

Public Consultation and Disclosure Plan

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1.1

PROJECT BACKGROUND

Rajasthan Spinning and Weaving Mills Limited (RSWML), a private limited company incorporated in India, proposes to set up Allain - Duhangan Hydroelectric Project (ADHP) of 2 x 96 MW (192 MW hydropower generation facility on Allain and Duhangan tributaries of Beas river) in Tehsil Manali, District Kullu, Himachal Pradesh in India. The project is located near village Prini, approximately 3 km SE of Manali town.

In the state of Himachal Pradesh, five perennial rivers Satluj, Beas, Ravi, Chenab and Yamuna flow through and the utility of these rivers though restricted considerably by the rugged and undulating terrain of the State, nevertheless, these rivers possess immense potential for the generation of hydro-electricity.

The proposed hydel project has been contemplated as run-of-the-river scheme to utilise the combined discharge of Allain and Duhangan streams, which are tributaries of river Beas in the Kullu district of Himachal Pradesh. The proposed hydel project is expected to be complete by end of year 2008 AD. The proposed project will consist of a underground power plant that would utilise flows from a combination of glacial snow melt and monsoon rains to supply a small peaking reservoir (19.5 hectare meter) via tunnels from catchment basins of the Allain and Duhangan rivers. The setting for the project is the steep terrain of the Himalayas with the diversion structures on the two rivers and a intermediate storage reservoir with a capacity of 0.195 million m³ (requiring a dam measuring approximately 14.5 m x 261 m). All these facilities will be located above elevation of 2700 m feeding water via a 1.6-km steel lined pressure shaft, an 853m head 2 unit Pelton turbine Power House to be located in a rock cavern. The project will divert a portion of the flow of the Duhangan to the Allain and combine the flows of the two rivers to feed a single powerhouse with 2 units each of 96 MW capacity. A 220 kV power transmission line (of approximately 185km) will evacuate the power to the northern grid at Nalagarh in the district Solan, Himachal Pradesh.

The project has received various approvals including Environmental and Forest Clearances from the Ministry of Environment and Forests (MoEF), Government of India (GoI) as well from state environmental and forest authorities based on the previously done environmental impact assessment and mitigation plan prepared by the Group's in-house consultants.

RSWM is seeking partial financing from the International Finance Corporation (IFC) for the project. To fulfil the requirements of IFC's Environmental and Social Review of the project, more detailed information is required on environmental and social impact assessment, along with specialised studies and a reconnaissance survey for the proposed transmission line corridor, prior to IFC's approval on financing the project.

Accordingly, RSWML has retained ERM India Pvt. Ltd, New Delhi to undertake detailed Environmental and Social Impact Assessment Study including

specialised studies to fulfil the IFC requirements in accordance to the requirements of OP 4.01.

1.2 LAND REQUIREMENT

The project will require land in four villages in Tehsil Manali, District Kullu. The villages are:

- Prini
- Jagat Sukh
- Aleo (Gram Panchayat – Vashisht)
- Hamta (not covered in this study since the alignment of the proposed road through the village is yet to be finalised and therefore the extent of land to be acquired is not known).

The purpose for which the land would be required includes building a colony for the project staff, and for building roads around the project area. The table below summarises the land requirement in the different villages.

Table 1.1 *Land required by the project*

Village	Village wise land to be acquired (Hac)	Number of <i>khasras</i>	Purpose
Prini	6.83	117	Colony and road
Jagat Sukh	3.94	75	Colony and Road
Aleo	0.99	20	Road
TOTAL	11.76	212	

Note: This is based on present status and does not reflect the final land acquisition figures.

These figures of land are based on the land records provided by the project proponent for the three project affected villages. While the location and land requirement of the colony has more or less been decided, the final road alignment is yet to be decided. Hence the total land that will be acquired for construction of the road is not yet known.

The project has however prepared an assessment of total land under different categories, to be acquired for the project. This includes:

- Private land: 36.565 hac
- Government land: 8.54 hac
- Forest Land: 32.167 hac

The total land requirement is envisaged as 77.272 hac.

1.3 SOCIAL & ENVIRONMENTAL IMPACTS OF THE PROJECT

While the environmental impacts of the project are covered in the EIA report the social impacts of the project are covered in brief in this section.

The major socio-economic impacts of the project would include:

- Loss of private property
- Loss of asset including plantations

- Loss of livelihood and income directly linked to the above two losses
- Other indirect losses

It is important to note that the project would not impact any homestead land or residential structures, hence no physical rehabilitation is envisaged.

By the land records, no PAF will either become landless nor will have less than 0.08 hac of land after acquisition. However it was observed that in some cases, ownership, as indicated by the land records, did not reflect the actual or *de-facto* use and ownership of land. Through the sample survey it is estimated that of 140 families, 90 families were losing less than 25% of their total land, while about 5 families stand to lose between 75 and 100% of their total land owned. This latter category of PAFs fall in the “most vulnerable” category.

In terms of household income, the sample survey showed that 82 of families would be losing less than 25% of their incomes because of the project while some 9 families would be losing between 75% and 100% of their total family income.

Apple trees are the main assets that would be impacted in this project, as primarily plantation land is being acquired. Approximately 19 families will be losing more than 100 apple trees while a majority of the PAFs stand to lose less than 50 trees. Though agriculture is practised in the area, it is mostly done for subsistence and not for income.

The project has made every effort to avoid any impact on common property like places of worship, grazing grounds etc. The local land revenue department in each village has affirmed through a written document that no such property is getting affected in any of the three villages of Aleo, Prini and Jagat Sukh.

1.4 SOCIO-ECONOMIC PROFILE OF THE PAFs

This section presents the socio-economic profile of the project affected persons in terms of their religion, education levels, occupational profile and income levels. This profile is based on the sample survey (62 families) spread over three project impacted villages.

Most of the affected families are Hindus with few of them (especially among the Scheduled Tribes) being Buddhists. As per the land records provided by the project proponents, there are no Muslims, Christians or Sikhs among the affected families. Although most people mentioned that the nuclear families are becoming more popular, the sample survey revealed that there are still a large number of joint families. The literacy levels are quite high among the young generation while most of the elderly people were either illiterate or had not studied beyond class V. Migration in the hills is a very common phenomenon as people generally move to the lower altitude regions during the winter season, when snow covers their fields. These people generally maintain two houses and in some cases even have land holdings in the two villages.

1.4.1 *Vulnerability*

8% of the affected families were below the poverty line (Rs 20,000 per annum). 18% of the families surveyed were women headed households. A similar percentage had at least 1 physically or mentally challenged person in the family. As many as 55% families had at least one person above the age of 60 years.

1.4.2 *Occupational Profile*

Agriculture is the predominant occupation among the project-affected families. Most people in the villages (and the PAFs as well) depend on agriculture and plantation for their livelihood. However, some of the PAFs with the smaller land holdings have secondary occupations like labour, dairy or petty business.

1.4.3 *Landholding*

The average land holding size among the project-affected families is slightly lower (8.87 *bighas*) than the average land holding (9.64 *bighas*) of the Kullu district. More than 35% of the PAFs surveyed had less than 5 *bighas* of land. The thriving tourism sector has hiked up land prices in the Manali area.

1.4.4 *Household Income*

Most affected people pursued agriculture to meet their own domestic needs, while plantations were a source of income for majority of PAF. Income levels of the families were arrived at by adding incomes from different sources like agriculture, plantation, business, service, labour etc. The sample survey showed that while 8.1% of families earned less than Rs 2000 per month, there were 22.6% families that had an average monthly income of over Rs 15000.

The applicable Environmental Guidelines for the Hydro-Electric Power Projects are covered in detail in the EIA report.

2.1 *APPLICABLE R&R GUIDELINES FOR THE HYDROELECTRIC POWER PROJECTS*

2.1.1 *National Guideline for R&R*

To date, there are no approved national guidelines for dealing with resettlement and rehabilitation issues within projects in different sectors in India. A national policy of resettlement and rehabilitation has been drafted and is being debated in various forums. It has however not yet been approved by the Parliament, and therefore does not have a legal status.

2.1.2 *The Land Acquisition Act, 1894*

The **Land Acquisition Act, 1894** is the most relevant national act that has implications for project. The Act lays down in detail, the procedure for :

- Acquisition of land, including notification, payment for damages, hearing of objections, declaration of the intended acquisition, enquiry into measurement, values and claims and award by the Collector and finally taking possession of the land
- Objection to be lodged within 30 days of the notification and the provision for hearing of all objections.
- Reference to court if award is not accepted and hearing in court.
- Apportionment of compensation and dispute settlement regarding the same.
- Payment of compensation for land value, trees and structures including 30% solatium and 12% p.a. interest for delayed payment.
- Temporary Occupation of Land
- Acquisition for companies.

2.1.3 *Applicable Guidelines for the R&R in case of Hydro-electric Projects in H.P.*

In absence of a national and state policy on R&R, RSWM will follow IFC guidelines, incorporating best practices that have emerged in the country and reflect close relationship with the ground realities and cultural context.

One such example is the NTPC's scheme for rehabilitation and resettlement of the oustees of Kol Dam project in H.P. The scheme was accepted by the H.P. government and hence has become a benchmark for projects undertaken by other agencies. As stated earlier NTPC's scheme is largely on the lines of World Bank's own guidelines for identification of Project Affected Persons and their resettlement and rehabilitation. This could be considered as a reference point for the ADHP as well.

Some specific provisions of the scheme were, giving the oustee family rendered houseless provision for cash compensation and developed housing plots. The resettlement colony would be provided with infrastructure like state government run primary schools and dispensaries in the resettlement colony. For the families that are rendered landless or who are left with less than five bighas there is provision for rehabilitation grant. All these grants are in addition to the compensation paid under the Land Acquisition Act, 1894. There is also provision for employment by project authorities in the unskilled and skilled workmen category for at least one member of severely affected families subject to suitability and availability. Else project authorities would have to help in starting some gainful occupation.

2.1.4 *Applicable Guidelines for Indigenous People*

There is also no separate national policy or guidelines for Indigenous People as far as resettlement & rehabilitation is concerned. The Constitution of India (Part X) however outlines the process for creation of Scheduled Areas, which are regions notified as having predominantly tribal population, referred to in India as Scheduled Tribes (ST). The Fifth Schedule of the Constitution {Article 244 (1)} gives details on the provisions as to the administration and control of Scheduled Areas and Scheduled Tribes, while the Sixth Schedule outlines provisions for administration of Tribal Areas in the selected states of Assam, Meghalaya , Tripura and Mizoram.

Part XVI of the Indian Constitution lays out the special provision relating to certain classes, including the Scheduled Casts and the Scheduled Tribes. Some of these provisions are reservation of seats in services and posts.

In a recent amendment {Section 4, clause (I) of the Provisions of the Panchayat (Extension of the Scheduled Areas) Act 1996}, lists out a separate procedure to be followed for the acquisition of land and organising resettlement and rehabilitation in 5th Scheduled Areas. The one important procedure required for the land requiring agency is that they have to get a separate certificate from the concerned Gram Sabha or village councils, consenting in writing to the acquisition proposal. It also lays down dispute settlement procedures and obligatory monitoring of the R & R by the State Government.

In absence of a national and state policy on R&R, project proponent will follow IFC guidelines, incorporating best practices that have emerged in the country and reflect close relationship with the ground realities and cultural context.

2.2 *RELEVANT STATE ACTS*

2.2.1 *Himachal Pradesh Land Transfer Act 1968 (Amendment Act 2002)*

The Act is to prevent land alienation vis a vis tribals in the state as well as land transfer issues and norms. The act provides that no person belonging to any scheduled tribe shall transfer his interest in any land by way of sale, mortgage, lease, gift or otherwise to any person not belonging to such tribe except with prior permission of the Deputy Commissioner of the concerned district. Section

8 of the said act provides that no rights, title or interest held by persons belonging to a scheduled tribe in any land shall be liable to be attached or sold in execution of any decree or order, in favour of any person not belonging to a scheduled tribe of any court except where the amount due under such decree or order is due to the state government or to any co-operative land mortgage bank or co-operative society. This Act has been further amended to the effect that the protection of the act could be sought to set aside a decree at any stage of the proceedings and the period of limitation has been extended to 30 years for restoration of the alienated land.

The Act is for scheduled tribes and their rights on land reforms (transfer issues). The 1968 Act has been amended in the Vidhan Sabha in 2002, providing some more added benefits to the scheduled tribes and additional features in the main act. There has been an amendment to the act in 2002 where some additional features were added one of which is that permission for transfer of tribal land now needs to be sought from the state government ratified by the gram sabha and gram panchayat.

2.2.2 *Himachal Pradesh Panchayati Raj Act, 1994*

The aim of this act is to consolidate, amend and replace the law relating to Panchayats with a view to ensure effective involvement of the Panchayati Raj Institutions in the local administration and the developmental activities.

The act has specific provisions for the formulation, composition, specific functions and powers, various sub committees, election procedures, judicial functions, finance, taxation and accounts of the local bodies such as Gram Panchayat, Gram Sabha, Panchayat Samiti and Zila Parishad. The act also specifies dispute solving mechanisms within these institutions.

2.3 *RELEVANT IFC GUIDELINES & POLICIES*

2.3.1 *IFC's Environmental and Social Safeguard Policies*

OP 4.01 Environmental Assessment

IFC policy on environmental assessment (EA) states that all projects proposed for IFC financing require an EA to ensure that they are environmentally and socially sound and sustainable. Various instruments are used to perform the EA depending on the complexity of the project. They include environmental impact assessment (EIA), an environmental audit, a hazard or risk assessment, and an environmental action plan (EAP). The policy requires that all IFC projects be classified into category 'A', 'B', 'C' and 'FI'.

The current project is a Category A classified project.

OP 4.04 Natural Habitats - This policy affirms IFC's commitment to promote and support natural habitat conservation and improved land use, and the protection and rehabilitation of natural habitats and their functions in project financing. IFC does not support projects that involve significant conversion or degradation of critical natural habitats.

World Bank OD 4.20 Indigenous Peoples - Pending finalisation of its own operational policy, IFC projects must comply with the World Bank OD 4.20 on Indigenous Peoples, as appropriate in a private sector. If there are any significant social or environmental impacts on people belonging to the Scheduled Castes or Scheduled Tribes, the World Bank OD 4.20 will be adhered to.

World Bank OP 4.12 Involuntary Resettlement - The OP 4.12 lays down the policy and procedures on involuntary resettlement associated with World Bank and IFC financed projects. The OP provides guidelines for mitigating the adverse effects of development projects including social and environmental impacts such as land acquisition, relocation, loss of occupations and income sources, productive assets as well as community resources.

World Bank OPN 11.03 Cultural Property - Pending finalisation of its own operational policy, IFC projects must comply with the World Bank OPN 11.03 Cultural Property, as appropriate in a private sector.

2.3.2

Public Consultation and Disclosure

Public Consultation - During the EA process for Category A projects the project sponsor is required to conduct meaningful consultation with relevant stakeholders including affected groups, non-governmental organisations (NGOs) and local authorities about the project's environmental and social aspects and take their views into account. The project sponsor initiates such consultations as early as possible. For meaningful consultations, the project sponsor provides relevant information in a timely manner and in form and language that are understandable and accessible to the groups being consulted.

For Category A projects the project sponsor consults the relevant stakeholders at least twice:

- a) during scoping and before the terms of reference for the EA is finalised and
- b) once a draft EA report is prepared

Following the public consultation on the draft EA, the project sponsor supplements the EA by adding details of the public consultation process, including the sponsor's responses to concerns raised by the various stakeholders and details of measures taken to incorporate these concerns into project design and implementation. The project sponsor continues to consult with relevant stakeholders throughout the project construction and operation, as necessary, to address EA related and other issues that affect them. IFC requires the sponsor to report on ongoing consultations as part of its annual reporting requirements.

Disclosure of Information - For Category A projects the sponsor gives public notification and makes draft EA report available at a public place accessible to

the project stakeholders as early as possible and no later than 60 days prior to Board consideration, closing date or management approval date. The document should include all supplement to the A report requested by IFC and the responses to public consultation process. In addition, non-technical EA report summary in the local language shall be proactively disseminated to the local stakeholders.

2.3.3

Guidance Notes

Within the environmental and social policies and procedures and guidelines of the IFC, there are guidance notes, which need to be followed. The relevant guidelines for this project are as follows:

- Guidance note A - This contains a checklist of potential Issues for an EA that need to be addressed.
- Guidance Note B - This outlines the content of an Environmental Impact Assessment Report.
- Guidance Note C - This guidance note had an outline for an Environmental Action Plan. Every IFC category A project must have an EAP. An EAP consists of a set of mitigation, management, monitoring and institutional measures to be taken during implementation and operation to eliminate adverse environmental and social impacts, offset them, or reduce them to acceptable levels.
- Guidance Note F - This contains the guidance for preparation of a Public Consultation and Disclosure Plan.
- Environmental, Health and Safety Guidelines for Electric Power Transmission and Distribution.

Environmental, Health and Safety Guidelines for Polychlorinated Biphenyls (PCBs).

The project proponents have uptill now had few informal meetings with the residents of the four affected villages during their visits to project site. They have also interacted with local administration for gaining access to land records and other relevant documents. Public concerns recorded by the project proponents are given in table 3.1. A Public Consultation was held on 7 May, 2003 in Prini Village. *A detailed minute of the meeting is attached in Annex A.*

Table 3.1 *Public Concerns Recorded by Project Proponent*

Stakeholders	Number of meetings held	People present	Issues discussed
Villagers	Not available	Villagers from Prini, Jagat Sukh, Aleo, Hamta and Chhalet besides representatives of RSWM	- The average cost of land as demanded by the villagers is Rs. Two Lacs/ Biswa that translates to Rs. 494.44 Lacs/Hectare. This price would be the initial base price and the final negotiated price would be lesser than this. However the maximum rate for best land which is considered for land acquisition by the Government is Rs 33.6 lacs per hectare.. The villagers have agreed to negotiations with the project authority regarding the same. - The villagers have requested that the apple trees of age upto 10 years should be allowed to be replanted by the project authority if possible. This is because the apple tree flowers after it is 7 years old. Thus, the villagers don't want to lose out on their standing apple crop. - The villagers have requested that their taxis be hired by the project for use as project vehicles. This would increase job opportunities for the unemployed youth of the area. - The villagers have also requested that the existing accommodation facilities be used as project accommodation. - The villagers have requested for employment opportunities to be provided to the locals on a preferential basis. The project authority shall try to provide suitable employment to the locals based on their educational background and skills. Preference would be given to families most affected by the project. - The villagers of Chhalet village have requested a road connecting their village

Stakeholders	Number of meetings held	People present	Issues discussed
			with the main road. During survey for the project, they had also requested the project authority to realign the road from powerhouse to forebay such that it passes through the Chhalet village. • The temple at Village Shuru has been earmarked by the villagers for renovation. They have also requested the project authority to contribute towards its renovation work. • Villagers were concerned about environmental issues like waste and muck dumping, cutting of trees, and damage to apple trees caused by landslides.

The consultants held consultations with the project affected families as well as those who are not directly affected by the project. Separate consultations were held with women, GP members, elderly people to understand their perception of the project impacts and their expectations from the project. Specifically following issues were discussed with the people

- Loss of Income/Livelihood through land acquisition, and due to diversion of river water on which the farmers are dependent for irrigation purposes.
- Access to fuel wood
- Collection of herbs for medicinal purposes
- Disturbance in social fabric/structure/values
- Job prospects
- Development (infrastructure) of the area
- Social and economic opportunities
- Pressure on local resources through influx of additional people in the area.
- Impact of access to metalled road
- Impact on wider interactions with outside community
- Community Development Opportunities
- Potential impacts of the project on women

Table 3.2 provides details of the public consultations.

Table 3.2 *Public Consultations Carried out During Field Survey (Feb-Apr 2003)*

Villagers	4	Villagers from Prini, Jagatsukh and Aleo, Grampanchayat members, RSWM representatives	• GPs in Prini and Jagat Sukh wanted the project staff to come along with the local Patwari to identify the exact parcels of land which were being affected by the project • The affected families should be given sufficient notice to harvest the standing crops
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- Employment to at least one member of the affected family according to their education and skill levels should be provided
 - Local people should be given preference for recruitment for the project
 - Project should provide a high school and a small hospital in the village
 - More willingness to give land for road than the colony
 - People wanted to know the exact amount of land that would be acquired for the project
 - Fair compensation, in line with the market value for the affected land
 - There was a fear of disruption in their social fabric/structure with a large number of outsiders coming to live in their village
 - Not many people felt that there would be new opportunities for either jobs or infrastructure development in the village
 - Women, in general, expressed their dissatisfaction with the proposed colony and did not appreciate the idea of many outsiders in their village.
 - Major apprehension was that their mobility within the village would become restricted
 - Loss of income from the affected land would severely affect the women headed households who did not have any other source of income
 - Villagers did not expect any new opportunities to learn through increased interactions with the project staff
 - It was feared that the cleanliness of the village might be affected with the sudden increase in population
 - They expected the pressure on local resources like fuel wood and water to increase manifold which would lead to additional hardship for the women
 - The villagers were concerned that the project might have major environmental impacts like large scale felling of trees, diversion of streams etc
 - Increased pressure on local resources like fuel wood, water, Primary Health Centre and services like power supply and the existing infrastructure might not be able to cope with it.
 - One apprehension expressed was that the development of road might result in smuggling of timber and fuel wood from the neighbouring forests
 - The GP in Jagat Sukh claimed that the project authorities have not responded to the resolutions sent by the GP requesting them to come and meet them
 - They would prefer if the *panchayat* or government land or less productive land was acquired for developing the colony
 - GP would like the project proponent to
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assure them that they would leave enough water in the stream to irrigate the agricultural fields.

- They would prefer to discuss their expectations directly with the project proponents and specified that they would be willing to provide full co-operation for successful implementation of the project
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3.1 PROJECT PROPONENTS RESPONSE TO THE ISSUES RAISED

In response to the public concerns listed above the project proponents have taken official position regarding their plans and intentions to address or mitigate the possible adverse effects on the villagers. These were made public for the first time during the public disclosure meeting on 7th May 2003. The key concerns raised till are listed below together with the measures planned by RSWM for addressing them and the recommendations of the Environmental and Social Mitigation and Management Plan (ESMMP).

3.1.1 *Solid waste generated during implementation phase and during operation phase*

Three dumping sites have been proposed at the locations where major excavations would be taking place and these dumping sites would be properly filled, levelled and redressed with plantations. About 30% of the muck would be reused in the project components. Only 70% would be disposed in the approved dumping sites.

3.1.2 *Health risks*

The project proponents have agreed to look into the possibility of providing medical infrastructure facilities in the affected villages. The ESMMP has suggested detailed health management plan, which comprises of medical facilities in the form of clinics, mobile health vans and regular monitoring of critical diseases in the area.

3.1.3 *Employment of the local villagers by the project authorities*

The project authorities will comply with the state government's guidelines in this regard and are willing to employ project affected persons as per their requirement and availability of the skills among the PAFs. The villagers have agreed to give a list of different skills and education levels among villagers in this connection to RSWM.

3.1.4 *Land valuation*

A negotiation committee has been formed to determine the best possible value of the land to be acquired. The emphasis would be to meet replacement value of the land and assets.

3.1.5 *Residual flow in the streams*

The minimum flow required downstream of the diversion barrage for both Allain and Duhangan barrages would be maintained through out the year as per the Ministry of Environment & Forests, Government of India guidelines. The project proponents would ensure that the needs of the affected villages and local ecology are met by maintaining adequate availability of the water. The Kala nallah that joins Duhangan stream about 1500 m after the diversion structure, will also ensure that sufficient water is available to Jagatsukh.

3.1.6 *Villagers' demand for amphitheatre and renovation of Temples*

In response to the villagers demand for construction of an amphitheatre / stadium and renovation of old temple, RSWM has ensured partial assistance.

3.1.7 *Loss of trees and possible adverse impacts on the ecology*

In order to compensate for the felling of 1352 trees due to the project RSWM will plant saplings and maintain them for 40 years as part of the compensatory afforestation and the Catchment Area Treatment Plan.

3.1.8 *Shifting of apple trees*

RSWM will provide assistance for shifting the apple trees in the form of technical knowledge and arrangements for transportation. Budgetary provisions for the same have been kept for the same.

3.1.9 *Excessive load on local resources and adverse impact on environment*

RSWM has assured that appropriate measure will be taken to minimise additional load on local resources due to influx of population for construction of power plant. For instance LPG will be provided to workers for cooking purposes so that there is no sudden increase in need for fuel wood locally.

3.1.10 *Hiring of taxis / vehicles from PAPs*

RSWM has assured that as per the requirement of the project in different phases of construction vehicles and taxis owned by PAPs will be hired.

3.1.11 *Threat to local culture / social fabric*

RSWM will address this issue through public consultations. It will involve understanding the apprehensions and jointly finding the solutions with Grampanchayat and local residents.

Stakeholders refer to persons or groups who have a stake in a proposed program or project and who may play a key role in influencing the project policy, planning and implementation. The success of public consultation process depends on accurate identification of firstly the Stakeholders and secondly their concerns and expectations.

4.1 *PRINCIPAL STAKEHOLDERS*

4.1.1 *Landowners*

A major set of stakeholders consists of the people who are affected by the land acquisition. The intensity of impact varies according to the scale of acquisition in relation to the land holding of each household and the proportion of livelihood derived from such land holdings.

Key concerns & expectations

For people losing a large part of their land, their major concern is availability of alternate land in the village for cultivation. They expect good compensation for loss of land and would like assistance in shifting of apple trees wherever possible. It is feared that delay in compensation would increase uncertainty about the project and might affect the incomes from these affected parcels.

4.1.2 *Non legal cultivators*

A large part of the land in some of the villages is classified as 'Devta' land, which has been handed over to some families to cultivate. Similarly, there are pockets of forestlands, which are being illegally cultivated by some members of the community.

Key concerns & expectations

The government generally does not recognise non-legal cultivators and hence, their major concern is that they will not only get compensated for the loss of land but would also be affected by loss of income from these lands. They expect that they will be treated at par with the legal titleholders or at least compensated for loss of trees and income.

4.1.3 *Sharecroppers*

As the land holding of many families is quite small, it is difficult for them to sustain themselves on small parcels of land. Therefore, many families cultivate land belonging to other people as sharecroppers. The sharecropping arrangement many vary from sharing 50% of the costs as well as 50% produce while in other cases it may be 60-40 for both the costs and the produce. In the sample survey, no family reported a sharecropper on any of the affected

parcels of land. However, some of the PAFs did mention that they cultivate others' lands on the basis of sharecropping.

Key concerns & expectations

With the loss of land, these sharecroppers stand to lose a part of their family income. They expect to be compensated for loss of income from the affected parcel.

4.1.4 Labour

Most of the people involve their family members (cousins, in-laws etc) to work as labour during the agricultural season. In return, they assist their relatives by working their land as labour. However, there are few families in all the villages who are landless and earn their livelihood by working as labour

Key concerns & expectations

The labour community is apprehensive about losing a more reliable source for work and would like to be compensated for loss of income.

4.1.5 Women

The women generally belong to two different groups. The women from the economically well off families generally do not go out in the agricultural fields to work. They are more involved in the household activities, taking care of the cattle and livestock as well as weaving of shawls, carpets etc. The women from the economically weaker section not only do the household work but also spend a considerable time working in their own fields and earning incomes by working as wage labour in others' agricultural fields.

Key concerns & expectations

Women fear that they might lose their freedom if the people from outside come to live in their village and their movements within the village might be restricted at some hours of the day. An impact on their social culture and customs was a major concern. As Jagatsukh has been rated as one of the best villages in the district, they felt that a large community from outside may also affect the cleanliness of the village. Their expectations from the project ranged from better education facilities to opportunities for income generation. Of those losing land, most wanted employment for at least one member of the family.

4.1.6 Tribal Families

The tribal community in the area belongs to Lahaul - Spiti area and migrated about 25-30 years ago. Some of them still maintain a house and land in Lahaul.

Key concerns & expectations

The tribal communities expect a fair compensation for the affected land and additional financial support.

4.1.7 *Other vulnerable families*

The vulnerable groups in this project comprise families that are headed by women, handicapped people affected by the project and people who will be pushed below the poverty line due to loss incurred as a result of the project

Key concerns & expectations

Main apprehension of this group is the loss of land as it is the main source of income for them. As most of them have limited resources, they are concerned about the future. They expect employment, if possible, for one member in the family to ensure a regular source of income.

4.1.8 *Common Property Resources (CPR) Users*

Each village in the area has its well-defined *gauchar* land where the community is allowed to graze their cattle. They also collect dry wood for fuel. It is reported that for these villages, this is the major grazing ground and the availability of alternate land is low, as the other villages might not allow these communities to graze their cattle or collect fuel wood from their '*gauchar*' lands.

Concerns & expectations

People were apprehensions that by trapping the water from the Duhangan stream, water available for irrigation downstream would be severely reduced. Lack of irrigation facility would then affect their crops. They wanted the project to ensure that adequate flow is maintained for irrigation

4.1.9 *Families Impacted by the Transmission Lines*

The construction of overhead transmission lines is likely to result in acquisition of land and also disruption in agricultural activity. Although the extent of land acquisition is unlikely to be substantial, the period during which the poles are erected and the cables are laid, it is likely that agricultural activity will be temporarily disrupted by the machinery and labour activities

Key concerns & expectations

Usually the erection of towers is done in three phases. One of the common concerns is that their standing crops might be affected in all the three phases. Affected people would therefore expect compensation for loss of standing crops for all the three phases.

4.1.10 Village Institutions

The Gram Panchayat in all the villages is a major stakeholder and likely to play a key role in the project implementation. Apart from the Panchayat, there are self-help groups, watershed development committees, afforestation groups that are involved in the development activities of the affected villages

Key concerns & expectations

The GPs are concerned about the impact of large number of outsiders coming and living in their villages and the impact on local resources like water, fuel wood etc. They expect the project to enhance the existing infrastructure or provide basic amenities that might be required in the village.

4.2 OTHER STAKEHOLDERS

4.2.1 Political parties

Since the opposition of any political party may lead to the delay in the implementation of the project, it is necessary to take them on board at the initial stage of the project.

4.2.2 Government Departments

Various branches of the government play an important role in the successful execution of the project. These roles consist of land acquisition, transfer of money to the landowners and obtaining permission from the concerned departments like Himachal Pradesh State Electricity Board, Department of Power, Department of Finance, Forest Department, Tribal Development Department, District Treasurer and the local self-government institutions like the Panchayat and the Zilla Parishad.

4.2.3 NGOs and Media

There are no NGOs working in any of the three villages covered for the sample survey. However, there are a number of NGOs who have been working in the Manali district on a wide range of development issues. Till now no NGO has shown interest in the project, neither have the project authorities approached them. However, it would be worthwhile to engage some NGOs in mobilising the community in favour of the project and involve them in the implementation of the Rehabilitation Action Plan.

In Himachal Pradesh, the media provides a vibrant forum for information access. So far they have not been actively involved by the project proponents, although there has been some coverage of the project in the local media. At appropriate stages, the project has to provide accurate information to the media, which will help in percolation of information to all the other stakeholders.

4.2.4 *Service Providers*

The service providers such as the tour operators, transporters and the input providers would be positively affected by the project. It would also provide additional opportunities for more business through the project.

4.2.5 *Financial Institutions*

The financial institutions, both in India as well as the international institutions, which are involved in the project finance, have stakes in terms of the investment in the project. The financial institutions need to ensure that the project does not get delayed resulting in escalation of costs and reduced profitability of the investment. They would also like to ensure that other risks are minimised. Any adverse impacts of the project will also reflect on the image of the financial institution.

5.1 KEY PRINCIPLES FOR THE PUBLIC CONSULTATION & DISCLOSURE PROGRAMME

This section outlines the key principles applied in the development of the PCDP. These principles are in conformity with IFC guidelines suitably modified to align with the cultural specificities of the impact area. The principles are:

- All stakeholders must be consulted and be involved in a two-way communication with the project sponsors.
- The consultation should be preceded by providing all the relevant and accurate information.
- Consultations should be a continuous process to allow the participants to know whether their concerns are being addressed by the project sponsors.
- Supply of information and consultation with different stakeholders should be through a language and medium they are comfortable with.
- In certain cases, for example, the land acquisition process, where the information provided by the government is not easily understood by the people, the sponsors should take responsibility for simplifying and ensuring that the whole process is understood by the project affected persons.
- There ought to be a specific and transparent mechanism for recording of grievances and a feedback mechanism to inform the action taken by the project sponsors.
- Clear enunciation of responsibility and accountability procedures, personnel and resource availability for effective implementation of PCDP.

Based on these principles, the plan for information sharing and consultation for the different stakeholders is given below:

5.2 INFORMATION REQUIREMENT

For a public consultation to be effective, it is important that relevant and comprehensive information is disseminated to all the stakeholders. The following are the key issues on which information will be disseminated:

- A Summary of Project Information (SPI) containing the main elements of the project, its sponsors, project costs, location, a description of the project and a brief summary of environmental and social impacts and the proposed mitigation of measures will be prepared. This information will be shared with the government, the financial institutions, the affected people and the public at large.
- An Environmental and Social Impact Assessment report with details about potential environmental impacts of the proposed project will be made available to all the stakeholders and will be kept at designated places for easy accessibility to the public.

- Extent and location of land and other assets to be acquired from each affected person. This information will be shared with the registered landowners, cultivators, sharecroppers and agricultural labourers who stand to lose land and / or income due to the acquisition process.
- Explanation and detailed information on land acquisition process, the principles used for determination of compensation amount, the amounts due as compensation, method and procedure for transference of compensation money and other entitlements.
- Information on availability of land in surrounding areas and other avenues for productive utilisation of compensation money to ensure proper rehabilitation and restoration of income levels.
- List of people who lose more than 25% of their total landholding and of those who lose more than 75% of their total landholding.
- Information dissemination on rehabilitation and community development measures proposed by the project authorities.
- Information on training, probable employment and Income Generating Programmes
- Information on the appropriate project authorities that can be contacted for information and grievance redressal.
- For consultations between the project sponsors and the government and district administration the following information is required: project report, land plan, collaboration plans and power purchase agreements.

5.3 *MEDIUM OF PROVIDING INFORMATION*

The project will rely on the following media for providing information to various stakeholders:

- Documents and reports in English and Hindi
- Specific written information
- Public announcements
- Leaflets
- Focus Group Discussions and meetings
- Video shows
- Street theatre

The choice of specific medium for specific stakeholders is determined by their facility with a particular medium and the need for that information. The details are provided below:

- Project Information Summary and the Environmental and Social Impact Assessment Report will be made available in written form. The PIS will also be made available in local language, Hindi. These will be shared with the

government officials, financial institutions and media. For the residents of project affected villages it will be placed in the Gram Panchayat office (Jagatsukh), village school (for Aleo as their GP office is far away in Vashisht), village post office (for Prini and Hamta) or local temples for reference of the villagers.

- The information regarding affected families and information on compensation and entitlements will be provided to each affected family through specific written documents.
- Public announcements will be made on the land acquisition procedure.
- There will be pamphlets on the alternative Income Generation Projects and training offered by the project.
- Street plays will be organised for the PAFs and general public in affected villages to disseminate project related information. Street plays are an effective means of information sharing for both the literate and illiterate population.
- Video shows are also an effective means of communication and will be used for providing information to the community on the environmental and social impacts and the proposed mitigation measures.
- Focus Group Discussions help to disseminate information to specific sections of the population. Focus Group Discussions will be held with women and with the vulnerable groups to inform them about project, its impacts, compensation and entitlements and obtain feedback about feedback on their concerns and expectations.
- Consultations with the ministry and government departments will be held as a focused meeting in the presence of the appropriate representatives of the project authorities.

5.4

PLACE & METHOD OF CONSULTATION

The place and methodology for consultation has been decided keeping in view the appropriateness of the place for specific stakeholders, the ease and comfort in free expression of their views, and acceptability of the place. There is also need to consider the difficulty in access due to the hilly terrain, absence of motorable road to one of the affected villages, etc.

Taking these factors into consideration, the place and method of consultation for various groups of stakeholders has been chosen in the following manner:

Government, Financial Institutions, Media, NGOs & Politicians

The meeting will be conducted in their office or the local project office of RSWM. The meetings will be one-to-one discussions on the basis of previously

supplied reports and documents on environmental and social issues; focus group discussions or meetings

Residents of affected Villages

The meetings will be organised in the Panchayat office, post office, school building, temple premises or open fields, considering the availability and suitability of space in specific villages and choice / convenience of villagers. The method will be group discussions, leaflets, street plays and video shows.

Affected People

Family level information will be provided either at individual houses or in gatherings that will be organised in Panchayat office, open spaces like fields/orchards, post office, temple or *Mahila Mandal* office depending on the category of the affected people present for the consultation.

For the share croppers and agricultural labourers (if any) enumeration survey and information disclosure will be conducted in the middle of the agricultural season to ensure presence of the entire affected population.

The methods for information dissemination will be leaflets, posters and individual verbal and written communications.

Separate discussions will be held with women in the *Mahila Mandal*/SHG office or a place chosen by them and the method will be focus group discussions.

5.5

REPRESENTATIVE INSTITUTION

The Gram panchayat members of the affected villages along with representatives of the Project affected persons will be present for the consultations.

The project proponent will organise separate consultation sessions with the government officials from the relevant departments such as the Power Department and the Land Acquisition Department, Department for Environmental Protection, District Administration, Zilla Parishad, representatives of the judiciary and Panchayat members.

RSWM officials of different levels will be present for the consultation sessions. The Chairman /Vice Chairman will be present for the sessions with senior ministers, while the Vice President/CEO will hold consultations with government officials. The Managing Director or the Executive Directors will be present for dialogues with bureaucrats at the Secretary level. Community Liaison officer will be present in all consultations with the project affected families and public in general, while the Manager (social & environment) will be present in key consultations with the project affected persons.

5.6 *RECORD OF CONSULTATIONS*

All records of public consultation sessions will be maintained and made available for public access at the Panchayat office, village school and/ or Mahila Mandal/ SHG office.

5.7 *RESPONSE*

A response will be provided to all queries and grievances at the next meeting else reasons will be explained for delay with possible time frame for redressal.

5.8 *PERIODICITY OF PUBLIC CONSULTATION*

For the directly affected people, those who are losing land and income, a regular and continuous process of consultation will be held throughout the rehabilitation process. However, for the public in general, the frequency of the consultations and their focus will vary with the changing project phases.

- The consultations before the construction stage should be held at regular fortnightly intervals to apprise the people regarding the land acquisition process, the compensation amount, other entitlements, alternate employment opportunities, training programmes and tree shifting & land purchase assistance.
- In the beginning of the project, discussions will be held with villagers for restoration of an old temple.
- At a later stage, when the residential colony is occupied by project staff and free movement of outside public starts due to new road, consultations will be held with Prini, Jagatsukh and Hamta residents to mitigate impacts on social and cultural environment. For instance safety and security of women and children, in Hamta village, who are left alone in the winter season due to temporary migration of men folk will be a main concern for the Hamta residents.
- After the plant is commissioned issues of waste disposal from plant operations and to a limited extent from residential colony will be discussed with villagers.

With other stakeholders such as the government officials and district administration, the project proponents should maintain a regular process of dialogue and information sharing at least every quarter.

5.9 *TASKS FOR AN EFFECTIVE PCDP*

A task list is provided below to facilitate effective implementation of the PCDP.

5.9.1 ***Task 1: Prepare Project Information Summary***

The project proponents will prepare a Summary of Project Information (SPI) for sharing with all stakeholders and public at large. The SPI will contain the main elements of the project, its sponsors, project costs, location, a description of the project and a brief summary of environmental and social impacts and the proposed mitigation measures. This information will be shared with the government, the financial institutions, the affected people and the public at large.

5.9.2 ***Task 2: Appoint an Implementing agency/ Set up alternative arrangement***

The project proponent shall appoint an implementing agency or make alternative arrangement (say in form of an in-house implementation unit/ cell) for facilitating the actual implementation of rehabilitation program and the entire process of information disclosure and consultation with the stakeholders.

5.9.3 ***Task 3: Initiate consultation with key stakeholders and preliminary information dissemination***

Initiate dialogue with the GP

The project proponent will engage in dialogue with the GP, firstly to apprise them of the project and secondly to understand their concern. It will Inform GP about different components of the project as well as their potential impacts. It will understand and appreciate the concerns and issues raised at the village level. The project proponents will take the GP into confidence vis-à-vis the need and the intent to resolve the key issues. It will mobilise GP to work out solutions to mitigate the adverse impacts and enhance the favourable impacts. The dialogue with the GPs will be an on-going process through out project and will seek their active participation in development and implementation of specific village level programmes. One of the issue that needs to be discussed and decided upon will be the possibility of realigning of the road as suggested by Jagatsukh and Prini villages to reduce losses. Another issue is the suggestion to explore the possibility of using the lower productivity land (instead of prime quality land) for the purpose of residential colony.

Consultations with the Community

Once the consultations with the GP have reached a stage where the project has gained some level of support and co-operation from them, the project authorities will initiate the process of consultations with the larger community. the project proponents would ensure that the residents of affected villages are aware of the project components and the potential impact in general. Separate consultations will be held with vulnerable groups to ensure that they are not left out of the process of information dissemination and to understand their specific problems and needs.

5.9.4 ***Task 4: Develop and Use alternate media to disseminate about project features***

The project proponents will develop and use alternate media (street plays and video films) on the PIS for effective dissemination to community members in

particular. These mediums will use the local dialect to ensure that all members (including the illiterate) of the affected community gain understanding of project design, its layout, the likely social and environmental impacts and the proposed mitigation measures. The video documentaries can project positive influence of similar kind of projects in other areas. These films should also try and address the apprehensions mentioned by the communities.

Video shows and street plays will be screened / staged in all the four affected villages at timings that are suitable to most members of the community. The task of developing alternate media will begin with hiring of a suitable professional filmmaking agency and a theatre group that has exposure to local culture.

5.9.5 ***Task 5: Consultation on project impacts (loss of land) and land records to update list of affected families***

The interaction with 25% affected families during the preliminary assessment indicates that the total number of families as derived from the land records needs revision, firstly because the land records are not updated and secondly because the actual ownership of the land is a result of informal division of land within the family that does not get reflected on papers. Therefore, consultations with project affected families will be held to arrive at the exact number of affected families and extent of actual loss. An accurate list of project affected families will ensure that the census survey covers the right families.

5.9.6 ***Task 6: Census survey***

The project proponents will conduct a census for an empirical enumeration and verification of persons to be affected combined with an inventory of assets including apple and other fruit bearing trees.

A survey will identify and determine the location and assets potentially affected. It will systematically gather data to estimate the extent and nature of losses incurred due to the project. It will also provide information regarding people's attitudes and feelings regarding the project. The survey will be conducted through individual interviews of every affected household, focus group discussions and participant observations.

5.9.7 ***Task 7: Identify stakeholders and vulnerable groups***

Identification of the additional stakeholders (if any), that may emerge (at the time of census survey) in addition to those already identified through sample survey and village level consultations undertaken during assessment of social impact in three villages – Prini, Jagatsukh and Aleo.

The census survey will also help to identify the most vulnerable groups of the affected population. A list will be drawn up of all such households, which would require special attention during rehabilitation process. This vulnerable section will include families headed by widows or single women, people aged over 60, physically handicapped people and people below the poverty line or those who will be pushed below the poverty line as a result of the land

acquisition process and people who stand to lose more than 25% of their total land.

5.9.8 *Task 8: Information dissemination to stakeholders and consultations*

Once all the stakeholders have been identified, information has to be provided to each one of them regarding the project design, the environmental and social impacts and the proposed mitigation measures. The PIS will be directly shared with financial institutions, government officials and the district administration. The EIA summary will be placed at designated place for ease of access by the key stakeholders. This would be the starting point of consultations with the stakeholders and will remain a continuous process through formulation of RAP and its implementation.

5.9.9 *Task 9: Dissemination of information on entitlement framework to PAFs*

The project proponent will share the broad entitlement framework with the project-affected families and ensure basic understanding of the same to enable meaningful consultation with the PAFs. The PAFs will also be told about the principles and policies that guide development of entitlement framework.

5.9.10 *Task 10: Consultations with PAFs on entitlement framework*

The project proponent will consult the PAFs and other stakeholders to formulate an appropriate compensation package. There will be consultations before finalising the entitlement framework to incorporate the peoples' suggestions and to ensure there is general agreement on the compensation principles and price of land. This stage will involve extensive consultations will be all the sections of PAFs to elicit their feedback on different range of issues.

Separate consultations with women

Separate and exclusive consultations will be held with women in focus groups to discuss gender specific problems resulting from loss of land and income and the subsequent rehabilitation. This would help the project proponents to identify and address the issues specific to women. The consultations with women will be a continuous process throughout the rehabilitation program.

Separate consultations with vulnerable groups

These consultations will also be a continuous process. These consultations will provide vulnerable families the forum to voice their opinions and queries. That will help the project proponents before finalisation of the compensation package.

Alternate grazing grounds

Discussions will be held with villagers to seek a solution to the problem of loss of grazing ground for a temporary period. Possibilities of alternate grazing grounds will have to be explored before the construction phase commences as the livestock from nearby villages who use the grazing land might face restrictions in access to certain portion of grazing land.

5.9.11 *Task 11: Providing information about land acquisition process*

The project proponent will provide written information to each family (which is losing land), about the process of land acquisition. This will include the basis of determining the compensation value, the exact amount of land to be acquired from each household with dimensions marked on the ground, the procedures to be followed to claim compensation and the concerned officials to be contacted.

5.9.12 *Task 12: Dissemination and consultation about availability of alternate land and purchase assistance*

The project sponsors would hold consultations with land losers and provide information to them regarding availability of different categories of land in the surrounding regions and the land prices prevailing. Information will also be provided about the provisions for purchase assistance by the project authorities for the convenience of the PAFs.

5.9.13 *Task 13: Tree shifting assistance*

The project authorities will inform the PAFs regarding the tree shifting assistance (in form of vehicle and technical support) being provided. A team of experts will advise the PAFs on the process to ensure a better survival rate. This assistance will be provided only to PAFs who ask for it.

5.9.14 *Task 14: Consultation and dissemination about employment opportunity and income generation programs*

The project proponents will provide relevant information to affected people regarding the possible employment opportunities, income generation schemes that could be implemented to restore economic conditions of the people and if necessary, the training programmes required for enhancing the skill base of the people. Vulnerable families will be informed about the additional support being offered by the project.

The project proponents in consultation with the PAFs will explore potential options for income restoration and enhancement of the affected people. A comprehensive assessment will be made of the training needs of the people through interactions with the community and a plan will be drawn up for providing training. There shall be special emphasis on enhancing traditional skills such as weaving (and others) for the purpose of income generation. Training will also focus on aspects related to management and market linkages for sustenance of micro-enterprises. Information will be circulated to the community regarding the training programs offered, the location and the detailed time schedule for training.

Consultations will be held to obtain feedback from the people regarding the effectiveness of the training programs, the problems and other emerging issues.

5.9.15 ***Task 15: Information and consultation on grievance redressal and dispute settlement mechanism***

In order to establish an effective and operational grievance redressal mechanism, a fortnightly consultation schedule will be developed. The consultation schedule will ensure that any queries or grievances shall be addressed within a period of two weeks at the next consultation session. Specific information shall be provided to the PAFs and other stakeholders on the grievance redressal and dispute settlement mechanism that would be established. The information provided will cover:

- Procedure for lodging complaints, grievances and disputes
- Institutional arrangements and people responsible for grievance redressal and dispute settlement at the project office on site, at the district level and at the RSWM headquarters, together with the contact details
- Timeframe for redressal of grievances and settlement of disputes
- Steps to be taken if no action is taken on grievances

Consultation sessions will be organised on a regular basis to assess the effectiveness of the mechanism and problems being faced by the community.

5.9.16 ***Task 16: Formulation of Rehabilitation Action Plan (RAP)***

As an outcome of the consultation process described in tasks listed above the Rehabilitation Action Plan will be formulated and finalised. It would then be shared with the financial institution to seek their approval. The RAP will comprise of the entitlement framework, eligibility criteria, valuation of land, valuation of trees, choices of options for individual PAFs, inputs from community for implementation of RAP and provisions for community development.

5.9.17 ***Task 17: Development and use of alternate media for dissemination of community development plan at group level***

Alternate media in the form of street plays will again be used to provide information on the entire process of rehabilitation, income generation schemes and the training programs offered. It shall be a continuous process focusing on different issues at different stages of the resettlement process.

5.9.18 ***Task 18: Dissemination of micro-plan at individual level using specific written documents***

The project proponents will develop leaflets to provide information on the entire process of payment of compensation money. The information leaflets shall provide information regarding the necessary procedure for claiming the compensation money, the payment schedule and the mechanism for disbursement of the money. For the vulnerable groups it will also inform about their additional provisions.

5.9.19 ***Task 19: Information dissemination and consultation on utilisation of compensation money***

The project proponent shall provide information and hold consultations with all the PAFs regarding the proper utilisation of compensation money that would help them enhance their asset base. Options will be discussed and various alternate means of utilisation of the money will be explored with the community.

5.9.20 ***Task 20: Consultations for addressing environmental aspects of the plant operation***

After the plant becomes operational, the project authorities will have to deal with the environmental problems emerging from waste disposal and pollution not only from project operation but also from the residential colony. Consultations will be held with the communities to allow them to voice their concerns and problems. People's apprehensions about impact on apple trees during the construction phase would be discussed. Ways of replacing the trees that might be cut for the project will be sought from the communities. Appropriate mitigation schemes that will be undertaken to deal with the problems will be explained to the people through these sessions.

5.9.21 ***Task 21: Consultations for ex-post evaluation***

The ex-post evaluation of the entire rehabilitation program will be conducted in consultation with the PAFs and other stakeholders to obtain feedback from them regarding the adequacy and effectiveness of the rehabilitation measures undertaken.

[illegible]

The project proponent will establish dedicated cells for environment and social issues within the RSWML institutional structure to address all social and environmental impacts of the project, as well as ensure proper implementation of the public consultation and disclosure programmes and the rehabilitation action plan/ community development plan.

Apart from the institutional support to be provided by the RSWML personnel, an implementing agency (an effective social organisation/ institution or an NGO) will be appointed for the implementation of the RAP and for consultation and participation with the local communities.

7.1 CORPORATE ORGANISATION STRUCTURE

At the corporate level, the RSWML will set up a cell for Rehabilitation and Environment, Health and Safety, which will be headed by a General Manager. This cell will have the following key functions:

- Setting up appropriate institutional arrangements at the project site to oversee implementation of social and environment mitigation action plans.
- Appointing an independent Monitoring and Evaluation agency
- Establishing village development funds with 50% contribution from the project in each of the villages where the CDP will be planned and implemented.
- Monitoring the RAP activities.
- Address grievances not addressed by the project office
- Ensure that the RAP is implemented in accordance to the guiding policies of RSWML and IFC.
- Arrange training programmes for officers to be involved in the RAP.
- Develop corporate linkages with financial institutions and banks to facilitate financing of income generating schemes for the PAFs.

7.2 PROJECT OFFICE ORGANISATIONAL STRUCTURE

At the project office level, a post of Manager (Social and Environment) will be created, who will co-ordinate the RAP, CDP and EMP. He/ she will report to the General Manager, locally in charge of the entire project implementation. A Community Liaison Officer (preferably from a social science background) who will be responsible for the RAP implementation, and the Land Acquisition process will report to the Manager (Social and Environment) He/ she will co-ordinate the functioning of two individual cells and regularly interact with different stakeholders, specially the PAFs.

Below the CLO will be 2 dedicated cells on:

- Land Acquisition
- Rehabilitation and Community Development

In addition to the Community Liaison Officer will be a Grievance Redressal Cell and a Monitoring and Evaluation cell. (see the flow chart on institutional arrangements at the end of this section).

The Rehabilitation and Community Development cell will have a Community Development Officer (CDO) and 2 support staff who would oversee the entire individual and community rehabilitation and development. Directly working with the CDO will be the implementing agency (either an NGO or institution) that will manage the income restoration and skill upgradation programme.

It is estimated that the services of implementing NGO will be required for 3-5 years, within which the environment and social impacts are proposed to be mitigated. The hired organisation should have adequate capacity to have a regular field presence in the 4 villages, specially of community workers and women staff members. In addition the organisation will have a dedicated senior person who will be overall in-charge of the implementation of the rehabilitation plan.

The main responsibilities of the implementing agency will be:

- Establish rapport with the community and hold public consultation and disclosure sessions as required by the PCDP.
- Act as a contact point for grievance redressal and dispute settlement at the village level.
- Assist in the rehabilitation process, payment of compensation, training and income generation programme.
- Facilitating the villagers and Gram Panchayats in the preparation of village micro plans and its implementation.
- Establish linkages with labour co-operatives and local employment exchanges to identify potential employment opportunities for PAFs.
- Develop linkages with ongoing Government programmes at the district, block and village levels.

The NGO will be selected through a transparent and competitive evaluation of its capabilities and capacities. The contract will specify the responsibilities and accountability, reporting patterns and financial arrangements.

7.3

BUDGET

The proposed Public Consultation and Disclosure Plan (PCDP) has two distinct cost elements:

- Cost of information production in various forms
- Cost of human and institutional resources required for effective consultation process

While most of the information required to support the public consultation is produced by the project proponents the course of successful implementation of the project, it is usually not available in a form that is suitable to all the stakeholders. This PCDP has therefore proposed production of information in form of leaflets in Hindi, Videos in Hindi, a specially dedicated street theatre

production and public announcements. This is in addition to various reports (eg. EIA), which would be shared with stakeholders who are more comfortable with English as a language and find it easier to read reports.

Similarly, the personnel responsible for Environmental and Social mitigation within RSWM are responsible for authenticity of information, transparency in consultation process and quick redressal of grievances. They do not necessarily possess the skills for developing a support with affected communities, counselling and continuity of consultation on a regular basis. This PCDP has therefore suggested a provision for a support agency (an NGO or any other social organisation) to complement the efforts of RSWM personnel as well as to provide an independent channel of communication. This budget, therefore, takes into account all the additional costs, but excludes the cost of basic information and RSWM personnel, which would be incurred by the project even in absence of a PCDP.

Budget (3 years)

A. Cost of production of information

Information Leaflets	Rs 60,000
Videos (2) on project details and social & environmental issues	Rs 800,000
Reports on Grievance Redressal (36)	Rs 36,000
Public Announcements	Rs 30,000
Street play preparation and its staging on environmental & social issues	Rs 2,00,000
Sub Total-A	Rs 11,26,000

B. Cost of Support Agency

Personnel Cost	Rs 21,24,000
Expenses	Rs 5,00,000
Subtotal-B	Rs 26,24,000
GRAND TOTAL	Rs 37,50,000

The RAP proposed includes a mechanism to ensure that entitlements are effectively transferred to the beneficiaries and there is proper disclosure of information and consultations with the affected community. However there is an additional need for an effective and efficient grievance redressal mechanism which will respond to people's queries and problems and address key issues, concerns and complaints.

A Grievance Redressal Cell will be established in the Project/ Field Office. It will consist of the Manager (Social and Environment), CLO, 1 member of the Land Acquisition cell, member of the implementing agency and at least two key district government representatives (if possible the Additional District Magistrate or ADM and the local Patwari). The cell will also have representation from the PAFs. While the representation from district officials is not mandatory, it is definitely a preferred situation as they would be able to swiftly handle grievances related to land acquisition and legal claims.

The GRC will look into complaints and concerns about ownership disputes, inheritance of assets, distribution of compensation among heirs, missing affected assets and persons in the census etc. The procedure will not replace existing legal processes but will, based on consensus, seek to resolve the issues quickly in order to expedite the receipt of compensation, without resorting to expensive and time-consuming legal actions.

The GRC will meet at least once every fortnight in the first 3 months of implementation, and thereafter once every month. At every meeting it will summarise the issues raised in the last meeting and report on action taken against each. Issues that cannot be resolved at the GRC would be referred to the responsible General Manager in the corporate office for resolution. The PCDP will inform the PAFs of the GRC structure and processes and encourage PAFs to approach this cell with their problems and suggestions.

The project proponents will prepare thirty six monthly reports throughout the project phase implementation which shall provide details on the number of consultation sessions held, the kind of information provided to the different stakeholders, the people consulted, the method and place of the consultation sessions, as well details regarding the grievance redressal and conflict resolution mechanism. These reports shall be made accessible to all the stakeholders.

The project proponent shall report the progress of the information disclosure and consultation program to the financial institution on a quarterly basis, providing the details of the number of consultations held, the kind of information disseminated, the stakeholders consulted, the place and method of consultation and the grievance redressal and conflict resolution mechanism.

An evaluation report shall be prepared at the end of the project implementation, which shall provide an ex-post evaluation of the entire RAP and effectiveness of the information disclosure and consultation program.

Annex A

Details of the Public Disclosure Meeting

Subject/ Ref	Minutes of Public Meeting of Allain Duhangan Hydroelectric Project (as per IFC requirement)
Venue	Village Prini, Himachal Pradesh
Date of Meeting	7 May 2003
Present	• Sub Divisional Magistrate (SDM) • Asst. Conservator Forests (ACF) • Range Officer, Kullu Circle, • Panchayat Bodies, • Local Representatives and People from Villages of Prini, Jagatsukh and Vashishth, • Dr. R. English, International Finance Corporation (IFC), • Shri V.D. Bhatia – Malana Power Company Ltd. (MPCL), LNJ Bhilwara Group, • Sh. Sharad Kumar, Sh. T.P. Rajan, Sh. Vivek Jhamb, Sh. Satish Aiery, Ms. Shivani Maudgal, Sh. Arvind Joshi, Sh. Pramod Suyal – Rajasthan Spinning & Weaving Mills Ltd. (RSWM), LNJ Bhilwara Group; • Shri Sushil Handa/Mrs. Neena Singh (ERM India Pvt Ltd.),

Minutes

Minutes of meeting held at 11.00 am at Village Prini, Tehsil Manali, District Kullu, Himachal Pradesh on May 7, 2003 to discuss the problems of the local villagers due to implementation of the 192 MW Allain Duhangan Hydroelectric Project in the Kullu District of Himachal Pradesh

1. RSWM (also the Project Authority (PA) briefed the gathering on the company profile and working of the project. After this, RSWM invited the villagers to place their grievances before the panel so that the project authority could address the genuine grievances during project implementation.
2. Sh. Gopal Singh (Village Prini) introduced the PA to the 10-member village committee that has been formed for negotiating with the PA. Sh. Lale Ram has been made the Pradhan (Chief) of the Committee.
3. Sh. Gopal Singh enquired on the outcome of this meeting and wanted to know whether negotiations would be taking place now or would that be done later. RSWM replied that this meeting was only a forum for the PA and the villages to know each other face –to-face and learn of the difficulties that may arise at the local level during project implementation. All formal negotiations would be held at a later date, as per official rules.
4. Shri Gopal Singh then said that the only contentious issue was primarily related to land acquisition. He said that in general, the villagers of Prini were not happy in giving their land, as their land was very productive and limited. His question was that if that land were taken away from

them what would happen to the villagers inspite of the compensation. RSWM replied that at the very beginning, they had applied for a total of 80.212 Ha of land out of which about 58 ha. was in forest land and 13.51 ha was in private land. However, the government approved a total of only 77.272 ha of land by reducing the forestland to 32.167 ha and increasing the private land to 36.565 ha. RSWM explained that it does not have the authority to take more than the land approved by the state government.

5. Shri Lale Ram spoke on the problem of muck disposal and wanted to enquire what measures have been proposed to be taken up by the PA. RSWM replied that three dumping sites have been proposed at the locations where major excavations would be taking place and these dumping sites would be properly filled, levelled and redressed with plantations. Also, 30% of the muck would be reused in the project components. Only 70% would be disposed in the approved dumping sites.
6. Shri Lale Ram also mentioned the problems due to entry of outsiders in the area leading to pollution and increased health risks to the villagers. For this, he requested the PA to provide the villagers with medical facilities. RSWM explained that all environmental protection measures are being provided for the project. However, some pollution due to dust, etc. would be present during construction phase. RSWM also explained that to check the impact of the project on the environment, the Himachal Pradesh State Environment Protection & Pollution Control Board (HPSEPPCB) has already conducted tests to analyse the quality of air, soil and water before project construction. These results would be compared with the results of air, water and soil quality obtained after commissioning of the project. This would help to judge and monitor the environmental impacts of the project.
7. Members of the village committee enquired how the project would ensure priority employment to the local villagers. RSWM explained that employment in the project would be provided as per the terms of the implementation Agreement with the Government of Himachal Pradesh and /or the Rehabilitation and Resettlement Plan of the Government of Himachal Pradesh. RSWM commented that if a list of skilled and unskilled people in the area could be provided to it, then it would be very useful. The village committee agreed to the suggestion.
8. The Asst. Pradhan of Jagatsukh wanted the following points to be explained:
 - a. Did the PA speak to the locals before talking to the government on acquiring land for he project?
 - b. How would the PA ensure that the dumping sites would not spill over into the water bodies/other land area, as the topology of the area is very steep?

- c. The productive land in Jagatsukh is being acquired for making the colony while there is third class land available.
- d. If the waters of Allain and Duhangan are being flown through the tunnels, then there would be no water left in the streams.

RSWM explained each of these points as follows:

- a. The PA has followed the official route and has always made efforts not to make anyone landless or homeless. As per the officials records, there is no one in any of the villages who has been made landless or homeless. Secondly, before the process of demarcating land required for the project, the NOC was given by the village Panchayat to the PA stating that it had no objection to give land against compensation to the project.
 - b. The dumping sites have been proposed on flat land near the proposed forebay, near the proposed Duhanga trench weir and near the proposed powerhouse locations. As already mentioned, filling and redressal would be carried out for the same.
 - c. Each person's land is productive for some of the crop. So, if someone's third class land were acquired for the project, there is a possibility that land is the only productive land for that person. In these circumstances, making the project would not be possible. Thus, the land would have to be given as per the government rules. However, full compensation and all help to overcome genuine grievances would be provided by the PA.
 - d. Only 90% of the flow in the Allain and Duhangan streams would be diverted into the tunnels. The minimum flow required downstream of the diversion barrage for both Allain and Duhangan barrages would be maintained as per the Ministry of Environment & Forests, Government of India guidelines. It was also mentioned that Kala nallah joins Duhangan stream about 1500 m after the diversion structure, thus providing sufficient water to Jagatsukh.
9. The villagers wanted to know when the NOC from the panchayat had been obtained and who had signed it. RSWM explained that without receiving the NOC from the panchayat, the land acquisition process could not have proceeded at all. RSWM also showed the NOC letter to the villagers. The villagers questioned the validity of the certificate. At this point, the SDM explained to the villagers that the letter was valid and that this NOC certificate was a pre-requisite to the land acquisition procedure.
 10. Shri Dhalu Ram (Pradhan Prini) suggested that the existing School building in Prini village may be used by the PA for hospital and the

school may be constructed at some other location as deemed suitable. This is because current school building is not very spacious. RSWM informed the villagers that to establish a hospital, relevant clearances under the Biomedical Waste Management Rules have to be obtained from the Pollution Control Board. Hence, no firm commitment could be given at this stage, but RSWM would definitely look into the suggestion.

11. He also requested the PA to provide an amphitheatre/ stadium for the villagers. RSWM said that it would help the villagers for the same.
12. The village committee wanted that people whose land was being taken but whose names did not appear in the official documents should also be considered for compensation. RSWM assured that the compensation for the apple trees would be made even to those whose names did not officially appear in the documents. However, the company will not pay compensation for land, which does not appear in revenue records.
13. Shri Manu enquired about the compensation for the Deodar trees that would be felled for the project. RSWM explained that a total of 797 trees only would be felled and a payment of Rs. 29,50,722/- has already been made to the government treasury for the same. RSWM said that as part of the compensatory afforestation and the Catchment Area Treatment Plan, the PA would be planting saplings and would also maintain them till the life of the project, i.e. at least for 40 years. RSWM representative and Asst. Conservator of Forest informed the gathering that during the storm on 3rd & 4th of May more than 150 big trees in the area were destroyed. Comparatively, the number of trees which have to be removed for the project is negligible.
14. The villagers enquired from the Asst. Conservator of Forest on what would happen to the ``Van lagao, rozi kamao'' (scheme) of the state government under which they had planted the forest. The Asst. Conservator of Forest said that if this were the case, then 25% of the revenue from the forests would be used for the development of Prini village.
15. RSWM requested the villagers to bring small matters like disturbance to water pipe, etc. to the notice of the site engineers for immediate action.
16. In the end, RSWM thanked all the villagers for their cooperation and time and welcomed any suggestions or grievances. The villagers were happy that the PA had come to them and requested that more such meetings be held. Since the villagers had now created their 10-member committee, RSWM welcomed the idea and requested the committee to bring their major grievances due to the project directly to this forum.
17. The meeting concluded over tea with RSWM thanking all the attendees.

Public Meeting held on 07 May 2003 at Village Prini, Manali, Distt Kullu, HP for consultation as proposed for Allain Duhangan





