

Executive Summary

i. This draft Resettlement Plan has been prepared for the Uttarakhand Climate Resilient Power System Development Project (Project) proposed to be financed by the Asian Development Bank (ADB) through a project loan. This document aims to guide the project executing and implementing agencies in overall planning and implementation of the Project particularly in identifying, avoiding, and mitigating temporary or permanent, physical or economic displacement of affected persons within the project area. The Energy Department of the Government of Uttarakhand will be the executing agency responsible for the overall coordination of the Project with (i) the Power Transmission Corporation of Uttarakhand Limited (PTCUL); (ii) the Uttarakhand Power Corporation Limited (UPCL); and (iii) the Uttarakhand Renewable Energy Development Agency (UREDA) as implementing agencies. The Project is categorized as “B” for involuntary resettlement (IR) and category “C” for indigenous peoples (IP) impact based on ADB’s Safeguards Policy Statement (SPS), 2009. Outputs 2 and 3 do not trigger IR and IP impacts. The UREDA components under output 3 is unlikely to trigger any IR and IP issues, therefore, the resettlement plan covers PTCUL and UPCL components. However, during implementation of UREDA components, any IR or IP impacts trigger then the same will be assessed and will remain part of the updated resettlement plan.

ii. This draft resettlement plan covers output-1 of the project that consists of (i) grid improvement to be implemented by PTCUL and (ii) distribution network improvement to be implemented by UPCL. Grid improvements components include various subcomponents such as: New overhead high voltage power lines (132kV, 220kV and 400kV line in – line out [LILLO]) connecting substations to existing power lines; Construction of new substations (8 Nos); and Second circuit stringing of an existing power line and Underground LILLO cabling. Distribution network improvement components include various subcomponents such as New / Conversion of 33kV overhead line (OHL) to underground cable; Conversion of 11kV OHL to underground cable; Conversion of Low-Tension line to underground cable; Capacity enhancement of existing 33/11kV Substations (25 Nos); Construction of new 33/11kV Substations (3 Nos); Construction of new 33/11kV OHL and Construction of new 33/11kV underground cable.

iii. This draft Resettlement Plan is based on feasibility-level technical details provided by PTCUL and UPCL. Before implementing the Project, this draft resettlement plan will be updated based on the final design of substations and alignment/route of power line; result of socio-economic survey of all the affected households; and finalized assets inventory of losses. Further, this RP should be updated as needed should there be a change in the location of substations initially identified in the draft Resettlement Plan or when any new involuntary resettlement impacts are identified. The updating of this Resettlement Plan will be undertaken in parallel with the detailed design survey. The final resettlement plan, including updates to it, should be reviewed by ADB and disclosed to affected persons and other stakeholders prior to project implementation or start of civil works.

iv. The power network strengthening, modernization, and climate proofing will entail the construction of eight (8) new substations by PTCUL of which sites for seven (7) substations have been finalized and the site for the remaining one is yet to be finalized. Five (5) substations are proposed on government owned land and two (2) substations are proposed on privately owned land. Total land required for 7 substations is 10.85 hectare (ha), of which 5.14 ha is privately owned and 5.71 ha is government owned land. Out of the two privately owned substations, land for one substation (Manglore) has been obtained from one owner through direct purchase based

on negotiation. Regarding the power lines the assessment has been done based on the estimate. The total number of towers is estimated to be 216 of which 213 towers will be placed on privately owned land impacting an estimated 213 households/ landowners and 3 towers will be placed on government-owned land without affecting any household. The total area required for tower base/footings is estimated to be 8.1 hectare which will be restricted, and an additional 12.55 ha of crop area is estimated to be affected during the construction of tower base/footing. Total area affected under the right of way (RoW) is estimated to be 168.87 ha of which an estimated 82.51 hectare of land is crop land which will affect 1,309 number of landowners/households. Underground LILO will be constructed along the margins of the public road, therefore, will involve neither acquisition of land nor imposition of ROW. No physical displacement is foreseen as per the assessment. However, the exact numbers will be updated during final design.

v. Under the distribution network improvement to be implemented by UPCL, three (3) new 33/11 kV substations, requiring 0.43 ha land, will be constructed on government-owned land which will be transferred to UPCL. The modernization and augmentation of 25 number of 33/11 kV substations will not require additional land as construction will be undertaken within the premises of existing substations. The underground cable work will be carried out within Dehradun city and its suburb which is serviced by UPCL through five (05) electricity distribution divisions (EDD). The total estimated length of cables to be laid underground is 321 circuit kilometers (ckms) under these distribution divisions. The vacant space at the margin of public roads will be used for laying these cables. These cables do not impose any RoW restrictions on adjacent landowners or users. The underground cable distribution network will also install 99 CSS and 354, 11kV RMUs and 9, 33 kV RMU which will be above ground. These will also be placed on public land and will be mostly on the locations where transformers exist. Hence, no permanent impact on private property or livelihood is envisaged. However, temporary loss of income of roadside vendors may occur during construction if not avoided or mitigated. UPCL will also construct three (03) 11kV overhead distribution lines with total length of 28 kms which will have no impacts except minor intervention in terms of loss of crops/trees during construction.

vi. Consultations with a wide range of stakeholders have been carried out at various locations within the project area. For the high voltage power lines and substations components, consultations were carried out at 39 locations having a total of 85 participants. Consultations were also carried out at 5 locations covered under the low voltage distribution lines where 7 people were consulted. For the underground cabling, various consultations/key informant interviews were carried out at 30 wards that include 41 persons including 30 elected representatives. A formal multi stakeholder consultation cum workshop was also organized at Dehradun for the UPCL project components where a total of 42 participants attended. Additionally, focused group discussions were conducted with women, where a total of 126 women participated. In sum, a total of 560 people were consulted, of which 257 are male and 303 are females. The consultation process will be continued throughout project implementation. The RP summary will be made available in the local language (Hindi) to the local people. This draft RP will be disclosed in ADB, PTCUL, and UPCL websites. Subsequently, this draft RP will be updated as per final design following a detailed assessment of social impacts, baseline (pre-project) survey of socio-economic conditions of affected households, and meaningful consultation with affected persons. The updated RP will be reviewed by ADB (prior to finalization); disclosed in ADB, PTCUL, and UPCL websites; and be made available to affected persons in summarized and full form in offices of implementing agencies and project sites.

vii. A 4-tier grievance redress mechanism shall be established to address concerns and grievances of affected persons and workers involved in this Project. Considering that the three

(3) implementing agencies will implement different project sub-components and will likely receive complaints that may differ in nature and complexity, the Project will have GRM established separately at each implementing agency for their respective components. It will however, follow the same four tier structure with (i) Tier-1 at EPC Contractor/Division level; (ii) Tier-2 at PIU level; (iii) Tier-3 at PMU level (supported by PISC); and (iv) Tier-4 at the Energy Department of the Government of Uttarakhand (the executing agency) at the highest level. Information about the GRM shall be communicated to the affected people across the project area as part of overall consultation and disclosure process of the Project. All costs involved in resolving the complaints/grievances (meetings, consultations, communication, and reporting/information dissemination) will be borne by the respective project implementing agencies. Any complaints resolution pertaining to the performance of EPC contractors will be borne by the EPC contractors. Further, ADB also has its Accountability Mechanism which is a forum of last resort where people adversely affected by ADB-financed projects can express their grievances; seek solutions; and report alleged violations of ADB's operational policies and procedures. Notwithstanding the presence of these complaints mechanisms, any affected person can always freely access and seek remedies from courts or other judicial or quasi-judicial venues available in India.

viii. This draft resettlement plan has been prepared following ADB's Safeguard Policy Statement (2009) and related core national policies, notably, (i) The Electricity Act, 2003 read with Section 10 and 16 of Indian Telegraph Act, 1885 and (ii) Ministry of Power (MOP) Guidelines for payment of compensation towards damages in regard to Right of Way for Transmission Lines, 2015. The eligible affected persons include (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. Entitlements have been defined based on the type of impacts and as per the policy principles laid out in the resettlement plan. Detailed entitlement matrix has been provided in chapter-VII.

ix. The entitlement mechanism is developed based on the type of impacts such as impacts related to tower base and impacts in the right of way. Loss related to tower base area (between four legs) impacted severely due to installation of tower/pylon structure will be compensated at 85% of land value as determined by District Magistrate or any other authority based on Circle rate/ Guideline value/ Stamp Act. Diminution of land value in the width of Right of Way (RoW) Corridor due to laying of transmission line and imposing certain restriction would be compensated at 15 percent of land value as determined by District Magistrate or any other competent authority based on Circle rate/ Guideline value/ Stamp Act rates. Loss of crops and trees will be compensated at replacement value to be determined by the concerned department which is primarily revenue department with assistance from agriculture, forest and horticulture department. Although no physical displacement is foreseen, however provision for compensation for loss of structures during construction has been made in the entitlement matrix where loss of structures will be compensated and replacement value. Provision for additional assistance for vulnerable households has been made where vulnerable affected persons will be given preference in temporary employment under the project during construction and implementation where feasible by the EPC contractor. For the UPCL components, the anticipated losses are minimal and limited to loss of crops and trees for the overhead lines which will be compensated based on the valuation to be done by the concerned department. Additionally, temporary loss of income due to loss of access (complete closure more than 24 hours) will be provided with assistance. Similarly, any damage to structures will be compensated as per the replacement value. Any unanticipated

impacts in the future will be assessed and compensated as per the policy principles set out in the RP and as per the resettlement plan.

x. The indicative budget is INR 22,11,83, 455 (INR 221.18 million equivalent to USD 2.67 million) as estimated for implementation of the project as per the provisions under this RP. This includes a contingency amount of 20% of the estimated cost for each PTCUL and UPCL to accommodate any cost related to unanticipated impacts. The budget is divided in two parts. Part-A of the budget (INR 14.40 million) is required for UPCL components and Part-B (INR 206.78 million) is required for PTCUL components. PTCUL and UPCL will ensure budgetary provision as part of the counterpart funds. The cost is indicative and will be updated during the final design and updating of the draft Resettlement Plan.

xi. Compensation for any permanent impacts such as land compensation for privately owned substation, land compensation for tower base (85% land value per MoP guidelines) shall be made prior to start of the construction. Compensation related to RoW, trees and crops etc will be paid within three (3) months from the valuation/construction. For the construction of high voltage power lines and 33/11 kV distribution line, a phase wise approach can be adopted for payment of compensation. PTCUL and UPCL will ensure that compensation is being paid simultaneously during the construction of line which shall be within three (3) months from construction for the stretch which is ready for construction.

xii. The Energy Department, Government of Uttarakhand is the executing agency for the project and Power Transmission Corporation of Uttarakhand Ltd (PTCUL) and Uttarakhand Power Corporation Limited (UPCL) will be the implementing agencies for their respective components. A Project Management Unit (PMU) will be established at executing agency level for this project for overall coordination and implementation of the Project which will be supported by various individual consultants including social safeguards which will be a senior social safeguard officer (SSO). PTCUL and UPCL will have their own respective project implementation unit (PIU) for implementation of projects including safeguards. Respective PIUs will assume primary responsibility for the planning, preparation and implementation of RPs. PTCUL and UPCL will designate one expert responsible for social safeguards activities. Respective PIU at PTCUL and UPCL will be supported by respective Project Implementation and Supervision Consultant (PISC) which will be a firm consultant and will have social safeguards specialist in the team.

xiii. Monitoring will be the responsibility of PTCUL and UPCL through PMU with input from the respective PIUs. The internal monitoring of the implementation of the RP will be at two levels; (i) by the respective PIUs (UPCL and PTCUL), and (ii) by the PMU/PISC level. Additionally, external monitoring will be undertaken if required by an independent social safeguard expert annually during the implementation period. Internal monitoring reports will be submitted semi-annually by the UPCL and PTCUL through its respective PIUs and the PMU will finally submit officially to ADB semi-annually. The approved semi-annual report will be disclosed on the website of ADB, UPCL and PTCUL.