



Resettlement Plan

Project Number: 41627-043
June 2016

IND: MFF - Himachal Pradesh Clean Energy Development Investment Program - Tranche 3

Submitted by
Himachal Pradesh Power Corporation Limited, Shimla

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Asian Development Bank

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No. HPPCL/ESMU/Sainj-RP/2016 - 289-93

Dated: 02-06-2016

To

Ms. Teresa Kho,
Country Director,
South Asia Department, India Resident Mission,
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New Delhi-110021



Subject: Updated Final Resettlement Plan (RP) of Sainj HEP

Madam,

I am directed to enclose herewith updated final Sainj RP along with "Sainj HEP RR Comment Response Matrix" after duly incorporated all the suggestions made by ADB for its final approval from Sustainable Development and Climate Change Department (SDCC) of ADB.

Encl: As above

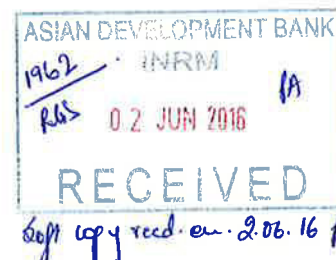
Thanking you

Yours sincerely,

H. J. Puri
02/06/2016
Chief Social and RR Specialist

CC:

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SAINJ HYDRO ELECTRIC PROJECT

March 2016

IND: Himachal Pradesh Clean Energy Development Investment Program (HPCEDIP)

**Prepared by Himachal Pradesh Power Corporation Limited (HPPCL),
Government of Himachal Pradesh for the Asian Development Bank.**

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LIST OF ACRONYMS

ADB	Asian Development Bank
AAOV	Average Annual Output Value
APs	Affected Persons
AHH	Affected Household
BPL	Below Poverty Line
DHs	Displaced Households
DPs	Displaced Persons
DPR	Detailed Project Report
EA	Executing Agency
FGD	Focus Group Discussion
GOI	Government of India
GRC	Grievance Redress Committee
Ha	Hectare
HPPCL	Himachal Pradesh Power Corporation Limited
HPCEDIP	Himachal Pradesh Clean Energy Development Investment Program
IA	Implementing Agency
LA	Land Acquisition
LAA	Land Acquisition Act of India, 1894
LADC	Local Area Development Committee
LAO	Land Acquisition Officer
LTH	Legal Titleholder
MFF	Multitranchise Financing Facility
NRRP	National Policy on Resettlement and Rehabilitation, 2007
PIU	Project Implementation Unit
PMU	Project Management Unit
PPTA	Project Preparatory Technical Assistance
RF	Resettlement Framework
RP	Resettlement Plan
R&R	Rehabilitation and Resettlement
SC	Scheduled Caste
ST	Scheduled Tribe
WHH	Women Headed Household

EXECUTIVE SUMMARY

A. Project Description

i. The Himachal Pradesh Clean Energy Development Investment Program (HPCEDIP) facilitates clean power generation, transmission and distribution, as well as sector reforms in Himachal Pradesh with minimum adverse environmental and social impacts. HPCEDIP supports selected investments in hydropower generation and associated transmission system expansion to facilitate sector sustainability. The multitranche finance facility (MFF) has six components, i.e., (i) Sawra Kuddu Hydroelectric Project, 111MW, (ii) Kashang Hydroelectric Project, Stage I, 65 MW, (iii) Kashang Hydroelectric Project, Stage II& III, 130 MW, (iv) Sainj Hydroelectric Project (HEP), 100 MW, (v) Shongtong Karchham Hydroelectric Project, 450 MW, and (vi) Capacity Development Program for HPPCL and other sector agencies. The Himachal Pradesh Power Corporation Limited (HPPCL), Government of Himachal Pradesh, as the project executing agency (EA) has prepared this Final Resettlement Plan for the Sainj Hydro Electric Project (HEP) 100 MW, a subproject funded under Tranche 3 of the MFF.

B. Objectives of the RP

ii. The main objective of this Resettlement Plan (RP) is to mitigate all involuntary resettlement impacts caused by the Sainj HEP and provide adequate resettlement and rehabilitation assistance to the affected households, to restore or improve their pre-project standard of living. The RP has been prepared on the basis of the findings of a census survey of the affected persons and in consultation with various stakeholders. The RP is in compliance with national laws and policies (National Rehabilitation and Resettlement Policy 2007, HPPCL Resettlement and Rehabilitation Policy 2006), as well as with ADB's Safeguard Policy Statement (SPS) 2009. A draft RP was initially prepared for this subproject in June 2010. This RP has now been finalized due to changes in the number of affected persons, as well as changes in the original design of the subproject. Furthermore, the final RP addresses a number of safeguards compliance issues, and due diligence was undertaken to ensure that RP implementation is in compliance with the Resettlement Framework (RF) for HPCEDIP and the SPS 2009.

C. Scope of Land Acquisition

iii. The Sainj HEP necessitates land acquisition, causing physical and economic displacement due to the loss of private land, physical assets, livelihood and community property resources. A total of 9.2694 hectare (ha) of private land have been acquired for the subproject, affecting a total of 299 households with 1061 affected persons (APs). Out of the total private land affected, 4.3678 ha are agricultural land, 2.4512 ha pasture land and 2.4504 ha waste land. In addition to impact on private land, 322 structures have been affected. Tranche 3 of HPCEDIP is classified as Involuntary Resettlement Category A due to its significant impacts.

D. Consultation, Participation and Disclosure

iv. Consultations and discussions were held during the project preparatory stage with a range of stakeholders, including affected households in the project area, officials of the district administration and elected members of the local panchayats. A total of 12 public consultations were organized between September 2009 - March 2013, involving about 288 APs, 25 gram panchayat representatives, district administration officials and 58 representatives from HPPCL. During the consultations the project features were explained, perceived benefits and losses due to the Project were discussed with the affected persons, and the various stakeholders' opinions were elicited. Consultation with the APs will be continued until the completion of RP

implementation. The PMU/PIU staff involved in RP implementation activities will keep the affected people informed about impacts, the compensation and assistance due to them, and address any grievances. A resettlement information leaflet containing information on compensation, entitlements and resettlement management adopted for the Project will be made available in the local language and distributed to APs. The updated Final Resettlement Plan will be translated into the local language and disclosed at the local level, such as at project sites and the offices of the Gram Panchayats and of the Deputy Commissioner.

E. Grievance Redress Mechanism

v. The EA has established a mechanism to receive and ensure the resolution of affected persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to vulnerable groups. The grievance redress mechanism is designed to address AP's concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the displaced persons at no cost.

F. Policy and Legal Framework

vi. The resettlement principles adopted for this Project are in line with the Land Acquisition Act 1894 (LAA 1894)¹, the National Rehabilitation & Resettlement Policy 2007, the Himachal Pradesh Power Corporation Limited Resettlement & Rehabilitation Policy 2006 and the Asian Development Bank's Safeguards Policy Statement 2009 (SPS 2009).

G. Entitlements, Assistance and Benefits

vii. All affected households (AHHs) are entitled to receive compensation for all losses and affected assets based on the principle of replacement value. All compensation and assistance is paid as per the entitlement matrix included in the RP. Special assistance is provided to vulnerable and severely affected households. In addition, all AHHs are entitled to livelihood restoration assistance to help improve or at least restore their pre-project living standards and income-earning capacities. The RP is fully implemented prior to commencement of any civil works. Compensation and other assistance is paid to APs prior to physical or economic displacement and commencement of civil work. Unforeseen impacts will be mitigated in accordance with the principles of the RP prepared for this Project.

H. Resettlement Budget and Financing Plan

viii. The resettlement cost for this subproject includes compensation for private land and structures at replacement cost without depreciation, resettlement assistance and the cost of RP implementation. The total resettlement cost for the Sainj HEP is **INR Rs. 244,280,703**.

I. Institutional Arrangements

ix. The Himachal Pradesh Power Corporation Limited (HPPCL) is the executing agency (EA) for the HPCEDIP. The HPPCL through its Project Management Unit (PMU) also functions as the implementing agency (IA) for HPCEDIP. The PMU is responsible for planning, coordinating, implementing and financing of all resettlement activities. The PMU has established an Environment and Social Management Unit (ESMU), headed by the Chief Environment Specialist cum Social and R&R Specialist, to deal with all social safeguards issues. For the Sainj HEP, the

¹ As all land acquisition was carried out before 1 January 2014, the Sainj HEP falls under the Land Acquisition Act of 1894.

PMU is responsible for the overall management of land acquisition and resettlement, while a PIU at field level undertakes all related field level activities, including RP implementation. The PIU at each of the HPCEDIP subprojects is staffed with a Junior Resettlement Officer (JRO) to coordinate and facilitate R&R activities at the field level.

J. Monitoring and Reporting

x. The monitoring mechanism for implementation of the RP includes both internal and external monitoring. As this subproject involves significant resettlement impacts and is classified as Category A, external monitoring by an experienced external expert/agency is required. Internal monitoring is the responsibility of the PIUs and ESMU. The JRO in the PIU prepares biannual social and environmental monitoring reports on resettlement activities and submits the same to PMU/ESMU. Taking into consideration that RP implementation has made significant progress, the reporting requirements for this subproject have been changed from quarterly to six monthly reports. The biannual social monitoring reports are submitted by HPPCL to ADB for review. The external monitoring expert/agency responsible for monitoring of the RP implementation will submit a semi-annual external social monitoring report to PMU and ADB, to determine whether the resettlement objectives have been achieved and livelihoods and living standards have been restored or enhanced, and to recommend suitable corrective actions as required.

I. INTRODUCTION

1.1. Purpose of the Resettlement Plan

1. Initially a draft Resettlement Plan (RP) was prepared in June 2010 for the Sainj Hydroelectric Project during the preparation of the Himachal Pradesh Clean Energy Development Investment Program (HPCEDIP). This RP has now been finalized due to changes in the number of affected persons, as well as changes in the original design of the subproject. However, an updated Final RP was not prepared for the Sainj HEP at the time of finalization of the detailed design. Furthermore, a number of entitlements stipulated under the Resettlement Framework (RF) for the Multitranchise Financing Facility (MFF) have not been fully considered, as HPPCL only implemented the Resettlement & Rehabilitation Plans required under the Himachal Pradesh Resettlement and Rehabilitation Policy 2006. This is the updated Final RP for the Sainj HEP, based on the RF and the relevant ADB policies, along with a due diligence section reporting in detail on the compliance of all land acquisition activities already implemented with the requirements of the RF. Corrective actions have been prepared for all compliance gaps identified.

2. HPPCL has prepared this Resettlement Plan for Sainj HEP of 100 MW, which is part of Tranche 3 of the Himachal Pradesh Clean Energy Development Investment Program (HPCEDIP). The RP is based on the detailed engineering design. The main objective of this RP is to mitigate all involuntary resettlement impacts caused by the subproject and provide adequate resettlement and rehabilitation assistance to the affected households to restore or improve their pre-project standard of living. The RP has been prepared on the basis of the findings of a census survey and in consultation with various stakeholders. The RP is in compliance with national laws and policies, such as the National Rehabilitation and Resettlement Policy 2007, the HPPCL Resettlement and Rehabilitation Policy 2006, the Land Acquisition Act 1894² and the ADB Safeguard Policy Statement (SPS) 2009. Tranche 3 of HPCEDIP is classified as Involuntary Resettlement Category A due to its significant impacts.

3. Efforts to minimize land acquisition and involuntary resettlement impacts on local communities have been made during the detailed design of the subproject. Since the Sainj HEP is a run-of-the-river project, it entails minimal submergence. The finalization of the various project components is based on parameters such as least cost and the social and environmental viability of the Project. The broad measures taken into consideration to minimize resettlement are (i) siting of project components in government land, where feasible, (ii) adequate engineering design to minimize resettlement through adopting a run-off-the-river scheme, and (iii) saving or restoring cultural and common properties.

1.2. Project Description

4. HPCEDIP will facilitate clean power generation, transmission and distribution, as well as sector reforms in the state with minimum adverse environmental and social impacts. HPCEDIP will initially support selected investments in hydropower generation and associated transmission system expansion to facilitate sector sustainability. The program will have six components, i.e., (i) Sawra Kuddu Hydroelectric Project, 111MW, (ii) Kashang Hydroelectric Project, Stage I, 65 MW, (iii) Kashang Hydroelectric Project, Stage II& III, 130 MW, (iv) Sainj Hydroelectric Project,

² As all land acquisition was carried out before 1 January 2014, the Sainj HEP falls under the Land Acquisition Act of 1894.

100 MW, (v) Shongtong Karchham Hydroelectric Project, 450 MW, and (vi) Capacity Development Program for HPPCL and other sector agencies. The hydropower development components will provide a total capacity of 745 MW with a combined generation of 3,045 GWh/year at 90% dependability. The capacity development program will provide support for the development of the operating departments, e.g., technical, finance and accounting, environment and social, procurement and personnel, as well as for carrying out specific tasks, such as physical investments and sector reforms and restructuring.

Figure 1: Map of the Project Area



5. The Sainj HEP is a run-of-the-river hydropower generation project on the Sainj river, which is a tributary of the Beas river. The Project is upstream of the Parbati Stage III (520 MW) Project. The Sainj HEP involves the construction of a 24.5 meters (m) high gated barrage on the Sainj river near Maharani village, Jodhpur Panchayat of the Sainj Sub-Tehsil in Kullu District, at a distance of about 35 kilometers (km) from National Highway 21.

6. The powerhouse is located near Suind village of Railla Panchayat in the Sainj Sub-Tehsil, Banjar Main Tehsil, Kullu District. The Project has the following key features: (i) A 24.5-m-high diversion gated barrage at an elevation of +1733 m crest level, downstream of Maharani village on the Sainj river; (ii) A full reservoir level at an elevation of +1752 m and a minimum drawdown level at an elevation of +1738.50 m, for live storage of +38.41 hectare meters to meet the daily peaking requirement during lean months; (iii) Two underground desilting tanks (139.50 m x 15 m x 7.5 m) to exclude all silt particles down to 0.2 mm in size; (iv) A headrace tunnel (HRT), about +6.3 km long and 3.76 m indiameter, on the right bank of the Sainj river, designed to carry a discharge of 28.7 cubic meters per second (cumec); (v) Two 4 m D-shaped intermediate adits 320 m and 430 m long at a reference distance of 930 m and 4750 m, respectively, to facilitate the construction of the HRT;(vii) An underground restricted-orifice surge shaft at the end of the HRT adit to a top elevation of+1766.5 m, and another adit at a bottom elevation +1672.37 m, to facilitate the construction of the surge shaft; (viii) An underground pressure shaft +2.75 m in

diameter and 550 m in length, to carry discharge into the powerhouse; (ix) An underground powerhouse on the right bank of the Sainj river near its confluence with the Jiwanallah, with two 50 MW units for a total installed capacity of 100 MW; and (x) A 4.8 m D-shaped tailrace tunnel, 400 m long, to discharge the water back into the Sainj river.

1.3. Profile of the Project Area

7. The project area consists of six affected Gram Panchayats namely Gadaparli, Shenshor, Deoridhar, Shanghadi, in the Project Affected Area (PAA)³ and Gram Panchayats Suchain and Railla notified by the Deputy Commissioner, Kullu (HP) as the Project Affected Zone (PAZ).⁴ The private land affected falls under four Panchayats namely Gadaparli, Shenshor, Deoridhar and Suchain covering the three revenue villages of Phati Gadaparli (Panchayat Gadaparli), Phati Shenshor (Panchayat Shenshor & Deoridhar) and Phati Banogi (Panchayat Suchain) in Banjar Block of Kullu District. According to the 2011 Census, Kullu has a population of 437,474 with a population density of 80 persons per sq. km. 90.55% of the total population of Kullu districts lives in the rural area. The average literacy rate of Kullu district is 78.47%, with a male-female literacy of 87% and 69.52% respectively.

1.4. Project Impacts

8. Electricity is a key input for the socio-economic development process. Efficient provision of electricity not only contributes indirectly to poverty reduction through economic growth, but being central to the basic human needs of health and education, access to electricity also has a direct bearing on poverty reduction. Poor and vulnerable consumers, as well as hospitals, schools, and other social utilities, who are often the hardest hit by inadequate power supply, load shedding, and poor power quality, will benefit from the Project. Direct positive economic and social benefits will result from the Investment Program. The Project is expected to generate a considerable amount of employment. A range of efforts have been initiated by the Executing Agency (EA) as part of the Rehabilitation and Resettlement (R&R) schemes, such as training cum awareness camps, school competitions, sports tournaments, a skill up-gradation scheme for youth, a self-employment scheme, merit scholarship scheme, involvement of Community Based Organization (CBO) scheme and the Local Area Development Fund (LADF) scheme for overall infrastructure development in the Project Affected Area, which will substantially, contribute to the development of the subproject area.

9. The process of land acquisition has been designed to minimize the impact on local communities and households in the project area. A total of 9.2694 hectares (ha) of private land have been acquired for the Sainj HEP, affecting a total of **299** households with **1061** APs.

³ As per the Himachal Pradesh Power Corporation Limited (HPPCL), Resettlement & Rehabilitation Plan, Project Affected Area means an area notified by the Project Authority where land is acquired for construction of any component of the project, including submergence area, land where underground works are taken up, infrastructure, townships, offices, construction facilities, welfare facilities etc.

⁴ Project Affected Zone means an area notified by the Project Authority which is surrounding the Project Affected Area, where the impact of the Project on the lives of people is considerable even though no direct project activities are taking place in these surrounding areas.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

2.1. General

10. The original RP for this subproject was prepared in June 2010. As per this RP, a total of 7.95 Hectare (ha) of land were to be acquired for this Project affecting a total of 130 HHs with 591 affected persons. Apart from land, the RP identified impact on 125 structures and 5063 trees. Amongst the 130 affected households, 58 households comprised of vulnerable households. Non-titleholders were not identified as affected.

11. The finalization of the detailed project design resulted in changes in the overall number of affected households. In order to assess these changes a fresh census survey was undertaken in the project-affected area in the months of July and September 2014 to update the original RP. The objective of this census survey was to update the data on identified affected households and generate an inventory of the social and economic impacts of the subproject on the affected households, their land, structures and other assets. A census questionnaire was used to collect detailed information on affected households and properties, in order to develop mitigation measures. The census survey broadly included parameters such as (i) inventory of land and non-land assets, (ii) categorization of lost assets, (iii) physical measurements of the affected assets and structures, (iv) identification of trees and crops, (v) household characteristics, including social, economic and demographic profile, (vi) identification of non-titleholders and (vii) assessment of potential livelihood impacts. The findings of the census survey led to the creation of an Inventory of Losses (IOL), wherein all affected assets were determined, counted, measured, owners identified and their places of residence verified. The involuntary resettlement impacts identified during the recent census survey are summarized in Table 1 below.

Table 1: Summary of Involuntary Resettlement Impacts

Total number of Affected Households (AHH)	299
Total number of Affected Persons (APs)	1061
Number of vulnerable households	96
Total number of Affected Structures	322
Total permanent Land Acquisition (ha)	9.2694
Agricultural Land (ha)	4.3678
Pasture Land (ha)	2.4512
Waste Land (ha)	2.4504
Total temporary Land acquired (ha)	1.968

12. The census survey and assessment revealed that this subproject entails significant involuntary resettlement impacts.⁵ The census survey indicates shared ownership of affected land plots by several affected households. In these households, the affected plots are jointly owned among family members who inherited land from a common ancestor. In other words, there are instances wherein there are more than one legal titleholders entitled for compensation (as per the Land Acquisition Act) within one affected household. All such titleholders have been

⁵ The involuntary resettlement impacts of an ADB-supported Project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).

enumerated as of legal titleholders (LTH) in this RP. Accordingly, there are 299 affected households comprising 326 LTH.

13. The following section presents the key findings of the census survey and the land acquisition and resettlement impacts.

2.2. Land Acquisition Impacts

14. A total of 299 households with 1061 persons are affected as a result of the Project. 64.8% or 194 AHHs belong to the six Gram Panchayats of Garaparli, Shenshor, Deoridhar, Suchain, Shanghad and Railla.⁶ The remaining 35.11% (105 AHHs) households (including non-titleholders) are from adjoining panchayats. Table 2 below presents panchayat-wise details of the affected households enumerating their title and vulnerability status.

**Table 2: Panchayat-Wise Details of Households and Titleholders
Affected by Land Acquisition**

Name of Affected Panchayat	No. of Affected HHs (AHH)	No. of Affected Legal Titleholder (LTHs)	No. of Affected Non-Titleholder (NTHs)	No. of APs	Out of the total affected HH, No. of Vulnerable HHs
Garaparli	45	55	--	178	17
Shenshor	56	71	3	240	29
Deoridhar	39	49	--	137	19
Suchain	31	38	--	151	11
Shanghad	5	5	2	24	2
Railla	18	18	18	73	3
Adjoining Panchayats	42	48	---	193	13
Absentee Households ⁷	40	42	---	42	-
Total	276	326	23	1061	96

2.3. Permanent Impact on Land

15. The Project has led to permanent acquisition of 9.2694 ha of private land. Out of this, 4.3678 ha are agricultural land, 2.4512 ha pastureland and 2.4504 ha waste land (see Table 3). All private land permanently acquired falls within the three panchayats of Garaparli, Shenshor and Deoridhar affecting the two revenue villages of Phati Gadaparli and Phati Shenshor in Sub-Tehsil Sainj, Banjar Block of Kullu District.

⁶ These six Gram Panchayats are Gadaparli, Shenshor, Deoridhar, Shanghad (in the Project Affected Area) and Gram Panchayat Suchain and Railla (in the Project Affected Zone) as notified by the Deputy Commissioner, Kullu (HP).

⁷ These households do not live in the project area and were not present at the time of the census survey.

Table 3: Distribution of Permanent Impact on Private Land

Affected Panchayat & Revenue Village (Phati)	No. of Affected Legal Titleholders	Type of Land			Total	
		Agriculture Land (ha)	Pasture Land (ha)	Waste Land (ha)	ha	%
Garaparli Panchayat (Phati Gadaparli)	65	0.4370	0.2584	0.6446	1.3400	14.46
Shenshor & Deoridhar Panchayat (Phati Shenshor)	261	3.9308	2.1928	1.8058	7.9294	85.54
Total	326	4.3678	2.4512	2.4504	9.2694	100

2.4. Temporary Impact on Land

16. In addition to permanent acquisition of land, 1.968 ha of land belonging to 17 LTH has been temporarily leased for the Project. The temporarily leased land falls within Suchain and Deoridhar Panchayats, affecting the two revenue villages of Phati Banogi (in Suchain Panchayat) and Phati Shenshor (in Deoridhar Panchayat). In case of Phati Shenshor, the temporarily leased land mainly comprises of pasture and wasteland, whereas in case of Phati Banogi, the temporarily affected land plots are agricultural land.

Table 4: Distribution of temporary impact on land

Name of Panchayat & Revenue Village (Phati)	Temporarily affected land area		Legal Titleholders (LTH)	
	ha	%	Ha	%
Suchain Panchayat (Phati Banogi)	0.316	16.00	11	64.70
Deoridhar Panchayat (Phati Sensor)	1.652	84.00	6	35.30
Total	1.968	100	17	100

2.5. Impact on Structures

2.5.1. Type of Structure Affected

17. Apart from impact on private land, the subproject also causes impact on a total of 322 private structures, mainly comprising 15 residential structures, 3 residential cum commercial structures and 1 commercial structure, as well as 296 temporary structures and 7 *pucca* structures under construction.⁸

⁸ The terms *pucca* and *kutchha* denote structures of higher (wood and stone masonry or concrete, bricks and tiles) and lower (mud and straw) grade construction materials, respectively.

Table 5: Distribution of Affected Structures

Name of Panchayat	Type of affected Structure					Total No. Affected Structures
	Residential (Pucca)	Residential-cum-Commercial (Pucca)	Commercial (Kutcha)	Structures under construction (Pucca)	Temporary structures/sheds (under construction)	
Garaparli	2	1	-	-	57	60
Shenshor	6	-	1	-	84	91
Deoridhar	5	-	-	1	52	58
Suchain	1	2	-	2	33	38
Shanghad	-	-	-	1	-	1
Railla	1	-	-	2	13	16
Adjoining Panchayats	-	-	-	1	27	28
Absentee Households ⁹	-	-	-	-	11	11
Non-Titleholders	-	-	-	-	19	19
Total	15	3	1	7	296	322

18. Out of the 322 structures impacted, 5.59% (18 structures) are *pucca*, while 2.18% (7 structures) are *pucca* under-construction structures. By comparison, 91.92% (296 structures) of the affected structures are temporary structures, mainly sheds. Only 1 affected structure is a *kutcha* structure.

2.5.2. Ownership Pattern of the Affected Structures

19. Of the total 322 structures affected as a result of the Project, 94.099% (303 structures) belong to title holders, whereas only 19 structures belong to non-titleholders (see Table 6).

Table 6: Ownership status of affected structures

Ownership Status	Number of structures	%
Titleholder	303	94.10
Leaseholder	-	-
Non-Titleholder	19 ¹⁰	5.90
Total	322	100

2.5.4. Extent of Impact on Affected Structures

20. A total of 15 residential structures (mainly *pucca*) belonging to 18 titleholders are fully acquired for the Project. 1 Commercial structure, *kutcha* shed used for a saw mill, is affected and fully acquired for the Project, causing impact on the owner's livelihood. 3 Residential-cum-Commercial structures, comprising of *pucca* structures constructed using wood and stone masonry, that are used as living quarters as well as for commercial activities, are fully acquired (see Table 7).

⁹ All Absentee households are titleholders.

¹⁰ A total of 19 temporary structures (under construction) belong to 23 non-titleholders.

Table 7: Details of Affected Residential and Commercial Structures and Titleholders

Type of Structure	Number of affected Structures	Legal Titleholders (LTH)
Residential Structures	15	18
Residential-cum-Commercial Structures	3	3
Commercial Structures (temporary construction)	1	1
Total	19	22

21. Apart from residential, commercial and residential-cum-commercial structures, the subproject also affects a total of 303 structures under construction. 296 of these comprise of temporary structures, whereas 7 structures are *pucca* structures under construction. All these structures are fully acquired.

2.5.2. Impact on Trees

22. A total of 2781 trees belonging to 217 legal titleholders (LTH) are affected (see Table 8). These include fruit trees, such as walnuts, apple, pears, plums, apricot, cherry, pomegranates, galgal, lemon and peach, as well as non-fruit trees, such as kainth, kosh, chhanel, kakadsingi, rikhal, popular, kachhani, fegada, folish, darrel, brass, sherrel, baan, paza, kail, chimmu, sirish, kachanaar, kakar, kachhan, robinia, khirak, bihul, chil, simbal, ritha, kail, shimbal, drek, dudhalu, tung etc.

Table 8: Details of Affected Legal Titleholders experiencing impact on Trees

Type of trees	Number of affected Legal Titleholders (LTH)	%
Fruit trees	22	10.13
Non- fruit trees	43	19.81
Both fruit and non- fruit trees	152	70.04
Total	217	100

23. Kullu is known for its fruit production with a significant proportion of cultivable area under apple and other fruit crops. Of the total affected 2781 trees, 55% (1530 trees) are fruit-trees, whereas the remainder are 1251 non-fruit trees (see table 9).

Table 9: Type of Trees impacted

Type of tree	Number of Trees	%
Fruit trees	1530	55.01
Non-fruit trees	1251	44.98
Total	2781	100

III. SOCIO- ECONOMIC PROFILE OF AFFECTED POPULATION

24. The social and economic profile displaced households in the project area has been enumerated and discussed in this section, including details on family size, social profile and vulnerability status of the displaced households.

3.1 Demographic Profile of Affected Households

25. A total of 299 households comprising of 1061 APs will be affected as a result of the subproject in Phati Gadaparli (Gadaparli and Shanghad Panchayats) and Phati Shenshor (Shenshor, Deoridhar, Suchain, Railla and Adjoining Panchayats). 63 of the 299 affected households were not present at the time of the census survey¹¹ and the socio-economic information of the absentee households could not included (see Table 10).

Table 10: Distribution of affected households and affected persons

Name of the Panchayat	Number of AHHs	Number of APs
Gadaparli	45	178
Shenshor	56	240
Deoridhar	39	137
Suchain	31	151
Shanghad	5	24
Railla	18	73
Adjoining Panchayats	42	193
Absentee Households ¹²	40	42
Non-Titleholder (NTH)	23	23
Total	299	1061

3.1.1. Family Size

26. The majority of affected households are nuclear families with a family size of 1 to 4. A family size of 5 to 8 was found in 31.43% of the AHH, while only 2% have more than 9 members. The average size of the affected households is 5.58, ranging between 12 and 1 (see Table 11).

Table 11: Affected Households by Family Size

Family size	Number of AHHs	%
1 to 4	199	66.55
5 to 8	94	31.43
9 to 12	6	2
Total	299	100

¹¹Apart from 40 Absentee households who do not live in the project area, 23 non-titleholder households were also not present at the time of the census survey. As a result, the socio-economic information of these 63 households could not be included in this section.

¹²These comprise of 40 Absentee households who do not live in the project area.

3.1.2. Gender Distribution

27. Of the 1061 affected persons in the 299 affected households, 51.46% are male and 48.53% female.

Table 12: Gender Distribution

Name of the Panchayat	Male	Female	Number of APs
Gadaparli	89	89	178
Shenshor	116	124	240
Deoridhar	75	62	137
Suchain	77	74	151
Shanghad	12	12	24
Railla	36	37	73
Adjoining Panchayats	93	100	193
Absentee Households	26	16	42
Non Titleholders (Panchayat unknown)	22	1	23
Total	546	515	1061

3.2. Social Profile of Affected Households

3.2.1. Caste Groups

28. 71.23% (213 HHs) of the affected households belong to the general caste category, followed by 7.02% (21 HHs) Scheduled Caste (SC) households. Two (0.66%) of the 299 AHHs are Other Backward Class (OBC) households. None of the affected households belong to Scheduled Tribes (ST). The caste group of 63 households (including absentees and non-titled households) is not known. Of the 21 Scheduled Caste households, 18 are from Phati Shenshor village whereas the remaining households are from Phati Gadaparli village. The two affected OBC households are from Phati Shensor village.

Table 13: Affected Households with different Caste group

Social Group	Affected households	
	Number	%
General	213	71.23
Scheduled Caste	21	7.02
OBC	2	0.66
Not Known (Absentee + Non Titleholders)	63	21.07
Total	299	100

3.2.2. Vulnerability Status of Affected Households

29. As per ADB's Social Safeguard Policy Statement 2009, vulnerable sections include persons who are living below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land. Special attention has to be paid throughout the project cycle to address their vulnerability. Special assistance for all vulnerable AHHs is stipulated in the entitlement matrix.

30. A total of 96 (32.1%) of the total affected households are vulnerable. Among these, elderly households comprise 35.41% of the total vulnerable households, followed by female-headed households (20.83%), households with multiple vulnerabilities (20.83%), SC households (15.62%) and households with disabled persons (3.12%). Only 4.16% of affected households have incomes below the poverty line. The details of the affected households by type of vulnerability are presented in Table 14.

Table 14. Affected households by vulnerability status

Type of Vulnerability	Affected households	
	Number	%
Income below poverty line	4	4.16
SC	15	15.62
Female headed	20	20.83
Households with disabled members	3	3.12
Elderly Households	34	35.41
Multiple Vulnerabilities	20	20.83
Total	96	100

IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

4.1. Consultation in the Project

31. Public participation and community consultation has been carried out as an integral part of the Project. Consultation was used as a tool to inform and educate stakeholders about the Project. A total of 12 public consultations were organized during September 2009 - March 2013, involving about 288 APs, 25 Gram Panchayat representatives, 1 district administration official and 58 representatives from HPPCL (see Table 15). Advance intimation was given to the people in the locality and at the start of each consultation, details of the Project, including efforts made to minimize land acquisition and impacts on people and structures, were explained to the participants.

32. The broad objectives of the consultation were as follows:

- Understand the views of the people affected, with reference to acquisition of land or loss of property and its due compensation.
- Understand views of people on resettlement options.
- Identify and assess major economic and social characteristics of the Project area to enable effective planning and implementation.
- Examine APs' opinions on health safety issues during the construction.
- Identify levels and extent of community participation in Project implementation and monitoring.
- To establish an understanding for identification of overall developmental goals and benefits of the Project.
- To develop a thorough coordination between all the stakeholders for the successful implementation of the Project.
- To protect socio-cultural resources and to ensure gender benefits.

41.1. Methods of Public Consultation

33. Public consultations in the Project area were held at different levels. Different techniques of consultation with stakeholders were used during project preparation, viz., in-depth interviews, public meetings, group discussions etc. Consultations and discussions were held with both, the primary stakeholders (displaced persons) and secondary stakeholders (officials of the district administration, sub divisional magistrates, land and land revenue officials and elected representatives of the affected communities).

34. The following methodology has been adopted for carrying out public consultations in this Project:

- Disseminating information and requesting villagers to attend the public consultation meetings at various sensitive places.
- Consultation during census survey and preparation of RP.
- Sharing of opinions and preferences of the affected persons.
- Involving the APs and all other stakeholders in decision-making including implementation of RP and Project activities.

41.2. Findings of the Public Consultations

35. The affected people were aware about the Project, but not the details of the extent of project impacts and the quantum of compensation for lost assets and livelihood. They were informed that a resettlement plan would be prepared based on a detailed survey with specific measures to compensate for involuntary resettlement impacts. The participants were keen to know the date on which improvement works would begin and how much they would be paid for their affected assets. They were informed that the Project would commence after a year, that advance notice would be given to all concerned people and that the district administration would determine compensation rates in accordance with the Land Acquisition Act of 1894. It was also clarified that in addition to compensation for asset, compensation and assistance would be provided for income or wage losses and to vulnerable households.

36. During these consultations, the community also raised concerns regarding opportunities for employment in the Project, compensation rates, errors in the measurement of affected structures and land and environmental issues, and communicated other community development demands, such as supply of drinking water to affected villages. The concerns of the affected persons were acknowledged and necessary action was taken by HPPCL.

37. Table 15 provides details of the consultations organized in the Project area, enumerating the date, location, number and type of participants, issues discussed and decisions taken.

Table 15: Details of the Consultations organized in the Project Area

Date	Location	No. & Type of Participants	Issues Discussed	Decisions Taken	Follow Up done
06.09.2009	Jangla Village, GP- Shenshor	APs - 18 Gram Panchayat - 2 HPPCL- 2	Employment in the Project.		Employment given to the Project Affected People in HPPCL/Project or through Contractors.
25.09.2009	Manahara Village GP- Shenshor	APs - 18 HPPCL - 2	Employment or labour in the Project.		Employment given to the Project Affected People in HPPCL/Project or through Contractors.
05.10.2009	Khain Village GP- Shenshor	APs - 17 Gram Panchayat - 2 HPPCL- 2	Employment in the Project and adequate and fair payment of compensation for structure, Fruit Trees and Non-Fruit Trees.		Payment of structure and trees to be given as per replacement value.
19.10.2009	Niharni Village GP- Garaparli	APs - 19 Gram Panchayat	Afforestation should be done during construction.	Afforestation may be done according to the norm of FCA-	-

Date	Location	No. & Type of Participants	Issues Discussed	Decisions Taken	Follow Up done
		- 1 HPPCL- 2		1980	
20.10.2009	Matla Village GP- Suchain	APs - 16 Gram Panchayat - 4 HPPCL- 2	Afforestation should be done during construction	Afforestation may be done according to the norms of FCA 1980	-
11.11.2009	Karhella village GP- Deoridhar	APs- 18 Gram Panchayat - 2 HPPCL- 2	Afforestation should be done during construction	Afforestation may be done according to the norms of FCA 1980	-
16.11.2009	Dodabhiyali Village, GP -Deoridhar	APs - 17 Gram Panchayat - 2 HPPCL- 2	Afforestation should be done during construction.	Afforestation may be done according to the norms of FCA 1980.	-
21.11.2009	Dharmera-I &Dharmera II Village, GP - Deoridhar	APs- 18 Gram Panchayat- 2 HPPCL- 2	1. Destruction of water sources 2. Environmental Problems 3. Land sliding due to Project construction activities	Inventory of water sources may be done and action will be taken accordingly.	-
01.12.2009	Tungh village GP- Deoridhar	APs - 19 Gram Panchayat- 2 HPPCL- 2	1. Destruction of water Sources. 2.Pollution resulting from Project activities	Make an inventory of affected water sources and take necessary action accordingly.	The water supply of Govt. Sr. Sec. school Shenshor was affected and the same has been restored with the expenditure incurred Rs. 2,03,891/- in FY 2014-15.
10.12.2009	Dodabhiyali Village GP - Deoridhar	APs- 18 Gram Panchayat- 2 HPPCL- 2	Afforestation should be done during construction	Afforestation may be done according to the norms of FCA- 1980	-
29.05.2010	Sarabai Rest	APs- 40	APs raised concern with regard to the	HPPCL representative	Increased percentage

Date	Location	No. & Type of Participants	Issues Discussed	Decisions Taken	Follow Up done
	House	Gram Panchayat - 3 HPPCL- 9	amount of compensation for losses incurred,	and District Collector of Kullu responded to these concerns, explained the compensation and valuation formula to the affected households and how the same has been arrived at.	given to the Affected person as per the decision taken by the DC, Kullu.
18.03.2013	Sambah Village GP-Shenshor	APs- 70 District Administration-1 Gram Panchayat-1 HPPCL- 29 Department of Geography - 2	<ol style="list-style-type: none"> 1. Pollution and spoiling of the crops 2. Water Source at GP Shenshor have dried as a result of which there is no water supply of water for G.M.S Shenshor 3. Due to construction of road under LADA, the wells of local fields have been impacted. Local people requested the department to reconstruct the same. 4. As a result of blasting in the Project, locals complained of cracks and damages in their structures. 	<p>The district administration and HPPCL responded to the concerns of the affected community.</p> <p>It was shared that in case of any losses resulting from the Project on private and community assets and pollution, the same shall be measured by the Revenue Department and fair compensation will be given in lieu of it. Revenue Department also confirmed that they are working to address the water problem in Shenshor and the same shall be provided shortly. The same shall be done under LADA.</p>	Action taken in this regard are as follows: <ol style="list-style-type: none"> 1. District Collector, Kullu has constituted a committee under the chairmanship of SDM Banjar to address all such complaints. 2. A joint inspection has been organized by SDM Banjar in Gram Panchayat Shenshor on Dt. 28.10.2013 3. A Joint Inspection has been organized by SDM Banjar Gram Panchayat Deoridhar on on Dt. 16.12.2013

4.4. Plan for further Consultation in the Project

38. Consultation with APs were continued during RP implementation involving the following steps:

- Public meetings organized by the PIU apprising the communities about the progress in the implementation of resettlement, social and environmental activities; the status of compensation and assistance payment.
- Establishment of Grievance Redress Committees (GRC) with representation of the APs.
- Disclosure of monitoring reports on the progress of land acquisition and compensation.
- Information dissemination sessions to solicit the help of local community leaders to encourage the participation of the APs in RP implementation.
- Efforts to ensure that vulnerable groups understand the land acquisition process and to take their specific needs into account.

4.5 Disclosure of Final RP

39. To ensure transparency in planning and active involvement of APs and other stakeholders, the project information will be disseminated through disclosure of the updated Final RP. A resettlement information leaflet containing information on compensation, entitlements and resettlement management adopted for the Project will be made available in the local language and distributed to APs. The updated Final Resettlement Plan will be translated into the local language and disclosed at the local level, such as at project sites and the offices of the Gram Panchayat and of the Deputy Commissioner. The PMU/PIU staff involved in RP implementation activities will keep the affected people informed about impacts, compensation and assistance and address any grievances. A copy of the updated Final RP will also be disclosed on the websites of HPPCL and ADB.

V. GRIEVANCE REDRESS MECHANISMS

5.1. General

40. RP implementation requires an efficient grievance redress mechanism that will resolve the queries and complaints of the APs. The EA established a mechanism to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the needs of vulnerable groups. The grievance redress mechanism is required to address AP's concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the displaced persons at no costs.

5.2. Grievance Redress Mechanism

Level 1: PIU level

41. Grievances will first be addressed to PIU at the local level. The resettlement staff of the PIU registers grievances maintained in a complaint register with details related to the date of complaint, the type and nature of the complaint, action taken, follow up and communication sent to the complainant. Investigation of grievances involves site visits and consultation with relevant parties, such as the affected persons, contractors, land acquisition officials and the like. If a grievance remains unresolved within 2 weeks it is referred to the Grievance Redress Committee (GRC).

Level 2: Grievance Redress Committee

42. The GRC comprises representatives of the APs, PMU, PIU, ESMU, field level staff, district magistrate/commissioner, local administration, revenue authority and local community. The main responsibilities of the GRC are to: (i) provide support to APs on problems arising from land/property acquisition; (ii) record AP grievances, categorize, and prioritize grievances and resolve them; (iii) immediately inform the PMU of serious cases; and (iv) report to APs on the resolution of their grievances and decisions of the GRC and the PMU. Excepting disputes relating to ownership rights, which require to be resolved by a court of law, the GRC will review grievances involving compensation assessment and payment, relocation and other assistance. The GRC will meet every month if grievances are brought to the Committee, determine the merit of each grievance, and resolve grievances within a month of receiving the complaint. Records will be kept of all grievances received, including contact details of the complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and the final outcome. The GRCs will continue to function during the life of the Project including the defect liability period.

43. The affected person is free to access the country's legal system at any time, although the GRM is the preferred mechanism of grievance redress. All costs involved in resolving the complaints (meetings, consultations, communication, reporting and information dissemination) will be borne by the Project.

VI. POLICY AND LEGAL FRAMEWORK

6.1. Policy Framework

44. The policy framework and entitlements for the Program are based on national laws, ADB's safeguards policy and the Resettlement Framework (RF) prepared for this MFF. The Project's legal and policy framework for land acquisition and resettlement is based on (i) relevant national laws and acts, including the Land Acquisition Act 1894 (as amended in 1984) and the National Rehabilitation and Resettlement Policy 2007 (NRRP); (ii) ADB's Safeguards Policy Statement (SPS) 2009 and Operations Manual (OM) Section F1 of March 2010; and (iii) the Himachal Pradesh Hydro Power Policy 2006. The following section reviews and compares these laws and policies and provides a project policy framework which stipulates applicable eligibility criteria and entitlements for compensation and assistance bridging the gaps between the requirements of these various laws and policies.

6.1.1. The National Resettlement and Rehabilitation Policy (Ministry of Rural Development, Department of Land Resources) 2007

45. The National Rehabilitation and Resettlement Policy, 2007 (NRRP, 2007) was adopted by the Government of India in 31st October, 2007 to address development induced resettlement issues. The NRRP stipulates the minimum facilities to be ensured for persons displaced due to the acquisition of land for public purposes and to provide for the basic minimum requirements. All projects leading to involuntary displacement of people must address the rehabilitation and resettlement issues comprehensively. The State Governments, Public Sector Undertakings or agencies, and other requiring bodies shall be at liberty to put in place greater benefit levels than those prescribed in the NRRP. The principles of this policy may also apply to the rehabilitation and resettlement of persons involuntarily displaced permanently due to any other reason. The objectives of the Policy are:

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

46. The NRRP is applicable to projects where over 400 families in the plains or 200 families in hilly or tribal or Desert Development Program (DDP) areas are displaced. However, the basic principles can be applied regardless of the number displaced. NRRP's provisions are intended to mitigate adverse impacts on Project Affected Families (PAFs). The NRRP comprehensively deals with all the issues and provides wide range of eligibility to the displaced persons and meets most of the requirement of ADB's Safeguards Policy Statement. The non-titleholders, under NRRP, are recognized as the people living in the affected area not less than three years before the declaration of the area as an affected area. The NRRP addresses the vulnerable families with adequate entitlements and provides special provisions for Scheduled Castes and Scheduled Tribes Families. The NRRP takes in to account the requirement for transparency through consultation, information dissemination and disclosure, and grievance redress. However, the law applicable to the acquisition of privately owned immovable property until 1 January 2014 was the Land Acquisition Act of 1894 (LAA, amended 1984), which is discussed in the section following the next.

6.1.2. Himachal Pradesh Power Corporation Limited Resettlement & Rehabilitation Policy 2006

47. The key objectives of HPPCL Rehabilitation and Resettlement Plan (R&R) Policy are to (i) compensate the families affected adversely by construction of the Project; (ii) improve the quality of life of the people of the area through better infrastructure, sustainable income and better skills and generally contribute to and be a part of the development of the area and the people; (iii) create good will for the organization and have a good long term relationship with the communities; and (iv) ensure that rights of individuals and society, particularly those belonging to the weaker sections, are adequately protected. In line with their R&R Policy, HPPCL has adopted various relief and rehabilitation strategies for the project affected families. These strategies include the following:

- Each Project Affected Family will be suitably and adequately compensated to ensure replacement of the assets lost or acquired.
- The local population of the Project Affected Area will be provided guidance and counseling, as well as education through scholarships, sponsorships, guidance for better living conditions and better livelihood, including training in the area of common occupations like agriculture, horticulture etc.
- General Development of the Project area by building or improving infrastructure, such as roads, footpaths, bridges, water supply and irrigation through public participation and community development works.
- Creating opportunities for employment of local people through self-employment schemes or indirect employment in project activities.
- Maintaining friendly contact with the public through regular meetings, Public Information Centres, printed material, PAF identity cards, functions etc.
- Providing direct help to the people in extreme hardship.

48. HPPCL's R&R policy includes a range of R&R Grants for the PAFs rendered landless or houseless, or both. Some of the key R&R grants include the following:

- Resettlement Grant (for landless and houseless and other families)
- R&R benefits for PAFs belonging to ST and SC households
- Loss of income from forest and government land
- Primary and Secondary Employment for PAFs

- Other benefits such as 100 unit free electricity for 10 years, 1% of the income generated from the Project will be distributed amongst the PAFs etc.

49. Various schemes covered under the HPPCL's R&R activities include the following:

- Training and Skill up-gradation Scheme-ITI Scheme
- Merit Scholarship Scheme
- Training-cum-Awareness Camps Scheme
- Scheme for Self-Employment
- School Competition Scheme for awareness
- Sports Tournament Scheme
- Scheme for involving CBO
- Medical Fund Scheme
- Scheme for Forest Rights Scheme for minor minerals Scheme for crop compensation

6.1.3 Land Acquisition Act 1894 (amended 1984)

50. The LAA¹³ provides a framework for carrying out land acquisition in India. LAA enables the State Government to acquire private land for public purposes. LAA entitles DPs to a hearing before acquisition. The main elements of LAA are:

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

¹³ As all land acquisition was carried out before 1 January 2014, the Sainj HEP falls under the Land Acquisition Act of 1894.

date of notification to the final notification under Section 9. For delayed payments, after notification of Section 9, an additional 9 percent per annum is paid for the first year and 15 percent for subsequent years.

6.1.4 ADB's Safeguard Policy Statement (SPS) 2009.

51. ADB has adopted the Safeguard Policy Statement (SPS) in 2009, including safeguard requirements for environment, involuntary resettlement and Indigenous People. The objectives of the Involuntary Resettlement Safeguard policy are to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

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

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when displaced livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production

opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.

- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

6.2 Comparison of Government and ADB Policies

53. As part of the RP preparation, a comparison of LA Act, NRRP, HPPCL R&R Policy and ADB SPS was done. The comparison indicated that the National Rehabilitation and Resettlement Policy (NRRP) 2007 represents a systematic approach to address resettlement issues in India and closes significantly the gaps between Indian national policies and those of

ADB. Similarly, the HPPCL R&R Policy also focuses on resettlement and rehabilitation of all affected households and improving the quality of life of the people of the Project area. Guided by these mandates, both NRRP and HPPCL R&R Policy provide a range of R&R benefits and grants for the affected households. Both NRRP and HPPCL R&R Policy recognize non-titleholders, although the basic requirement is for the non-titleholder to have been in the Project-affected area at least 3 years prior to the declaration of the area as an affected area.

54. On the other hand, the Land Acquisition Act (LAA) of 1894 (as amended in 1984) gives directives for the acquisition of land in the public interest and provides benefits only to titleholders. The LAA does not guarantee compensation at replacement cost for the loss of land and assets.

55. The comparison of the LA Act, NRRP and HPPCL R&R Policy with ADB SPS revealed that while certain provisions enshrined in the HPPCL R&R Policy are not prescribed under the LA Act or the ADB's SPS, wherever these provisions are consistent with ADB's SPS, they have been considered in this RP. A matrix comparing the LA Act, NRRP, and HPPCL R&R Policy with ADB's SPS principles is provided in Annexure 1.

VII. ELIGIBILITY AND ENTITLEMENTS

7.1. Eligibility

56. The APs entitled to compensation and/or rehabilitation provisions for this Project include (i) all APs losing land either covered by legal title/traditional land rights, or without legal status; (ii) registered and unregistered tenants and sharecroppers; (iii) owners of buildings, crops, plants, or other objects attached to the land; and (iv) APs losing income and/or access to natural resources.

57. Compensation eligibility is limited by a cut-off date set for the subproject. For the legal title holder, the date of notification of Section 4 of LA Act will serve as the cut-off- date. For non-titleholders, the day of the census survey will serve as the cut-off-date. APs who settle in the affected area after the cut-off date will not be eligible for compensation. They will however be given sufficient advance notice, requested to vacate the premises and dismantle affected structures prior to project implementation.

7.2. Entitlements

58. Based on the above broad principles, a detailed description of each compensation measure and assistance is provided in the entitlement matrix, which is detailed in **Table 16** below. APs will be entitled to a combination of compensation measures and resettlement assistance, depending on their lost assets, the type of ownership rights to these assets and the scope of impact. In addition, the status of social and economic vulnerability of the APs will be considered.

Table 16: Entitlement Matrix¹⁴

Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Responsible Agency
1. Loss of private land	Agricultural land, homestead land or vacant plot, pasture land, waste land	Legal Titleholders/ APs with customary land right/ APs with permit from local authority	<ul style="list-style-type: none"> • Compensation at replacement value. • Land for land for the landless¹⁵ families with an additional lump sum resettlement grant. Fees, taxes, stamp duty and other charges related to replacement land and assets are to be borne by the EA. • Notice to harvest standing seasonal crops. If notice 	The EA through its Land Acquisition Officer (LAO) will determine replacement value. EA will ensure provision of notice. EA will verify the extent of impacts through a 100% survey of APs, determine assistance, and identify vulnerable households

¹⁴ Compensation has been assessed and awarded and entitlements have been paid at different points in time, taking into account rates prevalent at the time of acquisition and rate escalation. In addition to the compensation rates applicable at the time of awards, 12 percent interest per annum is paid for the time period from the date of assessment to the date of actual payment of compensation.

¹⁵ Landless are those whose landholding remains to be less than 5 big has, equivalent to 752.60 square meter (HP Nautor Land Rule, 1963)

Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Responsible Agency
			cannot be given, compensation for share of crops will be provided.	
2. Loss of structure	Loss of residential structure and other structures ¹⁶	Legal titleholders	<ul style="list-style-type: none"> • Replacement value of the structure and other assets (or part of the structure and other assets, if remainder is viable). • Fees, taxes and other charges related to replacement structure. • Shifting assistance at Rs. 10,000 per household. • Right to salvage materials from structure and other assets with no deductions from replacement value 	The EA through its LAO and appropriate department/ valuation committee will verify replacement value. The EA will verify the extent of impacts through a 100% survey of AFs determine assistance, verify and identify vulnerable households.
		Tenants and Leaseholders	<ul style="list-style-type: none"> • Replacement value of the structure and other assets (or part of the structure and other assets, if remainder is viable) constructed by the AP. • Compensation for rental deposit or unexpired lease. • Shifting assistance @ Rs. 10,000/- per household. 	Valuation committee will verify replacement value. The EA will verify the extent of impacts through a 100% surveys of AHs determine assistance, verify and identify vulnerable households.
		Encroachers and squatters	<ul style="list-style-type: none"> • Replacement value of the structure and other assets (or part of the structure and other assets, if remainder is viable) constructed by the AP. • Shifting assistance @ Rs. 10,000/- per household. 	The EA will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.

¹⁶Other structures include, but are not limited to dogris, walls, fences, sheds, etc

Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Responsible Agency
			<ul style="list-style-type: none"> • Right to salvage materials from structure and other assets • Additional compensation for vulnerable households. 	
3. Loss of commercial structure	Commercial structure and other assets	Legal titleholders	<ul style="list-style-type: none"> • Replacement value of the structure and other assets (or part of the structure and other assets, if remainder is viable). • Fees, taxes, and other charges related to replacement structure. • One time financial assistance @ Rs. 25,000/- per structure. • Shifting assistance @ Rs. 10,000/- per household. • Right to salvage materials from structure and other assets with no deductions from replacement value. • Additional compensation for vulnerable households. 	The EA through its LAO and appropriate department/ valuation committee will determine replacement value. The EA will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.
4. Loss of Livelihood	Livelihood	Legal titleholder/ tenant/ leaseholder/ non-titled/employee of commercial structure, farmer/agricultural worker	<ul style="list-style-type: none"> • Assistance for lost income based on three months' minimum wage rates.¹⁷ • Additional compensation for vulnerable households. • Consideration for Project employment. 	The EA will verify the extent of impacts through a 100% survey of AHs determine assistance, verify and identify vulnerable households.

¹⁷ In the Sainj HEP RP, the minimum agricultural wage has been calculated at the rate of Rs. 175/day based on the 2014 Department of Labour and Employment data for Himachal Pradesh. The minimum wage rate for shops & commercial establishments has been calculated at the rate of Rs. 214/day (skilled) based on the 2014 Minimum Wages Data of the Department of Labour and Employment data for Himachal Pradesh.

Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Responsible Agency
5. Loss of trees and crops	Standing trees and crops	Legal titleholder	<ul style="list-style-type: none"> • Notice to harvest standing seasonal crops. • If notice cannot be provided, compensation for standing crop or share of crop for sharecroppers at market value. • Compensation of trees based on timber value at market price, and compensation for. • perennial crops and fruit trees at annual net product market value multiplied by remaining productive years; to be determined in consultation with the Forest Department for timber trees and the Horticulture Department for other trees/ crops 	EA will ensure provision of notice. The EA through its LAO and appropriate department / valuation committee will undertake valuation of standing crops, perennial crops and trees, and finalize compensation rates in consultation with APs.
6. Impacts on vulnerable APs	All impacts	Vulnerable APs	<ul style="list-style-type: none"> • In case of total loss of land, a total dependency on agriculture, and a total loss of structures, land-for-land and structure-for-structure compensation if signified by the AP. • Additional one time financial assistance on equivalent to five hundred days minimum agricultural wages.¹⁸ • Vulnerable households will be given priority in Project construction employment. 	EA will verify the extent of impacts through a 100% survey of APs, determine assistance, and identify vulnerable households

¹⁸Minimum agricultural wage has been calculated at the rate of Rs. 175/day based on 2014 Department of Labour and Employment data for Himachal Pradesh.

Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Responsible Agency
7. Temporary loss of land	Land temporarily required for sub-Project construction	Legal titleholders	<ul style="list-style-type: none"> Provision of rent for period of occupation for legal titleholders. Compensation for assets lost at replacement value, and trees and crop loss in accordance with item 6. Restoration of land to previous or better quality. 	The EA through its LAO and appropriate department/ valuation committee will determine rental value and duration of construction survey and consultation with APs. PMU will ensure compensation is paid prior to site being taken over by contractor. Contractor will be responsible for site restoration.
8. Overall loss to the Project impact area	Infrastructure, other social and cultural assets	Local Area Committee	<ul style="list-style-type: none"> 1.5% of the total Project cost¹⁹ to be spent for the development of local area. 1% share of the revenue generated during the life of Project to affected Panchayat.²⁰ 	The EA/PMU/HPPCL/Local Area Development Council (LADC)/ Appropriate government.
9. Any other loss not identified	-	-	<ul style="list-style-type: none"> Unanticipated involuntary impacts will be documented and mitigated based on the principles of the Resettlement framework. 	The EA will ascertain the nature and extent of such loss. The EA will finalize the entitlements in line with the Resettlement Framework.

7.3. Valuation of Assets

59. **Land:** In this subproject land has been acquired both, through land acquisition (as per LA Act 1894) and through sale based on negotiated agreement. Of the total 9.2694 ha of private land, 7.892 ha have been acquired through the LAA 1894 and land measuring 1.3766 ha through sale negotiated between HPPCL and the AHHs. 49 legal titleholders agreed to negotiated agreement, while the land of 260 legal titleholders was acquired as per the LAA 1894. The Project applied two methods to determine compensation rates: a) appraisal of the land registry in the area for the last three years; and b) negotiated rate.

60. In order to ascertain whether the land compensation paid in this Project was at least at replacement value, the annual average output value (AAOV) formula was used as a proxy indicator for replacement cost. This method is useful in the absence of frequent land sales and reliable information on local land prices. It has been approved and used in India by several

¹⁹As per the provision of the Himachal Pradesh Hydro Policy, 2006

²⁰As per the new provisions made under the Directorate of Energy, 2011

projects of the National Highways Authority of India, including the ADB funded loans 2458 and 2029.

61. The use of a multiple of an annual average output value (AAOV) as a proxy for establishing replacement cost requires that for a specific type of land and crop, average annual yields and market prices at farm gate rates are ascertained for the relevant locations and times of land acquisition. Based on the practice established in other projects in India, the rates determined are then multiplied by 20 years to determine the requisite replacement cost unit rates.

62. In order to calculate the AAOV, the average yield and market rate of the highest value crops affected were collected for each year of award from the district level offices of the Agriculture and Horticulture Departments. The detailed calculation of AAOV is presented in **Chapter XII**.

63. **Structures:** The compensation for structures, buildings and other immovable assets has been determined on the basis of the market rates assessed by PWD based on the Basic Schedule of Rates of the year in which the structure was acquired. This was further verified through the valuation committee. HPPCL has also consulted the owners of structures and adjusted compensation rates in some cases.

64. **Trees:** Compensation for trees has also been based on the market value as determined by the Horticulture and Forest Departments. They physically verified and assessed the value of affected fruit and non-fruit trees. While the loss of timber trees was compensated at their market value, the compensation for the loss of fruit trees was calculated based on the age of the affected tree and the annual produce value for remaining productive years of the respective species.

VIII. RESETTLEMENT BUDGET AND FINANCING PLAN

65. The resettlement cost for this Project includes compensation, resettlement assistance and the support cost for RP implementation. The support cost includes staffing requirements, monitoring and administrative costs of RP implementation. Ten percent contingency has been added to the budget. Based on the above, an indicative resettlement budget has been calculated. The total land acquisition and resettlement cost for the Sainj HEP is estimated to be **Rs. 244,280,703**. The details are provided in Table 17.

Table 17: Resettlement Budget

S. No.	Item	Unit	Rate per Unit	Quantity	Cost (in Rs.)
A.	Compensation				
1.	Compensation for agriculture land, pasture and wasteland	Hectare	Rates determined by Collector and/or negotiated agreement	9.269	60,198,196
3.	Compensation for Temporary Acquisition	Hectare		1.968 ha	1,265,100
4.	Compensation for Trees	Tree	Rates determined by Horticulture or Forest Department	-	12,643,569
5.	Compensation for Structures	Structure	Rates determined by Public Works Department		
	(i) Permanent structures			18	19,528,815
	(ii) Temporary sheds			304	114,003,896
	Sub-total A				207,639,576
B	Assistance				
1	Transitional Allowance for households losing land	Lump sum	Rs. 15,750 per HH (i.e. 3 months of minimum wage)	309 HHs	4,866,750
2	Shifting Allowance for affected structures (Residential, Residential cum Commercial, Commercial and Other structures)	Lump sum	Rs. 10,000 per structure	19 structures ²¹	190,000

²¹ Includes 15 residential structures, 3 Residential cum Commercial structures and 1 Commercial structure.

S. No.	Item	Unit	Rate per Unit	Quantity	Cost (in Rs.)
3	One-time financial assistance for affected commercial structures	Lump sum	Rs. 25,000 per structure.	4 structures	100,000
4	Assistance for loss of livelihood based on three months minimum wage rates ²²	Lump sum	Rs. 19,260 per HH (i.e. 3 months of minimum wage)	4 businesses	77,040
5	Additional Assistance to Vulnerable Households	Lump sum	500 days of minimum wage per HH (i.e. Rs. 87,500 per household)	96 HHs	8,400,000
	Sub-total B				13,633,790
C	Support Cost for RP Implementation				
1	External Monitoring Expert	Lump sum	-	500,000	500,000
2	Cost of Grievance Redress	Lump sum	-	300,000	300,000
	Sub-Total C				800,000
	TOTAL R&R COST (A+B+C)				222,073,366
	Contingency (10% of the total cost)				22,207,337
	GRAND TOTAL (in Rs)				244,280,703

²² In the Sainj HEP RP, the minimum wage rate for shops & commercial establishments have been calculated at the rate of Rs. 214 per day (skilled) based on the 2014 Minimum Wages Data of the Department of Labour and Employment data for Himachal Pradesh.

IX. INSTITUTIONAL ARRANGEMENTS

9.1. Key Institutions involved

66. The implementation of the RP requires the involvement of various institutions at different stages of the project cycle. This section deals with roles and responsibilities of various institutional actors. It is noted that the Program (MFF) has been under implementation, therefore, all the necessary institutions are already in place and functional. Additionally, the relevant staff has been trained to deal with safeguards issues and has been involved in RP implementation for several years. The primary institutions involved in the process are as follows:

- Department of Power, Government of Himachal Pradesh (overall Coordination)
- Himachal Pradesh Power Corporation Limited (EA and IA)
- Project Management Unit (PMU)
- Environment and Social Management Unit (ESMU) at PMU Level
- Project Implementation Unit (PIU)

9.2. Executing Agency

67. The Department of Power, Government of Himachal Pradesh functions as the overall coordination body of the MFF. The Himachal Pradesh Power Corporation Limited (HPPCL) is the executing agency (EA) for the HPCEDIP. The HPPCL also functions as the implementing agency (IA) for HPCEDIP with a dedicated Project Management Unit (PMU). The PMU in HPPCL has been set up for the overall implementation of the subproject activities. PMU is responsible for planning, coordinating, implementing and financing all resettlement activities. PMU is operational at the corporate level, Shimla and looks after all ADB funded projects. The PMU also comprises an Environment and Social Management Unit (ESMU) headed by the Chief Environment Specialist cum Social and R&R Specialist to deal with the social safeguards issues. A Land Acquisition Officer is placed in the PMU to handle land acquisition issues. Additionally, the EA/IA ensures that the office of the District Commissioner and its concerned staff are involved during the land acquisition process.

9.3. Environment and Social Management Unit (ESMU)

68. The Environment and Social Management Unit (ESMU) has been set up within the PMU/HPPCL, along with other engineering units, to address all environmental and social issues of the HPCEIDP. The ESMU is headed by the Chief Environment cum Social and RR Specialist and staffed with environment, social and RR specialists. For the Sainj HEP, PMU is responsible for the overall coordination, preparation, planning, implementation, and financing. The ESMU, as part of the PMU, works closely with other staff of the PMU and assists the PMU in getting all necessary clearances and in the implementation of the resettlement activities prior to the start of any civil works. The ESMU coordinates safeguard activities both at headquarter and PIU level. All activities are managed and supervised by the Chief Environment cum Social and RR Specialist based at the corporate level.

9.4. Project Implementation Unit (PIU)

69. In addition to the PMU, there is a PIU at the field level for the independent implementation of the Sainj HEP. The PIU is responsible for field level activities, including all social safeguards related requirements and RP implementation.

70. The PIU is staffed with Junior Resettlement Officers (JRO) to coordinate and facilitate R&R activities at the field level. The JRO are assisted by field level engineering staff, the LAO and other support staff. All safeguard specialists work closely with the PMU staff and report to the PMU head.

71. The PIU maintains all databases, works closely with APs and other stakeholders and monitors day-to-day resettlement activities. The specialists at PIU level, provide field level inputs to the PMU, as well as the head of the ESMU. Some of the specific tasks performed by the PIU involve the following:

- Coordination with local administration for land acquisition;
- Translation of RP in the local language and its disclosure;
- Liaison with local administration for dovetailing government's income generating and developmental programs for the APs;
- Registering, surveying, recording, and documenting the inventory of economic and non-economic assets of all affected households. Where required, this function may be outsourced to a local NGO / CBO;
- Inclusion of APs who may have not been covered during the census survey;
- Facilitation of the opening of accounts in local banks to transfer assistance to APs, and disbursement of compensation and assistance;
- Implementation of R&R schemes of HPPCL;
- Monitoring of physical and financial progress of land acquisition and R&R activities;
- Participation in regular meetings of the GRC;
- Organization of monthly meetings to review the progress of R&R;
- Coordination and cooperation with CBOs.

72. Land acquisition is undertaken by the EA. It was proposed in the RF that an experienced NGO will be involved for the implementation of the resettlement plan. However, HPPCL has decided to institutionalize the environmental and social safeguard agenda within the organization and has appointed a cadre of safeguard specialist both at PMU and PIU level. The RP is directly implemented by HPPCL. The resettlement specialists and officers in ESMU and PIU are responsible for RP implementation and coordination of all R&R activities.

9.5. Social Safeguard Consultant

73. In addition to the above, a social safeguard consultant has also been engaged to facilitate the process of finalization of the Resettlement Plans prepared for each of the four Hydro-Electric Projects under the HPCEDIP. The key responsibility of the Social Safeguard Consultant is to review and update all four RPs for Sainj, Sawra Kuddu and Kashang I and II HEP, based on the Resettlement Framework (RF) agreed for this MFF and the relevant ADB policies.

74. In addition, the Consultant's responsibilities also include undertaking due diligence in each of the HEPs to assess the status of compliance with the requirements of the RF of all land acquisition activities already implemented and to prepare corrective action plans (CAP), as required.

X. IMPLEMENTATION SCHEDULE

75. The implementation of the RP was scheduled as per the overall project implementation timeframe. All activities related to land acquisition and resettlement were planned to ensure that compensation is paid prior to the commencement of civil works. Public consultation, monitoring and grievance redress were undertaken intermittently throughout the project duration. As part of advance actions, the EA established the PMU, PIU, ESMU and GRC for resettlement implementation.

76. The period for implementation of the RP has planned from July 2007 – June 2015. Typical RP related activities that were performed included: planning, verification of APs, consultations with APs, payment of entitlements and implementation, besides monitoring, which is carried out concurrently and will continue beyond the period of RP implementation until the preparation of a post-implementation evaluation report. However, the schedule is subject to modification depending on the progress of project activities. The timeline of key R&R activities is provided in Table 18 below.

Table 18: Implementation Schedule

R&R Activities	Timeline
Land Acquisition Notification	July 2007 and 2011
Identification of land and census survey	2009 (Update of survey in 2014)
Community consultations	2009, 2010, 2013
Establishment of PMU & PIU	April 2008
Establishment of ESMU	April 2008
Establishment of GRC	2013
Payment of compensation to APs for affected assets	October 2009 (Land) December 2010 (Structures)
Possession of Land	October 2009 (Land) December 2010 – January 2011 (Structures)
Handover of site and commencement of civil works	October 2009 and December 2010
Monitoring by PIU and PMU	Ongoing
External Monitoring by Independent Expert	January 2016
Payment of all eligible assistance	January 2012 – Ongoing
Update and Revision of RP	March 2016
Preparation of Corrective Action Plan	March 2016
Implementation of Corrective Action Plan	June 2016

XI. MONITORING AND EVALUATION

11.1. General

77. RP implementation is closely monitored through both, internal and external monitoring arrangements, to assess resettlement progress and identify potential difficulties and problems. Internal monitoring is undertaken by the PIU through its resettlement officer with assistance from the PMU/ESMU. The extent of monitoring activities, including their scope and periodicity, is commensurate with the Project's risks and impacts. HPPCL is required to implement safeguard measures and relevant safeguard plans, as provided in the legal agreements, and to submit periodic monitoring reports on their implementation performance. In addition, as a category A project, HPCEDIP engages an external monitoring agency to verify its internal monitoring data and propose corrective actions, if required.

11.2. Internal Monitoring by PIU

78. Internal monitoring for RP implementation is being carried out on regular basis. Regular monitoring of resettlement progress identifies potential difficulties and problem areas. The monitoring reports are prepared on quarterly basis for the first year of implementation and bi-annually thereafter. The reports cover all actual achievements against targets fixed and identifying reasons for shortfalls, if any. Internal monitoring involves the following:

- Process monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis.
- Output monitoring to ensure that all entitlements are provided as stipulated in the RF, RP and the entitlement matrix.
- Impact monitoring after the land acquisition and resettlement process to ensure that people livelihoods are maintained and improved. This is done on the basis of baseline information established by the socio-economic survey of APs undertaken during project preparation.

11.3. Monitoring Indicators

79. The indicators for achievement of objectives during RP implementation are of two kinds:

- **Process Indicators:** Indicating project inputs, expenditure, staff deployment, etc.
- **Output Indicators:** Indicating results in terms of numbers of APs compensated, area of temporarily occupied lands restored with topsoil (and other pre-project features), number of APs provided with skills training, etc.

80. Input and output indicators related to physical progress of the work will include items such as:

- Training of PIU and other staff completed

- Census, assets inventories, assessments and socio-economic studies completed
- Grievance redress procedures in-place and functional
- Compensation payments disbursed
- Relocation of DPs completed
- Project employment provided to DPs
- Infrastructure rehabilitated or constructed
- Income restoration activities initiated
- Skills training of DPs initiated
- Number of households displaced and resettled, and
- Monitoring and evaluation reports submitted.

81. These indicators will form the basis of the monitoring and evaluation of RP implementation. The information collected through the household survey will provide benchmarks for comparison on the socio-economic status of the DPs in the project implementation period. A key objective will be the maintenance or improvement of the APs incomes and quality of lives.

11.4. External Monitoring

82. This Project involves significant resettlement impacts and is classified as category A and hence will be monitored by an experienced external expert/agency who will submit semi-annual monitoring reports to the EA and ADB. An External Monitor with previous experience in monitoring of resettlement activities and familiarity with Government and ADB policies, will be engaged with ADB concurrence to verify the monitoring data collected by the PIU / EA. The External Monitor will monitor and verify RP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement.

83. The external monitoring will include: (i) review and verification of the monitoring reports prepared by PIU; (ii) review of socio-economic baseline census information of displaced persons; (iii) identification and selection of impact indicators for monitoring and impact evaluation; (iv) impact assessment through sample surveys amongst displaced persons; (v) consultation with APs, officials, community leaders for preparing review report; (vi) assessment of the resettlement efficiency and effectiveness as well as the efficiency of the PIU, (vii) evaluation of the impact of RP implementation and the sustainability of the livelihood restoration measures, and (viii) lessons for future resettlement policy formulation and planning.

11.5. Reporting Requirements

84. The JRO in PIU responsible for RP implementation prepare monthly and quarterly progress reports on resettlement activities and submitted these to PMU/ESMU. The quarterly social monitoring reports will be submitted by ESMU to HPPCL and ADB for review.

85. The external monitoring expert/agency responsible for monitoring of the RP implementation will submit semi-annual external monitoring reports to PMU and ADB to (i) determine whether resettlement goals have been achieved and livelihoods and living standards restored or enhanced, and (ii) propose corrective action if required.

86. All the resettlement monitoring reports will be disclosed to APs in line with the procedure followed for disclosure of resettlement documents by the EA. The monitoring reports will also be disclosed on the ADB website.

XII. FINDINGS OF DUE DILIGENCE

87. The main purpose of the due diligence exercise is to (i) assess the compliance of all land acquisition activities already implemented by the subproject with the compensation and rehabilitation provisions of the RP and RF, (ii) identify gaps, if any, and (iii) design corrective actions as required. The key findings of the due diligence of the Sainj HEP are presented below.

12.1. Valuation and Payment of Compensation

12.1.1. Payment of Compensation for land

88. In case of this Project, land has been acquired both through land acquisition (in line with the LAA 1894) and through negotiated agreement. Of the total 9.2694 ha of private land acquired for this Project, 7.892 ha have been acquired through the LAA 1894. The remaining land measuring 1.3766 ha has been obtained through negotiated agreement between HPPCL and the affected households.

Table 19: Details of permanent impact on land

Modality	Land Acquired (ha)	No. of LTH
Land Acquisition (under LAA, 1894)	7.892	260
Negotiated Agreement	1.376	49
Total	9.269	309

89. Table 20 indicates that for the 7.892 ha of land acquired through LA Act 1894 the compensation rate for acquisition of for agricultural, orchard and pasture land awarded by the Land Acquisition Officer was Rs. 6,694,349 per hectare (inclusive of 30% solatium and 12% interest) and for wasteland Rs. 3,825,342 per hectare (inclusive of 30% solatium and 12% interest).

Table 20: Compensation rates paid for Land Acquisition (LAA 1894)

Type of land	Rate (Rs./ha)
Agricultural, orchard and pasture land	6,694,349
Wasteland	3,825,342

90. Out of the 260 LTH whose land was acquired under LAA 1894, 141 LTH went to court to contest the rates of the LAO. New compensation rates for these households were determined by the District Court. HPPCL has deposited a total of Rs. 48,493,528 of compensation due to 105 LTHs with the court. Compensation for the 36 remaining LTH is yet to be deposited. HPPCL has appealed against the order of the District Court in the High Court. A total of Rs. 58,867,041 has been paid to the affected titleholders. Table 21 below indicates the amounts of compensation already paid for land acquisition to legal titleholders and to the court. See Annexure 2 for sample documentary evidence of compensation payments made for land, structures and trees under the LAA 1894.

**Table 21: Compensation Paid to Legal Titleholders and to the Court for
Land Acquisition under the LAA 1894**

Recipient of compensation payment	Compensation Paid (Rs.)
Compensation paid to LTH	58,867,041.00
Compensation deposited with the Court	48,493,528.00
Total Compensation	107,360,569.00

91. In case of the 1.3766 ha of land acquired through negotiated agreement, negotiations were held with landowners in different villages to arrive at the negotiated rate. A total of Rs. 8,760,900 was paid for land purchased via negotiated agreement. See Annexure 3 for sample documentary evidence of compensation payments made based on negotiated agreement. The details are provided in Table 22:

Table 22: Details of land acquired through negotiated agreement

Name of the Village	Date of Purchase	Rate and extent of land acquired through negotiations					
		Agricultural Land		Pasture Land		Wasteland	
		Land (ha)	Rate (Rs./ha)	Land (ha)	Rate (Rs./ha)	Land (ha)	Rate (Rs./ha)
Phati Shenshor (Weather station)	03 Dec 2009	0.016	6,137,500	-	-	-	-
Phati Shenshor (Near Surge Shaft)	16 Feb 2011 & 30 Mar 2011	0.1498	6,250,000	0.1248	6,250,000	0.0718	6,250,000
Phati Shenshor (Near Adit I)	19 Mar 2012	-	-	0.256	7,500,000	-	-
Phati Gadarparli (Barrage Component)	27 Feb 2013	0.12	5,000,000	-	-	0.02	5,000,000
Phati Shenshor (Power House Site)	30 Mar 2013 & 28 Oct 2013	0.1686	7,250,000	0.045	7,250,000	0.1806	7,250,000
Phati Shenshor (Near Adit II)	19 Mar 2012	0.068	6,250,000	-	3,812,500	0.156	3,812,500

92. In addition to the permanent acquisition of land, 1.968 ha of land were temporarily leased for the Project through agreement and direct negotiations with 17 legal titleholders. A total of Rs. 1,265,100 was paid as compensation for temporary leasing of land. See Annexure 4 for sample documentary evidence of compensation payments made based on lease agreements. Table 23 below provides details of the temporarily leased land.

Table 23: Details of land temporarily Leased

Name of the Village	Period of Lease	Land leased (ha.)	Annual Lease Rate (Rs./ha)	No. of LTH
Shenshor Phati	One year (From 10 Sept 2008 to 9 Sept 2009)	1.652	375,000	6
Banogi Phati	5 years (From 17 Sept 2008 to 16 Sept 2013) Later extended for 2.5 years - From 17 Sept 2013 to 16 Mar 2016)	0.316	375,000	11

12.1.2 Annual Average Output Value of Land

93. In order to ensure that the land compensation paid in this Project is at least equivalent to replacement value, the consultant used a multiple of the annual average output value (AAOV) as the proxy indicator for replacement cost. This requires that a specific type of land and crop, average annual yields and market prices at farm gate rates are ascertained for the relevant locations and times of land acquisition. Based on the practice established in other projects in India, the rates determined are then multiplied by 20 years to determine the requisite replacement cost unit rates.

94. Average yields and market rates of the highest value affected crops (annuals, fruits or fodder) were collected for each year of award from the district level offices of the Agriculture and Horticulture Departments to calculate the AAOV (see Table 24).

Table 24: AAOV of Agricultural, Orchard, Pasture and Waste Land

District/ Phatti	Year of Award	Type of Crop	Average Annual Yield (Kg./ha)	Market Price (Rs./Kg.)	Rate of Income (Rs./ha)
I. AGRICULTURAL LAND					
1.1. Kharif					
Kullu Sub Teh. Sainj Phatti Shenshor & Gadaparli	2009-10	1. Maize	1,733.00	12	20,798.54
		2. Saryara	2,500.00	40	100,000.00

District/ Phatti	Year of Award	Type of Crop	Average Annual Yield (Kg./ha)	Market Price (Rs./Kg.)	Rate of Income (Rs./ha)
		(Lanpana Camera - Linseed)			
		3. <i>Kodra</i> (Paspolum Scropaculapum)	2,500.00	40	100,000.00
		4. Red Kidney Beans (Rajmash)	1,875.00	60	112,500.00
1.2. <i>Rabi</i>					
Kullu Sub Teh. Sainj, Phati Shenshor & Gadaparli	2009-10	1. Wheat	1,186.00	15	17,791.98
		2. Barley	1,190.90	18	21,437.04
II. ORCHARD LAND					
Kullu Sub The. Sainj Phatti Shenshor & Gadaparli	2009-10	Apple	6,250.00	20	125,000.00
III. PASTURELAND AND WASTELAND					
Kullu Sub Teh. Sainj Phatti Shenshor & Gadaparli	2009-10	Fodder	25,000.00	1.60	40,000.00

Sources: (i) Revenue Dept. for type of crop grown
(ii) Agriculture Dept. for average annual yield
(iii) Marketing Board of HP for market rates
(iv) Information collected from the farmers of the area

12.1.3 Calculation of Compensation rate for land using AAOV

95. In the case of annual crops, there are two cropping seasons – *kharif* and *rabi*. The average annual yield and rates of the major *kharif* and *rabi* crops of the district were collected. The major *kharif* crops in the area were maize, saryara (Lanpana Camara- linseed), *kodra* (Paspalum Scropaculapum) and red kidney beans. The major *rabi* crops were wheat and barley. Among the *kharif* and *rabi* crops, the rates for the two highest value crops, red kidney beans and barley, were used to calculate the AAOV.

96. In the case of orchards, which yield perennial crops, the highest value crop identified is apple. The average annual yield and rate for apples was used to calculate the AAOV of orchard land.

97. The average annual yield and rates of fodder in the district were also collected to arrive at the AAOV of pasture land. As wasteland per definition does not yield any crop, the rates applicable for pasture land were used as a proxy indicator for wasteland.

98. The calculation of compensation based on AAOV is presented in Box A below.

Box A:	
Calculation of Compensation Rates at Replacement Cost for Agricultural, Orchard, Pasture and Waste Land based on AAOV	
(Income per ha and year from Highest Value Crop X 20 years)	
<u>Agricultural Land:</u>	
Income per ha from red kidney beans (<i>kharif</i>) + Income per ha from barley (<i>rabi</i>) X 20 years = Rs. 112,500 + Rs. 21,437 X 20 years = 2,678,740/ ha	
<u>Orchard Land:</u>	
Income per ha from apples X 20 years = Rs. 125,000 X 20 years = 2,500,000	
<u>Pasture and Waste Land:</u>	
Income per ha from Fodder X 20 years = Rs. 40,000 x 20 years = Rs. 800,000/	

12.1.4 Comparison of Compensation Paid by the Project with AAOV

99. After deriving the compensation for agricultural, orchards, pasture and waste land using the AAOV, the same was compared with the rates paid by HPPCL for different categories of land. The comparison indicates that rates paid for land by HPPCL, ranging from Rs. 3,825,342 to 7,500,000 per ha for different types of land and modes of acquisition, were significantly higher than the rates derived using the AAOV, which were Rs. 2,678,740 per ha for agricultural land, Rs. 2,500,000 per ha for orchard land and Rs. 800,000 per ha for pasture and wasteland (see Table 25).

Table 25: Comparison of Land Compensation paid (by HPPCL) with Compensation derived using AAOV

Type of Land	Compensation paid by HPPCL as per LAA 1894 (Rs./ha)	Compensation paid by HPPCL through Sale/Direct Negotiation (in Rs./ha)	Compensation derived using AAOV (in Rs./ha)
Agriculture Land	6,694,349	6,137,500 to 7,250,000	2,678,740
Orchard Land	6,694,349	6,250,000 to 7,500,000	2,500,000
Pasture Land	6,694,349	6,250,000 to 7,500,000	800,000
Waste Land	3,825,342	3,812,500 to 7,250,000	800,000

12.2. Payment of Compensation for Structures

100. Apart from private land, 15 residential structures, 1 commercial structure and 3 residential cum commercial structures, as well as 303 structures under construction (296 temporary sheds and 7 *pucca* houses) were affected. The compensation for structures, buildings and other immovable assets has been determined on the basis of the rates assessed by PWD according to the Basic Schedule of Rates of the year in which the structure was acquired. This was further verified through the valuation committee. HPPCL has also consulted the owners of structures and adjusted compensation rates in some cases. See Annexure 2 for sample documentary evidence of compensation payments made for land, structures and trees under the LAA 1894. The total compensation paid for different categories of structures is presented in Table 26.

Table 26: Payment of Compensation for Affected Structures

Type of structure	Structures (No.)	Compensation Paid for Structures of LTH	Compensation Paid for Structures of NTH	Compensation Paid (Rs.)
Residential	15	15	-	15,633,625
Commercial	1	1	-	38,795
Residential cum Commercial	3	3	-	3,856,395
Under construction (temporary sheds / <i>pucca</i> houses)	303	284	-	114,003,896
		-	19	
Total	322	303	19	133,532,711

12.3. Payment of Compensation for Trees

101. Compensation for 2781 affected trees owned by 217 LTH was also based on their market value. HPPCL engaged the Horticulture and Forest Departments to physically verify and assess the value of affected trees. The loss of timber trees was compensated at applicable market rates amounting to a total of Rs. 7,551,246. The compensation for the loss of fruit trees was calculated based on the age of the affected tree and the annual produce value for the remaining productive years, totaling Rs. 5,092,323. The grand total amounts to Rs. 12,643,569. See Annexure 2 for sample documentary evidence of compensation payments made for land, structures and trees under the LAA 1894.

12.4. Payment of Compensation for Crop Loss

102. In accordance with the entitlement matrix of the RF, all persons losing agricultural land with annual crops were allowed to harvest their crops prior to land acquisition. Therefore, no crop compensation has been paid under this Project.

12.5. R&R Assistance

103. In line with the entitlements agreed in the Resettlement Framework and the Resettlement Plan prepared for this Project, apart from compensation for affected assets, the affected households were also entitled to the following types of R&R assistance:

- **Loss of Land:** Transitional allowance paid to legal titleholders based on three months of minimum agricultural wage rates²³
- **Loss of Structures:** Shifting assistance at Rs. 10,000 per household and one-time financial assistance of Rs. 25,000 for each affected commercial structure
- **Loss of livelihood:** Assistance for lost income based on three months minimum wage rates.²⁴
- **Impact on Vulnerable APs:** Additional one-time financial assistance equivalent to five hundred days of minimum wage rates.²⁵

104. During the due diligence, the status of payment of the above assistance in the Sainj HEP was assessed. The due diligence indicates that assistance has been paid to the affected households as enumerated in Table 28 below. See Annexure 5 for sample documentary evidence of R&R assistance payments made. While the majority of the entitlements have already been paid to the affected households in full, the three pending entitlements include (i) payment of transitional allowance for loss of agricultural land to 62 legal titleholders (amounting to a total payment of Rs. 976,500), (ii) assistance for lost income based on three months of minimum wage to 2 businesses (amounting to a total payment of Rs. 38,520 at the rate of Rs. 19,260 per household) and (iii) payment of vulnerability assistance to 96 vulnerable households (amounting to a total payment of Rs. 8,400,000).

105. In addition to payment of compensation and assistance in line with HPPCL R&R Policy, the Project as part of CSR activities undertook a range of developmental activities in the project affected area for the affected household and communities. The details of the same are provided in Annexure 6.

²³ In the Sainj HEP RP, the minimum agricultural wage has been calculated at the rate of Rs. 175/day based on the 2014 Department of Labour and Employment data for Himachal Pradesh.

²⁴ In the Sainj HEP RP, the minimum agricultural wage has been calculated at the rate of Rs. 175/day based on the 2014 Department of Labour and Employment data for Himachal Pradesh. The minimum wage rate for shops & commercial establishments has been calculated at the rate of Rs. 214/day (skilled) based on the 2014 Minimum Wages Data of the Department of Labour and Employment data for Himachal Pradesh.

²⁵ In the Sainj HEP RP, the minimum agricultural wage has been calculated at the rate of Rs. 175/day based on the 2014 Department of Labour and Employment data for Himachal Pradesh.

Table 27: Status of Payment of R&R Assistance to Affected Households

Type of Loss	Entitlement Agreed in the RF and RP	Entitlement paid by HPPCL as per HP R&R	No. of LTHs entitled to receive assistance	No. of LTHs who have been paid assistance	Corrective Action
Loss of Land (Agriculture land)	Transitional allowance based on three months of minimum agricultural wage rates ²⁶ equal to Rs. 15,750	Transitional allowance based Rs. 45,000	309	247	Payment to remaining 62 LTH will be done by June 2016
Loss of Structure (Residential and Other structures)	Shifting assistance at Rs. 10,000 per household	Transportation cost of Rs. 20,000	15 (residential)	15	None
Loss of Structure (Commercial and Residential-cum-Commercial Structure)	Shifting assistance at Rs. 10,000 per household	Transportation cost of Rs. 20,000	4 Structures ²⁷	3 Structures	None for the 3 affected residential cum commercial structures. The remaining 1 affected commercial structure comprised of a temporary shed with no material to be transferred. As a result, no shifting allowance needs to be paid.

²⁶ In the Sainj HEP RP, the minimum agricultural wage has been calculated at the rate of Rs. 175/day based on the 2014 Department of Labour and Employment data for Himachal Pradesh.

²⁷ Comprising of 3 Residential-cum-Commercial structures and 1 commercial structure.

Type of Loss	Entitlement Agreed in the RF and RP	Entitlement paid by HPPCL as per HP R&R	No. of LTHs entitled to receive assistance	No. of LTHs who have been paid assistance	Corrective Action
	One-time financial assistance of Rs. 25,000 for each affected commercial structure	Financial assistance of Rs. 50,000 for construction of shop or workshop or of Rs. 200,000 if unable to provide shop for shop compensation	4 Structures	2 Structures (1 commercial and 1 residential cum commercial) has been paid financial assistance of Rs. 50,000 for construction of shed. 2 Structures (residential cum commercial) have been paid financial assistance of Rs. 200,000	None
Loss of Livelihood	Assistance for lost income based on three months minimum wage rates ²⁸ equal to RS. 19,260	Financial assistance of Rs. 20,000/- to displaced shopkeeper	4 businesses ²⁹	2 businesses at the rate of 19,260 totaling Rs. 38,520	Payment to 2 business owners will be done by June 2016.
Additional assistance to Vulnerable Households	Additional one-time financial assistance equivalent to five hundred days of	None	96 HHs	None	Payment to 96 vulnerable HHs will be done by December 2016.

²⁸The minimum wage rate for shops & commercial establishments has been calculated at the rate of Rs. 214/day (skilled) based on the 2014 Minimum Wages Data of the Department of Labour and Employment data for Himachal Pradesh.

²⁹Comprising of 3 Residential-cum-Commercial structures and 1 commercial structure.

Type of Loss	Entitlement Agreed in the RF and RP	Entitlement paid by HPPCL as per HP R&R	No. of LTHs entitled to receive assistance	No. of LTHs who have been paid assistance	Corrective Action
	minimum agricultural wages ³⁰ equal to Rs. 87,500				
Overall loss to the Project impact Area (Infrastructure and other social cultural assets)	1.5% of the total Project cost to be spent for on local area development. 1% share of the revenue generated during the life of the Project to be provided to affected Panchayat	The Project has made a total contribution of Rs. 108,700,000 to Local Area Development Fund. This fund has been utilized by the District Administration for construction of <i>pucca</i> road, water distribution scheme, check dams and community buildings in the affected panchayats.	Rs. 108,700,000	Paid	None

³⁰In the Sainj HEP RP, the minimum agricultural wage has been calculated at the rate of Rs. 175/day based on the 2014 Department of Labour and Employment data for Himachal Pradesh.

12.3. Equivalence and Gaps

106. The due diligence indicates that the payment of compensation for land done by HPPCL exceeds the replacement value of the land as calculated on the basis of AAOV. The comparison of the compensation for annual crop land, orchards, pasture and wasteland (calculated using the AAOV) with the actual rates paid by HPPCL indicates that compensation for land given by HPPCL (ranging from Rs. 3,825,342 to 7,500,000 per hectare) was significantly higher than the rates derived using the AAOV, which were Rs. 2,678,740 per ha for annual crop land, Rs. 2,500,000 per ha for orchard land and Rs. 800,000 per ha for pasture and wasteland (see Table 25). However, 141 LTH contested the compensation rates in court, of which HPPCL has yet to deposit compensation for 36 households with the court. Payment of this compensation will only be done once these cases have been settled by the High Court. Rates for structure and trees were provided by Horticulture Department and PWD based on applicable market values.

107. All the payments released by HPPCL under the R&R Plan have been considered and accounted for. The majority of the affected households have been paid the required compensation and assistance. However, the payment of (i) a transitional allowance for loss of agricultural land to 62 legal titleholders, (ii) assistance for livelihood loss to 2 businesses and (iii) assistance to 96 vulnerable households, as stipulated in the Resettlement Framework agreed for HPCEDIP and the Resettlement Plan for the Sainj HEP, is still pending. HPPCL needs to implement the corrective actions indicated in this Final RP by providing the pending entitlements totaling of Rs. 9,415,020 to the affected persons and by making a deposit of pending contested compensation in court.

12.4. Corrective Action Plan

108. In order to address the gaps identified during due diligence, HPPCL will implement the the Corrective Action Plan (CAP) detailed in Table 29.

Table 29: Corrective Action Plan

Corrective Action to be taken	Timeline
1. Compensation for land to 141 AHH who went to court	
1.1 Disbursement of compensation to AHH	Compensation will be disbursed after decision by the High Court.
1.2. Deposit of compensation amount for 36 AHH with the court	June 2016
2. Payment of R&R Assistance	
2.1. Payment of transitional allowance for loss of agriculture land to 62 legal titleholders (amounting to a total payment of Rs. 976,500 at the rate of Rs. 15,750).	June 2016
2.2. Payment of livelihood loss assistance to 2 businesses (amounting to a total payment of Rs. 38,520 at the rate of Rs. 19,260 per household) ³¹	June 2016
2.3. Payment of vulnerability assistance to 96 vulnerable households (amounting to a total payment of Rs. 8,400,000 at the rate of Rs. 87,500 per household) ³²	December 2016

³¹ As per the entitlement matrix each business losing income is entitled to a livelihood assistance assistance of 3 months of minimum wage. The minimum wage rate for shops & commercial establishments has been calculated at the rate of Rs. 214/day (skilled) based on the 2014 Minimum Wages Data of the Department of Labour and Employment data for Himachal Pradesh.

³² As per the entitlement, each vulnerable household is to be paid 500 days of minimum agricultural wages. The minimum agricultural wage has been calculated at the rate of Rs. 175/day based on the 2014 data of the Department of Labour & Employment for Himachal Pradesh.

ANNEXURE 1:

COMPARISON BETWEEN LAA 1894, NRRP 2007, HPPCL R&R POLICY 2006 AND ADB INVOLUNTARY RESETTLEMENT SAFEGUARD REQUIREMENTS (SPS 2009)

S.No.	ADB Safeguard Requirement	LAA 1894	NRRP 2007	HPPCL R&R Policy 2006	Remarks, and provisions in HPPCL R&R Policy	Measures to bridge the Gap
	Objectives					
1	Avoid involuntary resettlement wherever feasible	X	✓	X		Avoidance of involuntary resettlement wherever feasible has been included as a key principle in this RP.
2	If unavoidable, minimize involuntary resettlement by exploring Project and design alternatives	X	✓	X		Minimization of involuntary resettlement impacts has been included as a key principle in this RP.
3	To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-Project levels	X	✓	✓		-
4	To improve the standards of living of the displaced poor and other vulnerable groups.	X	✓	✓		-
	Policy Principles					
5	Screen the Project early on to identify past, present and future involuntary resettlement impacts and risks.	X	✓	✓	While HPPCL R&R Plan does not specify any requirement for screening of the Project at an early stage for resettlement impacts and risks, the process for	Screening of all sub-Projects in line with the IR checklist of ADB, towards enabling identification of the potential resettlement impacts and associated risks.

S.No.	ADB Safeguard Requirement	LAA 1894	NRRP 2007	HPPCL R&R Policy 2006	Remarks, and provisions in HPPCL R&R Policy	Measures to bridge the Gap
					resettlement planning and impact assessment is defined.	
6	Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks	x	✓	✓	The HPPCL R&R Plan mentions that a Social Impact assessment and baseline survey will be conducted in the Project affected area which will cover –information about families living in the area, their occupation, income, education, housing and dependence on common resources; b) available infrastructure and resources; c) land holdings; d) members of the family who are permanently residing, engaged in any trade, business, occupation or vocation in the affected area; e) families who are likely to lose, or have lost, their house, agricultural land, employment or are alienated wholly or substantially from the main source of their trade, business, occupation or vocation; f) agricultural and non-agricultural labourers; g) families belonging to SC or ST categories; h) vulnerable persons; i) families that are landless and below poverty line, but residing continuously for a period of not less than three	-

S.No.	ADB Safeguard Requirement	LAA 1894	NRRP 2007	HPPCL R&R Policy 2006	Remarks, and provisions in HPPCL R&R Policy	Measures to bridge the Gap
					years in the affected area preceding the date of declaration of the affected area; and j) ST families who are or were having possession of forest lands in the affected area prior to 13 Dec 2005.	
7	Carryout consultations with affected persons, host communities and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options	X	✓	✓	Provides for public hearing as well as Project Information Officer for providing information and guidance to the local people particularly the Project Affected Families.	In addition to the public hearings, consultations with the affected population and information dissemination about the Project including the entitlement and resettlement options to the affected persons.
8	Establish grievance redressal mechanism	X	✓	X		A Project level GRM is included in the RP.
9	Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.	X	✓	✓	Provides for social impact assessment study in Project affected areas taking into consideration the impact that the Project will have on public and community properties etc.	Social Impact Assessment, awareness campaigns, and social preparation phase will be done for any Projects with significant impacts.
10	Improve or restore the livelihoods of all displaced persons through (i) land-based resettlement strategies	X	✓	✓	Provides for the option of land based as well as other resettlement strategies	Structure to be compensated at replacement cost without depreciation

S.No.	ADB Safeguard Requirement	LAA 1894	NRRP 2007	HPPCL R&R Policy 2006	Remarks, and provisions in HPPCL R&R Policy	Measures to bridge the Gap
	(ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) Additional revenues and services through benefit sharing schemes where possible.					
11	If there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of Project benefits to host communities; provide transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.	X	✓	✓		Not envisaged under the proposed Project. Therefore, the provision of alternative resettlement sites is not provided for in the framework.

S.No.	ADB Safeguard Requirement	LAA 1894	NRRP 2007	HPPCL R&R Policy 2006	Remarks, and provisions in HPPCL R&R Policy	Measures to bridge the Gap
12	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	X	✓	✓		
13	If land acquisition is through negotiated settlement, ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status	X	✓	X		Not envisaged
14	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	X	✓	✓	Provides that any agricultural or non-agricultural laborer, landless person (not having homestead land, agricultural; land) rural artisan, small trader, self-employed person; who has been residing continuously for a period of not less than three years in the affected area preceding the date of declaration of the affected area, and who has been deprived of earning his livelihood or alienated wholly or substantially from the main source of his trade, business, occupation or vocation because of the acquisition of land in the affected area or being	RP mandates that in the case of land acquisition, the date of publication of preliminary notification for acquisition under Section 4.1 of the LAA will be treated as the cut-off date for title holders, and for non-titleholders such as squatters the start date of the Project census survey.

S.No.	ADB Safeguard Requirement	LAA 1894	NRRP 2007	HPPCL R&R Policy 2006	Remarks, and provisions in HPPCL R&R Policy	Measures to bridge the Gap
					involuntarily displaced for any other reason, will be regarded as Project Affected Family.	
15	Prepare a resettlement plan / indigenous peoples plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.	X	✓	✓	Provides for preparation of a Social Impact Assessment Report and modification of the R&R Plan if need is felt after the SIA report.	-
16	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before Project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders	X	X	X		The RF and RP include provision for disclosure of the various documents pertaining to RP implementation.
10	Include the full costs of measures proposed in the resettlement plan and indigenous peoples plan as part of Project's costs and benefits. For a Project with significant involuntary resettlement impacts and / or	X	✓	X		-

S.No.	ADB Safeguard Requirement	LAA 1894	NRRP 2007	HPPCL R&R Policy 2006	Remarks, and provisions in HPPCL R&R Policy	Measures to bridge the Gap
	indigenous peoples plan, consider implementing the involuntary resettlement component of the Project as a stand-alone operation.					
17	Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout Project implementation.	X	✓	X		The RF and RP include provision for payment of compensation and other resettlement entitlements prior to physical or economic displacement.
18	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	X	✓	X		The RF and RP include provision for both internal as well as external monitoring of RP Implementation.

ANNEXURE 2:

SAMPLE DOCUMENTARY EVIDENCE OF COMPENSATION PAYMENTS MADE FOR LAND, STRUCTURES AND TREES UNDER THE LA 1894

(5)

संख्या विद्युत-ख-5/7/2007-10

हिमाचल प्रदेश सरकार
बहुउद्योगीय परियोजनाएं एवं विद्युत विभाग

प्रेषक
प्रधान सचिव (विद्युत)
हिमाचल प्रदेश सरकार

प्राप्त
मू. अर्जत समाहता,
डि० प्र० विद्युत निगम लि०,
उत्तर-पश्चिम, (नजदीक सुरंग-103),
शिमला-171008 (हि० प्र०)

दिनांक : शिमला-171002 29/8/09

विषय
Proposed awards of land to be acquired for construction of Sainj HEP in Phati Suchain, Gara Parli, Shainsher in Sub Tehsil Sainj, Distt. Kullu.

संदर्भ
उपरोक्त विषय पर जिला समाहता कूलु के पत्र संख्या 528/DRA दिनांक 3-7-2009 जिसके साथ फाटी सुचैहण, गाढ़ापारला तथा शैशर उप तहसील सैज जिला कूलु में सैज जल विद्युत परियोजना के निर्माण के लिए अधिग्रहण की गई भूमि के पचास स्वीकृति हेतु भेजा है, के संदर्भ में मू. अर्जत अधिनियम 1894 की धारा-11 की उप धारा-1 के उप खण्ड के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल हिमाचल प्रदेश फाटी सुचैहण, गाढ़ापारला तथा शैशर उप तहसील सैज, जिला कूलु में अधिग्रहण की गई भूमि तथा भूमि पर उगे पेड़ों (फलदार व अन्य) आदि के प्रस्तावित पचास मुनलिंग 5,88,87,990-00 (पाँच करोड़ अठठासी लाख सत्तरास हजार नौ सौ नब्बे) रुपये केवल के मुआवजे को घोषित करने की सह्य स्वीकृति प्रदान करते हैं।

2 पचास घोषित करने पर इसकी सूचना इस विभाग को भी भेजी जाए।

(महोदय)

विशेष सचिव (विद्युत)
हिमाचल प्रदेश सरकार
दिनांक

पू० संख्या विद्युत-ख-5/7/2007
पनिलिपि जिला समाहता कूलु (पि० प्र०) को इसकी उपयोगिता अर्पित पत्र के संदर्भ में सूचना भेजी जाती है।

विशेष सचिव (विद्युत)
हिमाचल प्रदेश सरकार

Enclaf. No. 852
Copy is forwarded to the General Manager Sainj HEP H.P.C.L. Sahaba Distt. Kullu, for information and necessary action. He is requested to deposit the above amount at their account.

Dated 29/8/09

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**BEFORE THE COLLECTOR LAND ACQUISITION
HPSEB/HPPCL, SHIMLA-4**

Award No. 607
Date of Announcement: 16.10.09

IN THE MATTER OF:

Acquisition of land for the construction of Sainj Hydro Electric Project
in Village Phati Suchain Kothi Banogi, Phati Gaddaparli, Phati
Shenshar, Kothi Shenshar, Sub- Tehsil Sainj, District Kullu, (H.P.).

PRESENT: NONE

AWARD:

The H.P. State Electricity Board now Himachal Pradesh Power Corporation Ltd., proposed to acquire land for the construction of Sainj Hydro Electric Project in Village Phati Suchain Kothi Banogi, Phati Gaddaparli, Phati Shenshar, Kothi Shenshar, Sub- Tehsil Sainj, District Kullu, (H.P.) at its own expenses and moved the case to H.P.Govt. for issue of notification u/s-4 of the Land Acquisition Act -1894. The Govt. of H.P. issued notification vide no. Vidyut Chh (5)-7/2007 dated 24.07.2007 in which land kitta 91 measuring 109-11-4 bigha situated in village Phati Suchain Kothi Banogi, Phati Gaddaparli, Phati Shenshar, Kothi Shenshar, Sub- Tehsil Sainj, District Kullu, (H.P.) was notified for acquisition. This notification was published in two daily newspapers i.e. Divya Himachal and Times of India on 10.08.2007 and in the Rajpatra dated 11.08.2007. The public notice of the substance of this notification was given through Naib Tehsildar Sainj on 18.08.2007.

Within the period of one month after publication of notification u/s-4 i.e. 18.08.07 S/Sh. Nidhi Singh, Doop Singh, Chabe Ram and Tek Ram persons interested filed their written objection in which they stated that they may be paid adequate compensation for their land and structures and that they have no objection regarding acquisition of land. The objection regarding quantum of compensation has to be heard during the claims u/s-9 of the Land Acquisition Act, thus the P.P.Govt. issued a declaration u/s- 6 directing the Collector to proceed further with the acquisition u/s -7 of the Land Acquisition Act vide State Government notification no.

Vidyut Chh (5)-7/2007 dated 20.11.2007 for the same land as notified under section -4. This notification was also published in two daily newspapers i.e. Amar Ujala on 28.11.07 and Divya Himachal on 28.11.07 and in the Rajpatra dated 26.11.07. The public notice of the substance of this notification was given through Naib Tehsildar Sainj on 13.05.08.

Pursuant to the directions made u/s-7, land required to be acquired for the construction of Sainj Hydro Electric Project in Village Phati Suchain Kothi Banogi, Phati Gaddaparli, Phati Shenshar, Kothi Shenshar, Sub- Tehsil Sainj, District Kullu, (H.P.) was caused to be marked out and measured and revenue papers and plan of the same made out by the Revenue Staff of Land Acquisition Office HPSEB, Mandi u/s -8 of the Land Acquisition Act. As per notification under section 6 & 7 total land kita 91 measuring 109-11-04 bigha was notified for acquisition, but during the course of inquiry under section- 8 the representative of HPPCL stated that land described as khasra number 1802/398 measuring 0-5-0 bishwa situated in Phati Suchain, Kothi Banogi and Kh. No. 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955 & 2956, Kitta-13, measuring 10-13-0 bigha notified for acquisition is not required now and may be dropped from acquisition proceedings.

Hence these khasra numbers are left out from the acquisition. The detail of the land now to be acquired is as under:

District	Sub-Tehsil	Village	Kh. No.	Area in Bigha/Bishwa	Classification
Kullu	Sainj	Phati Gadaparli, Kothi Shenshar	477	1-5-0	Gairmumkin Pathar
			478	0-18-0	-do-
			479	2-6-0	-do-
			568	0-4-0	-do-
			569	0-2-0	-do-
			570	0-11-0	0-3-0 -do- 0-8-0 Banjar Kadim
			571	0-17-0	0-6-0 -do- 0-11-0 Banjar Kadim
			572	0-8-0	Gairmumkin Pathar

573	1-16-0	0-6-0 -do- Beed 1-10-0 Banjar Kadim	
574/1	0-11-0	0-5-0 -do- Beed 0-6-0 Bathal Soam	
574/2	1-0-0	0-8-0 -do- Beed 0-12-0 Bathal Doem	
575	0-15-0	0-5-0 -do-Beed 0-10-0 Banjar Kadim	
576	0-3-0	Gairmumkin Pathar	
577	2-2-0	0-10-0 -do- Beed 1-12-0 Bathal Doem	
578	0-5-0	Bathal Chaharm	
579	0-5-0	0-1-0 Gairnumkin Beed 0-4-0 Bathal Soam	
580	0-4-0	0-1-0 -do- 0-3-0 Bathal doem	
581	0-17-0	0-5-0 Gairmumkin Beed 0-12-0 Bathal Doem	
582	0-3-0	Bathal Soam	
583	0-8-0	0-2-0 -do- Beed 0-6-0 -do-	
Total Kitta	20	15-0-0	2-19-0 Bathal Doem 0-19-0 Bathal Soam, 0-5-0 Bathal Chaharm 2-19-0 Banjar 2-12-0 Gairmumkin Beed 5-6-0 Gairmumkin 1-3-0 Bathal Soam 0-4-0 Gairmumkin Beed Batham Soam Ropa Soam 1-1-0 Bathal Soam 0-6-0 Gairmumkin Dhank 1-15-0 Bathal Soam 0-5-0 Abadi 0-5-0 Gair mumkin Dhank 0-8-0 Bathal Soam 0-11-0 Bathal Doam 0-3-0 Gairmumkin Beed 2-2-0 Bathal Soam 0-19-0 Gairmumkin Dhank Bathal Soam 2-15-0 Bathal soam 0-4-0 Gairmumkin Beed 0-12-0 Bathal Soam 0-6-0 Gairmumkin Dhank
Shansher	1942	1-7-0	1-3-0 Bathal Soam
Shansher	1943	0-9-0	0-4-0 Gairmumkin Beed Batham Soam
	1944	0-9-0	Ropa Soam
	2718	1-7-0	1-1-0 Bathal Soam
	2719	2-5-0	0-6-0 Gairmumkin Dhank 1-15-0 Bathal Soam 0-5-0 Abadi 0-5-0 Gair mumkin Dhank
	2720	0-8-0	Bathal Soam
	2721	0-14-0	0-11-0 Bathal Doam 0-3-0 Gairmumkin Beed
	2722	3-1-0	2-2-0 Bathal Soam 0-19-0 Gairmumkin Dhank Bathal Soam
	2723	1-10-0	Bathal Soam
	2724	2-19-0	2-15-0 Bathal soam 0-4-0 Gairmumkin Beed 0-12-0 Bathal Soam 0-6-0 Gairmumkin Dhank
	2725	0-18-0	

2726 ✓	2-5-0 ✓	2-0-0 Banjar Kadim
	0-5-0	Gairmumkin
2727	3-1-0 ✓	dhank
		2-11-0 Bathal Soam
		0-10-0 Gairmumkin
2728	2-0-0 ✓	dhank
		1-10-0 Bathal Soam
		0-10-0 Gairmumkin
2729	2-6-0 ✓	Dhank
		2-0-0 Bathal Soam
2730	1-3-0 ✓	0-6-0 Gairmumkin Beed
2731	1-15-0 ✓	Bathal Soam
		1-5-0 Bathal Soam
		0-10-0 Gairmumkin
2732	1-0-0 ✓	Dhank
		0-18-0 Bathal Soam
2733	0-17-0 ✓	0-2-0 Gairmumkin Beed
2913	2-9-0 ✓	Bathal Soam
		1-9-0 Banjar Kadim
3100/2914	2-12-0 ✓	1-0-0 Gairmumkin Beed
3101/2914	2-12-0 ✓	Banjar Kadim
2917	1-5-0 ✓	-do-
		0-18-0 Bathal Doam
2918	2-4-0 ✓	0-7-0 Gairmumkin Beed
		1-13-0 Bathal Doam
		0-1-0 abadi
		0-10-0 Gairmumkin
		Beed
2919	1-3-0 ✓	0-19-0 Bathal Soam
		0-4-0 Gairmumkin Beed
2920	0-8-0 ✓	0-6-0 Banjar Kadim
		0-2-0 Gairmumkin Beed
2921	3-11-0 ✓	2-10-0 Bathal Doam
		1-1-0 Gairmumkin Beed
3102/2922 ✓	2-12-0 ✓	1-11-0 Bathal Doam
		0-11-0 Banjar Kadim
		0-10-0 Gairmumkin
		Beed
3103/2922 ✓	2-13-0 ✓	1-12-0 Bathal Doam
		0-11-0 Banjar Kadim
		0-10-0 Gairmumkin
		Beed
2923 ✓	0-2-0 ✓	Gairmumkin Pathar
2924	0-4-0 ✓	-do-
2925	0-2-0 ✓	-do-

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2926	0-9-0 ✓	-do-
2927 ✓	0-13-0 ✓	-do-
2929	2-10-0 ✓	2-2-0 Bathal Doam
		0-8-0 Gairmumkin Beed
2930 ✓	0-5-0 ✓	Bathal Doam
2931 ✓	0-11-0 ✓	0-8-0 Bathal Soam
		0-3-0 Gairmumkin Beed
2932	0-9-0 ✓	0-7-0 Bathal Soam
		0-2-0 Gairmumkin Beed
2933	0-3-0 ✓	Bathal Soam
2934	0-16-0 ✓	-do-
3243/2964/1	0-14-14 ✓	0-13-0 Bathal Soam
		0-1-14 Gairmumkin
		Dhank
3244/2964 ✓	3-11-0 ✓	2-0-0 Bhathal Soam
		1-11-0 Gairmumkin
		Dhank
		0-4-12 Bathal Doam
2966/2/1	0-18-12 ✓	0-14-0 Banjar Kadim
		0-4-12 Bathal Doem
2966/3/1	1-10-9 ✓	0-8-0 Bathal Doem
		1-2-9 Banjar Kadim
2966/4/1	2-0-0 ✓	0-10-0 Bathal Doem
		1-10-0 Banjar Kadim
2966/5	0-2-0 ✓	0-2-0 Bathal Doam
2967	4-11-0 ✓	2-11-0 Banjar Kadim
		2-0-0 Gairmumkin
		Dhank
2968	0-11-0 ✓	0-8-0 Banjar Kadim
		0-3-0 Gairmumkin
		Dhank
2969	1-15-0 ✓	1-5-0 Banjar Kadim
		0-10-0 Gairmumkin
		Dhank
2970	0-7-0 ✓	Banjar Kadim
2971	1-15-0 ✓	1-5-0 Banjar Kadim
		0-10-0 Gairmumkin
		Beed
2972	1-2-0 ✓	0-12-0 Banjar Kadim
		0-10-0 Gairmumkin
		Dhank
2973/2	0-18-0 ✓	0-6-0 Bathal Soam
		0-6-0 Banjar Kadim
		0-6-0 Gairmumkin Dhank
2973/3 ✓	1-3-0 ✓	0-10-0 Bathal Soam
		0-10-0 Banjar Kadim

			0-3-0	Gairmumkin
			Dhank	
2973/4	1-3-0 ✓		0-10-0 Bathal Soam	
			0-10-0 Banjar Kadim	
			0-3-0	Gairmumkin
			Dhank	
2973/5	3-0-0 ✓		1-10-0 Bathal Soam	
			1-0-0 Banjar Kadim	
			0-10-0	Gairmumkin
			Dhank	
2973/6	1-4-9 ✓		1-0-0 Bathal Soam	
			0-3-0 Banjar Kadim	
			0-1-9	Gairmumkin
			Dhank	
Total Kitta	57	83-13-4	0-9-0 Rupa Soam,	
			12-3-12 Bathal Doem	
			31-04-0 Bathal Soam	
			22-4-9 Banjar Kadim	
			0-6-0	Gairmumkin
			Abadi	
			5-19-0	Gairmumkin
			Beed	
			9-17-3	Gairmumkin
			Dhank	
			1-10-0	Gairmumkin
			Pathar	
Total of both villages	Kitta	77	98-13-4	

Notices under section -9 of the act were then given to the persons interested stating that the Himachal Pradesh Power Corporation Ltd. intends to take possession of the land and that claims to compensation and any other interest in the land be made to the LAC, HPSEB, Mandi on 28.02.09. In this notice the particulars of the land so needed were stated clearly and all person interested in the land were required to appear personally or by agent on 28.02.09 at Neuli.

In response to these notices u/s -9 of the Land Acquisition Act 40 persons interested and Sh. K. L. Hungal, Dy. Manager, Sainj HEP on behalf of acquiring agency appeared before Land Acquisition Collector, HPSEB, Mandi on the given date and place. Their statements were recorded. The persons interested stated that they are aware of the land under acquisition and they have received notices under section-9 of the Land Acquisition Act -1894. They demanded compensation of the land @ 20

lacs per bigha. They further stated that they be paid adequate compensation for trees and structures in addition they demanded employment and other amenities and other developmental activities carried out in their area. In support of their claim they produced the photocopy of the sale deed no. 224 dated 28.08.07 and sale deed no. 82 dated 24.03.07. The persons interested also filed their written objections which have been placed on the case file. The representative of the HPPCL, Sh. K.L. Hungal, Deputy Manager, Sainj HEP stated that they have no objection for payment of compensation under the rules.

The land owners have demanded 20 lac per bigha as market value of the land stating that the land is being acquired for construction of hydro electric project which is a national work. Their further statement is that since the land is being acquired for the same purpose therefore equal amount of compensation be paid irrespective of classification of land being acquired. In support of their demand / claim the land owners have produced two sale deeds dated 28.08.07 and 24.03.07 according to which the market value of the land comes to Rs. 10,00,000/- per bigha. These sale transactions are not representatives of the market value, since one of the transactions involving four bishwas of land sold for Rs. 2 lacs has been registered after the publication of the notification and other sale transaction involving 01 bishwa only for Rs. 50,000/- registered on 24.03.07 is too small holding to be representatives of the market value. Since both the transactions involve small holding and have been done around the period of publication of notification, they can not be considered as representative transactions. On the contrary these transactions appear to have been done to inflate the market value in anticipation of the acquisition of the land as the fact is that investigation proceedings for the project had been going on for the last many months before the publication of the notification u/s-4 of the Land Acquisition Act.

In determining the market value of the land, therefore, my predecessor has taken into consideration one year average price based on transactions preceding one year from the date of publication of notification u/s-4 of Land Acquisition Act i.e. 18.08.06 to 18.08.07 of Phati Shansher, Kothi Shansher, Sub Tehsil Sainj Distt. Kullu. The category wise one year average price for the aforesaid period is as under:

1.	Bagicha Bathal or Bathal Abal	Rs. 2,59,360/- per bigha
2.	Bathal Doem	Rs. 2,02,625/- -do-
3.	Bathal Soam	Rs. 1,29,680/- -do-
4.	Bathal Chahram	Rs. 64,840/-do-
5.	Banjar Kadim	Rs. 8,105/-

The land is being acquired for the same purpose i.e. Sainj HEP and topography of the land is also almost similar in view of which it is just and fair to put cultivated land in one category along with Banjar and Abadi land and uncultivated land in the other for the purpose of determining compensation / market value. The starting point of the land is located on right bank of river Sainj at a distance of 4 kms. from Sainj local market/ bazar. At Sainj there are many Govt. offices i.e. Sub-Tehsil, Range Forest Office, Primary Health Centre, Sr. Secondary School, J.E.H.P.S.E.B, J.E. PWD, Central School, Rest House and NHPC Offices, in view of which the land under acquisition has much higher potential value compared to the average rates cited above. Since the topography of the land located at different locations along the river side running into many kms. is same, the potential value of the land under acquisition in villages Siund, Kartah, Dharmeda, Neuli, Jangla, Chokha Bihal and Niharli which are the part of Phati Shainshar and adjoining villages is the same. The Hon'ble Appex Court has consistently held that market value of the land under acquisition must be estimated not by existing use of such land but the best use which a willing purchaser would make of it and therefore the potentiality of the land under acquisition in determining the compensation of land under acquisition in the foreseeable future has to be taken in to consideration in determining the compensation of the land under acquisition. As such, in view of the tourist potential and nearness of the land to the local market / bazaar Sainj and the fact that the cultivated and banjar land can be developed as apple orchards and that uncultivable land can be developed as sites of buildings and other structures, the land has a high potential value. Considering the aforesaid factors following rates are awarded for determining compensation:

Sl. no.	Classification of land	Rate awarded
1.	Ropa Soam, Bathal Doem, Bathal Soam Bathal Chahram, Gairmumkin Abadi and Banjar Kadim	3,50,000/- per bigha ✓
2.	Gairmumkin land, other than Abadi i.e. Dhank, Beed and Pathar.	2,00,000/- per bigha

COST OF TREES :

There exist 914 nos. of different type of non fruit trees and 1388 nos. of different type of fruit trees on the acquired land of Phati Gadaparli & Shansher which were got assessed from the concerned deptt. and the total compensation for trees comes to Rs. 48, 63,399.06 and Rs. 28,58,472.00 respectively total Rs. 77, 21,871.06 which have been included in the award.

COST OF STRUCTURES:

The assessment of structures which have come up at various places has not been received. During the course of discussion with the concerned project authorities it was revealed that the assessment of hundreds of houses at various places will take time, in view of which the compensation of these structures will be awarded in the supplementary award immediately after the assessment report is received.

INTEREST:

The possession of land under acquisition is still with the land owners/interested persons hence no interest is payable to them.

Thus the total amount of compensation works out as under:

PHATI GADAPARLI KOTHI SHAINSHUR:

1.	Cost of land	Rs. 40,65,000.00
2.	Cost of Trees	Rs. 9,27,247.25
3.	Cost of Structures	-
	Total	Rs. 49,92,247.25
4.	30% Solatium (सोलेशियम)	Rs. 14,97,674.23

5. Additional compulsory charges u/s 23(1A) Rs. 11,48,900.65

@ 12% per annum w.e.f. 18-08-07 to 17.07.09

700 days.

Grand Total

Rs. 76,38,822.13

Say

Rs. 76,38,822/-

PHATI SHAINSHER KOTHI SHAINSHER:

1. Cost of land	Rs. 2,66,84,875.00
2. Cost of Trees	Rs. 67,94,623.81
3. Cost of Structures	-

Total Rs. 3,34,79,498.81

4. 30% Solatium	Rs. 1,00,43,849.64
5. Additional compulsory charges u/s 23(1A)	Rs. 77,04,870.95

@ 12% per annum w.e.f. 18-08-07 to 17.07.09.

Total Rs. 5,12,28,219.40

Say Rs. 5,12,28,219/-

Gross Total of Phati Gadaparli and Shainsher Rs. 5,88,67,041/-

(Rs. Five crore eighty eight lac sixty seven thousand forty one only)

The above amount of compensation of Rs. 5,88,67,041/- (Rs. Five crore eighty eight lac sixty seven thousand forty one) only is accordingly awarded under section 11 of the Land Acquisition Act with the prior approval of the H.P. Govt. The compensation of the land shall be disbursed to the persons interested as per their share recorded in the award statement and Asamiwar which is separately attached with the case file. In the event of any dispute regarding apportionment of compensation the same shall be withheld till the dispute is settled amicably between the parties or decided by the competent court of law.

Since the land yielding revenue for H.P. Govt. has been acquired for H.P. Power Corporation Ltd., therefore, the capitalized value at 25 times of the land revenue i.e. Rs. 218/- (Rs. Two hundred eighteen) only is chargeable from HPPCL.

200

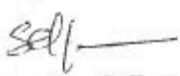
Since the assessment of standing structures has not been made till now, as and when the assessment is complete the supplementary award will be made and announced duly approved by the State Govt.

The land shall vest in the HPPCL free from all encumbrances.

Notice of the award be given to all the absentee persons interested in the land.

Place: Shimla


Dated: 16.10.09


Land Acquisition Collector
HPPCL, Uttam Bhawan,
Shimla-4

Endst. No. HPSEB (Sectt) LAO-Rev-1-1064-67 Dated:- 20/10/09

Copy forwarded to:-

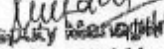
1. The Principal Secretary (Power) to the Govt. of HP, Shimla-2.
2. The Managing Director, HPPCL, Shimla-171005.
- ✓ 3. The General Manager, Sainj Hydro Electric Project
4. The Naib Tehsildar, Sub-Tehsil Sainj, Distt. Kullu, HP alongwith copy of revenue papers with the directions that the acquired land be mutated in the name of HPPCL and this office be intimated accordingly.


Land Acquisition Collector
HPPCL, Uttam Bhawan,
Shimla-4

HPPCL

N.-HPPCL/GM-SHEP-DB-1/09-4569 Dated: 4/11/09

Copy of above is forwarded to the Dy General Manager, Sainj Project Construction Circle, HPPCL; Sarabai for information and necessary action please.

9
c

Deputy General Manager,
Sainj H.E.P., H.P.P.C.L.
Sarabai, (BTR) Kullu (H.P.)

Form GC

date of Vouchers for payment made during

22 4 23-10-2009 19

Voucher with award statement No.

607

dated

16-10-2009

area of land required for

मेजर जल विद्युत परियोजना

district of






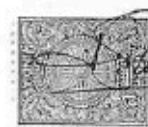


शुल्ह

Tehsil

मेजर

Village

फाली शरीर कोरी शरीर

Name of payee	Area of land	Amount paid	Signature of the payee and date of payment
मेजर कुशी नन्दराज	329777 अ. 22/10/09	Rs. 226721 00	 22/10/09
मेजर कुशी नन्दराज	329778 अ. 22/10/09	Rs. 226721 00	 22/10/09
मेजर कुशी नन्दराज	329779 अ. 22/10/09	Rs. 226720 00	 22/10/09
मेजर कुशी नन्दराज	329780 अ. 22/10/09	Rs. 226721 00	 22/10/09
मेजर कुशी उन्नावराज	330109 अ. 22/10/09	Rs. 5416 00	 22/10/09
मेजर कुशी उन्नावराज	330110 अ. 22/10/09	Rs. 5416 00	 22/10/09
मेजर कुशी जितेंद्र	330111 अ. 22/10/09	Rs. 1686473 00	 22/10/09
मेजर कुशी माहल सिंह	330112 अ. 22/10/09	Rs. 54402 00	 22/10/09

Serial No.	Name of payee	Area of land	10 th Amount paid	Signature of the payee and date of payment
58	लाल सिंह कुल मालिक	330/8	Rs 54403	22/9/09
59	विमलराज कुल मालिक	330/209	Rs 54403	22/9/09
60	हमेश्वर कुल उत्तम-चन्द	330/51	Rs 54403	22/9/09
61	श्री मती कुलवादी पत्नी उत्तम-चन्द	330/52	Rs 27201	22/9/09
62	उत्तम चन्द कुल लाल Cheque No. 322971	330/51	Rs 136732	22/9/09
63	सुखराज कुल परसराम	329810	Rs 406742	22/9/09
64	सुखराज कुल परसराम	329811	Rs 406741	22/9/09
65	मांग. पास कुल परसराम	329812	Rs 610112	22/9/09
66	डी ल चन्द कुल परसराम	329813	Rs 203371	22/9/09

Paid any presence in case/by cheque to the above persons, the total sum of Rs.

only (in words)

Dated 19

Signature of Officer

**BEFORE THE COLLECTOR LAND ACQUISITION HPSEB/HPPCL
SHIMLA-4, CAMP AT SARABAI (KULLU)**

Suppl. Award No./ Dt. 30.06.10
In Main Award No. 607
Dated: 16.10.09

IN THE MATTER OF:-

Acquisition of land for the construction of Sainj Hydro Electric Project in Village Phati Gadaparli, Phati Shainsher, Kothi Shainsher, S/Tehsil Sainj, Distt. Kullu (H.P.).

PRESENT:

- 1) 69 persons interested Sh. Govind Singh etc.
- 2) Sh. R.K. Rana, Sr. Manager, Sainj HEP.

SUPPLEMENTARY AWARD:

Whereas land was required to be acquired by the H.P.State Electy.Board, now H.P. Power corporation Ltd. in Phati Gadaparli and Phati Shainsher, Kothi Shainsher, S/Tehsil Sainj, Distt.Kullu for the construction of Sainj HEP at their own expenses and the award in respect of land and trees standing thereon was announced vide award No. 607 dated 16.10.09. The assessment reports of structures / houses existing on the land acquired through above award were received later on from the General Manager, Sainj HEP, HPPCL Sarabai, Distt. Kullu, therefore the award in respect of structures/ houses could not be announced along with the award of land and trees. Thus the present supplementary award has been prepared.

DM(T) for
further no. &
enrolment to
concerned
13/7/12

1260
13/7/12

According to the assessment reports received from the General Manager Sainj HEP there exists 76 No. structures on the land acquired in Phati Gadaparli and 271 No. structures on land acquired in Phati Shainsher, Kothi Shainsher, S/ Tehsil Sainj Distt. Kullu. The total evaluation of these structures comes to Rs. 77, 99,713.00 and Rs. 3, 49,97,726.00 respectively.

The persons interested in the structures/Houses were given opportunity of being heard and they were intimated about the assessment made by the Expert Engineers of HPPCL. Further the persons interested who are neither the owner of land nor recorded possessor, have also been intimated to put forth their title and claim on 4.5.10 before the undersigned. On 4.5.10 the persons interested filed the resolution of Project affected welfare Committee in which the person interested demanded compensation of structures/ House on the basis of schedule rates of 2010 and further, the assessment be made by the HPPWD or DRDA Department. They also intimated that the assessment was made only of 5% of actual cost of structure. Some of the persons interested intimated that they have constructed the houses after mutual consent with the landowners i.e. on affidavits or Power of Attorney.

From the perusal of the application and assessment reports, it is clear that the assessment of the structures was made by the Engineers, experts of the HPPCL (i.e. Civil Engineers) according to the schedule rates of HPPWD relevant at the time of publication of notification u/s -4 of the Land Acquisition Act. Further, in some cases the reduction was made due to the fact that alteration or

construction was made after publication of notification u/s-4 of the L.A.Act, without the prior permission of the Project authorities or Land Acquisition Collector which is mandatory, thus the reduction given in assessment is justified and claim of the persons interested is neglected. Further the persons interested have not filed their own assessments of structures in support of their claim. Therefore the undersigned has no reasons to deny the assessment report made by the Engineers of HPPCL. The objection of the persons interested have been considered and rejected as discussed above.

So far as the dispute regarding the ownership or possession/occupation of the structure the same shall be decided at the time of payment of compensation according to the revenue entries in the revenue record, amicable settlement or compromise between the parties.

Due to calculations error in the assessment report of structure No. 53 & 61 existed on land Kh. No. 2719 and 2718 situated in Phati Shainsher, S/Tehsil Sainj, the cost of structure has been changed from Rs. 2,82,576/- and Rs. 61,619/- to Rs. 2,55,662/- and 61,919/- respectively as intimated by the General Manager, Sainj HEP, HPPCL, Sarabai, Distt. Kullu, Dated 16.06.10. Thus the amount of compensation has been corrected and total amount of compensation is reduced which was approved by the Government.

INTEREST: Since the possession of structures / Houses is still with the occupants, therefore, the interest is not payable to them u/s-34 of the Land Acquisition Act.

The total amount of compensation for structures/ Houses thus comes as under:

PHATI GADAPARLI, KOTHI SHAINSHER

1	Cost of structures / houses	Rs. 79,99,713.00
2	Solatum @ 30%	Rs. 23,99,913.90
3	Addl. charges u/s-23 (1A) of the Act @ 12% P.A. w.e.f. 18.8.07 to 13.5.10 i.e. 1000 days.	Rs. 26,30,041.99
4	Total	Rs. 1,30,29,668.89
	Say Rs.	Rs. 1,30,29,669/-

PHATI SHAINSHER, KOTHI SHAINSHER

1	Cost of structures / houses	Rs. 3,49,97,726.00
2	Solatum @ 30%	Rs. 1,04,99,317.00
3	Addl. charges u/s-23 (1A) of the Act @ 12% P.A. w.e.f. 18.8.07 to 13.5.10 i.e. 1000 days.	Rs. 1,15,06,101.00
4	Total	Rs. 5,70,03,144/-
	Gross Total	Rs. 7,00,32,813/-

(Rs. Seven Crore, thirty two thousand eight hundred & thirteen) only.

The above amount of compensation of Rs. 1,30,29,669.00 for Phati Gadaparli and Rs. 5,70,03,144.00 for Phati Shainsher total Rs. 7,00,32,813/- (Rs. Seven Crore, thirty two thousand eight hundred thirteen) only is accordingly awarded under section-11 of the Land Acquisition Act with the prior approval of H.P. Govt. The compensation shall be paid to the persons interested as per their title in the land or amicable settlement / compromise as arrived at between the land owners and occupants.

The useful material of the structures shall be returned to the persons interested / occupants. The occupants shall locate the structures within a month.

Notice u/s -12 (2) of the Land Acquisition Act be given to the absentee interest holders.



ANNOUNCED

LAND ACQUISITION COLLECTOR
HPPCL, P.S.E.S. SHIMLA-4
SHIMLA-4

Endts. No: LAO-Rev. Sainj-Supp./10- 397-99 Dated 6/7/10

Copy to:

1. The Principal Secretary (Power) to the Govt. of H.P. Shimla-2
2. The Dy. Commissioner, Distt. Kullu.
3. The General Manager, Sainj HEP, HPPCL, Sarabai, Distt. Kullu

LAND ACQUISITION COLLECTOR
HPPCL, P.S.E.S. SHIMLA-4
SHIMLA-4

OFFICE OF THE LAND ACQUISITION COLLECTOR, HPSEB /
HPPCL, UTTAMBHAWAN, SHIMLA-4

No. LAO.Rev/10- 127- 28

Dated: 7.5.10

To

The District Collector,
Kullu District,
Kullu (H.P.),

Sub.:

Proposed supplementary award of structures/ Houses existed on land acquired for the construction of Sainj HEP, in Phati Gadaparli and Phati Shainsher, S/ Tehsil Sainj, Distt. Kullu..

Sir,

Enclosed please find herewith a proposed supplementary Award of structures/ House existed on land acquired vide award No. 607 dated 16.10. 09 in Phati Gadaparli and Phati Shainsher, S/Tehsil Sainj, District Kullu total amounting to Rs. 7,00,75,679/- only for onward submission to the Principle Secretary (Power) to the government of H.P. for approval. In this regard it is also submitted that the approval of the main award has already been accorded by the Principal Secretary (Power) vide their office letter No. Vidyut. Chh (5)2/2007-10 dated 29.08.09 for Rs. 5,88,67, 990/-

It is therefore requested that the present proposed supplementary award amounting to Rs. 7,00,75,679/- may kindly be got approved from the Principal Secretary (Power) to the Government of H.P. and be conveyed to this office at the earliest please.

Yours faithfully,

sd
Land Acquisition Collector,
HPSEB/HPPCL,
Shimla-4

Copy to:

1. The Principal Secretary (Power) to the Government of H.P. for information please.
2. The General Manager, Sainj HEP, HPPCL, Sarabai, Distt. Kullu for information and necessary action please.

Land Acquisition Collector,
HPSEB/HPPCL,
Shimla-4

15/1 x

**BEFORE THE COLLECTOR LAND ACQUISITION HPSEB/HPPCL
SHIMLA-4.**

IN THE MATTER OF:-

Acquisition of land for the construction of Sainj
Hydro Electric Project in Village Phati Gadaparli,
Phati shainsher, Kothi shainsher, S/Tehsil Sainj,
Distt. Kullu (H.P.).

PROPOSED SUPPLEMENTARY AWARD:

Whereas land was required to be acquired by the H.P.State Electy.Board,
now H.P. Power corporation Ltd. in Phati Gadaparli and Phati Shainsher, Kothi
Shainsher, S/Tehsil Sainj, Distt.Kullu for the construction of Sainj HEP at their own
expenses and the award in respect of land and trees standing thereon was announced vide
award No. 607 dated 16.10.09. The assessment reports of structures / houses existing on
the land acquired through above award were received later on from the General Manager,
Sainj HEP, HPPCL Sarabai, Distt. Kullu, therefore the award in respect of structures/
houses could not be announced along with the award of land and trees. Thus the present
supplementary award has been prepared.

According to the assessment reports received from the General Manager Sainj
HEP there exists 76 No. structures on the land acquired in Phati Gadaparli and 271 No.
structures on land acquired in Phati Shainsher, Kothi Shainsher, S/ Tehsil Sainj Distt.
Kullu. The total evaluation of these structures comes to Rs. 77,99,713.00 and
Rs. 3,50,24,044.00 respectively.

The persons interested in the structures/Houses were given opportunity of being
heard and they were intimated about the assessment made by the Expert Engineers of

HPPCL. Further the persons interested who are neither the owner of land nor recorded possessor, have also been intimated to put forth their title and claim on 4.5.10 before the undersigned. On 4.5.10 the persons interested filed the resolution of Project affected welfare Committee in which the person interested demanded compensation of structures/ House on the basis of schedule rates of 2010 and further, the assessment be made by the HPPWD or DRDA Department. They also intimated that the assessment was made only of 5% of actual cost of structure. Some of the persons interested intimated that they have constructed the houses after mutual consent with the landowners i.e. on affidavits or Power of Attorney.

From the perusal of the application and assessment reports, it is clear that the assessment of the structures was made by the Engineers, experts of the HPPCL (i.e. Civil Engineers) according to the schedule rates of HPPWD relevant at the time of publication of notification u/s -4 of the Land Acquisition Act. Further, in some cases the reduction was made due to the fact that alteration or construction was made after publication of notification u/s-4 of the L.A. Act. without the prior permission of the Project authorities or Land Acquisition Collector which is mandatory, thus the reduction given in assessment is justified and claim of the persons interested is neglected. Further the persons interested have not filed their own assessments of structures in support of their claim. Therefore the undersigned has no reasons to deny the assessment report made by the Engineers of HPPCL. The objection of the persons interested have been considered and rejected as discussed above.

So far as the dispute regarding the ownership or possession/occupation of the structure the same shall be decided at the time of payment of compensation according to

the revenue entries in the revenue record, amicable settlement or compromise between the parties.

INTEREST: Since the possession of structures / Houses is still with the occupants, therefore, the interest is not payable to them u/s-34 of the Land Acquisition Act.

The total amount of compensation for structures/ Houses thus comes as under:

PHATI GADAPARLI, KOTHI SHAINSHER

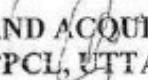
Cost of structures / houses	Rs. 79,99,713.00
Solatium @ 30%	Rs. 23,99,913.90
Addl. charges u/s-23 (1A) of the Act @ 12% P.A. w.e.f. 18.8.07 to 13.5.10 i.e. 1000 days.	Rs. 26,30,041.99
Total	Rs. 1,30,29,668.89
Say Rs.	Rs. 1,30,29,669/-

PHATI SHAINSHER, KOTHI SHAINSHER

Cost of structures / houses	Rs. 3,50,24,044.00
Solatium @ 30%	Rs. 1,05,07,212.30
Addl. charges u/s-23 (1A) of the Act @ 12% P.A. w.e.f. 18.8.07 to 13.5.10 i.e. 1000 days.	Rs. 1,15,14,753.70
Total	Rs. 5,70,46,010/-
Gross Total	Rs. 7,00,75,679/-

(Rs. Seven Crore, Seventy Five Thousand Six Hundred Seventy Nine)only.

The approval of the main award for land and trees has already been conveyed by the Principle Secretary (Power) to the Government of H.P. vide their office letter No. Vidyut Chh. (5)7/2007-10 dated 29.8.09 for Rs. 5,88,67,990/-. Thus the approval of supplementary award for structures/ Houses to the tune of Rs. 7,00,75,679/-, is required from the H.P. Government under the provisions of the LA.Act.


LAND ACQUISITION COLLECTOR
HPPCL, UTTAM BHAWAN
SHIMLA-4.

**BEFORE THE COLLECTOR LAND ACQUISITION
HPSEB/HPPCL, SHIMLA-4**

Suppl. Award Dt. 30.06.10
In Main Award No. 607
Dt. 16.10.09

THE MATTER OF:

Acquisition of land for the construction of Sainj Hydro Electric
Project in Village Phati Gadaparli, Phati Shainsher, Kotbi
Shainsher, Sub- Tehsil Sainj, District Kullu, (H.P.)

ORDER:

The assessment of structures No. 52B situated in land khasra

No. 2973/2 in Phati Shainsher, S/ Tehsil Sainj, Distt. Kullu due to clerical error
is not been included in the amount awarded in supplementary award dated

1.06.10. The assessment of this structure has already been made and was

done by the General Manager, Sainj HEP alongwith the assessment report

relating to other structure. The assessment of structure No. 52B has been

left out due to error arising from overlooking of the entries of the assessment

report. Similarly in case of structure No. 27 situated on land khasra No. 2969

the rates have not been correctly mentioned at the time of submission of

original assessment report. The General Manager, Sainj has now rectified the

clerical error in assessing the rates of structures and the rectified/ corrected

assessment has been received vide General Manager letter No.

SHSEP/R&R/4/2010-4651-52 dated 12.10.10 and No. 4795 dated 19.10.10.

The General Manager concerned requested this office that the payment of

compensation for structure No. 52B and structure No. 27 be paid.

Since it is a case of clerical error arising out of incorrect arithmetical

calculation done by the General Manager Sainj HEP in case of structure No.

situated on land Kh. No. 2969 and a case of inadvertence in living out the

assessment of structure No. 52B situated on land Kh. No. 2973/2, the

action as requested by the General Manager is made in the award dated

16.10.10 as the same is within prescribed period of six months.

To be filed in RR-4 and Photocopy in DB-1

This correction is not likely to affect prejudicially interested persons. Moreover correction is being made pursuant to the applications of the owners of structures and the letter of GM Sainj dated 12.10.10 and 19.10.10 requesting that additional amount as per aforesaid correction may be released to the owners / possessor of the structure. Immediate notice of correction made in the award shall be given to all the persons interested.

Accordingly corrections in structure No. 27 and 52B in the original award are made as under:

1. Structure No. 27 } Khasra No. 2969 }	Corrected assessment	Rs. 1,81,913.00
	Old assessment	Rs. 68,403.00
	Balance	Rs. 1,13,510.00
	30% solatium	Rs. 34053.00
	12% addl. Charge w.e.f. 18.08.07 to 13.05.10 i.e. 1000 days	Rs. 37318.00
	Total	Rs. 1,84,881.00
2. Structure No. 52B } Khasra No. 2973/2 }	Cost of structure	Rs. 30,906.00
	30% solatium	Rs. 9,272.00
	12% addl. Charge w.e.f. 18.08.07 to 13.05.10 i.e. 1000 days	Rs. 10,161.00
	Total	Rs. 50,339.00
Grand Total		Rs. 2,35,220.00

The above amount of compensation of Rs. 2,35,220.00 (Rs. Two lakh thirty five thousand two hundred twenty) only is accordingly awarded as discussed above. Intimation / notice of this correction be given to the persons interested and GM Sainj HEP, Sarabai, Distt. Kullu.

ANNOUNCED

Place:
Dated:

sd
Land Acquisition Collector,
HPPCL, Uttam Bhawan,
Shimla-4

Endst. No. LAO-Rev- 607/09 - *Camp mally* Dated:- 1.11.10
Copy forwarded to:-

1. The Managing Director, HPPCL, Himfed Bhawan, Shimla-5
2. The General Manager, Sainj HEP, HPPCL, Sarabai, Distt. Kullu fee is requested to deposit the above amount of compensation.
3. Sh. Ramesh Thakur, C/o DFO Office, Purne, Mandi
4. Sh. Tameshwar Kakm VPO Raila, S/T Sainj, Kullu (H.P).

deves
Land Acquisition Collector,
HPPCL, Uttam Bhawan,
Shimla-4

Form CC

Consolidated Vouchers for payment made during

July 10

19









in accordance with award statement No. Supplementary Award No. 1 dated 30/6/10 in Main Award No. 687on account of land required for Sowing HEP (Structure)in the District of अजमेर










3/ Tehsil

खैर

Village

गा. 57 पारवी

Serial No.	Name of payee	Area of land	Amount paid	Signature of the payee and date of payment
1	2	3	Rs. P.	5
18 ✓	सिंह सिंह 3/0 दोषमनका विनोद कुमार कुम जायदेव 571-16	Chaque No. 335239 2-9-10	1959,3457.00 1003,100 305899	 Under Protest
19	श्रीमती दुखजू देवी 571-48		60,279 = 00	X
20 ✓	मोहर सिंह 5/0 बामरखन 571-2	Chaque No. 335040 7-8-10	46,714 = 00	 V.P.
21 ✓	सतीश कुमार कुम गुरध्यान सिंह 571-5	Chaque No. 335041 7-8-10	55,710 = 00	 V.P. Entry by Sunder Singh Dadwal
22 ✓	डाला सिंह 3/0 दुख वरक 571-9 सुबेराज	Chaque No. 335042 1-9-10	1,283 = 00	 V.P.
23 ✓	जान चन्द 3/0 परे 572 = 7,6	Chaque No. 335043 8-7-10	1,48,455 = 00	 V.P.
24 ✓	मिनील कुमर 3/0 भाग चन्द 572-13	Chaque No. 335175 1-9-10	103,412 = 00	
24 ✓	मिनील सिंह 3/0 चेतारा 572-13	Chaque No. 335176 1-9-10	103,412 = 00	
	श्रीमती दुखजू देवी 3/0 बामरखन लाठ 1 572-23	Chaque No. 305044 1-9-10	1,196 = 00	 V.P.
	3 जन कुम बरक लाठ 1000 अजमेर		3475,438 = 00	

Serial No.	Name of payee	Cheque No.	Amount paid	Signature of the payee and date of payment
1	2	3	Rs. P.	
✓	सुख राम श/मेहर चन्दा 572-30	Chapman 335218 2-9-10	94,74,893.00 230,764.00	
✓	सुशीलम श/लेल राम 572-30	Chapman 335244 2-9-10	230,765.00	
✓	राम राम सुभ तेजराम family code - 07021110 573-12	Chap. No. 335095 2-7-10	4,74,893.00	
✓	पद्मे राम श/सैजु 573-22	Chap. No. 33502 2-7-10	16,19,980.00	
✓	खेखेराम श/सैजु 573-20	Chap. No. 335007 2-7-10	178,098.00	
✓	भारव सिंह श/दीपे राम 573-13	Chap. No. 335066 2-7-10	134,393.00	
✓	श्री माया राम श/चम्पू 573-11	Chap. No. 335021 2-7-10	12,022.00	
✓	दीपे राम श/हरफे राम 573-14	Chap. No. 335022 2-7-10	5,02,015.00	
✓	मनीराम पुत्र परी 574-39,36	Chapman 335201 1-9-10	17,618.00	
<p>महेश्वर</p> <p>सुश्रीम धन नमरदार</p> <p>काडी सुबहम उप त. सैज</p>		<p>318322</p> <p>27/7/2010</p>		

Paid any presence in case/by cheque to the above persons, the total sum of Rs. _____ P. _____

only (in words) _____

Dated _____

Signature of Officer _____

6/10/10 804





Form CC

Consolidated Vouchers for payment made during July 2010 19__


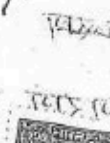



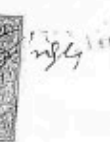
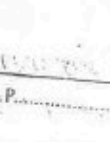
in accordance with award statement No Supp. Award No. 1 dated 30/6/10 in main Award No. 607

account of land required for Nainj HEP (structures)

the District of Kullu S/Tehsil Safnj Village Platti Shem s her Kothi Shem s her

Serial No.	Name of payee	Area of land	Amount paid	Signature of the payee and date of payment
1	2	3	4	5
	श्री कुर्वे राम पुत्र शैशराम 2929 = 16A, B, 19	Cheque No 335233 2-9-10	Rs. 88,630/- P.	 U.P.
	श्री खर्वे राम पुत्र परसराम श्री खर्वे राम		Nil. P	
	श्री उत्तराम पुत्र लालराम 2930 = 12, 12 A, B, C	Cheque No 335096 2-9-10	Rs. 13,55,729/-	 U.P. M-S Thakur
	श्री उत्तराम पुत्र लज्जराम			
	मोहर सिंह पुत्र जीतराम		Nil. P	
	श्री मोहर सिंह पुत्र जीतराम 2921 = 23A, 23B	Cheque No 335442 2-9-10	Rs. 16,52,10/-	 U.P.
	श्री रामराज पुत्र मोहर सिंह 2931 = 11A, 11B	Cheque No 335097 2-9-10	Rs. 2,13,204/- 35,69,664/-	 U.P.

Number of sheets

Serial No.	Name of payee	Area of land	Amount paid	Signature of the payee and date of payment
1	2	3	Rs. P.	5
8	श्री चुनीबाब पुत्र मोहर सिंह १९२१ = २५	Cheque No. 335098 2-9-10 १३,५००	२५,०९,६५०० 4,03,858	 २८.९ Lal
9	श्री बाल सिंह पुत्र उमकाय चन्द	Cheque No. 335098 2-9-10	3,22,190	 २८.९ Lal
10	श्री बाल सिंह पुत्र मोहर सिंह १९२१ = ६३	Cheque No. 335099 2-9-10	२,७८६	 २८.९ Lal
11	श्री मोहर सिंह पुत्र जीतराम १९२१ - ५८	Cheque No. 335102 1-9-10	१,१८,३३५	 २८.९ Lal
12	श्री माम चन्द पुत्र धनराम ३१०२/२९२२ = ५३९, ५३९, ५३९	Cheque No. 335103 7-9-10	२,०७,७९३	 २८.९ Lal
13	श्री चर्मपाल पुत्र कुमरचन्द ३१०३/२९२२ = ६६	Cheque No. 335104 7-9-10	४,२५,०६९	 २८.९ Lal
14	श्री शमी सिंह पुत्र श्यामचन्द ३१०३/२९२२ = ६६	Cheque No. 335105 7-9-10	५४,९७५०५००	 २८.९ Lal

Paid any presence in case/by cheque to the above persons, the total sum of Rs. P.

only (in words)

Dated 19

Date of Publication of Notice under Section 4. 4/11/11

Statement showing compensation for each holding for Village. फारी मोहर, कोरी रोड, जयपुर

Tehsil. सैज

Date of taking over Possession.

District. फरीदाबाद

Sl. No.	Jamabandi and Khatami No.	Name of owners, tenants etc. with shares	Khasra Nos. out of which land has been taken up	Quality of land		Ratio and price of land per Bigha	Compensation for land	No. of trees, houses etc. on the land and area of standing crops	Compensation of trees, houses etc.	Total of columns 7 and 9		Addl. charges u/s 23-A 1 of the Act w.e.f. 1/6-8-67 to 13-5-78.	Amount of interest, if any	Total Compensation	Land Revenue	Remarks
				According to Settlement record	According to Khasra Girdawari record											
6	333/462	श्री मोहर सिंह पुत्र जगिदास	2921	23 A 23 B ✓	6A	6B	10,14,326-			10,14,3267	30,02,977.80	3,33,477-04		16,52,100-84 16,52,100-		Paid 2/9/11
7	333/462	श्री खेमराज पुत्र मोहर सिंह	2921	49 ✓ 49 B ✓			1,30,899-			1,30,899-	39,369-70	43,035-28		2,13,263-98 2,13,204-		Paid 2/9/11
8	333/462	श्री चुरी लाल पुत्र मोहर सिंह	2921	24 ✓			2,47,953-			2,47,953-	74,385.90	81,518-79		4,03,857.69 4,03,858=		Paid 2/9/11
9	333/462	श्री मोहर सिंह शरीर मालक श्री लाल सिंह पुत्र ओकरा चन्द	2921	15			1,97,812-			1,97,812-	54,313.60	65,034-08		3,22,189-68 3,22,190=		
10	333/462	श्री लाल सिंह पुत्र मोहर सिंह	2921	63 ✓			13,990-			13,990-	4,170-00	4599-45		22,786-45 22,786=		Paid 2/9/11
15				7 ✓			16,04,980=			16,04,980=	1,91,494.00	5,27,664-64		26,44,380-64 26,44,380=		

Land Acquisition Officer
P.O. M.P.S.E., JALPAIGURI
Dist. Jalpaiguri

Date of Publication of Notice under Section 4.																
Statement showing compensation for each holding for Village <u>फारी गाव पारली</u> Tehsil <u>उदपि</u> District <u>उदपि</u>																
Sl. No.	Jamabandi and Khatauni No.	Name of owners, tenants etc. with shares	Khasra Nos. out of which land has been taken up	Quality of land		Rate and price of land per Bigha	Compensation for land	No. of trees, houses etc. on the land and area of standing crops	Compensation of trees, houses etc.	Total of columns 7 and 9		Addl. charges u/s 23-A 1 of the Act @ 12% w. e. f. 18.8.67 to 13.8.76	Amount of interest, if any	Total Compensation	Land Revenue	Remarks
				According to Settlement record	According to Khasra Girdawari record					10	11					
28/45	313	श्री बुध राम पुत्र मेहर राम व श्री पुरुषोत्तम पुत्र लाल राम	572	30	✓	6A	6B	-	-	2,83,361	85,008-30	93/59-78	1600 days	461,529-08 say 4,61,529=		Paid 21/9/10
251/313	313	श्री चरु राम पुत्र तेज राम	573	12	-	-	-	-	-	2,91,566-	87,469-80	95,857-31	-	474,893-11 say 4,74,893=		Paid 10/8/10
251/313	313	श्री चरु राम पुत्र सोत्र	573	22	-	-	-	-	-	9,94,605-	2,98,381-50	3,26,993-12	-	16,19,979-21 say 16,19,980=		Paid 21/7/10
251/313	313	श्री रेवली राम पुत्र मेहर जीतराम	573	20	-	-	-	-	-	4,77,721-	1,43,316-30	1,57,058-95	-	7,78,096-25 say 7,78,096=		Paid 21/7/10
251/313	313	श्री नारक सिंह पुत्र छाये राम	573	17	-	-	-	-	-	82,512-	24,753-60	27,127-23	-	1,34,392-83 say 1,34,393=		Paid 10/8/10
			5			21,29,765				21,29,765=	6,38,929-50	7,00,196-89			34,68,895=	
Land Acquisition Collector, HPPOLN.P.S.E.B., Uttam Bhawan, Shimla-171004.																

Land Acquisition Collector,
HPPOUN P.S.E.B., Uttam Bhawan,
Shimla-171004.

ANNEXURE 3:
SAMPLE DOCUMENTARY EVIDENCE OF COMPENSATION PAYMENTS MADE BASED ON
NEGOTIATED AGREEMENT

<u>OFFICE NOTE</u>		<u>Prati Gansapast</u>								
Sub: -	Purchasing of land alongwith attached property at Khasra No. 1467, Niharni, Sub-Teh. Sainj, Distt Kullu (H.P).									
<p>The land measuring about 1-17-00 Bigha bearing khasra No-1467 at Niharni, just downstream of Barrage of Sainj HEP, falls below HFL of Sainj River and therefore was required to be purchased as disaster management measure .The case for approval to purchase the land alongwith other property was sent to corporate office vide this office Note No-HPPCL/GMSHEP/DB-1/2012-4636 dated 18.12.2012 and approved by competent authority vide Note No 800/Dir (P) dated 27.12.2012.</p> <p>The committee for measurement of structures/houses has been constituted vide this office order No. HPPCL/SHEP/P&A/1-4/2012-4777-93 dated 27.12.2012 and committee for deciding/ analyzing rates for the different items used in the construction of structures/ houses has been constituted vide this office order No-HPPCL/SHEP/P&A/1-4/12-4886-92 date 03.01.2013.</p> <p>To complete all the formalities of purchasing the land alongwith attached property, the committee is proposed to be constituted as under:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">1) Er.Om Swaroop Sharma, Sr. Manager (CS)</td> <td style="width: 40%;">Chairman</td> </tr> <tr> <td>2) Ms.Pratima Pathania, DM (F&A)</td> <td>Member</td> </tr> <tr> <td>3) Er. Sunil Kapoor, AE (CS)</td> <td>Member <u>higher</u></td> </tr> <tr> <td>4) Er.Tek Chand, AE (QC)</td> <td>Member <u>lower</u></td> </tr> </table> <p>The committee may negotiate the rate of the land with the owners as per procedure already laid down for earlier similar cases and evaluate property on the basis of the inputs provided by the above committees.</p> <p>Submitted for further orders pleases.</p>			1) Er.Om Swaroop Sharma, Sr. Manager (CS)	Chairman	2) Ms.Pratima Pathania, DM (F&A)	Member	3) Er. Sunil Kapoor, AE (CS)	Member <u>higher</u>	4) Er.Tek Chand, AE (QC)	Member <u>lower</u>
1) Er.Om Swaroop Sharma, Sr. Manager (CS)	Chairman									
2) Ms.Pratima Pathania, DM (F&A)	Member									
3) Er. Sunil Kapoor, AE (CS)	Member <u>higher</u>									
4) Er.Tek Chand, AE (QC)	Member <u>lower</u>									
		<u>Ramesh</u> Assistant Engineer, O/o General Manager,								
<u>SM(TS)</u> <u>GM</u>	Submitted as above pl. <u>Approved as above</u> <u>Ramesh</u> <u>31/1/13</u>									
<u>SM(CS)</u>		HPPCL/GMSHEP/DB-1/13-1104 Dt: - 3-1-13								

REPORT

A Committee consisting of following members has been constituted by General Manager, Sainj Hydroelectric Project HPPCL, Sarabai (Bhunter) vide office order No. HPPCL, SHEP/P&A/1-4/12- 4886-92 dated 3.1.2013 for deciding/analyzing the rate of items to be applied for fixing values of all types of structures on the land at Niharni bearing Khasra No. 1467 and at Sambha bearing Khasra No. 491/1 being purchased by HPPCL, downstream of Barrage for the construction of Sainj Hydro Electric Project.

1. Er. P.L. Verman	DGM	Chairman
2. Er. O.S. Sharma	Sr. Manager	Member
3. Sh. Khem Singh	HDM	Member

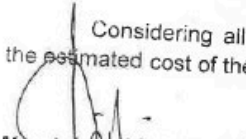
The detailed measurement has been done by a separate committee constituted by General Manager vide office order No. HPPCL/SHEP/P&A/1-4/12-4777-93 dated 27.12.2012 and the items of works have been supplied to the committee for finalizing the rates to ascertain the cost of structures on the land in question.

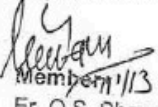
There exist 18 Nos. structures on the land situated at Khasra No. 1467 at Niharni, Distt. Kullu (H.P.). Since the items of work used in the construction of structures correspond to the items existing in the HPSR-2009, the committee is of the view that rates as given in HPSR-2009 may be adopted for assessing cost for these structures.


The workmanship and material used is not upto the mark as specified in HPSR-2009. The committee considers deductions/additions to the overall estimated amount as per following:

- 1) Due to under specification material used in construction and poor workmanship as compared to HPSR-2009, a 20% deduction is proposed on this account.
- 2) The material which is to be recovered after dismantling of structures may be returned to the owners and a 10% deduction is proposed on this account.
- 3) For handing over encumbrance free land to HPPCL, the owners will have to bear the charges for dismantling of structure, a 5% addition of the assessed value is proposed to be given to the owners.

Considering all above points, overall deduction @ 25% (20%+10%-5%) to the estimated cost of the structure is recommended.


Member
Sh. Khem Singh (HDM),
O/o General Manager,
Sainj HEP, HPPCL, Sarabai


Member
Er. O.S. Sharma,
Sr. Manager (CS),
SHEP, HPPCL, Sarabai.


Chairman
Er. P.L. Verman, 7/1/13
Dy. General Manager,
SHEP, HPPCL, Sarabai

GM, Sainj

Approved as above

Ramesh

NY-5

The committee constituted by General Manager, Sainj HEP, HPPCL, Sarabai vide above para noting endorsement No. HPPCL/GMSHEP/DB-1/13-1104 dated 03.01.2013, conducted a meeting with land owners at Sarabai on dated 22.02.2013 at 11.30 am for the purchase of land through negotiation in respect of Khasra No. 1467 Khebat/Khatouni No. 318/385 having an area 1-14-0 Bigha out of 1-15-0 Bigha at Phati Garaparli, Kothi Shensher, Sub-Tehsil Sainj, Distt. Kullu (H.P.).

The detailed discussions were held with land owners and after great persuasions, in view of kind of land (Nao-tor) as well as location i.e. just downstream of Barrage, the land owners agreed to sell their land @ Rs. 4.00 lac per Bigha.

The comparison of the rate offered/negotiated with the land owners viz-a-viz the rate of land awarded by LAO, HPPCL, Shimla vide award No. 607 dated 16.10.2009 as reckoned on 18.08.2007 is as under:

Cost on 18.08.2007	3,50,000/- Per Bigha (A)
As per LAO award No. 607 dated 16.10.2009	
All commodity whole sale price index (2004-05 series)	
August/ September, 2007	116
December, 2012	168.6
Difference	52.6 (=168.6-116)
Percentage	45.34% (52.6/116)
Increase in cost from September, 2007 to	
December, 2012 @ 45.34%	1,58,690/- Per Bigha (B)
Sub-Total (A+B)	5,08,690/- Per Bigha
Add 30% solatium	1,52,607/-
Cost per Bigha as on December, 2012	6,61,297/- Per Bigha

From the above calculations, it is evident that the rate of land offered/ negotiated with the land owners (Rs. 4.00 lac per Bigha) is well below the updated rate of land (6,61,297/- Per Bigha) as calculated above.

Further negotiations were held with the owners in respect of their structures standing on the above land. During negotiations, the owners were of the view that the expenditure incurred by them alongwith interest accrued till date may be paid to them. The committee stated that the cost of their structures will be fixed as per standard engineering norms of evaluation for which a separate committee have already been constituted by General Manager, Sainj HEP. The recommendations of the committee were discussed with the land owners and they were informed as narrated here under:

1. Rates for different items of work used in construction will be applied as per HPSR-2009 with suitable deductions as follows:
 - (i) 20% deduction is proposed on account of under specification material used in their structures and poor workmanship.
 - (ii) 10% deduction is proposed on account of retention of dismantled material by the owners.

2. 5% of the estimated cost will be paid to the owners for dismantling and removing of dismantled material by them.

Considering the above recommendations of the committee an overall deduction @ 25% will be made on the estimated cost of the structures as per HPSR-2009.

After deliberations, the owners agreed for compensation of structures as per above recommendations of the committee. The detail is as under:

Sr. No.	Str. No.	Name of owner (Kh. No. 1467)	Father's Name (S/Shree)	Amount
1	1, 3 & 15	Dhabe Ram	Harfi Ram	2259110
2	2 & 4	Dilu Ram	Sesh Ram	380195
3	2 & 14	Bahadur Singh	Dhabe Ram	832253
4	5	Raj Pal	Nokh Singh	313091
5	6	Fula Devi	Dhabe Ram, w/o Nokh Singh	157781
6	7	Fata Ram	Chuni Lal	371698
7	7	Sher Singh Negi	Daulat Ram	371698
8	8	Ashwani Kumar	Dhani Ram	2364720
9	9	Vivek Bodh	Ram Bahadur Bodh	953661
10	10	Ranjeet Singh	Kishan Chand	550138
11	11 & 12	Bhagwan Singh	Daulat Ram	981721
12	13	Chande Ram	Saju Ram	940037
13	13	Amar Singh	Daulat Ram	940037
14	16	Sher Singh	Dhabe Ram	792889
15	17	Durga Devi	W/o Sh. Yadav Dev	255571
Total				12464600

The present cost of above structures has been evaluated by the committee constituted by GM, Sainj HEP for the purpose who submitted the valuation of each structure separately. The detail is as under: -

Sr. No.	Str. No.	Name of owner (Kh. No. 1467)	Father's Name (S/Shree)	Amount
1	1, 3 & 15	Dhabe Ram	Harfi Ram	2808710
2	2 & 4	Dilu Ram	Sesh Ram	467753
3	2 & 14	Bahadur Singh	Dhabe Ram	1023918

4	5	Raj Pal	Nokh Singh	385195
5	6	Fula Devi	Dhabe Ram, w/o Nokh Singh	194116
6	7	Fata Ram	Chuni Lal	457299
7	7	Sher Singh Negi	Daulat Ram	457299
8	8	Ashwani Kumar	Dhani Ram	2909306
9	9	Vivek Bodh	Ram Bahadur Bodh	1173287
10	10	Ranjeet Singh	Kishan Chand	676833
11	11 & 12	Bhagwan Singh	Daulat Ram	1207808
12	13	Chande Ram	Saju Ram	1156525
13	13	Amar Singh	Daulat Ram	1156525
14	16	Sher Singh	Dhabe Ram	975490
15	17	Durga Devi	W/o Sh. Yadav Dev	319354
Total				15369418

From the above, it is observed by the committee that the rates of structures accepted by the owners after negotiation are well below than the present cost of the structures as evaluated by separate committee.

In view of above, the committee recommends the rate of land @ Rs. 4.00 lac per Bigha and compensation of structures as per HPSR-2009 after 25% deduction. The total financial implication involved for purchase of land and structures is Rs. 1,31,44,600/-

Submitted for approval please.

(Er. Sunil Kapoor)
AE (CS)
Member

(Er. Ter Chand)
AE(QC)
Member

(Ms Pratima Pathania)
DM (F&A)
Member

(Er. O. S. Sharma)
SM (CS)
Chairman

GM, Sainj HEP

Approved as above

Ramesh

Receipt

Cheque No. 245956 dt 27-2-2013

Received an amount of Rs. 40,000/- (Rupees

fourty thousands only) on dated 27/02/2013 from Dy.

Manager (F&A) on account of payment of land 00..../02/02. Bighas in
comprising in Khasra NO 1467 of Phati Gadaparli, Kothi Shenshar, Sub-
Tehsil Sainj, Distt. Kullu, HP near Barrage site, Vill. Niharni on account
of sale of land to Sainj H E P, HPPCL.



Name.. Bhagwan Singh S/O. Daulat Ram

R/o..... PO.....

Tehsil/Sub-Tehsil..... Distt.....

Receipt

Received a sum of Rs. 1,98,000/- (Rupees one Lakh ninety eight thousand ONLY) vide cheque No. 192923 Dated 19/3/2012 from Dy. Manager F&A, HPPCL SAINJ. HEP, Sarabai on A/c of sale of land Khasra No 3237/1941/1 of Phati & Kothi Shenshar Sub-Tehsil Sainj Distt. Kullu having Share 6.12 out of 1-13.00 Bighas of total area of above cited Khasra No.

Dated

19/3/2012



Name Narayan Dev

Father's Name Sh. Hari Ram

Address Vill. Bada Lys. P.O. Bagah,

Dist Sainj Kullu

RECEIPT

Received an amount of Rs. 22,59,110/- (Rupees Twenty-two Lacs fifty nine thousand one hundred ten) Through Cheque No. 245960 dated 28.02.2013 from Dy. Manager (F & A) on account of payment of structure No. 1381 in Khasra No. 1467 near Barrage site, Village Niharni, Sub-Tehsil Sainj Distt. Kullu (H.P.)



(SH. DHABE RAM
S/O SH. HARJI RAM)

ANNEXURE 4:
SAMPLE DOCUMENTARY EVIDENCE OF COMPENSATION PAYMENTS MADE BASED ON
LEASE AGREEMENTS



हिमाचल प्रदेश HIMACHAL PRADESH

02AA 247541

LEASE AGREEMENT

This lease agreement is made today on this 30.8.2009 at Sainj Tehsil Banjar, Distt. Kullu (H.P) between following party v/s HPPCL, Sainj HEP, Larji through its Addl. Superintending Engineer Er. D.K. Sharma S/o Late Sh. H.L. Sharma authorized by the HPPCL hereinafter called the Lessee of second part.

Sr. No.	Name of Owner	Khasra No.	Fati/ S.Tehsil Sainj	Taken Area (Bigha)	Amount P/Annum (Rs.)
1.	Sh. Krishan Dev s/o Late Sh. Sarav Dyal. Vill. Jiwa P.O Randa S/Tel. Sainj	3022	---do---	1-04	36000.00

(Hereinafter called the Lessor of the first part)

WHEREAS the party of the first part has leased out the above land to the second part for a period of 12 months commencing from 10.8.08 to 9.9.09 and the party of second part taken the said land on lease on the following terms & Conditions: -

1. The party of the first agreed to lease out land @ Rs. 30,000/Bigha/per annum.
2. The land shall be taken on lease initially for one year, extendable further as per the requirement of HPPCL.



हिमाचल प्रदेश HIMACHAL PRADESH

02AA 062446

3. The said land will be restored to its original at the time of vacation by HPPCL.
4. The damage if any, to the plants will be compensated by HPPCL as per the norms of Hort. Department.
5. The payment to the first party shall be paid half yearly (6 monthly) by HPPCL.
6. 20% initial Payment shall be given to the first party and shall be adjusted in lease payments.
7. The lessor shall, during the period of the lease pay all property and other taxes, levies and duties of whatsoever nature including the land revenue, cess, land and/ or building tax, ground rent etc. levied, charged upon the said property or in connection with the ownership and use of the said property to the authorities concerned on time. In case the lessee becomes aware of any outstanding taxes, taxes levies or duties or any penalty thereof for any reason by the authorities concerned, the lessee shall pay the same on behalf of the lessor and adjust such payment of taxes, duties, levies or penalty from the rent payable by the lessee to the lessor.
8. That the party of the first part shall not transfer, sublet or mortgage the leased land to any other person till the expiry of the lease period.

(2)

No. 0602415
 2
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 9
Himachal Government Judicial Paper
 That the party of the first part shall acknowledge and give valid receipts for each and every payment made by the party of the second part to the lessor or his duly authorized agent and such receipts must be stamped and signed by the lessor or his agent shall be conclusive proof of such payment.

10. The lessee shall be free to use and lessor shall permit the use of the premises by the lessee for itself and for all its associated concerned and their agents.

IN WITNESS WHEREOF the parties have put their signature hereunder

Executed these presents on the day, month and year above written.

SIGNED AND DELIVERED BY THE LESSOR WITHIN NAMED IN THE PRESENCE OF WITNESSES: -

1 Signature: - Rakesh
 Name : Rakesh Kumar
 Address : vill matla Po Ropa
Sub Th saini (Kullu)

3/8/09

2 Signature: - [Signature]
 Name : Hukam Singh s/o Sutekhu
 Address : vill. Nagpuri Po Dhawaji
Sub. Teh. Saini, Dist:
Kullu H.P 17524

3/8/09
**SIGNATURE OF LESSOR
 NAME AND ADDRESS**

ATTESTED
[Signature]
ASHOK K. MARWAH
NOTARY
KULLU (H.P.)

SIGNED AND DELIVERED BY THE LESSEE WITHIN NAMED IN THE PRESENCE OF WITNESSES: -

1 Signature: - [Signature]
 Name : Vinay Verma DM.
 Address : SEED-2 HPPCL Laxi

3/8/09
[Signature]
3/8/09

2 Signature: - [Signature]
 Name : Suman Khatthakur IB.
 Address : S. C. S D No - I
HPPCL Laxi (H.P.)

[Signature]
FOR AND ON BEHALF OF
HPPCL

Gyan Chand S/o Late Sh. Mani Ram.
Acquisition of land on lease basis.

DT-3-10

SCD-I-HPPCL-Land

SCSD No-1 HPPCL-Land

Lease Agreement on dt-17-11-08 approved by standing committee vide letter No-HPPCL/SCD-1/08-22

Description/Name of owner	Khasra No-	Unit	Qty	Rate / per annum	Amount	Rs
Gyan Chand S/o Late Mani Ram.	3242/2960	Bigha	1-16	30,000/-	54000=00	rs
Ch-to-1341-48.01						rs
Bill passed for Rs. 54,000- (B. Fifty four thousand) only						
G/Total					54000=00	rs
Deduction Income tax @ 26%					12220=00	rs
Net payable amount					52780=00	rs

Sr. Accounts Officer
Saini H.E. Project (F&A)
H.P.C.L. Saran (Shunter)

Ch-to-As above

Bill verified for Rs 54000 only (B. Fifty four thousand)

Certified that: (i) The payment has been made in
the interest of the work.

(ii) Nothing is due against the account.

Adl. Superintending Engineer
Saini Const. Division No-1
HPPCL, Lari Distt. Kullu (H.P.)

Deputy Manager,
SCSD No-1
H.P.C.L., Lari



हिमाचल प्रदेश HIMACHAL PRADESH

02AA 109038

LEASE AGREEMENT

This lease agreement is made today on this 17.9.08 at Sainj Tehsil Banjar, Distt. Kullu (H.P.) between following parties v/s HPPCL, Sainj HEP, Sarabai, Bhunter through its Addl. Superintending Engineer Er. D.K. Sharma S/O Late Sh. H.L. Sharma authorized by the HPPCL hereinafter called the Lessee of the second part.

Sr. No.	Name of Owner	Khasra No.	Fati/ S.Tehsil Sainj	Taken Area (Bigha)	Amount P/Annum (Rs.)
1.	(1) Tedhi Singh (2) Gulab Chand (3) Beli Ram sons (4) Smt. Tikmu Devi D/o Sh. Fatta Ram son Sh. Khimi Ram (5) Ravinder Singh (6) Dehar Singh sons & (7) Smt. Ram Piyari (8) Rukmani (9) Durga Devi daughters of Sh. Hira Nand son of Fatta Ram (10) Smt. Taramani widow of Hira Chand son of Sh. Fatta Ram all residents of Vill. Shukwari Phati Suchain Kothi Banogi Sub-Tehsil Sainj Distt. Kullu through GPA Holder Sh. Lal Singh son of Sh. Hira Chand Vide No. 104 dated 4-8-2008 Sub -Registrar Sainj, Kullu H.P.	1805/416	Suchain	3-19	118500.00
				Total	118500.00

(Hereinafter called the Lessors of the first part)

Condt.....2... 5

[Signature]

[Signature]
17/9/08



हिमाचल प्रदेश HIMACHAL PRADESH

02AA 109036

-2-

WHEREAS the party of the first part are owner of land comprised in Khasra Nos. given in Index. Village Shukwari, P.O. Ropa, (Suchain) Sub-Tehsil Sainj Distt. Kullu (H.P.)

And whereas the party of the first part has leased out the above land to the second part for a period of 5 year commencing from 17.9.08 to 16.9.13 and the party of second part taken the said land on the following terms & Conditions :-

1. The party of the first agreed to lease out land @ Rs. 30,000/Bigha/per annum.
2. That the land shall be never acquired by HPPCL.
3. HPPCL shall have the right to construct any type of building on the said land.
4. During the period of lease all the property and other taxes, levies and duties what so ever nature including the land revenue , cess etc. shall be paid by the Lessor.
5. Lessor shall not transfer, sublet or mortgage the leased land to any other till expiry of the lease period.

Contd...3....



हिमाचल प्रदेश HIMACHAL PRADESH

02AA 109037

-3-

6. Lessor shall acknowledge and given the valid receipt for each and every payment made by the HPPCL.
7. The lease shall be initially for five years and can be extended further as per the requirement of HPPCL on the same terms and conditions. However 20 % increase will be given after 5 years on the initial lease rent.
8. The Lessor shall have no right to terminate the lease before the expiry of lease period.
9. HPPCL will retain the original lease and attested copy shall be supplied to the Lessor.
10. HPPCL has the right to remove all the furniture , fixture and fittings made by them in lease out premises at the time of vacation.

Contd....4...

[Signature]

[Signature]

[Signature] 17/1/18
(P.S.)

⑦

No 9725753

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8

Himachal Government Judicial Paper

-4-

11. Any retaining and breast wall constructed by HPPCL shall not be removed by the HPPCL at the time of vacation of land.

IN WITNESS WHEREOF the parties have put their signature hereunder
Executed these presents on the day, month and year above written.

SIGNED AND DELIVERED BY THE LESSOR WITHIN NAMED IN THE PRESENCE OF WITNESSES :-

1. Signature :-

Name :- BELI RAM S/O JH. THAKUR DASS

Address :- VILL. KOKI POST- PUJALI TEH.
BANJAR DISTT. KULLU (H.P.)

2. Signature :-

Name :- BELI RAM S/O JH. FATTARAM

Address :- VILL SHUKWAR POST- ROPA
SUBTEHSIL- SAINJ DISTT. KULLU
(H.P.)

Signature of Lessor

Name and Address

SIGNED AND DELIVERED BY THE LESSEE WITHIN NAMED IN THE PRESENCE OF WITNESSES :-

1. Signature :-

Name :- E. Vinod Verma (D.M.)

Address :- SCSD - I HPPCL - LAJI

2. Signature :-

Name :- G. A.K. Ahluwalia A.E.

Address :- SCSD - I HPPCL - LAJI
Distt Kullu

For and on behalf of
Add. Superintending Engineer
HPPCL Sainj Const. Division No.-I Larij
HPPCL Larij Distt Kullu (H.P.)

ATTESTED
ASHOK K. MARWAH
NOTARY
KULLU (H.P.)

certified that the above person declared

on oath before me on 17/5/87

at Kullu before me as

who was

(Certified)

document

explained

admission

affidavit to

Ashok K. Marwah
17/5/87

Receipt

Received the following
PND Cheque on acc of
land lease from Ministry
HPPCL, Sarani SHP.

1. Cheque No. 618972 Amt. 378000/-
Name: Beli Ra & Patta Ra
2. Cheque No. 618973 Amt. 144000/-
Name: Tadiji Sjt & Patta Ra
3. Cheque No. 618974 Amt. 189000/-
Name: Dalia Sjt & Patta Ra

Beli Ra
Beli Ra &
Patta Ra
Authorized signatory

Payee Sh. Beli Ram 880 St. Sub. Ram CPWA-26
Chargeable For lab keep & maintenance of
structure i.e. Rest camp office shed Chowkida - malla for the

HAND RECEIPT

(Central PWA Code Paragraph 212, 218 and 234)

To be used as simple for miscellaneous payment and advance for which
non of the special from 24, 25 and 27 are suitable.

Division H. Division HPPCL Malla

Sub-Division -I malla

Book Voucher No.....

Dated 9/4/14

Class x

Paid by me in Cash/Cheques Rupees 37800 only

Received from the Sub Division office incharge of Engineer

Power House Sub-Division of the sum of Rupees Thirty Seven thousand

A eight hundred only name of work of purpose for which
payment is made

Amount in Verneular

Releasing of Rent gift of land acquired
on lease basis for office of malla

for the period 17/9/13 to 16/3/14 i.e. 6 month
1/2 year @ Rs. 18500 per year + 20% extra amounting to Rs. = 37800 only

Witness:

5-20 that the material is good quality.

5-20 that the material is purchase on the lowest market rate.

5-20 that the material taken MAS account and Trans account

Stationary Stamp.

Cont. Register

Entered in M.B. No. SCD-1/31/2011

Page No. 254

Verified of Rs.

37800 only

48-01 Cont B24

W.e.f. 17/9/13 to 16/3/14

Sr. Manager

Power House Division

HPPCL, Malla

Engineer

Power House Sub-Div. No. HSD 1

H.P.P.C.L. Malla Sainj

Distt. Kullu (H.P.)

Certified that: (i) The payment has been made in full
of HPPCL works.

(ii) There is no extra payment has been made
previously for the period 17/9/13 to 16/3/14

(iii) Land lease period extended up to three years
till 16/9/16 as per the direction of Engineer-in-charge.

Engineer

Power House Sub-Div. No.

H.P.P.C.L. Malla Sainj

Distt. Kullu (H.P.)

10-III for
9/4/14



Charge
AAAS
HPPCL A.2

ANNEXURE 5:

SAMPLE DOCUMENTARY EVIDENCE OF R&R ASSISTANCE PAYMENTS MADE

LANDLESS RESETTLEMENT GRANTS

(Becomes Landless on account of Acquisition of Land under LAA 1894, to the eligible MPAs at the level of Section-4)

Name of Project: - Sainj Hydro Electric Project (100MW) District Kullu (H.P.) Project Code :- 07

Authority: - (i) Standard R&R Plan of HPPCL vide no. Rev (PC) A (10)-7/2008 dt. 19.01.2009. Part - V- Resettlement Grants Clause 5.1- (1,2,3,4)

(ii) Joint Secretary (Revenue) to the GoH vide Endst. No. Rev (PC) A (10)-7/2008 dated Shimla 05.02.2010 further endorsed by Chief Social and R&R Specialist office endorsement No. HPPCL/ESMU-4/Renukaji/09-1676-83 dated 17.02.10.

Technical Sanction Approval No.: HPPCL/GM/SHEP/DB-8/11-5608 dated 24.01.2012.

Approval No.: 2347/DRA dated 5.09.2012

Sr. No.	Name of HoF (Family Code)	Name of Person due to whom Family becoming Affected (i.e. owner/ co-owner of land) as per the Revenue Record	Detail of Land			Compensation of Land as per Award	Resettlement Grant					G. Totals of Resettlement Grant	Remarks
			Total Land Holding of MPAs	Land Acquired under LAA, 1894	Balance Land Holding of MPAs		Family whose land before acquisition was more than 5 Bighas and is left with one biswa or no agricultural land after acquisition Rs. 2.5Lac. Lump Sum	Family whose Land before acquisition was less than 5 Bighas and is left with one biswa or no agriculture land after acquisition Rs. 1.5Lac. Lump Sum	Family whose Land holding is left with more than one biswa and less than 2-10-0 bighas of land after acquisition Rs. 1.00 Lac. Lump Sum	Family whose Land holding is left with more than 2-10-0 bighas and less than 5 bighas of land after acquisition Rs. 75000/- Lump Sum	Family whose Land has been acquired and land holding left after acquisition is more than 5 bighas, amount equal to the land compensation paid subject to a minimum of 50000/- and maximum of 50,000/-		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Panchayat :- Shensher (Code - 02)													
1	Sh. Roshan Lal S/o Sh. Bali Ram Family Code:- 07020610	Sh. Roshan Lal S/o Sh. Bali Ram	00-02-00	00-02-00			1,50,000.00	---	---	---	---	1,50,000.00	
Grand Total:-							1,50,000.00	---	---	---	---	1,50,000.00	

Name of work Ch. to :- Estimate for providing Resettlement Grants to the Project Affected Families in r/o Sainj HEP(100MW) as per standard R&R Plan of HPPCL.

Head of Account Ch. to :- 11.011 (R&R)

Approval No.: 2347 / DRA dated 5.09.2012.

Resettlement Grant (Landless) is verified for Rs. 1,50,000/- (Rs. One Lac & Fifty Thousand) only.

Ch. to :- 11-011
Bill passed for Rs. 1,50,000/- and
Ch. are enc. Fifty thousand only.
Dy. Manager
Sainj H.E. Project (70 A)
HPPCL, Sarabha (Director)

Junior Officer
R & R
H.P.P.C.L., Larji Kullu (H.P.)

LANDLESS RESETTLEMENT GRANTS

(Becomes Landless on account of Acquisition of Land under LAA 1894, to the eligible MPAFs at the level of Section-4)

Name of Project: - Sainj Hydro Electric Project (100MW) District Kullu (H.P.) Project Code :- 07

Authority: - (i) Standard R&R Plan of HPPCL vide no. Rev (PC) A (10) -7/2008 dt. 19.01.2009. Part - V- Resettlement Grants Clause 5.1- (1,2,3,4)
(ii) Joint Secretary (Revenue) to the GoH vide Endst. No. Rev (PC) A (10) -7/2008 dated Shimla 05.02.2010 further endorsed by Chief Social and R&R Specialist office endorsement No. HPPCL/ESMU-4/Renukaji/09-1676-83 dated 17.02.10.

Technical Sanction Approval No.:- HPPCL/GM/SHEP/DB-8/11-5608 dated 24.01.2012.

Administrative No.:- 2347/ DRA dated 5.09.2012

Sr. No.	Name of Hof (Family Code)	Name of Person due to whom Family becoming Affected (i.e. owner/ co-owner of land) as per the Revenue Record	Detail of Land			Resettlement Grant					G. Totals of Resettlement Grant	Remarks
			Total Land Holding of MPAF	Land Acquired under LAA, 1894	Balance Land Holding of MPAF	Family whose land before acquisition was more than 5 Bighas and is left with one biswa or no agricultural land after acquisition Rs. 2.5Lac. Lump Sum	Family whose Land before acquisition was less than 5 Bighas and is left with one biswa or no agriculture land after acquisition Rs. 1.5Lac. Lump Sum	Family whose Land holding is left with more than one biswa and less than 2-10-0 bighas of land after acquisition Rs. 1.00 Lac. Lump Sum	Family whose Land holding is left with more than 2-10-0 bighas and less than 5 bighas of land after acquisition Rs. 75000/- Lump Sum	Family whose Land has been acquired and land holding left after acquisition is more than 5 bighas, amount equal to the land compensation paid subject to a minimum of 5000/- and maximum of 50,000/-		
1	2	3	4	5	6	7	8	9	10	11	12	13
Panchayat :- Shensher (Code-02)												
1	Sh. Painu Ram S/o Sh. Rup Chand Family Code:-07021717	Sh. Painu Ram S/o Sh. Rup Chand	00-03-05	00-00-01	00-03-04	11-09-21-21 12-8-2013	1,00,000.00	---	---	---	1,00,000.00	---
Grand Total=						---	1,00,000.00	---	---	---	1,00,000.00	---

Name of work Ch. to :- Estimate for providing Resettlement Grants to the PAF in r/o Sainj HEP(100MW) as per standard R&R Plan of HPPCL.

Head of Account Ch. to :- 11.011 (R&R)

Approval No.:- 2347/ DRA dated 05.09.2012

Resettlement Grant (Landless) is verified for Rs. 1,00,000/- (Rs. One Lac) only.

[Signature]

[Signature]
Junior Officer

CA to :- 11-011
Bill passed for Rs. 1,00,000/-
(Rs. one lac) only
Dy. Manager
Sainj H.E. Project (F&A)
HPPCL, Sarabai (Bhankar)
Consultant (R&R)
24/11/13

LANDLESS RESETTLEMENT GRANTS

(Becomes Landless on account of Acquisition of Land under LAA 1894, to the eligible MPAs at the level of Section-4)

Name of Project: - Sainj Hydro Electric Project (100MW) District Kullu (H.P.) Project Code :- 07

Authority: - (i) Standard R&R Plan of HPPCL vide no. Rev (PC) A (10) -7/2008 dt. 19.01.2009. Part - V- Resettlement Grants Clause 5.1- (1,2,3,4)
(ii) Joint Secretary (Revenue) to the GoH vide Endst. No. Rev (PC) A (10) -7/2008 dated Shimla 05.02.2010 further endorsed by Chief Social and R&R Specialist office endorsement No. HPPCL/ESMU-4/Renukaji/09-1676-83 dated 17.02.10.

Landless Certification No.:- DC Kullu vide No. 1988/ DRA dated 20.10.2011. , No.90 dated 14.03.2012 and 2071/DRA dated 31.07.2012.

Technical Sanction Approval No.:- HPPCL/GM/SHEP/DB-8/11-5608 dated 24.01.2012.

Approval No.:- 2347/DRA dated 5.09.2012

Sr. No.	Name of HoF (Family Code)	Name of Person due to whom Family becoming Affected (i.e. owner/ co-owner of land) as per the Revenue Record	Detail of Land			Compensation of Land as per Award	Resettlement Grant					G. Totals of Resettlement Grant	Remarks
			Total Land Holding of MPAF	Land Acquired under LAA, 1894	Balance Land Holding of MPAF		Family whose land before acquisition was more than 5 Bighas and is left with one biswa or no agricultural land after acquisition Rs. 2.5Lac. Lump Sum	Family whose Land before acquisition was less than 5 Bighas and is left with one biswa or no agricultural land after acquisition Rs. 1.5Lac. Lump Sum	Family whose Land holding is left with more than one biswa and less than 2-10-0 bighas of land after acquisition Rs. 1.00 Lac. Lump Sum	Family whose Land holding is left with more than 2-10-0 bighas and less than 5 bighas of land after acquisition Rs. 75000/- Lump Sum	Family whose Land has been acquired and land holding left after acquisition is more than 5 bighas, amount equal to the land compensation paid subject to a minimum of 50000/- and maximum of 50,000/-		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Panchayat :- Sarabai (Code:-04)													
1	Sh. Mohar Singh S/o Sh. Jeet Ram Family code:- 07040019	1.Sh. Mohar Singh S/o Sh. Jeet Ram 2. Lal Singh S/o Sh. Mohar Singh	05-19-02	03-04-00	02-15-02		Land before acquisition was more than 5 bighas and is left with one biswa or no agricultural land after acquisition Rs. 2.5Lac. Lump Sum			75,000.00		75,000.00	
Grand Total=							---		---	75000.00	---	75000.00	

Name of work Ch. to :- Estimate for providing Resettlement Grants to the PAF in r/o Sainj HEP(100MW) as per standard R&R Plan of HPPCL.

Head of Account Ch. to :- 11.011 (R&R)

Approval No.:- 2347 / DRA dated 5.09.2012.

Resettlement Grant (Landless) is verified for Rs. 75,000/- (Rs. Seventy- Five thousand) only.

Mr. Manager(P&M),

Sainj Hydro Electric Project,
HPPCL, Sarabai.

Junior Officer(R&R)

sainj Hydro Electric Project
HPPCL, Sarabai.

CA to :- 11.011

Bill passed for Rs. 75,000/- only.
(Rs. Seventy five thousand) only.

Dy. Manager

Sainj H.E. Project (F&A)
HPPCL, Sarabai (Sarabai)

Roll No 196
28-9-2012

V-1 (68)
1

LANDLESS RESETTLEMENT GRANTS

(Becomes Landless on account of Acquisition of Land under LAA 1894, to the eligible MPAFs at the level of Section-4)


Name of Project: - Sainj Hydro Electric Project (100MW) District Kullu (H.P.) Project Code :- 07

- Authority:** - (i) Standard R&R Plan of HPPCL vide no. Rev (PC) A (10) -7/2008 dt. 19.01.2009. Part - V- Resettlement Grants Clause 5.1- (1,2,3,4)
(ii) Joint Secretary (Revenue) to the GoH vide Endst. No. Rev (PC) A (10) -7/2008 dated Shimla 05.02.2010 further endorsed by Chief Social and R&R Specialist office endorsement No. HPPCL/ESMU-4/Renukaji/09-1676-83 dated 17.02.10.

Landless Certification No.:- DC Kullu vide No. 1988/ DRA dated 20.10.2011. , No.90 dated 14.03.2012 and 2071/DRA dated 31.07.2012.

Technical Sanction Approval No.:- HPPCL/GM/SHEP/DB-8/11-5608 dated 24.01.2012.

Approval No.:- 163/DRA dated 20.03.2012

Sr. No.	Name of HoF (Family Code)	Name of Person due to whom Family becoming Affected (i.e. owner/ co-owner of land) as per the Revenue Record	Detail of Land			Compensation of Land as per Award	Resettlement Grant					G. Totals of Resettlement Grant	Remarks
			Total Land Holding of MPAF	Land Acquired under LAA, 1894	Balance Land Holding of MPAF		Family whose land before acquisition was more than 5 Bigha and is left with one biswa or no agricultural land after acquisition Rs. 2.5Lac. Lump Sum	Family whose Land before acquisition was less than 5 Bighas and is left with one biswa or no agriculture land after acquisition Rs. 1.5Lac. Lump Sum	Family whose Land holding is left with more than one biswa and less than 2-10-0 bighas of land after acquisition Rs. 1.00 Lac. Lump Sum	Family whose Land holding is left with more than 2-10-0 bighas and less than 5 bighas of land after acquisition Rs. 75000/- Lump Sum	Family whose Land has been acquired and land holding left after acquisition is more than 5 bighas, amount equal to the land compensation paid subject to a minimum of 5000/- and maximum of 50,000/-		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Panchayat :- Shensher (Code-02)													
1	Sh. Ram Lal S/o Sh. Daulat Ram Family Code:-07021110	Sh. Ram Lal S/o Sh. Daulat Ram	09-05-10	00-02-05	09-03-05	---	---	---	---	---	50,000.00	50,000.00	

Case No 676410 dt 28-9-2012

Transitional / Subsistence Allowance/ Grant

Name of Project:- SHEP (100MW)

Authority :- Revised Standard R&R Plan

Technical Sanction No. :- HPPCL/ GMSHEP/DB-8/11-5605-08, Dated :- 24.01.2012

Approval No. :- DC Kullu vide No.15/ DRA, Dated:- 04.01.2014

Sr. No.	Family Code	Name of Affected Person	Name of the person due to which family become affected	Eligibility of Grant/ allowances	Amount	Remarks
2	07012220	Sh. Chande Ram S/o Sh. Souju Ram	Sh. Chande Ram S/o Sh. Souju Ram	25x12x150	45,000.00	Paid by me through Cheque No. 617112 dt 21.12.13 MGR T
				G. Total	45,000.00	

Approval No.:- DC office Order No. 15/DRA, Dated:- 04.01.2014

Chargeable To:-

Estimate for providing Resettlement Grants to the Project Affected Families in respect of Sainj HEP (100MW) as per Standard R&R Plan of HPPCL (BH. :- 11.011)

Transitional & Subsistence Grant is verified for Rs. 45,000/- (Rupees Forty Five Thousand) only.

2011
Bill paid Rs. 45,000/- only
(Rs. Forty five thousand) only

Mahader

Sainj H.E. Project (F&A)
HPPCL, Sarabhi (Hunter)

Manoj
Consultant (R&R)

Junior Officer
R & R

H.P.P.C.L. - Sarabhi Kullu (H.P.)

Deputy General Manager - II

Sainj Hydro Electric Project

HPPCL, Sarabhi Distt. Kullu (H.P.)

Transitional / Subsistence Allowance/ Grant

Name of Project:- SHEP (100MW)

Authority :- Revised Standard R&R Plan

Technical Sanction No. :- HPPCL/ GMSHEP/DB-8/11-5605-08, Dated :- 24.01.2012

Approval No. :- DC Kullu vide No.15/ DRA, Dated:- 04.01.2014

Sr. No.	Family Code	Name of Affected Person	Name of the person due to which family become affected	Eligibility of Grant/ allowances	Amount	Remarks
16	07030610	Sh. Man Chand S/o Sh. Dhani Ram	Sh. Man Chand S/o Sh. Dhani Ram	25x12x150	45,000.00	Raid by one boy 2009/10/20.617125 dt 21-1-2014 10/2/14 [Signature]
				G. Total	45,000.00	

Approval No.:- DC office Order No. 15/DRA, Dated:- 04.01.2014

Chargeable To:-

Estimate for providing Resettlement Grants to the Project Affected Families in respect of Sainj HEP (100MW) as per Standard R&R Plan of HPPCL (BH. :- 11.011)

Transitional & Subsistence Grant is verified for Rs. 45,000/- (Rupees Forty Five Thousand) only.

CAT-11/011
B11 paid Rs. 45,000/- only
(Rs. Forty five thousand only)
[Signature]
Manager
Sainj H.E. Project (T&A)
HPPCL, Sanj, Dist. Kullu (H.P.)
[Stamp]
[Signature]
9/1/14
Consultant (R&R)

[Signature]

Sd/- [Signature] (T.P.)

[Signature]
Deputy General Manager - II
Sainj H.E. Project
HPPCL, Sanj, Dist. Kullu (H.P.)

Bill No 163
10.4.2012

Annexure XXIII - 2

HOUSELESS RESETTLEMENT GRANT

(Rendered Houseless after Acquisition of Land under LAA 1894, to the eligible MPAFs at the level of Section-4)

Name of Project: - Sainj Hydro Electric Project (100MW) District Kullu (H.P.) Project Code :- 07

Authority: - (i) Standard R&R Plan of HPPCL vide no. Rev (PC) A (10) -7/2008 dt. 19.01.2009. Part - V- Resettlement Grants Clause 5.2

Certification No.:- DC Kullu vide No. 1989/ DRA dated 20.10.2011 and No. 90/DRA dated 14.03.2012.

Technical Sanction Approval No.:- HPPCL/GM/SHEP/DB-8/11-5608 dated 24.01.2012.

Resettlement Grant (Houseless) Approval No.:- 689/DRA dated 26.05.2012

Sr. No	Name of HoF (Family Code)	Name of Person due to whom Family becoming Affected (i.e. owner / co-owner of land) as per the Revenue Record	Reference of Land in which the House situated (vide Khasra No.etc)	Category/ Nature of Acquired House with Structure No.	Eligibility of Grant	Resettlement (Houseless) Grant				Remarks
						1st installment @20%	2nd installment @40%	3rd installment @40%	Full Amount	
1	2	3	4	5	6	7				8
1	Sh.Man Chand S/o Sh. Dhani Ram 07030610	Sh.Man Chand S/o Sh.Dhani Ram	Phati Shenshor Khasra No.3101/2914 (Bauthi)	Old Permanent House St. No.42	7,50,000.00	7,50,000.00				10-4-2012
					Grant Total	7,50,000.00				

Approval No :- DC Office order No:-689/DRA dated 26.05.2012.

Chargeable to :- Estimate for providing Resettlement Grant to the Project Affected Families in r/o Sainj HEP(100MW) as per standard R&R Plan of HPPCL (BH: 11.011)

Resettlement Grant (Houseless) is verified for Rs. 7,50,000/- (Seven Lac & Fifty Thousand) only.

Sr. Manager(P&M),
Sainj Hydro Electric Project,
HPPCL, Sarabai.

Junior Officer (R&R),
Sainj Hydro Electric Project,
HPPCL, Sarabai.

Bill passed for Rs. 750,000/-
Seven Lac Fifty Thousand
10/4/12
Sainj H.E. Project (P&M)
HPPCL, Sarabai (Shunam)

TRANSPORTATION GRANT

(Transportation cost for Physical Movement)


Name of Project:- Sainj Hydro Electric Project (100MW)

AUTHORITY:- Standard R&R Plan of HPPCL vide No. REV (PC) A (10)-7/2008 Dated : 19.01.2009

Part-V- Resettlement Grants, Clause 5.5

Technical Sanction No. :- HPPCL/GM/SHEP/Db-8/11-5608, Dated 24.01.2012

Approval No. :- vide DC, Kullu letter No. 689/DRA, Dated 26.05.12


Sr. No.	Family Code	Name of HoF	Name of Person due to whom Family becoming Affected (i.e. owner/ co-owner of land) as per Revenue Record	Category/ Nature of Acquired House with Structure No. & Khasra No.	Amount	Remarks
8	67030610	Sh.Man Chand S/o Sh.Dhani Ram	Sh.Man Chand S/o Sh.Dhani Ram	Old Permanent House St. No.42 Phati Shenshor Khasra No.3101/2914 (Bauthi)	20,000.00	Handed by one ling C.A. 10-6-11 125 C.A. 21-1-2014 

Name of work Ch. to :- Estimate for providing Resettlement Grants to the PAF in r/o Sainj HEP(100MW) as per standard R&R Plan of HPPCL.


Head of Account Ch. to :- 11.011 (R&R)

Bill verified for Rs. 20,000/- (Rs. Twenty Thousand) only.


Junior Officer
R & R
H.P.P.C.L. Kullu (H.P.)


Junior Officer
R & R
H.P.P.C.L. Kullu (H.P.)

C.A. 11-11-11
Bill passed for Rs. 20,000/-
Rs. twenty thousand only


Consultant (R&R)
Sainj H.E. Project (R&R)
H.P.P.C.L. Kullu (H.P.)

GRANT FOR DISPLACED SHOPKEEPERS/ SMALL TRADERS/ ARTISANS ETC.

Name of Project:- SHEP (100MW)

Authority :- Revised Standard R&R Plan

Approval No. :- DC Kullu vide No. 599/ DRA, Dated:- 20.03.14

Sr. No.	Family Code	Name of Displaced Person	Category of Displaced Person	Eligibility of Grant	Amount	Remarks
3	C7040810	Sh. Lal Singh S/o Sh. Mohar Singh	Shopkeeper (Tea Stall/ Dhaba)	2,20,000.00	2,20,000.00	LCI Stamp 14
Total					2,20,000.00	

Paid By A/c through cheque No. 613585 dated 27-3-2014

Approval No.:- DC office Order No. 599/DRA, Dated:- 20.03.14

Chargeable To :-

Estimate for providing Resettlement Grants to the Project Affected Families in respect of Sainj HEP (100MW) as per Standard R&R Plan of HPPCL.
(BH. :- 11.011)

220000.00
20000.00
240000.00
Ch to :- 11-011

Handwritten 2613
Consultant (R&R)

Displaced Shopkeeper Grant is verified for Rs. 2,20,000/- (Rupees Two Lacs Twenty Thousand) only.

Bill has been for Rs. 2,20,000/- and (Rs. two lacs + 20 only thousand) only

Deputy Director
Sainj Hydro Electric Project
HPPCL, Samba Dist. Jammu (H.P.)

Junior Officer
R & R
H.P.P.C.L., Jammu Kullu (H.P.)

Manager
Sainj H.E Project (F&A)
HPPCL, Samba Dist. Jammu

GRANT FOR DISPLACED SHOPKEEPERS/ SMALL TRADERS/ ARTISANS ETC.

Name of Project:- SHEP (100MW)

Authority :- Revised Standard R&R Plan

Approval No. :- DC Kullu vide No. 599/ DRA, Dated:- 20.03.14

Sr. No.	Family Code	Name of Displaced Person	Category of Displaced Person	Eligibility of Grant	Amount	Remarks
5	07023010	Sh. Hira Singh S/o Sh. Sabja Chand	Sawmill	50,000.00	50,000.00	
			Total		50,000.00	

Approval No.:- DC office Order No. 599/DRA, Dated:- 20.03.14

Chargeable To :-

Estimate for providing Resettlement Grants to the Project Affected Families in respect of Sainj HEP (100MW) as per Standard R&R Plan of HPPCL.
(BH. :- 11.011)

Displaced Artisan Grant is verified for Rs. 50,000/- (Rupees FiftyThousand) only.

Deputy Project Manager
Sainj H.E. Project
HPPCL, Sateeda, Shimla

Junior Engineer
R & R
HPPCL, Sateeda, Shimla

Manager
Sainj H.E. Project (F&A)
HPPCL, Sateeda, Shimla

Paid By me through cheque
No. 618587 dated 27-3-2014

50000/-



Ch to :- 11-011

Consultant (R&R)

Bill has been sent for Rs. 50,000/- only
(Rs. Fifty-Thousand) only

Financial Assistance for Displaced Shopkeepers/ small traders/ artisans etc.

Name of Project: - Sainj Hydro- Electric Project (100MW)
 Technical Sanction No.: - HPPCL/GMSHEP/DB-8/11-5605-08 Dated: - 24.01.2012

Sr. No.	Name of Project Affected Person	Category of displaced Person	Reference of Land in which Shop / House situated (Khazra No.)	Eligibility of grant as per clause 5.3, 5.8 (Para-5) & 6.3.3				Total Amount	Remarks
				One time displaced grant (Clause 5.3)	Financial Assistance to Shopkeepers (Clause 5.3)	Financial assistance for Artisans, Small traders or Self employed and for construction of work shed or shop (Clause 5.8)	Grant for Self employment (Seed Capital) (Clause 6.3.3)		
1.	Sh. Khele Ram S/o Sh. Jeet Ram F.Code-07011720	Shopkeeper (Grocery)	573	20,000.00	2,00,000.00	---	---	2,20,000.00	This is as per Socio-Economic Survey conducted by WAPCOS Ltd. (A GOI Undertaking)
2.	Smt. Shauni Devi W/o Sh. Thakur Dass F.Code-07013413	Self-Employed (Small Tex Shop)	571	---	---	50,000.00	---	50,000.00	-do-
3.	Sh. Lal Singh S/o Sh. Mohar Singh F.Code-07040810	Shopkeeper (Tea Stall/ Dhaba)	2921	20,000.00	2,00,000.00	---	---	2,20,000.00	-do-
4.	Sh. Chundi Lal S/o Sh. Mohar Singh F.Code-07040910	Self-Employed (Tailoring/ Khaddi)	2921	---	---	50,000.00	---	50,000.00	-do-
5.	Sh. Hira Singh S/o Sh. Sabja Chand F.Code-07023010	Sawmill	2728	---	---	50,000.00	---	50,000.00	-do-
Total				40,000.00	4,00,000.00	1,50,000.00	---	5,90,000.00	

Recommended for approval of

Jr. Officer (R&R)

Consultant (R&R)

Approved

 18/3/2014
 Deputy Commissioner
 Kullu (H.P.)

 Deputy General Manager-II
 Sainj Hydro Electric Project
 HPPCL, Sarabai Dist. Kullu (H.P.)

ANNEXURE 6:**HPPCL WELFARE SCHEMES FORMULATED FOR PROJECT AFFECTED FAMILIES AND COMMUNITIES
(AS ON 30-7-2014) AS PER HPPCL R&R PLAN**

Type of Scheme	Details	Amount spent (Rs.)
1. Training cum Awareness camp	As part of this scheme, 17 training cum awareness camps were organized from 2008 to 2014 on a range of topics such as Horticulture, Scientific cultivation of temperate fruits and vegetables, Herbal plants, banking schemes, Floriculture, Animal Husbandry, Pisciculture, Mushroom Farming, Organic Farming etc.	7,81,672
2. Involvement of Community Based Organisations (CBOs)	As part of this scheme, 5 CBOs were assisted from 2009-2014 in renovation of CBO building, income generation material and activities and organisation of exposure visits.	4,89,912
3. School Competition	As part of this scheme, painting, essay writing and debate competitions were organized in the 10 local schools from 2009-2014.	99,145
4. Sports Tournament	As part of this scheme, 10 sports tournament for local men and women were organized from 2009-2014.	2,23,000
5. Merit Scholarship Scheme	As part of this scheme, 149 school children were awarded merit scholarships from 2009-2014.	10,37,400
6. Skill upgrading Scheme for Youth (Vocational Training)	As part of this scheme, 58 youth were provided vocational training in a range of skills (electrician, painter, Draughtsman, Motor vehicle repair etc) from 2008-2014.	15,84,502
7. Self-employment Scheme	Under this scheme, 14 individuals have been provided Rs. 50,000/ person for starting income generation activities.	7,00,000

Type of Scheme	Details	Amount spent (Rs.)
8. Petty Contracts	Under this scheme, petty contracts have been awarded to 108 Affected households.	64,478,978
9. Hired Vehicle	Under this scheme, vehicles belonging to 9 Affected households have been hired under the Project for Project work.	
10. Manpower engaged in SHEP	As part of this scheme, 36 affected households have been employed in SHEP as daily wage workers (through outsource).	