire administration revolves in the district. This office wields wider administrative and financial powers than any other districts of Himachal Pradesh. This system is known as Single Line Administration which was introduced in December, 1963. The latest provisional population of 2011 and other demographic particulars of both Himachal Pradesh and Kinnaur District are presented in Table 3-1.

Table 3-1: Provisional Population figures for Himachal Pradesh (HP) and Kinnaur

Item	Particulars	Himachal Pradesh	Kinnaur District
Population	Male	3473892	46364
	Female	3382617	37934
	Total	6856509	84298
Population Density	Per Sq Km	123	13
Sex Ratio	No of Females to 1000 Males	974	818
Population (%)	0-6 years	11.14	9.47
Literacy Rate (%)	Male	90.83	88.37
	Female	76.60	71.34
	Total	83.78	80.77

Source: 2011 Provisional Population figures in www.censusofindia.gov.in

Due to the proximity of Kinnaur to Tibet, the life style and religion of its inhabitants have been influenced by Buddhism, though majority of the people practice Hinduism. The Kinnaur society is divided into two broad occupational groups viz. peasants and the artisans, possibly of diverse ethnic origin. A number of dialects are spoken by the inhabitants of Kinnaur district that come under 'Kinnauri' or 'Kanauri'.

Kinnaur district has about 9,400 ha cultivable land and about 614,000 ha non-cultivable land. About 76% of the total working population is engaged in agriculture and horticulture. Fruits and cash crops, like seed potatoes, ginger, vegetable seeds, apples, stone fruits, etc. are grown in the district. Wheat, maize and rice are the major food crops.

Himachal Pradesh is among the leading States in the country in terms of literacy. The literacy level of the Kinnaur district increased from 58.36 % in 1991 to 75.2 % in 2001 and 80.77% in 2011. As per 2011 provisional census data presented in **Table 3-1**, 88.37 % males and 71.34% females are literate.

No large industries are located in the district except for 59 handloom units and 3 handicraft units. In recent years, the potential of hydropower has been identified and projects under operation in the district are 1000 MW Karchham Wangto and under execution are 243MW Kashang 3-stage, 402 MW Shongtong Karcham and proposed 100 MW Tidong-1 HEP.

3.3 Socio-Economic Profile of Study Area

Parameters covered under demographic study of project area are number of households, total population with sex distribution and average family size in the selected villages. Thangi Khas village has the highest population (614 persons) followed by Rispa Khas (498) and Charang Khas (204), while Piwar (16) has the least population. Most of the villages have skewed sex ratio and varies from 381 in Lizang to 4000 in Lambar. Outward migration of males from the villages could be a possible reason for such an abnormal sex ratio.

Table 3-2: Population of project area villages

Villages	No. of H.H	Population			Family Size	Sex Ratio
		Total	M	F		
Rispa Khas	105	498	273	225	4.7	824
Lizang	6	29	21	8	4.8	381
Roowang	29	139	79	60	4.8	759
Lambar	8	30	6	24	3.8	4000
Thangi Khas	136	614	310	304	4.5	981
Piwar	7	16	8	8	2.3	1000
Charang Khas	48	204	82	122	4.3	1488

HH=House Holds, P=Person, M=Male, F=Female; Source: Census of India, 2001

The literacy rate in the study area is 64% which is below the overall literacy rate of the district and the state (Table 3-3). The rate varies from a high of 84.3% in Thangi Khas to the lowest of 45.5% in Roowang village in the study area. All other villages show a literacy rate between 63-77%. In all, among the villages of the area more males were found to be literate than the females.

Table 3-3: Literacy rate of villages in the project vicinity

Village	Literacy rate (Percentage)		
	Persons	Males	Females
Rispa Khas	69.4	76.3	60.4
Lizang	63.0	75.0	28.6
Roowang	45.5	54.7	34.8
Lambar	69.2	100.0	60.0
Thangi Khas	84.3	93.6	74.3
Piwar	66.7	87.5	42.9
Charang Khas	77.2	84.7	72.2

Source: Census of India, 2001

Out of the total population in the project villages, the highest percentage of workers is from Lizang (90%) followed by Rispa (75%) and Charang (60%) and lowest is Lambar (47%) as given in Table 3-4. There are no small or medium scale industries in the affected villages.

Table 3-4: Workers classification in the project area villages

Village	Total Population	% of Population		% of Workers	
		Workers	Non Workers	Main Workers	Marginal Workers
Rispa Khas	498	75%	25%	88%	12%
Lizang	29	90%	10%	88%	12%
Roowang	139	59%	41%	100%	0%
Lambar	30	47%	53%	100%	0%
Thangi Khas	614	67%	33%	80%	20%
Piwar	16	56%	44%	100%	0%
Charang Khas	204	60%	40%	81%	19%

Source: Census of India, 2001

Note: Main workers: Those who have worked for at least 183 days in a year; **Marginal workers:** Those who work for less than 183 days in a year; **Non-workers:** include students, dependents, retired persons, beggars etc.

A few household industries exist in Charang khas, Thangi khas and Rispa Khas employing less than 1% of total workers population from the villages. In the Project Affected villages, the male population dominates in the category of “Main Workers” except for cultivators, while female population dominates the “Non-Workers” (Table 3-5).

Table 3-5: Main workers classification from the project area villages

Village	Cultivators (%)	Agricultural labourers (%)	Workers in household industries (%)	Other Workers (%)
Rispa Khas	73.6	23.7	0.3	2.4
Lizang	34.8	65.2	0.0	0.0
Roowang	25.6	0.0	0.0	74.4
Lambar	92.9	0.0	0.0	7.1

Village	Cultivators (%)	Agricultural labourers (%)	Workers in household industries (%)	Other Workers (%)
Thangi Khas	83.6	5.5	0.3	10.6
Piwar	88.9	0.0	0.0	11.1
Charang Khas	80.8	0.0	2.0	17.2

Source: Census of India, 2001

Note: Cultivators: A person engaged either as employer, single worker or family worker in cultivation of land- cultivation includes supervision or direction of cultivation; **Agricultural labourer:** A person who works in another person's land for wages in money, kind or share; **Household industry worker:** Industry conducted by the household at home; **Other workers:** includes factory workers, plantation workers, those engaged in trade, commerce, business, transport, mining and construction etc.

3.4 Socio-Economic Profile of Project Affected Households

The private land acquisition for the project in execution has resulted in 28 families losing their part of their agricultural land. The project did not acquire any house and none of them is rendered landless or physically displaced. One affected land parcel falling in Lizang village under Rispa Panchayat belongs to Mandir Devta Kuldev (Temple of local Deity).

A survey was undertaken to study and understand the socio economic conditions of these Project Affected Families (PAF) and to examine the impact of the proposed project thereupon. A structured questionnaire was used for collecting the socio-economic profile in 2010. Out of 28 affected households, 23 were contacted and data as per the structured questionnaire was collected. Important aspects covered in the questionnaire are the identification particulars of PAF, his/her family details, assets and acquisition, drinking water facilities, land utilization, cropping pattern, commercial / self employment activities etc. The information was further substantiated during interaction with women of the affected families during October, 2012 by AECOM India Pvt. Ltd.

3.4.1 Population Composition of Affected Households

The sex and age particulars of the Project Affected Families (PAFs) have been presented in Table 3-6. Out of the total sample population of 113, the largest group is about 34% from the age group of 26-40 years, followed by 27% from 41-60 years and 22% in 16-25 years respectively. The males outnumber females in all age groups except from 6-15 and 16-25 years. Out of the total population, 55% were married (Table 3-7).

Table 3-6: Age and sex wise distribution of PAFs

Sl No.	Age	Population		Total	Percentage
		Male	Female		
1	0-5	1	0	1	1%
2	6-15	6	12	18	16%
3	16-25	9	13	22	19%
4	26-40	20	18	38	34%
5	41-60	16	11	27	24%
6	60 & above	5	2	7	6%
	Total	57	56	113	

Table 3-7: Marital status of PAFs

Sl No.	Marital Status	No. of Persons	Percentage
1.	Married	62	55%
2.	Unmarried	51	45%
Total		113	100%

3.4.2 Family Pattern and Size

It was observed that the PAFs were dominated by nuclear families with separate kitchen, which contribute to almost 65% of the survey households. The size of the family varies from 1 to 10 with an average of 5.2 (Table 3-8).

A majority of the affected households surveyed practice both Hinduism as well as Buddhism. From the discussion with locals, it is evident that they are significantly influenced by Buddhism and some of them have converted to Buddhism. In addition, all the affected population belong to the Scheduled Tribe (ST) category.

Fraternal polyandry was observed in the affected villages but it is rapidly losing ground to monogamy. However, the population follow the patriarchal system of inheritance. All the brothers of the bridegroom are considered automatically the husbands of the bride. Polyandry helps the people of Kinnaur to limit the population to sustainable levels and safeguard the family property from fragmentation.

Table 3-8: Family pattern and size of PAFs

Item	Description	No. of Households	Percentage
Family Pattern	Joint	7	30%
	Nuclear	15	65%
	Individual	1	4%
	TOTAL	23	100%
Family size of PAFs	2-4	11	48%
	5-7	11	48%
	8 & Above	1	4%
	TOTAL	23	100%

3.4.3 Literacy Levels

It is observed that 38% of the PAFs have received education up to the primary level, while 7% and 15% of them have studied up to the intermediate and high school level respectively (Table 3-9). The literacy rate amongst the land losers is lower than the literacy rate of the Kinnaur district. Overall, about 28% of the population were found to be illiterate.

Table 3-9: Literacy rate of PAFs

Sl. No.	Education	Numbers	Percentage
1	Post Graduate	6	5%
2	Graduate	7	6%
3	Intermediate (10+2)	8	7%
4	High School (10)	17	15%
5	Primary	43	38%
6	Illiterate	32	28%
	Total	113	100%

3.4.4 Occupation Profile

All the respondents covered under the sample survey informed that agriculture and agriculture-allied occupations was their primary occupation and source of income. However, most of families employ Nepali migrant labour to carry out the agricultural and horticultural activities. Among other secondary occupations/source of income include civil contractor, government service and pensioners.

The project has provided 38 jobs to the locals and out of these, one job each has been given to 15 land loser families. The candidates for the job were chosen by the head of the land loser family. The land loser generally, chose the younger member of the family who can work for longer duration. Though, most of the selected candidates have been absorbed by NTPGPL, few works for the contractor engaged by NTPGPL.

In addition, contractual works were also allotted to 4 persons amongst the land losers. NTPGPL sponsored 4 land losers who are also employed by them for Industrial Training Institute (ITI) training. All the expenses are being incurred by the company.

3.4.5 Income Levels

Most of the households fall in the income groups of Rs. 50,001 – Rs. 1, 00, 000/- and Rs. 20,001 – Rs. 50,000/-, each group comprising of 78% and 17% of the households respectively (Table 3-10). The average income of a project-affected household is above Rs 75,000 per annum and agriculture and horticulture is the main sources of their income.

Table 3-10: Family income of households (Rs. per Annum)

Sl. No.	Family Income	No. of Households	Percentage
1.	Below 20,000/-	0	---
2.	20,001-50,000/-	4	17%
3.	50,001-100,000/-	18	78%
4.	100,001-2,00,000/-	1	4%
5.	Above 2,00,000/-	0	---
	Total	23	100%

3.4.6 Land Holdings and other assets

Majority of the households i.e., 14 of them are marginal farmers who had less than 1 hectare of land (Table 3-11) and only 6 households (21%) having more than 2 hectares of land. The main asset of all 28 households is land. The 29th share of land was acquired from Mandir Devta Kuldev (Temple of Local God).

Table 3-11: Land holdings of PAP before and after acquisition

Sl. No.	Land Details	Before Acquisition		After Acquisition	
		No. of Households	%	No. of Households	%
1	Large Farmers	6	21%	6	21%
2	Small Farmers	8	29 %	5	18%
3	Marginal Farmers	14	50 %	17	60%
	TOTAL	28	100%	28	100%

Note: Large Farmers: >2 ha of land holding; Small Farmers : 1-2 ha of land holding; Marginal Farmers: <1 ha of land holding

All the 23 surveyed affected households have their own houses which are constructed from wood and other building material. About 75% of the surveyed household owned livestock like cows, goats and sheeps. All the respondent households have apple orchards and in addition cultivate potatoes, *rajmah* (Kidney Beans), vegetables crops and *badam* (Almond).

3.4.7 Status of Women

With the intent to seek more participation from the women folk of the PAP, meetings were conducted during October, 2012. About 15 families having 47 women were contacted and interviewed. The focus was to understand their lifestyle, daily routine, status in the family and their concerns and expectations from the project.

During these meetings, it was noted that most of the women (30) were housewives and have been working in their apple orchards and farms. Out of these, about 20 of them have studied till the senior secondary or higher level of education. Women of 12 families out of 15 reported that they had been involved in the decision making process when the decision of selling of the land came up. Most of the families used the compensation that was received to improve their house and apple orchards. The financial matters are generally taken care by the male members but women have an equal say in most of the matters.

In reference to health issues among the women folk, it was mentioned that gynaecological problems have been the most common issue affecting the women. The non-availability of a lady doctor in the Public Health Centre has also been indicated as a major concern. As no hospitals are present in the area, the people have to travel to Reckong Peo, Rampur and Shimla to get treated for major health problem.

While asking the positive and negative impacts of the project, the women were of the view that the most common concerns were dust emission and vibration felt during the construction. There was a healthy response in reference to the positive outlook of the project as jobs have been provided to some of their families and roads have been improved in the area.

On the expectations of women relating to the project, many of them suggested that either jobs opportunities should be created or trainings should be imparted to make them self sufficient. The most common suggestion was to impart skills relating to knitting / sewing which could be an add on if knitting/ sewing machines were also provided. The Mahila Mandal has been recommended to be the focal point of this training activity as well as responsible for the possession of machines as one woman from each family in the village is a member of the Mahila Mandal. This arrangement will ensure fair utilization of the resources available. Many of the women also suggested that regular health camps should be conducted so that the health issues can also be properly tackled with within the community.

Though, women may not be able to get direct employment in the project's construction activities since these are quite labour intensive and skilled jobs, however, they will contribute indirectly to their economic development in terms of small scale business, non farming activities.

On enquiring how their concerns and grievances with respect to the project are addressed, most of respondents mentioned that they voice it in the Panchayats meetings. However, most of them were not keen to attend such meetings and were satisfied with the current situation where male members are involved more actively in these meetings.

3.4.8 Indigenous People

ADB's Safeguards Policy Statement (2009) uses the following characteristics in varying degrees to define indigenous people:

- (i) maintenance of cultural and social identities separate from dominant societies and cultures;
- (ii) self-identification and identification by others as being part of a distinct cultural group;
- (iii) linguistic identity different from that of dominant society;
- (iv) social, cultural, economic, and political traditions and institutions distinct from dominant culture;
- (v) economic systems oriented more towards traditional production systems rather than mainstream; and
- (vi) unique ties and attachments to traditional habitats and ancestral territories.

The proposed project falls under the district of Kinnaur which has been declared as Notified Tribal Districts as per scheduled area. However, people in the Kinnaur districts are the dominant group and they are not distinct from the main stream population since all their activities are very much developed and most of them are well off economically due to apple cultivation. Though classified as STs, their social, cultural, economic, and political characteristics do not differ from non-IP groups. They have the access to infrastructure facilities such as roads, electricity, schools and hospitals etc.

PAFs in the project area do not practise any traditional or indigenous form of economic activities and none of the PAFs depend on traditional way of occupation. Most people are involved in agriculture and apple cultivation as the main occupation among the affected persons in the project area followed by small business and government jobs among others activities.

Official language of communication is Hindi in project area and most of the people use Hindi as medium of communication. Some sections of the people use certain dialect namely “Kinnauri” for day to day communication; however, they too communicate in Hindi and understand Hindi well. Considering the above, it may be derived that people in the project area are not having any indigenous dialect or language and they are educated also.

The affected villages do not have any specific tribal community or customary institutions. The village community is governed by Panchayat which is an elected body and the Panchayat is the key to start any development activities in the region. The affected villages do not have any specific tribal community or customary institutions. All the respective Panchayats are involved with the project and all the project information have been publicly shared with the local people. No objection certificates have been collected prior to start of the land acquisition and project execution. Consultations have been a continuous process since 2006 and people’s views have been integrated to the project design and are considered as prime stake holders of the project.

3.5 Impact on Socio-economic conditions and mitigation measures

The following Table 3-12 summarizes the impact of the project on local socio-economic conditions and mitigation measures taken to address them.

Table 3-12: Summary of Impact and Mitigation measures

Nature of Action	Affected Group	Impact Details	Mitigation Measures Implemented/Proposed
Acquisition of Private Land	About 28 households representing 38 land owners from Lambar, Roowang and Lizang who are directly affected.	<ul style="list-style-type: none"> • Land owners losing partial agricultural land. • Loss of income due to loss of land and loss of trees. 	<ul style="list-style-type: none"> • Compensation at market value for land and other assets as per the LAA 1894 and enhanced compensation and solatium • Loss of private trees is compensated on the market value depending on the productivity and timber value. • The compensation distributed to the AFs, was reportedly utilized in improving apple orchards, buying land or constructing houses, which will give these families extra income and financial security from additional assets. • Implementation of R&R Plan for rehabilitation and livelihood

Nature of Action	Affected Group	Impact Details	Mitigation Measures Implemented/Proposed
			<p>restoration.</p> <ul style="list-style-type: none"> • Provided direct employment to 14 families and contract opportunities to 4 families.
Acquisition of Private Land	Mandir Devta Kuldev (Local village Deity) under Lizang village of Rispa Panchayat	<ul style="list-style-type: none"> • Loss of partial land 	<ul style="list-style-type: none"> • Compensation at market value for land and other assets as per the LAA 1894 and enhanced compensation and solatium • The compensation distributed was also reported to be utilized in improving apple orchards owned by the Local Deity. • Implementation of R&R Plan for rehabilitation.
Acquisition of Forest land	Three affected Panchyats of Thangi, Rispa and Moorang	<ul style="list-style-type: none"> • Loss of fodder due to reduction in grazing land • Loss of fuel wood • Loss of income from loss of trees 	<ul style="list-style-type: none"> • In order to counter the adverse impacts due to forest loss, compensatory afforestation measures will be taken up by HP Forest Department in unreserved forest block C-194 of Chharang and unreserved forest block C-186 of Thangi over 79.00 hectares of degraded forest land. • The Net Present Value of the forest produce including Chilgoza trees is also paid to the Forest Department. • A Catchment Area Treatment (CAT) Plan for the project is under implementation. Under this a provision is made for about 12 % of total outlay for forest conservation and improvement of Tree Cover. It includes measures for afforestation of degraded forest land and provides for Chilgoza Plantation on an area of 28 ha. • CAT plan has also committed towards fuel saving devices such as provision of solar devices • Provision in R&R Plan is also made

Nature of Action	Affected Group	Impact Details	Mitigation Measures Implemented/Proposed
			<p>to distribute LPG cylinders to direct project affected families.</p> <ul style="list-style-type: none"> The R&R Plan also provides for compensation for loss of income from Chilgoza trees.
Project Construction Activity	Three affected Panchayats of Thangi, Rispa and Moorang	<ul style="list-style-type: none"> Impact on health due to dust, dirt and suspended particles in the area. Influx of immigrant labour resulting in any contagious diseases among local population. Safety of locals in terms of their mobility because of the influx of outside labour force, heavy vehicular movement During construction stage of the project due to dust and dirt deposition on crop may bring down the yield levels. Socio-cultural conflict due to influx of migrant labour. Loss of income from loss of Chilgoza trees damaged during the road construction works. 	<ul style="list-style-type: none"> Implementing Environment Management Plan and using water sprinklers for arresting dust pollution NTPGPL have setup 2 Health centres and 2 mobile health vans to be used by its employees, labour and local community Regular medical check-up of all workers including migrant labour Conducting special medical camps and awareness camps for labour on HIV/AIDS and other diseases Supporting the local schools with first aid kits Implementing a Construction Labour Management Plan and confining the labour to the labour camps as far as possible to avoid any interaction with the local people. Implementing a Construction Safety Management Plan Implementing a Traffic Management Plan Scientific assessment by horticulture department of any loss to crops due to the dust pollution and payment of compensation accordingly. The annual loss of income from loss of Chilgoza trees will be compensated to the affected panchayats under the R&R Scheme.

3.6 Positive Impact of the Project

The project has several benefits to the immediate affected community and society in large. As electricity is a key input for socioeconomic development process once the project is operational, it ensures efficient provision of electricity which not only contributes to poverty reduction indirectly through economic growth, but also central to the basic human needs of health and education. Direct positive economic and social benefits that result from the proposed project include the following:

- The construction of project is expected to provide increased employment opportunities (direct or indirect, permanent and temporary as well as short term and long term) to local communities in the project area.
- The society will be benefitted as part of development of good access roads and health facility at site during emergencies.
- The local community is benefitted from the community development activity initiated by utilizing the Local Area Development Fund (LADF) created for the project by NTPGPL where in 1.5% of the total project cost will go the affected Panchayats for the overall development activities of the affected villages.
- A number of Corporate Social Responsibility (CSR) initiatives have been taken up by NTPGPL for the local community and project area.
- The ecological restoration and measures such as fisheries development, afforestation program, soil and water conservation program in the catchment area of the project which will not only compensate for deterioration of ecology caused by project activities but also help in improving the ecology of the project area.
- Priority to Chilgoza plantation and other multiple purpose tree species which would provide the locals fodder, fruit, fuel wood, small timber etc.
- Commitment by NTPGPL to spend 2% of the carbon revenue earned from Clean Development Mechanism (CDM) for sustainable development of the local community during operation phase of the project.
- The efforts proposed under the Rehabilitation and Resettlement (R&R) scheme for both direct affected families and to the local panchayats such as self-employment schemes, merit scholarship scheme, assistance for marriage to fatherless/motherless children etc contribute to the overall development of the project area.

4. Resettlement Policy and Legal Framework

4.1 General

This section presents the legal and policy requirements for the land acquisition process and the Resettlement and Rehabilitation Scheme and entitlements for affected families. The national laws/acts or policy includes Land Acquisition Act, 1894 (LAA, amended in 1984), National Rehabilitation and Resettlement Policy, 2007 (NRRP), ADB's Safeguards Policy Statement, 2009 and International Finance Corporation's which is discussed for compliance of safeguards towards Involuntary Resettlement. Lastly, the section presents a review of proposed R&R Scheme for Project Affected Families of Tidong-I HEP and a comparative analysis of the same and LAA, 1984 with the ADB's Safeguard on Involuntary Resettlement.

4.2 Land Acquisition Act, 1894 amended 1984

The LA Act provides a framework for facilitating land acquisition in India. It enables the State Government to acquire private land for public purposes. It ensures that no person is deprived of land except under LAA and entitles APs to a hearing before acquisition. The main elements of LAA are:

- 1) Land identified for the purpose of a project is placed under Section 4 of the LAA. This constitutes notification. Objections must be made within 50 days to the District Collector (DC, the highest administrative officer of the concerned District).
- 2) The land is then placed under Section 6 of the LAA. This is a declaration that the Government intends to acquire the land. The DC is directed to take steps for the acquisition, and the land is placed under Section 9. Interested parties are then invited to state their interest in the land and the price. Under Section 11, the DC will make an award within one year of the date of publication of the declarations. Otherwise, the acquisition proceedings shall lapse.
- 3) In case of disagreement on the price awarded, within 6 weeks of the award, the parties (under Section 18) can request the DC to refer the matter to the Courts to make a final ruling on the amount of compensation.
- 4) Once the land has been placed under Section 4, no further sale or transfer is allowed.
- 5) Compensation for land and improvements (such as houses, wells, trees, etc.) is paid in cash by the project authorities to the State Government, which in turn compensates landowners.
- 6) The price to be paid for the acquisition of agricultural land is based on sale prices recorded in the District Registrar's office averaged over the three years preceding notification under Section 4. The compensation is paid after the area is acquired, with actual payment by the State taking about two or three years. An additional 30 percent is added to the award as well as an escalation of 12 percent per year from the date of notification to the final placement under Section 9. For delayed payments, after placement under Section 9, an

additional 9 percent per annum is paid for the first year and 15 percent for subsequent years.

The above act is applicable to this project as the land acquisition for the proposed project has been undertaken under the same Act.

4.3 The National Resettlement and Rehabilitation Policy, 2007

The National Rehabilitation and Resettlement Policy, 2007 (NRRP, 2007) issued through the Department of Land Resources under Ministry of Rural Development was adopted by the Government of India in 31st October, 2007 to address development-induced resettlement issues. The NRRP policy and the associated legislative measures aim at striking a balance between the need for land for developmental activities and, at the same time, protecting the interests of the land owners, and others, such as the tenants, the landless, the agricultural and non-agricultural labourers, artisans, and others whose livelihood depends on the land involved. The NRRP stipulates the minimum facilities to be ensured for persons displaced due to the acquisition of land for public purposes and to provide for the basic minimum requirements.

The objectives of the Policy are as follows:

- a) to minimize displacement and to promote, 'as far as possible, non-displacing or least-displacing alternatives;
- b) to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of the affected families;
- c) to ensure that special care is taken for protecting the rights of the weaker sections of society, especially members of the Scheduled Castes and Scheduled Tribes, and to create obligations on the State for their treatment with concern and sensitivity;
- d) to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families;
- e) to integrate rehabilitation concerns into the development planning and implementation process; and
- f) where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

The NRRP 2007 emphasizes the need for participatory and transparent R&R planning and implementation. A strong grievance redress mechanism has been prescribed, which includes standing R&R Committees at the district level, R&R Committees at the project level, and an Ombudsman duly empowered in this regard. The R&R Committee shall have representatives from the affected families including women, voluntary organizations, panchayats, local elected representatives, etc. Provision has also been made for post- implementation social audits of the rehabilitation and resettlement schemes and plans.

As per the NRRP, 2007 it is applicable for projects where large scale involuntary displacement of 400 or more families enmasse in plains or 200 or more families enmasse in hilly or tribal or Desert

Development Program (DDP) areas are displaced. As the land acquisition for the proposed project involves only 28 families losing partial agricultural land and none of them have become landless or displaced or adversely affected the above policy is not applicable for the project.

4.4 ADB's Safeguard Policy Statement (SPS), 2009

ADB has adopted Safeguard Policy Statement (SPS) in 2009 including safeguard requirements for environment, involuntary resettlement and indigenous people. The safeguard policies are operational policies that seek to avoid, minimize or mitigate adverse environmental and social impacts including protecting the rights of those likely to be affected or marginalized by the developmental process.

4.4.1 Involuntary Resettlement Safeguard

The objectives of the Involuntary Resettlement Safeguard policy is to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary. The main policy principles of the Involuntary Resettlement Safeguard are:

- i. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- ii. Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

- iii. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- iv. Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- v. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- vi. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- vii. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- viii. Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- ix. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- x. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- xi. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.

- xii. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

As the proposed project is posed for funding from Asian Development Bank (ADB) and as this project is identified as Category 'A' for environmental aspects and category 'B' for social attributes the above discussed Involuntary Resettlement Safeguard will be applicable for the project.

4.5 International Finance Corporation's (IFC) Policies and Performance Standards, 2006

IFC applies its Policy on Social and Environmental Sustainability and Performance Standards, 2006 (updated in 2012) to manage social and environmental risks and impacts and to enhance development opportunities in its private sector financing in its member countries eligible for financing. The following eight Performance Standards (PS) established stipulates that the project shall meet the following throughout the life of an investment by IFC or other relevant financial institution:

- PS 1: Social and Environmental Assessment and Management System;
- PS 2: Labour and Working Conditions;
- PS 3: Pollution Prevention and Abatement;
- PS 4: Community Health, Safety and Security;
- PS 5: Land Acquisition and Involuntary Resettlement;
- PS 6: Biodiversity Conservation and Sustainable Natural Resource Management;
- PS 7: Indigenous Peoples; and
- PS 8: Cultural Heritage.

4.5.1 Standard on Land Acquisition and Involuntary Resettlement

This standard requires that project does not result in involuntary resettlement or at least if unavoidable it is minimized by exploring alternative project designs. Also the project will ensure that social and economic impacts from land acquisition or restrictions on affected persons' use of land are mitigated. The objectives of this PS are to:

- i. Avoid or at least minimize the involuntary resettlement wherever feasible by exploring alternative project designs;
- ii. Mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons' use of land by:
- iii. Providing compensation for loss of assets at replacement cost; and
- iv. Ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.
- v. Improve or at least restore the livelihoods and standards of living of displaced persons;

- vi. Improve living conditions among displaced persons through provision of adequate housing with security of tenure at resettlement sites.

As the proposed project is partially funded by International Finance Corporation (IFC) and as described in its policy, the Project falls under environmental Category A⁴. Therefore, the above discussed PS-5 on Land Acquisition and Involuntary Resettlement will be applicable for the project.

4.6 Resettlement and Rehabilitation Scheme for Project Affected Families of Tidong-I Hydro Electric Project (100MW)

As mandated in the project Implementation Agreement to address the impact on loss of livelihood for the direct affected families and the affected panchayats the Deputy Commissioner, Kinnaur in consultation with the representatives of the affected panchayats and NTPGPL have developed a Resettlement and Rehabilitation (R&R) Scheme for Tidong-I (100MW) Project. The revised scheme issued by Office of Deputy Commissioner, Kinnaur District at Reckong Peo vide Letter no. KNR –II-211(GB) / 2012 – 1031102 dated 30-Nov-2012 has been forwarded to The Principal Secretary (Revenue), Government of Himachal Pradesh for approval and taking further necessary action. The approval of the scheme is awaited. A copy of the scheme along with the letter is enclosed as **Annexure-2**.

The above scheme has been developed to protect the interest of the PAFs, in accordance with Rule 8-A of the H.P. Nautor Land Rules, 1968, which provides for framing of a special scheme for Resettlement and Rehabilitation of persons who are displaced as a result of anything done for any public purpose. The scheme is been developed by the government of Himachal Pradesh based on the previous existing R&R Scheme of similar projects such as Parbati Hydro Electric Project (PHEP) issued through Notification No Rev (PD) F(5)-1/1999 dated 27-04-2006 and R&R Scheme for Rampur Hydro Electric Project of Satluj jal Vidyut Nigam limited.

The DC, Kinnaur initiated the formulation of the above R&R Scheme in 2006 and after due consultations with the affected families, affected panchayats and NTPGPL issued the first Draft R&R Scheme in 2007. Subsequently based on the representation of the local people and others the Scheme is revised and sent for approval of the State Government.

The entire Scheme is divided into 3 parts wherein, part 1 details the coverage of the scheme where it shall extend to the whole of area affected or likely to be affected as a result of construction of Tidong-I Hydro Electric Project (100MW), within Moorang Tehsil of Kinnaur District of Himachal Pradesh. The Deputy Commissioner, Kinnaur in whose jurisdiction the Project Affected Area falls, will be the Administrator for Resettlement and Rehabilitation. Project Affected Area/Affected Zones means area as notified by the Deputy Commissioner, Kinnaur, where land is acquired for construction for any component of project, infrastructure, township, offices, construction facilities, welfare facilities etc for the project, unit for declaring Project Affected Area would be Revenue

⁴Category-A projects are the projects with potential significant adverse Environmental or Social impacts that are diverse, irreversible or unprecedented.

Village. In same section, it defines the project affected family, project affected area, project affected family rendered land less, project displaced family and project authority.

In part 2 of the scheme, details on the entitlements and sanction of the Rehabilitation grant to the project affected families, employment provisions to the family rendered landless (as per definition of Scheme), the secondary employment opportunities available to the project affected families who are not covered under the landless or displaced category etc has been given.

In the final section under part 3, the R&R Scheme presents the commitments towards community development/social responsibility of the developer after start of generation of electricity. It suggests for a need assessment for the above and details the various infrastructural facilities that can be upgraded in the affected area and annual financial commitments towards the above initiatives. Further as part of social responsibility it also details on other financial support to orphans during their marriages and support in form of scholarships to boys and girls of the project affected family/area.

Traditionally it is seen that R&R Policies do not cover marginally impacted people. However, the most important highlight of the proposed Scheme is in its coverage of all the affected family both directly affected land losers and indirectly affected local community irrespective of the severity of the impact for providing rehabilitation grants, direct employment and other assistance measures. Further, the above scheme is developed keeping in mind the relevant project impacts of the Tidong-I HEP and ensures that everybody is benefited by the Scheme.

4.6.1 Entitlement Groups

Although the land acquisition for the project does not have incidence of certain impacts such as loss of residential/commercial establishments, nevertheless, keeping in mind any unforeseen impacts five impact categories have been identified for entitlement of compensation and R&R assistance under the above Scheme of Tidong-I HEP.

- Project Affected Family (PAFs)
- Project Affected Family rendered landless
- Project Affected Family rendered houseless
- Project Displaced Shopkeepers
- Project Affected Group

4.6.1.1 Project Affected Family (PAFs)

The PAF means a family/person whose residence or other properties or source of livelihood are affected by the process of acquisition of land for the project and who has been residing continuously for a period of not less than three years preceding the date of declaration of the Project Affected Area/Affected Zone or practicing any trade, occupation or vocation continuously for a period of not less than three years in the Project Affected Area/Affected Zone, preceding the date of declaration of the affected zone.

4.6.1.2 Project Affected Family rendered landless

The project affected family rendered landless means that family whose agricultural land is acquired for the project and in whose case balance agricultural land left after acquisition is less than 20 Bighas (1.506 ha). For this purpose agriculture land held within the project area by all such persons and their family members shall be reckoned. The landless Project Affected Family shall be certified by the Deputy Commissioner, Kinnaur.

4.6.1.3 Project Affected Family rendered houseless

The Project Affected Family rendered houseless means the family whose dwelling house is acquired for the Project.

4.6.1.4 Project Displaced Shopkeeper

The Project Displaced Shopkeeper means the Shopkeeper(s), who had taken shop (s) on rent and had been genuinely running business therein as on the date of issuance of notification under Section-4 of the Land Acquisition Act 1894 and whose such Shop(s) is acquired for the Project of the shop owner who himself was running his business in such Shop (s).

4.6.1.5 Project Affected Group

Although the policy does not define explicitly the Project Affected Groups are those who are not directly affected by the process of land acquisition but affected by the acquisition of common property resources such as grazing land, forest land, loss of trees etc. In this case it is the 3 project affected Panchayats of Thangi, Moorang and Rispa.

4.6.2 Entitlements, Assistance and Benefits

Based on the impacts identified for the proposed project and the above rehabilitation grants, entitlements and other assistance benefits proposed in the R&R Scheme and the compensation provided under LAA Act 1894, the entitlement matrix describes each compensation measure and assistance that has been developed and it is detailed in Table 4-1. Affected families will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact.

Table 4-1: Entitlement Matrix for Tidong-I HEP

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement / Comments	Responsible Agency
1	Loss of Private Land (Agricultural/ Non-Agriculture Land)	Titleholder's	Compensation Measure	Land Owners	<ul style="list-style-type: none"> • Compensation at replacement value assessed as per the market value under LAA Act 1894 and 20% increase over the assessed market rate. • Solatium @ 30% of land value • Interest @ 12% per annum on land value for land acquisition period <p><i>Note: As per Award No. 01/2009, by the ADB cum Land Acquisition Collector, Pooh, Kinnaur District, the compensation rate per hectare for irrigated land is INR 74,99,900/- and unirrigated land is INR 16,66,200/-.</i></p>	DC, Kinnaur and NTPGPL.
			R&R Measure	Project Affected Family	<ul style="list-style-type: none"> • Rehabilitation Grant @ Rs 1, 20, 000/- per family whose land is acquired for project was more than 0.0753 ha. • Rehabilitation Grant @ Rs 1, 10, 000/- per family whose land is acquired for project was less than 0.0753 ha • Affected family who are not rendered landless/houseless/shopless and who are not provided with employment in project or have not been allotted any shop will be assisted through gainful occupation in form of petty contracts, training, seed capital for self employment occupations. • Free of cost LPG gas cylinder to each project affected 	<p>DC, Kinnaur and NTPGPL.</p> <p>Affected Families shall be Certified by the DC, Kinnaur.</p> <p>DC, Kinnaur will formulate the self employment scheme.</p>

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement / Comments	Responsible Agency
					family.	
			R&R Measure	Project Affected Family rendered Landless	<ul style="list-style-type: none"> One member of each family rendered landless will be provided employment by the Project Authority in the category of skill/semiskilled/unskilled workmen subject to fulfilling the requisite criteria/qualification. 	DC, Kinnaur and NTPGPL. Affected Families shall be Certified by the DC, Kinnaur.
2	Loss of Cattle Shed	Titleholder's / Non-Titleholders	Compensation Measure	Asset Owner	<ul style="list-style-type: none"> Compensation at replacement value assessed as per HPPWD under LAA Act 1894. Solatum @ 30% of asset value Interest @ 12% per annum on asset value for land acquisition period <p><i>Note: The total compensation paid for 4 semi pucca structure = INR 5,141,403 or INR 12.85lakh per structure.</i></p>	DC, Kinnaur, HPPWD and NTPGPL.
			R&R Measure	Project Affected Family	<ul style="list-style-type: none"> Each family shall get one time financial assistance @ Rs 50,000/- for loss of cattle shed. 	DC, Kinnaur and NTPGPL. Affected Families shall be Certified by the DC, Kinnaur.
3	Loss of House	Titleholder's / Non-Titleholders	Compensation Measure	Asset Owner	<ul style="list-style-type: none"> Compensation at replacement value assessed as per HPPWD under LAA Act 1894. Solatum @ 30% of asset value 	DC, Kinnaur, HPPWD and NTPGPL.

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement / Comments	Responsible Agency
		Titleholder's			<ul style="list-style-type: none"> Interest @ 12% per annum on asset value for land acquisition period 	
			R&R Measure	Project Affected Family rendered Houseless	<ul style="list-style-type: none"> Each family which is rendered houseless will be provided an independent house with a built up plinth area of 60 m² on a plot of 5 biswa. <p>Or</p> <ul style="list-style-type: none"> Each family will be offered a plot of size, which allows construction of built up house 60m² and provide construction cost of the house @ Rs. 5500/- per m². <p>Or</p> <ul style="list-style-type: none"> Each family, which does not opt for House/plot but constructs his house on his own cost, shall be paid the construction cost of the house @ Rs. 5500/-per m² for a house 60 m² and in addition to this cost of 5 biswas of land will be paid to the family at the rate at which company had bought the affected land. Transportation for relocation will be arranged by the project or a lumpsum grant @ Rs 10,000/- per family will be provided. Stamp duty and other fees for registration of new house shall be borne by the project authority. 	<p>DC, Kinnaur and NTPGPL.</p> <p>Affected Families rendered houseless shall be Certified by the DC, Kinnaur.</p>

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement / Comments	Responsible Agency
					<i>Note: None of the affected families were rendered houseless, however, these entitlements have been set as a standard in case of unanticipated impacts.</i>	
4	Loss of Shop/commercial structure	Titleholder's /Non-Titleholder's	Compensation Measure	Asset Owner	<ul style="list-style-type: none"> • Compensation at replacement value assessed as per HPPWD under LAA Act 1894. • Solatium @ 30% of asset value • Interest @ 12% per annum on asset value for land acquisition period 	DC, Kinnaur, HPPWD and NTPGPL.
		Shopkeeper (Owner / Tenant)	R&R Measure	Project Displaced Shopkeeper	<ul style="list-style-type: none"> • Each Displaced shopkeeper will be given shop in allotment in the market complex of the project colony wherever the project authority constructs such market places. The shops so given shall be Pucca shops with minimum size of 10x15' or size equivalent to it. In addition they will be provided one time displacement grant of Rs. 50,000/- . • In case the project is unable to provide shops, displaced shopkeepers (owner of the shops) shall get financial Assistance of Rs.85, 000/-. • Transportation for relocation will be arranged by the project or a lump sum grant @ Rs 10,000/- per family will be provided. • Stamp duty and other fees for registration of new house shall be borne by the project authority. 	DC, Kinnaur and NTPGPL. Displaced Shopkeepers shall be Certified by the DC, Kinnaur.

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement / Comments	Responsible Agency
					<i>Note: There are no displaced shopkeepers, however, these entitlements have been set as a standard in case of unanticipated impacts.</i>	
5	Loss of Trees/ other structures on Private Land	Titleholder's	Compensation	Land Owners	<ul style="list-style-type: none"> • Compensation at replacement value as per assessment of Forest/Horticulture/HPPWD Department under LAA Act 1894. • Solatium @ 30% of asset value • Interest @ 12% per annum on asset value for land acquisition period 	DC, Kinnaur, Forest/Horticulture/HPPWD Department, Govt of Himachal Pradesh and NTPGPL.
6	Loss to the project area from project construction and operation	Community	Community Development	Project Affected Group	<ul style="list-style-type: none"> • After start of generation of electricity the Project authority will pay Rs. 15 Lakhs annually for community development and infrastructural up-gradation activity in the affected area. 	Deputy Commissioner, Kinnaur, Village Panchayats and NTPGPL. The DC, Kinnaur after due assessment will sanction schemes for affected village.
			Social Responsibility	Project Affected Family and Project Affected Group	<ul style="list-style-type: none"> • An amount of Rs 7 Lacs for scholarship to the boys and girls of Project Affected Families (PAFs)/area will be paid annually by the Project Authority to the Deputy Commissioner Kinnaur. • All Orphan's in the project affected area will be provided a financial support of an amount of Rs 1, 00,000/- at the time of their marriage. 	Deputy Commissioner, Kinnaur, Village Panchayats and NTPGPL. The Deputy Commissioner after approval of the R&R

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement / Comments	Responsible Agency
					<ul style="list-style-type: none"> Fatherless girls in project affected area will be provided a financial support of an amount of Rs 51,000/- at the time of their marriage. Project Authorities will build infrastructural facilities in the vicinity of the Project Area that may be essentially required for the construction of the Project and or benefit the local population. 	<p>Scheme will sanction scholarship on merit cum Poverty basis.</p> <p>NTPGPL upon approval of the R&R Scheme and based on request from affected person and certification of the Affected Panchayat will release the financial support towards marriage grants.</p>
7	Impact on Vulnerable Affected Family	Titleholder and Non-titleholder	R&R Measure	Project Affected Family	<ul style="list-style-type: none"> The land acquisition for the project affected one women headed family (Ms Suraj Devi) who have lost more than 30% of their total land holding and identified as vulnerable affected family will be provided a monthly pension of Rs 1000/- . This will be provided through an annuity policy. 	<p>NTPGPL will implement the measure after approval of R&R Scheme.</p> <p>In the mean time, NTPGPL has already employed the daughter of Ms Suraj Devi.</p>
8	Any other impact not identified -	Community	Compensation	Project Affected Group	<ul style="list-style-type: none"> NTPGPL in consultation with affected panchayats agreed to pay compensation for the loss of earnings form Chilgoza trees damaged during the project construction activity. The payment will be made by 	Deputy Commissioner, Kinnaur, ADM, Pooh, Village Panchayats and NTPGPL.

SL. No.	Type of Loss	Nature of Ownership	Nature of Entitlement	Unit of Entitlement	Details of Entitlement / Comments	Responsible Agency
	Loss of income from loss of Chilgoza trees during project construction*				30th November of each year based on prevailing wholesale rate in Reckong Peo in first week of the same month. The disbursement of the compensation will be initiated from year 2013 for the period of 40 years and made through Deputy Commissioner/ Additional District Magistrate as appropriate.	

**The loss of income from loss of Chilgoza trees damaged during project construction was not envisaged while preparing the R&R Scheme. However, the above provision is suitably included in the R&R Plan for the project.*

4.7 Compliance of ADB's Safeguard on Involuntary Resettlement, 2009

As the land acquisition, payment of compensation, consultation and economic rehabilitation and livelihood restoration activity for the project affected families have been completed or in progress an analysis on compliance of the key principles of the ADB's Safeguard on Involuntary Resettlement and process adopted for the project is useful and presented in Table 4-2.

Table 4-2: Compliance Status with ADB Requirement

Sl. No.	Key Principles of ADB SPS, 2009 on Involuntary Resettlement	Tidong-I HEP Project Compliance Status	Remarks
1	Involuntary resettlement should be avoided wherever possible	<ul style="list-style-type: none"> LAA, 1894 gives directive for acquisition of private land in public interest. 	Compliant and activity completed.
2	Minimize involuntary resettlement by exploring project and design alternatives	<ul style="list-style-type: none"> Given the nature and spread of the project the site selection for construction of infrastructure and other facilities were done in such a manner which involved minimal land acquisition of forest and private land. None of them is displaced and about 28 families lost partial agricultural land. During the design stage, additional care had been taken to avoid cultural and religious properties and public property. Efforts are made to avoid displacement of habitation/settlements centers and the project activities are planned in such a way that they do not disturb any habitation centres To avoid the damage to trees during project road construction activity alternative methods of ropeway are being finalized to reach the Surge Shaft. 	Compliant and activity in progress.
3	Conducting socio-economic survey of displaced persons and resettlement planning	<ul style="list-style-type: none"> Under the LAA, the project authority identifies the details of ownership and names of the owners and type of land etc for the affected families. NTPGPL has completed this activity as part of its Environmental and Social Impact Assessment Study and conducted a socio-economic survey of the affected families. 	Compliant and activity completed.
4	Carry out meaningful consultation with displaced persons and ensure their participation in planning, implementation and monitoring of resettlement	<ul style="list-style-type: none"> As part of the land acquisition LAA, 1894 a meaningful consultation and participation through various notifications which needs to be Gazette such as Section-4, Section-6 notification etc. have been undertaken completed. 	Compliant and activity in progress.

Sl. No.	Key Principles of ADB SPS, 2009 on Involuntary Resettlement	Tidong-I HEP Project Compliance Status	Remarks
	program	<ul style="list-style-type: none"> • NTPGPL as part of its information, consultation process has conducted a series of consultations with all the stakeholders including assessment of loss, land acquisition planning for resettlement etc. Details of issues raised and discussed in these consultations are presented in Section 5 of this report. • NTPGPL as part of its disclosure has already shared relevant information through Executive Summary of ESIA, Grievance Redress Mechanism, Community Development initiatives and commitments. 	
5	Establish grievance redress mechanism	<ul style="list-style-type: none"> • Under the LAA, any dispute arising to land ownership and compensation etc need to be settled in the appropriate court of law through the help of revenue department. This avenue is been utilized by some of the affected land owners who are not satisfied with the compensation amount received. The details are presented in the Budget and Financing Section of this report. • NTPGPL has already setup a Grievance Redressal Mechanism (GRM) for the Tidong HEP to receive and facilitate concerns and grievances of not only the local communities, Panchayats and other stakeholders but also for the workers employed for the project. The purpose of the GRM is to record the grievances and find mutually acceptable solutions for problems like employment, disputes with project activities, damages to private property, community development needs, socio-economic development of villages etc. Details presented in next section of this report. 	Compliant and activity in progress.
6	Support the social and cultural institutions of displaced persons and their host population.	<ul style="list-style-type: none"> • NTPGPL as part of the support for social and cultural institutions of the local community has initiated a number of benefits for the community development activity by utilizing the Local Area Development Fund (LADF) created for the project wherein 1.5% of the total project cost will go the affected Panchayats for the overall development activities of the affected villages. • Good access roads and health facility at site 	Compliant and activity in progress.

Sl. No.	Key Principles of ADB SPS, 2009 on Involuntary Resettlement	Tidong-I HEP Project Compliance Status	Remarks
		<p>during emergencies has also been provided.</p> <ul style="list-style-type: none"> • Corporate Social Responsibility (CSR) initiatives have been taken up by NTPGPL for the local community and project area. • The ecological restoration and measures such as fisheries development, afforestation program, soil and water conservation program in the catchment area of the project which will not only compensate for deterioration of ecology caused by project activities but also help in improving the ecology of the project area. • Priority to Chilgoza plantation and other multiple purpose tree species which would provide the locals fodder, fruit, fuelwood, small timber etc. • Commitment by NTPGPL to spend 2% of the carbon revenue earned from Clean Development Mechanism (CDM) for sustainable development of the local community during operation phase of the project. • For operation stage of the project efforts are proposed under the Rehabilitation and Resettlement (R&R) scheme for both direct affected families and to the local panchayats such as self-employment schemes, merit scholarship scheme, assistance for marriage to orphan children etc contribute to the overall development of the project area. 	
7	Improve or at least restore the livelihoods of all displaced persons	<ul style="list-style-type: none"> • The land acquisition for the project has resulted in 28 families losing partial agricultural land and this has had very limited impact on their livelihood. None of them is displaced or become landless. • As per the LAA Act 1894 the compensation at market price of the affected land is arrived and additional 20% of the market price along with Solatium @30% and interest @ 12% is paid. • NTPGPL as part of its proactive economic rehabilitation measures has already provided direct employment to 14 affected families and secondary employment in form of civil contracts to 4 affected families. It is in progress 	Compliant and activity in progress.

Sl. No.	Key Principles of ADB SPS, 2009 on Involuntary Resettlement	Tidong-I HEP Project Compliance Status	Remarks
		<p>to accommodate the other affected families as per their need and demand.</p> <ul style="list-style-type: none"> • Once approved NTPGPL will provide all the entitlements such as Rehabilitation Grant and other assistances under R&R Plan. • The wards of affected families will be given priority in the sanction of merit scholarships, marriage grants etc. • All implementation of all the above measures will not only restore the loss of livelihoods of the affected families but definitely improve their living standards. 	
8	All compensation should be based on the principle of replacement cost	<ul style="list-style-type: none"> • The land compensation awarded by the Land Acquisition Collector has take into account the market value of the property being acquired. An addition 20% of the market value is added to the assessed value along with 30% of Solatium and 12% interest is paid. • The land owners have reportedly accepted the compensation with protest. About 20 of them have filed petitions in August 2009 to the District Judge of Kinnaur under Section 18 of the LAA seeking enhanced compensation against the Himachal State, Land Acquisition Collector and NTPGPL. Details are given in Budget and Financing section. The court proceedings are in process. It is required to mention that if the compensation amount is enhanced by the Court and Government, NTPGPL is willing to abide to those orders. • The petition did not contest the compensation paid for the trees and the structures and appears that they were satisfied with the compensation. 	Compliant and activity in progress.
9	Provide rehabilitation and relocation assistance to displaced persons	<ul style="list-style-type: none"> • NTPGPL along with the local administration has prepared an R&R Scheme for providing the rehabilitation assistance grants to the affected families which in total compliance with the safeguard principle. • NTPGPL has already provided direct employment and secondary employment under its Scheme towards economic rehabilitation and livelihood restoration. 	Compliant and activity in progress.

Sl. No.	Key Principles of ADB SPS, 2009 on Involuntary Resettlement	Tidong-I HEP Project Compliance Status	Remarks
10	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	<ul style="list-style-type: none"> The land acquisition for the proposed project did not result in affecting any person without titles to land. However the proposed R&R Scheme of Tidong-I does not exclude any such cases and recognizes all affected family/person whose residence or other properties or source of livelihood are affected by the process of acquisition of land for the project and who has been residing continuously for a period of not less than three years preceding the date of declaration of the Project Affected Area/Affected Zone or practicing any trade, occupation or vocation continuously for a period of not less than three years in the Project Affected Area/Affected Zone, preceding the date of declaration of the affected zone. 	Compliant and activity in progress.
11	Disclose the resettlement plan, including documentation of the consultation in an accessible place and a form and language(s) understandable to affected persons and other stakeholders.	<ul style="list-style-type: none"> The Deputy Commissioner, Kinnaur in consultation with the representatives of the affected panchayats and NTPGPL have developed the proposed Resettlement and Rehabilitation Scheme for Tidong-I (100MW) Project. He has shared the draft scheme from time to time with all stakeholders and invited their representations. The Revised issued by Office of Deputy Commissioner, Kinnaur District at Reckong Peo vide Letter no. KNR –II-211(GB) / 2012 – 1031102 dated 30-Nov-2012 is being forwarded to The Principal Secretary (Revenue), Government of Himachal Pradesh for approval and taking further necessary action. The approval of the scheme is awaited. Once the Government receives the approval of the same the executive summary of the this R&R Plan will be translated into Hindi and disclosed to the affected panchyats. 	Compliant and activity in progress.
12	Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of	<ul style="list-style-type: none"> The proposed R&R Scheme of the Tidong-I fully recognized the involuntary resettlement as part of a development project or program and not only include the measures for both directly affected families but also provided for measures towards community development and social responsibility. It provides for specific 	Compliant and activity in progress.

Sl. No.	Key Principles of ADB SPS, 2009 on Involuntary Resettlement	Tidong-I HEP Project Compliance Status	Remarks
	project's costs and benefits.	cost commitments towards achieving the overall development of the project affected area.	
13	Pay compensation and provide other resettlement entitlements before physical or economic displacement.	<ul style="list-style-type: none"> • None of the affected family are physically displaced or economically displaced. • Based on the compensation awarded by the Land Acquisition Collector, a total amount of Rs 25.82 million (including land, trees and structures) was deposited by NTPGPL vide letter dated 16-Jul-09. Subsequently the compensation was disbursed among the land owners. After the disbursement of the compensation the Land Acquisition Collector had given the possession of the private land for construction activity. • NTPGPL as part of its proactive economic rehabilitation measures has already provided direct employment to 14 affected families and secondary employment in form of civil contracts to 4 affected families. It is in progress to accommodate the other affected families as per their need and demand 	Compliant and activity in progress.
14	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons.	<ul style="list-style-type: none"> • The proposed R&R Scheme of Tidong-I emphasizes the requirement for monitoring and makes the DC, Kinnaur the highest authority of the local administration who will be the Commissioner for implementation of the R&R Plan and identified Project Authority (NTPGPL) to facilitate the necessary resources for the implementation of the Plan. 	Compliant and in progress.

5. Public Consultation, Information and Disclosure

5.1 General

Public consultation and community participation has been taken up as an integral part of social and environmental assessment process of the project. Consultation was used as a tool to inform and educate stakeholders about the project. Participatory processes were used in involving the local people in project activities.

5.2 Objectives of the Consultation

Consultations were held to achieve the following goals:

- i. To identify sites with a view to minimize the impacts of land acquisition.
- ii. Understand the views of the people affected, with reference to acquisition of land and its due compensation.
- iii. Understand views of people on rehabilitation benefits.
- iv. Identify and assess major economic and social characteristics of the villages to enable effective planning and implementation.
- v. Resolve issues related to impacts on community property and their relocation.
- vi. Examine APs' opinions on health safety issues during the construction phase
- vii. Identify levels and extent of community participation in project implementation and monitoring.
- viii. To establish an understanding for identification of overall developmental goals and benefits of the project.
- ix. Finally to develop a thorough coordination between all the stakeholders for the successful implementation of the project.

5.3 Public Consultation and Participation

NTPGPL has carried out several consultations with various stakeholders such as affected families, local administration and panchayats during project preparation phase. Different consultation techniques such as in-depth interviews, public meetings, group discussions etc were adopted. To understand the socioeconomic profile of the affected persons, questionnaires were designed and information was collected from the affected persons on one-to-one basis from households affected by the permanent land acquisition. The key participants in these consultations included both individuals and groups namely:

- heads and members of households likely to be affected;
- groups/clusters of affected persons;
- village panchayats, sarpanch and members;
- local NGOs;
- government agencies and departments; and
- women and the representatives of the women organizations.

A summary of the various consultations conducted and relevant social issues raised has been presented in the following Table 5-1.

Table 5-1: Summary of Public Consultations

Sl No	Main agenda for Consultation	Date	Key issues raised on land acquisition/compensation/social impacts	Measures taken/ assurance given by the NTPGPL
1	Public Consultation as per EIA Notification, 1994 in association with HPSPCB	July, 2006	<ul style="list-style-type: none"> Loss of trees in forest for 2.7 km long approach road from village Lumber to Adit-1. Damage to orchards and house from muck dumping Social conflict and from migrant labour leading to law and order problems. 	<ul style="list-style-type: none"> To compensate the loss of trees, afforestation of nearby degraded forest will be taken up. Muck disposal was planned only at designated dumping sites in such a way that no spillage of excavated material takes place and cause no damage to houses and orchards. The project assured the villagers that interaction of migrant labor with the local community will be avoided to the extent possible.
2	Consultation with Gram Panchayat, Rispa and Tidong Valley Paryavaran Samrakshan Vikas Samiti by project representatives	July, 2006	<ul style="list-style-type: none"> Alignment of access road through village Rispa, associated social and environmental concerns over existence, cultural and water security of village Rispa. 	<ul style="list-style-type: none"> The alignment of proposed access road to Power house and Surge shaft was altered and proposed along the right bank of Tidong Khad so that it does not pass through Rispa village.
3	Series of project specific consultations with three affected Gram Panchayats, for seeking support for the execution of project. (approximately 40 consultation and meetings)	During 2006 to 2011	<ul style="list-style-type: none"> Land Acquisition for the project Appropriate compensation rates to private land. R&R Plan for the project. Priority to be given in employment as well as in award of petty contracts to land losers. Priority in hiring of Vehicles to land losers. Direct and indirect impact on the project affected panchayats and direct financial support and development works in 	<ul style="list-style-type: none"> Project proponent apprised about the extent of forestland and private land required for construction of project and land acquired under LA Act 1894. Apprised that Land Acquisition Officer cum- ADM- Pooh responsible for determining the land rates as per market value. Entered into an agreement with 3 affected panchayats with commitments towards direct financial support and other development

SI No	Main agenda for Consultation	Date	Key issues raised on land acquisition/compensation/social impacts	Measures taken/ assurance given by the NTPGPL
			<p>addition to the LADA, R&R and EMP</p> <ul style="list-style-type: none"> • Joint enumeration of trees affected forest areas falling in DPF-191 & 193. • Support and no objection for the execution of the project. 	<p>commitments in the affected villages.</p> <ul style="list-style-type: none"> • Assured employment to locals and Work contracts to locals where in priority given to direct affected family. • Assured engagement of vehicles from affected villages required for transportation • Assured that areas of mining are used by villagers for their last rites and hence area shall be earmarked for these activities. • Provisions shall be made so that locals get construction material for their home for free of cost. • Assured that villagers will have free access to their land and forest. • Assured to provide compensation for loss of crops and if any, due to project activities. • Completed Videography of Houses, Water sources including project area in presence of representatives of Revenue, Forest, Horticulture, PWD & IPH Depts.
4	Clean Development Mechanism (CDM) Stakeholder Consultation collectively with members of villages, gram panchayats of all three affected villages, district administration and other concerned government departments	February, 2011	<ul style="list-style-type: none"> • Benefits to community from CDM registration. 	<ul style="list-style-type: none"> • The participants were apprised about the project details along with profile of NTPGPL and explained the purpose and precise details of CDM meeting. • The participants were informed about the payments made them to the Forest Department, Fisheries Department, HP State Pollution Control Board and LADA against Environment

SI No	Main agenda for Consultation	Date	Key issues raised on land acquisition/compensation/social impacts	Measures taken/ assurance given by the NTPGPL
				<p>Management Plan and other development measures on employment and community.</p> <ul style="list-style-type: none"> The community was assured that NTPGPL 2% of the CDM revenue towards the sustainable development in project affected area.
5	Consultation of Project Affected Families and affected Gram Panchayat members by IFC and NTPGPL	April - 2011	<ul style="list-style-type: none"> Increase in employment opportunities Install additional street lights. Additional community development activity in affected villages Damage of trees during construction Strengthening of Grievance Redress mechanism Compensation and support for vulnerable household Additional compensation to Temple land lost in Rispa 	<ul style="list-style-type: none"> NTPGPL agreed to increase the employment opportunity for locals with the contractors Assured to strengthening of Grievance Redress mechanism through Grievance Boxes and making the project authorities more accessible to the locals through regular local consultations Compensation and support for vulnerable household will be considered The direct financial assistance of Rs 20 Million provided to Rispa panchayat deposited in name of the village deity who lost Temple coming under Lizang.
6	Consultations meetings under LADA	2009-2011	<ul style="list-style-type: none"> R&R Plan for the affected families which will have to be completed at the earliest. The Pradhan's of Thangi, Morang and Rispa observed that the forest areas are being damaged during construction of the approach roads Compensation for the private land lost on par with the compensation paid for land loss in Kashang/Shongtong HEP Projects. 	<ul style="list-style-type: none"> Informed that the R&R Plan was prepared and submitted for approval to the Revenue Dept Most of the petty civil works under the project have been awarded and are being executed by the local contractors from affected villages. Moreover the muck and boulders generated by the project works are being dumped at the designated dumping locations. Assured monitoring on the local contractors for compliance of this practice and directed to see it that the muck and boulders and not

SI No	Main agenda for Consultation	Date	Key issues raised on land acquisition/compensation/social impacts	Measures taken/ assurance given by the NTPGPL
				<p>dumped into the forest areas.</p> <ul style="list-style-type: none"> • It was also decided to assess the complete loss of Chilgoza trees (Neoza). Based on the assessment compensation will be paid by the company. • The NTPGPL authorities informed to the participants that some of the land losers have approached the Honorable Courts it was assured that the company will abide by the directions of the court.
7	Consultation with public representatives of the 3 Panchayats with NTPGPL Social and Environmental Staff	April 2012	<ul style="list-style-type: none"> • Payment of Chilgoza compensation as per the assessment done by them. • Dust pollution to the apple orchards from the movement of project vehicles and demand for water sprinkling along the village roads • Compensation for damage to crops and apple orchards from setting up of the Stone Crusher Plant in Thangi village. • Compliance of the MOU assurances given in lieu of the NOC issued by the GP • Approval of the R&R Plan and implementation at the earliest 	<ul style="list-style-type: none"> • Informed about the measures to address the social and environmental impacts through various management plans and apprised the seriousness with which the company is trying to address the issues amicably. • On the compensation for loss of Chilgoza it was stated that as the assessment for the loss is being completed and details are being shared among the various stakeholders and as soon as possible the issues will be resolved amicably. • For impacts to the crops and apple orchards from stone crushing plant it was informed that monitoring and assessment of damage from pollution to the apple orchards and other crops is being completed at Lambar and report is awaited from the PCB authorities and suitable compensation if any will be paid accordingly. • The villagers were informed about the status of the R&R

SI No	Main agenda for Consultation	Date	Key issues raised on land acquisition/compensation/social impacts	Measures taken/ assurance given by the NTPGPL
				Plan visa vi its preparation and submission to the State Government where the approval is awaited.
8	Consultation with women of Project Affected Families and Women Groups (Mahila Mandals)	October, 2012	<ul style="list-style-type: none"> • Women participation in the project • Productive utilization of compensation by the affected families to improve their house and apple orchards etc • Health problems related to child berth and lack of availability of facility • Job opportunities and training for women through women groups 	<ul style="list-style-type: none"> • Assured for providing training relating to knitting / sewing • Assured for distribution of knitting machines to women groups • Assured for organizing health camps and awareness campaign , including HIV/AIDS awareness in the project villages.

5.4 Information Disclosure

As part of the information sharing and to maintain transparency in planning NTPGPL has disclosed and shared a number of documents with the local population. So far formally the project information has been disseminated through disclosure of ESIA Report, Executive Summary of ESIA Report, Grievance Redressal Mechanism for affected families, Emergency Response Plan for affected villages. All the documents are translated into local language and shared with the affected panchayats. Informally due to easy access of the Project Offices, the locals get regular updates on the project activity and opportunities in the project.

The DC, Kinnaur as part of the consultation and participation has also shared the Draft R&R Scheme with the local community. After approval of the Scheme by the State Government and with due permission from DC, Kinnaur NTPGPL will disclose the R&R Plan and a resettlement information leaflet containing information on compensation, entitlement and resettlement management adopted for the Project which will be made available in the local language (Hindi) and distributed to affected family and affected villages.

5.5 Ongoing and Proposed Consultation and Disclosure

Public consultation with affected families and other stakeholders is an ongoing activity. Hence, regular consultations will be continued with the concerned stakeholders throughout the life of the project. As a part of the stakeholder engagement process, the following consultations are suggested to be conducted for the project (Table 5-2).

Table 5-2: Consultation and Disclosure to be conducted

Event / Tasks	Target group	Schedule / frequency
General information disclosure meetings about project status and current matter of concern addressing environmental and social aspects of the plant operation	Project affected panchayats and families	<ul style="list-style-type: none"> • Continuous process to be undertaken on Six monthly basis during construction phase • Before the commissioning of project • Every six months during operation phase • CLO is available at the project site to provide clarifications to community concerns
Consult on Traffic Movement during various stage of Construction	Project affected panchayats and families	<ul style="list-style-type: none"> • To be undertaken prior to movement of heavy components or machinery related to construction
Consultation before retrenchment (If applicable)	Local workers and contractors	<ul style="list-style-type: none"> • 30 days before retrenchment when particular construction activity is about to complete
Information and consultation on grievance redressal and dispute settlement mechanism set up by the project	All the project labourers, contractors, employees, Project affected panchayats and families	<ul style="list-style-type: none"> • Grievance Redressal mechanism to be communicated. • Meeting to be conducted every 6 months throughout project life.
Dissemination of information on Emergency preparedness and Disaster Management Plan	Project affected panchayats and families Labours and contractors	<ul style="list-style-type: none"> • Before commissioning of project • Regular drill may be conducted every six months or as agreed with Panchayats. • Handouts may be distributed for general awareness

6. Grievance Redressal Mechanism

6.1 General

For implementation of the Rehabilitation Action Plan, there is a need for an efficient grievance redressal mechanism that will assist the affected people in resolving their queries and complaints. In addition, it will help in establishing a documented and structured approach towards understanding community expectations and managing their concerns.

6.2 Grievance Redressal Mechanism for Tidong-I Project

A Grievance Redressal Mechanism (GRM) is already in place for the Tidong-I HEP to receive and facilitate concerns and grievances of not only the local communities, Panchayats and other stakeholders but also for the workers employed for the project. The purpose of the GRM is to record the grievances and find mutually acceptable solutions for problems like employment, disputes with project activities, damages to private property, community development needs, socio-economic development of villages etc. A committee is constituted to address the grievances.

6.2.1 Grievance Redressal Committee

For the project affected community the GRC has three levels of redressal, at Site, Divisional and Corporate office of NTPGPL. The GRC needs to convene regular meetings and takes steps to redress the grievance of the community.

6.2.1.1 Level 1: Site Grievance Redressal Committee

- The site level grievance cell comprises of the Vice President (VP) along with Community Liaison Person (CLO). The VP is available at the Reckong Peo office while the CLO is available at the site as well as Reckong Peo depending on his engagement.
- The site in-charge at all locations of head works, power house and adits are also considered to be part of the GRC (level 1).
- A member from the respective Panchayat or respected elders from the community is also included in the committee.
- The issues registered at this level will be appropriately acted upon within two weeks of the date of receipt of complaint based on the assessment of GRC.

6.2.1.2 Level 2: Divisional Grievance Redressal Committee

- The division level GRC comprises of a person in charge at the Shimla office of NTPGPL or any other responsible officer heads this committee. Any concern from stakeholders which are not resolved at site and Reckong Peo office can be registered at this level either verbally or in writing. The complaint will only be entertained if it is not resolved at Level 1.
- The cell includes Patwari or similar officers from the Revenue office for issues related to land dispute and claims. Panchayat members or influential members of the PAF will be included in the Level 2 GRC.

- The issues registered at this level will be resolved within 1 weeks of the date of receipt of complaint.

6.2.1.3 Level 3: Corporate Grievance Redressal Committee

- Level 3 of GRC is headed by the Chief Executive Officer (CEO), along with EHS and Social Head.
- Issues unresolved from the previous levels or issue with greater reputational risks will be undertaken at this level. If the conclusion arrived at this level is not acceptable to the complainant then legal recourse can be opted for.
- The issues registered at this level will be resolved within 2 weeks of the date of registration.

6.2.2 Method of Registering the Grievance

Any individual/ group with concerns pertaining to onsite work such as pollution abatement, transportation, traffic, occupational health, etc. may be directly registered verbally or in writing to the above nominated person at site or at the Reckong Peo office. Similarly for concerns related to job opportunities, compensation, small contracts, etc. may be directly received verbally or in writing to the Reckong Peo Office. The following are the steps to be followed in documenting and addressing the grievances.

- Any person / group of persons having grievance with the project can register their concerns at Level 1 by suitable means of registering i.e. verbal or written. In case the issue is not resolved at Level 1, a written complaint or verbal communication needs to be made to Level 2 and similarly for Level 3.
- Any grievance communicated verbally has to be written on “Grievance Register” with allotment of a serial number by the nominated person, i.e., CLO, who has received the verbal grievance.
- The Generic Grievance Redressal Form has been prepared and this format is to be used to file and keep records.
- On receiving the complaint, the project authority will issue an acknowledgement of the complaint immediately (in case of hand delivery) or by post to the complainant through registered post within next two days.
- The complaint boxes will have to be cleared twice a week and gist of the complaints has to be noted down along with date and name of the complainant with an allotment of serial number to the complaint in a permanent register i.e. “Grievance Register”.

6.2.3 Processing of Compliant

Different problems are to be addressed in different manners depending on the type of grievance; however, the generic approach to resolution of all grievances must include the following steps:

- The complaint received will be reviewed and screened for the factual details and will be considered for resolution at local level.

- The grievance will be assessed to determine if the issues raised in the complaint fall within the mandate of the grievance mechanism and the complainants have standing.
- If the complainant requires intervention then it will be considered for resolution otherwise it will be rejected and the same will be communicated to the concerned complainant.
- The grievance will be evaluated to clarify the issues and concerns raised in the complaint, to gather information on how others see the situation and to identify whether and how the issues might be resolved.
- All options for solving problems will be explored, with or without the assistance of independent, third parties.
- Internal decision-making processes, whereby issues are handled by designated NSL officials, using stated standards and criteria, to develop and propose a company response to the grievance and to allow for an appeals process.
- Joint problem solving in which the NSL and the complainant engage in direct dialogue.
- Third-party decision making to offer a solution when a voluntary agreement is not possible.
- Grievance tracking, monitoring, and reporting to the community will be undertaken as soon as a mutual consent is arrived at.

6.2.4 Communication of Mechanism to the Stakeholders

Formal information of Grievance Redressal Committees constituted, as suggested above, is already communicated to the local village panchayats through personal letters, letter to *Gram Panchayat*. It also prominently displayed in the form of posters at all project office and work locations. Grievance and suggestion boxes are in place at all Project offices and Site offices. The stakeholders are encouraged to approach with their concerns and suggestions.

6.2.5 Meeting of Grievance Redressal Committees

The site committee will meet at least once every fortnight in the first 6 months of implementation, and thereafter once, every month. At every Grievance Redressal Committee meeting, the issues raised in the last meeting and the report on the action taken will be summarized. Issues that cannot be resolved at the GRC, would be referred / directed to next designated level. Divisional and Corporate Committees will convene their meetings as and when required.

6.2.6 Closing of Grievance

The complaints lodged in the GRC Register will be resolved amicably by the above mechanism and closed by informing to the complainant directly with closing signatures on the GRC Register or by sending registered post to the complainant, in case he is not approachable. The resolution shall be informed to respective Gram Panchayat also in writing for display at a common place for information to interested parties.

6.3 Current Status of Grievance Redressal

The project authorities have reported that villagers, pradhans and several stakeholders do regularly visit their offices if they have any issues or complaints; however, the villagers raised this point in the

meeting that they are not aware of the actions that are supposed to be taken when a complainant approaches the concerned office. The project authorities have already placed complaints boxes at the sites and in their office as well to receive written complaints. A register is also maintained to record the details of the people visiting the offices, their concerns. Actions taken by project authorities to address the concerns will also be reflected in the register.

6.4 Review of the system

The complaint records that are maintained under GRM will be reviewed every year by the site HR Head to assess the effectiveness of Grievance Redressal Mechanism. The review will include evaluation of records for types of grievances received, level to which grievance has escalated, average response time, implementation of decisions and appeals made by complainants. Based on this, the GRM framework will be modified for improvements during the life of the project.

7. Income Restoration and Rehabilitation

7.1 General

Given the nature and spread of the proposed project, the site selection for construction of infrastructure and other facilities were done in such a manner which involved minimal land acquisition of forest and private land. None of the population has been displaced or rendered landless and only 28 families have lost partial agricultural land. In addition, the loss of 4 dilapidated structures will not result in loss of livelihood. There were also no shopkeepers displaced. None of them require any physical relocation measures. The loss of agricultural land and some fruit bearing trees will result in some loss of income from these resources. To address this, compensation for lost assets and appropriate economic rehabilitation assistance measures have been made in the R&R Scheme for the Project.

7.2 Income Restoration and Rehabilitation Measures for Affected Families

The R&R Scheme proposed for the Project has adequate provision for restoration of livelihoods of the affected families and local communities. The focus of restoration of livelihoods is to ensure that the affected families are able to not only regain their previous living standards but improve upon them. In addition, the following income restoration measures proposed in the R&R Scheme for the proposed project has been made besides the compensation amount already paid.

7.2.1 Resettlement Grant

As per the proposed R&R Scheme, all the project affected family whose land is acquired for the project will be provided a one-time Resettlement Grant for improving their remaining land holdings. Once the proposed R&R Scheme is approved, the grant will be provided to the affected families. The affected land belonging to the local temple deity will also be provided with the above grant.

7.2.2 Employment

As per the proposed R&R Scheme, one member of each PAF rendered landless will be provided employment by the Project Authority in the category of skill/semiskilled/unskilled workmen subject to fulfilling the requisite criteria/qualification. It would be assured that land oustees eligible for employment as mentioned above are given a chance first and normal recruitment would be made only if none are available from amongst them. In that case people of the Project Affected Areas shall be given preference. The following criteria will be adhered to for providing preference for employment.

- (a) Families whose land acquired for the project was more than 0.0753 ha of land
- (b) Family whose land acquired for the project was less than 0.0753 ha of land
- (c) Family whose dwelling house was acquired for the project
- (d) Family whose shop was acquired for the project
- (e) Family whose cattle shed was acquired for the project

- (f) Others in the project affected area shall also be included if found eligible.

Within the above categories preference will be given on the basis of quantum of land acquired. While there are no households losing dwelling house or shops, these categories of people are kept in case of any unanticipated impacts during the life of the Project.

NTPGPL so far has provided 38 jobs to the locals from the project affected villages. Of the eligible 22 project affected families who were left with less than 1.506 ha after land acquisition, 14 families have been provided with direct employment including a women (daughter of Smt Surja Devi). The candidates for the job were chosen by the head of the land loser family. The land loser generally, chose the younger member of the family who can work for longer duration. Though, most of the selected candidates have been absorbed by NTPGPL, few work for the contractor engaged by NTPGPL.

7.2.3 Skill Up-Gradation of Project Affected Families

The Project authority will provide appropriate training in time to the eligible persons who were severely affected by land acquisition (those who have become small or marginal landowners post acquisition) so that trained persons as per requirement of the project could be prepared. Training will be provided in technical field in Industrial Training Institutes (ITIs) of the State Government. The above provision is availed by the affected families on a need basis.

NTPGPL so far has sponsored 4 land losers who are also employed by them for ITI training. All the expenses are being incurred by the company.

7.2.4 Secondary Employment

As per the proposed R&R Scheme the families who are not covered under the project affected family rendered landless/houseless/shops less but their land is acquired for the Project, they will be assisted in starting some gainful occupation or getting training. Therefore, such families who may not be accommodated in direct employment, the Project Authorities will help them through any one of the following manners.

7.2.4.1 Petty Contracts

The Project Authorities will assist the affected family by awarding petty contracts to these persons, cooperatives of eligible families on preferential basis so that they may be engaged in such jobs. Further the Project Authorities will advise their contractors to engage eligible persons from affected families on a preferential basis wherever possible during construction stage.

NTPGPL so far has provided contractual works worth INR 150 Million to 42 locals and out of this, 4 persons belong to land losers families. Out of the 42 locals 2 of them are women.

7.2.4.2 Scheme for Self- Employment

As per the R&R Scheme, the PAFs (including rural artisans/small traders and self employed persons) will be assisted to start various suitable self-employed occupations which include dairy farming, poultry, weaving, bakery, handicraft, cottage industries units/shops and hiring of vehicles to the Project Authority as per scheme to be drafted by them. The Project Authorities will help them under the Project framed by Deputy Commissioner by giving them seed capital. Those families who have not been provided with employment in the project or have not been allotted any shop will be eligible for this grant.

As none of the affected families belong to any artisan/small traders and as most of them are absorbed under direct employment and other petty contracts, this provision is not being utilized so far. Once the Scheme is approved and as and when anybody approaches with a suitable scheme, NTPGPL along with DC, Kinnaur will consider and sanction the necessary seed capital. The affected land belonging to the Local Temple Deity will also be provided the above grant.

7.2.5 Support for Vulnerable

The land acquisition for the project has affected one women headed family (Ms Suraj Devi) who have lost more than 30% of her total land holding and identified as vulnerable affected family. She will be provided a monthly pension through an annuity policy in addition to land compensation and employment opportunity provided.

7.2.6 Support for Loss of Fuel Wood

As per the R&R Scheme to offset the loss of fuel wood from loss of private land and loss of trees the project authority will provide free of cost LPG Gas Cylinder to each project affected family.

7.3 Income Restoration and other Measures for Affected Panchayats

7.3.1 Compensation for Loss of Chilgoza Trees

As discussed earlier, the construction activity of approach road to Surge Shaft and Adit -1 has resulted in loss of trees on forest land not diverted for the project. NTPGPL in consultation with affected panchayats agreed to pay compensation for the loss of earnings for the Chilgoza trees damaged during the project construction activity. The payment will be made by 30th November of each year based on the prevailing wholesale rate in Reckong Peo in first week of the same month. The disbursement of the compensation will be initiated from year 2013 for the period of 40 years and made through Deputy Commissioner/ Additional District Magistrate as appropriate. A copy of the letter issued by NTPGPL to the affected Panchayats and the DC, Kinnaur/ ADM, Pooh is enclosed as **Annexure-3**.

7.3.2 Development Funds to Affected Panchayats

NTPGPL to address the loss of access and the other direct/indirect impacts from 39.0546 ha of forest land diverted and other project construction activity has paid a total of INR 51.80 Million to 3 Gram Panchayats. Significant amount of the assistance provided to the Gram Panchayat is reportedly distributed by the Panchayat among the families living under each affected village and used for creating/upgrading their individual sanitation facilities and other productive purposes. Some part of the funds are reportedly kept with the Gram Panchayats for other development works.

7.4 Community Development Activity

7.4.1 Prior to Commissioning of the Project under LADF

As per the State Government guidelines for hydro projects NTPGPL during the project construction period and prior to commissioning of the project has agreed to contribute 1.50% of project cost for Local Area Development Activity (LADA) and the creation of new Infrastructural Schemes such as drinking water/irrigation/school buildings/health centres/pucca roads/pucca paths, markets, bus stand, solid waste disposal, sanitation, Community Centres, Panchayat Bhawan, creation of income generating assets for Panchayat, Creation of community places of worship, cremation/burial and renovation/special repairs/maintenance of existing infrastructure i.e. buildings like schools/health sub centres/community halls/roads/ paths/ water supply and irrigation schemes/ places of worship, Shops/other income generating assets of Panchayats etc. The above development works are in progress and taken up in project affected area and affected Panchayats by the State Government through a Local Area Development Committee (LADC) under the Chairmanship of Deputy Commissioner, Kinnaur.

7.4.2 Infrastructural Development Works by NTPGPL

In addition to the above NTPGPL has also on its own is undertaking a number of infrastructural development/community development activity in the 3 affected Panchayats based on the local demands and as part of its social responsibility. Some of the activities proposed and developed include setting up of street lights, drinking water schemes, construction of temple, construction of bridges, construction of roads etc.

7.4.3 After Commissioning of the Project

After commission of the project as per the proposed R&R Scheme NTPGPL proposes to continue its support towards community development activity through up-gradation of existing/newly developed infrastructure activity. The program will be implemented through DC, Kinnaur who after due assessment through the LADC will sanction schemes in affected village. Some of the indicative development areas include the following:

- Approach Roads
- Internal Roads
- Mobile Health Centre/Van

- Drinking Water supply schemes
- Community/Welfare Centers
- Facilities/Furniture/Lab Equipment etc for Schools
- Play Ground
- Sanitation Facilities
- Street Lighting
- Agriculture/horticulture camps and facilities.

7.5 Social Development Activity

7.5.1 Activity Prior to Commissioning of Project

NTPGPL as part of its social development activity prior to commissioning of the project so far has undertaken a number of activity including promotion of local culture and tradition, health awareness, support the local education and sports activity, promoting national integration, philanthropy etc. Some of the other activity proposed include health awareness, scholarships to merit students, gender activity, awareness on eco-restoration and water conservation measures, animal husbandry etc.

7.5.2 Marriage Grants for Orphans

As part of its social responsibility and as provided under the proposed R&R Scheme, NTPGPL will provide marriage grants to the Orphan children of the affected area.

7.5.3 Merit Scholarships to Boys and Girls

With a view to improve educational standards in the Project Affected Area NTPGPL intends to initiate merit scholarships to help the wards of Project Affected Families/area. The scheme aims at enhancing educational standards and employability of the youth and minimizes dropouts of meritorious but financially unsound students. Appropriate guidelines will be developed for implementation of this provision.

8. Rehabilitation Costs and Budget

8.1 General

This section presents the cost and budget for implementation of the R&R Plan which is indicative with outlays for the different expenditure categories. The cost of land and others affected assets is arrived at as per the LA Act, 1894 and other rehabilitation assistance and allowances for different categories which have been accordingly ascertained on the basis of the proposed R&R Scheme for the project.

8.2 Compensation Measures

8.2.1 The Land Cost

The land for the project was acquired by the State Government under the LAA, 1894 and the Additional Divisional Magistrate, Pooch Division acted as the Land Acquisition Collector. As per the process, the replacement cost was determined through the market value of the land which was proposed to be assessed based on recent transactions in the area. The area being remote, no land transaction had taken place in the immediate past before the acquisition in the 2 affected villages of Lizang and Lambar and therefore, the collector decided the market value of land based on the adjoining area, namely Rispa and Pibbar. In case of Roowang, the rates were available and same were considered.

During the course of the acquisition process some of the interested persons contended that the land acquired for the transmission lines between Karcham and Jhakri of Bhawanagar project has been suggested for a minimum rate for private land in entire Kinnaur District. Based on the suggested minimum rate and keeping in mind any enhancement during the completion of the land acquisition process a liberal view was taken and an additional 20% of the minimum rate was considered and paid to the affected land owners. The final land value paid across the type of land acquired is presented in Table 8- 1.

Table 8- 1: Land Value paid

SI No	Type of Land	INR Per Centiare/ Sq M	INR. Per Hectare
1	Irrigated /Orchard Land	749.99	74,99,900.00
2	Un-Irrigated /Uncultivable Waste Land	166.62	16,66,200.00

In addition, as per LAA 1894, a Solatium at the rate of 30% of the above land value and additional interest charges at rate 12% per annum for the entire land acquisition period was also paid to the land owners.

The land owners were reportedly not satisfied with the compensation amount and accepted the compensation with protest. About 20 of them have filed petitions in August 2009 to the District Judge of Kinnaur under Section 18 of the LAA seeking enhanced compensation. The petition indicates that the Land Acquisition Collector wrongly assessed the land cost and failed to assess the

actual value of the land in the locality which they claim is Rs. 2 million /0.0753 ha. The petitioners also mentioned that the land compensation is much lower than that has been granted by HPSEB in the same Tehsil and adjoining village and for the construction of Kasang Hydro-Electric Project. The case hearings are still in process and NTPGPL has taken a stand that it shall honour the Court Judgement of the court regarding the payment of any enhanced compensation.

8.2.2 Other Assets and Tree Cost

The valuation of the 4 dilapidated kutcha/semi-pucca structures affected on the land acquired was assessed through the Executive Engineer, Himachal Pradesh Public Works Department (HPPWD), Kalpa Division. A total amount of Rs 53,535/- was paid to the land owners. The 173 affected trees including 39 fruit bearing and 134 non-fruit bearing trees were enumerated and evaluated by the Horticulture/Forest Department. As per the assessment, the total cost of the trees of INR 2,38,9692/- (or an average compensation per tree INR13,813) has been paid to the land owners.

In addition to the above cost as per LAA, a Solatium at the rate of 30% and additional interest charges at rate 12% per annum for the entire land acquisition period was also paid to the land losers. The above discussed petition on land cost by the affected land owners did not contest the compensation paid for the structures and trees and appears that they were satisfied with the compensation.

Based on the compensation awarded by the Land Acquisition Collector a total amount of INR 25.82 Million (including land, trees and structures) was deposited by NTPGPL vide letter dated 16-Jul-09. A copy of the Compensation Award Land Acquisition Collector-Cum-Additional District Magistrate (ADM), Pooh, District Kinnaur, HP vide their office letter no. SDP-III-71(Peshi)/2009-1163 dated 14-Jul-2009 is enclosed as **Annexure-4**.

8.3 Rehabilitation Measures

8.3.1 Resettlement Grant

All the project affected family whose land is acquired for the project will be provided a one-time Resettlement Grant in the following manner:

- Family whose land is acquired for the project was more than 0.0753 ha: INR 1,20,000/-
- Family whose land acquired for the project was less than 0.0753 ha: INR 1,10,000/-

The custodian of the affected land belonging to the Temple Deity in Rispa will also be provided the above grant.

8.3.2 Skill Up-Gradation Training

The project authority will provide appropriate training to the severely affected household so that eligible persons as per requirement of the project could be prepared. For this measure training is provided by the Industrial Training Institutes (ITIs) of the State Government and an amount of INR. 15000/- per person has been provided.

8.3.3 Self-Employment Grant

As per the R&R Scheme the Project Affected Families (including rural artisans/small traders and self-employed persons) will be assisted to start various suitable self-employed occupations and help them by giving them seed capital. Those families who have not been provided with employment in the project or have not been allotted any shop will be eligible for this grant. Although the DC, Kinnaur based on the scheme prepared by the individual will decide the amount for seed capital, a maximum of INR. 50,000/- will be provided under this grant.

8.3.4 Vulnerable Population

The lone vulnerable women headed family (Ms Suraj Devi) who have lost more than 30% of the total land holding will be provided a monthly pension of INR 1000/- through an annuity policy.

8.3.5 Free LPG Gas Cylinder

The project authority will provide free of cost LPG Gas Cylinder to each project affected family. For this an amount of INR. 5000/- per family will be provided.

8.3.6 Compensation for Chilgoza Trees

As agreed by NTPGPL and communicated to the affected panchayats and the DC, Kinnaur/ ADM, Pooh the compensation for loss of income from loss of Chilgoza trees will be made on an annual basis by 30th November of each year based on prevailing wholesale rate in Reckong Peo in first week of the same month. The rate may vary from year to year and last year (year 2012) rate of one kilogram of Chilgoza seeds is Rs 900/-. Therefore the total indicative compensation to be paid per annum as per the assessment for 956 kgs @ 900 per kg is INR 8,60,400/-.

8.3.7 Development Funds to Affected Panchayats

To address the loss of access to the diverted forest land and the other direct/indirect impacts from project and for taking up development works in their villages a total of INR 51.80 Million is already paid and disbursed to the 3 Gram Panchayats.

8.4 Community Development and Social Responsibility

8.4.1 LADA Prior to Commissioning of the Project

For Local Area Development Activity in the project affected villages/area during the project construction period and prior to commissioning of the project NTPGPL is committed to contributing 1.50% of project cost of about INR 80.30 Million. So far NTPGPL has contributed INR 54.60 Million towards this fund. The remaining amount will be contributed in instalments before commissioning of the project.

8.4.2 Infrastructural Development Works by NTPGPL

As said earlier prior to commissioning of project in addition to the LADA NTPGPL has also on its own is undertaking a number of infrastructural development/community development activity in the 3 affected Panchayats. For this the proposed budget estimated is INR 6.3 Million of which so far INR 2.39 Million is already utilized.

8.4.3 Community Development Activity after Commissioning of the Project

After commission of the project for community development activity and up-gradation of existing/newly developed infrastructure an amount of INR.1.5 Million will be spent annually.

8.4.4 Social Development Activity before Commissioning of the Project

As said earlier NTPGPL as part of its social development activity prior to commissioning of the project so far has undertaken a number of activity including promotion of local culture and tradition, health awareness, support the local education and sports activity etc. For this the proposed budget estimated is INR 4.1 Million of which so far INR 1.78 Million is already utilized.

8.4.5 Marriage Grants

Under this, fatherless & motherless girls of the affected area will be paid an amount of INR 1,00,000/- at the time of their marriage. In addition, only fatherless girls of the affected area will be paid an amount of INR 51,000/- at the time of their marriage by the Project Authority. This grant will be provided on a need basis and will be based on due representation. Although the above grants will be provided on need basis, a maximum amount of INR. 5 Million per annum will be provided under this grant.

8.4.6 Merit Scholarships

To help the wards of PAFs/area an amount of INR 0.7 Million per annum will be contributed as merit scholarships.

8.5 Costs and Budget

The total estimated budget for implementation of RAP including the compensation for private land and other attachments, compensation for Chilgoza trees, rehabilitation assistance measures, community development and social responsibility activity is about INR 316.93 Million. Of the total estimated an amount of INR 136.39 Million is already disbursed and utilized till end of December 2012 towards compensation for private land and other attachments, community development and social responsibility activity. It needs to be noted that the budgetary items under rehabilitation assistance and community development/social development activity to be taken up after commissioning of the project are estimated based on the proposed R&R Scheme for the project prepared by DC, Kinnaur and forwarded for approval of Principal Secretary (Revenue), Government of Himachal Pradesh. Upon approval of the scheme the necessary funds as mentioned will be allocated for the implementation. In case of any variation or change in the Scheme the same will be addressed accordingly. The details are presented in Table 8-2.

Table 8- 2: Estimated Budget for RAP Implementation for Tidong - I HEP

Sl. No.	ITEMS	Unit	Quantity	Rate Per Unit (INR)	Total Amount in Million (INR)	Amount Disbursed/ Utilized (In Million INR)	Status of Disbursement/ Utilization
Compensation for Private Land and Attachments							
A	Cost of Irrigated/Orchard Land	Ha	1.6046	7499920	12.03	12.03	Disbursed
	Cost of un-irrigated/waste Land	Ha	1.5965	1666213	2.66	2.66	Disbursed
	Cost of Structures	Lumpsum	4	53835	0.05	0.05	Disbursed
	Cost of Trees	Lumpsum	173	2389692	2.39	2.39	Disbursed
	Solatium on cost of land, structure and trees	Percentage	17138008	30	5.14	5.14	Disbursed
	Interest @ 12% per annum on cost of land, structure and trees for land acquisition period	Days	17138008	600	3.55	3.55	Disbursed
	Sub Total					25.83	25.83
Compensation for Chilgoza Trees							
B	Cost per annum of 956 kgs of Chilgoza produce lost due to project activity @ 900 per kg (2012 price)	Per Annum	40	860400	34.42	0.00	Upon approval of all stakeholders disbursement from 2013.
	Sub total					34.42	0.00
Rehabilitation Assistance							
C	Resettlement Grant for Family whose land acquired is more than 0.0753 ha	Affected Family	17	120000	2.04	0.00	Will be disbursed after approval of R&R Scheme
	Rehabilitation Grant for Family whose land acquired is less than 0.0753 ha	Affected Family	12	110000	1.32	0.00	Will be disbursed after approval of R&R Scheme
	Skill Upgradation Training for Severely Affected Households	Affected Family	22	15000	0.33	0.00	Will be spent on need basis after approval of R&R Scheme
	Seed capital for Self-Employment for families who have become small or marginal farmers	Affected Family	7	50000	0.35	0.00	Will be spent on need basis after approval of R&R Scheme.

Sl. No.	ITEMS	Unit	Quantity	Rate Per Unit (INR)	Total Amount in Million (INR)	Amount Disbursed/ Utilized (In Million INR)	Status of Disbursement/ Utilization
	Assistance for one vulnerable household Monthly pension of Rs 1000/- by annuity policy	Affected Family	1	200000	0.20	0.00	Will be disbursed after approval of R&R Scheme
	Free of Cost LPG Cylinder	Affected Family	29	5000	0.15	0.00	Will be disbursed after approval of R&R Scheme
Sub total					4.39	0.00	
Community Development /Social Responsibility Activities							
D	Local Area Development Activity (LADA) by the State Government in the project affected villages/area @ 1.50 % of project cost	Percentage	5351500000	1.50	80.30	54.60	Utilization in Progress
	Cost towards Infrastructure Development Activity by NTPGPL prior to Commissioning of Project	Estimated			4.10	1.78	Utilization in Progress
	Community Development Schemes after Commissioning of Project	Per Annum	40	1500000	60.00	0.00	Upon approval of R&R Scheme after project commissioning
	Direct financial support to affected Panchayats for community development works and addressing any direct or indirect impacts from project activity	Lumpsum			51.80	51.80	Disbursed
	Cost towards Social Responsibility activity by NTPGPL prior to commissioning of the Project	Estimated			7.10	2.39	Utilization in Progress
	Merit Scholarships to Boys and Girls of project affected family/area	Per Annum	40	700000	28.00	0.00	Upon approval of R&R Scheme after project commissioning
	Marriage Grants for Orphan Children of project affected area	Per Annum	40	500000	20.00	0.00	Upon approval of R&R Scheme after project commissioning
	Sub Total					251.30	110.57
Support for RAP Implementation							
E	Cost towards administrative charges, any documentation and facilitation of implementation of RAP	Lump sum		1000000	1.00	0.00	Will be spent after approval of R&R Scheme
	Sub Total					1.00	0.00
Grand Total (A+B+C+D+E)					316.93	136.39	

9. Institutional Arrangement

9.1 General

For effective implementation of RAP, timely establishment and involvement of appropriate institutions would significantly facilitate achievement of the objectives of the R&R programme. This section presents the institutional arrangements and reflects the implementation procedures for R&R.

9.2 Administrator for Resettlement and Rehabilitation

As per the proposed R&R Scheme for Tidong-I HEP, an Administrator for Resettlement and Rehabilitation in respect to the project will be appointed by the State Government. The Deputy Commissioner, Kinnaur in whose jurisdiction the Project Affected Area falls, will be the Administrator for R&R. He will be assisted by officers and employees as the appropriate Government may provide. The roles and responsibilities of the Administrator included the following.

- a) Approval of award passed by Land Acquisition officer
- b) Oversee the disbursement of compensation for land acquired
- c) Formulation of Resettlement and Rehabilitation plans/schemes
- d) Minimize displacement of persons and identify non-displacing or least displacing alternatives in consultation with the project authorities
- e) Hold consultation with the PAFs and ensure the interest of adversely affected PAFs
- f) Verification and approval of PAFs eligible for various entitlements
- g) Review the implementation of RAP and community development works

9.3 Environmental and Social Management Group

9.3.1 NRPPL Level

At NRPPL level, an Environment and Social Management group is established and headed by a Head-EHS who is supported by a Manager-Social who will look after all the R&R and community development and CSR issues, and a Manager-Safety to look after the health and safety issues. This group regularly interacts with respective project groups and provide the necessary direction in all environment and social issues. This group reports to the Chief Executive Officer of NRPPL and Head of Hydro Projects. The main responsibilities of this group include the following:

- a) Formulation and approval of policy matters on social issues;
- b) Providing guidance on resettlement and rehabilitation matters;
- c) Assist in preparation and approval of Rehabilitation Action Plan (RAP) of the project;
- d) Coordinate with the external agencies on R&R issues;

The Manager-Social under the group is stationed at Corporate Office but travels extensively to site as and when required. He reports to Head EHS and interacts with team at site regularly. His responsibilities include:

- Overall responsible for R&R and CSR activities
- Addressing grievance of the project affected families and surrounding population
- Preparation and Review of social and community development programs
- Conducting community meetings
- Training the staff and workers to prevent social conflicts with local population
- Take regular updates form site on their daily activities

9.3.2 NTPGPL Level

The executing agency for RAP will be NTPGPL. At this level, a Project Environment and Social Group has already been setup at the project site. This group is headed by the Vice President for the Project and supported by a Manager-EHS and a Community Liaison Officer (CLO). The CLO is informally supported by coordinators who are from project affected villages. This group reports to Environment and Social Management Group at NRPL on a day to day basis on the progress of all the environment and social issues including RAP implementation. The broad functions and duties of this group for RAP implementation include the following:

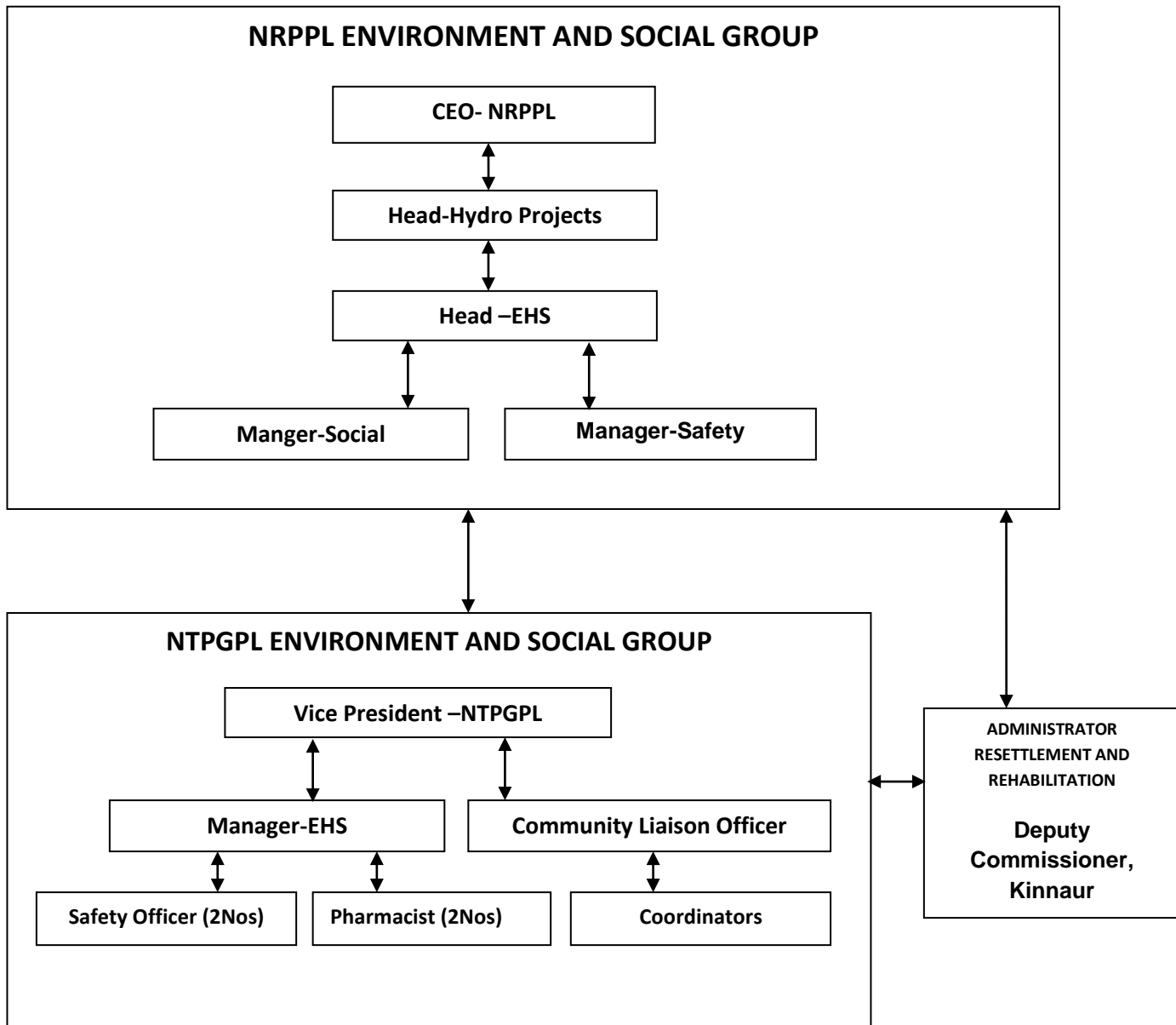
- a) Coordinate the preparation and implementation of the RAP with the state authorities i.e. DC, Kinnaur
- b) Conduct constant dialogue and regular meetings with the concerned State Authorities during the implementation
- c) Participate in issues concerning with PAFs
- d) Coordinate the implementation with the Local Area Development Committee
- e) Participate in the review and monitoring of the implementation process and incorporation of corrective measures if required
- f) Preparation and submission of necessary progress reports on RAP implementation

The CLO is stationed at Reckong Peo and work in close coordination with Manager -Social at NRPL level. His responsibilities include:

- Liaisons with state government departments
- Implementation and progress of R&R plan
- Regular interactions with Panchayats and affected families
- Establishes rapport with the community and hold public consultation and disclosure sessions as required by the PCDP.
- Following up with Panchayats and regulatory authorities over LADA grants and their utilization
- Facilitation of the project team on community grievance redressal

The organisational set up for RAP implementation and of NTPGPL has been given in Figure 9- 1.

Figure 9- 1: Organizational Structure of NTPGPL at Tidong - 1 HEP



10. Implementation Schedule

10.1 General

This section presents the implementation process and the time schedule required to complete the various activities under the proposed RAP. The activity that is required to be taken up at the project preparatory assessment of the impacts, establishing environment and social management systems, establishing a grievance redressal mechanism are already completed. Some of the implementation stage tasks such as appropriate consultation and notification of land acquisition, valuation of lost affected assets, award of compensation and disbursement of compensation have also been completed. The project is in the execution phase and the RAP implementation activity will be coordinated with the on-going civil works.

10.2 Implementation of Rehabilitation and Income Restoration

The R&R Scheme for Tidong-I HEP prepared by the DC, Kinnaur needs to be approved by the Principle Secretary (Revenue), Government of Himachal Pradesh. The information about compensation, entitlements and details of arrangements for chilgoza trees have been discussed in various consultations. A summary of the draft RAP will be disclosed in local language to project affected families and made available at the project site. The full version of the RAP will be disclosed to the Affected Families/Affected Villages upon finalization. Upon the approval, all the arrangements for disbursement needs to be done which includes payment of all eligible rehabilitation grant assistance; initiation of other economic rehabilitation measures; distribution of LPG gas cylinders etc. As said earlier the land acquisition and payment of compensation have already been completed, however if the awaited judgement of District Judge of Kinnaur with reference to land reference petitions under Section 18 of LAA for seeking enhanced land compensation goes in favour of the land owners the same shall be honoured by NTPGPL.

10.3 Implementation of Community Development other initiatives

The disbursement of funds and implementation of the community development and social development activity for operations phase will be initiated once the project is commissioned and a formal Commercial Operation Date (COD) is issued to NTPGPL. Upon final approval of all the stakeholders the proposed arrangement for payment of compensation for the Chilgoza Trees will be made on an annual basis starting from year 2013.

Based on the above, the implementation of the present RAP involving administrative approvals, verification and sanction by which the developer does not have much control over, a list of activity along with an indicative time schedule is presented in Table 10-1.

Table 10- 1: Implementation Schedule for RAP

SI No	Activity	Responsible Authority	Completion time period	Proposed Completion Date (End of Month)
1	Approval of Revised R&R Scheme for Tidong-I HEP	Principle Secretary (Revenue), Government of Himachal Pradesh	The approval is awaited and expected in a couple of months.	April, 2013
2	Approval of Draft RAP of the ADB	ADB	Within a month from approval of State Government.	May, 2013
3	Finalization of the affected families for various entitlement amounts	DC, Kinnaur and NTPGPL	Within a month from approval of Final RAP by ADB	June, 2013
4	Facilitating the necessary funds for Rehabilitation Measures by NTPGPL	NTPGPL	Within a month from finalization of affected families for assistances	June, 2013
5	Disbursement of Rehabilitation Grant to the affected families	DC, Kinnaur and NTPGPL	Within 3 months from start of disbursement	August, 2013
6	Distribution of free LPG Cylinder to affected families	DC, Kinnaur and NTPGPL	Within 1 months from start of disbursement	July, 2013
7	Disbursement of Monthly Pension to Vulnerable Family through a suitable annuity policy	DC, Kinnaur and NTPGPL	Within 1 months from start of implementation of RAP	June, 2013
8	Disbursement of Self Employment- Occupation Grant	DC, Kinnaur and NTPGPL	Within a month from approval of any such scheme by DC, Kinnaur based on representation received.	Need based.
9	Arranging for Skill-upgradation Training to eligible wards of Project Affected Family Rendered land less	DC, Kinnaur and NTPGPL	The activity is in progress for about 4 candidates and will be continued based on the willingness and representation of remaining candidates.	In progress.
10	Disbursement of proposed funds and implementation of Community Development Activity after commission of the project.	DC, Kinnaur and NTPGPL	After commissioning of the project.	The expected date of commercial operation of the project is June, 2016
11	Disbursement and implementation of social responsibility initiatives such as Scholarships and Marriage Grants for project affected	DC, Kinnaur and NTPGPL	After commissioning of the project.	The expected date of commercial operation of the project is June,

SI No	Activity	Responsible Authority	Completion time period	Proposed Completion Date (End of Month)
	family/area.			2016
12	Disbursement of Compensation for Chilgoza produce.	DC, Kinnaur and NTPGPL	By end of November of each year.	For this year Nov, 2013
13	Community Consultation	DC, Kinnaur and NTPGPL	In progress. and on going activity.	Continuous activity till the life of the project.
14	Grievance Redressal	DC, Kinnaur and NTPGPL	In progress. and on going activity.	Continuous activity till the life of the project.
15	Monitoring and evaluation	DC, Kinnaur and NTPGPL	Every 3 months after the start of the implementation.	Continuous activity till the completion.

11. Monitoring and Evaluation

11.1 General

Monitoring and Evaluation are critical activities in assessing the extent of achievements of resettlement objectives. Monitoring is a periodic assessment of planned activities providing midway inputs, facilitates changes and gives necessary feedback of activities and the directions in which they are going, whereas evaluation is an activity aimed at assessing whether the activities have actually achieved their intended goals and purposes. This section delineates the monitoring and evaluation arrangements under the project for the RAP implementation.

11.2 Monitoring

Internal monitoring for RAP implementation will be carried out during the entire project period. Monitoring will be undertaken jointly both by DC, Kinnaur who is the administrator for the R&R implementation and NTPGPL. Regular monitoring of resettlement progress will identify potential difficulties and problem areas. One of the main roles of NTPGPL Environment and Social Management Group will be to see proper and timely implementation of all activities in RAP. Monitoring will be a regular activity and Community Liaison Officer at this level will see the timely implementation of R&R activities and will prepare reports on the progress of RAP Implementation. The NRPPPL Environment and Social Management Group will collect information from the project site and assimilate in the form of Quarterly Report to assess the progress and results of RAP implementation. NTPGPL monitoring will include planning, implementation, feedback and trouble shooting, maintenance of relevant individual project affected family files, community relationships, minutes of consultations etc. Quarterly monitoring reports on resettlement implementation and completion will be provided by NRPPPL Environment and Social Management to ADB for review and disclosure on ADB website.

External monitoring of the RAP implementation will be covered under the on-going Quarterly EHS and Social Audits conducted by reputed consultants.

11.3 Evaluation

Evaluation is a continuous process and generally carried out mid-term and after the implementation of RAP is over. Therefore it is suggested, that a midterm during the course of RAP implementation and an end term impact evaluation at the end of RAP implementation will be carried out. The focus of impact evaluation would be on achievement of the project goals and objectives, the performance of the institutional arrangements in the information and awareness and adaptation and integration process and change in income standards restored/improved, and socioeconomic conditions of the affected persons.

Internally the process evaluation will be undertaken by both the Environment and Social Management Groups established at both NRPPPL and NTPGPL levels. Externally the evaluation will be undertaken under the on-going Quarterly EHS and Social Audits conducted by reputed consultants.

Upon completion of the R&R plan implementation, an R&R completion report will be prepared and submitted to ADB.

11.4 Indicators for Monitoring and Evaluation

The progress and monitoring and evaluation indicators of the RAP implementation will include and related to process adopted, physical and financial progress achieved, social well being and economic improvement. The monitoring and evaluation of the RAP will be undertaken through public consultations, review of grievance appeals, interviews and formal and informal discussions with all the stakeholders for satisfaction on the process adopted and change in standard of living of affected people before and after RAP implementation. Some of the relevant list of indicators for monitoring and evaluation is presented in Table 11- 1.

Table 11- 1: Indicators for Monitoring and Evaluation

Indicator	Assessment Methodology	Expected Output
Dissemination of information on project and social issues	Informal and formal discussion.	Adequate knowledge on project and its various components
Consultations conducted under the project	Check the minutes of meetings of consultations.	Awareness and information on the project and participation in the project.
Awareness on R&R Scheme and disclosure of R&R Scheme of the project	Check the disclosure copies. Verify with the community through informal and formal discussion.	Awareness on R&R Benefits
Needs assessment and training programmes for income generation	Structured Schedule, informal and formal discussion	Awareness and satisfaction with the training programmes for income restoration
Functioning of the Environment and Social Management groups	Structured Schedule, informal and formal discussion	Proper coordination between all the village representatives and others and Government agencies
Functioning of the Grievance redressal mechanism	Check the Grievance registers and informal and formal discussion	Appropriate and timely action on the grievances of the affected people
Consultations for the identification of the Community Development Works	Check the minutes of meetings. Verify sanctioned schemes..	Participation in decision making process and satisfaction with the identified areas of development
Amount disbursed for rehabilitation grant and other assistance.	Structured Schedule, informal and formal discussion	Progress on Economic Rehabilitation such as new land purchased, new productive assets purchased, created some income source, augmented the existing resources to offset the loss of income
Amount disbursed for self employment scheme	Structured Schedule, informal and formal discussion	New income generation activities taken up, change in the income levels, reduction in drudgery for women
Increase in annual Household	Structured Schedule, informal and	Improved income and economic

Indicator	Assessment Methodology	Expected Output
income and expenditure	formal discussion	Status
Amount disbursed for up-gradation of existing community infrastructure such as school, health centre, roads etc.	Structured Schedule, informal and formal discussion	Community infrastructure built and up-gradation, benefits to the local population from the new infrastructure in terms of improvement in accessibility and availability, usage of the created new infrastructure
Change in Literacy level, drinking water, schools, health facilities, and other community infrastructures	Structured Schedule, informal and formal discussion	Social well being and improved social status.

Annexure-1
Details of PAFs and their land holdings

Details of PAFs and their land holdings

Sl. No	Name of Head of Family/household	Village	Total land Holding (Ha)	Land acquired (Ha)	Remaining land (Ha)	% loss of land	Name of joint owners/shareholders
1	Sh. Kalyan Singh	Roowang	1.0162	0.1736	0.8426	17.1	Smt. Geeta Devi
2	Sh. Arjun Singh	Roowang	0.6645	0.0443	0.6202	6.7	Sh.Chandra Kumar
3	Sh. Hans Bhadhur	Roowang	4.5527	0.0877	4.465	1.9	
4	Sh. Aatma Dev	Roowang	1.2394	0.2666	0.9728	21.5	Sh.Karma Bhagat
5	Sh. Rangsal Giachho	Roowang	1.1735	0.1458	1.0277	12.4	
6	Sh. Govind Singh	Roowang	0.7017	0.1433	0.5584	20.4	
7	Sh. Thakur Bhagat	Roowang	3.2238	0.2621	2.9617	8.1	
8	Smt. Suraj Devi	Roowang	0.0219	0.0036	0.0183	16.4	
9	Sh. Videsh Kumar	Roowang	0.3374	0.0565	0.2809	16.7	
10	Sh. Ganga Ratan	Roowang	0.3376	0.0565	0.2811	16.7	
11	Sh. Amar Singh	Roowang	1.1952	0.1384	1.0568	11.6	Sh Dhyan Singh
12	Sh. Devi Dayal	Roowang	1.454	0.1072	1.3468	7.4	
13	Sh. Tanjin Nargu	Roowang	0.7343	0.1167	0.6176	15.9	
14	Sh. Jai Singh	Roowang	3.4255	0.2906	3.1349	8.5	
15	Sh. Thakur Sain	Roowang	1.1796	0.0747	1.1049	6.3	
16	Sh. Pratap Singh	Roowang	0.6948	0.0373	0.6575	5.4	
17	Sh. Marshal Avinesh	Roowang	1.3537	0.0665	1.2872	4.9	
18	Sh. Rajeev Kumar	Roowang	0.2477	0.0798	0.1679	32.2	Sh. Daleep kumar
19	Sh. Jamna Dass	Roowang	0.6459	0.0096	0.6363	1.5	
20	Sh. Gawan Chhetan	Roowang	0.1248	0.0096	0.1152	7.7	
21	Sh. Ram Sain	Roowang	0.4578	0.0798	0.378	17.4	
22	Sh. Sunder Lal	Lizang	0.8815	0.0088	0.8727	0.9	
23	Sh. Prahlad Bhagat	Lizang	5.1719	0.056	5.1159	1.1	Sh.Gyan keerti
24	Mandir Devta Kuldev (Local village Deity)	Lizang	0.8038	0.0705	0.7333	8.8	
25	Sh. Amar Singh (Late)	Lambar	0.5048	0.1143	0.3905	22.6	Sh. Inder Bhagat, Sh. Vidya Rajan
26	Sh. Prithvi Pal singh	Lambar	1.0098	0.2285	0.7813	22.6	Sh. Uday Singh
27	Sh. Sujan bhagat	Lambar	3.0459	0.2468	2.7991	8.1	Sh. Surender Singh
28	Sh. Chander Singh	Lambar	1.2395	0.1234	1.1161	9.9	
29	Sh. Prem Lal	Lambar	3.5728	0.1026	3.4702	4.3	Sh. Padam Lal, Sh. Santosh Raj
Total			41.012	3.2011	37.8109	11.6	

Annexure-2
R&R Scheme, 2012

No. KNR-II-211 (GB)/2012-
Office of the Deputy Commissioner,
Kinnaur district at Reckong Peo.

To

The Principal Secretary (Rev) to the
Government of H.P. Shimla-2.

Dated:-

Subject: Revised Resettlement and Rehabilitation Scheme for Project
affected families of Tidong-1 Hydro Electric Project (100 MW).

Sir,

Kindly refer to your office letter No. Rev(PD)F(2)-8/2002-Loose
dated 25th June, 2012 on the subject cited above.

The Revised draft of Resettlement and Rehabilitation scheme
in respect of project affected families of Tidong-1 Hydro Electric Project (100 MW)
is enclosed herewith for favour of approval and taking further necessary action
please.

Encls. As above.

Yours faithfully,

Deputy Commissioner,
Kinnaur district at R-Peo.

Dated:- 30/11/12

Endst. No. as above/- 1031102

Copy forwarded to the following alongwith copies of draft
Resettlement and Rehabilitation scheme for favour of information and necessary
action please.

1. The Principal Secretary (MPP & Power) to the Govt. of H.P. Shimla-2.
2. The Secretary (IT, BT and S&T) to the Govt. of H.P. Shimla-2.
3. The Vice President, NSL Tidong Power Generation Private Limited, Him Vir
Niwas, Subji Mohalla, Kothi Mor, Reckong Peo, District Kinnaur, H.P.

Deputy Commissioner
Kinnaur district at R-Peo.

-1-

Resettlement and Rehabilitation Scheme for Project affected families of Tidong-I Hydro Electric Project (100 MW)

Whereas for construction of Tidong Hydro Electric Project (100 MW) besides Government land, Private land has also to be acquired by state Government for handing over to the Project Authority. Due to acquisition of private land for the project, many families will be affected though none is house less and landless.

And whereas to protect the interests of the project affected families, adequate arrangements for the Resettlement and Rehabilitation have to be made in accordance with Rule-8-A of the Himachal Pradesh Nautor land Rules, 1968, which provides for framing of special scheme for Resettlement and Rehabilitation of persons who are displaced as a result of anything done for any public purpose.

Now, therefore, the Government of Himachal Pradesh and M/s Nuziveedu Seeds Private Limited hereby make the following scheme for Resettlement and Rehabilitation of persons affected on account of acquisition/ Private negotiations/lease of land other immovable properties under the Land Acquisition Act, 1894 or otherwise for the construction of Tidong-I Hydro electric (100 MW).

Part-I

- 1.1 This scheme may be called for Resettlement and Rehabilitation scheme of M/s NSL Tidong-I Power Generation Private Limited for the project affected families of Tidong-I Hydro Electric Project (100 MW) hereinafter called R&R Scheme for Tidong -I Hydro Electric Project.
- 1.2 It shall extend to the whole of area affected or likely to affected as a result of construction of Tidong-I Hydro Electric Project (100MW) with in Moorang Tehsil of Kinnaur District of Himachal Pradesh.
- 1.3 The Commissioner for Resettlement and Rehabilitation appointed by the state Government for supervision the relief and rehabilitation works of various projects in Himachal Pradesh would also be the Commissioner for Resettlement and Rehabilitation under this Scheme. The Resettlement and Rehabilitation works shall be carried out under his direction and guidance.

- 1.4 The Deputy Commissioner Kinnaur in whose jurisdiction the Project Affected Area falls, will be the Administrator for Resettlement and Rehabilitation.
- 1.5 In this scheme, unless the context otherwise requires:

(a) Family

“family means husband/wife of the persons whose is entered as owner/ co- owner of land in the Revenue Record, their children including step or adopted children, grand children and includes his/her parents and those brother and sisters who are living jointly with him/her as per entries of Panchayat Parivar Register as on the date of notification under section-4 of Land Acquisition Act 1894.

Explanation

Only the Panchayat Parivar Register entry, as it stood on the date of notification under section-4 of the Land Acquisition Act, 1894, shall be taken in to account for the purpose of “separate family” for rehabilitation benefits as well as for consideration of employment.

- (b)** Project Affected Area/Affected Zones means area as notified by Deputy Commissioner Kinnaur, where land is acquired for construction of any component of project infrastructure, township, offices, construction facilities, welfare facilities etc. for the Project. Unit for declaring Project Affected area would be Revenue village.

(c) Project Affected Family (PAF's)

The Project affected families means a family/person whose residence or other properties or source of livelihood are affected by the process of acquisition of land for the Project and who has been residing continuously for a period of not less than three years preceding the date of declaration of the Project Affected Area/ Affected Zone or practicing any trade, occupation or vocation continually for a period of not less then three years in the Project Affected Area/ Affected Zone, preceding the date of declaration of the Affected Zone.

Explanation :

The date of declaration will be taken as date of notification under section 4 of Land Acquisition Act, 1894. The Period of residence of not less than three years will not be applicable in respect of PAFs who own land in the Project Affected Area. The Deputy Commissioner Kinnaur would determine the period of residence of not less than three years as well as effected on source of livelihood.

(c) (1) Project Affected Family rendered landless

The Project Affected Family rendered landless means that family whose agricultural land is acquired for the Project and in whose case balance agriculture land left after acquisition is less than 20 (Twenty Bighas)

For this purpose agriculture land had within the Project area by all such persons and their family member shall be reckoned. The landless Project Affected Families shall be certified by the Deputy Commissioner Kinnaur.

(c) (II) Project Affected Family rendered houseless

The Project Affected Family rendered houseless means the family whose dwelling house is acquired for the Project. This will be certify by the Deputy Commissioner Kinnaur.

(d) Shopkeepers Displaced by the Project

Displaced Shopkeeper's means the shopkeepers, who had taken shops on rent and had been Genuinely running business therein as on the date of issuance of notification under section 4 of Land Acquisition Act, 1894 and whose such shops is acquired for the Project or the Shop owner who was himself running his business in such shops.

(e) Project Authority

"Project Authority in normal connotation refer to Project developer of Project Proponent e.g. State Government or Public Sector under taking implementing a Project etc. i.e. M/s NSL Tidong Power Generation (P) Ltd. In this case.

- (f) words and expressions used in this scheme but not defined herein shall have the same meaning as assigned to them in the Himachal Pradesh Nautor Land Rules 1968.

Part-II

Sanction of Rehabilitation grant, infrastructural grant or facilities and grand to the Project affectrd families rendered landless or houseless or both.

2.0 Resettlement Grant.

2.1 The project Affected Family whose land has been acquired shall be eligible for resettlement grant in the following manner.

1. Family whose land acquired for the project was more than 1 bigha Rs. 1,20,000/-
2. Family whose land acquired for the project was less than 1 bigha Rs. 1,10,000/-.
3. Family whose cattle shed is acquired in the project area, shall get one time financial assistance of Rs. 50,000/-.

2.2 Each project affected family, which is rendered houseless will be provided an independent house with a built up plinth area of 60 Sqm on a plot of 5 biswa. Alternatively PAF can also be offered a plot of size, which allows construction of built up house of 60 Sqm. Plinth area plus construction cost of the house @ Rs. 5500/- per Sqm. A family, which does not opt for House/plot but constructs his house his own cost shall be paid the Construction cost of the house @ Rs. 5500/-per Sqm for a house 60 Sqm. In addition to this cost of 5 biswas of land will be paid by the Company.

The rate will be the same on which company had bought the land.

- 2.3 Displaced shopkeepers will be given shops in allotment in the market complex of the project colony wherever the project authority constructs such market places. The shops so given shall be Pucca shops with minimum size of 10x15' or size equivalent to it. In addition to this they will be entitled to one time displacement grant of Rs. 50,000/- . They or their successors in interest for bonafide use shall utilize the commercial premises/Shops allotted to such displaced shopkeepers only. In case the project is unable to provide shops, displaced shopkeepers (owner of the shops) shall get financial Assistance of Rs. 85,000/-.
- 2.4 Infrastructural facilities in the Rehabilitation colony will include water supply, sewerage, drainage, electricity, streets and approach paths/roads at the Project cost.
- 2.5 Transportation at the project cost will be provide for physical mobilization of all the PAFs and displaced shopkeepers, as soon as the houses/shop get constructed in the Rehabilitation colony or a sum of Rs. 10,000/- in lum sum shall be given in lieu and the option will be invited from the affected families/shopkeepers regarding this in advance.
- 2.6 Stamp duty and other fees payable for registration shall be borne by the Project Authority. The Deputy Commissioner Kinnaur will be the sanctioning authority for resettlement grant which shall be provided by the Projects Authorities and placed at the disposal of the Deputy Commissioner for disbursement to the eligible concerned.

Note: All the above grants shall be in addition to the compensation paid under Land Acquisition Act, 1894.

3.0 Employment:-

3.1 One member of each Project Affected Family rendered landless will be provided employment by the Project Authority in the category of skilled/semiskilled/unskilled workmen subject to fulfilling the requisite criteria/qualification. It would be assured that land oustees eligible for employment as mentioned above are given chance first and normal recruitment would be made only if none are available from amongst them. In that case people of the Project Affected Area shall be given preference. The Project Management Shall provide appropriate training in time to the landless eligible persons so that trained persons as per requirement of the Project could be prepared. The company will supply list of all types of post which company fill up with salary etc. to the Deputy Commissioner. The following criteria will be adhered to by the Deputy Commissioner concerned for providing of preference while sponsoring the names for employment.

- (a) Families whose land acquired for the project work more than 1 bigha of land.
- (b) Family whose land acquired for the Project was less than 1 bigha of land.
- (c) Family whose dwelling house was acquired for the project.
- (d) Family whose shop was acquired for the project.
- (e) Family whose cattle shed was acquired for the project.
- (f) Others in the project affected area shall also be included if found eligible.

Within these categories preference will be given on the basis of quantum of land acquired. Those who loss more land will come first.

Company will keep 70% jobs reserved for Himachalis.

3.2 Secondary Employment:-

There may be families who are not covered under the Project Affected Family rendered landless/houseless/shopless as given at 1.5(c)(i)(c)(ii)(iii) and (d) but their land is acquired for the project, they shall have to be helped in starting some gainful occupation or getting training. Therefore, such families who may not be accommodated in direct employment, the project authorities will help them in any one of the following manners:-

3.2.1 The Project Authorities will be considered to award petty contracts to these persons, cooperatives of eligible families on preferential basis so that they may be engaged in such jobs. Further the Project Authorities will advise their contractors to engage eligible persons from affected families on a preferential basis wherever possible during construction stage.

3.2.2 The Project affected families (including rural artisans/Smart traders and self employed persons) will be assisted to start various suitable self employed occupations which include daily farming, poultry, weaving, bakery, handicraft, cottage industries units/ shops and hiring of vehicles to the Project Authority as per scheme to be drafted by them. The Project Authority will help them under the Project framed by Deputy Commissioner by giving them seed capital.

“only those families who have not been provided with employment in the Project or have not been allotted any shop will be eligible for this grant.”

Explanation:-

The Deputy Commissioner Kinnaur will certify that their source of livelihood in case of rural artisan, small traders and self employed persons have been adversely affected only then they will be eligible.

3.2.3 The Project Authority will provide support service for project affected families interested in horticulture, Agriculture and veterinary.

- 8 -

PART-III

4.0 Community Development/Social responsibility:-

4.1 Project Affected areas/ villages, after due assessment done by the committee constituted under the chairmanship of the Deputy Commissioner will be provided with infrastructural up gradation scheme which will include:-

- Mobile health Centre/Van
- Approach road.
- Internal roads.
- Drinking Water supply schemes.
- Community/welfare centres.
- facilities/ furniture/lab equipment etc. for school.
- Merit scholarship.
- Playground.
- sanitation facilities.
- Street lighting.
- Agriculture/Horticulture camps & facilities.

4.2 The Project authority will pay Rupees 15 Lacs annually as the social responsibility towards the effected area to the Deputy Commissioner, Kinnaur after start of generation of electricity. The Deputy Commissioner will sanction schemes out of these funds in affected village.

- 4.3 Free of cost LPG gas cylinder to each effected family would be provided by the Project Authority.
- 4.4 Fatherless and Motherless girls and boys of effected area will be paid and amount of Rupees 1,00,000/- at the time of their marriage. And only fatherless girls of the affected area will be paid an amount of Rupees 51,000/- at the time of their marriage by the Project Authority.
- 4.5 **Infrastructural facilities:-**
The Project Authorities will build such infrastructural development works in the vicinity of the Project Area that may be essentially required for the construction of the Project and or benefit the local population. These works may be mutually decided with Government of Himachal Pradesh.
- 4.6. an amount of 7 Lacs for scholarship to the boys and girls of Project Affected Families (PAFs)/area will be paid annually by the Project Authority to the Deputy Commissioner Kinnaur. The Deputy Commissioner will sanction scholarship out of this fund on merit cum Poverty basis.

Note:-

Kindly again refer to clause 4.6 of Implementation Agreement dated 28.07.2006 for the Project, which reads as under:-

“The first party (Govt. of H.P) shall subject to the approval of Government of India or any other competent authority prepare a R&R Plan in association with second party for local residents likely to be adversely affected or displaced due to the construction of the project at the site at as on the effective date....”

The effective date is 28.07.2006, the date of signing of Implementation Agreement, in terms of its clause 1.2.21.

National R&R Policy-2007 came into force on 31.10.2007 and as such policy should not been applied on R&R plan of the project.

In fact National R&R Policy,2007 (NRRP-2007) applies to the projects where large scale involuntary displacement of 400 or more families enmasse in plain area or 200 or more families enmasse in tribal or hilly areas takes place as per clauses 4.1, 6.1 and 7.22.1 of NRRP-2007.

But this project involves only 29 project affected families and none of them have become houseless or displaced or adversely affected. Therefore, under this ground also NRRP-2007 should not be made applicable to Tidong—I HEP.

Annexure-3
Chilgoza Compensation Letter

Summary of Letter for Chilgoza Compensation

Addressed to the:

Panchayat Development Committee and Head of the Three Concerned Panchayat

Based on the communication received and discussion, NSL Power Limited proposes to compensate the Panchayat of Moorang, Thangi and Rispa for the loss of Neoza tree on an annual basis.

The compensation will be based on the following productivity considered upfront:

- From compartment no. 194: 2.05 kg (Two Kilograms and Fifty Grams) of yield per tree per year for 156 trees.
- Compartment no. 192: 2.63kg (Two Kilograms and Sixty Three Grams) of yield per tree per year for 131 trees.
- Compartment no. 193: 2.63kg (Two Kilograms and Sixty Three Grams) of yield per tree per year for 111 trees.

The payment will be made by 30th November of each year based on the bulk rate in Reckong Peo that is prevailing in the First Week. Company will disburse the compensation to the Panchayats through the Deputy/Additional District Magistrate. The compensation will be paid for a period of 40 years commencing from 2013 to 2052. This additional cost will be incorporated in the final R&R Plan.

**NSL Tidong Power****Generation Pvt. Ltd.**

Himvir Niwas, Kothi Mor,

Reckong Pen, Tehsil Kalpa,

Distt. Kinnaur (H.P.)-172 107

Ph: 91-01786-223366

Fax: 91-01786-223029

Email: nslydel.reckongpen@nslpower.com

संख्या: एनओएसओएलओ-टी/जी-4/2012-13

दिनांक: 30.10.2012

सेवा में,

1. अध्यक्ष,
टिडोंग वैली पंचायत कल्याण समिति (ठंगी, मूरंग, रिस्पा),
गांव व डा0 ठंगी,
तहसील मूरंग, जिला किन्नौर (हि0 प्र0)
2. श्रीमती प्रधान महोदया,
ग्राम पंचायत ठंगी,
गांव व डा0 ठंगी,
तहसील मूरंग, जिला किन्नौर (हि0 प्र0)
3. श्रीमान् प्रधान महोदय,
ग्राम पंचायत मूरंग,
गांव व डा0 मूरंग,
तहसील मूरंग, जिला किन्नौर (हि0 प्र0)
4. श्रीमान् प्रधान महोदय,
ग्राम पंचायत रिस्पा,
गांव व डा0 रिस्पा,
तहसील मूरंग, जिला किन्नौर (हि0 प्र0)

विषय: टिडोंग जल विद्युत परियोजना — निर्माण के दौरान न्यौजे के पेड़ों को हुए नुकसान की भरपाई बारे।

संदर्भ:-1 एनओएसओएलओ-टी/जी-4/2012-13 दिनांक: 03.10.2012 ।

2 बैठक के मुद्दे दिनांक 13.10.2012 टिडोंग विद्युत गृह स्थल पर हुई।

महोदय/महोदया,

उपरोक्त पत्रों एवम् बैठक के संदर्भ में एनओएसओएलओ पावर लिमिटेड द्वारा यह तय किया है कि न्यौजे के पेड़ों को हुए नुकसान की भरपाई ग्राम पंचायत ठंगी, मूरंग व रिस्पा को वार्षिक आधार पर करने का प्रस्ताव रखा है। वार्षिक भरपाई पहले ही तय की गई ईकाईयों के अनुसार होगी जैसे कि:-

1. कम्पार्टमेन्ट संख्या 194 में 156 (एक सौ छप्पन) पूरी तरह ग्रस्त पेड़ों का 02.05 (दो किलो पचास ग्राम) किलो ग्राम प्रति पेड़ प्रति वर्ष के आधार पर ।



Regd. Office: 105A, Phase II, Sector-3, New Shimla- 171 009 (H.P.)

Tel/Fax: 0177-2670297, E-mail: nslydel.shimla@nslpower.com

2. कम्पार्टमेन्ट संख्या 192 में 131 (एक सौ इक्कतीस) पूरी तरह ग्रस्त पेड़ों का 02.63 (दो किलो तरेसठ ग्राम) किलो ग्राम प्रति पेड़ प्रति वर्ष के आधार पर ।

3. कम्पार्टमेन्ट संख्या 193 में 111 (एक सौ ग्यारह) पूरी तरह ग्रस्त पेड़ों का 02.63 (दो किलो तरेसठ ग्राम) किलो ग्राम प्रति पेड़ प्रति वर्ष के आधार पर ।

कम्पनी प्रत्येक वर्ष 30 नवम्बर तक उपरोक्त भरपाई रिकॉग पिऑ में थोक मूल्य जो प्रथम सप्ताह में होगा के आधार पर करेगी ।

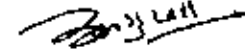
उपरोक्त भरपाई वर्ष 2013 से 40 (चालीस) वर्ष के लिए वर्ष 2052 (दो हजार बावन) तक रहेगी ।

कम्पनी उपरोक्त भरपाई का मूल्य उपायुक्त या अतिरिक्त जिला दण्डाधिकारी के माध्यम से सम्बन्धित पंचायतों को आवंटन करेगी ।

यह उपरोक्त भरपाई खर्च उपरोक्त परियोजना के आण्ड एण्ड आरु प्लान/ योजना में समायोजित किया जाएगा जिसको जिलाधीश किन्नौर, हिमाचल प्रदेश द्वारा अन्तिम रूप दिया जाएगा ।

धन्यवाद सहित ।

भवदीय,



अधिकृत हस्ताक्षरकर्ता
एन. एस. एल. टिडॉग विद्युत उत्पादन (पु) लिऑ की ओर से

प्रतिलिपि:-

- 1 श्रीमान् उपायुक्त किन्नौर को सूचनार्थ ।
- 2 श्री अतिरिक्त जिला दण्डाधिकारी, पूह को सूचनार्थ ।
- 3 श्रीमान् पुलिस अधीक्षक किन्नौर को सूचनार्थ ।
- 4 श्रीमान् तहसीलदार मूरंग को सूचनार्थ ।
- 5 मुख्य कार्यकारी अधिकारी ।
- 6 मुखिया हाईड्रो ।
- 7 वरिष्ठ उपाध्यक्ष ।
- 8 सलाहार शिमला ।

Annexure-4
Compensation Award for Land

Office of the ADM-Cum-Land Acquisition Collector, Pooh, District Kinnaur, H.P

Award No. 01/2009

Date for Announcement of award 30th July, 2009

In the matter of:

Acquisition of land for the construction of 100 MW Tidong - I Hydroelectric Project in Tehsil Moorang, District Kinnaur, H.P.

AWARD:

Award under section 11 of the Land Acquisition Act, 1894 for the acquisition of land for public purpose, namely, for the construction of 100 MW Tidong - I Hydroelectric Project by NSI Tidong Power Generation Private Limited (incorporated by M/s Nuziveedu Seeds Limited as special purpose vehicle company for the implementation of the said project). 78A, Sector - I, Phase - I, New Shimla, Shimla, Himachal Pradesh, which is a Company as per the provisions of the Section 3 (e) of the Act *ibid*, hereinafter referred to as the Company, at its own cost.

I. NOTIFICATION UNDER SECTION 4:

That the Government of Himachal Pradesh vide Notification No. Vidyut-Chh-(5)-31/2006 dated 12.10.2007 issued under Section 4 of the Land Acquisition Act, 1894, hereinafter referred to as the 'Act', notified that the land mentioned therein was proposed to be acquired for public purpose, namely, for the construction of 100 MW Tidong - I Hydroelectric Project by Company, the above mentioned Company, at its own cost. The land proposed to be acquired is situated in villages Lamber, Lizang and Ruwang of Tehsil Moorang, District Kinnaur, H.P. Public notice of the substance of the notification was given in convenient places in the locality and to the persons interested through the Tehsildar Moorang and Halqa Patwaries. The dates of publication through various modes/means are as under:-

- | | | | |
|-------|--|---|--------------------------------|
| (i) | The official Gazette of H.P. (Raj Patra) | - | 29 th October, 2007 |
| (ii) | The News Paper 'Amar Ujala' | - | 27 th October, 2007 |
| (iii) | The News Paper 'The Hindustan Times' | - | 27 th October, 2007 |
| (iv) | Wide publicity in the locality | - | 8 th November, 2007 |

II. OBJECTIONS:

No objection was received from any quarter, including the interested persons, within the stipulated period of one month from the date of last publication. However, after the expiry of this period certain claims/objections were raised by some Associations and the Gram Panchayats Rispa, Thangi and Moorang relating to customary tribal rights, statutory provisions in Scheduled Tribal Area, Local Area Development Fund, Re-evaluation and enumeration of trees, etc., which were forwarded to the Deputy Commissioner Kinnaur and the State Government by the Land Acquisition collector from time to time.

III. DECLARATION UNDER SECTION 6 AND DIRECTIONS UNDER SECTION 7:

Vide notification No. Vidyut -Chh-(5)-31/2006 dated 7th May, 2008 issued u/s 6 of the Act *ibid*, it was declared that the acquisition of said land is required to be done for the public purpose as mentioned above. Accordingly, as per the provisions of the Section 7, the Land Acquisition Collector-Cum-Additional District Magistrate Pooh was directed to take order for the acquisition of the land in question. The publication details of the land in question are as under:-

- | | | | |
|-------|--|---|----------------------------------|
| (i) | The official Gazette of H.P. ('Raj Patra') | - | 9 th May, 2008 |
| (ii) | The newspaper 'Amar Ujala' | - | 14 th May, 2008 |
| (iii) | The newspaper 'The Hindustan Times' | - | 14 th May, 2008 |
| (iv) | Wide publicity in the locality | - | 10 th September, 2008 |

IV. MEASUREMENT AND CLASSIFICATION:

The land proposal to be acquired was marked out, measured and planned as per the provisions of the Section 8 of Act after spot verification by the Revenue Field functionaries. The total area of the land was found to be the same as per the declaration under Section 6 and 7, i.e., 03-20-11 Hectares. The details of the measurement of the area and classification of land are as under:



District	Tehsil	Village	Khasra No.	Area (Ha)	Classification	
Kinnaur	Moorang	Lumbar	31	00-15-68	Gair Mumkin Khad	
			32	00-06-35	Gair Mumkin Khad	
			33	00-07-08	Ghasni	
			34	00-18-17	Ghasni	
			35	00-05-62	Ghasni	
			37	00-04-64	Ghasni	
			39	00-06-23	Ghasni	
			40	00-11-68	Ghasni	
			61	00-06-11	Bagicha Kulahu Doyam	
			Lizang	129	00-07-05	Gair Mumkin Dwar
				130	00-00-88	Gair Mumkin Khandar
	131	00-05-60		Gair Mumkin Dwar		
	Ruwang	16	00-15-14	Bagicha Kulahu Awwal		
		17	00-07-00	Banjar Kadeem		
		18	00-04-00	Banjar Kadeem		
		19	00-02-62	Banjar Kadeem		
		439/20	00-00-36	Banjar Kadeem		
		440/20	00-02-26	Banjar Kadeem		
		21	00-04-88	Banjar Kadeem		
		22	00-02-97	Banjar Kadeem		
		23	00-02-75	Banjar Kadeem		
		24	00-03-12	Banjar Kadeem		
		25	00-02-40	Banjar Kadeem		
		26	00-05-14	Banjar Kadeem		
		27	00-07-84	Banjar Kadeem		
		28	00-07-54	Banjar Kadeem		
		29	00-05-98	Banjar Kadeem		
		30	00-05-33	Banjar Kadeem		
		31	00-05-46	Banjar Kadeem		
		32	00-08-55	Bagicha Bakhhal Doyam		
		33	00-09-30	Bagicha Bakhhal Doyam		

		34	00-08-55	Bagicha Bakhal Doyam
		35	00-08-80	Bagicha Bakhal Doyam
		36	00-10-37	Bagicha Bakhal Doyam
		37	00-08-91	Bagicha Bakhal Doyam
		38	00-08-96	Bagicha Bakhal Doyam
		38/1	00-00-25	Gair Mumkin Kotha
		39	00-08-87	Bagicha Bakhal Doyam
		40	00-08-60	Bagicha Bakhal Doyam
		40/1	00-00-36	Gair Mumkin Kotha
		41	00-08-18	Bagicha Bakhal Doyam
		42	00-09-00	Bagicha Bakhal Doyam
		43	00-08-39	Bagicha Bakhal Doyam
		43/1	00-00-16	Gair Mumkin Kotha
		44	00-08-02	Bagicha Bakhal Doyam
		44/1	00-00-25	Gair Mumkin Kotha
		45	00-08-10	Bagicha Bakhal Doyam
		46	00-07-84	Bagicha Bakhal Doyam
		47	00-08-77	Bagicha Bakhal Doyam
		Kitta 49	03-20-11	

- (i) Irrigated land/Orchard = 01-60-46 Ha
(ii) Un-irrigated land/Other = 01-59-65 Ha

Within the stipulated period of one month from the date of last publication of the declaration under Section 6, no objection/claim was received from any quarter, hence, the same classification and measurement were considered for calculation of the amount of compensation. However, certain issues were disposed off during inquiry under Section 9.

V. NOTICES AND CLAIMS:

In pursuance of the directions of the Govt. of H.P. contained in the notification declaration under Section 7 of the Act, notices were issued under Section 9 to all the persons, who appeared to be interested in the land under acquisition. They were specifically required to state the nature of their respective interests in the land, the amount and particulars of



their claims to compensation and their objections (if any) to the measurement made under Section 8. These notices were duly served and also given wide publicity in the locality regarding the intention of the Govt. to give possession of the land involved in favour of the acquiring Company. During inquiry, the entries of relevant Jamabandis were read over and explained to the interest holders/authorized representatives.

In matters, where the classification/title of the land to be acquired had been challenged, it was pronounced by the Land Acquisition Collector that the Revenue Record has the 'Presumption of Truth' attached to it. Moreover, it can only be corrected by adopting the procedure prescribed under the H.P. Land Records Manual or upon the orders of a competent Revenue/Civil Court having jurisdiction.

Secondly, the company has obtained NOC's from the concerned Gram Sabha.

Thirdly, the issue of trees and kutchha/pucca structures and evaluation thereof has been referred to the competent authorities and compensation for the same determined as per prescribed norms.

Fourthly, in some cases compensation at a rate ranging between Rs. 80,000/- to Rs. 1,50,000/- per biswa has been demanded without producing any supporting evidence/precedent.

Fifthly, some of the interested persons have demanded land in exchange/Natur proportionate to their share being acquired. It was advised that presently there is a bar on these grants, however, in the proposed Rehabilitation and Resettlement Scheme for this project these grants/alternatives have been addressed to.

VI. MARKET VALUE OF THE LAND:

To assess the market value of the land to be acquired, the average market value of the land in Up-Mohal Ruwang of the period of one year prior to the issue of notification (i.e. 1st July, 2007 to 30th June, 2008) was sent to the District Collector, Kinnaur for approval. There had been no transactions in Up-Mohal Lizang and Up-Mohal Lumber, therefore, the one year average market value as per sale-deeds w.r.t adjoining Up-Mohal Rispa and Up-Mohal Pibber



corresponding to the same period were submitted for approval accordingly. As per the office records, the rates approved by the District Collector Kinnaur have been tabulated below:

S. No.	Classification	Up-Mohal Ruwang (Rs. per Centiare)	Up-Mohal Lizang (Rispa) (Rs. per Centiare)	Up-Mohal Lumber (Pibber) (Rs. per Centiare)
1.	Bagicha Kulahu Awwal	110.00	110.00	416.67
2.	Kulahu Awwal	35.20	35.20	-----
3.	Kulahu Doyam	33.00	33.00	94.94
4.	Bagicha Kulahu Doyam	88.00	88.00	-----
5.	Bagicha Bakhal Doyam	95.33	95.33	361.11
6.	Bani	2.93	2.93	-----
7.	Banjar Kadim	5.50	5.50	20.83
8.	Ghasni	3.67	3.67	11.11

During the course of inquiry under Section 9 of the Act, some of the interested persons verbally contended that the acquisition of identical land for laying of transmission towers by the HPSEB in the same Tehsil and adjoining Mohals is being done at much higher rates. However, no documentary proof was enclosed. Similar procedure was claimed to have been adopted w.r.t. Kashang Hydroelectric Project being executed by the Himachal Pradesh Power Corporation limited. Obviously, more objection/claim without evidence cannot form the basis of assessment of market value/determination of the compensation amount.

A copy of the award announced by the Land Acquisition Collector-Cum-Sub Divisional Officer (Civil) Nichar at Bhawanagar w.r.t acquisition of private land for the construction of 400 KV D C Transmission Line from Karchham to Jhakri was supplied and placed on record. It has been mentioned therein that as per the letter no. MPP-P(10) 8-99 dated 11.10.2007 issued by the worthy Additional Chief Secretary (MPP and Power) to the Government of H.P., the amount of compensation for acquisition of private land in District Kinnaur cannot be less than that mentioned below:-

- | | | | |
|------|-------------------------|---|--------------------------|
| (i) | Irrigated land/Orchard | = | Rs. 4,69,995/- per bigha |
| (ii) | Un-irrigated land/Other | = | Rs. 1,04,416/- per bigha |

To the above mentioned amount 10% enhancement per year is justifiable. Since another minimum three months are likely to be taken in the approval of the award by the competent authority i.e., the State Government and the pronouncement thereafter, so 20% increase over the amount mentioned as above is proposed. It is pertinent to re-iterate here that the acquisition of

private land in the Tribal, hilly and DDP block is being for the Company at its own cost, hence, a liberal view is solicited. By adding 20% enhancement, the rate of compensation, which is considered just, fair and equitable in light of the tourism/horticultural potential of the land is determined as under:

(i) Irrigated land/Orchard	=	Rs. 5,63,994.00 i.e. Rs. 749.99 per Centiare
(ii) Unirrigated land/Orchard	=	Rs. 1,25,299.20 i.e. Rs. 166.62 per Centiare

The rate shall be the basis of determination of compensation in all the three Up-Mohal, viz. Lizang, Ruwang and Lumbar.

VII. HOUSES AND OTHER STRUCTURES:

The value of 4 no. Kutchra/semi-pucca/pucca structures built up on the land to be acquired was got assessed through the Executive Engineer, HPPWD, B&R Division Kalpa and it amounts to Rs 53,835.00.

VIII. TREES

There are 39 Nos. fruit bearing and 134 Nos. non fruit trees on the acquired land. The enumeration and evaluation of these trees was done by the Forest Horticulture Department. As per their assessment, the total cost of these trees has been worked out to be Rs 23,89,692.00 and said amount is added to the award.

IX. SOLATUM U/S 23(2) AND ADDITIONAL AMOUNT U/S 23(1A) OF THE ACT

Compulsory acquisition charges @ 30% of the market value are to be paid to the interested persons under section 23(2) of the Act, which is worked out as Rs 51,41,403.00. The interest holders are also entitled for additional amount @ 12% per annum of the market value under Section 23(1A) of the Act w.e.f the date of publication of the notification under Section 4 to the date of award, which is worked out to be Rs 35,49,681.00. Both the above mentioned amounts are thereby added to the award.

X. TOTAL COMPENSATION:

The total compensation as finally determined and proposed to be awarded for the acquired land is as under:



1.	Cost of land	= Rs. 1,46,94,481.00
2.	Cost of trees	= Rs. 23,89,692.00
3.	Cost of houses-structures	= Rs. 53,835.00
	Sub Total	= Rs. 1,71,38,008.00
4.	30% Compulsory Acquisition Charges u/s 23(2)	= Rs. 51,41,403.00
5.	12% Additional Charges per Annum u/s 23(1A) from the date of publication of notification u/s 4 to the date of award by the collector (from 8 th November, 2007 to 30 th July, 2009 = 600 Days)	= Rs. 35,49,681.00
	Total	= Rs. 2,58,29,092.00

Rupees Two Crore Fifty Eight Lac Twenty Nine Thousand Ninety Two only.

XI. MODE OF PAYMENT:

In entire amount of compensation payable to each of the interested persons is mentioned in the statement under para-55. Standing Order No. 28 issued by the Ld. Financial Commissioner attached with the award.

XII. REDUCTION OF LAND REVENUE

The net amount of land Revenue chargeable w.r.t the acquired land comes out to be Rs 28.04 per annum. In accordance with the provisions of the para 81 (iii) of the Standing Order No. 28 issued by the Ld. Financial Commissioner the capitalised value @ 25 times the land revenue comes out to be Rs. 701.00 which shall be paid by M/s NSL Tidong Power Generation Private Limited for the reduction of land revenue from the rent roll.

Thereafter, the land shall vest in Company, the company free from all encumbrances.

Sc/1
Land Acquisition Collector-Cum-
Additional District Magistrate,
Pooh, District Kinnaur, H.P.


No. SDP-III-71(Peshi) 2009-

3631

Dated :- 19-12-09

Copy forwarded to the following with the comments that the Item No. X of Final Award circulated vide this office Endst. No. SDP-III-71(Peshi)2009-1669-70 dated 3-9-2009 needed correction in the amount which has been corrected in the present copy of the Award as such amount mentioned in the item No. X of Award circulated earlier dated 3-9-2009 may please be ignored.

1. The worthy Principal Secretary (Power) to the Government of H.P. for information please.
2. The District Collector, District Kinnaur at R/Peo for information please.
3. The Tehsildar Moorang for compliance alongwith copy of award.
4. The Vice President, NSI Tidong Power Generation Pvt. Limited, Himch Nivas, Kothi Mor, Reockong Peo, District Kinnaur, H.P. for information please


Land Acquisition Collector (C-1)
Additional District Magistrate,
Rooh, District Kinnaur, H.P.